

Theme	Proposed Commitment	Responsibility	Project Phase	Status of SoC?
<b>Development</b>	The development will be undertaken in accordance with the Subdivision Concept Plan prepared by WorleyParsons, the Plan of Subdivision prepared by Geoff Slattery and Partners, the Environmental Assessment and Preferred Project Report prepared by WorleyParsons.	Utila Pty Ltd	Construction and operation	Updated – inclusion of Preferred Project Report
	Construction Management Plans will be prepared for each stage of construction of the development and submitted to Coffs Harbour City Council for approval.	Utila Pty Ltd	Prior to construction	No change
<b>Ecological</b>	The development is to be undertaken in accordance with the recommendations in the updated Ecological Assessment report prepared by James Warren and Associates.	Utila Pty Ltd	Construction and operation	No change – reference to updated report
	Weeds within habitat areas will be controlled and managed and habitat restoration is to be implemented in accordance with the Vegetation Management Plan (JWA 2012).	Coffs Harbour City Council (CHCC)	Operation	Updated – change of year
	Contiguous areas of retained vegetation are to be fenced with permeable fencing (e.g. post and rail) to discourage access from human visitation and from trail bikes, etc.  Fencing will be installed along the site boundary to the National Park in accordance with the <i>Typical detail for Rural boundary fence and Plan view of pedestrian access</i> contained in the Landscape Concept Plan prepared by Terras Landscape Architects, but not to land forming part of the subject site zoned Environmental Protection 7A Habitat and Catchment.	Utila Pty Ltd	Construction	No change
	Appropriate National Park boundary fencing, access points, gating and pedestrian access into the NP are to be negotiated with the proponent and approved by the National Parks and Wildlife Service (NPWS) and then funded and installed by the proponent.	Utila Pty Ltd	Construction	New
	Landscape and landfill materials should be sourced from a supplier where	Utila Pty Ltd and	Construction	No change

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	Cane toads do not occur.	subcontractors		
	A qualified fauna handler will be on site when clearing occurs.	Utila Pty Ltd	Construction	No change
	40 km/hr speed limit will be imposed on internal access roads. Other measures to reduce traffic speeds include traffic calming features, and lighting.	Utila Pty Ltd	Construction	No change
	Formal walking tracks will be provided to established access points to Bongil Bongil National Park. Access points are to be adjacent to the locked gates at the fire trail access points. This will prevent the formation of a larger number of informal tracks.	Utila Pty Ltd OEH	Construction	No change
	Design and creation of any formalised access points leading into the National Park are to be determined and approved by NPWS prior to commencement of works onsite in order to control unauthorised access (eg. unregistered trail bikes).	Utila Pty Ltd OEH	Construction	No change
	<del>A s88B Restrictive Covenant in accordance with the Conveyancing Act 1912 will be annexed to all lots in the proposed development to prevent residents from owning and housing cats on the residential lots.</del>	Utila Pty Ltd	Operation	Replaced with new SoC
	<del>A s88B Restrictive Covenant in accordance with the Conveyancing Act 1912 will be annexed to all lots in the proposed development to ensure that all dogs reside within fenced enclosures and be on a leash when outside the enclosure.</del>	Utila Pty Ltd	Operation	Replaced with new SoC
	The keeping of cats and dogs (with the exception of assistance animals, as defined under the Commonwealth Disability Discrimination Act 1992) within the site is prohibited and all residential lots are to be encumbered to this effect with a Section 88B instrument under the Conveyancing Act 1919.	Utila Pty Ltd	Operation	New
	Regeneration and revegetation works on the subject site will utilise preferred Koala food trees where appropriate.	Utila Pty Ltd and subcontractors	Construction	No change
	Lighting will be designed to minimise spill over flora and fauna habitat areas.	Utila Pty Ltd	Construction	No change

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	A responsible party for the monitoring and reporting of the implementation of the Vegetation Management Plan and progress for 5 years, including ongoing weed control works, is to be identified and reported to the Department of Planning prior to commencement of any works on the site.	Utila Pty Ltd	Prior to construction	New
	Appropriate protection measures to be implemented to reduce urban run-off into the 7a Swamp Sclerophyll Forests EEC east of the site (proposed for addition to Bongil Bongil NP).	Utila Pty Ltd	Construction	New
	The proponent is required to develop a Riparian Management Plan (RMP) for the site in accordance with the NSW Office of Water's Guidelines for Controlled Activities. This is to be developed in consultation with and to the satisfaction of the NSW Office of Water.	Utila Pty Ltd	Construction	New
	The development design must conform with Coffs Harbour City Council's Koala Plan of Management guidelines and strategies to protect Koala, namely: <ul style="list-style-type: none"> <li>• Road design</li> <li>• Fencing (boundary to estate and pools)</li> <li>• Surface Wildlife Crossings</li> <li>• Urban Services</li> <li>• Landscaping</li> <li>• Amelioration measures</li> </ul>	Utila Pty Ltd	Construction	New
<b>Bushfire</b>	Construction and operation of the proposed subdivision will be in accordance with the Bushfire Assessment report – Residential Subdivision prepared by Holiday Coast Bushfire Solutions.	Utila Pty Ltd and Coffs Harbour City Council	Construction and operation	No change
	Construction in the Asset Protection Zones (APZs) is to be implemented in accordance with the <i>Plan showing APZ and construction level thresholds</i> included in the Bushfire Assessment report – Residential Subdivision prepared by Holiday Coast Bushfire Solutions.	Utila Pty Ltd	Construction	No change

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	The Asset Protection Zones identified on the <i>Plan showing APZ and construction level thresholds</i> included in the Bushfire report – Residential Subdivision (prepared by Holiday Coast Bushfire Solutions, are to be managed and maintained in accordance with <i>Planning for Bushfire Protection 2006</i> and the Bushfire Assessment.	Coffs Harbour City Council and NPWS	Operation	No change
	A s88B Covenant will be created in accordance with the <i>Conveyancing Act 1919</i> for the title of future lots located within the Asset Protection Zone, to ensure that vegetation and landscaped areas are maintained in accordance with the requirements of <i>Planning for Bushfire Protection 2006</i> and the Bushfire Assessment report.	Utila Pty Ltd	Operation	No change
	All dwellings within the Asset Protection Zone are to be constructed in accordance with Australian Standard 3959 – 2009: Construction of buildings in bushfire-prone areas.	Utila Pty Ltd	Construction	No change
	The development will provide vehicular and pedestrian access to fire trails on National Park land in accordance with the <i>Plan showing APZ and construction level thresholds</i> in the Bushfire Assessment report – Residential Subdivision (prepared by Holiday Coast Bushfire Solutions). Access to the fire trails on the subject land will be maintained by Coffs Harbour City Council, while the fire trails will be maintained by National Parks (NPWS). Locked gates will be provided at the boundary of the subject land to provide connection to those fire trails within the National Park.	Utila Pty Ltd, Coffs Harbour City Council and NPWS	Construction and operation	No change
	A responsible party is to be identified to manage the Asset Protection Zones outside National Park for fire abatement and rubbish dumping and this information is to be submitted to the Department of Planning prior to commencement of any works on the site.	Utila Pty Ltd	Prior to construction	New
<b>Water Management</b>	The proposed bio-retention basins and bio-retention swales will be constructed in accordance with the Stormwater Concept Plan (Geoff Slattery and Partners),	Utila Pty Ltd and Coffs Harbour City Council	Construction and operation	No change

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	and consistent with the Stormwater Management Strategy (WorleyParsons) and the Landscape Concept Masterplan and Landscape Design Report (Terras Landscape Architects) for the proposed development. This infrastructure is to be maintained in accordance with these reports and the Vegetation Management Plan prepared by James Warren and Associates.			
	All dwellings will be constructed with a minimum 500mm freeboard above the 1 in 100 year flood level.	Utila Pty Ltd	Construction	No change
	The public reserves, including riparian corridors, will be dedicated to Coffs Harbour City Council.	Utila Pty Ltd	Prior to release of the subdivision certificate	No change
	Future maintenance and ongoing management of the public reserves and riparian corridors will be the proponent's responsibility for the first 5 year period commencing from the date of the start of construction. After this time responsibility will lie with the Coffs Harbour City Council.	Utila Pty Ltd	Construction and operation	New
	Prior to the commencement of any works, the applicant must demonstrate that the quality and quantity of stormwater to be dispersed into the National Park, or that 7a land proposed as an addition to the NP, from the development will improve or maintain the natural hydrological regime operating at present.	Utila Pty Ltd	Prior to construction	New
	A detailed stormwater management plan (SWMP) for the construction and operational phases of the project must be prepared by a suitably qualified person as per specifications detailed by LANDCOM Soil and Construction guidelines for managing urban stormwater (2004).	Utila Pty Ltd	Construction and operation	New
	The SWMP must consider offsite impacts, namely to the National Park, the identified Endangered Ecological Community and Primary Koala Habitat. The SWMP must provide detailed modelling and amelioration strategies to ensure the project will not increase the quantity or pollutant load of stormwater discharged from the site.	Utila Pty Ltd	Construction	New
	The SWMP must be submitted to the Department of Planning for approval.	Utila Pty Ltd	Prior to construction	New

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	Subject to the SWMP being approved, it must be implemented prior to the commencement of any other activities on the site.	Utila Pty Ltd	Prior to construction	New
	A responsible party to maintain and monitor stormwater and sediment basins is to be identified and reported to the Department of Planning prior to the commencement of any works onsite.	Utila Pty Ltd	Prior to construction	New
	To aid in the protection of receiving water source quality, all stormwater runoff must be adequately treated at its source and/ or diverted through the stormwater treatment process designed for the site, prior to the stormwater being discharged to surface water and groundwater sources.	Utila Pty Ltd	Construction	New
	All dams associated with the project must be in accordance with any Harvestable Right Order published under section 54 of the Water Management Act 2000.	Utila Pty Ltd	Construction	New
<b>Minimal Use of Water and Energy</b>	Each dwelling will have at least one (1) rainwater tank with a minimum capacity of 5kL. This requirement is consistent with the North Bonville Developer Contributions Plan.	Coffs Harbour City Council	Construction	Updated – reference to number of rainwater tanks
<b>Landscaping / Visual Amenity</b>	The street tree planting and other landscaping will be implemented and maintained in accordance with the Landscape Concept Plan and Landscape Design Report prepared by Terras Landscape Architects.	Utila Pty Ltd and Coffs Harbour City Council	Construction and operation	No change
<b>Traffic Management and Access</b>	The construction and operation of the proposed subdivision will be in accordance with the Concept Road Layout and accompanying road profiles prepared by Geoff Slattery and Partners.	Utila Pty Ltd	Construction and operation	No change
	The bus stops and bus shelters will be provided by the developer in the locations nominated on the Concept Road Layout prepared by Geoff Slattery and Partners and maintained by Council.	Utila Pty Ltd and Coffs Harbour City Council	Construction	No change
<b>Noise</b>	The noise impacts from the construction of the subdivision will be monitored	Coffs Harbour City	Construction	No change

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	and comply with the <i>Environmental Criteria for Road Traffic Noise</i> (EPA, 1999).	Council		
	All new dwellings on the land will be constructed in accordance with <i>Acoustics – Road traffic noise intrusion – Building siting and construction</i> (Standards Australia, 1989, AS 3671-1989).	Coffs Harbour City Council	Construction	No change
<b>Cultural Heritage</b>	All contractors will be made aware that, under Part 6 Section 90 of the NPWS Act 1974, a person who knowingly destroys, defaces or damages or knowingly causes or permits the destruction or defacement of or damage to, an Aboriginal object or Aboriginal place without first obtaining the written consent of the Director-General, is guilty of an offence against the NPWS Act 1974.	Utila Pty Ltd and subcontractors	Construction	Updated – change to responsibility
	When requested or required to do so, the proponent will complete a DECCW Aboriginal Site Impact Recording (ASIR) form and submit to OEH as per the requirements of section 89A of the NPW Act. Any management outcomes for the site(s) must be included in the information provided to AHIMS.	Utila Pty Ltd	Prior to construction	New
	All ridge topsoil will be removed and relocated to the reserve area of the proposed development.	Utila Pty Ltd	Prior to construction (prior to bulk earthworks)	No change
	The relocated location of the ridge topsoil will be recorded as a relocated site with DECCW Aboriginal Heritage Information Management System.	CHLALC OEH	Prior to construction	No change
	Relocation of ridge topsoil should be monitored by CHLALC.	CHLALC	Prior to construction	No change
	After the ridge topsoil has been relocated, a walkover of the removal areas should be conducted by the CHLALC and any visible artefacts collected.	CHLALC	Prior to construction	No change
	Collected artefacts will be redeposited by CHLALC representatives in a secure location on site negotiated between Utila PL and the CHLALC.	CHLALC Utila Pty Ltd	Construction and operation.	No change
	Street names in the development will acknowledge the Traditional Owners of the area. Consultation with the CHLALC and the CHCC will be undertaken to	Utila Pty Ltd CHLALC	Prior to construction	No change

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	ascertain suitable names for the streets.	CHCC		
	Implementation of the Cultural Heritage Management Plan and the Work Method Statement, contained in Section 6.3 of the Cultural Heritage Assessment report, will be undertaken.	Utila Pty Ltd DoP	Construction and operation.	No change
	A map indicating the specific location of the ridge topsoil deposits is provided to all registered Aboriginal community stakeholders, the Department of Planning and all contractors prior to any of this work commencing.	Utila Pty Ltd	Prior to construction (prior to bulk earthworks)	New
	The applicant must continue to consult with and involve all the registered local Aboriginal representatives for the project, in the ongoing management of the Aboriginal cultural heritage values. Evidence of this consultation must be collated and provided to the consent authority upon request.	Utila Pty Ltd CHLALC	Prior to construction and construction	New
	The proponent shall implement a Cultural Heritage Management Plan (CHMP) for the project area. The CHMP is to be implemented in consultation with the registered local Aboriginal stakeholders. The plan must include procedures for ongoing Aboriginal consultation and involvement, details of the responsibilities of all stakeholders, management of any recorded sites within the project area, monitoring and relocation procedures, procedures for the identification and management of previously unrecorded sites (excluding human remains), identification and management of any proposed cultural heritage conservation/relocation area(s), and details of an appropriate keeping place agreement with local Aboriginal community representatives for any Aboriginal objects salvaged through the development process, details of proposed mitigation and management strategies for sites identified to be impacted within the project area and compliance procedures in the unlikely event that non-compliance with the CHMP is identified.	Utila Pty Ltd CHLALC	Prior to construction and construction	New
	The proponent is to provide fair and reasonable opportunities for the registered local Aboriginal stakeholders to monitor any initial ground disturbance works	Utila Pty Ltd CHLALC	Prior to construction and construction	New

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	associated with all ridges identified within the approved project area, including the outer perimeter roads. In the event that additional Aboriginal objects are uncovered during the monitoring/relocation program, the objects are to be recorded and managed in accordance with the requirements of sections 85A and 89A of the National Parks and Wildlife Act 1974, as amended.			
	If human remains are located in the event that surface disturbance occurs, all works must halt in the immediate area to prevent any further impacts to the remains. The NSW Police are contacted immediately. No action is to be undertaken until police provide written notification to the proponent. If the skeletal remains are identified as Aboriginal, the proponent must contact DECCW's Enviroline on 131555 and representatives of the local Aboriginal community. No works are to continue until DECCW provide written notification to the proponent.	Utila Pty Ltd	Construction	New
	All reasonable efforts must be made to avoid impacts to Aboriginal cultural heritage at all stages of the development works. If impacts are unavoidable, mitigation measures are to be negotiated with the local Aboriginal community and DECCW. All sites impacted must have a DECCW Aboriginal Site Impact Recording (ASIR) form completed and submitted to DECCW AHIMS unit within three (3) months of completion of these works.	Utila Pty Ltd and subcontractors	Construction	New
	An Aboriginal Cultural Education Program must be developed for the induction of all personnel and contractors involved in the construction activities on site. Records are to be kept of which staff/contractors were inducted and when for the duration of the project. The program should be developed and implemented in collaboration with the local Aboriginal community.	Utila Pty Ltd and subcontractors	Construction	New
<b>Infrastructure</b>	Further consultation will be undertaken with Council and service providers to determine the requirements for electricity and telecommunication systems.	Utila Pty Ltd	Prior to construction	No change
	The developer will supply reticulated water and sewerage services for each residential lot in accordance with Coffs Harbour City Council's requirements.	Utila Pty Ltd	Construction	No change

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	The developer will supply underground electricity and telecommunication infrastructure to each residential lot in accordance with the service provider requirements.	Utila Pty Ltd	Construction	No change
<b>Groundwater</b>	The four monitoring wells established on the site (MW1-4) will be monitored monthly during construction and for 12 months post development so as to assess the impact the development may have on groundwater in the immediate vicinity of the site. The results of monitoring should be reviewed by a competent groundwater practitioner and recommendations made on modifying, or the need for, further groundwater monitoring.	Utila Pty Ltd	Construction and operation	No change
	The base of all spoon drains will be sited above 5m AHD to avoid groundwater intersection.	Utila Pty Ltd	Construction	No change
	In regard to taking or interfering with groundwater, a number of conditions apply: <ul style="list-style-type: none"> <li>a. All groundwater licences must be obtained and associated works appropriately authorised prior to works commencing.</li> <li>b. All works that intersect the aquifer should be licensed by NSW Office of Water prior to any work being carried out. This includes groundwater excavations within the groundwater aquifer, which includes, but is not necessary limited to excavations for on-site detention basins, recharge pits, spoon drains, all monitoring and production bores (if any), wells and spear points.</li> <li>c. For all areas on the site that require dewatering, a water licence under Part 5 of the Water Act 1912 should be obtained prior to commencement of work. This water licence application must be accompanied by a groundwater and excavation monitoring program and acid sulphate soils contingency plan, developed to the satisfaction of NSW Office of Water.</li> </ul>	Utila Pty Ltd	Construction	New
	All further information as part of the detailed design phase relating to	Utila Pty Ltd	Construction	New

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	groundwater must be provided to the NSW Office of Water for review and recommended conditions of approval, prior to approval by the consent authority.			
<b>Acid Sulfate Soils</b>	<p>If soils are to be removed from the low lying area in the southwest of the site where PASS was encountered, then the upper 0.5m of soils will be stripped, stockpiled and treated with lime to increase the pH.</p> <p>(Note: Liming ratios have been calculated for the PASS and acidic soils should liming be required. Good quality fine agricultural lime will be used to treat excavated PASS. In calculating the liming ratios, a factor of safety of 1.5 has been allowed above the theoretical requirement to take into account the rate of lime reactivity and the possibility of inhomogeneous mixing, particularly in the cohesive soils. Using a 95% confidence limit for the liming results provided, the liming ratio requirements were assessed to be 13.5kg of lime per tonne of soil for the PASS soils).</p>	Utila Pty Ltd	Construction	No change
	Further testing for ASS will be undertaken in the high risk areas if disturbance or drainage is likely to occur as part of the development.	Utila Pty Ltd	Construction	New
<b>Geotechnical</b>	<p>A more detailed geotechnical investigation will be undertaken of the site prior to construction that, in particular, will assess the steeper slopes in the southern portion of the site.</p> <p>The intrusive investigations (such as test pitting) will be undertaken over the site to further assess the subsurface conditions and the potential for slope instability.</p>	Utila Pty Ltd	Prior to construction	No change
	The existing fill on the site will be removed and replaced and compacted with approved fill under Level 1 conditions.	Utila Pty Ltd	Construction	No change
	For shallow footings founded in stiff clay materials (i.e. as encountered on the hillslopes) an allowable bearing pressure of 100kPa may be adopted for design purposes.	Each developer of housing on the site	Construction	No change

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	Construction on gently sloping ground (less than 10°) is considered to be at lower risk of potential instability. These areas of the site are more likely to be suited to single level slab on ground construction or split level residential construction.	Each developer of housing on the site	Construction	No change
	The subsurface conditions within the watercourses areas are likely to comprise firm alluvial clay and silty soils overlying stiffer alluvial clay and residual clay soils. For construction in these areas, consideration will be given to the shallow groundwater table, soils with inadequate bearing pressures and the presence of soils with high silt contents which can be problematic for fill placement and compaction. Construction in these areas may require dewatering, excavation and replacement with controlled Level 1 fill or piled foundations to suitable founding strata below and uncontrolled fill or unsuitable natural materials.	Utila Pty Ltd	Construction	No change
	Several areas of seepage were observed within the watercourse catchment in the southwest of the site. Due to the likely wet subsurface conditions associated with such seepage, consideration will be given to further assessing the subsurface conditions in this area prior to development. Associated with these seepage zones were gully erosion features which have developed downslope of the seepage points. To limit the effects of erosion in these areas, it is likely that permanent drainage structures such as gravel drains will be required to manage the water flow and prevent further erosion.	Utila Pty Ltd	Construction	No change
	For shallow footings founded in stiff clay materials (i.e. as encountered on the hillslopes) an allowable bearing pressure of 100kPa will be adopted for design purposes.	Each developer of housing on the site	Construction	No change
<b>Developer Contributions</b>	The developer will pay Section 94 developer contributions in accordance with the North Bonville Developer Contributions Plan (Coffs Harbour City Council).	Utila Pty Ltd	Prior to issue of Subdivision Certificate	No change
<b>Transfer of land</b>	<i>This development does not create a dwelling entitlement for [Part Lot 112 DP</i>	Utila Pty Ltd	Construction and/or	No change

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	<p><b>107391]</b> currently zoned 7A Environmental Protection under Coffs Harbour LEP 2000.</p> <p>Subject to formal approval from the Minister for Environment, this lot is to be <b>donated</b> to the Foundation for National Parks and Wildlife (then transferred to the Department of Environment and Climate Change to be managed for conservation) in accordance with the undertaking given in a letter from <b>[Utila Pty Ltd]</b> to <b>[the Department of Planning dated [insert date]]</b>.</p>	OEH	operation	