

Calderwood Concept Plan Revised Statement of Commitments

Table 1 – Final Statements of Commitments

Subject	Commitment	Responsibility / Timing	Justification for Proposed Change
State infrastructure contributions	<p>4</p> <p>The Proponent will enter into a Voluntary Planning Agreement with the Minister for Planning for the delivery of infrastructure and facilities for the Calderwood Urban Development Project area. The Proponent will:</p> <ul style="list-style-type: none"> - make a net monetary contribution of \$5,647 per dwelling to the State government; and - dedicate a total of 43-11 hectares of land to the Department of Education and Training free of cost to accommodate 1 high school site of 6 hectares and 2 primary school sites of <u>2 and 3</u> hectares each respectively, and a special needs unit of 1 hectare co-located with one of the primary schools <u>the high school</u>; <p>The offer to enter into the VPA is made on the basis set out in the formal proposal to enter into a Voluntary Planning Agreement made in writing to the Director General of the Department of Planning on 31 July 2010, a copy of which is included at Appendix D of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Appendix J of the Preferred Project Report prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010). The final location of the education land will be determined by agreement with the Department of Education and Training. A revised letter of offer will be prepared by Lendlease and submitted to the Department.</p> 	<p>VPA to be finalised prior to registration of first residential subdivision. Completed.</p>	<p><u>A Voluntary Planning Agreement has been executed with the Minister for Planning and is proposed to be updated as part of this application.</u></p> <p><u>Area reduced as agreed with Department of Planning and Education in respect of the second primary school only being 2Ha rather than 3Ha as originally agreed.</u></p> <p><u>Special needs unit to be co-located with the high school, reflecting the executed amendments to the State VPA.</u></p>
Johnston's Spur Conservation Area	<p>2</p> <p>The Proponent will dedicate that part of the Johnston's Spur conservation area identified as Item E2 06 on the Land Ownership Options Plan included at Appendix H of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Appendix I of the Preferred Project Report prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010) to the Department of Lands for relevant local council free of cost and "under reserve" on a stage by stage basis, subject to the agreement of the Department of Lands to take ownership of this land. If the Department of Lands or Council does not agree to take ownership of this land, the Proponent will identify a suitable alternative public or private land ownership option at the relevant subdivision stage. Any land to be transferred into public ownership in accordance with this commitment will be subject to an identified management regime. The land will only be transferred upon completion of any agreed embellishment and a suitable period of maintenance (eg 3 years).</p>	Proponent	

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Environmental reserves	3 The Proponent will dedicate the environmental reserves identified as Items E2 04 and E2 05 on the Land Ownership Options Plan included at Appendix H of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Appendix I of the Preferred Project Report prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010) to the Department of Lands <u>or the relevant local council</u> free of cost and “under reserve” on a stage by stage basis, subject to the agreement of the Department of Lands to take ownership of this land. If the Department of Lands <u>or Council</u> does not agree to take ownership of this land, the Proponent will identify a suitable alternative public or private land ownership option at the relevant subdivision stage. Any land to be transferred into public ownership in accordance with this commitment will be subject to an identified management regime. The land will only be transferred upon completion of any agreed embellishment and a suitable period of maintenance (eg 3 years).	Proponent	
Riparian Land	4 The Proponent will dedicate the riparian corridor and adjoining open space/drainage lands identified as Items E2 01, 02 and E2 03, and RE1 01-02, RE1 04, RE1 09, RE1 12, RE1 15, RE1 22 and RE1 28 on the Land Ownership Options Plan included at Appendix H of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Appendix I of the Preferred Project Report prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010) prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010 to the Department of Lands <u>or relevant local council</u> free of cost and “under reserve” on a stage by stage basis, subject to the agreement of the Department of Lands to take ownership of this land. If the Department of Lands <u>or relevant local council</u> does not agree to take ownership of this land, subject to the underlying land use zone, the Proponent will identify a suitable alternative public or private land ownership option at the relevant subdivision stage. Any land to be transferred into public ownership in accordance with this commitment will be subject to an identified management regime. The land will only be transferred upon completion of any agreed embellishment and a suitable period of maintenance (eg 3 years).	To be demonstrated by the proponent relevant landowner/applicant at the time of any relevant detailed application	
Local infrastructure contributions	5 The Proponent will enter into <u>a Voluntary Planning Agreement</u> s with the relevant Council <u>s</u> for the delivery of local infrastructure and facilities for the Calderwood Urban Development Project area <u>attributable to development that the Proponent proposes to undertake</u> , if agreed by the <u>relevant</u> council <u>s</u> .	Proponent	<u>Voluntary Planning Agreements have been entered into with both Shellharbour City Council and Wollongong City Council. These are proposed to be updated to reflect the revised local contributions to be provided. Additional Voluntary Planning Agreements may also be entered into by other relevant landowners/applicants.</u>

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	<p>6</p> <p>The Proponent will dedicate the land required for a public purpose as identified at <u>Appendix M of the Response to Submissions prepared by Ethos Urban dated May 2019</u>Appendix J of the Section 75W modification application dated July 2018 <u>Appendix I of the Consolidated Concept Plan prepared by JBA dated March 2011</u> (previously referenced as <u>Appendix K of the Preferred Project Report prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010</u>) on a stage by stage basis to the relevant council free of cost, subject to Council's agreement to take ownership of that land and subject to obtaining a satisfactory planning approval. If the relevant council does not agree to take ownership of this land, subject to the underlying land use zone, the Proponent will identify a suitable alternative public or private land ownership option at the relevant subdivision stage.</p>	<p>To be demonstrated at the time of release of the relevant subdivision certificate <u>by the relevant landowner/applicant</u>.</p>	<p><u>Some of the local parks and roads are to be delivered by non-core landowners.</u></p>
	<p>7</p> <p>The Proponent will carry out the works in kind identified at <u>Appendix M of the Response to Submissions prepared by Ethos Urban dated May 2019</u>Appendix I of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as <u>Appendix K of the Preferred Project Report prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010</u>) prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010 <u>Appendix J of the Section 75W modification application dated July 2018</u> and dedicate those works on a stage by stage basis to the relevant council free of cost, subject to Council's agreement to take ownership of those works and subject to obtaining a satisfactory planning approval. If the relevant council does not agree to take ownership of the works in kind, the Proponent will identify a suitable alternative public or private land ownership option for these works at the relevant subdivision stage.</p>	<p>To be demonstrated at the time of release of the relevant subdivision certificate <u>by the relevant landowner/applicant</u>.</p>	<p><u>Some of the local parks and roads are to be delivered by non-core landowners.</u></p>
	<p>8</p> <p>The Proponent will identify the level of embellishment / works for each work in kind item identified at <u>Appendix M of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u>Appendix J of the Section 75W modification application dated July 2018 <u>Appendix I of the Consolidated Concept Plan prepared by JBA dated March 2011</u> (previously referenced as <u>Appendix K of the Preferred Project Report prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010</u>) at the User Brief, Concept and Detailed Design stages to the relevant Council for agreement.</p>	<p>To be demonstrated by the proponent <u>relevant landowner/applicant</u> at the time of any relevant detailed application</p>	<p><u>Some of the local parks and roads are to be delivered by non-core landowners.</u></p>
	<p>9</p> <p>The Proponent will be responsible for works in kind, including design, construction, certification, authority approvals, construction and initial maintenance of each of the work in kind items identified on the <u>Appendix M of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u>Appendix J of the Section 75W modification application dated July 2018 <u>Schedules at Appendix I of the Consolidated Concept Plan prepared by JBA dated March 2011</u> (previously referenced as <u>Appendix K of the Preferred Project Report prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010</u>) prepared by JBA Urban Planning Consultants Pty Ltd dated August 2010.</p>	<p>Proponent, ongoing <u>Relevant landowner/applicant</u>.</p>	<p><u>Updated to refer to the revised list of local contributions to be provided as part of the development.</u></p>
	<p>10</p> <p>The Proponent will maintain any open space and drainage works that are to be dedicated to a public authority for a period of 3 years from the date of practical completion of the works, unless otherwise agreed by the Proponent and the relevant authority.</p>	<p><u>Relevant landowner/applicant</u>. Proponent, ongoing.</p>	
	<p>11</p> <p>The Proponent will maintain any buildings that are to be dedicated to a public authority for a period of 3 months from the date of practical completion of the works, unless otherwise mutually agreed by the Proponent and the relevant authority.</p>	<p>Proponent, ongoing.</p>	
	<p>12</p> <p>The Proponent will provide any maintenance and handover plans as required for the ongoing management of any land that is transferred to a public authority.</p>	<p>To be prepared by the <u>Relevant landowner/applicant</u>. Proponent</p>	

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		approximately 12 months prior to transfer of land to any public authority	
Albion Park Bypass / Tripoli Way Extension	13	Deleted. Refer to Modification B4 of Concept Plan approval.	
	14	Deleted. Refer to Modification B4 of Concept Plan approval.	
	15	Deleted. Refer to Modification B4 of Concept Plan approval.	
	16	Deleted. Refer to Modification B4 of Concept Plan approval.	
	17	Deleted. Refer to Modification B4 of Concept Plan approval.	
Urban design / controls	18	The Proponent will prepare a Consolidated Development Control Strategy to the satisfaction of the Director General of the Department of Planning incorporating the Development Control Strategy included at Appendix BB of the SSS Study and Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated March 2010 as amended by the following Statements of Commitment.	The DCS was submitted to the DPE and approved. Amendments are proposed as part of the Mod 4 application.
	19	The detailed design of relevant future development, including the design of streets, subdivision and built form will be generally in accordance with the Consolidated Development Control Strategy, <u>as amended in July 2018</u> May 2019, prepared in accordance with Statement of Commitment 18.	To be demonstrated by the <u>relevant landowner/applicant</u> proponent at the time of any relevant detailed application
	20	The detailed design of subdivision, including proposed residential lot sizes, will be generally consistent with the development controls relating to the future Character Areas included at Appendix G of the Preferred Project Report prepared by JBA Urban Planning Consultants Pty and dated August 2010. The revised provisions at Appendix G are to be incorporated into <u>contained in</u> the Consolidated Development Control Strategy referred to in Commitment dated July 2014 May 2019.	<u>To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application</u> Refer to Commitment 18 Note: The Consolidated Development Control Plan incorporating this commitment included at Appendix F of the Consolidated Concept Plan.
	21	The Proponent will prepare a Public Domain Plan addressing landscape treatment of streets to distinguish between public and private spaces, street hierarchy and integration of public art into the public domain. A requirement to prepare a Public Domain Plan at the time of any relevant detailed application is to be incorporated into the Consolidated Development Control Strategy prepared in accordance with Statement of Commitment 18 <u>incorporated in the Development Control Strategy</u> . The Proponent notes that embellishment works to the public domain, including User Brief, Concept and Detailed Design Stages, form part of the offer made in respect of local contributions (refer to	<u>To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application</u> Refer to Commitment 18 Note: The Consolidated Development Control Plan incorporating this

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	Appendix I of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Section 4 and Appendix K of the Preferred Project Report prepared by JBA Urban Planning Consultants dated August 2010) <u>and Appendix M of the Response to Submissions and Preferred Project Report (MOD 4)</u> . Street furniture, selection of materials and finishes and provision of public art will be dealt with via the works, facilities and services approvals process.	commitment is included at Appendix F of the Consolidated Concept Plan.	<u>LMP incorporates a Public Art Strategy under review with SHCC. The LMP will be updated to reflect the MOD4 open space structure.</u>
	22 Future detailed applications will provide details of proposed measures designed to support active waste management and waste minimisation, particularly during construction. A requirement to provide active waste management and waste minimisation details with subsequent applications is to be incorporated into the Consolidated Development Control Strategy prepared in accordance with Statement of Commitment 18.	To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application. To be demonstrated by the proponent at the time of any relevant detailed application. Note: The Consolidated Development Control Plan incorporating this commitment is included at Appendix F of the Consolidated Concept Plan.	
Sustainability	23 To assist in achieving a 10% shift in mode share the Proponent will adopt the travel demand measures (Measures 1 to 7), active transport principles (Measures 8 to 13) and the public transport principles (Measures 14 to 16) as set out in the Transport Accessibility Study and Transport Management and Accessibility Plan (TMAP) prepared by Cardno and included at Appendix K of the Consolidated Concept Plan prepared by JBA dated March 2011 <u>as updated in May 2019</u> (previously referenced as Appendix T of the SSS and Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated March 2010).	Proponent, ongoing.	<u>To reflect the updated measures in the Cardno report dated 2018.</u>
	24 The proponent will consider opportunities for the establishment of both solar farm(s) and co (or tri) generation as part of the Project, particularly for the Town Centre and employment precincts. The Proponent will achieve minimum 5 Star Green Star Communities Rating and will seek to achieve a 6 Star Green Star Communities Rating or other equivalent relevant rating tool in force if the Green Star rating tool is no longer being operated by the Green Building Council.	Proponent, ongoing.	<u>To reflect the revised more holistic sustainability measures being proposed within the CUDP.</u>
	25 Future detailed applications will address energy sustainability and demonstrate measures to reduce the demand for energy and the efficient design of the urban form to capitalise on the natural features of the site.	To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application. To be demonstrated by the proponent at the time of any relevant detailed application.	
	26 Future detailed applications will accord with BASIX requirements. Future detailed applications will provide details relating to specific measures proposed to assist in achieving this target as relevant.	To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application. To be demonstrated by the proponent at the time of any relevant detailed application.	
	27 Proposals in respect of the supply of water, sewerage, stormwater, gas, electricity and telephone services within the site, including the adoption of technologies to reduce the demand or need for servicing and the supply of sustainable	To be demonstrated by the relevant landowner/applicant at the time of any	<u>To reflect the updated servicing strategy prepared by Cardno.</u>

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Engineering Infrastructure & Utility Services	service are to be installed in accordance with best practice methods and , are to be generally in accordance with the Engineering Infrastructure & Utility Services Study prepared by Cardno included at Appendix- K of the EAR dated July 2018 M of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Appendix Y of the SSS and Concept Plan Environmental Assessment Report prepared by JBA dated March 2010).	relevant detailed application To be demonstrated by the proponent at the time of any relevant detailed application.	
Ecology and riparian	28 Riparian corridors that have been determined to have a requisite hydrological function will be retained generally in accordance with the Concept Plan Proposed Riparian Corridor Network drawing included at Appendix C of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Appendix L of the Preferred Project Report prepared by JBA Urban Planning Consultants dated August 2010) <u>Appendix B of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u> Riparian Corridor Network drawing included at Appendix C of the EAR prepared by Ethos Urban dated July 2018.	To be demonstrated by the proponent at the time of any relevant detailed application.	
	29 A riparian corridor of 92 metres total width will be provided to Marshall Mount Creek and to Macquarie Rivulet in accordance with the Concept Plan Proposed Riparian Corridor Network included at Appendix C of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Appendix L of the Preferred Project Report prepared by JBA Urban Planning Consultants dated August 2010) <u>Appendix B of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u> included at Appendix C of the EAR prepared by Ethos Urban dated July 2018.	To be demonstrated by the proponent at the time of any relevant detailed application.	
	30 A riparian corridor of 48 metres total width will be provided to streams extending from the main valley floor environmental corridors to Johnston's Spur in accordance with the Concept Plan Proposed Riparian Corridor Network included at <u>Appendix B of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u> Appendix C of the EAR prepared by Ethos Urban dated July 2018. Appendix C of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Appendix L of the Preferred Project Report prepared by JBA Urban Planning Consultants dated August 2010).	To be demonstrated by the proponent at the time of any relevant detailed application.	
	31 Vehicular crossings, and pedestrian and cycle pathway crossings of riparian corridors will be generally in accordance with the principles shown on the Concept Plan Road Layout and Hierarchy Plan included at Appendix L of the Preferred Project Report prepared by JBA Urban Planning Consultants dated August 2010 <u>Appendix B of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u> at Appendix C of the EAR prepared by Ethos Urban dated July 2018. (a) The design and construction of watercourse crossings and ancillary works, such as roads, will consider the potential impacts of the crossing structure on the hydrologic, hydraulic and geomorphic functions of a watercourse, crossings will be designed and constructed in order to maintain the integrity of the existing channel as be sympathetic with the ecological values of the watercourse as identified in the Geomorphology Assessment, Water Cycle Management Study and Flora and Fauna Assessments included in the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as being included in the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated March 2010, <u>as updated in July 2018 EAR</u> <u>May 2019 Response to Submissions</u> . Bed level crossings or	To be demonstrated by the proponent at the time of any relevant detailed application.	<u>To reflect the revised road, pedestrian and cycle network.</u>

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	<p>bridges which fully span the watercourse channel provide the best opportunities for maintaining natural channel functions. However, alternative structures such as box culverts which can achieve the riparian functions will also be considered.</p> <p>(b) The design and construction of works and activities within a watercourse, including any stormwater outlets will aim to be as 'natural' as possible yet provide a stable transition from a constructed drainage system to a natural flow regime. A watercourse 'rehabilitation' design philosophy rather than a 'construction' philosophy will be applied. The design and construction footprint, and the extent of disturbances within riparian land will be minimised while achieving the desired discharge function and outcome. In order to minimise the impacts of in-stream works on the hydrologic, hydraulic and geomorphic functions on a watercourse, all works and activities should be designed and constructed to maintain the integrity of the existing channel, as well as being sympathetic with the ecological values of the watercourse as identified in the Geomorphology Assessment, Water Cycle Management Study and Flora and Fauna Assessments included in the Consolidated Concept Plan prepared by JBA dated March 2011, <u>as updated in the EAR dated July 2018</u> <u>Response to Submissions dated 31 May 2019</u> (previously referenced as being included in the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated March 2010).</p> <p>(c) When considering the placement of utilities in or across watercourses the design and construction footprint and the extent of disturbances proposed in the watercourse and riparian area will be appropriately minimised.</p>		
	<p>32 The final location of any crossings, and pedestrian and cycle pathways within riparian corridors, and utility services infrastructure, will take into consideration vegetation that is proposed to be retained and protected as shown on the Concept Plan Environmentally Significant Land drawing included at <u>Appendix B of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u> <u>Appendix C of the Consolidated Concept Plan prepared by JBA dated March 2011</u> (previously referenced as Appendix L of the Preferred Project Report prepared by JBA Urban Planning Consultants dated August 2010) <u>C of the EAR prepared by Ethos Urban dated July 2018</u>.</p>	To be demonstrated by the proponent at the time of any relevant detailed application.	
	<p>33 Any public open space / drainage land beyond the riparian corridors referred to at Commitments 28-30 will be designed to contribute to riparian outcomes by providing appropriate landscaping.</p>	To be demonstrated by the proponent at the time of any relevant detailed application.	
	<p>34 Any proposed revegetation within the retained Core Riparian Zones shown on the Concept Plan Riparian Corridor Network included at <u>Appendix B of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u> <u>Appendix C of the EAR prepared by Ethos Urban dated July 2018</u> <u>of the Consolidated Concept Plan prepared by JBA dated March 2011</u> (previously referenced as Appendix L of the Preferred Project Report prepared by JBA Urban Planning Consultants dated August 2010) will demonstrate consistency with the Concept Plan Flood Mitigation Plan included at <u>Appendix G of the Consolidated Concept Plan prepared by JBA dated March 2011</u> (previously Appendix L of the Preferred Project Report prepared by JBA Urban Planning Consultants dated August 2010) <u>F of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u> <u>of the EAR prepared by Ethos Urban dated July 2018</u> and the principles of the Landscape and Open Space Masterplan included at Appendix G of the Consolidated Concept</p>	To be demonstrated by the proponent at the time of any relevant detailed application	<u>To reflect the updated Water Management Plan prepared by JWP.</u>

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	Plan prepared by JBA dated March 2011 (previously referenced as Appendix CC of the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants dated March 2010).		
35	Vegetation Management Plans (VMP)s will be prepared for all works with in land that has been identified as Concept Plan Environmentally Significant Land and within the Core Riparian Zones shown on the Concept Plan Riparian Corridor Network <u>at Appendix B of the Response to Submissions prepared by Ethos Urban dated 31 May 2019, included at Appendix C of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Appendix L of the Preferred Project Report prepared by JBA Urban Planning Consultants dated August 2010). The works shall be</u> generally in accordance with the principles of the Landscape and Open Space Masterplan included at Appendix G of the Consolidated Concept Plan prepared by JBA dated March 2011 <u>(previously referenced as Appendix CC of the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants dated March 2010). Appendix of the Response to Submissions prepared by Ethos Urban dated 31 May 2019.</u>	To be demonstrated by the proponent at the time of any relevant detailed application	
36	Where Environmentally Significant Land and / or Core Riparian Zones are to be transferred into public ownership, the Proponent will rehabilitate that land in accordance with the VMPs to a suitable condition prior to any handover. Details of the rehabilitation to be undertaken in relation to each area of land, and of the likely ongoing maintenance requirements relating to weed management, bush regeneration and any asset protection zone maintenance of that land, are to be submitted with the relevant detailed application.	To be demonstrated by the proponent <u>relevant landowner/applicant</u> at the time of any relevant detailed application	
37	A detailed survey will be carried out in an appropriate season for <i>Pterostylis gibbosa</i> (Illawarra Greenwood) prior to any works commencing within potential habitat for that species. Potential habitat for the species is the Lowland Wollybutt-Melaleuca. Following the further detailed survey work, any specific mitigation measures determined as required are to be addressed in the relevant detailed application(s).	To be demonstrated by the proponent at the time of any relevant detailed application	<u>Eco Logical has undertaken targeted surveys on three separate occasions and this SoC has been fully adhered to.</u>
38	Mature remnant habitat trees will be individually assessed prior to detailed design in the area identified on Figure 7 of the Flora and Fauna Assessment prepared by Ecological Australia and included at Appendix P of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Appendix Q of the SSS Study and Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd and dated March 2010). Individual trees considered to provide significant habitat will be retained and incorporated into the design wherever practicable.	To be demonstrated by the proponent at the time of any relevant detailed application	
39	Where any spillways/outlets are proposed from stormwater detention basins / wetlands directly into the main arms of Marshall Mount Creek and Macquarie Rivulet, their design will have regard to facilitating colonisation by native fish species.	To be demonstrated by the proponent at the time of any relevant detailed application	
40	Wherever feasible the installation of services such as water, sewerage and gas pipeline across Marshall Mount Creek and Macquarie Rivulet will be combined with vehicular crossings to minimise potential impact on fish passage by trenching.	To be demonstrated by the proponent at the time of any relevant detailed application	
41	Future relevant detailed applications will be accompanied by a flood impact statement that verifies that the proposal is consistent with the Flood Mitigation Plan included in the approved Concept Plan including, as relevant to the scope of development proposed:	To be demonstrated by the proponent at the time of any relevant detailed application	

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	<ul style="list-style-type: none">- Vegetation roughness increased through selective species planting within Core Riparian Zones only where it can be demonstrated that no adverse impacts on flood levels will result,- Adoption of the 1% AEP flood level (incorporating the climate change scenario identified in) plus 500 mm free board as the Flood Planning Level for the development,- Provision of safe evacuation routes during the 1% AEP flood event for any development on land located within the PMF,- Design of any new bridge deck above the 1% AEP flood level to allow uninterrupted road traffic throughout the development during events up to and including the 1% AEP flood, and- Design and location of all major spine roads within the development at or above the PFMPMF level.			
Flood mitigation	42	The flood impact statement for any future application proposing the staged cut or fill of land within the area of the approved bulk earthworks shown on the approved Flood Mitigation Plan <u>prepared by Taylor Brammer at Appendix #B of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u> included at Appendix P of the EAR dated July 2018 will also verify that the proposal <u>is consistent with approved bulk earthworks strategy</u> and does not introduce unacceptable interim flooding impacts on land outside the Project site boundary.	To be demonstrated by the proponent <u>relevant landowner/applicant</u> at the time of any relevant detailed application	<u>To reflect the revised Water Management Strategy prepared by JWP.</u>
	43	Future detailed applications are to address the following matters (as relevant to the works proposed): <ul style="list-style-type: none">- depth, volume and finished levels of any excavation and filling,- the extent of any proposed watercourse modification or enlargement,- use of natural solutions along watercourses rather than hard engineering solutions wherever practicable,- relevant measures to protect the function and stability of Marshall Mount Creek and Macquarie Rivulet.	<u>To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application</u> To be demonstrated by the proponent at the time of any relevant detailed application	
	44	Future relevant detailed applications will demonstrate consistency with the approved Concept Plan Water Cycle Management Strategy prepared by Cardno and included at Appendix L of the Consolidated Concept Plan prepared by JBA Urban Planning Consultants dated March 2011 (previously referenced as being included in the Concept Plan Environmental Assessment prepared by JBA Urban Planning Consultants dated March 2010 <u>as amended by the report prepared by JWP at Appendix F of the Response to Submissions prepared by Ethos Urban dated 31 May 2019</u> dated July 2018 (Appendix P of the Ethos Urban EAR) to ensure that peak flows entering the site riparian system will not increase as a result of the development.	<u>To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application</u> To be demonstrated by the proponent at the time of any relevant detailed application	<u>To reflect the revised Water Management Strategy prepared by JWP.</u>
	45	A combination of proprietary litter/sediment traps, and water quality control ponds / artificial wetlands be provided for stormwater quality management, located in ways sympathetic to the other environmental constraints of the site.	<u>To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application</u> To be demonstrated by the proponent at the time of any relevant detailed application	
Drainage and stormwater	46	The detailed design of development will comply with the NSW Government BASIX criteria for water supply management	<u>To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application</u> To be	

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		demonstrated by the proponent at the time of any relevant detailed application	
	<p>47 At the detailed design stages of the development, a Soil and Water Management Plan is to be prepared to outline the methods through which stormwater runoff is controlled throughout the construction phase. This may include the use of the proposed wetlands as temporary sediment basins (where possible) and the provision of rock dams and filter fabric fencing (above and below the works are respectively). The Soil and Water Management Plan is to:</p> <ul style="list-style-type: none"> - Propose arrangements for regular periodic and event based water quality monitoring and reporting throughout the construction period with particular emphasis on monitoring during larger rainfall events when sediment export is most likely; - Propose arrangements for ensuring compliance with the Soil and Water Management Plan by constructing agents and contractors operating on site. 	To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application To be demonstrated by the proponent at the time of any relevant detailed application	
	<p>48 During detailed design the longevity of proposed water bodies will be assessed. The potential for algal growth is also to be assessed during detailed design and the likelihood for algal growth reduced through incorporation of suitable hydraulic residence times (ie increased water body turnover) and incorporation of suitable subsurface macrobytes.</p>	To be demonstrated by the relevant landowner/applicant at the time of any relevant detailed application To be demonstrated by the proponent at the time of any relevant detailed application	
Indigenous Heritage	<p>49 Salvage through collection and relocation of surface artefacts is recommended for CP-IF-01, CP-IF-02, CP-S-01, CP-S-02, CP-IF-03, CP-S-03, CP-IF-04, CP-IF-05, CP-S-04, CPIX-06, CP-IF-07, CP-IF-08, CP-S-05, CP-IF-09, CP-IF-10, CP-IF-11, CP-IF-12, CP-S-07, CP-IF-13, CP-S-08, CP-IF-14, CP-IF-15, CP-IF-16, CP-S-10, CP-S-12, CP-S-15, CP-IF-17 and CP-IF-18 if they are to be impacted by development.</p>	To be carried out by the proponent relevant landowner/applicant prior to the commencement of any relevant works	
	<p>50 The development and implementation of a programme of test excavation and reporting is required to clarify the archaeological potential of CP-S-09/CP-PAD-02, CP-S-09/CP-PAD-03, CP-S-11/CP-PAD04 and CP-S-14/CP-PAD-05, if they are to be impacted by development. The development and implementation of a programme of salvage excavation and reporting is recommended if it is warranted by the results of the test excavation programme.</p>	To be prepared by Proponent relevant landowner/applicant prior to any relevant works commencing	
	<p>51 The development and implementation of a programme of salvage excavation and reporting is to be undertaken for CP-S-09/CP-PAD-02, CP-S-09/CP-PAD-03, CP-S-11/CP-PAD04 and CP-S-14/CP-PAD-05, if it is warranted by the results of the test excavation programme.</p>	Proponent Relevant landowner/applicant, if required.	
	<p>52 The development and implementation of a Care and Control of artefacts strategy, devised through consultation with appropriately recognised groups, is recommended for all collected and excavated archaeological material retrieved during the abovementioned surface collection, testing and/or salvage excavation works. Such a strategy should be agreed and finalised with the Aboriginal stakeholders prior to any archaeological site works commencing. The Care and Control of artefacts strategy will address the need for lodgement of known Aboriginal objects at an appropriate professional location.</p>	To be prepared by Proponent relevant landowner/applicant prior to any archaeological site works commencing	

Subject	Commitment		Responsibility / Timing	Justification for Proposed Change
	53	The two properties located at 269 North Macquarie Road and 342 Calderwood Road are to be assessed for their archaeological potential if any relevant works are proposed.	To be demonstrated by the relevant proponent/landowner/applicant <u>relevant landowner/applicant</u> at the time of any relevant detailed application	<u>Non-core landowners will be the applicants of the detailed applications relevant to this commitment.</u>
	54	If additional unrecorded Aboriginal archaeological material is encountered during development, works within the relevant location must cease immediately to allow an archaeologist to make an assessment of the finds. The archaeologist may need to consult with NSW DECCW and registered stakeholder groups concerning the significance of any such material.	<u>Relevant landowner/applicant</u> Proponent , if required.	
	55	As required by the <i>NSW Heritage Act 1977</i> (amended), in the event that historic relics are encountered, works within the relevant location must cease immediately to allow an archaeologist to make an assessment of the finds. The archaeologist may need to consult with the Heritage Branch Department of Planning concerning the significance of any historic cultural material encountered.	<u>Relevant landowner/applicant</u> Proponent , if required.	
	56	Copies of the finalised report will be provided to relevant groups and NSW DECCW, and that the completed site cards (see Appendix D.3 of the Aboriginal Archaeological and Cultural Heritage Assessment) be provided to the DECCW AHIMS Registrar as per Section 91 of the <i>NP&W Act</i> .	To be demonstrated by the <u>relevant landowner/applicant</u> proponent at the time of any relevant detailed application	
	57	A two hectare parcel incorporating the Marshall Mount House and Barn and its garden, scribing a line outside the existing trees and bushes, including some of the grassed slope is to be retained.	To be demonstrated by the proponent at the time of any relevant detailed application	
European Heritage	58	Open space is to be provided to the east of Marshall Mount House and Barn d to retain a view from Marshall Mount Road to the house, including the existing Oak Tree.	To be demonstrated by the proponent at the time of any relevant detailed application	
	59	The Moreton Bay Fig and the Oak Tree within the garden curtilage of Marshall Mount House and Barn is to be inspected and assessed by an arborist <u>arborist</u> with a view to ensuring their retention and protection.	To be demonstrated by the proponent at the time of any relevant detailed application	
	60	The detailed design of residential development at the southern and eastern interface of Marshall Mount House and Barn is take into consideration height and lot size to provide a sense of openness evoking the historic rural context of the House and view sharing.	To be demonstrated by the proponent at the time of any relevant detailed application	
	61	Future detailed subdivision design is to consider the use of radial streets in the vicinity of Marshall Mount House to create view corridors down the hill side, and deep setbacks to dwellings fronting Marshall Mount Road to open views to and from the east.	To be demonstrated by the proponent at the time of any relevant detailed application	
	62	The Marshall Mount Methodist Cemetery, which is to be retained in private ownership, is to be situated within a future park or surrounded by a private open space buffer to retain, as much as possible, an atmosphere of contemplation and peacefulness appropriate to a memorial place. The nature of any new buffer between the cemetery and new	To be demonstrated by the proponent at the time of any relevant detailed application	

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	development is to demonstrate an appropriate integration between the cemetery and the new community that will form around it.		
	63 The future detailed subdivision design adjoining the Methodist Cemetery will consider opportunities to provide visual links from the cemetery towards Johnston's Spur and the escarpment.	To be demonstrated by the proponent at the time of any relevant detailed application	
	64 Should any European historical archaeology be discovered during any site excavation works, the required steps under the relics provisions of the NSW Heritage Act and contacts will be followed.	To be demonstrated by the <u>relevant landowner/applicant proponent</u> at the time of any relevant detailed application	
	65 If the Proponent is undertaking the relevant works, the detailed design of any road works/ upgrading works required to be undertaken to Marshall Mount Road, Marshall Mount Road North and / or the new intersection of Marshall Mount Road and Marshall Mount Road North is to ensure an appropriate curtilage and setting is provided between Marshall Mount School, Residence and Progress Hall and the roadway.	To be demonstrated by the proponent at the time of any relevant detailed application	
Acid sulphate soils	66 Maximum excavation depths are to be identified (for any development involving excavation) within the properties shown on Figure 20 of the Consolidated Concept Plan prepared by JBA dated March 2010 (previously referenced as Figure 18 of the Concept Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd and dated March 2010). During the detailed design process, potential conflict with Potential Acid Sulphate Soils / Acid Sulphate Soils will be avoided wherever possible by adoption of the following site specific management strategies: <ul style="list-style-type: none"> - Avoiding any disturbance of PASS by adjusting the design invert levels for the wetlands; - Ensuring, where possible, the design maintains a significant depth of water and soil cover over PASS to prevent acid generation; - Maintain a minimum water level in the wetlands by installing water level control devices. (This aims to dilute any acidity, and contain any acidity in the soil profile by maintaining a relatively constant <u>water table</u> level around the wetland); - The potential strategic addition of limestone/recycled concrete to the wetland to neutralise any acidity that either enters the wetland or forms in the wetland; - Monitor water and spoil during construction ; - Neutralise excavated material if necessary with fine aggregate; and Ongoing Monitoring of wetland for identified period immediately following construction.	To be demonstrated by the <u>relevant landowner/applicant proponent</u> at the time of any relevant detailed application	
	67 Future detailed applications will include a commitment that if, during construction activities, any Potential Acid Sulphate Soils or Acid Sulphate Soils are disturbed on site, an Acid Sulphate Soil Management Plan will be prepared and certified as appropriate by a suitably qualified PA	To be demonstrated by the <u>relevant landowner/applicant proponent</u> at the time of any relevant detailed application	
Geotechnical	68 Development within the areas shown as 'Less Stable Land' and 'Moderately Unstable Land' on Figure 21 of the Consolidated Concept Plan prepared by JBA dated March 2011 (<u>previously referenced as Figure 17 of the Concept</u>	To be demonstrated by the <u>relevant landowner/applicant proponent</u> at the time of any relevant detailed application	

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	Plan Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd and dated March 2010) is to demonstrate good engineering practice for hillside slopes.		
Groundwater	69 Future detailed applications will include a commitment, that where cuts greater than 2 metres in depth are proposed in areas located below RL 20, during detailed design and construction activities a suitably qualified PCA will certify that wetland base levels are appropriately positioned relative to the level of the ground water table, lining of wetlands has been provided if necessary, and, should the base of the wetlands intercept the groundwater table, then the groundwater table will be temporarily lowered to facilitate construction.	To be demonstrated by the relevant landowner/applicant proponent at the time of any relevant detailed application	
Contamination	71 Field investigation is to be undertaken at the time of any future application relating to land within an 'Area of Concern' identified on Figure 22 of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as Drawing 10 at Appendix A of the Contamination Assessment prepared by Douglas Partners and included at Appendix FF of the Concept Plan Environmental Assessment Report prepared by JBA) demonstrating suitability of the land for the development proposed." Appropriate scopes of work and sample quality plans are to be prepared for each Area of Concern. Consideration is to be given to the engagement of a DECW accredited auditor prior to commencement of fieldwork.	To be demonstrated by the relevant landowner/applicant proponent at the time of any relevant detailed application	
	72 Prior to any proposed demolition works, a Hazardous Materials assessment is to be undertaken for any building proposed to be removed. This will allow the creation of a register of hazardous materials, which will directly influence the method of demolition.	To be demonstrated by the relevant landowner/applicant proponent at the time of any relevant detailed application	
	73 Prior to the commencement of any earthworks, an Unexpected Finds Protocol relating to the potential existence of isolated occurrences of contamination is to be developed.	To be relevant landowner/applicant demonstrated by the relevant landowner/applicant proponent at the time of any relevant detailed application	
Bushfire	74 Bushfire Asset Protection Zones at known areas of bushland / development interface are to be in accordance with the bushfire protection measures required by the Acceptable Solutions of Planning for Bushfire Protection 2006 as generally illustrated at Appendix C of the Consolidated Concept Plan prepared by JBA dated March 2011 (previously referenced as revised Concept Plan Drawing included in the Preferred Project Report prepared by JBA Urban Planning Consultants dated August 2010). The final placement of Asset Protection Zones will be as required in relation to the nature of the specific land use at each interface segment.	To be demonstrated by the relevant landowner/applicant proponent at the time of any relevant detailed application	
Social and Community Initiatives	75 The proponent will implement a Community Development Strategy including: <ul style="list-style-type: none"> - distribution of resident information packages through a welcome program, - engagement of a community development worker, - establishment of a Community Initiatives Fund to encourage and support community initiatives, programs and activities that will enhance the life of the community and quality of life of its residents. 	Refer to Statement of Commitment 5	

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	76	The first stage of development will include early provision for retail facilities that provide for convenience shopping, and assist in the establishment of a sense of place, subject to consent for such facilities being given in the relevant application.	To be demonstrated by the proponent at the time of the detailed application relating to the first stage of residential subdivision
	77	An on-going program of information to and consultation with the surrounding community is to be implemented as planning for the site continues. This will include regular updates (for example via a project website) or press articles to keep people informed of progress, and further consultation with key stakeholders around the detailed design of the development.	<u>Relevant landowner/applicant</u> Proponent , ongoing.
<u>Construction Management</u>	<u>78</u>	<u>Construction Management Plans will be prepared for future stages which address the following issues so as to minimise impacts on residents living within Calderwood Valley:</u> - <u>construction noise and vibration</u> - <u>air quality, in particular dust control</u> - <u>sediment and erosion control</u>	<u>To ensure the construction works are appropriately managed</u>