

30 November 2010  
Our Ref: 6376B.27DK\_mod 10

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

Attention: John Phillpott

Dear John

**Section 75W Modification of Concept Plan Approval (MP06\_0060) and Project Approval (MP06\_0058) – Modification No. 10**

**Vincentia Coastal Village & District Centre, Corner of Wool Road and Naval College Road, Vincentia – Western and Central Villages**

We refer to recent email correspondence in which you have provided us with copies of submissions received during the public notification of the above s75W modification application. This letter responds to the following submissions:

- Shoalhaven Council's letter dated 8 October 2010;
- Rural Fire Service letter dated 11 October 2010;
- Department of Planning issues dated 27 September 2010; and
- Vincentia Ratepayers and Residents Association Inc email dated 9 October 2010.

We have addressed each of these submissions in turn. In the process of reviewing submissions Stockland has made amendments to the plans and also made further amendments to the revised Statement of Commitments submitted with the s75W application. Attached to this letter are the following documents which now form the amended version of the s75W modification application:

- **Attachment 1** – Display Village Layout, Drawing No. SK02, Rev P2
- **Attachment 2** – Stage 3 Layout Modified, Drawing No. 300002, Rev 5

In addition to the above attachments is an updated version of the *Amended Preferred Project Report and Statement of Commitments*, dated 30 November 2010. This document is submitted as a separate document to this letter and comprises amended and additional commitments arising from Modifications 9 and 10.

**1.0 Shoalhaven Council's letter**

**Heading 1.2 SoC No 67a (should be 76a)**

**Attachment 1** to this plan is an amended display village layout. The amended plan indicates a car parking area for six vehicles as per Council's suggestion. Statement of Commitment No, 76a has been amended accordingly as set out in the *Amended Preferred Project Report and Statement of Commitments*, dated 30 November 2010.



### ***Heading 2.1 Effective gross lot and dwelling yield***

We note Council's concern that proposed lots 326 to 334 are capable of being developed for multi dwelling units. The land is zoned R2 under the Major Development SEPP. The R2 zone includes a range of permissible residential land uses such as attached dwellings, dual occupancies, multi-dwelling housing and semi-detached dwellings. Changes to density can occur over time, just as it can in any residential area where a variety of housing forms are permissible. The application does not propose buildings on those lots. The potential for other forms of permissible residential development on these lots should be considered on their individual merits if and when an application is lodged. Stockland does not propose to amend the site areas of lots 326 to 334.

### ***Heading 2.2 Subdivision design and DCP100***

Council has commented that the proposal is not consistent with DCP 100 in relation to the proposed fire trail. We provide discussion on this issue under heading 2.2.2 below.

#### ***Heading 2.2.1 Access handle width***

The access arrangements to proposed Lots 333 and 334 have been amended as shown on **Attachment 2**. The access handle has been relocated on the northern side of these proposed lots. The total width of the access handle has increased to 6m wide with a 4m wide pavement in order to provide a further connection between Moona Creek Road and the perimeter fire trail (discussed below).

The overall width of the access handle for Lots 333 and 334 complies with Element RE14 of DCP 100.

An 88B instrument will be registered over these lots and is already covered by Statement of Commitment No 3. The 88B instrument will also include rights of access for Shoalhaven City Council and the Rural Fire Service.

#### ***Heading 2.2.2 Planning for Bushfire Protection Guidelines and DCP 100***

Council's make several comments in relation to the fire trail and compliance with PBP 2006 and DCP 100. Ecological has considered the relationship of DCP 100 with the current Planning for Bushfire guidelines (PBP) (refer to **Attachment 3**). Ecological note that DCP 100 was adopted by Council on 18 December 2001 and effective from 16 February 2002 when a previous and now superseded version of PBP 2001 was in force and therefore provisions in the DCP appear to be largely based on the requirements of PBP 2001, not the current version of PBP which is PBP 2006. Ecological is therefore of the opinion that the proposal should be assessed against PBP 2006, not DCP 100.

Further Section 79BA of the Environmental Planning and Assessment Act, 1979 requires development on bushfire prone land to conform to the specifications and requirements of *Planning for Bushfire Protection*. Clause 272 of the Environmental Planning and Assessment Regulations, 2000 provides that for the purposes of section 79BA(1)(a) of the Act, *Planning for Bush Fire Protection*, December 2006, is the prescribed document.

Nevertheless, Stockland has considered Council's comments and DCP 100 and also further reviewed PBP 2006 and made in doing so has amended the layout of Stage 3 of the central village (including the design of the bushfire trail). The amended layout is attached at **Attachment 2** and includes the following design elements in relation to the bushfire fire trail:

- The subdivision has been redesigned (as discussed above) to provide a 6m wide easement connecting the fire trail with Moona Creek Road providing links back to the internal road system at intervals of no greater than 200 m complying with PBP 2006 and therefore also complying with DCP 100 which requires links at 300m.



- Passing bays have been provided
- Stockland will construct a sealed fire trail with a 4m wide pavement in accordance with DCP100.
- The bend at the south eastern end of Lot 334 has been amended in accordance with the minimum radius requirements of Planning for Bushfire Protection Guidelines 2006.
- Stockland will provide fire hydrants along Moona Creek Road in accordance with Statement of Commitment No.17 of the Approval.

Council has raised concern that the proposed fire trail does not comply with the PBP 2006 and in particular the following statement in Section 4.1.3 Access (3) – Fire Trails *“that a fire trail is not a substitute for a perimeter road and any proposals will need to demonstrate clear benefits over the use of a perimeter road.”*

Section 1.2.2 of PBP 2006 outlines how the PBP 2006 is used for assessment purposes and essentially the PBP 2006 takes a *“performance based approach, and identifies objectives and detailed performance criteria to satisfy desired outcomes.”* The PBP further explains that:

*“The performance criteria can be satisfied in one of two different ways:*

- *use of the acceptable solutions; OR*
- *demonstrating another solution satisfying the specific objectives and performance criteria.”*

Section 1.2.2 of PBP 2006 explains that *“PBP has identified some acceptable solutions which will satisfy the performance criteria. Any variation from the acceptable solutions will require detailed justification to demonstrate how the performance criteria can be met through another method(s).”*

Ecological has assessed the fire trail (as shown on **Attachment 2**) against the first of the two options. Appendix 3 of their Assessment (attached at **Attachment 3**) confirms that the fire trail complies with the performance criteria and acceptable solutions criteria. This compliance is achieved without any variation from the acceptable solutions. The proposal meets the acceptable solutions for fire trails as identified in PBP 2006 and as per Section 1.2.2 therefore satisfies the performance criteria.

Council has expressed concern regarding the ownership and maintenance of the fire trail. The perimeter fire trail is located in land containing APZ and WSUD and this land will be transferred to Council as per the approved Project application and approved Statement of Commitments 8(a) and 16(a).

As noted by Ecological, the perimeter fire trail will be located within the APZ surrounding the proposed allotments in land that is to be maintained in perpetuity by Shoalhaven City Council (after the initial 3 year period) as per the approved Statement of Commitments (commitment number 8(a)). The proposed perimeter fire trail will be fully sealed with PBP compliant passing bays every 200 m and the perimeter fire trail will not be accessible to the public meaning that the trail will require less maintenance than would a perimeter road as it will be exposed to significantly less traffic. Therefore the maintenance of the trail is expected to be less than the previously approved arrangement with a public perimeter road.

Based on Ecological’s assessment the proposed fire trail is considered to be justified on the following summarised grounds:

1. it meets the acceptable solutions for fire trails as identified in PBP 2006 and therefore satisfies the performance criteria;



2. it has been amended to address Council's design concerns and sealed to address maintenance concerns;
3. the fire trail is predominantly contained within land to be transferred to Council with an easement required to provide a third exit to Moona Creek Road,
4. the approved layout had smaller lots and a large number of lots which necessitated a perimeter road, the amended design has few larger lots all with frontage or access to Moona Creek Road enabling evacuation via Moona Creek Road away from the bushfire prone land.

#### Heading 2.2.3 Bushland edge path

Council notes that the original approval for pedestrian links proposed a bushland edge pathway system which extended around the perimeter of the lots in Modification No 10.

We advise that Modification No. 8 (as approved) has amended the pedestrian footpath plan removing the bushland edge path around the eastern perimeter of the stage 3 lots. The subject s.75W modification and **Attachment 2** is consistent with the approval as modified by Modification No. 8. Notwithstanding, the proposed perimeter fire trail achieves the function of the perimeter bushland edge path.

#### Heading 2.2.4 Gross area of proposed residential lots 321-325

Council requests that lots 321 -325 be redesigned to be averaged closer to 430m<sup>2</sup> per lot.

**Attachment 2** illustrates that the dimensions of Lots 321 to 325 have been amended to provide a larger average area for each lot with the modified site areas being between 400-510m<sup>2</sup>.

#### Heading 2.2.5 Proposed lot 326 & 327 are located within 40m of the sewer pumping station 18

Refer to Section 4.0 below.

### **Heading 3.0 The Display Village**

**Attachment 1** illustrates that a gravel car park providing six car parking spaces is proposed on Lot 550 adjacent to the location of the proposed display village sites. **Attachment 1** also illustrates that the fencing to the display village is located on the lots and not in the road reserve.

### **Heading 4.0 Water and sewer**

Stockland has no objection to the matters raised in paragraphs 4.1, 4.2 and 4.3.

#### Heading 4.4 40m exclusion to SPS No. 18

Council has advised that Shoalhaven Water requires a minimum of 40m offset from the proposed building line to the SPS No. 18 and that the proposed subdivision layout does not comply with this requirement and redesign and/or relocation is required to ensure minimum offset requirement.

Council has also suggested a S.88B instrument be imposed on the title over proposed lots 326 and 327. A restriction of this nature is not an appropriate option as it will all but preclude the construction of a residential dwelling on Lot 326. Further, we note that this was not a requirement of the original Concept or Project approvals. We also note that number of lots within 40m of the SPS will be reduced in the proposed layout compared to the approved layout and we do not see a need to amend the layout or impose a S.88B instrument as suggested by Council.

Council requires that the applicant upgrade the existing vent stack at SPS18 to a Shoalhaven Water approved odour control system. Stockland has no objection to this requirement.



## **2.0 Rural Fire Service (RFS) letter dated 11 October 2010**

The RFS letter addresses both Modifications 9 and 10. The letter responds to the issues relating to Modification 10, a separate letter has been prepared responding to the issues raised in relation to Modification 9.

### ***Proposed Fire Trail***

The RFS state that the proposed fire trail shall comply with section 4.1.3(3) of Planning for Bushfire Protection 2006. Ecological has reviewed the amended subdivision layout for Stage 3 and their assessment is provided in their updated Bushfire Protection Assessment report, dated 30 November 2010 at **Attachment 3**. This report confirms that the propose fire trail complies with PBP 2006.

## **3.0 Department of Planning issues dated 27 September 2010 and email dated 14 October 2010**

### ***Lots with multiple BALs***

The DoP has sought clarification on the construction approach for lots containing multiple bushfire attack levels (BALs). Ecological has advised that the *"BAL implications for future dwellings within these allotments cannot be determined precisely until the Development Application stage as the precise location, orientation and design of a dwelling is required to determine exact BALs. However, future dwellings are likely to be a combination of at least 2-3 elevations being at the highest BAL that is intersected and 1-2 elevations at the next BAL down."*

### ***Schedule of lot areas in Stage 3***

The Department of Planning's email as asked for schedule of lots areas and numbers for the 24 lots that are currently approved in Stage 3 and are proposed to be amended to 14 lots.

**Attachment 4** to this letter is an updated overlay of the approved and proposed Stage 3 lot layout. The red lines are the approved layout and corresponding lot sizes.

## **4.0 Vincentia Ratepayers and Residents Association (VRRRA) email dated 9 October 2010**

The VRRRA's email raises the following two issues.

### ***Display village***

The VRRRA comments as follows:

*"The existing display homes in Central Village are intended to be occupied and used for residential purposes until mid next year. Stockland therefore proposes to construct a new display village for the Western Precinct. Eight (8) new display home sites are proposed as illustrated in Attachment 3."*

*We assume this should have read used for residential purposes FROM mid next year, and thereafter they need a new display village, which they wish to construct in the soon to be sub-divided Western Village. If this is the correct understanding we have no objection to this Modification, but we realise that the R2 prohibits display villages, presumably because of the traffic they generate. However, using the existing sales office and car park alleviates this problem. This change may require some temporary re-zoning?*

We confirm that the Central Village display village will cease use mid 2011. After their use as a display homes the houses will be used for residential purposes. We therefore assume that the VRRRA has no objection to the proposal.

**Permissibility**

The VRRRA also raises an issue of zoning and permissibility. The omission of 'exhibition villages' from the list of permissible uses in the R2 zone in our opinion was not due to traffic considerations, but more likely an oversight as this is not an unusual land use permissible in a residential zone.

This has been addressed in DFP's letter dated 17 September 2010 which accompanies the s.75W application and under the Part 3A provisions of the Environmental Planning and Assessment Act, 1979 the Minister can approve the use of an 'exhibition village' despite being prohibited development in the R2 zone apply to the land.

**5.0 Conclusion**

Consider that Stockland has addressed the issues raised in the submissions and where necessary made amendments to the proposed layout and Statement of Commitments. These amendments are minor and the proposed modification remains generally consistent with the Concept and Project approvals, as previously modified.

Based on the amendments to the s75W modification application we consider that the application is worthy of support.

Should you have any questions regarding this matter please do not hesitate to contact David Kettle of Don Fox Planning on 9980-6933.

Yours faithfully

**DON FOX PLANNING PTY LIMITED**

A handwritten signature in black ink, appearing to read 'D. Kettle', written over a horizontal line.

**DAVID KETTLE**  
**SENIOR TOWN PLANNER**

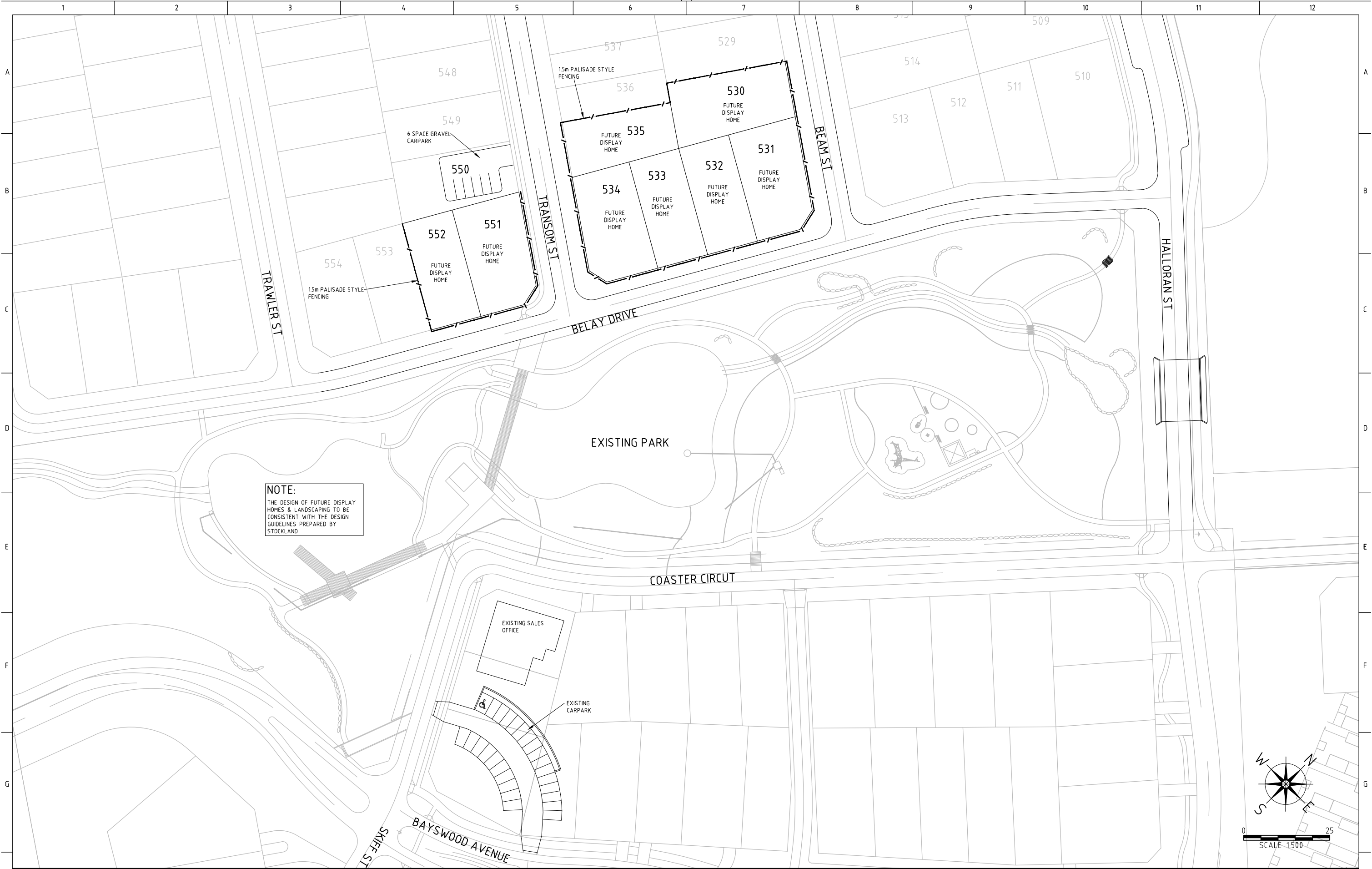
- Attachment 1 Display Village Layout, Drawing No. SK02, Rev P2
- Attachment 2 Stage 3 Layout Modified, Drawing No. 300002, Rev 5
- Attachment 3 Updated Bushfire Protection Assessment report prepared by Ecological dated 29 November 2010
- Attachment 4 Updated new and old stage 3 layout, Drawing 300003, Rev P2



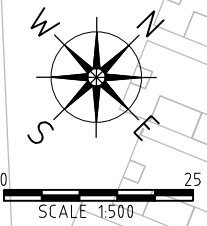
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# ATTACHMENT I





NOTE:  
THE DESIGN OF FUTURE DISPLAY HOMES & LANDSCAPING TO BE CONSISTENT WITH THE DESIGN GUIDELINES PREPARED BY STOCKLAND



REV	DATE	BY	APP.	DETAILS
P1	21/10/10	AJM	MAK	CARPARK ADDED TO LOT 550
P2	16/11/10	AJM	MAK	LOT 535 ADDED FOR DISPLAY, LOTS 512-514 DELETED

DRAWING STATUS		
DESIGN BY	AJM	10/09/10
DRAWN BY	JMA	10/09/10
DRAFTING CHECK		
DESIGN CHECK		
FINAL APPROVAL		
PRELIMINARY		

SCALE: (on A1 Original)
1:500
HEIGHT DATUM AHD



278 KEIRA STREET, WOLLONGONG, NSW 2500  
Ph: (02) 4228 4133 Facsimile: (02) 4228 6811 ACN 003 936 981  
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PROJECT TITLE	
BAYSWOOD VINCENTIA STAGE 5 for STOCKLAND DEVELOPMENTS PTY LTD	

DRAWING TITLE			
DISPLAY VILAGE LAYOUT			
Project No.	Com No.	Drawing No.	REV
104016	500	SK02	P2





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# ATTACHMENT 2



REV	DATE	BY	APP.	DETAILS
1	17/05/10	JMA	MAK	STAGE 3 LAYOUT UPDATED
2	01/09/10	AJM	MAK	STAGE 3 LAYOUT UPDATED FOR LOTS 332 TO 334
3	21/10/10	AJM	MAK	LAYOUT UPDATED FOR LOTS 321-325. FIRETRAIL AMENDED
4	24/11/10	AJM	MAK	MINOR NOTES UPDATED
5	29/11/10	AJM	MAK	ACCESS AND ADJACENT LOTS UPDATED

DRAWING STATUS		
DESIGN BY	MAK	06/06/10
DRAWN BY	AJM	06/06/10
DRAFTING CHECK	AJB	07/05/10
DESIGN CHECK	MAK	07/05/10
FINAL APPROVAL	MAK	07/05/10
APPROVAL		

SCALE: (on A1 Original)
1:500
HEIGHT DATUM AHD



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PROJECT TITLE
BAYSWOOD VINCENTIA for STOCKLAND DEVELOPMENTS PTY LTD

<div>DRAWING TITLE</div> <div>STAGE 3 LAYOUT MODIFICATION</div>			
Project No.	Com No.	Drawing No.	REV
104016	300	300002	5



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# ATTACHMENT 3

Your reference: Stockland, Vincentia - Bushfire [6376B]

Our reference: 10SGBBUS-0035/43



ABN 87 096 512 088

30 November 2010

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St Georges Basin

NSW 2540

Mr David Kettle

Don Fox Planning

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Pennant Hills NSW 1715

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Dear David

Forms part of Eco Logical Australia

**Re: Bushfire Protection Assessment of Proposed Section 75W Application for  
Proposed Modification of Subdivision Layouts at Western and Central Precincts  
Stockland Vincentia**

This letter is a Bushfire Protection Assessment of the proposed Section 75W modification to the development consent for a residential subdivision by Stockland at Vincentia.

The approved subdivision within the Western Precinct did not occupy the entire potential residential development footprint reflected in the zoning. In particular, there is a strip of land adjacent to Naval College Road in the Western Precinct that has been zoned for R2 – Residential. The land was always proposed to be rezoned, but Stockland's subdivision layout did not extend the strip of land along Naval College Road. An amendment is now proposed to the approved subdivision layout to include 21 lots in the land adjacent to Naval College Road (see Figure 1 in Appendix 1).

Furthermore, an area within the north-eastern corner of the Central Precinct is proposed to be redesigned to include some larger allotments as shown in Figure 2. As a consequence of this redesign and to avoid many of these allotments having two street frontages, the perimeter road surrounding Lots 326-334 is proposed to be replaced with a sealed perimeter fire trail. These proposed changes to the Stockland Vincentia development consent require assessment under PBP.

The remaining PBP (2001) provisions for access and utilities have already been approved for this development and are not impacted by the proposed s.75W modifications, aside from a future dwelling within the south-eastern most allotment in the proposed Central Precinct being slightly further than 70 m from the nearest hydrant.

Therefore, this letter addresses Asset Protection Zones (APZs) and bushfire construction levels as per AS 3959-1999 and AS 3959-2009 'Construction of buildings in bushfire-prone areas' only in the vicinity of these additional/amended lots, under the current PBP (2006). It also addresses the issue of a future dwelling on the most south-eastern allotment within the amended area of the Central Precinct being located greater than 70 m from the nearest hydrant and the proposed replacement of the perimeter road with a sealed perimeter fire trail.

### **Location of subject land and bushfire hazard**

The subject site is located on the northern corner of the intersection of Naval College (Jervis Bay) Road and The Wool Road, Vincentia within the Shoalhaven Local Government Area.

The site comprises Lots 801 and 802 in DP 1022286, Lots 72 – 75 in DP 874040 and Lots 321 – 334 within the Central Precinct and all public roads within these lots.

The site is bounded to the:

- south-east by The Wool Road;
- south-west by Naval College (Jervis Bay) Road and existing rural residential development;
- north-west by Jervis Bay National Park, and
- north-east by Jervis Bay National Park and the existing Council-operated Bay and Basin Leisure Centre.

The topography of the site is dominated by two north-east ridgelines dissected by three ephemeral watercourses flowing north to north-east to adjacent wetlands within Jervis Bay National Park. The terrain is flat to gently undulating with slopes being less than 5 degrees. Vegetation varieties which currently cover the site include sedgeland, heathland, woodland and open forest.

The subject land has been identified in the Jervis Bay Settlement Strategy (DIPNR 2003) as an area for urban expansion and a district level shopping centre.

### **Asset Protection Zones (APZs)/construction standards**

The proposed Section 75W amendments to the original development consent are summarised on page one of this letter and the new proposed additional and amended lots are shown in Figures 1 and 2 respectively. These proposed changes have been assessed in accord with PBP with the vegetation and effective slopes having been determined within 140 m of the proposed development. APZs and Bushfire Attack Levels (BALs) have been determined using PBP and AS 3959-2009 for the Western Precinct using the vegetation and slope data shown in Table 1.

APZs and Bushfire Attack Levels (BALs) have been determined for the Central Precinct using the 'Bush Fire Attack Assessor V1.4' (BFAA) or 'View Factor Model' as it is also known based on the vegetation and slope data shown in Table 1. The BFAA reports for the Central Precinct are contained in Appendix 2.

**Table 1 – Summary of APZ and construction levels based on slope/vegetation data**

Direction	Slope <sup>1</sup>	Vegetation <sup>2</sup>	Minimum APZ <sup>†</sup>	AS 3959-2009 Construction Levels required			
				BAL-40	BAL-29	BAL-19	BAL-12.5
Western Precinct							
West	3 degrees downslope	Forest	25m	25 m - <32 m	32 m - <43 m	43 m - <57 m	57 m – 100 m
South	Level	Forest	20m	20 m - <25 m	25 m - < 35 m	35 m - <48 m	48 m – 100 m
Central Precinct							
North and east	1 degree downslope	Forest	22m*	22 m - <27 m*	27 m - <37 m*	37 m - < 50 m*	50 m - 100 m*
South	1 degree upslope	Tall heath (scrub)	13m*	13 m*	13 m - <19 m*	19 m - <27 m*	27 m – 100 m*

<sup>1</sup> Slope most significantly influencing the fire behaviour of the site having regard to vegetation found. Slope classes are according to PBP.

<sup>2</sup> Predominant vegetation is identified, according to PBP and "Where a mix of vegetation types exist the type providing the greater hazard is said to be predominate" (AS 3959-2009 vegetation classification).

<sup>†</sup> Assessed using PBP.

\* Assessed using the 'Bush Fire Attack Assessor V1.4' (reports attached in Appendix 2)

The minimum APZs for the Western Precinct range from 20 m – 25 m while the minimum APZs for the Central Precinct range from 13 m – 22 m. Bushfire construction levels required for future dwellings within the proposed allotments as per AS 3959-2009 'Construction of buildings in bushfire-prone areas' will vary from BAL-40 down to BAL-12.5 as outlined in Table 1 and Figures 1 and 2.

Comment 9 from the NSW Department of Planning (DoP) in regards to Vincentia Coastal Village Modification 10 on 27 September 2010 and Point 2 of the NSW Rural Fire Service's correspondence of 11 October 2011 requested additional information on BALs/radiant heat levels impacting on a future dwelling within proposed Lot 1011.

Proposed Lot 1011 is the western-most allotment proposed on the southern side of the Western Precinct. As can be seen in Figure 3 in Appendix 1, this allotment will accommodate a small portion of the required APZ from the vegetation to the west and no building will be permitted within this APZ. The portion of the APZ within Lot 1011 will be ensured with an easement to be established by a Section 88B instrument.

Consequently, a future dwelling within Lot 1011 will require a combination of BAL-40 and BAL-29 construction as per AS3959-2009. The specific construction standard for each elevation of a future dwelling on Lot 1011 will be determined at the Development Application (79BA) stage.



Furthermore, as part of the proposed development, a radiant heat barrier in the form of a Colorbond fence a minimum of 1.8 m high will be erected to the west and south of Lot 1011 which will reduce the amount of radiant heat impacting on a future dwelling within this allotment.

Comment 10 from the DoP relates to the implication for future dwellings of allotments in the Central Precinct being impacted by a number of different Bushfire Attack Levels (BALs). The BAL implications for future dwellings within these allotments cannot be determined precisely until the Development Application stage as the precise location, orientation and design of a dwelling is required to determine exact BALs. However, future dwellings are likely to be a combination of at least 2-3 elevations being at the highest BAL that is intersected and 1-2 elevations at the next BAL down.

The RFS also requested additional information at Point 1 in their October 2010 correspondence as to who will be responsible for ensuring the maintenance of Asset Protection Zones in perpetuity. In the case of both the Western and Central Precincts (with the exception of Lot 1011 where a small amount of APZ is located in the north-western corner of the allotment as shown in Figure 3), the APZs are located within land that is to be transferred to Shoalhaven City Council as per the approved Statement of Commitments 8(a) and 8(b). Consequently, aside from a small amount of APZ within Lot 1011, the APZs will be maintained in perpetuity by Shoalhaven City Council.

### **Water Supply for Central Precinct**

The proposed Central Precinct subdivision will be serviced by reticulated water. A future dwelling within the south-eastern most proposed allotment within the Central Precinct will be located such that it will be greater than 70 m from the nearest hydrant as required by the previous subdivision approval.

However, the previous approval was based on a bushfire assessment under Planning for Bushfire Protection 2001 and PBP 2006 is now the current document guiding development in bush fire prone areas. Under PBP 2006, the RFS will now accept a dwelling being located within 90 m of the nearest hydrant provided that a fire appliance may be parked in line between the hydrant and the dwelling. This will be the case with the south-eastern allotment in the Central Precinct and the current proposed subdivision will comply with the PBP 2006 requirements for reticulated water supply.

### **Perimeter Access for Stage 3 of the Central Precinct**

The proposed Central Precinct subdivision was originally approved with a perimeter road separating proposed allotments from the forest to the north and west and the tall heath vegetation to the south. However, this was based on small lot sizes and a larger number of lots which necessitated public roads down either side of the area covered by Lots 326-334 inclusive to provide street frontage for each of the original smaller allotments.

The new proposed layout for this area contains larger allotments and a perimeter fire trail is now proposed in place of the perimeter road. The perimeter fire trail will be located within the APZ within the Water Sensitive Urban Design (WSUD) reserves and these reserves and the fire trail will be maintained by Shoalhaven City Council. However, Statement of Commitment No. 8(a) requires that Stockland will remain responsible for the maintenance of the WSUD and APZs where they occupy the same area for a period of 3 years. This commitment will apply to the proposed perimeter fire trail.

The perimeter fire trail proposed complies with all PBP requirements as outlined in Appendix 3 and shown in Figure 3. The trail will consist of a 4 m wide sealed trafficable surface and will be locked to exclude public access with keys to be provided to the NSW Rural Fire Service, Shoalhaven District, to facilitate access for hazard reduction and emergency response only. The perimeter fire trail will be 285 m long and will be located on the non-hazard side of the 23 m APZ that is located within a future Council reserve. The perimeter fire trail links back to the internal road system at intervals of no greater than 200 m via an easement 6m wide (with 4m wide pavement) between Lot 331 and Lots 332-334 inclusive. The easement forms part of Lots 333 and 334 only.

The perimeter fire trail will be located within the APZ surrounding the proposed allotments in land that is to be maintained in perpetuity by Shoalhaven City Council (after the initial 3 year period) as per the approved Statement of Commitments. The proposed perimeter fire trail will be fully sealed with PBP compliant passing bays every 200 m and the perimeter fire trail will not be accessible to the public meaning that the trail will require less maintenance than would a perimeter road as it will be exposed to significantly less traffic.

Shoalhaven City Council (SCC) has raised an issue with the proposed perimeter fire trail surrounding the amended section of the Central Precinct citing the fact that the trail does not comply with the 'acceptable solution' examples within DCP 100 'Subdivision Code'. However, SCC's DCP 100 was adopted by Council on 18 December 2001 and effective from 16 February 2002 when a previous and now superseded version of PBP 2001 was in force.

Consequently, the suggested acceptable solutions within DCP 100 for perimeter fire trails are largely based on the requirements of PBP 2001, not the current version of PBP which is PBP 2006.

Given that PBP 2006 provides the current 'Acceptable Solutions' for bushfire access, the proposed access relating to the Central Precinct needs to comply with PBP 2006, not DCP 100.

The proposed fire trail will be provided in accord with the design requirements of PBP. Evacuation of the proposed Central Precinct subdivision will not take place along this proposed perimeter fire trail – egress will be via Moona Creek Road and other roads to the west and south of the subdivision which will take evacuees away from the bush fire prone vegetation located to the north and east of the site.

**Conclusion**

In the author's professional opinion, the bushfire protection requirements listed in this assessment provide an adequate standard of bushfire protection for the proposed development, a standard that is consistent with 'Planning for Bushfire Protection' (RFS 2006) and appropriate for the issue of a Bush Fire Safety Authority.

A handwritten signature in black ink, appearing to read 'Susan Courtney', with a stylized, flowing script.

Susan Courtney

**Senior Bushfire Planner**

## Appendix 1 – Figures

Figure 1: Asset protection zones and building construction standards

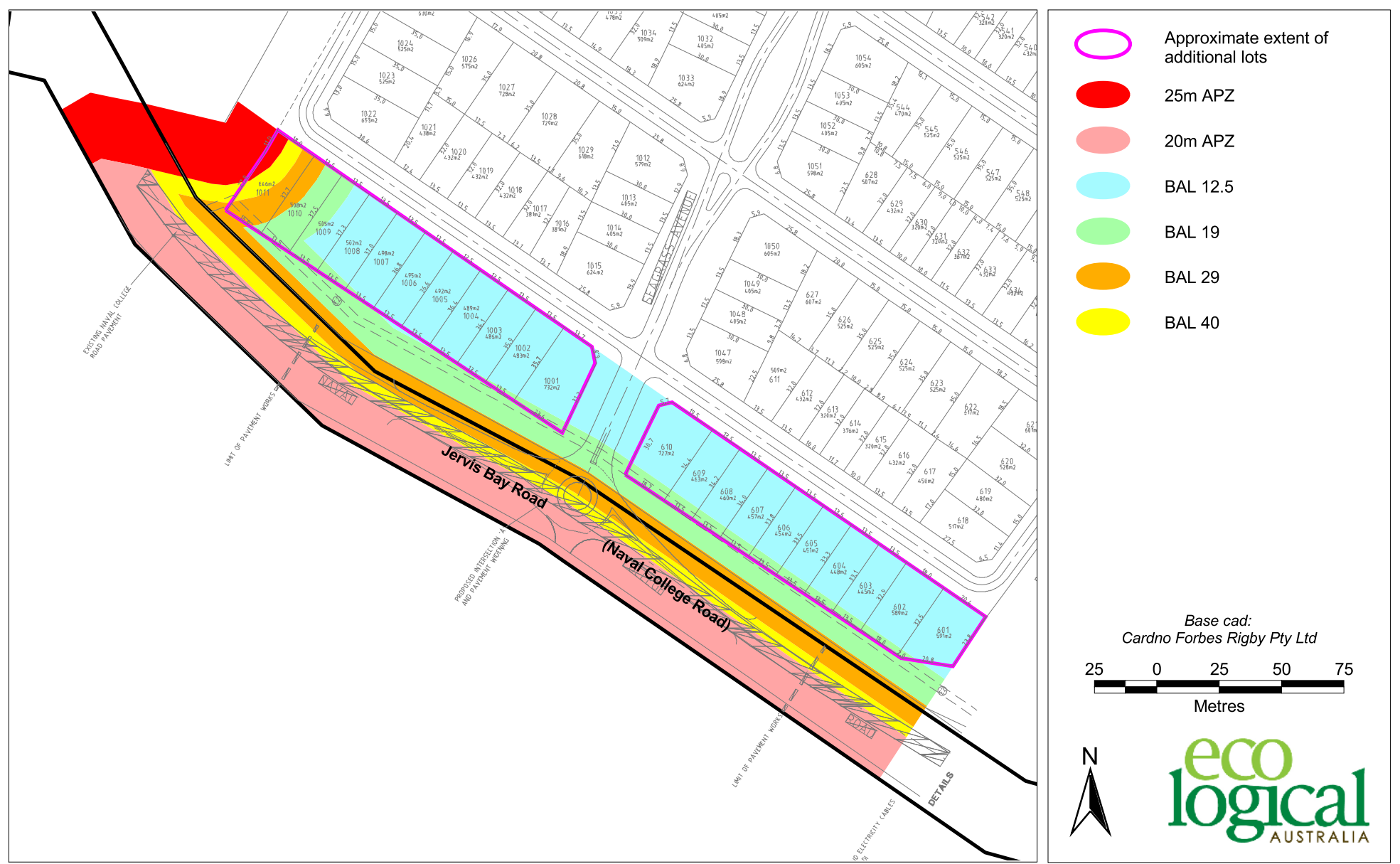
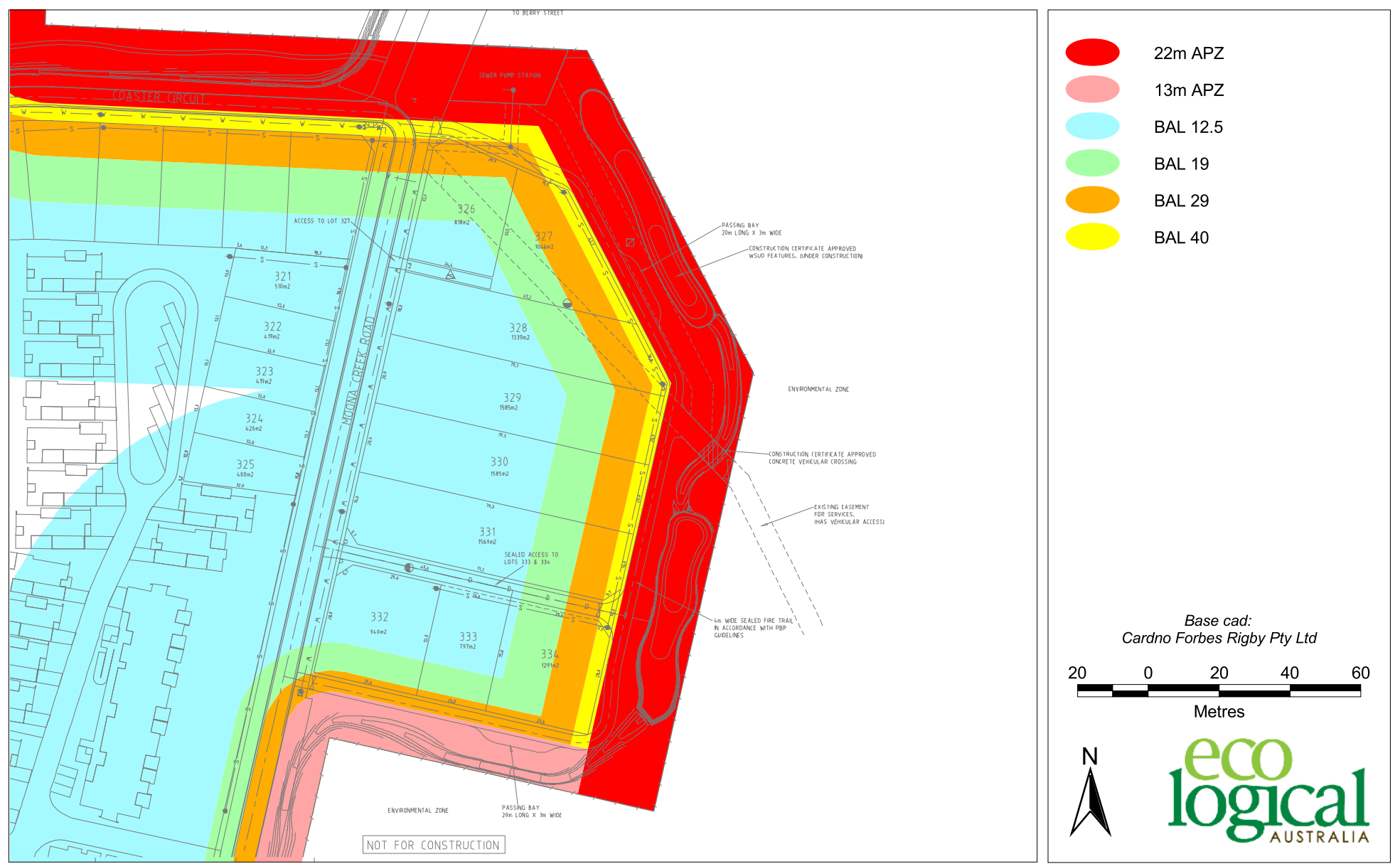
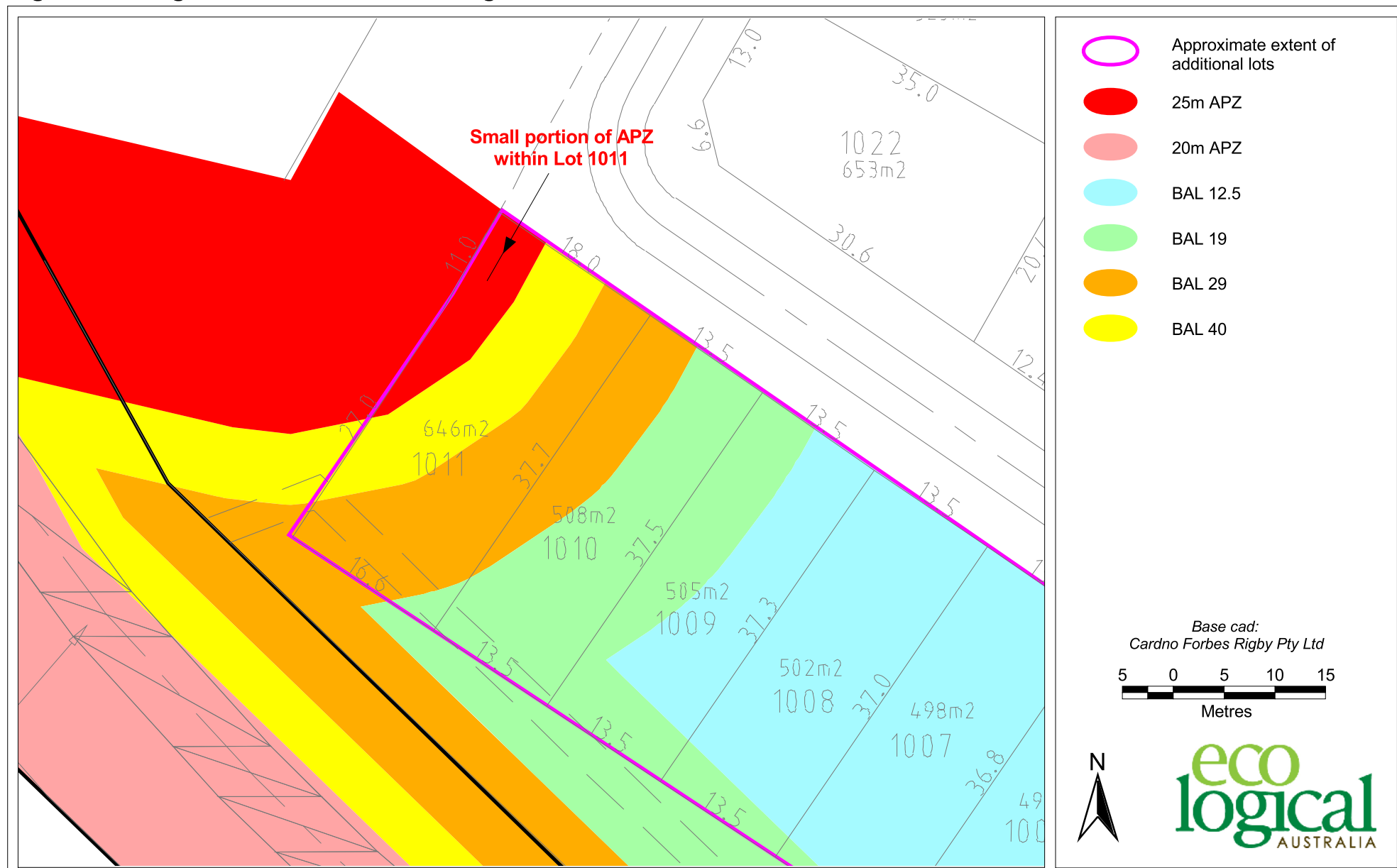


Figure 2: Asset protection zones and building construction standards





**Figure 3: Enlarged view of Lot 1011 showing APZ easement and BALs**



## **Appendix 2 – Bush Fire Attack Assessor V1.4 Reports Central Precinct**

**Bushfire Attack Assessment Report**AS3959 (2009) Version  
1.4.2**Print Date:** 25/08/2010**Assessment**

25/08/2010

**Site Street Address:** Central & Western Precinct, Vincentia  
**Assessor:** David Peterson; Bushfire+Environmental Services  
**Fire Danger Index:** 100 (Fire Weather Area: Illawarra / Shoalhaven)  
**Local Government** Shoalhaven **Alpine Area:** No

**Equations Used**

Transmissivity: Fuss and Hammins, 2002  
 Flame Length: RFS PBP, 2001  
 Rate of Fire Spread: Noble et al., 1980  
 Radiant Heat: Drysdale, 1985; Sullivan et al., 2003; Tan et al., 2005  
 Peak Elevation of Receiver: Tan et al., 2005  
 Peak Flame Angle: Tan et al., 2005

**Run Description:** Central Precinct - N & E APZ**Vegetation Information**

<b>Vegetation Type:</b>	Forest	<b>Vegetation Group:</b>	Forest and Woodland
<b>Vegetation Slope:</b>	1 Degrees	<b>Vegetation Slope</b>	Downslope
<b>Surface Fuel</b>	20	<b>Overall Fuel</b>	25

**Site Information**

<b>Site</b>	1 Degrees	<b>Site Slope Type:</b>	Downslope
<b>Elevation of</b>	Default	<b>APZ/Separation(m):</b>	22

**Fire Inputs**

<b>Veg./Flame Width(m):</b>	100	<b>Flame Temp(K)</b>	1090
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**Calculation Parameters**

<b>Flame Emissivity:</b>	95	<b>Relative Humidity(%):</b>	25
<b>Heat of</b>	18600	<b>Ambient Temp(K):</b>	308
<b>Moisture Factor:</b>	5		

**Program Outputs**

<b>Category of Attack:</b>	HIGH	<b>Peak Elevation of</b>	8.4
<b>Level of</b>	BAL 29	<b>Fire Intensity(kW/m):</b>	33215
<b>Radiant</b>	27.86	<b>Flame Angle (degrees):</b>	63
<b>Flame Length(m):</b>	19.71	<b>Maximum View Factor:</b>	0.437
<b>Rate Of Spread</b>	2.57	<b>Inner Protection Area(m):</b>	22
<b>Transmissivity:</b>	0.839	<b>Outer Protection Area(m):</b>	0

**Run Description: Central Precinct - N & E BAL-40****Vegetation Information**

<b>Vegetation Type:</b>	Forest	<b>Vegetation Group:</b>	Forest and Woodland
<b>Vegetation Slope:</b>	1 Degrees	<b>Vegetation Slope</b>	Downslope
<b>Surface Fuel</b>	25	<b>Overall Fuel</b>	35

**Site Information**

<b>Site</b>	1 Degrees	<b>Site Slope Type:</b>	Downslope
<b>Elevation of</b>	Default	<b>APZ/Separation(m):</b>	27

**Fire Inputs**

<b>Veg./Flame Width(m):</b>	100	<b>Flame Temp(K)</b>	1090
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**Calculation Parameters**

<b>Flame Emissivity:</b>	95	<b>Relative Humidity(%):</b>	25
<b>Heat of</b>	18600	<b>Ambient Temp(K):</b>	308
<b>Moisture Factor:</b>	5		

**Program Outputs**

<b>Category of Attack:</b>	HIGH	<b>Peak Elevation of</b>	10.5
<b>Level of</b>	BAL 29	<b>Fire Intensity(kW/m):</b>	58125
<b>Radiant</b>	28.21	<b>Flame Angle (degrees):</b>	61
<b>Flame Length(m):</b>	25.09	<b>Maximum View Factor:</b>	0.448
<b>Rate Of Spread</b>	3.21	<b>Inner Protection Area(m):</b>	18
<b>Transmissivity:</b>	0.828	<b>Outer Protection Area(m):</b>	9

**Run Description: Central Precinct - N & E BAL-29****Vegetation Information**

<b>Vegetation Type:</b>	Forest	<b>Vegetation Group:</b>	Forest and Woodland
<b>Vegetation Slope:</b>	1 Degrees	<b>Vegetation Slope</b>	Downslope
<b>Surface Fuel</b>	25	<b>Overall Fuel</b>	35

**Site Information**

<b>Site</b>	1 Degrees	<b>Site Slope Type:</b>	Downslope
<b>Elevation of</b>	Default	<b>APZ/Separation(m):</b>	37

**Fire Inputs**

<b>Veg./Flame Width(m):</b>	100	<b>Flame Temp(K)</b>	1090
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**Calculation Parameters**

<b>Flame Emissivity:</b>	95	<b>Relative Humidity(%):</b>	25
<b>Heat of</b>	18600	<b>Ambient Temp(K):</b>	308
<b>Moisture Factor:</b>	5		

**Program Outputs**

<b>Category of Attack:</b>	MODERATE	<b>Peak Elevation of</b>	10.9
<b>Level of</b>	BAL 19	<b>Fire Intensity(kW/m):</b>	58125
<b>Radiant</b>	18.88	<b>Flame Angle (degrees):</b>	67
<b>Flame Length(m):</b>	25.09	<b>Maximum View Factor:</b>	0.31
<b>Rate Of Spread</b>	3.21	<b>Inner Protection Area(m):</b>	25
<b>Transmissivity:</b>	0.8	<b>Outer Protection Area(m):</b>	12

**Run Description: Central Precinct - N & E BAL-19****Vegetation Information**

**Vegetation Type:** Forest  
**Vegetation Slope:** 1 Degrees  
**Surface Fuel** 25

**Vegetation Group:** Forest and Woodland  
**Vegetation Slope** Downslope  
**Overall Fuel** 35

**Site Information**

**Site** 1 Degrees  
**Elevation of** Default

**Site Slope Type:** Downslope  
**APZ/Separation(m):** 50

**Fire Inputs**

**Veg./Flame Width(m):** 100

**Flame Temp(K)** 1090

**Calculation Parameters**

**Flame Emissivity:** 95  
**Heat of** 18600  
**Moisture Factor:** 5

**Relative Humidity(%):** 25  
**Ambient Temp(K):** 308

**Program Outputs**

**Category of Attack:** LOW  
**Level of** BAL 12.5  
**Radiant** 12.32  
**Flame Length(m):** 25.09  
**Rate Of Spread** 3.21  
**Transmissivity:** 0.774

**Peak Elevation of** 10.99  
**Fire Intensity(kW/m):** 58125  
**Flame Angle (degrees):** 71  
**Maximum View Factor:** 0.209  
**Inner Protection Area(m):** 35  
**Outer Protection Area(m):** 15

**Run Description:** Central Precinct - South APZ**Vegetation Information**

**Vegetation Type:** Scrub/Tall Heath  
**Vegetation Slope:** 1 Degrees  
**Surface Fuel** 25

**Vegetation Group:** Shrub & Heath  
**Vegetation Slope** Upslope  
**Overall Fuel** 25

**Site Information**

**Site** 1 Degrees  
**Elevation of** Default

**Site Slope Type:** Upslope  
**APZ/Separation(m):** 13

**Fire Inputs**

**Veg./Flame Width(m):** 100

**Flame Temp(K)** 1090

**Calculation Parameters**

**Flame Emissivity:** 95  
**Heat of** 18600  
**Moisture Factor:** 5

**Relative Humidity(%):** 25  
**Ambient Temp(K):** 308

**Program Outputs**

**Category of Attack:** HIGH  
**Level of** BAL 29  
**Radiant** 28.49  
**Flame Length(m):** 11.27  
**Rate Of Spread** 3.89  
**Transmissivity:** 0.862

**Peak Elevation of** 5.25  
**Fire Intensity(kW/m):** 50228  
**Flame Angle (degrees):** 63  
**Maximum View Factor:** 0.435  
**Inner Protection Area(m):** 13  
**Outer Protection Area(m):** 0

**Run Description:** Central Precinct - South BAL-40**Vegetation Information**

**Vegetation Type:** Scrub/Tall Heath  
**Vegetation Slope:** 1 Degrees  
**Surface Fuel** 25

**Vegetation Group:** Shrub & Heath  
**Vegetation Slope** Upslope  
**Overall Fuel** 25

**Site Information**

**Site** 1 Degrees  
**Elevation of** Default

**Site Slope Type:** Upslope  
**APZ/Separation(m):** 13

**Fire Inputs**

**Veg./Flame Width(m):** 100

**Flame Temp(K)** 1090

**Calculation Parameters**

**Flame Emissivity:** 95  
**Heat of** 18600  
**Moisture Factor:** 5

**Relative Humidity(%):** 25  
**Ambient Temp(K):** 308

**Program Outputs**

**Category of Attack:** HIGH  
**Level of** BAL 29  
**Radiant** 28.49  
**Flame Length(m):** 11.27  
**Rate Of Spread** 3.89  
**Transmissivity:** 0.862

**Peak Elevation of** 5.25  
**Fire Intensity(kW/m):** 50228  
**Flame Angle (degrees):** 63  
**Maximum View Factor:** 0.435  
**Inner Protection Area(m):** 13  
**Outer Protection Area(m):** 0



**Run Description: Central Precinct - South BAL-29****Vegetation Information**

**Vegetation Type:** Scrub/Tall Heath  
**Vegetation Slope:** 1 Degrees  
**Surface Fuel** 25

**Vegetation Group:** Shrub & Heath  
**Vegetation Slope** Upslope  
**Overall Fuel** 25

**Site Information**

**Site** 1 Degrees  
**Elevation of** Default

**Site Slope Type:** Upslope  
**APZ/Separation(m):** 19

**Fire Inputs**

**Veg./Flame Width(m):** 100

**Flame Temp(K)** 1090

**Calculation Parameters**

**Flame Emissivity:** 95  
**Heat of** 18600  
**Moisture Factor:** 5

**Relative Humidity(%):** 25  
**Ambient Temp(K):** 308

**Program Outputs**

**Category of Attack:** MODERATE  
**Level of** BAL 19  
**Radiant** 18.72  
**Flame Length(m):** 11.27  
**Rate Of Spread** 3.89  
**Transmissivity:** 0.84

**Peak Elevation of** 5.66  
**Fire Intensity(kW/m):** 50228  
**Flame Angle (degrees):** 71  
**Maximum View Factor:** 0.293  
**Inner Protection Area(m):** 19  
**Outer Protection Area(m):** 0

**Run Description: Central Precinct - South BAL-19****Vegetation Information**

**Vegetation Type:** Scrub/Tall Heath  
**Vegetation Slope:** 1 Degrees  
**Surface Fuel** 25

**Vegetation Group:** Shrub & Heath  
**Vegetation Slope** Upslope  
**Overall Fuel** 25

**Site Information**

**Site** 1 Degrees  
**Elevation of** Default

**Site Slope Type:** Upslope  
**APZ/Separation(m):** 27

**Fire Inputs**

**Veg./Flame Width(m):** 100

**Flame Temp(K)** 1090

**Calculation Parameters**

**Flame Emissivity:** 95  
**Heat of** 18600  
**Moisture Factor:** 5

**Relative Humidity(%):** 25  
**Ambient Temp(K):** 308

**Program Outputs**

**Category of Attack:** LOW  
**Level of** BAL 12.5  
**Radiant** 12.41  
**Flame Length(m):** 11.27  
**Rate Of Spread** 3.89  
**Transmissivity:** 0.816

**Peak Elevation of** 5.94  
**Fire Intensity(kW/m):** 50228  
**Flame Angle (degrees):** 76  
**Maximum View Factor:** 0.2  
**Inner Protection Area(m):** 27  
**Outer Protection Area(m):** 0

## **Appendix 3 – PBP Fire Trail Specifications**

**Table 1: Performance criteria for fire trails\*<sup>1</sup>**

Performance Criteria	Acceptable Solutions	Complies
<b>The intent may be achieved where:</b>		
<ul style="list-style-type: none"> <li>the width and design of the fire trails enables safe and ready access for firefighting vehicles</li> </ul>	<ul style="list-style-type: none"> <li>a minimum carriageway width of four metres with an additional one metre wide strip on each side of the trail (clear of bushes and long grass is provided)</li> <li>the trail is a maximum grade of 15 degrees if sealed and not more than 10 degrees if unsealed</li> <li>a minimum vertical clearance of four metres to any overhanging obstructions, including tree branches is provided</li> <li>the crossfall of the trail is not more than 10 degrees</li> <li>the trail has the capacity for passing by:               <ul style="list-style-type: none"> <li>reversing bays using the access to properties to reverse fire tankers, which are six metres wide and eight metres deep to any gates, with an inner minimum turning radius of six metres and outer minimum radius of 12 metres; and / or</li> <li>a passing bay every 200 metres, 20 metres long by three metres wide, making a minimum trafficable width of seven metres at the passing bay</li> </ul> </li> </ul> <p><i>Note: Some short construction in the access may be accepted where they are not less than the minimum (3.5m) and extend for no more than 30m and where obstruction cannot be reasonably avoided or removed</i></p>	<p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p>
<ul style="list-style-type: none"> <li>fire trails are trafficable under all weather conditions. Where the fire trail joins a public road, access shall be controlled to prevent use by non authorised persons</li> </ul>	<ul style="list-style-type: none"> <li>the fire service is accessible to firefighters and maintained in a serviceable condition by the owner of the land</li> <li>appropriate drainage and erosion controls are provided</li> <li>the fire trail system is connected to the property access road and / or to the through road system at frequent intervals of 200 metres or less</li> <li>fire trails do not traverse a wetlands or other land potentially subject to periodic inundation (other than a flood or storm surge)</li> <li>gates for fire trails are provided and locked with a key / lock system authorized by the local RFS</li> </ul>	<p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p>
<ul style="list-style-type: none"> <li>fire trails designed to prevent ween infestation, soil erosion and other land degradation</li> </ul>	<ul style="list-style-type: none"> <li>fire trail does not adversely impact on natural hydrological flows</li> <li>fire trail design acts as an effective barrier to the spread of weeds and nutrients</li> <li>fire trail construction does not expose acid-sulphate soils</li> </ul>	<p>Complies</p> <p>Complies</p> <p>Complies</p>

\*<sup>1</sup> PBP page 25

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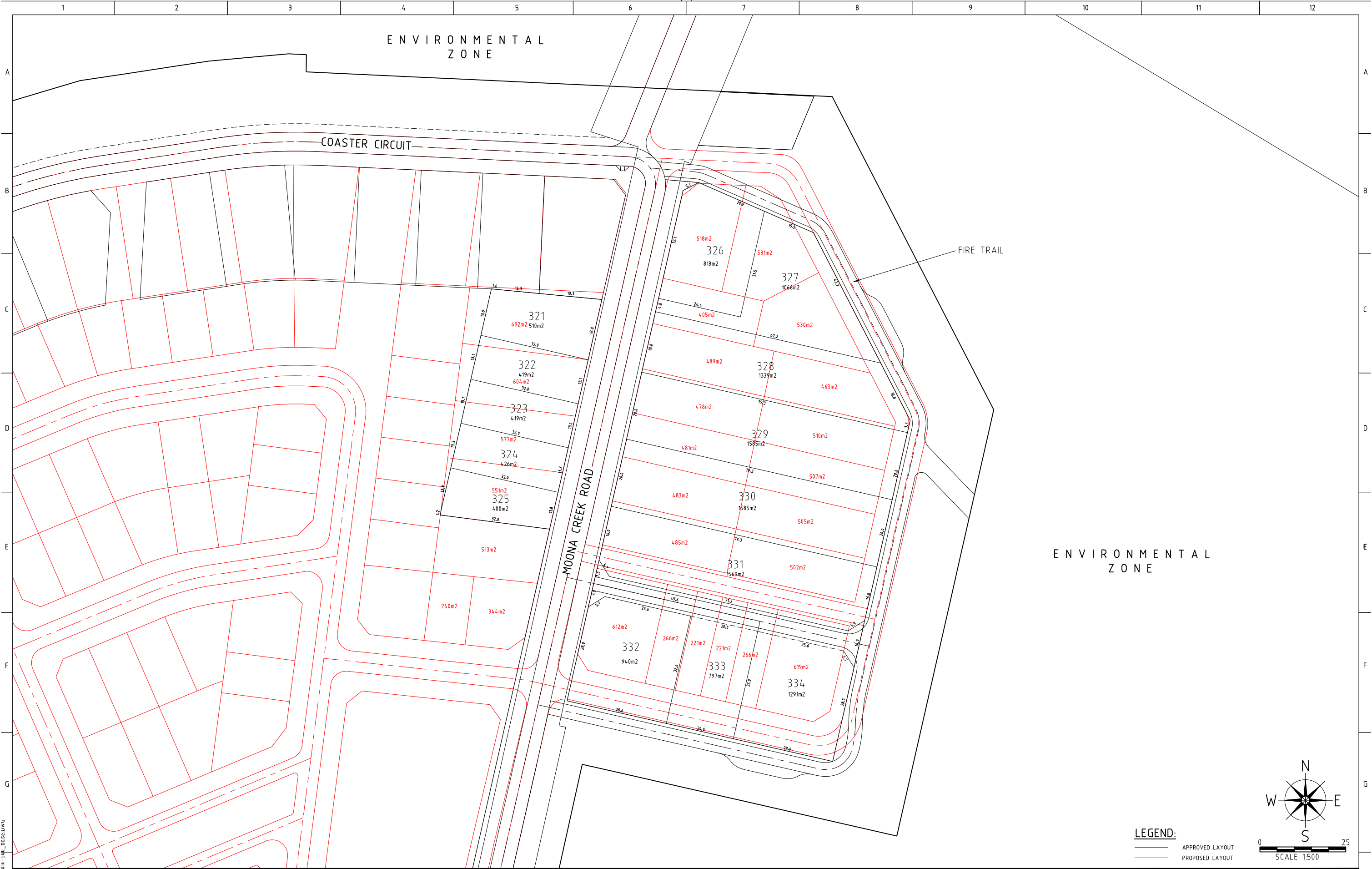
**WOLLONGONG**

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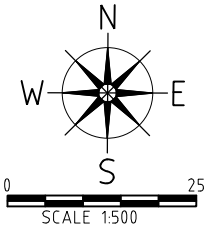
planning consultants


# ATTACHMENT 4



LEGEND:

- APPROVED LAYOUT
- PROPOSED LAYOUT



REV	DATE	BY	APP.	DETAILS	DRAWING STATUS			SCALE: (on A1 Original)  1:500  HEIGHT DATUM AHD	  278 KEIRA STREET, WOLLONGONG, NSW 2500 Ph: (02) 4228 4133 Facsimile: (02) 4228 6811 ACN 003 936 981 <i>This drawing is subject to COPYRIGHT. It remains the property of Forbes Rigby Pty Ltd</i>	PROJECT TITLE  BAYSWOOD VINCENTIA for STOCKLAND DEVELOPMENTS PTY LTD	DRAWING TITLE NEW & OLD STAGE 3 LAYOUT OVERLAY			
					DESIGN BY	MAK	19/07/10				Project No. 104016	Com No. 300	Drawing No. 300003	REV P2
					DRAWN BY	AJM	19/07/10							
					DRAFTING CHECK									
					DESIGN CHECK									
					FINAL APPROVAL			PRELIMINARY						





town planners

**CONCEPT PLAN FOR VINCENTIA COASTAL VILLAGE  
AND  
PROJECT APPLICATION FOR 604 LOT SUBDIVISION**

**MAJOR PROJECTS MP 06\_0060 & MP 06\_0058**



**AMENDED  
PREFERRED PROJECT REPORT AND  
REVISED STATEMENT OF COMMITMENTS**

Prepared by: Stockland Developments Pty Ltd  
Date: December 2006

Amendments by: Don Fox Planning Pty Ltd  
On behalf of: Stockland Developments Pty Ltd  
Date: August 2007

Amendments by: Don Fox Planning Pty Ltd  
On behalf of: Stockland Developments Pty Ltd  
Date: November 2007

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: February 2011



Printed: 1 February 2011  
File Name: P:\PROJECTS\6376B Vincentia Complying Development\Reports\6376B\_updated 1 February 2011\_mod 10.doc  
Project Manager: David Kettle  
Client: Stockland Development Pty Ltd  
Project Number: 6376B

## Document history and status

Version	Issued To	Qty	Date	Reviewed
Draft	Project Manager	1	26/10/07	David Kettle
Draft	Stockland	1 pdf	26/10/07	David Kettle
Draft	Project Manager	1	30/10/07	Paul Grech
Draft	Department of Planning	1 pdf	31/10/07	David Kettle
Final	Department of Planning	5	19/11/07	David Kettle
	Stockland	1		
Final	Department of Planning	1-e	1/02/2011	David Kettle
	Stockland	1-e		
	Cardno	1-e		

# **PREFERRED PROJECT REPORT**

## **1. INTRODUCTION**

Stockland has considered the submissions received during the exhibition of the Vincentia Coastal Village project and concept plans and the following changes have been made to the statement of commitments to further reduce the environmental impacts. Stockland has also made changes to the Statement of Commitments to reflect the negotiations with Council. The Vincentia Coastal Village project and concept plans as exhibited, with the following changes comprise the Preferred Project.

Separate responses have been made to the matters raised in the written submissions received by the Department of Planning, which are set out in Parts 1 to 3 of this response documentation.

## **2. PROJECT MODIFICATION**

An approval may be sought in the future within the residential subdivision for adaptable housing, as shown on the concept plan. Adaptable housing includes seniors housing as defined in Schedule 1 of the *Standard Instrument (Local Environmental Plans) Order 2006*. Any application will be a subsequent Project Approval to this approval to be lodged at some stage in the future. The subsequent approvals process is set out in section 5 of this preferred project report.

Project approval is sought for the Built Form Controls set out in attachment 2 that forms part of this preferred project report.

Project approval is sought for the construction and operation of a Display Village for Stage 1 of the residential development in accordance with the revised statement of commitments (as amended).

The plan has been modified by altering the perimeter road pattern so that the area required for the APZ is predominantly incorporated in the road reservation and residential lot. The modification does not extend beyond the development area proposed as part of the original application.

### 3. REVISED STATEMENT OF COMMITMENTS

Table 1 sets out the revised statement of commitments, in response to the matters that were raised during the consultation period.

**Table 1 Statement of Commitments**

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
1	Scope of Development	Stockland will carry out the development in accordance with the Environmental Assessment report prepared by ERM January 2006, plans in the Appendix of the EAR and supporting reports, except where amended by other items of this Statement of Commitments.	Stockland	For the duration of subdivision	
2	Statutory Requirements	<p>Stockland will obtain and maintain the following licences, permits and approvals for the residential subdivision:</p> <ul style="list-style-type: none"> <li>• Construction Certificates for engineering works (including earthworks, soil and water management, clearing, roadworks, drainage, landscape, water supply, and sewerage) for each stage of the subdivision;</li> <li>• Construction Certificates for the Display Village within Stage 1;</li> <li>• Subdivision Certificates for each residential stage;</li> <li>• Roads and Traffic Authority Road Occupancy Licence;</li> <li>• Road Opening Permit;</li> <li>• Section 138 Consent for roadworks (Roads Act 1993);</li> <li>• Integral Energy Design Certification;</li> <li>• Integral Energy notification of Arrangement;</li> <li>• Telstra Compliance Certificate;</li> <li>• Shoalhaven Water Compliance Certificate;</li> <li>• Department of land and Property Information registration of the subdivision</li> </ul>	Stockland	Prior to the construction and registration of each stage within the development, and as required from time to time.	Amended 8 October 2007
3	Conveyancing	Stockland will prepare a final plan of subdivision and Section 88B instrument for each stage of the development. The Section 88B Instrument will provide easements for utility services that encroach onto private land or public reserves, and APZs on private land. The Section	Stockland	Prior to the registration of allotment within each stage of the development.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		88B instrument will require bushfire fuel management of the APZ on private allotments.			
4	Public Open space	Areas to be dedicated as public reserves will be embellished by Stockland in accordance with the principles of the landscape masterplan and documented in the detailed landscape design plans to be approved by Shoalhaven Council as part of the Construction Certificate.	Stockland and Shoalhaven City Council	Prior to release of Construction Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
5		Stockland will provide additional <i>Allocasuarina Littoralis</i> trees as part of the detailed landscape design plans to provide feeding habitat for the glossy black cockatoo.	Stockland	Prior to release of Construction Certificate by the Shoalhaven City Council or accredited certifier for the relevant stage.	
6		Stockland will recycle timber as mulch throughout the landscape strategy.	Stockland		
7		A landscaping plan will be prepared and implemented generally in accordance with the landscape masterplan prepared by Clouston Associates and include the use of local provenance trees and, <i>Allocasuarina Littoralis</i> as detailed in the landscape masterplan.	Stockland	Prior to the construction of each stage of the subdivision.	
8 (a)	Public Open Space Management and Maintenance	Stockland will remain responsible for the maintenance of public open space containing water sensitive urban design structure (WSUD) and bushfire asset protection zones (APZs) where they occupy the same area, for 3 years for each stage containing the WSUD structures. The WSUD infrastructure will be located within the public road reserve and thus will be dedicated as public land at nil cost to Council upon registration of the linen plan.	Stockland	To be maintained by Stockland for 3 years for each stage containing the WSUD.	
8(b)		The APZ with in the roads widening zone along Naval College Road will be dedicated to Shoalhaven City Council.	Stockland and Shoalhaven City Council	Prior to the release of the Construction Certificate by the Shoalhaven City Council or accredited certifier for Stage 1.	
8(c)		Stockland will test the WSUD devices prior to handover of maintenance responsibility to Shoalhaven City Council to confirm that they are operating in accordance with the design. If the tests indicate that maintenance is required, Stockland will undertake the necessary remedial action to ensure at its cost that the WSUD devices are operating in accordance with the design.		Prior to handover of maintenance responsibility to the Shoalhaven City Council	
9	Tree Management	Stockland will identify on engineering plans submitted with the Construction Certificate Application all trees to be retained within the proposed public roads and reserves with the development. Stockland will provide an arborist report for the trees to be retained near public and private assets which identifies the species and condition of the tree and	Stockland	Prior to the release of the Construction Certificate by the Shoalhaven City Council or accredited certifier for each stage.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		any remedial works required to render the tree appropriate for retention in the urban environment. All trees that are unsuitable for retention or are unable to be retained due to the provision of services and infrastructure will be removed and mulched on site.			
10	Construction	<p>Stockland will prepare a Construction Management Plan that will include:</p> <ul style="list-style-type: none"> <li>• an education strategy for construction contractors;</li> <li>• description of the work program outlining relevant timeframes for activities.</li> <li>• details of statutory and other obligations that must be met during construction and operation, including all approvals and agreements required from authorities and other stakeholders.</li> <li>• description of the roles and responsibilities for all relevant employees involved in the construction phase.</li> <li>• details of the environmental management procedures, monitoring and reporting requirements during the construction or operation phase.</li> <li>• details as to what incident management procedures will be undertaken during construction or operation</li> <li>• the minimisation of rubbish and debris at the site from development activities during the construction phase.</li> </ul>	Stockland	Prior to the commencement of construction of stage 1, and updated prior to the commencement of construction for each stage of the subdivision.	
11		Stockland will repair any defective workmanship in each stage of the residential subdivision for a defects liability period of 12 months from the date of registration of the final plan of subdivision for that stage.	Stockland	For a period of 12 months from the date of registration of the final plan of subdivision for each stage.	
12		Stockland will prepare work as executed plans for construction work in each stage and provide such plans to Shoalhaven City Council.	Stockland	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
13		Stockland will prepare works as executed plans in a format compatible with the geographic information system (GIS) of the Shoalhaven City Council to assist with the Council asset management database.	Stockland	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
14	Design	Design Guidelines will be prepared by Stockland and implemented for the residential lots through the use of a restrictive covenant on the titles to the lots. The Design Guidelines will be generally in accordance the	Stockland	Prior to the release of the Construction Certificate by Shoalhaven City Council or	Amendment proposed November 2007

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		attached Design Guidelines and specify: <ul style="list-style-type: none"> <li>• building setbacks;</li> <li>• APZ setbacks where necessary;</li> <li>• architectural form;</li> <li>• architectural detail;</li> <li>• landscape design.</li> </ul>		accredited certifier for each stage.	
15		Stockland will create a restrictive covenant on the title of each residential lot which will require owners to submit plans for dwelling houses to the Stockland Design House to demonstrate compliance with the Design Guidelines before lodging a Development Application with Shoalhaven City Council or obtaining a Complying Development Certificate.	Stockland	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amendment proposed November 2007
15(a)		Stockland will create a restrictive covenant on the title of certain residential lots to identify: <ul style="list-style-type: none"> <li>• lots that have zero lot lines</li> <li>• lots that have a primary building line, secondary building line, or rear setback that differs from the respective controls stipulated in the Complying Development Controls</li> </ul> The instrument will identify both Stockland and Shoalhaven City Council as a benefiting party.		Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amendment proposed November 2007
15(b)		Stockland will create a restrictive covenant on the title of all residential lots to require dwellings to be generally consistent with the Design Guidelines prepared by Stockland with both Stockland and Shoalhaven City Council identified in the instrument as a benefiting party		Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amendment proposed November 2007
16(a)	Fire Management	Stockland will establish Asset Protect Zones (APZs) in accordance with: <ol style="list-style-type: none"> <li>the Bushfire Assessment, January 2006, prepared by Bushfire and Environmental Services Pty Ltd and as per the modified Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) as part of the nominated residential allotments for maintenance by lot owner;</li> <li><u>the APZ and AS3959 Construction Standard plans prepared by Eco Logical Australia attached to their letter dated 30 November 2010 in relation to lots 321-334 in Stage 3 of the Central Precinct.</u></li> </ol> <p>APZ within the public open space containing WSUD will be dedicated to Shoalhaven City Council, as part of the WSUD infrastructure.</p> <p>Only fire retardant, low maintenance species which have limited growth height at maturity will be planted in the APZs.</p>	Stockland	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	Proposed s.75W Modification 10

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
16(b)		The APZ for the adaptable housing area is to be determined as part of any future project approval application.	Stockland	As part of the project approval application for the adaptable housing area	
17		Stockland will install fire hydrants in accordance with Australian Standard S2419.1-1994. Hydrants will be made accessible and located so that a tanker can park within a distance serviceable by a 20 metres hose and that all houses are within 70 metres of a hydrant	Stockland	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
18		Fuel management within the Asset Protection Zones and Asset Protection Zones maintenance plans will be in accordance with Bushfire Assessment, January 2006, prepared by Bushfire and Environmental Services Pty Ltd and as per the modified Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) as part of the nominated residential allotments.	Stockland and Shoalhaven City Council	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
19	Ecological Management	Stockland will introduce a covenant on the titles to the lots that stipulates the banning of all cats from the development	Stockland and future land owners	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
20	<b>ENVIRONMENTAL CORE LAND</b>	<b>Weed Management</b>			
		Stockland will prepare a weed management plan for the core environment area that addresses: <ul style="list-style-type: none"> <li>a resident education strategy;</li> <li>identification of invasive weeds;</li> <li>monitoring of exotic plant distribution and effectiveness of management controls, particularly adjacent to the Jervis Bay National Park.</li> </ul>	Stockland in consultation with DEC.  Responsibility for implementing the weed management plan will be vested with the landowner.	Within six months of the release of the subdivision certificate for stage 1.	
21		<b>Vegetation Management</b>			
(a)		Stockland will prepare a vegetation management plan for land in the core environment area that addresses monitoring of: <ul style="list-style-type: none"> <li>rare and threatened communities and species;</li> <li>threatening processes associated with changed in habitat conditions.</li> </ul> <p>The vegetation management plan will include a movement management plan which addresses the design, type, location, management and</p>	Stockland in consultation with DEC  Responsibility for implementing the vegetation management plan	Within six months of the release of the subdivision certificate for stage 1.  Annual monitoring shall occur for a period of 5 years from the completion of the vegetation management plan.	



Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		restriction of access through the land in the core environment area.	will be vested with the landowner and annual monitoring shall be reported to DEC.		
21(b)		Stockland will prepare a fire management plan for the environmental core land.	Stockland in consultation with DEC and the RFS  Responsibility for implementing the fire management plan will be vested with the landowner.	Within 6 months of release of subdivision certificate for stage 1.	
22		Stockland will prepare an Asset Management Plan for public open space (including public reserves, WSUD and APZs) that will be dedicated to the Shoalhaven City Council.	Stockland in consultation with the Shoalhaven City Council	Prior to dedication of open space to the Shoalhaven City Council.	
23		Stockland will fence the interface boundary between the environmental lands and the outer edge of the APZ with a fence of post and wire construction to the height of an Australian Standard pool rated fence. The fence will be constructed stage by stage.	Stockland	The fencing to be completed within six months of the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
24		Stockland will provide temporary fencing around each stage of development until the adjacent stage has been developed.	Stockland	During construction of the stage of development, and will remain in place until the adjacent stage has been developed.	
25		Stockland will retain ownership and maintenance responsibility for the environmental core land under its current zoning in accordance with the appropriate management plans until such time that the land can be transferred to an agreed entity to manage the environmental lands.	Stockland	Upon commencement of work on the site, with the appropriate entity being identified prior to the completion of the project.	
26		Stockland will prepare and implement restoration for the scald area within the Jervis Bay Orchid habitat north of the District Town Centre, in consultation with DEC and relocate the existing Bay and Basin Leisure Centre access as part of the future approval of the village east area.  A 25 metres buffer will be provided from the identified Jervis Bay Leek Orchids as shown on Drawing No 104016-71-SK 01_P0 prepared by	Stockland in consultation with DEC	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier that creates the core environment land.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		Forbes Rigby Pty Ltd.			
27		Stockland will provide flora and fauna interpretive signage along the boundary of the residential subdivision and the environmental core land.	Stockland	Prior to the release of the Subdivision Certificate by Shoalhaven City Council for the final stage.	
28	Flooding	Stockland will create flood free building envelopes for all residential allotments in the subdivision.	Stockland	Prior to the release of the Subdivision Certificate by Shoalhaven City Council for each stage	
29		Stockland will provide safe vehicular ingress and egress for all residential allotments in the 1% AEP flood event.	Stockland	Prior to the release of the Subdivision Certificate by Shoalhaven City Council for each stage	
30	Water Supply and Quality Management	Stockland will design and install water quality control measures in accordance with the principles of the Water Sensitive Urban Design Study report prepared by Forbes Rigby, January, 2006 and modified in accordance with the attached Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) and Construction Certificate Plans and include: Bio retention swales, detention ponds and artificial wetlands to be located in the APZ and Gross Pollutant traps.	Stockland	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
31		Stockland will collaborate with the Shoalhaven City Council to establish the agreed detailed design of the WSUD and maintenance thereof.	Stockland in consultation with the Shoalhaven City Council	During the detailed design of the WSUD, and to be agreed prior to the transfer of the infrastructure in accordance with item number 8 above.	
32		Stockland will prepare a soil and water management plan to control run off during construction in accordance with the principles of the Water Sensitive Urban Design Study report prepared by Forbes Rigby, January, 2006 and modified in accordance with the attached Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) the Landcom publication Managing Urban Stormwater (MUS): Soils and Construction Volume 1, 4 <sup>th</sup> Edition, approved Construction Certificate Plans and DCP100.	Stockland in consultation with the Shoalhaven City Council	Prior to the release of the Construction Certificate by Shoalhaven City Council or accredited certifier for each stage.	
33(a)		Stockland will remain responsible for the maintenance of public open space containing water sensitive urban design structure (WSUD) measures for 3 years for each stage containing the structures. At that time testing will be conducted to confirm the infrastructure is operating in accordance with the design. When confirmed the maintenance of stormwater quality control measures will be transferred to the	Stockland	To be maintained by Stockland for 3 years for each stage.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		Shoalhaven City Council.			
33(b)		Stockland will test the WSUD devices prior to handover of maintenance responsibility to Shoalhaven City Council to confirm that they are operating in accordance with the design. If the tests indicate that maintenance is required, Stockland will undertake the necessary remedial action to ensure at its cost that the WSUD devices are operating in accordance with the design.		Prior to handover of maintenance responsibility to the Shoalhaven City Council	
34		Stockland will contribute \$150,000 to the Shoalhaven City Council for the future maintenance of the WSUD devices.	Stockland	To be made at the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for the first residential stage	
35	Social	<p>Stockland will prepare a community development program which will include:</p> <ul style="list-style-type: none"> <li>• welcome initiatives for residents of the subdivision and provide local information;</li> <li>• consultation with the new community in regards to planning and development of future stages;</li> <li>• opportunities for resident involvement in environmental restoration and maintenance initiatives;</li> <li>• a Feral and Domestic Animal Management Plan that includes a resident education strategy to recognise the importance of dogs being kept on a lead and out of conservation areas</li> <li>• community education in regards to recycling initiatives</li> </ul>	Stockland	Prior to the sale of residential lots in stage 1.	
36	Cultural Heritage	Stockland will ensure all artefacts retrieved during the excavations of Site #58-2-0392 and Site #58-2-0393 will be retained in consultation with the Jerrinja community.	Stockland in consultation with the Jerrinja	During construction of any stage of the development.	
37		Stockland will inform the Jerrinja Local Aboriginal Land Council of progress of the development.	Stockland	Ongoing through the construction of the subdivision.	
38		Stockland will engage the local community and facilitate employment opportunities where possible between contractors and Jerrinja Aboriginal community.	Stockland	Ongoing through the construction of the subdivision.	
	Infrastructure	<b>Reticulated Services</b>			
39		Stockland will provide reticulated water supply, sewerage and underground electricity to each residential lot.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
40		Stockland will provide a reticulated water connection to each public reserve.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
41		Stockland will relocate existing high voltage electricity cables parallel to Naval College Road where they conflict with the development footprint.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
42		Stockland will relocate existing high voltage electricity cables along Moona Creek Road where they conflict with the proposed road realignment.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
43		Stockland will provide for infrastructure services generally in accordance with Drawing Number 4105 rev 2 Electricity, Telecommunications and Interallotment Drainage Concept Plan, Drawing Number 4103 rev 2 Sewer Reticulation Concept Plan and Drawing number 4104 rev 2 Water Reticulation Concept Plan prepared by Forbes Rigby Pty Ltd.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
44		Stockland will relocate the existing sewerage rising main and treated effluent transfer main where they conflict with the development footprint.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
45		Stockland will provide a minor system street drainage network designed to accommodate the 20% AEP storm event in accordance with design plans approved in the Construction Certificate.	Stockland in consultation with the Shoalhaven City Council	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
46		Stockland will provide a major system street drainage network designed to accommodate the 1% AEP storm event in accordance with design plans in the Construction Certificate.	Stockland in consultation with the Shoalhaven City Council	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier or each stage.	
47		Stockland will bear the cost of the relocation of utility services required as a result of construction of the development.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		<b>Roads</b>			
48a		Stockland will complete an initial concept design for all works (Naval College Road and The Wool Road) including all paths / cycleway works.		Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 1.	
48b		The full suite of road design for all works (Naval College Road and The Wool Road) including all path / cycleway works must be completed and approved by Shoalhaven City Council prior to the occupation of Stage 1 of the District Centre.	Stockland	Prior to occupation of Stage 1 of the District Centre	
48c		Stockland will design and construct signalised intersection of The Wool Road, the access road to the Bay and Basin Leisure Centre and the access to the Vincentia High School.	Stockland	Prior to the occupation of the first stage of the District Town Centre or prior to the construction certificate of village east, which ever is first.	
49		Stockland will design and upgrade The Wool Road to four lanes from the intersection with the access road to the Bay and Basin Leisure Centre and the access to the Vincentia High School to Naval College Road.	Stockland	Prior to the occupation of the first stage of the District Town Centre.	
50		Stockland will remove the existing pavement from the current access to the Bay and Basin leisure centre and rehabilitate.	Stockland	At the completion of the construction of item 49C	
51		Stockland will design and upgrade the roundabout at the Naval College Road and the Wool Road intersection to two lanes.	Stockland	Prior to the occupation of the first stage of the District Town Centre.	
52		Stockland will provide a proportional contribution towards the upgrade of the Wool Road southwest of Naval College Road where it can be demonstrated by traffic counts together with projected traffic from the following stage that the district centre has or is likely to affect traffic volumes to the point where a level of service D cannot be achieved. Traffic volumes to be measured at a point approx 500m west of the Naval College Road/Wool Rd roundabout and between the proposed school and the roundabout on the Wool Rd.	Stockland	To be assessed at each stage of the District Town Centre.	
53		Stockland will design and construct a roundabout with a non mountable central island intersection at Access A along Naval College Road to AUSTROADS standards, including approach and departure lanes.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 9	
54		Stockland will design and construct the 80km/hr full channelised stop-sign controlled intersection at Access B along Naval College Road to AUSTROADS standards, including approach and departure lanes ensuring that adequate sight distance is provided, which may require realignment of Naval College Road. Appropriate signage is to be	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 1.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		installed north of intersection A to forewarn of the changed traffic conditions and intersection at B. Once intersection A is constructed the above signage can be removed.			
55		Stockland will design and construct a roundabout with non mountable central island intersection at Access C along Naval College Road to AUSTROADS standards, including approach and departure lanes.	Stockland	Prior to the occupation of the first stage of the District Town Centre or residential stage 6 whichever is sooner.	
56		Stockland will design and construct the signalised intersection at Access D along The Wool Road, including the approach and departure lanes.	Stockland	Prior to the occupation of the first stage of the District Town Centre.	
57		Stockland will design and upgrade Naval College Road between The Wool Road intersection and Access C to four lanes, including road widening for setbacks.	Stockland	Prior to the occupation of the first stage of the District Town Centre.	
58a		Stockland will design, realign and upgrade Naval College Road between Access C and Access B to two lanes and 80km/hr AUSTROAD standards.	Stockland	In conjunction with provision of access C (item 56).	
58b		Stockland will design, realign and upgrade Naval College Road between Access B and Access A to two lanes and 80km/hr AUSTROAD standards.	Stockland	In conjunction with provision of access A (item 54).	
59		Stockland will design and construct the Naval College Road pedestrian / cycleway underpass with a 50% contribution from Council as Section 94 offset in accordance with Appendix B of the Don Fox Planning Report: Review of Developer Contributions and Associated Works Proposed Residential and Commercial Development Vincentia District Centre, February 2006 and as modified in October 2006 as part of the Preferred Project Report.	Stockland	Prior to the occupation of the first stage of the District Town Centre.	
60		Stockland will design and upgrade the existing track between the northern end of the newly formed Moona Creek Road within the site and the western end of the existing formation of Berry Street as a shared footpath / cycleway. The upgrade will include regrading the existing vehicular track, formalising table drains and minor relief drainage, trimming of vegetation as necessary and construction of a 2 metre wide bitumen pavement.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 4.	
61		Stockland will relocate existing unformed public roads to suit the subdivision layout at nil cost and nil compensation to state or local government. Stockland fund all of the cost related to the road closures.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
62		Stockland will design and construct flexible road pavements in accordance with the Australian Road Research Board design criteria and Shoalhaven City Council DCP 100.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
63		Stockland will design and construct rigid road pavements in accordance with the Cement and Concrete Association design guidelines.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
64		Stockland will ensure that the AUSTROADS Design Service Vehicle (8.8 metre rigid) can negotiate all public roads and intersections and that the AUSTROADS Long Rigid Bus (14.5metre) can negotiate all bus routes.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
65		<p>Stockland will design and construct foot and cycle paths as documented in the EAR including:</p> <ul style="list-style-type: none"> <li>continuing the shared foot and cycle path network to connect with the proposed underpass at Naval College Road and the existing pedestrian network including a safe crossing facility across The Wool Road;</li> <li>Shared foot and cycle paths to all be at a width of 2.0m;</li> <li>Main east – west footpath to the District Centre from residential stages 6 &amp; 8 to be a shared foot and cycle path at a width of 2.0m.</li> </ul>	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
66		Stockland will provide parking bays within the road reserve of the ridge and connector roads at a rate of one per two dwellings.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
67		Stockland will provide street signs for each new public road in accordance with the requirements of the Shoalhaven City Council.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
68	Geotechnical	<del>Stockland will provide a lot classification geotechnical report to Shoalhaven City Council for each stage of development prior to the release of the final plan of subdivision for that stage.</del>	Stockland	<del>Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.</del>	Condition A6 of the Project Approval prevails. Refer Modification 5 approved 20 April 2009

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
69	Staging	Stockland will construct the subdivision in accordance with the Proposed Staging Plan prepared by Forbes Rigby, 2006 or as otherwise approved in Construction Certificate plans approved by Shoalhaven City Council or accredited certifier.	Stockland	For all stages of the development.	
70		Stockland commits to construct stage 1 of the District Town Centre in accordance with the staging plan submitted as part of the preferred project (drawing Number A009 dated 24 May 2006) or as otherwise approved by consent in the project approval for the development.	Stockland	Submission of Project Approval Application	
71		Stockland commits to submitting a project approval application for adaptable housing within 12 months of obtaining Concept approval for adaptable housing, should it be determined appropriate.	Stockland	Submission of Project Approval Application	
72	Monitoring	Stockland will undertake a water quality monitoring program in accordance with the Water Quality Monitoring Plan to measure performance of WSUD measures against ANZECC Guidelines throughout the development and for a period of three years following the registration of the final subdivision plan for the final stage that drains into the monitoring location.	Stockland	For a period of three years following the registration of the final plan of subdivision for each stage.	
73		Stockland will undertake a weed monitoring program in accordance with the Weed Management Plan during the maintenance period.	Stockland	For a period of two years following the registration of the final plan of subdivision for each stage.	
74	Developer Contributions	Stockland will pay Section 94 developer contributions in accordance with Appendix B of the Don Fox Planning Report: Review of Developer Contributions and Associated Works Proposed Residential and Commercial Development Vincentia District Centre, February 2006, and as modified in October 2006 as part of the Preferred Project Report which forms part of the EAR on a "per ET" basis for each stage of the residential subdivision at the rate applicable at the time of payment, except for project 03 CFAC 0003 (Amendment 67 – Bay & Basin Recreation & Cultural Hall) which is a fixed amount of \$3,656 that would then fully recoup the developer share for that whole project.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage of the residential subdivision and the Construction Certificate for each stage of the District Town Centre.	
75		Stockland will pay Section 64 water and sewer developer contributions in accordance with the development servicing plan applicable at the time of payment.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
76	Display village	<p>Stockland will design, construct and operate a housing display village in Stage 1 of the residential subdivision.</p> <ul style="list-style-type: none"> <li>The design and siting of the display village will conform with the</li> </ul>	Stockland	As soon as practicable, coordinated so that operation commences after suitable vehicular access is established. The operation of the	Amended 8 October 2007



Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		<p>following:</p> <ul style="list-style-type: none"> <li>○ The display village will be confined to proposed Lots 110 to 121.</li> <li>○ Be generally consistent with the display village Concept Plan prepared by Annand Alcock Urban Design included as Part 4 Annexure B of the Preferred Project Report.</li> <li>○ Each of the display homes are capable of complying with all requirements of the Concept Plan and Project Approval prior to registration of the allotments and occupation for residential purposes.</li> <li>○ All display homes will comply with the built form controls and design guidelines contained in Part 4 Annexure B of the Preferred Project Report, except the requirement for a rainwater tank.</li> <li>○ The total display office area will be contained within a maximum of one storey in height, will not exceed 100m<sup>2</sup> in gross floor area, and will be generally consistent with the Sales Centre Plans prepared by Stockland Property Trust dated 1 February 2004, Drawing No. 0803.00 05-07 and Martins Design Pty Ltd dated 1-3-04.</li> <li>○ The provision of a minimum of 26 car parking spaces inclusive of one space for persons with a disability, suitably sealed and marked, and compliant with AS2890(2002).</li> <li>○ The provision of utility services adequate for the operation of the display village inclusive of amenities for sales staff and customers, with provision to ensure full services can be connected to all lots prior to registration.</li> <li>○ Final plans, demonstrating compliance with the above requirements, together with a signage plan and landscape plan, shall be prepared and certified to be in accordance with the requirements of the Concept Plan and Project Approvals by a person authorized to issue a complying development certificate for housing in the Shoalhaven Local Government Area, prior to the issue of a Construction Certificate.</li> </ul> <ul style="list-style-type: none"> <li>• Vehicular access to the display village will be established within the proposed public roads connecting to Naval College Road prior to commencement of operations.</li> <li>• The hours of operation of the display village will be limited to 9am to 5pm, Monday to Sunday.</li> </ul>		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 final stage of the residential subdivision development.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		<ul style="list-style-type: none"> <li>No display home will be occupied for residential purposes until after the cessation of the operation of the display village and registration of the lots and issue of Occupation Certificates.</li> <li>All display homes shall be subject to works to ensure compliance as required for use as a dwelling-house prior to occupation.</li> <li>The display office, car parking and any associated works not relevant to the long term residential occupation of the site will be decommissioned and works undertaken as required to render the proposed lots suitable for proposed residential occupation.</li> </ul>			
76a	Display Village - Western Village	<p>Stockland will design, construct and operate a housing display village in the Western Village of the residential subdivision.</p> <ul style="list-style-type: none"> <li>The design and siting of the display village will conform with the following: <ul style="list-style-type: none"> <li>The display village will be confined to proposed Lots 530-535, 551 and 552.</li> <li>Each of the display homes are capable of complying with all requirements of the Concept Plan and Project Approval prior to registration of the allotments and occupation for residential purposes.</li> <li>All display homes will comply with the built form controls and design guidelines of the Bayswood Design Essentials dated 10 December 2009, except the requirement for a rainwater tank.</li> <li>The provision of a six (6) customer car parking spaces on proposed Lot 550 in the western village.</li> <li>The approved and constructed display office area and customer car parking (minimum 26 car car parking spaces) located in the Central Village will continue to operate for the life of the Western Village display homes.</li> <li>The provision of utility services adequate for the operation of the display village inclusive of amenities for sales staff and customers, with provision to ensure full services can be connected to all lots prior to registration.</li> <li>Final plans, demonstrating compliance with the above requirements, together with a signage plan and landscape plan, shall be prepared and certified to be in accordance with the requirements of the Concept Plan and Project Approvals by a person authorized to issue a complying development certificate for housing in the Shoalhaven Local Government Area, prior to</li> </ul> </li> </ul>	Stockland	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 final stage of the residential subdivision development.	Proposed s.75W Modification 10

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		<p>the issue of a Construction Certificate.</p> <ul style="list-style-type: none"> <li>• Vehicular access to the display village will be established within the proposed public roads connecting to Naval College Road prior to commencement of operations.</li> <li>• The hours of operation of the display village will be limited to 9am to 5pm, Monday to Sunday.</li> <li>• No display home will be occupied for residential purposes until after the cessation of the operation of the display village and registration of the lots and issue of Occupation Certificates.</li> <li>• All display homes shall be subject to works to ensure compliance as required for use as a dwelling-house prior to occupation.</li> <li>• The display office, car parking and any associated works not relevant to the long term residential occupation of the site will be decommissioned and works undertaken as required to render the proposed lots suitable for proposed residential occupation.</li> </ul>			
77	Signage	Stockland will provide estate marketing signs within The Wool Road and Naval College Road reserves in accordance with plans approved by Shoalhaven City Council as part of the Construction Certificate	Stockland		
78	Noise	Stockland will provide a 1.8 metre high timber noise attenuation barrier on a 0.7metres high landscaped earth mound along the boundary of Lots 154 to 163 and 725 to 733 in accordance with the Noise Impact Assessment by Heggies Australia, 2006, subject to such plans first being approved by Shoalhaven City Council.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
79	Road Widening	Land for Road Widening to be ceded to and at nil cost to the Council. Stockland to bear all costs to facilitate transfer of land.	Stockland	As soon as practicable after practical completion of the road widening construction works.	

## **4. DEVELOPMENT CONTROLS**

### **4.1 Introduction**

Pursuant to clauses 7 and 8 of State Environmental Planning Policy (Major Projects) the following provisions are to be inserted into Schedule 3 of State Environmental Planning Policy (Major Projects) and be the provisions that relate to the carrying out of the development on the site. For matters not included below the *Shoalhaven City Council Local Environmental Plan 1985* provisions will affect the land in the concept and project plans.

### **4.2 Zone and Land Use Table**

The following sets out the land use tables and zones to apply to the site, which are in the format consistent with Schedule 1 in the *Standard Instrument (Local Environmental Plans) Order 2006*. The land use zoning is indicated on Plan the plan attached in Annexure 3.

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#### **Zone R1            General Residential**

##### **1 Objectives of zone**

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

##### **2 Permitted without consent**

Exempt Development, Roads

##### **3 Permitted with consent**

Bed and Breakfast accommodation; Boarding houses; Boat shed; Child care centres; Community facilities; Drainage; Dwelling houses; Environmental facility; Group homes; Home-based child care; Family day care home; Home occupation; Hostels; Market; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation facility (indoor); Recreation facility (outdoor); Residential care facilities; Residential flat buildings; Seniors housing; Shop top housing, temporary sales centre.

##### **4 Prohibited**

Any other development not otherwise specified in item 2 or 3.

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#### **Zone B2            Local Centre**

##### **1 Objectives of zone**

- To provide a range of retail, business, entertainment and community uses which serve the needs of people who live in, work in and visit the local area.
  - To encourage employment opportunities in accessible locations.
  - To maximise public transport patronage and encourage walking and cycling.
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## **2 Permitted without consent**

Roads.

## **3 Permitted with consent**

Business premises; Child care centres; Community facilities; Drainage; Educational establishments; Entertainment facilities; Environmental facilities; Food and drinks premises; Function centres; Information and education facilities; Market; Medical centre; Neighbourhood shop; Office premises; Passenger transport facilities; Place of public worship; Pub; Recreation facilities (indoor); Registered clubs; Retail premises; Service stations; Shop top housing; Take away food or drinks premise; Tourist and visitor accommodation; veterinary hospital.

## **4 Prohibited**

Any other development not otherwise specified in item 2 or 3.

### **Zone B5 Business Development**

#### **1 Objectives of zone**

- To enable a mix of office, retail and warehouse uses in locations which are close to, and which support the viability of, centres.

#### **2 Permitted without consent**

Roads

#### **3 Permitted with consent**

Bulky goods premises; Business premises; Child care centres; Community facilities; Environmental Facilities; Food and drinks premises; Function centre; Hospital; Information and education facilities; Market; Medical centre; Neighbourhood shop; Office premises; Passenger transport facilities; Place of public worship; Pub; Recreation facility (indoor); Residential care facility; Retail premises; Service station; Take away food or drink premises; veterinary hospital; Warehouse or distribution centres.

#### **4 Prohibited**

Any other development not otherwise specified in item 2 or 3.

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It is the intent of Stockland to retain the existing zoning over the core environment area until such time that it is transferred to the Department of Environmental and Conservation (DEC) or appropriate long term owner. It is the view of Stockland that the proposed final zoning of the land would be determined with the long term owner. It is anticipated that if the land is transferred to the DEC the appropriate zone is *Zone E1 National Parks and Nature Reserves*, which enables the management and appropriate use of land that is reserved under the *National Parks and Wildlife Act 1974*.

## **4.2 Subdivision**

The consent requirements in clause in Schedule 1, in the *Standard Instrument (Local Environmental Plans) Order 2006* will apply to the land covered by the project and concept plans. Clause 19 *Minimum subdivision lot size* applies to a subdivision of any land that is carried out on land covered by the project and concept plans. The size of any lot resulting from any such subdivision of land is not to be less than 400 square metres.

Subdivision of any land into a lot less than 400 square metres is permissible only if the land is 3000 square metres or more and the subdivision is integrated with dwelling development.

## **4.3 Exempt and Complying Development**

The exempt and complying controls set out in Exempt and Complying Development Controls – Vincentia Coastal Village Development (annexure 4) apply to the land covered by the project and concept plans with the following additions.

Display Village (which consists of a temporary business premises (sales office) and nine dwellings) is a complying development if:

- the display houses comply with the schedule included in annexure 4 of this preferred project report;
- the sales office is temporary and includes 30 cars parking spaces, including two disabled spaces.

Stockland propose to construct the Display houses prior to registration of the land. Approval is sought to allow construction of display houses within the Display Village, provided they meet the Exempt and Complying development requirements prior to registration of the land. An occupation certificate will not be issued on the homes until the subdivision has been registered.

## **4.4 Built Form Controls**

Residential development within the residential subdivision shall be in accordance with Design Guidelines included in annexure 3 of this preferred project report. Stockland may update the Design Guidelines.

## **4.5 Definitions**

The dictionary in Schedule 1, in the *Standard Instrument (Local Environmental Plans) Order 2006* defines words and expressions for the purpose of controls affecting the land covered by the project and concept plans.

## **5. SUBSEQUENT APPLICATIONS**

Subsequent approvals required for the subdivision are set out below.

It is the intention of Stockland that Part 4A certificate: Subdivision certificates are issued by Shoalhaven City Council or an accredited certifier. It is also the intention of Stockland that the Minister for Planning is the consent authority to consider any modifications to the concept and project approvals.

The proposed approvals process for future development is set out below.

<b>Future Development</b>	<b>Process</b>	<b>Consent Authority</b>
Residential development and other permissible developments in the residential subdivision.	<ul style="list-style-type: none"> <li>• Part 3A if the development meets state significant development criteria.</li> <li>• Exempt development if it meets the Exempt Development Criteria contained in Exempt and Complying Development Controls - Vincentia Coastal Village</li> <li>• Part 4 Complying development – if it meets the Complying Development Controls contained in Exempt and Complying Development Controls - Vincentia Coastal Village. .</li> <li>• Part 4 Development consent – if the development does not meet the standards included in the Complying Development Controls or Design Guidelines and is not state significant development.</li> </ul>	Minister for Planning          Shoalhaven City Council or Accredited Certifier          Shoalhaven City Council.
District Town Centre	<ul style="list-style-type: none"> <li>• Part 3A – project approval</li> </ul>	Minister for Planning
Adaptable housing	<ul style="list-style-type: none"> <li>• Part 3A – project approval</li> </ul>	Minister for Planning