



Item Number	Commitment	Timing
Statutory Requirements		
1	<p>Fabcot will obtain and maintain the following licences, permits and approvals for the district centre :</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);</li> <li>• Subdivision Certificates for the District Centre;</li> <li>• Occupation Certificates;</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>	<p>Prior to the construction and registration of each stage within the development, and as required from time to time.</p>
Conveyancing		
2	<p>Fabcot will prepare a final plan of subdivision and Section 88B instrument to create a separate allotment that will accommodate the overall District Centre development. The Section 88B Instrument will provide easements for utility services that encroach onto private land or public reserves.</p>	<p>Registration prior to the issue of an Occupation Certificate for Stage 1.</p>
Construction		
3	<p>Fabcot 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> </ul>	<p>Prior to the commencement of construction of stage 1, and updated prior to the commencement of construction for each subsequent stage of the development.</p>



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	<ul style="list-style-type: none"> <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>	
4	Fabcot will prepare work as executed plans for construction work in each stage and provide such plans to Shoalhaven City Council.	Prior to the release of the Final Occupation.
5	Fabcot 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.	Prior to the release of the Final Occupation Certificate.
Fire Management		
6	Fabcot will install fire hydrants in accordance with Australian Standard S2419.1-2005.	To be detailed in within the Construction Certificate application and installed prior to the release of the Final Occupation Certificate.
Environmental Zone Management		
7	Fabcot will prepare a plan to manage the Environmental Zone consistent with the requirements of Condition 3 and 4 of the EPBC Act approval dated 30 July 2007 issued by the then Commonwealth Department of Environment and Heritage.	Before clearing of the land and commencement of construction.
8	Fabcot will fence the interface boundary between the District Centre and the Environmental zone with a fence of post and wire construction to at least the height of an Australian Standard pool rated fence. The fence will be constructed stage by stage.	The fencing to be completed prior to the issue of the Final Occupation Certificate.
10	Fabcot will retain ownership and maintenance responsibility for the Environmental zone land 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.	Upon commencement of work on the site, with the appropriate entity being identified prior to the completion.
11	Fabcot will prepare and implement restoration for the scalded areas within the Jervis Bay Orchid habitat north of the District Town Centre within 6 months of the closure by Council of the existing access road as a public road and transfer of title to Fabcot.	Within 6 months of closure of the existing access road by Council as a public road and its transfer to Fabcot.
Water Supply and Quality Management		
12	Fabcot will design and install water quality control measures in accordance with the principles of the Supplementary WSUD Study prepared by Forbes Rigby, January, 2008.	Design details to be provided prior to the release of the Construction Certificate by Shoalhaven City Council or an accredited certifier.
13	Fabcot will undertake to carry out further analysis of the most appropriate design of the drainage channel in the location of Eastern Creek with the design of Stage 1 of the District Centre including detailed designs of the	Prior to commencement of construction of Stage 1 of the District Centre.



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	pipel drainage system.	
14	Fabcot will undertake to carry out further design work on the major/minor stormwater system with the Construction Certificate to ensure that: <ul style="list-style-type: none"> <li>• A minor drainage system is designed to cater for all events up to and including the 1 in 10 year ARI design storm for the retail and commercial areas; and</li> <li>• A major drainage system is designed to safely convey flows in a 1 in 100 year ARI design floor</li> </ul>	Design details to be provided prior to the release of the Construction Certificate by Shoalhaven City Council or an accredited certifier.
15	Fabcot will undertake further detailed design of the top-up arrangements for the pond to ensure that the pond contains sufficient water during dry periods to maintain the aesthetics of the pond. These detailed designs will investigate the use of rain rainwater tanks for topping up of the pond.	Design details to be provided prior to the release of the Construction Certificate by Shoalhaven City Council or an accredited certifier.
16	Fabcot will undertake further detailed design work into the rain water tank design including location, specific plumbing connection requirements and gutter/downpipe connectivity.	Design details to be provided prior to the release of the Construction Certificate by Shoalhaven City Council or an accredited certifier.
17	Fabcot 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 completion of Stage 1 of the District Centre.	Prior to any occupation certificate being issued and the satisfactory completion of the last critical stage inspection required by Section 190E(3)(d) of the Environmental Planning and Assessment Regulation 2000 and then on-going for a period of 3 years.
18	Fabcot will remain responsible for the maintenance of water sensitive urban design structure (WSUD) and open space areas within the District Centre and will undertake to carry out maintenance of the WSUD elements and ponds.	For the life of the District Centre with regular maintenance scheduled at 6 monthly intervals or after heavy rainfall.
19	Fabcot will implement the soil and water management plan (DWG 32705 rev PO) to control run off during construction in accordance with the principles included in the information prepared by Cardno contained in Appendices E and F of the Environmental Assessment prepared by TPG dated September 2010. Fabcot will implement soil and water management plans to control runoff during construction in accordance with the principles included in the information prepared by Cardno contained in Appendices E and F of the Environmental Assessment prepared by TPG dated September 2010 and The Blue Book, Managing Urban Stormwater: Soils and Construction, Landcom, 4th Edition, 2004.	Prior to the release of the Construction Certificate by Shoalhaven City Council or accredited certifier.
Public Safety		



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20	<p>Fabcot will ensure that the water quality and sedimentation pond will include a combination of the following measures to provide for public safety:</p> <ul style="list-style-type: none"> <li>• Provision of a safety ledge to all edges where there is access to the water (irrespective of whether the boardwalk is adjacent to the edge). The safety ledge will have water between 300 and 600 mm deep (during periods of elevated water levels due to heavy rainfall) and be 3 metres wide with a surface that is stable enough for people to stand on;</li> <li>• Provision of safe egress points from the pond at reasonable centres where there is a vertical wall over 600mm high at the likely exit point with the wall measured from the water level or the bottom of the wall where it is underwater. Egress points will allow a child who can walk to be able to climb out of the water, via rocks or other structures within the ledge adjacent the edge wall.</li> <li>• Macrophytes will be planted to all edges where a continuous grade into the water is provided in lieu of a safety ledge;</li> <li>• If required, all balustrades to the pond edge to be vertical with gaps between verticals to be 100mm or to comply with pool fencing legislation</li> <li>• The design around any water inlet structures will ensure that they are safely grated to prevent access and to ensure that they are fenced where they could inadvertently provide a point of deep water access at the edge of the pond; and</li> <li>• Minimal use horizontal concrete surfaces which could become slippery when wet.</li> </ul>	Design details to be provided prior to the release of the Construction Certificate by Shoalhaven City Council or an accredited certifier.
	Fabcot will engage centre management staff to ensure that the public spaces and amenities within Fabcot's ownership and control are maintained in a good and clean condition.	
<b>Cultural Heritage</b>		
21	Fabcot will inform the Jerrinja Local Aboriginal Land Council of progress of the development.	Ongoing through the construction of the development.
22	Fabcot will engage the local community and facilitate employment opportunities where possible between contractors and Jerrinja Aboriginal community.	Ongoing through the construction of the development.
<b>Infrastructure</b>		
23	Fabcot will provide reticulated water supply, sewerage and underground electricity to the District Centre.	Prior to the release of the Final Occupation Certificate.
24	Fabcot will relocate existing high voltage electricity cables parallel to	Prior to the release of the Final Occupation



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	Naval College Road where they conflict with the development footprint for each stage of the District Centre.	Certificate.
25	Fabcot will provide for infrastructure services generally in accordance with sewer reticulation, water reticulation, electrical & communications, WSUD & drainage, services footway GSM & CDMA Concept Plans attached to the Services and Infrastructure Report prepared by Cardno Forbes Rigby Pty Ltd, dated January 2008.	Prior to the release of the Final Occupation Certificate.
26	Fabcot will bear the cost of the relocation of utility services required at each Stage of the development of the District Centre.	Prior to the issue of the Final Occupation Certificate.
Roads		
27	Fabcot will bear the cost of the relocation of utility services as a result of the construction of the development and as necessary for each stage required.	Prior to the issue of the Final Occupation Certificate.
27a	<b>Fabcot will design and construct a roundabout with non mountable central island intersection at Access C along Naval College Road (Moona Creek Road intersection) to AUSTROADS standards, including approach and departure.</b>	<b>Prior to the occupation of the first stage of the District Centre.</b>
27b	<b>Fabcot will design, realign and upgrade Naval College Road between Access C (Moona Creek Road) and Access B (Bayswood Road) to two lanes and 80km/hr AUSTROADS standards.</b>	<b>In conjunction with the provision of Access C (Item 27a above)</b>
28	<p>Fabcot will design and construct the works proposed in The Wool Road in two stages.</p> <p>Stage 1A will involve temporary works to the existing intersection of the Bay and Basin Leisure Centre access road at The Wool Road as shown in Appendix C drawings by Cardno of the Preferred Project and Submissions Report prepared by TPG.</p> <p>Fabcot will design and construct the signalised intersection of The Wool Road, the access road to the Bay and Basin Leisure Centre and the access to the Vincentia High School as Stage 1B in accordance with the intersection configuration as shown in Appendix C drawings by Cardno of the Preferred Project and Submissions Report prepared by TPG.</p> <p>All preliminary environmental investigations, reports, approvals and all other approvals required by the authorities prior to allowing construction of the Bay and Basin Leisure Centre access over Council's land will be at nil</p>	<p>Fabcot will complete Stage 1A works prior to the issue of the final occupation certificate for Stage 1 of the VDC, and Fabcot will commence construction of Stage 1B works in The Wool Road and adjacent land within 12 months of the issue of a Construction Certificate for the new access road to the Bay and Basin Leisure Centre.</p>

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	cost to Fabcot.	
29	Fabcot will design and upgrade The Wool Road to four lanes from the roundabout at Naval College Road to 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 (Access E) in two stages as shown in Appendix C drawings by Cardno of the Preferred Project and Submissions Report prepared by TPG.	Fabcot will complete Stage 1A works prior to the issue of the final occupation certificate for Stage 1 of the VDC, and Fabcot will commence construction of Stage 1B works in The Wool Road and adjacent land within 12 months of the issue of a Construction Certificate for the new access road to the Bay and Basin Leisure Centre.
30	Fabcot will remove the existing pavement from the current access to the Bay and Basin Leisure Centre, prepare and implement restoration for the scalded area within the Jervis Bay Orchid habitat north of the District Town Centre within 6 months of the closure by Council of the existing access road as a public road and transfer of title to Fabcot.	Within 6 months of closure of the existing access road by Council as a public road and its transfer to Fabcot.
31	Fabcot will design and construct the intersection at Access D along The Wool Road in two stages shown as temporary solution Stage 1A and final solution Stage 1B, including the approach and departure as shown in Appendix C drawings by Cardno of the Preferred Project and Submissions Report prepared by TPG.	Fabcot will complete Stage 1A works prior to the issue of the final occupation certificate for Stage 1 of the VDC, and Fabcot will commence construction of Stage 1B works in The Wool Road and adjacent land within 12 months of the issue of a Construction Certificate for the new access road to the Bay and Basin Leisure Centre, at which time both Access D and Access E will become fully operational.
32	Fabcot will design and construct flexible road pavements in accordance with the Australian Road Research Board design criteria and Shoalhaven City Council DCP 100.	Prior to the release of the Final Occupation Certificate for each stage.
33	Fabcot will design and construct rigid road pavements in accordance with the Cement and Concrete Association design guidelines.	Prior to the release of the Final Occupation Certificate for each stage.
34	Fabcot 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.	Prior to the release of the Final Occupation Certificate for each stage.
35	Fabcot will design and construct foot and cycle paths as documented in the EAR including: <ul style="list-style-type: none"> <li>• A main east – west footpath to the District Centre from residential stages on the opposite side of Moona Creek road,</li> <li>• Footpaths along Moona Creek Road, and</li> <li>• A temporary shared foot and cycle path to The Wool Road at a width of 2.4m until Stage 2 of the District Centre is constructed</li> </ul>	Prior to the release of the Final Occupation Certificate by the Shoalhaven City Council or an accredited certifier for each stage.



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36	Fabcot will construct Moona Creek Road generally in accordance with the Moona Creek Road Layout <b>Plan</b> and Typical Sections <b>60 Degree Parking</b> Plan Drawing No. 8012 <b>P0 P2</b> prepared by Cardno Forbes Rigby dated <b>3 October 2008</b> 11 January 2008, including street tree planting, car parking, bus stops, paving treatments.	Prior to the issue of an Occupation Certificate for Stage 1 of the District Centre.
37	Fabcot will provide street signs for each new public road in accordance with the requirements of the Shoalhaven City Council.	Prior to the release of the Occupation Certificate by the Shoalhaven City Council or accredited certifier for each stage.
38	Fabcot will undertake a weed monitoring program in accordance with the Weed Management Plan during the maintenance period.	For a period of two years following the issue of an Occupation Certificate for each stage.
39	Fabcot 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 issue of a Construction Certificate by the Shoalhaven City Council or accredited certifier for each stage.
Road Widening		
40	Land for Road Widening to be ceded to and at nil cost to the Council. Fabcot to bear all costs to facilitate transfer of land.	As soon as practicable after practical completion of the road widening construction works.
Car Parking Design		
41	Fabcot will construct the internal car parking areas in accordance with the specifications of the Shoalhaven DCP No. 18.	Details to be provided with the Construction Certificate.
42	Fabcot will provide a taxi call system for customers of the district Centre.	To be provided upon commencement of Stage 1 of the District Centre.
Developer Contributions		
43	Fabcot will commit to the Developer Contributions commitments detailed in Item 74 of the approved Statements of Commitment within the Concept Plan and Project Plan approval MP 06_0058 and MP 06_0060 for the overall Vincentia Coastal Village and District Centre estate as relevant to the District Centre, and amended as provided in <b>Appendix 17</b> to the Don Fox Planning Environmental Assessment Report dated January 2008.	Prior to the release of the Construction Certificate for each stage of the District Centre.
44	Fabcot will liaise with the School on the southern side of Naval College Road on the location and design of the underpass and lodge an application with Shoalhaven City Council for its construction.	Resolved with the deletion of conditions 2.17 and 2.18 in the Minister's Instrument of Approval via Mod 1 to Project Application No. 06_0205.
Acoustics		
45	Fabcot will undertake further acoustic analysis during the detailed design stage of Stage 1 of the District Centre to ensure that noise emissions from mechanical plant is reduced by at least 5dBA below the night time noise criterion specified in the Noise Impact Assessment Report prepared by Heggies Pty Ltd dated January 2008. This assessment will give	Details to be provided prior to the release of the Construction Certificate by either Shoalhaven City Council or an accredited certifier.



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	consideration to the use of “quiet plant” and acoustic enclosures.	
46	Fabcot will undertake that deliveries to Stage 1 of the District Centre loading dock will not occur between 10.00pm and 7.00am the following day to control noise impacts to the future residential areas on the western side of Moona Creek Road.	For the life of the District Centre
46a	<b>Stockland will impose a Section 88B instrument under the Conveyancing Act, 1919 on the title of any future residential allotments fronting Moona Creek Road in the area as predicted by the receiver points labelled 1-12 on the plan attached to the Noise Impact Assessment, prepared by Heggies Pty Ltd, Report No. 10-3015-R2, Revision 2, dated 1 October 2008. The Section 88B instrument will require acoustic treatments to be incorporated into future dwellings and/or associated landscaped site works to meet the acoustic design criteria as set out in the Noise Impact Assessment, prepared by Heggies Pty Ltd, Report No. 10-3015-R2, Revision 2, dated 1 October 2008.</b>	<b>Prior to the issue of a subdivision certificate for the affected residential land</b>
Accessibility		
47	Fabcot will review the design of Stage 1 of the District Centre to incorporate the recommendations contained in the Accessibility Review prepared by Morris-Goding Accessibility Consultant, dated <b>21 June 2010</b> to ensure that matters of ingress & egress, paths of travel, transport linkages, lighting and signage are compliant with AS148.1, AS1428.2, AS1428.4 and to ensure that the overall design complies with the Disability Discrimination Act. Detailed plans showing compliance with the recommendations of the Accessibility Report will be provided within the Construction Certificate.	Details to be provided prior to the release of the Construction Certificate by either Shoalhaven City Council or an accredited certifier.
Sustainability		
48	Fabcot will further develop the sustainable strategies for the District Centre to achieve the following ESD outcomes as set out in the Sustainability Report prepared by Cundall, dated January 2008. <ul style="list-style-type: none"> <li>• The retail, library and community services buildings will designed against Section J of the Building Code of Australia to assess energy performance of the façade, and minimum efficiency performance requirements for mechanical, electrical and hydraulics plant;</li> <li>• The retail buildings will be designed against The Green Star retail pilot tool to assess water, materials, comfort and energy; and</li> <li>• The commercial components will be assessed against the ABRR and 4</li> </ul>	Sustainability measures will be investigated further during the detailed design development of the District Centre with selected measures being incorporated into the Construction Certificate plans before the issue of a Construction Certificate by Shoalhaven City Council or an accredited certifier.





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	Star Green Star rating systems.	
49	Fabcot will install a centralised Building Management System (BMS) to monitor energy and water consumption and to control maintenance of all central plant.	The BMS is to be installed in the building prior the commencement of use.
50	Fabcot will provide all tenants will with a generic green fitout guide and development specific tenant fitout guide which also addresses compulsory and suggested ESD initiatives for fitouts. The Guide will be prepared and made available to prospective tenants before they prepare development application or construction certificate documentation for their fit-out.	The Guide is to be prepared within 12 months of obtaining a Construction Certificate for Stage 1 of the District Centre to ensure prospective tenants can utilise the Guide in designing their fit-out.