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Draft Statement of Commitments for Concept Plan (MP09_0195) – 120 – 128 Herring Road, Macquarie Park

Subject	Commitments	Timing
1. Section 94 Contributions	Section 94 Contributions to be made for Building A will be in accordance with the separate Statement of Commitments accompanying the Project Application for Building A (MP_0218). The form of the Section 94 Contributions for each building within the development will be either a monetary contribution or 'works-in-kind' to be negotiated with the approval authority prior to the PA approval for each respective building. The same formula is to be applied for calculation of contribution rates for the remaining buildings as part of each subsequent Project Application. That is: **Type** — **Contribution rate** ▪ Studio/1 bedroom dwelling — $12,174.07 ▪ 2 bedroom dwelling — $14,608.88 ▪ 3 bedroom dwelling — $18,666.90 ▪ 3+ bedroom dwelling — $23,536.52 The final contributions rates are to be CPI indexed to the time of each Project Application approval, from the date the Concept Plan is approved.	The Section 94 contributions will be made prior to issue of the Occupation Certificate in respect of the Project Application for each building within the development.
2. Dedication of new access road	While the development scale does not necessitate the construction of a "type 3" road, the proponent is willing to construct a type 3 road for the proposed development so that it can be dedicated to Council as a local road in order to deliver additional public benefits to the community. If however the scale of the proposed development was required to be reduced, both the design of the road and the offer of its dedication to Council would need to be reconsidered by the proponent.	To be dedicated to Council prior to the issue of the final Occupation Certificate for the final (fifth) building within the proposed 5 building development.
3. Road works	Subject to the outcome of item 2 above, the proponent agrees to design and construct a new local road with the Development Site and its intersection with Herring Road. The road works will be designed to satisfy the relevant Ryde Council's DCP standards for road construction for a Type 3 road dimensioned as set out below:	The road construction will occur in stages corresponding to the staged construction of the residential development, as illustrated in the staging plans prepared by Turner and Associates.

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	▪ 2 x 3 metre wide travelling lanes. ▪ 2.5 metre wide parking land on the northern side of the road. ▪ 3.8 metre wide verge with footpath and landscaping on each side of the road. ▪ A turning circle / roundabout at the western end of the road.	
4. Parking Provisions	Parking is to be provided in accordance with the following car parking rates: ▪ 1 space per one-bedroom dwelling ▪ 1.2 spaces per two-bedroom dwelling ▪ 2 spaces per three-bedroom or larger dwelling ▪ 1 visitor space per four dwellings ▪ 4 spaces for the café / building manager office.	Car parking numbers will be determined at each Project Application stage depending on the final mix of dwellings within the respective building, based on these car parking rates.
5. Environmental and Residential Amenity	The proponent agrees to design the residential flat buildings in accordance with the requirements of *SEPP 65* and the Residential Flat Design Code.	N/A
6. Environmental Sustainability	The proponent agrees to design the residential apartment buildings in accordance with the requirements of *SEPP (BASIX)*.	BASIX Certificate to be issued prior to Construction Certificate for each building within the development.
7. Flora and Fauna	The proponent agrees to the following measures and actions recommended in the Flora and Fauna Assessment prepared by Total Earth Care dated March 2010: ▪ Creating a riparian corridor along University Creek, including a 10 metre core riparian zone and adjoining vegetation buffer. ▪ A 20 metre building setback from the centre line of University Creek. ▪ Locate the pedestrian / cycle path outside the 10 metre core riparian zone. ▪ Preparation of a Vegetation Management Plan (VMP) detailing rehabilitation of the riparian zone, weed removal processes, on-going maintenance and monitoring (see item 7 below for more details). ▪ Offset tree removal with regeneration of core riparian zone, in accordance with the VMP. ▪ Allow for temporary tree protection measures during construction as outlined in the report. ▪ Hand trenching within safety exclusion zones with a 12 metre radius x truck diameter at breast height to specific areas of the site, as outlined in the Arborist report.	Recommendations have been adopted in the Concept Plan Design

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8. Vegetation Management	In accordance with the recommendations of the Flora and Fauna Assessment prepared by Total Earth Care dated March 2010 the proponent prepared a Vegetation Management Plan (VMP). The proponent agrees to the following measures and actions recommended in the VMP prepared by Total Earth Care dated March 2010: ▪ Preparation of a long-term management plan for the riparian corridor to be maintained in perpetuity beyond the timeframe of the VMP. ▪ Install and maintain sediment and erosion control measures prior to commencing works on each respective building. ▪ Revegetation within the riparian corridor utilising locally indigenous species listed in Appendix C of the VMP. ▪ Implementation of a monitoring program for the weed removal and vegetation regeneration works that will commence at establishment of regeneration works and continue for the duration of the maintenance period.	Recommended actions within the VMP are to be have been carried out prior to the issue of the final Occupation Certificate for the final (fifth) building within the proposed 5 building development. Ongoing monitoring program to be initiated post completion of the entire development.
9. Crime Management and Safety	The proponent agrees to implement the following measures: ▪ All street entries to residential buildings will have appropriate levels of lighting to avoid poorly lit dark spaces. ▪ Lighting will be provided along the shared pedestrian/cycleway through the riparian zone adjacent to the creek. ▪ Where required, the Australian Standard AS1158.3.1:1999 “Road Lighting. Part 3.1: Pedestrian area (Category P) lighting – performance and installation design requirements” will be complied with. ▪ The building entrances will be visible from the street and will not be obscured by landscaping. ▪ Construction fencing will be erected along the southern side of the new internal street to secure the site in accordance with workplace safety requirements. ▪ A boundary fence will be erected along the shared boundary with Macquarie University to ensure there is a clear delineation of space between the properties as well as to provide secure private domain areas for residents on-site. ▪ Access into the basement car parks will be controlled by installing physical barriers such as security access gate devices to control vehicles entering and exiting the car	The proposed lighting, landscaping, security, and management measures will be implemented on a staged basis in accordance with each subsequent Project Application.

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	park. ▪ Pedestrian access to the building will be clearly defined by a direct pathway from the street. Access into each building will be controlled by voice operated security and electronic pass security devices. ▪ The private open space for residents will be secured from the public domain through a combination of landscape treatments and fencing that will create a clear sense of ownership and territorial reinforcement. ▪ A Strata management body will be formed for each building to ensure the buildings have a regular maintenance program. ▪ Hardwearing materials will be utilised where appropriate in all buildings to minimise opportunities for vandalism.	
10. Dilapidation Management	A Dilapidation Report will be prepared on surrounding buildings, roads, pavements and structures prior to the commencement of any excavation works, to document existing conditions, so that claims for damage due to vibrations or construction related activities can be accurately assessed.	The Dilapidation Report will be prepared prior to commencement of excavation the Stage 1 works on the site.
11. Drainage and Stormwater	The proponent agrees to install a stormwater management system in accordance with the plans prepared by Taylor Thomas Whitting that will include: ▪ Construction of a stormwater pipe infrastructure within the road reserve of the proposed new road, connecting with pits on Herring Road. ▪ To suit the existing topography, the stormwater collection from the roof and podium of Building A will be discharged into the Herring Road stormwater system after passing through a gross pollution trap. ▪ All stormwater collected from the other building roofs and podiums of subsequent stages will be discharged into University Creek and will pass through a first flush bioswale treatment system to filter low-flow discharge before being discharged. ▪ A small amount of the new access road adjacent to Herring Road will be collected by kerb-side pits and will drain into two existing Council pits on Herring Road, while the residual road reserve area will drain into University Creek via the first flush bioswale treatment system upon completion of the road.	The proposed stormwater system will be constructed progressively with each stage of the project to suit the requirements of each building. Works to connect future buildings to the stormwater infrastructure will be carried at as part of subsequent Project Applications.

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	▪ Each apartment block will be serviced by separate detention and re-use tanks and pass through gross pollutant traps prior to entering the stormwater system.	
12. Geotechnical and Groundwater Management	The proponent agrees to the following measures and actions recommended in the Geotechnical Investigation prepared by Douglas Partners dated December 2009: ▪ All excavated materials will be disposed of in accordance with current Waste Classification Guidelines (DECC, April 2008). ▪ Temporary and permanent batter slopes will be designed in accordance with those shown in Table 2 of the Geotechnical Investigation report. ▪ All footings will be inspected by a geotechnical engineer to confirm that foundations are suitable for the design parameters. ▪ During construction, groundwater seepage will be controlled by perimeter drains connected to a 'sump-and-pump' dewatering system.	The proposed measures will be implemented on a staged basis in accordance with each subsequent Project Application.
13. Construction Management	The proponent agrees to prepare a Construction Management Plan outlining the methods of construction, traffic management, crane height and location details and the like.	A Construction Management Plan shall be prepared prior to the issue of the Construction Certificate.