

SHEPHERDS BAY RENEWAL CONCEPT PLAN - DRAFT STATEMENT OF COMMITMENTS

The Draft Statement of Commitments details the various contributions, additional studies, applications and works the proponent commits to undertake in association with the project. The mechanics of how and when these commitments will be delivered will be subject to ongoing consultation. Commitments have been broken up into 'Concept Plan' and 'Stage 1' to separate commitments that are applicable to all stages from those that are specific to the Stage 1 Project Application.

SUBJECT	DESCRIPTION OF COMMITMENT
Concept Plan	
Staging of Development and Occupation	The development is to be constructed in ten indicative stages as illustrated on Figure 33 of the Preferred Project Report An updated Development Staging Plan will be submitted with each subsequent Project Application.
Approval Conditions	The proponent will ensure that all relevant parties engaged to carry out work are aware of and will comply with relevant conditions of consent issued under Major Project No. 09_0216.
Accessibility	The proponent commits to providing access to and within buildings within the Concept Plan site in accordance with the Building Code of Australia. Where topography permits, publicly accessible open spaces within the Concept Plan are to be designed to provide appropriate access to people of all mobility levels as illustrated on Figure 31A of the Preferred Project Report.
Landscaping	Prior to commencement of construction of Project or Development Applications within the Concept Plan site detailed documentation and specifications will to be prepared for all landscape works and public space improvements. The landscaping is to be designed so that the view corridors identified on the Concept Plan are maintained.
Community Benefits	A Voluntary Planning Agreement will be entered into with the City of Ryde Council.
Housing choice	A mix of apartment sizes will be provided including one bedroom units. The increased housing supply in the area and proposed apartment mix will increase housing choice and ease affordable housing issues in the area. The opportunity for locals to "downsize" together with the additional availability will promote affordability.
Adaptable Housing	The Proponent commits to approximately 10% of apartments within the concept Plan site being designed to be accessible. Pathways from development to communal areas and car parking will also to be designed to be accessible.

Publicly accessible open spaces	The proponent commits to providing a total of 19,660sqm of publicly accessible public domain with the Concept Plan site that will be owned and maintained by the various owners' corporations. These areas will include 4 new public parks, landscaped pedestrian connections, landscaped overland flow paths and new sections of roadway, to be owned and maintained in community title by the relevant stage development owner groups. These will include: New publicly accessible parklands: 1. New Foreshore Link Parkland (Development Stage 1 and Stage 3) This new parkland provides a new pedestrian link between the foreshore reserve and the future Nancarrow Ave road link above and will be constructed as part of Development Stages 1 and 3. This parkland will include areas of informal seating and passive recreation. Refer Figure 1. <i>Landscape Design Principles</i> ▪ Turf and paved plazas respond directly to the architectural alignments for a seamless transition between landscape and residential building ▪ Structured planting and specimen shade trees frame spaces ▪ Open lawn platforms provide areas for relaxation ▪ Furniture elements will match the bold, simple lines of the design and contrast with the textures of the planting palette ▪ Moving water bodies provide associated relaxation and acoustic benefits ▪ Existing fig trees are retained to Rothesay Avenue with manicured lawn understorey ▪ Streetscape trees reinforce the defined Streetscape character 2. New Upper Level Public Square (Development Stage 3 & 4) This new parkland will be delivered as part of Indicative Development Stage 3 as illustrated on Figure 33 and in the Landscape Plan Report in Annexure 10 of the Preferred Project Report. Located at the southern end of the formal entry avenue, the public square will be a focus of identity and include a signature art work at the central roundabout. There will be a modern European feel to the plaza which could incorporate pop jets, signature bollards and seating elements. Views toward the river to the south are integral to the space. This Development Stage includes the construction of the new road link to connect Nancarrow Ave through to Hamilton Crescent which will involve the landscape treatment of the Rothesay Ave road verge and lower level pocket park below the Nancarrow extension link road. Also included is the construction of the other half of the new foreshore link park. Refer Figure 2. <i>Landscape Design Principles:</i> ▪ Protection from Southerly & Westerly winds through tree planting ▪ Opportunity for interactive children's water play ▪ Iconic sculpture on axis ▪ Signage palette and interpretive boards relating to the view ▪ Shared zone to ensure slow speeds and pedestrian safety ▪ High quality European hardscape palette ▪ Introduction of significant evergreen specimen trees
---	---



Figure 1: New Foreshore Link Parkland

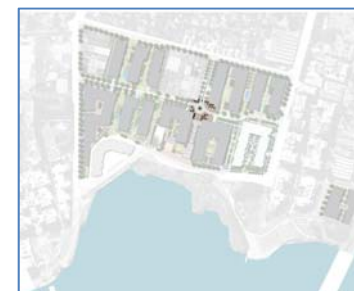


Figure 2: New Upper Level Public Square

3. New Central Spine (Development Stage 3)

This new parkland will be delivered as part of Indicative Development Stage 3 as illustrated on Figure 33 and in the Landscape Plan Report in Annexure 10 of the Preferred Project Report. The central spine links the public square with the central foreshore plaza and performs a largely transitional function combined with a wide pedestrian linear grand staircase that navigates the changes in level. A narrow water rill would reinforce the pedestrian movement while also visually connecting water to the North & South. Refer Figure 3.

Landscape Design Principles:

- Incorporation of water storage and movement relating directly to the river
- Raised trees in planters create shade and enforce/frame linear nature of space
- Simple design with high quality hardscape
- Integrated lighting / water feature.



Figure 3: New Central Spine

4. New upper eastern pedestrian link (Stages 2 and 4)

This space, secondary pedestrian link between Constitution Road and Hamilton Crescent. It is to be a predominantly linear, formal space with a sequence of shaded courtyards for rest and contemplation, shade trees and communal spaces. Refer Figure 4.

Landscape Design Principles

- Split level high quality landscape with raised planter beds
- Incorporate safe, open outdoor seating areas to activate the precinct
- Canopy trees and possible structures that comply with CPTED and provide shade & amenity
- Use of deciduous trees for solar access in winter



Figure 4: New upper eastern pedestrian link

5. Signature Building Central Plaza and pedestrian link (Development Stage 5)

This new publicly accessible plaza will be delivered as part of Indicative Development Stage 5 as illustrated in the Landscape Plan Report in Annexure 10 of the Preferred Project Report. The Signature Building precinct publicly accessible central plaza incorporates strong linear pedestrian link path and formal tree planting around the perimeter with clear sight lines. The pedestrian link is to be punctuated by formal water features that align with the linear paths. The shade trees and water features are intended to soften the built form and provide soothing acoustics to the space and the surrounding residents. Refer Figure 5.

Landscape Design Principles:

- Clear lineal paths with high quality central open space
- Safe, open outdoor seating areas to activate the precinct
- Canopy trees and possible structures that comply with CPTED and provide shade & amenity
- Use of deciduous trees for solar access in winter



Figure 5: Signature Building Central Plaza and pedestrian link

6. New Central Foreshore Plaza (Development Stage 6)

This new parkland will be delivered as part of Indicative Development Stage 6 as illustrated on Figure 33 and in the Landscape Plan Report in Annexure 10 of the Preferred Project Report. This parkland/plaza is intended to act as the main activity core and place of celebration of the new development. The central plaza is to maximise various level changes through the use of cascading water features, elevated platforms with views, terracing and multi-functional, adaptable spaces that promote social interaction and help to create a strong sense of place and community. The integration with the river and mangroves set the backdrop to what will be a high quality landscape space with a heavy pedestrian focus. Refer Figure 6.

Landscape Design Principles:

- Maximise views to the river and associated vegetative communities
- Combined soft/hard landscape for varied uses
- High quality spaces to encourage interaction and community values
- Attractive, robust, sustainable and low maintenance landscape finishes
- Provide and integrate artwork
- Provide interpretive signage to reflect upon adjoining riverside vegetative Community
- Provide spaces that bring people together where they can share (views, activities, uses) and interact
- Maximise views to the river and associated vegetative communities
- Multi-functional and adaptable spaces and treatments
- Provide ample seating with a variety of outlooks through benches, incidental edges and turf
- Night time lighting and activation
- Attractive, robust, sustainable and low maintenance landscape finishes
- Provide and integrate artwork
- Provide interpretive signage to reflect upon adjoining riverside vegetative community



Figure 6: New Central Foreshore Plaza

7. New Lower Riparian Foreshore Link Parkland (Development Stage 9)

This new parkland will be delivered as part of Indicative Development Stage 9 as illustrated on Figure 33 and in the Landscape Plan Report in Annexure 10 of the Preferred Project Report. This parkland continues to generally follow the natural overland flow path, terminating at the foreshore reserve. This parkland provides more water features and soft plantings interspersed with a sequence of passive recreation lawns with specimen tree planting for shade. The orange orchard reflects the past uses of this site and creates a desirable area to sit and relax away from the more urban landscapes to the east. Refer Figure 7.

Landscape Design Principles:

- Heritage interpretation of past land use
- Natural creek-like water features and plantings
- Low maintenance softscape & hardscape elements
- Temporary stormwater detention ponds and ephemeral creek beds



Figure 7: New Lower Riparian Foreshore Link Parkland

8. New Pedestrian Spine 1 South Parkland (Development Stage 7)

This new parkland will be delivered as part of Indicative Development Stage 7 as illustrated on Figure 33 and in the Landscape Plan Report in Annexure 10 of the Preferred Project Report. The pedestrian link south continues the formal character of the northern portion of this parkland, becoming more informal closer to the foreshore reserve, with swathes of low and mid height native shrub and low maintenance hybrid grass planting. Tree planting is orchard style is recommended in the lower portion of this parkland reflecting the previous orchards on the Concept Plan site while retaining clear sightlines from top to bottom. Refer Figure 8.

Landscape Design Principles:

- Performs as formal linear open space in addition to its role as a pedestrian link
- Low maintenance, high quality hard cape surface treatments
- Formal modern alignment with informal garden bed design
- Incorporates heritage orchard tree planting - Clear sight lines through the park to maximise pedestrian safety
- Formal water features



Figure 8: New Pedestrian Spine 1 South Parkland

9. New Pedestrian Spine 2 North Parkland (Development Stage 8)

This new parkland will be delivered as part of Indicative Development Stage 8 as illustrated on Figure 33 and in the Landscape Plan Report in Annexure 10 of the Preferred Project Report. This through site parkland and pedestrian connection is intended to be simple in design and character allowing ease of movement through the space. The recommended main water body at the southern edge of this parkland acts as an elevated focal point in the Concept Plan site and would assist in the creation of a sense of place, providing a distinct connection to the foreshore to the south. Refer Figure 9.

Landscape Design Principles:

- Performs as formal linear open space in addition to its role as a pedestrian link
- Incorporates formal avenue tree planting as a way of screening the adjoining existing building
- Includes clear sight lines through the park to maximise pedestrian safety
- Includes large reflection pond / water body



Figure 9: New Pedestrian Spine 2 North Parkland

10. New Upper Riparian Foreshore Link Parkland (Development Stage 10)

This new parkland will be delivered as part of Indicative Development Stage 10 as illustrated on Figure 33 and in the Landscape Plan Report in Annexure 10 of the Preferred Project Report. This new parkland is located between Constitution Rd and Nancarrow Ave in a natural overland flow path and includes part of Council's main stormwater easement for the area. The intent of this parkland is to create a natural landscape with meandering 'riparian' gardens and water features. Natural water features will be designed to account for seasonal fluctuations in water volumes. Swathes of native grass and shrubs will provide interest along the pedestrian pathways which traverse this open space. It is intended that water features abutt some of the buildings to accentuate the architecture within a riparian environment. Open lawns and shade trees provide space for residents and visitors to stay and enjoy the peaceful surrounds. Refer Figure 10.

Landscape Design Principles:

- The provision of an easy, safe and enjoyable pedestrian connection with peaceful places to stop and relax
- Optimise ecological functionality through planting of endemic species
- Incorporate overland flow paths into water features within the parkland
- Combined active and passive recreation spaces
- Provision of contemplative lawns with shade

The following are to accompany all Project or Development Applications within the Concept Plan site:

- A detailed Landscape Plan demonstrating the proposed landscape scheme is consistent with the Landscape Concept and Report prepared by PLACE Design Group, dated October 2011.
- Plans illustrating the proposed subdivision of the land to enable dedication as public road.



Figure 10: Upper Riparian Foreshore Link Parkland

Road works	The proponent commits to providing the following new road infrastructure and upgradings which are illustrated on Figure 11 of the submitted Concept Plan Preferred Project Report dated January 2012: 1. Nancarrow Ave link road (Development Stage 2) This new road link involves the construction of a new two-way local access road between Belmore Street and Bowden Street, generally following the alignment of Nancarrow Avenue and Hamilton Crescent. The land forming part of the Concept Plan site, having an area of 325sqm, required to provide this new road connection to be constructed as part of the Concept Plan development will be dedicated to the City of Ryde Council for declaration as a public road. Detailed designs and subdivision plans of the proposed road extension are to be approved by Council prior to any works being carried out on the Stage 2 land parcels. This section of new public road proposed to be dedicated must be constructed to the Ryde City Council. 2. Hamilton Crescent West 'entry avenue' and Nancarrow roundabout (Development Stage 4) The upgrading of Hamilton Crescent West between Constitution Road and Nancarrow Ave as part of Indicative Development Stage 4 to provide a formal landscaped 'entry avenue' as illustrated in the Concept Plan Landscape Plan and Report. The design language for the main formal entry boulevard is based around a clear use of vegetative form and hardscape materials that establish visual identity and help foster a strong sense of place. Refer Figure 6. <i>Landscape Design Principles:</i> ▪ Formal tree planting in avenue style ▪ Tree species to complement entry artwork and scale of street ▪ Utilise verges and medians where possible for integrated stormwater management ▪ Incorporate significant streetscape elements such as lighting and signage ▪ Respect site lines at entry 3. Rothesay Avenue connection (Development Stage 7) The provision of a new road connection between the end of the made section of Rothesay Ave fronting the Concept Plan Development as part of Development Stage 7 to the portion of road to be extended along the frontage of No.146 Bowden St by the developer of that site which will connect with Bowden St. The result will be a new road connecting from Belmore to Bowden Streets. 4. Regrading of Nancarrow Ave – west of Hamilton Crescent (Development Stages 6 to 10) The localised regrading and making good of sections of the existing Nancarrow Avenue, if required, as part of Development Stages 6 to 10, to ensure the best planning outcome in the detailed design of buildings and public domain areas. The Proponent commits to: • All detailed road and street front landscaping works will comply with the Council engineering and public domain the standards and policies. • The associated Road applications will be submitted to the Roads and Traffic Authority. • Detailed designs for intersection improvement works identified in the Traffic Impact Assessment will be prepared.
-------------------	--

roadworks staging

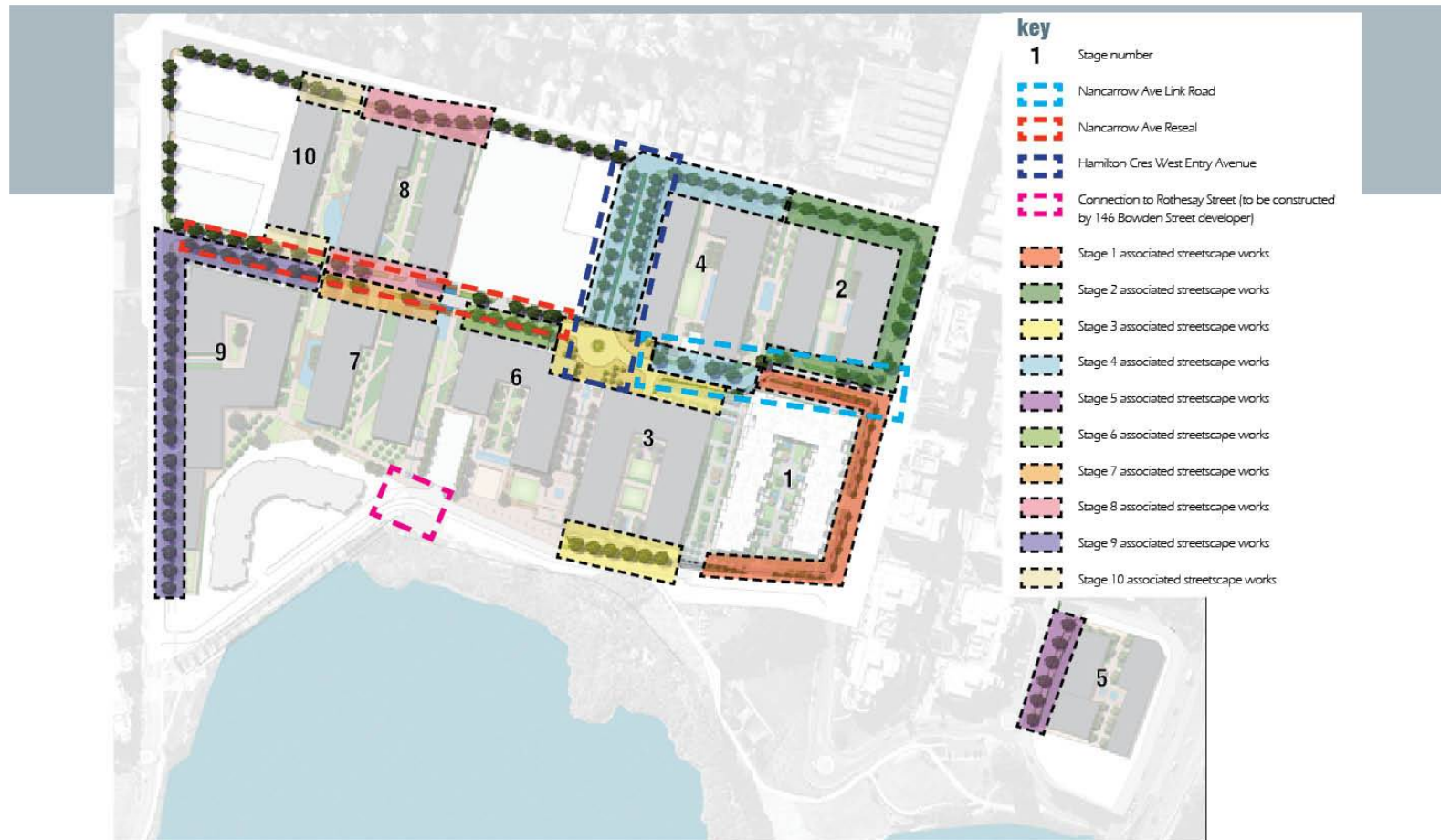


Figure 11: Streetworks Staging Plan

Tree Management	Tree protection measures will be implemented for trees to be retained as recommended in the Arborist Report at Annexure 23 to the submitted EA.
Crime Prevention Through Environmental Design	The design of the public domain, landscaping and building design facilitates the achievement of CPTED principles. Prior to commencement of construction of any subsequent Project Applications CPTED Assessments will be provided. Planting near footpaths will need to be maintained on a regular basis to avoid concealment opportunities for criminals who may hide in dense shrubbery.
Environmentally Sustainable Development	All Residential development within the Concept Plan site will meet the following Sustainability targets: • The BASIX water consumption benchmark • The BASIX energy consumption benchmark In addition, the proponent commits to further investigate the opportunity for including the following ESD principles: • Design internal apartment layouts to maximise natural ventilation and to capture prevailing winds; • Utilise roof forms to capture natural light and ventilation; • Use of high thermal mass materials within apartments; • Ensure natural light and ventilation is provided to common areas to minimise energy consumption; • Divide the layout of the apartments into zones to reduce heat and cooling energy consumption; • Utilise low water flow fixtures and tap ware; • Harvesting of stormwater where feasible; and • Recycling of water where feasible
Stormwater Management	The Proponent is committed to providing the necessary stormwater upgrades, the details of which will be included in the final VPA when negotiated with Council. Prior to commencement of construction of all Project or Development Applications within the Concept Plan site the Proponent commits to preparation of an Integrated Stormwater Management Plan for the relevant development stage.
Noise	All Project or Development Applications within the Concept Plan site for all development Stages are to comply with the relevant acoustic standards and controls contained in the BCA.
Site Contamination	All Project or Development Applications within the Concept Plan site for all development stages will be required to comply with the requirements of SEPP 55 <i>Remediation of Land</i> .
Construction Management	Prior to commencement of construction of all Project or Development Applications within the Concept Plan site a Construction Management Plan will be prepared by the proponent for each development stage and will be submitted to the satisfaction of the Principal Certifying Authority prior to any new building work within the Concept Plan site. All construction materials, vehicles, waste and the like will be stored within the site. All demolition and all construction and associated work will be restricted to between the hours of 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

	Prior to commencement of construction of all Project or Development Applications within the Concept Plan site a Traffic Management Plan (TMP) for the relevant development stage, which addresses construction access and egress to the site, including vehicle routes and parking for workers, staging and timing of construction of internal road network and other relevant issues, will be prepared and submitted to the satisfaction of Principal Certifying Authority. The TMP will be prepared in accordance with the RTA's guidance on TMP's.
Utilities	A Section 73 Certificate from Sydney Water will be obtained as required. All existing aerial services (including low voltage Energy Australia electricity and subscriber television services) along the frontage of the Concept Plan Site are to be relocated underground prior to the occupation of the development stages. The cost of this work is to be borne by the developer. Documentary evidence will be obtained from Energy Australia to confirm that they have been consulted and that their requirements have been met by the Concept Plan and all subsequent Project or Development Applications within the Concept Plan site.
Arborist Report	All subsequent development stages will be required to comply with the requirements of the Arborist Report (Annexure 23 to the submitted Environmental Assessment).
Environmental Management Plan	Prior to commencement of construction of Project or Development Applications within the Concept Plan site, a development Stage-specific Environmental Management Plan (EMP) will be prepared and submitted to and approved by the Principal Certifying Authority. The EMP will comprise: a. Hours of construction work b. Sediment and Erosion Control; c. Waste Management; d. Noise and Vibration Management; e. Air Quality and dust control; f. Use of cranes, plant and machinery g. Use of ladders, tapes, scaffolding and plant /machinery of conductive material h. Excavation and boring i. Plant and vehicle movements including - ingress and egress of vehicles to the site, loading and unloading, including construction zones, transportation of material, including contaminated material, predicted traffic volumes, types and routes j. TMP; k. Piling, sheet piling, batter and anchors
Waste Management	Prior to commencement of construction of all Project or Development Applications within the Concept Plan site, a Waste Management Plan will be prepared for the relevant development stage.
Sustainable Travel Plan	Prior to commencement of construction of all Project or Development Applications within the Concept Plan site, Sustainable Travel Plan for the Concept Plan site will be submitted to and approved by the Principal Certifying Authority. Individual Project or Development Applications will be accompanied by Development stage- specific Sustainable Travel Plans that are consistent with the Concept Plan Sustainable Travel Plan.

Ground water	As required by the NSW Office of Water: Groundwater: Licences under Part V of the Water Act 1912 are required for the works for the purposes of temporary dewatering as part of the proposed construction. <i>General and Administrative Issues</i> 1. Groundwater shall not be pumped or extracted for any purpose other than temporary construction watering. 2. Pumped water (tailwater) shall not be allowed to discharge off-site (eg. adjoining roads, stormwater system, sewerage system etc) without the controlling authorities approval and/or owners consent. 3. The licensee shall allow (subject to Occupational Health and Safety Provisions) the NSW Office of Water or any person authorised by it, full and free access to the works (excavation or bore/bore field), either during or after construction, for the purpose of carrying out inspection or test of the works and its fittings and shall carry out any work or alterations deemed necessary by the NSW Office of Water for the protection and property maintenance of the works, or the control of the water extracted to prevent wastage and for the protection of the quality and prevention from pollution or contamination of the groundwater. 4. If a work is abandoned at any time the licensee shall notify the NSW Office of Water that the work has been abandoned and seal off the aquifer by such methods as agreed to or directed by the NSW Office of Water. 5. Suitable documents are to be supplied to the NSW Office of Water of the following: a) a report of prediction of the impacts of pumping on any licensed groundwater users or groundwater dependent ecosystems in the vicinity of the site. Any adverse impacts will not be allowed and the project will need to be modified. b) A report of assessment of the potential for salt water intrusion to occur as a result of the dewatering. This report is only required for sites within 250m of any marine or estuarine foreshore area. The generation of conditions leading to salt water intrusion will not be allowed, and the proposal will need to be modified. c) Descriptions of the methods used and actual volume of groundwater to be pumped (kilolitres/megalitres) from the dewatering works, the works locations, the discharge rate (litres per second), duration of pumping (number of days/weeks), the amount of lowering of the water table and the anticipated quality of the pumped water. d) Descriptions of the actual volume of pumped water (tailwater) to be reinjected (kilolitres/megalitres), the reinjection locations, the disposal rate (litres per second), duration of operation (number of days/weeks) and anticipated quality of treated water to be reinjected. e) Monitoring of groundwater levels (minimum of 3 weekly measurements of depth to water at a minimum of 3 locations broadly distributed across the site) beneath the proposed development site prior to construction. This requirement is only for sites where the proposed structure shall extend greater than one floor level into the existing ground level. <i>Specific Conditions</i> 1. The design and construction of the structure must preclude the need for permanent dewatering. 2. The design and construction of the structure that may be impacted by any watertable must include a water proof retention system (ie a fully tanked structure) with adequate provision for future fluctuations of water table levels. (It is recommended that a minimum allowance for a water table variation of at least +/-1.0 metre beyond any expected fluctuation be provided). The actual water table fluctuation and fluctuation safety margin must be determined by a suitable qualified professional. 3. Construction methods and material used in and for construction are not to cause pollution of the groundwater. 4. Monitoring of groundwater levels is to be continued at least weekly during the construction stage and at least weekly over a period of at least 2 months following cessation of dewatering, with all records being provided to the NSW Office of Water on expiration of the licence. This requirement is only for sites where the proposed structure shall extend greater than one floor level into the existing ground level.
---------------------	--

	5. Groundwater quality testing must be conducted (and report supplied to the NSW Office of Water). Samples must be taken prior to the commencement of dewatering, (and ongoing to the satisfaction of the NSW Office of Water for any extraction and reinjection activities). Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria. 6. Discharge of any contaminated pumped water (tailwater) that is not to be reinjected must comply with the provisions of the Protection of the Environment Operations Act 1997 and any requirements of the relevant controlling authority. The methods of disposal of pumped water (ie street drainage to the stormwater system or discharge to sewer) and written permission from the relevant controlling authority must be presented to the NSW Office of Water in support of the licence application. 7. Discharge of any contaminated pumped water (tailwater) that is to be reinjected, must comply with the provisions of the Protection of the Environment Operations Act 1997. The quality of any pumped water (tailwater) that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site. Contaminated groundwater is not to be reinjected into any aquifer. The following must be demonstrated in writing: a) The treatment to be applied to the pumped water (tailwater) to remove any contamination. b) The measures to be adopted to prevent redistribution of any contamination in the groundwater system. Any reinjection proposal that is likely to further spread contamination within the groundwater system will not be allowed and the project will need to be modified. 8. Written advice be provided from the Certifying Authority to the NSW Office of Water to certify that the following ground settlement issues have been addressed in reports submitted by the proponent: a) Assessment by a suitably qualified geotechnical professional that the proposed dewatering activity does not pose an unacceptable risk of off-site impacts such as damage to surrounding buildings or infrastructure as a result of differential sediment compaction and surface settlement during and following pumping of groundwater. b) Settlement monitoring activities to be undertaken prior to, during and for the required period of time following the dewatering pumping to confirm the impact predictions. c) Locations of settlement monitoring points, and schedules of measurement. <i>Formal Application Issues</i> 9. An application must be completed on the prescribed form for the specific purpose of temporary construction dewatering and a licence obtained from the NSW Office of Water prior to the installation of the groundwater extraction works. A plan drawn to scale will be required with the application clearly identifying the location of the dewatering installations. 10. Upon receipt of a Consent from the Department of Planning and prior to commencement of work, a fully completed licence application form is to be formally lodged with the Office of Water (accompanied by documentation clearly explaining the means by which the below-ground areas of the development will be designed and constructed to prevent any groundwater seepage inflows; and therefore preclude any need for permanent or semi-permanent pumping). Based on the licence application assessment meeting the Office of Waters statutory requirements, the NSW Office of Water will then be in a position to issue a Water Licence under Part 5 of the Water Act 1912.
--	---