



21 May 2009
Our Ref: 5565H.37PG

The Director-General
Department of Planning
GPO Box 39
SYDNEY 2000

Attention: Natalie Mitchell

Dear Natalie

MP07_0032
Sandon Point Project Application
Consolidated Response to Agency Submissions

We refer to various correspondence and telephone conversations in regard to the above project. The purpose of this letter is to provide a consolidated response to Government Agency Submissions and other remaining issues.

1. Response to SKM Report

Cardno Forbes Rigby (CFR) has reviewed SKM's Review of Flood Studies and Climate Change Impacts dated 6 March 2009 and an accompanying letter dated 12 March 2009.

CFR has prepared a response to the "*Recommended Actions*" contained in Section 10.6 of the SKM report and further matters to be addressed contained in SKM's letter 12 March 2009.

CFR's response to these issues is contained in their report titled Sandon Point Flood Study Addendum No 1 dated 18 May 2009. This report is attached as **Annexure A** to this letter.

As discussed, Section 2.2.4 of the Cardno Forbes Rigby response to the SKM report of 6 March 2009 suggested an additional Statement of Commitment. This has been included within a consolidated updated Statement of Commitments, as discussed below.

2. RTA Issues

Stockland has been liaising with the RTA and met on-site with RTA representatives on 31 March 2009 to discuss the Wrexham Road/Lawrence Hargrave Drive intersection. Stockland provided comments on the RTA's issues on 15 April 2009. The RTA responded to Stockland's comments and raised further issues addressed subsequently in our letter of 24 April 2009.

The RTA provided a final response dated 8 May 2009. In this response the RTA reiterated that its concerns related to right turn movements from Lawrence Hargrave Drive primarily due to possible uncertainties with road design details. Notwithstanding, the RTA recommended conditions to address their concerns on the basis that approval is issued.



While the RTA are prepared to accept that the issues associated with the upgrading of the Wrexham Road and Lawrence Hargrave Drive intersection could be resolved with conditions, those conditions proposed by the RTA raise a number of operational concerns which should ideally be resolved prior to the Project Plan Application being determined. The RTA letter identifies 10 conditions, which have been reviewed by Stockland, the Traffic Engineering Consultant (Christopher Hallam & Associates) and Civil Engineering Consultant (Cardno Forbes Rigby), in addition to DFP. Our consolidated comments are as follows in the order of the conditions outlined in the RTA letter:

- a. Concept Plans for the intersection of Lawrence Hargrave Drive and Wrexham Road were submitted together with further traffic engineering analysis by Christopher Hallam & Associates Pty Ltd in February 2009. It is understood that these plans satisfy the RTA request for an intersection concept plan.

Subsequently, the RTA has effectively requested assurance that Lawrence Hargrave Drive, between High Street and Lachlan Street, will meet their Road Design Guide requirements. CFR confirm that in January 2009, survey work undertaken as part of the preparation for the concept intersection plans identified that the minimum dimension from kerb to kerb of this section of road is 12.88 metres. This would allow a minimum lane width of 3.22 metres which is satisfactory for four lanes according to the RTA Road Design Guide. There will not be any need to widen the road or adjust any kerbs along this section of Lawrence Hargrave Drive. Accordingly, we do not see that there is a need to submit any further concept plans for RTA approval.

- b. There is a general concern in regard to the reasonableness of requiring the upgrading of Lawrence Hargrave Drive for the entire distance between High Street and Lachlan Street as a necessity for such has a primary nexus with existing and future traffic along Lawrence Hargrave Drive, as opposed to development traffic associated with the Sandon Point proposal. Works associated with the intersection as depicted upon the Concept Plans, are accepted as a reasonable requirement associated with the Sandon Point proposal.

In addition to the above, there is no justification for requiring the upgrade to Lawrence Hargrave Drive prior to proceeding with construction work associated with the subdivision development. The need for four lanes arises due to the installation of signals to serve the proposed residential development and four lanes are not required for construction access. The requirement for the construction of intersection and road upgrading works prior to the commencement of any construction work is not typical of what would normally be required for such development, and is considered unreasonable and unnecessary.

- c. It is accepted that the traffic signals will be constructed as a three-phase arrangement. However, the requirement for the installation of traffic signals prior to construction work is unnecessary and unreasonable. Construction traffic can be appropriately managed by a Traffic Management Plan (i.e. a TMP as required by Condition j. in the RTA letter).
- d. As above, the upgrading of the Lawrence Hargrave Drive and Wrexham Road intersection prior to construction work is considered unnecessary and unreasonable. Construction traffic can be managed as part of a TMP.

For information, we note that survey work undertaken by CFR confirm that the pavement width of Wrexham Road is currently 11.05 metres and therefore more than adequate to accommodate three lanes.



- e. While it is accepted that lighting is to be provided in conjunction with the upgrading of the Lawrence Hargrave Drive and Wrexham Road intersection, it is unnecessary and unreasonable to require this to be provided prior to construction activity.
- f. It is accepted that geometric road design shall be in accordance with the RTA Road Design Guide. However, concern is raised in regard to pavement design requirements for the whole of the section of Lawrence Hargrave Drive between High Street and Lachlan Street on the basis that the extent of this upgrading is not directly related to a need generated by the proposed subdivision development.
- g. This condition is generally accepted, other than where concerns are raised in regard to RTA requirements expressed in other conditions.
- h. The requirement to enter into a Works Authorisation Deed and the payment of fees and the like is accepted. However, there is an objection to the need to undertake further assessment under Part 5 of the EPA Act for works/traffic control facilities on Lawrence Hargrave Drive.

The intersection works effectively form part of the Project Application (as amended) to satisfy the specific requirements of the RTA. In our view, the impacts of the intersection upgrade and associated works have been assessed as part of the Project Plan Application. It would not be an unusual requirement for road upgrade works to be required as a condition of development consents, without the need to undertake further assessment prior to the authorisation of the construction of those works by the RTA or Council. On the basis that the existing road alignment accommodates four lanes between existing kerb lines, we do not consider there is any potential for environmental impacts that would necessitate further consideration. Matters such as on-street parking on Lawrence Hargrave Drive and right turn restrictions are matters for RTA control, and we are not aware that such matters are ever assessed by the RTA under Part 5 of the EPA Act under similar circumstances.

- i. This condition is accepted on the assumption that the reference to consent being obtained "prior to construction" is a reference to the construction of the intersection and associated roadworks, and not the subdivision development.
- j. This condition is accepted.

We recognise the Department's endeavours to resolve issues with the RTA to date, but consider that the above matters should ideally be resolved prior to a determination to avoid the potential for ongoing uncertainty and disputes.

3. Consistency with Concept Plan

We refer to a telephone conversation between Anthony Witherdin of the Department of Planning and David Kettle of Don Fox Planning on 26 March 2009 regarding various modifications to the Concept Plan as outlined in the Environmental Assessment Report (EAR) submitted on 18 September 2007. We understand that the Department of Planning requires that we review whether the modifications outlined in the EAR necessitate a separate Section 75W modification to the Concept Plan approval.

The Project application was submitted to the Department of Planning in draft form for test of adequacy on 3 July 2007, the test of adequacy was carried out by the Department of Planning. DFP made amendments to the EAR as requested by the Department of Planning and a final EAR was lodged on 18 September 2007 for exhibition.



During the test of adequacy the Department of Planning did not question the approach proposed in relation to the modifications of the Concept Plan approval and is documented in the EAR. We would have expected that the issue of consistency with the Concept Plan approval would have been raised by the Department some 18 months ago during test of adequacy, not at the tail end of the assessment process.

We respectfully suggest that these modifications are very minor in nature and substance and are either a response to the modifications (i.e. conditions) of approval or minor variations to timing and wording of modifications and statements of commitment. Section 3.2 of the EAR documents the changes and consistency with the Concept Plan approval. In addition to the justification provided in the EAR, we also make the following comments with respect to the main areas of change.

Revised Layout and Townhouse Site Locations

The Concept Plan authorises (*inter-alia*)

- Subdivision into a maximum of 180 detached dwelling lots
- Subdivision of 2 super lots for up to 25 townhouses

The Project application proposes:

- Subdivision of 167 detached housing lots
- Subdivision of 2 parcels to accommodate 14 townhouses/terrace-style houses

The revised subdivision layout including the revised location of one of the townhouse sites is a response to the reduced development footprint as required by Modification A1 of the Concept Plan approval. The townhouse super lots now show the proposed subdivision pattern rather than a single parcel. The additional level of detail, in our opinion, does not constitute an amendment. The total number of allotments is consistent with the Concept Plan approval and the location of the townhouse parcels is consistent with the principles established in the EAR accompanying the Concept Plan application.

The EAR accompanying the Project application states at Section 3.2 that the subdivision layout has been revised to respond to the Concept Plan approval and specifically the reduced development footprint. The EAR also states the revised subdivision layout is not considered to necessitate a modification to the Concept Plan approval and we maintain this opinion and therefore a modification Section 75W modification is not considered necessary.

Amendment to Schedule 2 Part A Modifications of the Concept Plan Approval

Three changes are proposed in section 3.2.2 of the EAR. The reasons for the changes are as follows:

1. Modification A2(1)(a) – simply clarifies wording of the condition
2. Modification A3 – simply corrects an error in the wording of the Concept Plan approval.
3. Modification A4(2)(e)(ii) – simply corrects an error in the Concept Plan approval.

These corrections are very minor and maintain consistency with the Concept Plan approval.



Amendment to Schedule 2 Part B – Modifications to the Statement of Commitments

Four changes are proposed in Section 3.2.3 of the EAR. The reasons for the changes are as follows:

1. Modification B3(2)(b) – simply seeks to reflect the likely outcome of the location of private open space and in no way affects the nature of the approved subdivision.
2. Modification B5(3) – simply relates to the timing for the construction of the north south link road adjacent to the ARV site and again does not affect the nature of the approved subdivision.
3. Modification B5(7) – simply amends the duration for water quality monitoring and does not affect the nature of the proposed subdivision.
4. Modification B5(8) – simply amends the timing for undertaking acid sulphate soil assessment.

None of the above modifications change the nature of the subdivision authorised by the Concept Plan approval and will still ensure that the Project is consistent with the Concept Plan approval.

Modification to Statement of Commitments

Amendments to four Statements of Commitment are proposed in Section 3.4 of the EAR.

1. Amendments to the timing for undertaking geotechnical investigations
2. Amendment to change the requirement for an APZ to defensible space and changes in the timing for provisions of these details.
3. Proposed deletion of the Statement of Commitment which was imposed in error and cannot be undertaken by Stockland.
4. Proposed deletion of the Statement of Commitment which was imposed in error and cannot be undertaken by Stockland.

All changes to the Statement of Commitments are insignificant and will still ensure that the proposed Project is consistent with the Concept Plan approval.

The amendments to the subdivision layout and the location of the townhouse super lots/parcels as we have previously stated in the EAR, are consistent with the Concept Plan approval.

As noted at page 12 of the EAR, the revised subdivision layout is not considered to necessitate a modification to the concept approval. As a result of the revised subdivision layout, variations to the terms of the Concept Plan approval are also necessary. The variations are generally consistent with the Concept Plan approval, and it is considered that a formal modification under Section 75W of the EPA Act is not necessary.



We also note that under Section 75W(2) the Environmental Planning & Assessment Act:

“(2) *The proponent may request the Minister to modify the Minister’s approval for a project. The Minister’s approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part.*”

We are of the opinion that the project as modified is consistent with the Concept Plan approval and a Section 75W modification is not necessary as stated in the EAR.

4. Voluntary Planning Agreement

The VPA contains provisions in relation to the Developer’s and Council’s obligations in relation to Wrexham Road, Ancillary Works, Section 94A contributions, Section 94A Lands and Open Space Lands. Stockland has been discussing the VPA with Wollongong Council for many months and we are advised that in a recent meeting with the Council’s Administrators both parties have reached an agreement in respect of each party’s obligations.

The agreement reached would involve the Council acquiring some of the Section 94A open space lands and providing a licence to construct the Wrexham Road connection on the reclassified portion of Thomas Gibson Reserve (as per the Concept Plan approval). The agreement would also involve the payment of Section 94A contributions in accordance with the Wollongong Council Combined City Wide and City Centre Section 94A Development Contributions Plan July 2008.

This agreement needs to be reported to Council and formally adopted by Council. In anticipation of this Council meeting, Stockland proposes to amend the Draft Statement of Commitments to reflect the agreement.

We note that in any case Council has advised that it will not agree to the VPA and therefore the following statement of commitment is the only practical means of addressing this issue. A similar approach could be taken by ARV without compromising the delivery of services.

The current Statement of Commitment is reproduced below and is proposed to be deleted:

Environmental Issue	Commitment	Timing
Planning Agreement	Stockland propose to enter into the draft Voluntary Planning Agreement (VPA) prior to issue of the construction certificate and to implement as per requirements of the VPA.	Prior to the issue of a construction certificate.

The replacement Statement of Commitment is proposed to read as follows:



Environmental Issue	Commitment	Timing
Developer Contributions	Stockland commits to paying a section 94A contribution as per Wollongong Council Combined City Wide and City Centre Section 94A Development Contributions Plan July 2008 and to deliver any works in the draft VPA which would otherwise be the responsibility of Stockland and are not already required in the Statement of Commitments for the Project application.	Contributions will be paid and works constructed prior to the approval of a Subdivision Certificate and on a stage by stage basis.

5. Future Access to Ray Hannah Motors Pty Ltd Land

As shown on the proposed subdivision plan, an access corridor 5 metre wide will provide access to the Ray Hannah Motors Pty Ltd land. This was agreed to by the owner of that land and Stockland.

While the development of the Ray Hannah Motors Pty Ltd land would need to be the subject of a future application, the potential of the small area of Residential zoned land could include infill multi-unit housing. Wollongong DCP 49 – Residential Development (Clause 12.8) requires a minimum driveway width of 3 metres for 6 to 20 dwellings, which could be accommodated in the 5 metre access corridor.

6. Heritage Interpretation Plan

As noted at Section 7.15.2 of the EAR, a further Heritage Interpretation Plan (HIP) has been prepared that references the previous HIPs prepared by Godden Mackay Logan and Graham Brooks & Associates. As part of the assessment process of the Project Application, the proposal was referred to the NSW Department of Planning – Heritage Office, which provided a submission dated 15 November, 2007. The submission notes that the EAR indicates appropriate measures to address issues relevant to the Heritage Office and recommends a supplementary condition of approval that is relevant for consideration by the Department of Planning.

7. Sandon Point Planning Boundary

As discussed, the Department has identified possible minor discrepancies between the extent of proposed residential lots and the development footprint referred to within the Concept Plan Approval. The plan provided with the Concept Plan Approval instrument is of limited accuracy, commensurate with the nature of the approval sought and granted, which consequently limits the degree of accuracy by which it can be compared with the detail subdivision plan prepared for the Project Application. Notwithstanding, the discrepancies identified by the Department appear to relate to part of 2 lots at the eastern end of the area between Woodlands and Hewitts Creeks and the eastern end of Stage 5.

In our view, the current Project Application proposal remains generally consistent with the Concept Plan Approval as discussed within Section 3.2 of the EAR. The whole of the lands proposed for residential lots were assessed as part of the EAR as suitable for that purpose.

As noted in Section 5.3.1 of the EAR, the extent of proposed residential lots is overall a substantially reduced area relative to the extent of land currently zoned for urban purposes. The



Concept Plan envisaged the area between Woodlands and Hewitts Creeks would be developed for urban purposes all the way to the eastern boundary, although the edge was to be a public road. The eastern extent of residential lots in Stage 5 was established as part of a proposed rationalisation of the boundary between the existing Residential and Open Space zone boundaries to provide an overall wider corridor for Tramway Creek.

Accordingly, we consider the possible discrepancies identified by the Department are minor, do not give rise to any environmental issues and do not compromise the conclusion that the proposal remains generally consistent with the Concept Plan Approval. This matter could be further addressed by the Department when finalising the proposed zoning amendments to be implemented through the Major Projects SEPP. Notwithstanding, should the Department not concur with the above, we are of the view that this issue is relatively minor and could be addressed by a condition of approval requiring adjustment to lot configurations in the locations discussed above.

8. Development of Town House Lots

We are advised that the town house lots are intended to be developed as either pairs of dwellings or the whole of each of the 2 parcels designated for town houses. Separate applications for approval will be lodged with the relevant consent authority on this basis (i.e. separate applications for each pair of dwellings or an application for each parcel of town house lots).

As further applications for the development of the town house lots will be required there is no necessity or intention to provide Design Guidelines for these lots. The Design Guidelines provided with the subject Project Plan Application specify further controls for future dwelling houses which could be approved by way of a complying development certificate and therefore not require the more detail considerations normally applied to a development application.

Notwithstanding the above, since the preparation and lodgement of the Project Plan Application, the introduction of the NSW Housing Code has provided an alternate mechanism to provide for the issuing of complying development certificates for single dwellings which encapsulates many of the considerations addressed by the proposed Design Guidelines and Complying Development Controls (see EAR Appendix E). The NSW housing Code is a State based document with widespread acceptance and understanding. In our view, it is preferable for the NSW Housing Code to be applied to the proposed development as opposed to the originally proposed Design Guidelines and Complying Development Controls, and we are instructed that this is also Stockland's clear preference. This would also allow greater consistency in the approval regime for future development on the site and NSW in general. While this will be a matter ultimately for the Department's consideration, we would recommend that a condition could be imposed on the consent to reflect this outcome.

9. Preferred Project Report

The review of all agency and public submissions has not identified the need for any amendments to the Project application. Importantly, CFR's review of SKM's detailed assessment of the flooding and climate change issues has not identified the need to amend the subdivision layout. As identified in Section 2.2.4 of CFR's Sandon Point Flood Study – Addendum No. 1, an additional Statement of Commitment is suggested to address SKM's concerns regarding establishment-stage vegetation management. The following additional Statement of Commitment is therefore proposed to the commitments under the heading of Vegetation Management:



Environmental Issue	Commitment	Timing
Vegetation Management.	Stockland will provide details of establishment-stage erosion control measures to demonstrate that the un-vegetated channel would not be eroded by the higher flow velocities expected during the establishment stage.	To be provided prior to issue of a construction certificate incorporating the channel design.

10. Conclusion

DFP is of the opinion that all other issues have now been satisfactorily addressed and that the Department of Planning has all the necessary information to enable the completion of their assessment for the Minister's determination of the Project application.

For convenience we have prepared an updated Statement of Commitments that contains the draft commitments as originally contained in the Environmental Assessment report dated September 2007, the additional and amended commitments as discussed above. The updated Statement of Commitments is attached to this letter as **Annexure B**.

Should you have any enquiries, please do not hesitate to contact Paul Grech or David Kettle on 9980 6933.

Yours faithfully

DON FOX PLANNING PTY LTD

A handwritten signature in black ink, appearing to read 'Paul Grech', is written over a light blue horizontal line.

**PAUL GRECH
DIRECTOR**

pgrech@donfoxplanning.com.au

cc Michael Braithwaite (Stockland)

Encs:

Annexure A – Sandon Point Flood Study Addendum No. 1 (CRF 18 May 2009)

Annexure B – Consolidated Statement of Commitments (May 2009)



ANNEXURE B

Sandon Point Project Application

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Consolidated Statement of Commitments (May 2009)

Environmental Issue	Commitment	Timing
Geotechnical	<p>Stockland will undertake further assessment of the earthwork methods required to rework the uncontrolled fill into a controlled fill condition including the preparation of a further report by a geotechnical engineer to be submitted to Wollongong City Council that will address, but not be limited to, the following:</p> <ul style="list-style-type: none"> (a) Extent and stability of proposed embankments (b) Recommended geotechnical testing requirements (c) Required level of geotechnical supervision for each part of the works as defined under AS 3798 – Guidelines on Earthworks for Commercial and Residential Developments (d) Compaction specification for all fill within private subdivisions (e) The level of risk to existing dwellings as a result of the use of vibratory rollers (f) The impact of the installation of services on overall site stability and recommendations on short term drainage methods, shoring requirements and other remedial measures (g) The preferred treatment of any unstable areas within privately owned allotments (h) Requirement for subsurface drainage lines (i) Overall suitability of the engineering plans for the proposed development. 	Prior to the issue of a construction certificate.
	<p>Stockland will carry out investigations into the appropriate earthwork compaction methods to ensure that machinery does not give rise to an unacceptable risk of vibration damage to residential development to the north-east, the railway and residential structures west of the railway.</p>	Prior to the commencement of works.

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Environmental Issue	Commitment	Timing
	<p>Stockland will have prepared a final geotechnical report and written certification that the completed landfilling and reshaping works are in accordance with the approved plans and specifications. The certification shall include appropriate test results, a test location diagram and date of testing. The final geotechnical report shall include, but not be limited to the following:</p> <ul style="list-style-type: none"> (a) Extent and stability of proposed embankments (b) Recommended geotechnical testing requirements (c) Required level of geotechnical supervision for each part of the works as defined under AS 3798 – Guidelines on Earthworks for Commercial and Residential Developments (d) Compaction specification for all fill within private subdivisions (e) The level of risk to existing dwellings as a result of the use of vibratory rollers. 	Prior to issue of a subdivision certificate.
Contamination and Acid Sulphate Soils	<p>Stockland undertaking further precautionary testing for land contaminants and potential acid sulphate soil.</p> <p>Stockland also commits to undertaking any recommendations from its geotechnical consultants arising from those investigations.</p>	<p>Soil testing to be carried out prior to construction.</p> <p>Any remedial work to be carried out in accordance with the timing specified in the geotechnical assessment.</p>
Water Cycle Management and Flooding	Stockland will commit to constructing the creek corridors to convey major flood waters and to design the subdivision and benching of allotments such that flood planning levels are set at those recommended in the Hewitts Creek Floodplain Risk Management Plan.	During preparation of the construction certificate and during construction.
	Stockland commits to locating all WSUD measures generally above the 1% ARI flood extent, and where possible above the PMF to ensure that the location of the WSUD measures does not compromise the stability of the creek corridor in flood events up to the 1% ARI.	During Construction



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Environmental Issue	Commitment	Timing
	Stockland will commit to the maintenance program set out in Section 5 of the Supplementary Flood Study prepared by Cardno Forbes Rigby, March 2007	For a period of 2 years after the release of the final subdivision certificate.
Water Quality - Monitoring	<p>Stockland commits to undertaking quarterly water quality monitoring for total phosphorous and forms of nitrogen, suspended soils, oil and grease. This monitoring will be undertaken by samples taken from proposed ponds and wetlands and at the downstream boundary. The samples will be compared against the 'default' trigger pertaining to south-east Australia of slightly disturbed ecosystems (estuaries) in accordance with Table 3.3.2 of the ANZECC 2000 National Water Quality Guidelines.</p> <p>Monitoring report will be prepared and submitted to Wollongong City Council on a quarterly basis.</p> <p>Stockland also commits to ensuring that contractors review and upgrade soil and water management measures during construction should these triggers be exceeded.</p>	Water quality monitoring to be undertaken quarterly throughout the stages of construction
	Stockland will commit to providing WSUD measures to protect surface water and ground water resources.	WSUD measures will be installed in the relevant staging plan and completed prior to the release of the first subdivision certificate of the relevant stage.
	Stockland will implement the Soil and Water Management Plan detailed in Appendix D of the Supplementary Flood Study prepared by Cardno Forbes Rigby, March 2007 to mitigate against impacts of surface water run-off, soil erosion and sediment.	SWMP measures to be implemented prior to the commencement of subdivision or construction works.
Noise	Stockland will construct an acoustic wall with a top level generally 3m above the finished ground level, with screen landscaping in locations identified on the Acoustic Fence Treatment Plan (Cardno Forbes Rigby SK 39 Rev 0).	Construction to occur at the relevant stage and prior to the release of the subdivision certificate for each stage.
	Stockland will impose a Section 88B instrument under the Conveyancing Act 1919 on the title of the allotments indicated on the	Section 88B instruments applicable to the affected allotments, to be



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Environmental Issue	Commitment	Timing
	Acoustic Fence Treatment Plan (Cardno Forbes Rigby SK 39 Rev 0) to require acoustic treatments to be incorporated into dwellings on those specified allotments, with the acoustic treatments to be in accordance with the Acoustic Fence Treatment Plan (Cardno Forbes Rigby SK39 Rev 0).	provided with the relevant subdivision certificate for each stage.
	Stockland will undertake more detailed investigation of train noise levels in the location of the parallel allotments and Stage 5 allotments to ensure that the vibration dose for these allotments is below the relevant criteria. Any amended acoustic treatments recommendations for individual lots will be incorporated into the Section 88B instruments of any potentially affected allotment.	More detailed testing will take place after the earthworks have been completed. Amended acoustic treatments will be incorporated into the Section 88B instruments for each allotment prior to the release of the subdivision certificate for each relevant stage.
Air Quality	<p>Stockland will implement measures to control dust emissions from the site works in accordance with the Construction and Traffic Management Plan prepared by Cardno Forbes Rigby dated May 2007 as submitted with this Project Plan application including:</p> <ul style="list-style-type: none"> • Keeping excavation surfaces damp to control dust generation. • Stabilisation of long term disturbed areas, where possible. • Roads and storage areas to be kept clean of spoil and waste. • Site egress points to be stabilised as required. • Spoil loads to be covered and tailgates secured prior to trucks leaving site. • Dust levels to be monitored throughout construction. • Regular visual inspection to determine effectiveness of dust control measures. 	Dust control measures to be implemented throughout construction.
Stray Currents	<p>Stockland will commit to the following construction standards for the subdivision works (roads and bridges) to mitigate against the low level stray rail current interference:</p> <ul style="list-style-type: none"> • To install a high quality waterproof membrane between the soil and 	Construction standards for the subdivision works will be documented as part of the construction certificate, where applicable, or carried out

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Environmental Issue	Commitment	Timing
	<p>reinforced concrete interface at all locations where the concrete is in direct contact with the surrounding soil or alternatively add waterproofing membrane to the concrete</p> <ul style="list-style-type: none"> the minimum cover of concrete to the reinforcement shall be 60mm where the concrete is in contact with the soil. Where practicable, make steel reinforcement in the concrete footings, floor slabs and external block walls electrically continuous using standard tie wire construction. Use high-pressure plastic pipe for all buried gas and water services. 	during construction.
	Stockland also commits to ensuring that its Design Guidelines for future housing will contain a reference to the above construction standards to inform future applicants for individual houses of these requirements.	The construction standards for future dwellings will be incorporated in Stockland's Design Guidelines.
Cultural Heritage	A Voluntary Conservation Agreement (VCA) will be provided with the implementation of the Project Plan approval, if required.	A VCA will be prepared prior to the issue of a Construction Certificate, if required.
	<p>Stockland commits to carrying out archaeological testing of the Woodlands Cottage site for artefacts relating to both Woodlands Cottage and Aboriginal artefacts.</p> <p>Stockland commits to sample test excavation in areas identified in Figure 6 of the Desktop Assessment of Archaeological Assessment prepared by Susan McIntyre-Tamwoy Heritage Consultant, April 2007, with test excavation carried out with the participation of the Aboriginal community.</p>	Sample test excavation to be carried out prior to commencement of works.
	Stockland commits to cataloguing recovered artefacts from the PAD relating to Woodlands Cottage and arranging for a copy to be lodged with Wollongong City Library. Stockland will also arrange for a suitable repository for recovered heritage items from the PAD.	The cataloguing and copy for Wollongong City Library will be prepared prior to the release of the first subdivision certificate.

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Environmental Issue	Commitment	Timing
	Stockland commits to establishing the Aboriginal Keeping Place as part of the Sandon Point Stages 1-6 for the keeping of recovered Aboriginal Objects and copies of reports and documents relating to them.	The Keeping Place will be established in conjunction with the requirements for Stages 2 to 6 of "The Point" development.
	Stockland commits to implementing the Heritage Interpretation Plan prepared by Susan McIntyre-Tamwoy Heritage Consultant, 2007 including the installation of interpretive elements within the subdivision as detail in the HIP and indicated on the Interpretive Strategy contained in the Landscape Report prepared by EDAW.	The HIP and interpretive elements will be installed during construction of each relevant stage in which the elements are located.
Flora and Fauna	Stockland will endeavour to retain remnant trees where possible during construction. The overriding criterion to determine whether a tree can be retained is whether site works involve a change to the ground surface level of +/-0.3m within 3m of the tree trunk, which will be confirmed during construction. All trees to be retained will be protected in accordance with the vegetation protection measures identified in the Vegetation Management Plan (VMP) prepared by Cumberland Ecology, July 2007.	During bulk earthworks and reconstruction of the creek corridors
Bushfire Risk	Stockland will provide defendable spaces with an overall width of 6m and a 4m trafficable path within the managed buffer zone of the Riparian Corridors, where there is no proposed public road to separate residential lots from the riparian corridors.	To be provided during the landscaping of the riparian corridors and completed prior to the release of the subdivision for the adjoining stage.
	Stockland commit to the installation of fire hydrants along the defendable spaces as indicated on the Rural Fire Service Defendable Space Plan, Drawing SK23 prepared by Cardno Forbes Rigby.	Fire hydrants to be installed prior to the release of subdivision certificates for the adjoining stage.
	Stockland will include a restriction on the title of Lots 102, 103, 104, 105, 116, 117, 225, 226, 235, 236 & 237 under Section 88B of the Conveyancing Act to ensure that each property maintains a 6m wide zone for the purposes of providing a defendable space for bushfire fighting.	Prior to the release of the subdivision certificate for the relevant stages.
Riparian Corridor	Stockland will construct the riparian corridors in Hewitts Creek and Woodlands Creek in	To be provided during the design, construction



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Environmental Issue	Commitment	Timing
	<p>accordance with the Landscape Plans prepared by EDAW and each riparian corridors will comprise:</p> <ul style="list-style-type: none"> • a Core Riparian Zone (CRZ) containing riparian vegetation reflective of the remnant EECs but exclude WSUD elements and defensible spaces; • a managed buffer zone (MBZ) each side of the CRZ which will include elements compatible with the riparian community that require ongoing management including the defensible space and WSUD elements; and • a 1m wide eco-trail to meander in and out of the CRZ and MBZ. 	and landscaping of the riparian corridors.
Vegetation Management	Stockland will implement the VMP for Hewitts Creek, Woodlands Creek and the Amended VMP for Tramway Creek prepared by Cumberland Ecology, inclusive of its management requirements and maintenance programs to create naturalistic EECs within the riparian corridors.	VMPs to be operative prior to commencement of construction and operate until 5 years after the registration of the final subdivision certificate.
	Stockland commit to the staging the planting of vegetation in accordance with the VMP but generally with the first priority being revegetating the low flow channel, then the banks with the floodway and finally the WSUD elements.	Planting to occur as soon as practicable after completion of the creek beds.
	Stockland will ensure that dense planting of ground covers occurs on the CRZ side of the defensible spaces and eco-trail to prevent people walking through the established landscape, slow run off and catch weed seeds from entering the CRZ.	Planting to occur after the completion of the pathways.
	Stockland will provide details of establishment-stage erosion control measures to demonstrate that the un-vegetated channel would not be eroded by the higher flow velocities expected during the establishment stage.	To be provided prior to issue of a construction certificate incorporating the channel design.
Traffic and Access	Stockland will construct the Wrexham Road extension including the replacement railway bridge.	Reconstruction of the replacement bridge will occur during Stage 1 of the subdivision.
	Stockland will carry out the necessary	To be carried out during



ANNEXURE B

Environmental Issue	Commitment	Timing
	transitional works such as adjustments to roads, kerbs and driveways associated with the construction of the Wrexham Road railway bridge.	Stage 1 of the subdivision and the construction of the replacement bridge.
	Stockland will create a stratum lot for the new Wrexham Road railway bridge to enable the bridge to be dedicated to Wollongong City Council consistent with the draft Voluntary Planning Agreement.	The stratum lot will be created prior to dedication of the bridge to Wollongong City Council.
	Stockland will install or fund the provision of a signalised intersection at Lawrence Hargrave Drive and Wrexham Road.	Stockland will install the traffic lights prior to the occupation of Stage 1 unless the RTA has an alternate timetable that might delay their installation.
Traffic Management	Stockland will construct the local area traffic management measures as identified in the Traffic Review, March 2007 prepared by Christopher Stapleton Consulting Pty Ltd to manage conflicts between pedestrians and traffic.	LATM measures to be installed in each relevant stage of construction.
Developer Contributions	Stockland commits to paying a section 94A contribution as per Wollongong Council Combined City Wide and City Centre Section 94A Development Contributions Plan July 2008 and to deliver any works in the draft VPA which are not already required in the Statement of Commitments for the Project application.	Contributions will be paid prior to the approval of a Subdivision Certificate and on a stage by stage basis.
Management of Open Space	Stockland will maintain environmental lands for up to 5 years after the release of the final subdivision certificate for the project.	Post construction to 5 years after release of final subdivision certificate.

ANNEXURE B

Environmental Issue	Commitment	Timing
Design Controls	Stockland commits to providing the Design Guidelines to all purchasers.	Design Guidelines are to be made available to purchasers prior to the marketing of the subdivision.
	Stockland commits to assessing all new dwellings against the Design Guidelines prepared by Stockland.	Subsequent to registration of the plan of subdivision and before the issue of a Complying Development Certificate or Development Consent.
Landscape and Visual Amenity	Stockland commits to implementing the Landscape Report prepared by EDAW for all hard and soft elements within the public domain.	Landscaping works will be carried out during each relevant stage of the subdivision.
	Stockland commits to assessing the landscape treatment of all allotments against the landscape planning requirements contained in Stockland's Design Guidelines.	Before the issue of a Complying Development Certificate or Development Application.
Display Village	Stockland will design future dwellings comprising the display village in accordance with the Design Guidelines	Before the issue of a Complying Development Certificate or Development Consent.
	Stockland will obtain BASIX certificate for each of the dwellings comprising the display village.	To be provided with the appropriate application under Part 4 of the Environmental Planning & Assessment Act.
	<p>Stockland will confine the display village to proposed Lots 146 -149 and Lot 120 and will comprise:</p> <ul style="list-style-type: none"> • a sales office with a footprint of approximately 125m²; • 3 display dwellings; and • The provision of a minimum of 14 car parking spaces inclusive of two spaces for persons with a disability, suitably sealed and marked and compliant with AS2890 (2002) . 	Details to be confirmed with the issue of a construction certificate
	Stockland will ensure that utility services are provided for the operation of the display village.	Utility services to be connected before the issue of an occupation certificate



ANNEXURE B

Environmental Issue	Commitment	Timing
	Stockland will commit to operating the display village within the hours of 9:00am to 6:00pm, seven days a week.	For the life of the display village
	<p>Stockland commit that no future display homes will be occupied for residential purposes until after the cessation of the operation of the display village.</p> <p>All display homes will be subject to works to ensure compliance as required for use as a dwelling house prior to occupation.</p> <p>The sales office, car parking area and any associated works not relevant to the future residential occupation of the proposed lots will be decommissioned and works undertaken to render the proposed lots suitable for residential occupation.</p>	The operation of the display village will continue until such time as market conditions do not warrant such a village, or a maximum of 24 months after the registration of the subdivision certificate for the final stage of the residential subdivision development.
Staging	Stockland will construct the subdivision in 6 stages, as indicated on the Subdivision Layout Plan February 2007 prepared by Cardno Forbes Rigby. A separate construction certificate and subdivision certificate will be obtained for each stage.	For the duration of the subdivision.

Black text – commitments proposed in EA report September 2007

Blue Text – commitments proposed to be added

Red Text – commitments proposed to be deleted