

7.0 Statement of Commitments

In accordance with the Director General's Environmental Assessment Requirements, the proponent is required to include a Draft Statement of Commitments in respect of environmental management and mitigation measures on the site. The table included in this section sets out commitments made by the proponent to manage and mitigate potential impacts arising from the project and subsequent stages.

Subject	Commitments	Approved by Whom	Timing
Approved Project	Development on the site will be implemented in accordance with the Concept Plan entitled 'Figtrees on the Manning Local Area Plan / Masterplan' prepared by Suters Architects and dated November 2008.	Department of Planning.	No timing. General Statement of Commitment
Voluntary Planning Agreement	A Voluntary Planning Agreement will be executed between the proponent and Greater Taree City Council to provide for the timely delivery of local infrastructure and community services.	Council	Prior to gazettal of the LEP for the site.
Development Staging Plan	A Development Staging Plan will be submitted prior to first stage DA and revised prior to each subsequent Stage. The Staging Plan will address: <ul style="list-style-type: none"> Total lots approved and outstanding balance. Lots proposed for each subsequent stage and any minor revisions from the concept plan approval or previous staging plan. Average lots sizes and areas. 	Minister for Planning or delegate	Prior to 1 st stage DA
Water Supply and Sewer Servicing Strategy	A Water Supply and Sewerage Servicing Strategy addressing augmentations required to service the development will be prepared following Concept Plan Approval. The Strategy will be submitted to the DoP prior to the lodgement of any PA or DAs for the site. No applications for the development of the site will be lodged until the DoP and Mid Coast Water have provided their written confirmation of their acceptance of the Strategy.	DoP / Council / Relevant service provider	Prior to 1 st stage DA
Road access and traffic	Vehicular access to the marina to the east of the site will allow for vehicles with boat trailers and heavy or oversized vehicles.	-	No timing. General Statement of Commitment

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	Circular road routes and once way roads with separate ingress and egress will be not be implemented.	-	No timing. General Statement of Commitment
Location of Central Road	The location of the proposed central road within the Concept Plan may alter as detailed designs evolve. Due consideration will be given to relocating the road to the north in the preparation of PAs or DAs for these areas of the site. This may be subject to a condition of Concept Plan Approval that PAs and/or DAs consider the relocation of the road in order to reduce potential impacts to mangroves.	The relevant consent authority for each stage.	No timing. General Statement of Commitment
Flora and fauna	<p>In accordance with Ecotone's recommendations (November 2007), future development on the site will implement the following recommendations:</p> <ul style="list-style-type: none"> ▪ The retention of the existing creek / drainage line to the north of the site and regeneration as appropriate. Much of the existing reedland / riparian areas will be incorporated into a restored wetland park. Modification to the tidal part of the creek will be avoided; ▪ The widths of riparian areas to be revegetated will be identified in relevant PAs and/or DAs for the site; ▪ Eroded areas of the river bank identified in the LAP (including those eroded by livestock) will be retained, stabilised and revegetated; ▪ To avoid further erosion, natural vegetation on the riverbank will be stabilised and rehabilitated with native species where development is not proposed. 	The relevant consent authority for each stage.	No timing. General Statement of Commitment

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Flora and Fauna	<p>In accordance with Orogen's recommendations (September 2009), future development on the site will implement the following recommendations</p> <ul style="list-style-type: none"> ▪ Terrestrial and aquatic (including marine) surveys and impact assessment will be undertaken with relevant DAs. The assessment will address the Fish Habitat Protection Plan No. 1 and Fish Habitat Protection Plan No. 2: Seagrasses developed by NSW Fisheries. Subsequent investigations may include effects on and mitigation measures for hydrostatic processes and implications for flora and fauna. ▪ The design of the bio-filtration system is to be sympathetic to the EEC's proposed to be utilised. The design must aim to improve the condition of the community; ▪ Appropriate erosion and sedimentation controls to protect the Manning River during and post construction will be provided; ▪ Appropriate controls to exclude general public from entering rehabilitation areas, and/or encourage persons to keep to formed tracks within walkways will be provided; and ▪ Construction of interpretive signage in retained areas or along walkways. 	The relevant consent authority for each stage.	With the relevant DA/PA.
Flooding and Sea Level Rise	<p>In accordance with the Worley Parsons Flooding Report (15 May 2009), the following will be implemented:</p> <ul style="list-style-type: none"> ▪ Habitable floor area will be above the anticipated future 100 year recurrent flood event, with a 1m freeboard. An evacuation route will be available along Pitt Street / Lyndhurst Street and will be capable to remain open during a 200 year recurrent flood event. ▪ Appropriate emergency egress, access to the foreshore and out of the site during flooding will be provided, subject to subsequent project/development applications. 	-	No timing. General Statement of Commitment

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	<ul style="list-style-type: none"> Floor levels will be above 3.5m AHD (including the basement car park level) and will therefore be at least 2m above the tidal water level anticipated under the high level impact scenario for sea level rise. 		
Heritage	The Cooperative Dairy Group of Buildings (other than components approved for demolition in the Concept Plan) will be retained and incorporated into the development through adaptive reuse.	-	No timing. General Statement of Commitment
	<p>In accordance with the ENSR Aboriginal and Historic Heritage Assessment (dated 10 March 2008), the following recommendations will be implemented:</p> <ul style="list-style-type: none"> The Aboriginal site on riverbank levee to the far west of the site will be conserved through its incorporation into open space zoning. No part of the viewing platform and pathway will coincide with the identified Aboriginal site; Waterfront access will be designed to minimise impact to the topsoil within the Railway Cutting Site. The alignment of the railway siding will be reflected in future development with interpretation and integration into the landscape (as appropriate); Care will be taken to ensure archaeological deposits associated with the Lime Kiln Wharf and Tramway are not disturbed. Should any deposits be disturbed, this will be done with the consultation with the Heritage Branch of the DoP; The alignment of fig trees along Pitt Street will be maintained; Where relevant, Project / Development Applications will include archaeological surveys along the river bank to locate potential underwater relics including wharves and other waterfront structures and the remains of a barge on the riverbed; 	-	No timing. General Statement of Commitment

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	<ul style="list-style-type: none"> ▪ The Wooden Store is retained has part of the Concept Plan approval, subject to further review and tests of its structural adequacy at DA stage, which may deem that demolition is warranted; ▪ The wharf structure identified in the AECOM/ENSR report (August 2009), will be repaired or replaced at DA stage. ▪ Archival recording of the 1996 Office associated with the Dairy Co-operative Complex will occur prior to demolition. 		
Mangrove and Bank Stability	Bank Stability and Erosion - following removal of horses and stock from the site, eroded areas along sections of the bank that will be retained, stabilised and revegetated. Best practice sediment and erosion control measures will need to be put in place during construction and where the bank is to be excavated along the Manning River. The construction area will need to be isolated from the river water to avoid water pollution.	The relevant consent authority at the relevant stage.	With the relevant DA/PA.
	Weed Management - a weed management plan should be prepared for weedy sections of the bank, the vegetated drainage lines and riparian areas. Weed infested areas will be replaced with native vegetation.	The relevant consent authority at the relevant stage.	With the relevant DA/PA.
	Fluvial flow analysis - should be carried out under the full range of river conditions to ensure that eddies are not created within the area of the proposed marina.	The relevant consent authority at the relevant stage.	With the marina Project Application.
	Water Quality - any discharge points to the Manning River or the tributary should be below the water mark or via dissipaters in order to prevent bank erosion. Water pollution protection measures will be required for any proposed maintenance facilities associated with the proposed marina.	The relevant consent authority at the relevant stage.	With the marina Project Application.

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Stormwater Management	<p>Stormwater Management Strategies will be submitted with future PAs or DAs and will include measures to prevent wet weather overflows and segregate potentially contaminated water from non-contaminated water. Construction management plans (CMPs) submitted with will be submitted with PAs, DAs or Construction Certificate applications. CMPs will include provisions to prevent adverse impacts to surface and groundwater resulting from construction works. These are to include measures for the prevention of spillages that may otherwise result in contamination of surface and ground water.</p> <p>WSUD principles and solutions will be implemented on the site including the provision of roadside swales for the capture and filtration of stormwater. A Water Sensitive Urban Design (WSUD) Strategy will be prepared. The WSUD Strategy will conform to statutory, Council and DECCW guidelines. Some of the water volume in roadside swales will flow to the restored wetland for detention and further filtration in ponds. Water runoff from roads will be treated prior to its release into creeks and/or the river to ensure no adverse impacts result from runoff.</p>	The relevant consent authority at the relevant stage.	With the relevant DA/PA.
	Runoff from rooves is to be stored for reuse in irrigation to retain pre-development flows as far as practicable.	The relevant consent authority at the relevant stage.	With the relevant DA/PA.
	Any discharge points to the river for treated stormwater will be below the low water mark, or shall utilize dissipaters to prevent bank erosion.	The relevant consent authority at the relevant stage.	With the relevant DA/PA.
Acid Sulphate Soils (ASS)	<p>An Acid Sulphate Soil Management Plan (ASS) will be developed to address excavation adjacent to the river and shall involve either, including:</p> <ul style="list-style-type: none"> ▪ The neutralisation of ASS with lime prior to disposal, or reuse as fill or; ▪ Delineation of the lateral and vertical extent of ASS, its removal and 	The relevant consent authority at the relevant stage.	With the relevant DA/PA.

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	<p>subsequent excavation of non-ASS soil from beneath. The ASS will then be buried below the water table; or</p> <ul style="list-style-type: none"> Any other technical measures identified as part of further investigations on the site that will satisfactorily manage ASS impacts. 		
Contamination	<p>Site Audit Statements shall be provided in relation to the development of any localised areas of contaminated land identified in the Acid Sulphate Soils and Contamination Assessment by Coffey Geotechnics (dated 7 November 2007) at Appendix G, in particular:</p> <ul style="list-style-type: none"> The fuel depot to the west of the site. The extent of contamination down slope of the fuel depot should be further investigated to assess the extent and degree of groundwater contamination; The rail siding to the west of the site (which has the potential to be contaminated, given its past usage and its location adjacent to the fuel depot); Buildings of the Dairy Cooperative that contain asbestos cement and are potentially contaminated with other substances; A filled gully adjacent to Fishermans Co-operative that presents a moderate risk of contamination; The concrete batching plant, disused rural store and Big Oyster, which are of low, or no risk of contamination; and The area behind Sheathers Machinery land in the central area of Pitt Street. <p>Site Audit Statements will be prepared by an accredited Contaminated Lands Auditor for these localized areas of contamination. More detailed investigation and sampling is required in these localised areas of the site.</p>	The relevant consent authority at the relevant stage.	With the relevant DA/PA.

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	Future works should be undertaken in consultation with the auditor so that a Site Audit Statement can be issued on completion of the works.		
Marina development	<p>The development of the marina basin and berthing will be subject to detailed hydrodynamic modelling to determine the final basin design at the Project Application stage.</p> <p>Subsurface stratigraphy will be determined for any proposed marina excavation and for any proposed channel dredging. An excavated level of - 3.0m AHD will be investigated to allow for squat, siltation and under-keel clearance. The depth of the marina should account for low water levels and should be further investigated as part of the detailed PA.</p>	The relevant consent authority for the marina.	With the marina Project Application.
Marina Geotechnical issues	Construction techniques set out in the Geotechnical Report by Coffey Geotechnics dated 16 June 2008 will be implemented.	The relevant consent authority at the relevant stage.	With the marina Project Application.
	The detailed recommendations for excavation, piling and the construction of basement areas, footings and other supporting structures contained in the Coffey Geotechnical Assessment dated 16 June 2008 will be observed in subsequent designs of the proposed development.	The relevant consent authority at the relevant stage.	With the relevant DA/PA.
Marina Operation and Management	A Marina Plan of Management including an environmental management plan (EMP) will be implemented for the operation of the marina to the east of the site. The EMP will address all relevant issues associated with the use, inspection, maintenance and repair of the marina. It shall ensure that the operation of the marina complies with all relevant statutory and regulatory requirements, including those of the POEO Act and DECCW noise guidelines.	The relevant consent authority for the marina.	With the marina Project Application.

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	The scope of the EMP shall embrace the marina management guidelines; induction and training of staff and tenants in the safe operation of the marina; fire prevention and fire fighting; medical emergency; hazard management; navigational safety; fuel management and the use of sewage pump out equipment; solid and liquid waste management and prevention of waterway pollution.		
Construction, waste and traffic impacts	Construction Management Plans, Construction Traffic Management Plans and Waste Management Plans will be prepared for each stage of the development and submitted with future project/development applications.	The relevant consent authority at the relevant stage, including the marina stage.	With the relevant DA/PA.
Acoustic impacts	<p>The following recommendations of the Acoustic Logic report dated (5 November 2009) will be implemented:</p> <p>External Noise Impacts (Traffic)</p> <ul style="list-style-type: none"> Some upgraded single glazing necessary to the commercial buildings located adjacent to Chatham Avenue will be provided as per the indicative treatments presented in the acoustic assessment. <p>Mechanical Plant</p> <ul style="list-style-type: none"> Detailed review of all plant items will be undertaken at Construction Certificate stage and acoustic treatments (plant enclosures, screens, in-duct treatments) determined in order to ensure noise emission objectives are met. Noise from plant (including air-conditioners) will be attenuated through appropriate plant location and the installation of acoustic screens or enclosures (subject to assessment of subsequent project or development applications for the site). 	The relevant consent authority at the relevant stage	With the relevant DA/PA.

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	<p>Car Park on the eastern property boundary and Boat Ramp</p> <p>A 1.8m high fence will be installed along the eastern boundary of the site adjacent to the marina car park and along the eastern edge of the hardstand area of the boat ramp. The fence (if required) will be imperforate (no holes) and constructed using lapped and capped timber, Colorbond or masonry.</p> <p>The provision of this fence is not required if alternative ameliorative measures are provided at the DA stage or the specific design of the marina meets the noise guidelines stated in the Concept Plan Acoustic Report. Appropriate landscaping will be provided alongside the fence to ensure its appearance is consistent with surrounding development and does not result in adverse visual impacts.</p> <p>Marina</p> <p>Noise from the marina shall comply with the acoustic criteria set out in Section 5.1 of the Acoustic Assessment.</p> <ul style="list-style-type: none"> Noise levels from the marina crane are dependent on the make and model of the crane installed there. Detailed acoustic assessment of the crane and other plant items such as compressors will be conducted at Construction Certificate stage after selection of plant. Acoustic treatment to the crane engine and management controls (restriction of times of use) will be determined to meet this criteria; Use of equipment such as the marina crane, high pressure hoses, compressors and power tools will be determined in a marina plan of management, so as to avoid impacts to surrounding noise receivers; 		

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	<p>Restaurants/Bars</p> <ul style="list-style-type: none"> Noise levels resulting from restaurants on the site are to achieve compliance with the noise goals in the acoustic report through appropriate control of patron numbers, music noise levels and operating times. If necessary, additional acoustic treatments such as noise absorptive linings and screens may be incorporated; Future DAs required for restaurants or bars with amplified music or outdoor dining or smoking areas should include an acoustic assessment demonstrating compliance with Liquor Administration Board noise emission goals and the criteria specified in the Concept Plan acoustic report. <p>Stage/Swimming Pool</p> <ul style="list-style-type: none"> Noise from the use of the stage will comply with the criteria set out in the acoustic report. Technical measures (including those relating to the positioning of speakers) may be required for performances of amplified music on the proposed stage. Performance without amplified music will comply with the set criteria without the need for acoustic treatments. 		
Utilities	Future development on the site will include upgrades to energy, water, sewer and telecommunications infrastructure in accordance with service provider requirements. The developer for each stage will upgrade energy, water and telecommunications infrastructure to relevant service provider requirements.	Relevant service provider	With the relevant PA/DA
Energy and Water Efficiency	<p>In accordance with ARUP Sustainability Assessment (June 2008) , the following measures will be targeted to reduced energy consumption and greenhouse gas emissions:</p> <ul style="list-style-type: none"> The incorporation of solar hot water systems and photovoltaic systems on roofs where feasible; 	The relevant consent authority at the relevant stage	Detailed in the relevant PA/DA

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	<ul style="list-style-type: none"> ▪ A grey water recycling and rainwater collection system to provide all irrigation water as required; ▪ Installation of 3.5 star rated Water Efficiency and Labelling Standards (WELS) rated water fittings in dwellings; and ▪ The achievement by future multi unit residential developments of a minimum of 4 stars from the Green Star Multi Unit Residential Tool. 		
Air Quality	<p>The air quality recommendations set out in the Air Quality and Greenhouse Gas Assessment by Heggies Australia (dated 10 September 2009) will be implemented during the construction and use of future development on the site. These recommendations include:</p> <ul style="list-style-type: none"> ▪ A construction dust management plan to reduce impacts from dust and particulate matter that may result from construction activities; ▪ The restriction of sanding and abrasive blasting activities in the marina workshops with suitable dust extraction systems or areas that are surrounded with appropriate shrouding fences; ▪ Restriction of outside painting and re-spraying of vessels in the marina to minor repair and detailing work and the utilization of technologies that reduce solvent evaporation; ▪ Restriction of fibre glassing activities to enclosed areas fitted with appropriate ventilation controls; ▪ The use of vapour check valves and locking caps at the unloading point in the delivery of fuel to the marina; ▪ The use of technologies such as single-action diaphragm pumps in marina sewage pump-out systems to minimise potential for odor emission; and 	-	During Construction

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	<ul style="list-style-type: none"> The use of methods typically implemented in food preparation to activities for capturing cooking fumes. 		
Waste	Allowance will be made for the future collection of waste by waste contractors in accordance with all relevant regulatory requirements.	Council	During construction
Erosion and sediment control	Best practice sediment and erosion control measures will be implemented to contain and treat runoff from land based construction. Where the bank of the Manning River is to be excavated, the construction area will be completely isolated from the river water to avoid water pollution.	-	During construction