

3. THE STAGE 1 PROJECT DRAFT STATEMENT OF COMMITMENTS

SHEPHERDS BAY URBAN RENEWAL

3. Stage 1 Project 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 Stage 1 Project. The mechanics of how and when these commitments will be delivered will be subject to ongoing consultation.

SUBJECT	DESCRIPTION OF COMMITMENT
Concept Plan 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 (the Concept Plan)
Landscaping	Prior to commencement of construction of Project or Development Applications within the Stage 1 Project site detailed documentation and specifications will be prepared for all landscape works and open space improvements.
Community Benefits	A Voluntary Planning Agreement will be entered into with the City of Ryde Council.
Adaptable Housing	The Proponent commits to 10% of apartments within the Stage 1 Project 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 space	As detailed on the submitted architectural and landscape plans for the Stage 1 Project, the Proponent commits to providing part of a new, publicly accessible pedestrian link parkland within the Stage 1 Project site that will be owned and maintained by the owners' corporation. This new publicly accessible parkland in the Stage 1 Project includes: The substantial portion of the New Foreshore Link Parkland to be provided in the Stage 1 Project as identified in the submitted Concept Plan and the Stage 1 Project Preferred Project Report Landscape Report at Annexure 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 the Stage 1 Project. This new parkland will include areas of informal seating and passive recreation. <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



SHEPHERDS BAY URBAN RENEWAL

Stormwater Management	The Proponent commits to undertake all stormwater works in accordance with the Stormwater Management Plans prepared by Cardno which accompany the Preferred Project Report.
Noise	The Stage 1 Project is to comply with the relevant acoustic standards and controls contained in the BCA and recommendations of the Acoustic Report, prepared by Acoustic Logic which accompany this Preferred Project Report.
Site Contamination	The Stage 1 Project will comply with the requirements of SEPP 55 Remediation of Land.
Construction Management	Prior to commencement of construction of the Stage 1 Project a Construction Management Plan will be prepared by the proponent and will be submitted to the satisfaction of the Principal Certifying Authority prior to any new building work within the Stage 1 Project 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 within the Stage 1 Project site a Traffic Management Plan (TMP), 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 Stage 1 Project 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 Stage 1 Project.
Arborist Report	The Stage 1 Project 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 Stage 1 Project 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: - Hours of construction work - Sediment and Erosion Control; - Waste Management; - Noise and Vibration Management; - Air Quality and dust control; - Use of cranes, plant and machinery - Use of ladders, tapes, scaffolding and plant / machinery of conductive material - Excavation and boring - 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 - TMP; - Piling, sheet piling, batter and anchors

SHEPHERDS BAY URBAN RENEWAL

Waste Management	Prior to commencement of construction of all Project or Development Applications within the Stage 1 Project 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 Stage 1 Project site, Sustainable Travel Plan 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. General and Administrative Issues 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. Specific Conditions 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.

SHEPHERDS BAY URBAN RENEWAL

	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. Formal Application Issues 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.
Street front landscape works	The street frontages of the Stage 1 Project will be landscaped in accordance with the Landscape Plan and Report included in the Preferred Project Report.