

Final Statement of Commitments

Project Component	Environmental Outcome	Commitment	Timing for Completion
1. Concept Plan	1.1 Development is carried out generally in accordance with the approved Concept Plan and Development Code	1.1.1 Every application for subdivision to create separate lots is to include a plan indicating the broader context of the application. This indicative plan will show: <ul style="list-style-type: none"> ▪ actual and proposed densities by precinct (or other identified nodes); ▪ the distribution or indicative distribution of surrounding open space/parks; ▪ connector roads; and ▪ trunk stormwater drainage. 	At each relevant stage of development.
2. Visual impact of development	2.1 Key attributes of the natural visual landscape of the Cobaki Estate site (being the topographical amphitheatre, remnant band of bushland, Cobaki Broadwater forest and wetland, and proposed new central open space precinct) are retained and rehabilitated.	2.1.1 In those areas of the site not proposed for urban development the natural landscape will be retained and rehabilitated where applicable in accordance with the relevant environmental management plans appended to the Concept Plan	At each relevant stage of development.
	2.2 The visual impact of subdivision and building development is managed.	2.2.1 Future project applications and development applications will be generally consistent with the development controls for the detailed design of subdivisions and buildings in each precinct as set out in the Cobaki Development Code.	At each relevant stage of development.

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<p>3. Road access</p>	<p>3.1 Road access to the north through Boyd Street and Gold Coast Highway has capacity to accommodate traffic generated by such development that occurs under the Concept Plan.</p>	<p>3.1.1 The proponent will meet its legal obligations assigned in the Boyd Street Road Works Deed between Gold Coast City Council and Calsonic Management Services Pty Ltd dated 8 July 1993.</p>	<p>As specified in the Deed.</p>
		<p>3.1.2 Every subdivision application will be supported by a traffic study demonstrating that Boyd Street has, at the time of the application, sufficient capacity to accommodate the additional traffic generated by the subdivision.</p> <p>3.1.3 The proponent will meet its obligations in the Deed between it and the State of Queensland acting through the Department of Main Roads dated 3 February 1997 in relation to the construction and use of a signalised intersection between Boyd Street and the Gold Coast Highway.</p>	<p>As part of each relevant Project Application or Development Application for subdivision</p>

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	<p>3.2 Road access to the south through the Cobaki estate and over Cobaki Creek to connect with Piggabeen Road is provided to accommodate traffic generated by the development under the Concept Plan.</p>	<p>3.2.1 The proponent will dedicate to Council all the Cobaki Parkway Road Reserve from the north eastern boundary of the property to Cobaki Creek, in accordance with the approved Concept Plan, existing development approvals and the project application for the central area. The cost of this land dedication will be a credit against the proponent's obligations to pay contributions under Section 94 Plan No.4, and Tweed Shire Council will not be required to pay any cash amount to the proponent for the land dedicated.</p> <p>3.2.2 The proponent will construct two lanes of Cobaki Parkway, in accordance with Tweed Shire Council's requirements, from the toe of the ramp on the western side of the overpass at the intersection of Boyd Street and the Tugun Bypass to the southern-most roundabout on Cobaki Parkway at its intersection with Sandy Lane. These works will be constructed progressively to access each phase of the development as it is released.</p>	<p>Progressively as the construction of relevant stages of two lanes of Cobaki Parkway is completed by the proponent. Any remaining Road Reserve will be dedicated upon the earlier of the following:</p> <ul style="list-style-type: none"> - The date when the Gold Coast City Council gives the proponent notice under clause 4.3 of the Deed between the Gold Coast City Council and the proponent (as Assignee) dated 8 July 1993, requiring the proponent to undertake the Boyd Street Four Lane Upgrade; or - Five (5) years after the date of registration of the first linen plan of subdivision creating individual residential allotments at Cobaki Lakes. <p>At each relevant stage of development</p>

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		3.2.3 The proponent will construct two lanes of Cobaki Parkway, in accordance with Tweed Shire Council's requirements, from the southern-most roundabout with Sandy Lane to the Cobaki Creek, a two lane bridge over Cobaki Creek and a connection to Piggabeen Road.	At each relevant stage of development
		3.2.4 The road connection between Cobaki Parkway and Piggabeen Road via the Cobaki Creek Bridge will not be opened to the public for vehicle access until such time as a tick control facility has been installed in accordance with Condition 27 of Development Consent No. 94/194.	At each relevant stage of development
		3.2.5 The proponent will enter into a Deed with Tweed Shire Council replacing the Deed between Council and Calsonic Management Services Pty Ltd dated 6 August 1993, which replacement Deed will include the requirements under 3.2.1 to 3.2.4 above, and additionally release Council from such obligations it has under the current Deed with respect to the Boyd Street Four Lane Upgrade.	Upon approval of the Concept Plan
	3.3 Internal roads and access arrangements are designed and constructed to contemporary standards of safety and efficiency.	3.3.1 Internal roads, car parking and loading/ servicing facilities will be designed and constructed in accordance with the Cobaki Development Code. 3.3.2 Direct vehicle access off Cobaki Parkway will be restricted and no residential lots will have access onto Cobaki Parkway.	As part of each stage of development.
4. Flora and Fauna Management	4.1 Areas of saltmarsh on the site are rehabilitated and protected.	4.1.1 The provisions of the Revised Saltmarsh Rehabilitation Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, October 2010) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of subdivision. Works will proceed in a regular manner with the objective of achieving the timeline and milestones set out in the Revised Saltmarsh Rehabilitation Plan.

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	4.2 Areas of Scribbly Gum trees are conserved and managed.	4.2.1 The provisions of the Scribbly Gum Management Plan, Cobaki Lakes , Preferred Project Report (James Warren & Associates, 2009g) will be implemented.	Commencement of management works prior to registration of any plan of residential subdivision. Works will continue in accordance with the requirements of the Scribbly Gum Management Plan.
	4.3 Native vegetation is regenerated.	4.3.1 The provisions of the Revised Site Regeneration and Revegetation Plan, Cobaki Lakes , Preferred Project Report (James Warren & Associates, October 2010) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of residential subdivision for adjacent land. Work will then proceed in accordance with the Revised Site Regeneration and Revegetation Plan until they are completed and dedicated to Tweed Shire Council.
	4.4 Removal of native vegetation is appropriately managed.	4.4.1 The provisions of the Vegetation Management Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, 2009d) will be implemented.	At relevant stages of development.
	4.5 Threatened fauna species are appropriately managed.	4.5.1 The provisions of the Fauna Management Plan, Cobaki Lakes , Preferred Project Report (James Warren & Associates, 2009e) will be implemented. 4.5.2 The provisions of the SEPP 44 Assessment – Cobaki Lakes - Preferred Project Report (James Warren & Associates, 2009h) will be implemented.	Commencement of works prior to registration of any plan of residential subdivision on or adjacent to the relevant fauna habitat. Works will continue in accordance with the Fauna Management Plan.

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	4.6 Areas of native vegetation are protected.	4.6.1 The provisions of the Overview Buffer Management Plan – Cobaki Lakes - Preferred Project Report (James Warren & Associates, 2009i) will be implemented.	Commencement and progress of works prescribed in area-specific Buffer Management Plans prior to registration of any plan of residential subdivision. Works will be completed in accordance with the relevant buffer management plan.
	4.7 Freshwater wetlands are rehabilitated.	4.7.1 The provisions of the Revised Freshwater Wetland Rehabilitation Plan, Cobaki Lakes, Preferred Project Report (James Warren & Associates, October 2010) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of residential subdivision for adjacent land. The works will then proceed in accordance with the Revised Freshwater Wetland Rehabilitation Plan, until they are completed and dedicated to Tweed Shire Council.
	4.8 Offsets will be provided for impacts on Freshwater Wetlands and associated Wallum Froglet habitat, impacts resulting from approved bushfire hazard reduction works within native vegetation areas, and for any impacts on existing trees in the Scribbly Gum Reserve.	4.8.1 The proponent will enter into separate Planning Agreements with DECCW for the offset of the following impacts: <ul style="list-style-type: none"> - on Freshwater Wetlands and associated Wallum Froglet habitat; - from approved bushfire hazard reduction works within native vegetation areas; and - on existing trees within the Scribbly Gum Reserve should this occur. The proponent will fulfil its obligations in accordance with these Planning Agreements.	Before any works are commenced that may cause or contribute to the relevant impact.

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5. Biting Midge & Mosquito Control	5.1 Biting midge and mosquitos are appropriately managed.	5.1.1 The provisions of the Biting Midge & Mosquito Control Plan (Mosquito Consulting Services, May 2008) will be implemented.	Commencement of rehabilitation works prior to registration of any plan of residential subdivision for adjacent land. Works will then proceed in a regular manner with the objective of achieving the timeline and milestones set out in the Revised Saltmarsh Rehabilitation Plan.
6. Stormwater and flood management	6.1 Stormwater on the site is appropriately managed.	6.1.1 The provisions of the Stormwater Quality Concept Plan (Yeats, September 2010) will be implemented. 6.1.2 Stormwater management plans will be prepared and implemented as part of future project applications and development applications for each stage of development.	As part of the completion of infrastructure works for each stage of development.
	6.2 Flood protection is provided in the design of development.	6.2.1 Development will occur in accordance with the flood protection levels and measures as required by Tweed Shire Council	As part of development and project applications, where relevant.
7. Groundwater Management	7.1 Groundwater is appropriately managed.	7.1.1 The provisions of the Groundwater Management Plan (Gilbert & Sutherland, April 2008) will be implemented. 7.1.2 Groundwater considerations will be integrated into Stormwater Management Plans in future Project Applications and Development Applications.	As part of the infrastructure works for each stage of development.

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8. Management of soils and geotechnical conditions	8.1 Geotechnical conditions are appropriately managed.	8.1.1 The Broadscale Geotechnical Investigation - Cobaki Lakes (Cardno Bowler, February 2010) will be implemented to support earthworks, civil construction and building work.	As part of project applications and development applications for earthworks, civil and building works.
	8.2 Acid sulphate soils (ASS) are appropriately managed.	8.2.1 Detailed ASS investigations and ASS Management Plans will be prepared and implemented for the detailed design and construction in areas of potential acid sulphate soils.	As part of project applications and development applications for each relevant stage of development.
	8.3 Contaminated sites are appropriately managed.	8.3.1 Detailed contamination assessments of potentially contaminated land will be undertaken, and, if required, Remediation Action Plans implemented. 8.3.2 Site audit statements will be obtained where necessary to verify the remediation of any contaminated land in accordance with relevant NSW guidelines.	As part of project applications and development applications for each relevant stage of development.
9. Bushfire Protection	9.1 Bushfire protection measures are included in development.	9.1.1 Development will comply with the guidelines <i>Planning for Bushfire Protection 2006</i> . 9.1.2 Bushfire management plans will be prepared and submitted with all relevant development applications.	As part of each stage of development, where relevant.
10. Interface with surrounding land	10.1 Agricultural buffers, ecological buffers, and appropriate measures for management of generic impacts on and from adjacent land are included in development.	10.1.1 The recommendations of the Agricultural Buffer and Off-Site Impacts Assessment (Gilbert & Sutherland, May 2008) will be implemented.	As part of each stage of development, where relevant.

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11. Aboriginal Cultural Heritage Conservation	11.1 Aboriginal cultural heritage on the site is appropriately conserved.	11.1.1 The requirements of the Cultural Heritage Management Plan (CHMP) (Everick, April 2010) will be implemented in relevant areas.	Conservation measures to be undertaken prior to commencement of any works on land identified in the CHMP, with completion prior to occupation of that land.
12. Road noise	12.1 Dwellings meet residential noise standards.	12.1.1 Future project applications and development applications for subdivision or housing adjacent to subarterial, distributor and connector roads are to include an acoustic report that addresses the potential impacts of road noise, and includes measures to mitigate noise and achieve relevant NSW standards for residential noise levels in dwellings.	As part of each stage of development, where relevant.
13. Ownership and management of open space and environmental protection zones	13.1 Open space is owned and managed by the relevant government authority.	<p>13.1.1 The proponent will dedicate the open space and environmental protection zones in the Cobaki Estate to Tweed Shire Council as follows:</p> <ul style="list-style-type: none"> - The main central open space corridor on the western side of Cobaki Parkway is to be constructed and landscaped in stages and dedicated after works are completed.. - The environmental protection zone on the eastern side of Cobaki Parkway adjacent to Cobaki Creek is to be rehabilitated in accordance with the Saltmarsh Rehabilitation Plan and dedicated after rehabilitation work is complete. - The remaining open space and environmental protection zones adjacent to each development precinct will be rehabilitated and landscaped as part of the development of the adjacent development precinct. These areas will be dedicated after the completion of rehabilitation and landscaping works. 	Transfer on completion of works.

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<p>14. Tweed Shire Council DCP</p>	<p>14.1 Development at the Cobaki Estate is generally consistent with the Tweed Shire Council DCP to the extent that it is not inconsistent with the Cobaki Concept Plan and Development Code which take precedence.</p>	<p>14.1.1 Future project applications and development applications are to be generally consistent with the Tweed Shire Council DCP to the extent that the DCP provisions are not inconsistent with the Cobaki Concept Plan and the Cobaki Development Code.</p>	<p>At each stage of development.</p>