

STATEMENT OF COMMITMENTS

Item	Commitment	Timing
<p>General</p>	<p>The developer will carry out the development in accordance with the Preferred Project Report prepared by Allen, Price and Associates dated October 2008 (and supporting Appendixes)</p>	<p>For the duration of the subdivision.</p>
<p>Legislative Controls/Requirements</p>	<p>The developer will obtain and maintain the following licences, permits and approvals for the residential subdivision:</p> <ul style="list-style-type: none"> • Shoalhaven City Council - Construction Certificates for engineering works for each stage of the subdivision. The application for Construction Certificates will contain Design Drawings submitted containing, where relevant, detailed designs relating to earthworks, drainage, Soil erosion and Sediment Control and site rehabilitation, tree clearing and site stability, roadworks, footpaths, water supply and sewerage works, and landscaping. • Shoalhaven City Council - Section 138 Consent for roadworks (Roads Act 1993); • Integral Energy - Design Certification; • Integral Energy - Notification of Arrangement; • Telstra - Compliance Certificate; • Shoalhaven Water – Certificate of Compliance; • Shoalhaven City Council – Subdivision Certificates for each stage; • Department of Land and Property Information - registration of the subdivision. 	<p>For the duration of the subdivision.</p>

Item	Commitment	Timing
Final Plan of Subdivision	The developer will prepare a final plan of subdivision and Section 88B instrument for each stage of the development in accordance with the recommendations of the Environmental Assessment.	Prior to the release of Subdivision Certificates.
Ecological	Endangered Ecological Community	
	The developer will prepare a Vegetation Management Plan (VMP) in relation to that part of the site containing the Endangered Ecological Community (EEC) for approval by Shoalhaven City Council.	Prior to the release of the Construction Certificate for that stage of the development.
	The developer will implement the recommendations and prepare the site containing the Endangered Ecological Community (EEC) in accordance with the VMP prior to its dedication to Shoalhaven City Council.	Prior to the release of the Subdivision Certificate which creates the lot(s) containing the EEC.
	The developer will maintain the Endangered Ecological Community in accordance with the recommendations of the approved Vegetation Management Plan after its dedication to Shoalhaven City Council.	For a period of three (3) years, commencing upon the dedication of the land to Shoalhaven City Council.

Item	Commitment	Timing
Ecological (continued)	<p data-bbox="248 1552 280 1648">Offsets</p> <p data-bbox="300 663 427 1648">The proponent will fund \$15,000 for the preparation and implementation of an appropriate Management Plan for the Leafless Tongue Orchid in the Barnunj State Conservation Area to enhance the known population and increase its long-term security. Implementation of the plan will include but not be limited to:</p> <ul style="list-style-type: none"> <li data-bbox="435 663 499 1648">a) additional targeted field surveys for the species within 800 m of the known population; <li data-bbox="507 663 571 1648">b) light ripping of existing tracks identified for closure in the vicinity of the known population; <li data-bbox="579 663 611 1648">c) revegetation of lightly ripped tracks; <li data-bbox="619 663 683 1648">d) construction of additional barriers and promotion of revegetation at points where tracks to be ripped adjoin tracks to be retained for access; <li data-bbox="691 663 754 1648">e) provision of fencing around sub-populations under immediate threat from ongoing use of the conservation area; <li data-bbox="762 663 826 1648">f) monitoring of the known orchid population, revegetation works and barriers for a period of up to three years; and <li data-bbox="834 663 914 1648">g) research on the species within the locality by university graduates on projects identified by the plan and agreed between Malbec Properties and the Department of Environment and Conservation. 	Prior to the release of the Subdivision Certificate for Stage 3.
	<p data-bbox="930 663 1026 1648">The proponent will fund the attempted translocation of the Leafless Tongue Orchid individuals from Lot 171 into suitable habitat in Barnunj State Conservation Area following the preparation and approval of an orchid translocation plan.</p>	Prior to the release of the Subdivision Certificate for Stage 3.
	<p data-bbox="1042 663 1169 1648">The proponent will fund \$15,000 for the development and implementation of an appropriate management plan for the White-footed Dunnart in Barnunj State Conservation Area. The implementation of such a plan will include but not be limited to:</p>	Prior to the release of the Subdivision Certificate for Stage 6.

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Ecological (continued)	<ul style="list-style-type: none"> a) targeted field surveys for the species in preferred habitat; b) mapping of anticipated home ranges for the species; c) fire management of known and/or preferred habitat; d) predator control within known and/or preferred habitat via capture and baiting; e) research on the species by university graduates on projects identified by the plan and agreed between Malbec Properties and the Department of Environment and Conservation; f) translocation of White-footed Dunnart individuals from Lot 171 to vacant home ranges within Barnunj State Conservation Area; and g) monitoring of any identified White-footed Dunnart population for a period of three years. 	
Public Open Space	<p>Other</p> <p>The developer will impose a restriction on the title of each allotment requiring that any dogs or cats are kept only within the curtilage of a dwelling house, unless secured on a leash.</p> <p>The developer will prepare and embellish all public reserves in accordance with the Vegetation Management Plan (for EEC) and detailed landscape design plans to be approved by Shoalhaven City Council as part of the Construction Certificate.</p> <p>The developer will dedicate all public/drainage reserves to Shoalhaven City Council.</p>	<p>Prior to the release of the Construction Certificate for that stage of the development.</p> <p>Prior to release of certificate for subdivision for each stage/s containing public reserve.</p> <p>Prior to release of Subdivision Certificate and dedicated upon registration.</p>
Waste Minimisation and Management	<p>The developer will prepare a Waste Minimisation and Management Control Plan No: 93 for approval by Shoalhaven City Council for implementation.</p>	<p>Prior to the release of the Construction Certificate for each stage.</p>

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Construction	The developer will prepare a Construction Management Plan for approval by Shoalhaven City Council including education of workers in the approvals and conditions requiring compliance (including soil erosion and sediment controls, flora and fauna and aboriginal archaeological issues), details of the environmental management procedures during the development and measures relating to waste minimisation and management.	Prior to the commencement of construction and for the duration of the development.
Urban Design	The developer will finalise the form and implementation strategies regarding the Draft Design Guidelines in consultation with Shoalhaven City Council.	Prior to the release of the Subdivision Certificate for each stage.
	The final Design Guidelines will be incorporated into the contracts for sale for each allotment.	Prior to the release of the Subdivision Certificate for each stage and at the time of sale of each allotment.
	Restriction as to User	
	The developer will impose a Section 88B Restriction as to User on the title of those allotments opposite the Barnunj State Conservation Area and retained public reserve to require that any buildings are finished in darker toned, non-reflective, colours that blend with the natural landscape.	Prior to the release of the Subdivision Certificate for the relevant stage/s.
Bushfire Management	Provision of Asset Protection Zones	
	The developer will establish and maintain Asset Protection Zones (APZs) in accordance with the letter by Bushfire and Environmental Services Pty Ltd dated 30 September 2008.	Prior to the release of the Subdivision Certificate for each stage.
	The developer will install relevant infrastructure as required, including fire hydrants.	Prior to the release of the Subdivision Certificate for each stage.

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Bushfire Management (continued)	Restriction as to User	
	The developer will impose a Section 88B Restriction as to User on the title of relevant allotments specifying a Level of Construction in accordance with Figure 3 in the Bush Fire Assessment prepared by Bushfire and Environmental Services.	Prior to the release of the Subdivision Certificate for each stage.
Water Quality Management and Soil Control	The developer will design, install and dedicate water quality control measures which are generally in accordance with the Water Cycle Management Plans prepared by Storm Consulting. Construction Certificate Plans approved by Shoalhaven City Council will show detail of the proposed facilities.	Prior to the release of the Subdivision Certificate for each stage.
	The developer will maintain the water quality control measures for a period after dedication to Shoalhaven City Council.	For a period of three (3) years, commencing upon the dedication to Shoalhaven City Council of the land containing the water quality control measures.
Cultural Heritage	The developer will prepare a soil and water management plan to control run off during construction in accordance with the principles of the Landcom publication Managing Urban Stormwater (MUS): Soils and Construction Volume 1, 4 th Edition and Construction Certificate Plans approved by Shoalhaven City Council and DCP 100.	Prior to release of the Construction Certificate for each stage.
	The developer will implement salvage and other management measures as recommended in the reports prepared by South East Archaeology Pty Ltd dated May 2007	For the duration of subdivision works.
	The developer will liaise with the Ulladulla Local Aboriginal Land Council of progress of the development.	Ongoing through the construction of the subdivision.
Infrastructure	Roads	
	The developer will construct all roads and intersections with Highview Drive, Vista Drive, Bonnie Troon Close, and the un-named road reserve off Vista Drive in accordance with DCP 100 and approved Construction Certificate drawings.	Prior to the release of the Subdivision Certificate for each relevant stage.

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Infrastructure (continued)	The developer will provide a minor street drainage system to accommodate the 5 year A.R.I. storm event in accordance with plans approved by Shoalhaven City Council with the Construction Certificate.	Prior to the release of the Subdivision Certificate for each relevant stage.	
	The developer will provide a major street drainage system to accommodate the 100 year A.R.I. storm event in accordance with plans approved by Shoalhaven City Council with the Construction Certificates.	Prior to the release of the Subdivision Certificate for each relevant stage.	
	The developer will construct footpaths as shown on drawing 24163-21 Rev 2 prepared by Allen Price and Assoc and approved Construction Certificate drawings.	Prior to the release of the Subdivision Certificate for each relevant stage.	
	The developer will provide street signs in accordance with the requirements of Shoalhaven City Council.	Prior to the release of the Subdivision Certificate for each stage.	
	Traffic Calming		
	The developer will construct raised thresholds within the road connecting Bonnie Troon Close to other public roads in the subdivision in order to discourage through traffic and reduce traffic speeds. Such works shall be in accordance with plans approved by Shoalhaven City Council with the Construction Certificate.	Prior to the release of the Subdivision Certificate for Stage 1.	
	The developer will construct traffic calming facilities in the locations shown on drawing 24163-21 Rev 2 prepared by Allen Price and Associates.	Prior to the release of the Subdivision Certificate for the stage in which the facilities are located.	
	Electricity and Telecommunications		
	The developer will provide underground power to each residential lot in the subdivision in accordance with the requirements of Integral Energy	Prior to the release of the Subdivision Certificate for each stage.	
	The developer will provide underground telecommunications infrastructure to each lot in the subdivision in accordance with requirements of Telstra.	Prior to the release of the Subdivision Certificate for each stage.	
The developer will install street lighting in accordance with the requirements of Integral Energy.	Prior to the release of the Sub-division Certificate for each stage.		

Item	Commitment	Timing
Infrastructure (continued)	<p data-bbox="201 1529 233 1648">Drainage</p> <p data-bbox="256 663 320 1648">The developer will install street and interallotment drainage as necessary in accordance with plans approved by Shoalhaven City Council.</p> <p data-bbox="368 999 400 1648">Water and Sewer Services – Residential Allotments</p> <p data-bbox="424 663 488 1648">The developer will provide reticulated water and sewerage services to each lot in the subdivision in accordance with the requirements of Shoalhaven Water</p> <p data-bbox="536 1088 568 1648">Water and Sewer Services - Public Reserves</p> <p data-bbox="584 663 647 1648">Within the public reserves, the developer will provide a single connection to the reticulated water supply.</p>	<p data-bbox="256 230 352 663">Prior to the release of the Subdivision Certificate for each stage as applicable.</p> <p data-bbox="424 230 520 663">Prior to the release of the Subdivision Certificate for each stage.</p>
Landscaping Plans	<p data-bbox="703 663 823 1648">The developer will prepare Construction Certificate landscape plans generally in accordance with the concept plans prepared by Hans Smit lodged with the Preferred Project Report, and will construct the landscaping within each stage in accordance with those plans.</p>	<p data-bbox="703 230 823 663">Prior to the release of the Subdivision Certificate for each stage</p>
Geotechnical	<p data-bbox="847 663 935 1648">The developer 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.</p>	<p data-bbox="847 230 935 663">Prior to the release of the Subdivision Certificate for each stage.</p>
Staging	<p data-bbox="967 663 1046 1648">The developer will construct the subdivision in the stages shown on drawing 24163-21 Rev 2 prepared by Allen Price and Associates or as otherwise approved in Construction Certificate plans approved by Shoalhaven City Council.</p>	<p data-bbox="967 230 1015 663">For the duration of the subdivision works.</p>

Item	Commitment	Timing
Developer Contributions	The developer will pay Section 94 developer contributions in accordance with Shoalhaven City Council's Section 94 Contributions Plan on a "per ET" basis for each stage of the residential subdivision.	Prior to the release of the Subdivision Certificate for each stage.
	The developer will pay Section 64 water and sewer developer contributions in accordance with the development servicing plan applicable at the time of payment.	Prior to the release of the Subdivision Certificate for each stage.
Signage	The developer will provide estate marketing signs in accordance with the provisions of DCP 89 – Exempt and Complying Development or as otherwise approved by Shoalhaven City Council.	For the duration of the subdivision works.