



30 May 2013  
Our Ref: 6376B.41DK

The Director-General  
Department of Planning and Infrastructure  
GPO Box 39  
Sydney 2000

Dear Sir

**Section 75W Modification of Concept Plan Approval (MP06\_0060) and Project Approval (MP06\_0058) – Modification No. 14**

**Vincentia Coastal Village & District Centre, Corner of Wool Road and Naval College Road, Vincentia**

**1.0 Part 3A Transitional Provisions**

A combined Concept Plan and Project application was approved by the Minister for Planning on 25 January 2007, and has been modified under section 75W of the Environmental Planning and Assessment Act (EP&A Act), 1979 on a number of occasions.

Schedule 6A of the EP&A Act sets out the transitional arrangements for the repeal of Part 3A of the Act. Clause 2 – Transitional Part 3A projects defines transitional Part 3A projects as follows:

- 2 (1) *The following are, subject to this Schedule, **transitional Part 3A projects**:*
- (a) *an approved project (whether approved before or after the repeal of Part 3A),*
  - (b) *a project that is the subject of an approved concept plan (whether approved before or after the repeal of Part 3A),*

In this instance both the Concept Plan and Project applications were approved prior to the repeal of Part 3A and are therefore transitional Part 3A projects.

Clause 3 of Schedule 6A provides that “*Part 3A of this Act (as in force immediately before the repeal of that Part and as modified under this Schedule after that repeal) continues to apply to and in respect of a transitional Part 3A project.*” The repealed provisions of Part 3A continue to apply to the Concept Plan and Project approvals, which includes section 75W dealing with modifications of approvals.

**2.0 Need for the Modification**

Stockland has made a decision to sell the remaining (undeveloped) stages of the Bayswood residential subdivision, but will continue to complete the existing stages already under construction. In order to sell the remaining stages it is necessary to create separate super lots from the current residual lot. A draft plan of subdivision has been prepared (**Attachment 1**), which illustrates the proposed super lots which comprise the following:

- Lot 6001 of 7,261m<sup>2</sup> being land that will ultimately be dedicated to Council.
- Lot 6002 of 8.847 ha being the approved retirement living site.



- Lot 6003 of 21.47 ha being the remainder of the western precinct. This comprises 2 parts, a large portion of the western precinct and a small portion adjacent to Naval College Road.
- Lot 6004 of 37.66ha comprising 4 parts and contains the environmental zoned land that will eventually be transferred to an appropriate Government entity.

The decision to sell the remaining stages will result in there being more than one proponent acting upon the approvals. This situation necessitates the modification of the Approvals in relation to identifying the Proponent. Generally this will involve modifications to the following components of the Approvals:

1. Amending the Concept Plan and Project approval descriptions to include the 4 lot super lot subdivision in the project summaries and descriptions in detail.
2. Amending the Statement of Commitments to delete Commitment No. 15 that requires house plans to be submitted to Stockland Design House prior to approval.
3. Amending the Statement of Commitments to update Commitment No. 16(a) in relation to bushfire management.
4. Amending the Statement of Commitments as required to replace the references to Stockland with "the Proponent"
5. Amending the definition of the Proponent to include any person(s) acting upon the Approvals, rather than specifying Stockland Developments Pty Ltd as the sole Proponent.

The proposal the subject of this section 75W modification application (Modification No 14) seeks the Minister's consent to modify the Concept Plan Approval (MP 06\_0060) and Project Approval (MP06\_0058) that relate to the Vincentia Coastal Village & District Centre development.

### 3.0 Description of Proposed Modification

The proposed modifications and the reason for the modification are set out in the tables below.

Table 1: Proposed Amendments to Concept Plan approval MP06\_0060

PROPOSED MODIFICATION	REASON
Amend Part A –Schedule 1 – A1 Table 1 to: <ul style="list-style-type: none"> <li>• change the definition of the Proponent in the Table to "the person(s) carrying out the Approval".</li> <li>• change the Approval in Summary to include an additional bullet point to read a 4 lot super lot subdivision</li> </ul>	This is necessary because the Definitions in Part C state that the Proponent is the person(s) identified in Part A. Stockland is identified as the Proponent in Part A, and if Stockland is no longer the owner of part of the site the Concept Plan should be amended to provide for another owner who will carry out their component of the Approval.
Amend Part A – Schedule 1 - A2 Approval in Detail to add the following further paragraph :  1(a) – A 4 lot super lot subdivision	The super lot subdivision is necessary to enable the remaining stages in the western precinct and retirement living site to be sold. These parcels could be sold to separate entities hence they are proposed as separate super lots.  Lot 6004 is the environment land that will be retained by Stockland until it is transferred to

PROPOSED MODIFICATION	REASON
	an appropriate Government agency.
Amend Part A – Schedule 1 A2 – Approval in Detail to update subclause (2) to reference to the updated Statement of Commitments.	There are also consequential changes to the approved Statement of Commitments which are detailed below.

Table 2: Proposed Amendments to Project approval MP06\_0058

PROPOSED MODIFICATION	REASON
Amend Part A –Schedule 3 – A1 – Table to <ul style="list-style-type: none"> <li>change the definition of the Proponent in the Table to “the person(s) carrying out the Approval”.</li> <li>change the Approval in Summary to include a reference to the 4 lot super lot subdivision</li> </ul>	For the same reasons as explained above.
Amend Part A – Schedule 1 – A2 – Approval in Detail to add a subclause (a1) to refer to a 4 lot super lot subdivision	<p>The super lot subdivision is necessary to enable the remaining stages in the western precinct and retirement living site to be sold. These parcels could be sold to separate entities hence they are proposed as separate super lots.</p> <p>Lot 6004 is the environment land that will be retained by Stockland until it is transferred to an appropriate Government agency.</p>

Table 3: Proposed Amendments to Statement of Commitments

PROPOSED MODIFICATION	REASON
Amend the Statement of Commitments to replace the word “Stockland” with “The Proponent” where necessary.	This is necessary because there will potentially be two entities acting upon the Approvals and implementing the Statement of Commitments. The updated Statement of Commitments at <b>Attachment 1</b> identifies where the changes have been made. The only commitments where Stockland will remain nominated as the proponent are Nos. 20, 21(a), 21(b), 25 and 59 as discussed at the end of this table.
Delete Statement of Commitment No. 15	This commitment requires a restrictive covenant on the title of each residential lot to require owners to submit plans for dwelling houses to Stockland Design House. If Stockland is not the owner of all of the land, then they should not retain a responsibility or role for checking plans.
Amend Statement of Commitment No 16(a)	This commitment is proposed to be amended to include a reference to the Eco Logical Bushfire Protection Assessment included within this modification application.



As noted in the table above some of the Commitments will retain Stockland as the proponent including the following:

- Commitments No. 20, 21(a) and 21(b) relate to weed, vegetation and fire management of the core environmental land. Stockland will retain ownership of this land until it is transferred to an appropriate Government authority. Stockland will therefore remain the responsible entity for this commitment. However, the commitments are all worded such that the implementation of the management plans will be vested with the landowner allowing for future changes in ownership.
- Commitment No. 25 relating to Stockland retaining ownership and maintenance responsibility for the environmental core land until it is transferred to an agreed entity to manage the land.
- Commitment No. 59 relating to the design and construction of the pedestrian crossing (as per Modification 13 approved on 9 April 2013). Stockland will remain the responsible entity for the delivery of the crossing.

A copy of the updated Statement of Commitments is provided at **Attachment 2**. The updated Statement of Commitments shows amendments as red text. The replacement of “Stockland” with “The Proponent” is not shown as red text as this occurs for almost all commitments other than Commitment No. 59 mentioned above. Previous amendments remain in black text.

#### 4.0 Bush Fire Assessment

Eco Logical has prepared a Bush Fire Protection Assessment for the super lot subdivision component of this application. A copy of this assessment is attached at **Attachment 3**.

The proposed super lots are within the existing Bayswood development which incorporates a number of bush fire protection measures. These existing measures will need to be formalised in an easement under Section 88b of the Conveyancing Act, 1919.

Eco Logical’s assessment identifies where asset protection zones (APZs) are to be provided for on the proposed lots.

The APZs will apply to protect the already existing lots. This reinforces the current arrangement of progressively providing APZs on adjacent land as each stage proceeds.

Statement of Commitment No. 16(a) is proposed to be amended to require APZs to be created in accordance with this latest Eco Logical Report.

#### 5.0 Consultation with Shoalhaven Council and Shoalwater

Cardno has forwarded the draft plan of subdivision to Shoalhaven Council and Shoalwater inviting comments from both authorities. Copies of the correspondence are attached at **Attachment 4**. Council’s comments are summarised below:

- Council has asked for a splay corner to be incorporated into proposed Lot 6002 at the intersection of Moona Creek Road. The draft plan of subdivision has incorporated the splay corner.
- Council has asked which stage will incorporate Moona Creek Road. Cardno has responded by explaining that the construction of Moona Creek Road would remain as per current commitments and no amendments arise as a result of the proposed Modification.
- Shoalwater has advised that the conditions contained in the current Notice for the subdivision (SF9786) will continue to apply. They note that both water and sewerage



assets exist and can be further extended to service the super lots identified for further development, and therefore the creation of the 4 super lots will not impact on the development of the subdivision. Shoalhaven Water also advises that Section 64 contributions for water supply and sewerage services of 1 equivalent tenement is payable and a fee towards one 1 metered service is also payable. These can be imposed as conditions of approval.

- Shoalhaven Water has also provided advice regarding the need for a sewage pumping station to support the further subdivision of lot 6003. The approved subdivision layout for this super lot has already made allowances for the sewage pumping station.

Council has also advised that it would be appropriate to lodge the modification and Council will provide a comment to the Department during the exhibition period.

## **6.0 Consistency with the Concept Plan and Project Approvals**

The proposed modifications do not alter the approved development, but amend the Approvals to allow for more than one proponent to act on the approvals. In our opinion the modification remains consistent with the Concept Plan/Project Approval. The intent of the conditions and commitments is unchanged with the proposed amendments.

The only modification that amends the terms of the Approvals is the deletion of Commitment No. 15 relating to house plans being submitted to Stockland Design House prior to lodging a DA or Complying Development Certificate. It would be unreasonable for Stockland to retain a design role when they are not the developer of those stages that are sold. It would also be confusing to future home owners if they were still required to submit plans to Stockland. The Design Guidelines prepared by Stockland would still be relevant and referenced in the restrictive covenants required under Commitment No. 14. The Design Guidelines would still exist for the remainder of the Project carried out by others and could be used in the same manner as any design controls contained in a development control plan.

## **7.0 Summary and Conclusion**

The proposed modification to the Concept Plan and Project approvals is submitted in accordance with the now repealed provisions of section 75W of the Act to request that the Minister modify the Approvals and Statement of Commitments forming part of the Concept Plan Approval (MP 06\_0060) and the Project Approval (MP06\_0058).

The proposal involves the modification of the Approvals and Statement of Commitments to ensure that they are appropriate when the remaining stages of the Project are sold to another entity. This ensures that Stockland can transfer land to another entity and is not named in the Approvals as the sole entity responsible for complying with the conditions or commitments for a component of the Project they are not carrying out.

The proposed modifications are considered to retain consistency with the original approvals.



We therefore recommend that Approvals are amended as set out in this letter. Should you have any questions in relation to this application please do not hesitate to contact David Kettle on 9980 6933.

Yours faithfully

**DON FOX PLANNING PTY LIMITED**

A handwritten signature in black ink, appearing to read 'D. Kettle', written over a horizontal line.

**DAVID KETTLE**  
**DIRECTOR**

[dkettle@donfoxplanning.com.au](mailto:dkettle@donfoxplanning.com.au)

**Reviewed:** \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'E. R. H.', written over a horizontal line.

Attachments:	1	Draft Plan of Subdivision
	2	Updated Statement of Commitments
	3	Bush Fire Protection Assessment
	4	Copies of correspondence between Cardno and Shoalhaven Council



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# ATTACHMENT I







WARNING

This is an advance copy of the plan of survey.  
This plan has not been certified by Council nor has it been registered by the Land Titles Office.  
No liability for information shown hereon is accepted as the plan is likely to be subject to minor changes.  
This plan may not be copied unless this note is included.

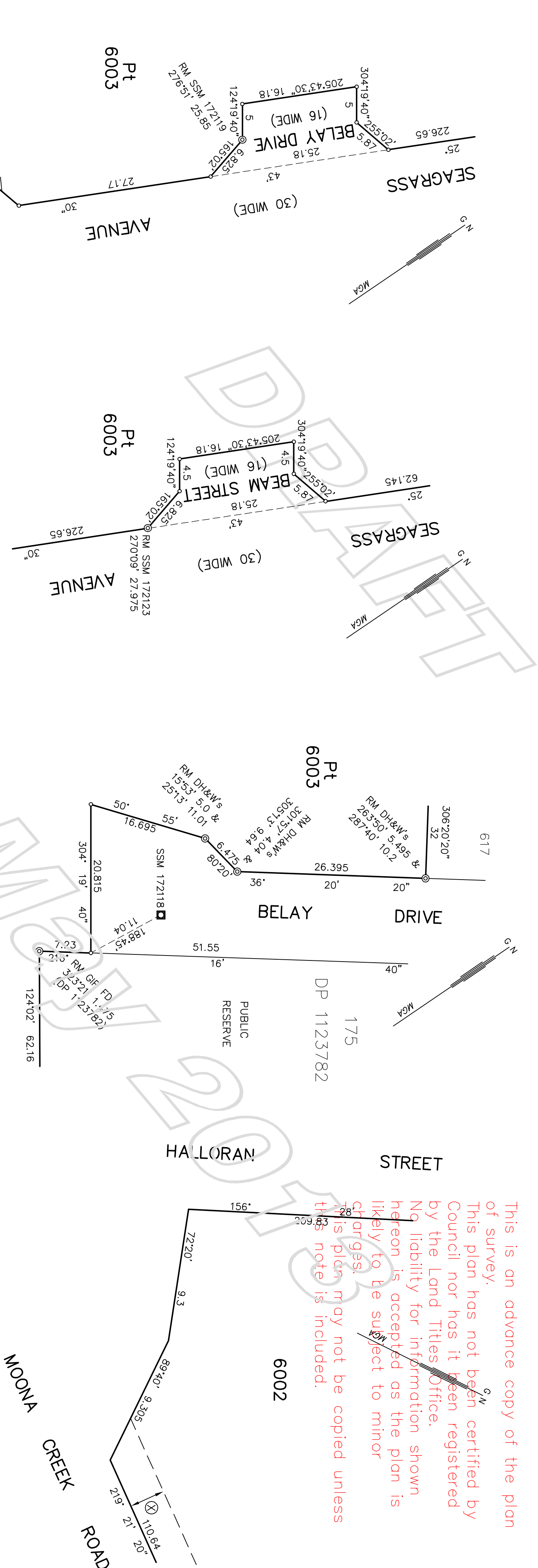


DIAGRAM E

REDUCTION RATIO 1:100

DIAGRAM F

REDUCTION RATIO 1:400

DIAGRAM G

REDUCTION RATIO 1:200

DIAGRAM E

REDUCTION RATIO 1:100

- Ⓟ EASEMENT FOR TRANSMISSION LINE  
18.29 WIDE (WIDE DEALING D36543)
- Ⓟ EASEMENT FOR UNDERGROUND CABLES 3 WIDE  
(WIDE DP 1123782)
- ⓧ EASEMENT FOR SEWER MAIN 2.5 WIDE (WIDE DP 1141763)

Surveyor: ANTHONY R AULSEBROOK	SUBDIVISION OF LOT 600 DP 1171256	LGA: SHOALHAVEN	Registered	
Date of Survey:		Locality: VINCENTIA		
Surveyor's Ref: 24087-EZ		Subdivision No:	Lengths are in metres. Reduction Ratio 1: 4000	

## DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 Sheet(s)

<p>Registered:</p> <p>Title System:</p> <p>Purpose:</p>	<p>Office Use Only</p>																					
<p>PLAN OF</p> <p><b>SUBDIVISION OF LOT 600 DP 1171256</b></p>	<p>LGA: SHOALHAVEN</p> <p>Locality: VINCENTIA</p> <p>Parish: BHERWERRE</p> <p>County: ST. VINCENT</p>																					
<p><b>Crown Lands NSW/Western Lands Office Approval</b></p> <p>I, _____ (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.</p> <p>Signature:</p> <p>Date:</p> <p>File Number:</p> <p>Office:</p>	<p><b>Survey Certificate</b></p> <p>I, ANTHONY R AULSEBROOK of ALLEN, PRICE &amp; ASSOCIATES a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that:</p> <p><del>*(a) The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2012, is accurate and the survey was completed on _____</del></p> <p><del>*(b) The part of the land shown in the plan (*being/*excluding ^) was surveyed in accordance with the Surveying and Spatial Information Regulation 2012, is accurate and the survey was completed on _____ the part not surveyed was compiled in accordance with that Regulation.</del></p> <p><del>*(c) The land shown in this plan was compiled in accordance with the Surveying and Spatial Information Regulation 2012.</del></p> <p>Signature: _____ Dated: _____</p> <p>Surveyor ID: 2761</p> <p>Datum Line: "X" – "Y"</p> <p>Type: *Urban/*Rural</p> <p>The terrain is *Level-Undulating / *Steep-Mountainous.</p> <p>*Strike through if inapplicable.</p> <p>^Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.</p>																					
<p><b>Subdivision Certificate</b></p> <p>I, _____ *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> <p>Signature:</p> <p>Accreditation number:</p> <p>Consent Authority:</p> <p>Date of endorsement:</p> <p>Subdivision Certificate number:</p> <p>File number:</p> <p>*Strike through if inapplicable.</p>	<p><b>Plans used in the preparation of survey/compilation</b></p> <table border="0"> <tr> <td>DP 647048</td> <td>DP 1138189</td> <td>R15040–1603</td> </tr> <tr> <td>DP 862697</td> <td>DP 1141762</td> <td></td> </tr> <tr> <td>DP 874040</td> <td>DP 1141763</td> <td></td> </tr> <tr> <td>DP 877477</td> <td>DP 1154465</td> <td></td> </tr> <tr> <td>DP 1022286</td> <td>DP 1170950</td> <td></td> </tr> <tr> <td>DP 1118806</td> <td>DP 1171256</td> <td></td> </tr> <tr> <td>DP 1123782</td> <td>DP 1183960</td> <td></td> </tr> </table> <p>If space is insufficient continue on PLAN FORM 6A</p>	DP 647048	DP 1138189	R15040–1603	DP 862697	DP 1141762		DP 874040	DP 1141763		DP 877477	DP 1154465		DP 1022286	DP 1170950		DP 1118806	DP 1171256		DP 1123782	DP 1183960	
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DP 1022286	DP 1170950																					
DP 1118806	DP 1171256																					
DP 1123782	DP 1183960																					
<p>Statements of intention to dedicate public roads, public reserves and drainage reserves.</p> <p>Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A</p>	<p>Surveyor's Reference: <b>24087–EZ</b></p>																					

## DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 Sheet(s)

Office Use Only

Office Use Only

Registered:

PLAN OF

**SUBDIVISION OF  
LOT 600 DP 1171256**

Subdivision Certificate number:

Date of endorsement:

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2012*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*

Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

**WARNING**

This is an advance copy of the plan of survey.

This plan has not been certified by Council nor has it been registered by the Land Titles Office.

No liability for information shown hereon is accepted as the plan is likely to be subject to minor changes.

This plan may not be copied unless this note is included.

STREET ADDRESSES OF THE LOTS ARE NOT AVAILABLE

EXECUTED BY STOCKLAND DEVELOPMENT PTY LIMITED

If space is insufficient use additional annexure sheet

Surveyor's Reference: 24087-EZ



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# ATTACHMENT 2



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## CONCEPT PLAN FOR VINCENTIA COASTAL VILLAGE AND PROJECT APPLICATION FOR 604 LOT SUBDIVISION

### MAJOR PROJECTS MP 06\_0060 & MP 06\_0058



#### AMENDED STATEMENT OF COMMITMENTS

Prepared by: Stockland Developments Pty Ltd  
Date: December 2006

Amendments by: Don Fox Planning Pty Ltd  
On behalf of: Stockland Developments Pty Ltd  
Date: August 2007

Amendments by: Don Fox Planning Pty Ltd  
On behalf of: Stockland Developments Pty Ltd  
Date: November 2007

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: February 2011

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: February 2011

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: March 2012

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: February 2013

Amendments by: Don Fox Planning  
On behalf of: Stockland Developments Pty Ltd  
Date: May 2013





Printed: May 29, 2013  
File Name: P:\PROJECTS\6376B Vincentia Complying Development\Reports\6376B\_updated 4 April 2013\_proposed Mod 14.doc  
Project Manager: David Kettle  
Client: Stockland Development Pty Ltd  
Project Number: 6376B

## Document history and status

Version	Issued To	Qty	Date	Reviewed
Draft	Project Manager	1	26/10/07	David Kettle
Draft	Stockland	1 pdf	26/10/07	David Kettle
Draft	Project Manager	1	30/10/07	Paul Grech
Draft	Department of Planning	1 pdf	31/10/07	David Kettle
Final	Department of Planning Stockland	5 1	19/11/07	David Kettle
Final	Department of Planning Stockland Cardno	1-e 1-e 1-e	1/2/2011	David Kettle
Final	Dept of Planning & Infrastructure Stockland	1-e 1-e	14/3/2012	David Kettle
Final	Dept of Planning & Infrastructure Stockland	1-e	20/2/2013	David Kettle
Final	DoPI and Stockland	1-e	29/05/2013	David Kettle

## 1. REVISED STATEMENT OF COMMITMENTS

Table 1 sets out the statement of commitments including proposed and previously approved amendments.

**Table 1 Statement of Commitments**

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
1	Scope of Development	The Proponent will carry out the development in accordance with the Environmental Assessment report prepared by ERM January 2006, plans in the Appendix of the EAR and supporting reports, except where amended by other items of this Statement of Commitments.	The Proponent	For the duration of subdivision	
2	Statutory Requirements	<p>The Proponent will obtain and maintain the following licences, permits and approvals for the residential subdivision:</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) for each stage of the subdivision;</li> <li>• Construction Certificates for the Display Village within Stage 1;</li> <li>• Subdivision Certificates for each residential stage;</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>	The Proponent	Prior to the construction and registration of each stage within the development, and as required from time to time.	Amended 8 October 2007
3	Conveyancing	The Proponent will prepare a final plan of subdivision and Section 88B instrument for each stage of the development. The Section 88B Instrument will provide easements for utility services that encroach onto private land or public reserves, and APZs on private land. The Section 88B instrument will require bushfire fuel management of the APZ on private allotments.	The Proponent	Prior to the registration of allotment within each stage of the development.	Amended s.75W Modification 9

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		<p>The Proponent will also register Section 88B instruments for easements over the following lots</p> <ul style="list-style-type: none"> <li>• Lots 601 to 610 and 1001 to 1011 adjoining Naval College Road to require future owners to protect the integrity of the acoustic fence structure and earth batter, or a retaining wall if constructed by future owners.</li> <li>• Lots. 601 to 610 and 1001 to 1011 adjoining Naval College Road to prevent vehicular access to these lots being obtained from the southern boundary</li> <li>• Lots 610 and 1001 to prevent vehicular access being obtained over the western and eastern boundary, respectively.</li> </ul>			
4	Public Open space	Areas to be dedicated as public reserves will be embellished by The Proponent in accordance with the principles of the landscape masterplan and documented in the detailed landscape design plans to be approved by Shoalhaven Council as part of the Construction Certificate.	The Proponent and Shoalhaven City Council	Prior to release of Construction Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
5		The Proponent will provide additional <i>Allocasuarina Littoralis</i> trees as part of the detailed landscape design plans to provide feeding habitat for the glossy black cockatoo.	The Proponent	Prior to release of Construction Certificate by the Shoalhaven City Council or accredited certifier for the relevant stage.	
6		The Proponent will recycle timber as mulch throughout the landscape strategy.	The Proponent		
7		A landscaping plan will be prepared and implemented generally in accordance with the landscape masterplan prepared by Clouston Associates and include the use of local provenance trees and, <i>Allocasuarina Littoralis</i> as detailed in the landscape masterplan.	The Proponent	Prior to the construction of each stage of the subdivision.	
8 (a)	Public Open Space Management and Maintenance	The Proponent will remain responsible for the maintenance of public open space containing water sensitive urban design structure (WSUD) and bushfire asset protection zones (APZs) where they occupy the same area, for 3 years for each stage containing the WSUD structures. The WSUD infrastructure will be located within the public road reserve and thus will be dedicated as public land at nil cost to Council upon registration of the linen plan.	The Proponent	To be maintained by The Proponent for 3 years for each stage containing the WSUD.	
8(b)		The APZ with in the roads widening zone along Naval College Road will be dedicated to Shoalhaven City Council.	The Proponent and Shoalhaven City Council	Prior to the release of the Construction Certificate by the Shoalhaven City Council or accredited certifier for Stage 1.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
8(c)		The Proponent will test the WSUD devices prior to handover of maintenance responsibility to Shoalhaven City Council to confirm that they are operating in accordance with the design. If the tests indicate that maintenance is required, The Proponent will undertake the necessary remedial action to ensure at its cost that the WSUD devices are operating in accordance with the design.		Prior to handover of maintenance responsibility to the Shoalhaven City Council	
9	Tree Management	The Proponent will identify on engineering plans submitted with the Construction Certificate Application all trees to be retained within the proposed public roads and reserves with the development. The Proponent will provide an arborist report for the trees to be retained near public and private assets which identifies the species and condition of the tree and any remedial works required to render the tree appropriate for retention in the urban environment. All trees that are unsuitable for retention or are unable to be retained due to the provision of services and infrastructure will be removed and mulched on site.	The Proponent	Prior to the release of the Construction Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
10	Construction	<p>The Proponent 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> <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>	The Proponent	Prior to the commencement of construction of stage 1, and updated prior to the commencement of construction for each stage of the subdivision.	
11		The Proponent will repair any defective workmanship in each stage of the residential subdivision for a defects liability period of 12 months from the date of registration of the final plan of subdivision for that stage.	The Proponent	For a period of 12 months from the date of registration of the final plan of subdivision for each stage.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
12		The Proponent will prepare work as executed plans for construction work in each stage and provide such plans to Shoalhaven City Council.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
13		The Proponent 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.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
14	Design	Design Guidelines will be prepared by The Proponent and implemented for the residential lots through the use of a restrictive covenant on the titles to the lots. The Design Guidelines will be generally in accordance with the attached Design Guidelines and specify: <ul style="list-style-type: none"> <li>• building setbacks;</li> <li>• APZ setbacks where necessary;</li> <li>• architectural form;</li> <li>• architectural detail;</li> <li>• landscape design.</li> </ul>	The Proponent	Prior to the release of the Construction Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amended November 2007  Amended Modification 12
<del>15</del>		<del>Stockland will create a restrictive covenant on the title of each residential lot which will require owners to submit plans for dwelling houses to the Stockland Design House to demonstrate compliance with the Design Guidelines before lodging a Development Application with Shoalhaven City Council or obtaining a Complying Development Certificate. The instrument will identify both Stockland and Shoalhaven City Council as a benefiting party.</del>	<del>Stockland</del>	<del>Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.</del>	<del>Amendment proposed November 2007</del>  <del>Amendment proposed Modification 12</del>  <del>Deletion proposed Modification No. 14</del>
15(a)		The Proponent will create a restrictive covenant on the title of certain residential lots to identify lots that have zero lot lines. <ul style="list-style-type: none"> <li>• lots that have a primary building line, secondary building line, or rear setback that differs from the respective controls stipulated in the Complying Development Controls</li> </ul> The instrument will identify both The Proponent and Shoalhaven City Council as a benefiting party.		Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amendment approved November 2007  Amended Modification 12



Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
15(b)		<del>Stockland will create a restrictive covenant on the title of all residential lots to require dwellings to be generally consistent with the Design Guidelines prepared by Stockland with both Stockland and Shoalhaven City Council identified in the instrument as a benefiting party</del>		<del>Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.</del>	<del>Amendment proposed November 2007</del>  Deletion proposed Modification 12
16(a)	Fire Management	<p>The Proponent will establish Asset Protect Zones (APZs) in accordance with:</p> <ul style="list-style-type: none"> <li>i. the Bushfire Assessment, January 2006, prepared by Bushfire and Environmental Services Pty Ltd and as per the modified Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) as part of the nominated residential allotments for maintenance by lot owner;</li> <li>ii. the APZ and AS3959 Construction Standard plans prepared by Eco Logical Australia attached to their letter dated 30 November 2010 in relation to lots 321-334 in Stage 3 of the Central Precinct; <u>and the lots adjacent to Naval College Road in the Western Precinct.</u></li> <li>iii. <u>The Bushfire Protection Assessment dated 29 May 2013 and prepared by Eco Logical Australia</u></li> </ul> <p>APZ within the public open space containing WSUD will be dedicated to Shoalhaven City Council, as part of the WSUD infrastructure.</p> <p>Only fire retardant, low maintenance species which have limited growth height at maturity will be planted in the APZs.</p>	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amended s.75W Modification 9 & 10  Amendment proposed in Modification No. 14
16(b)		The APZ for the adaptable housing area is to be determined as part of any future project approval application.	The Proponent	As part of the project approval application for the adaptable housing area	
17		The Proponent will install fire hydrants in accordance with Australian Standard S2419.1-1994. Hydrants will be made accessible and located so that a tanker can park within a distance serviceable by a 20 metres hose and that all houses are within 70 metres of a hydrant	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
18		Fuel management within the Asset Protection Zones and Asset Protection Zones maintenance plans will be in accordance with Bushfire Assessment, January 2006, prepared by Bushfire and Environmental Services Pty Ltd and as per the modified Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) as part of the nominated residential allotments.	The Proponent and Shoalhaven City Council	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
19	Ecological Management	The Proponent will introduce a covenant on the titles to the lots that stipulates the banning of all cats from the development	The Proponent and future land owners	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
20	<b>ENVIRONMENTAL CORE LAND</b>	<p><b>Weed Management</b></p> <p>Stockland will prepare a weed management plan for the core environment area that addresses:</p> <ul style="list-style-type: none"> <li>• a resident education strategy;</li> <li>• identification of invasive weeds;</li> <li>• monitoring of exotic plant distribution and effectiveness of management controls, particularly adjacent to the Jervis Bay National Park.</li> </ul>	<p>Stockland in consultation with DEC.</p> <p>Responsibility for implementing the weed management plan will be vested with the landowner.</p>	<p>Within six months of the release of the subdivision certificate for stage 1.</p>	
21	<b>Vegetation Management</b>	<p>Stockland will prepare a vegetation management plan for land in the core environment area that addresses monitoring of:</p> <ul style="list-style-type: none"> <li>• rare and threatened communities and species;</li> <li>• threatening processes associated with changed in habitat conditions.</li> </ul> <p>The vegetation management plan will include a movement management plan which addresses the design, type, location, management and restriction of access through the land in the core environment area.</p>	<p>Stockland in consultation with DEC</p> <p>Responsibility for implementing the vegetation management plan will be vested with the landowner and annual monitoring shall be reported to DEC.</p>	<p>Within six months of the release of the subdivision certificate for stage 1.</p> <p>Annual monitoring shall occur for a period of 5 years from the completion of the vegetation management plan.</p>	
21(b)		Stockland will prepare a fire management plan for the environmental core land.	<p>Stockland in consultation with DEC and the RFS</p> <p>Responsibility for implementing the fire management plan will be vested</p>	Within 6 months of release of subdivision certificate for stage 1.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
			with the landowner.		
22		The Proponent will prepare an Asset Management Plan for public open space (including public reserves, WSUD and APZs) that will be dedicated to the Shoalhaven City Council.	The Proponent in consultation with the Shoalhaven City Council	Prior to dedication of open space to the Shoalhaven City Council.	
23		The Proponent will fence the interface boundary between the environmental lands and the outer edge of the APZ with a fence of post and wire construction to the height of an Australian Standard pool rated fence. The fence will be constructed stage by stage.	The Proponent	The fencing to be completed within six months of the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
24		The Proponent will provide temporary fencing around each stage of development until the adjacent stage has been developed.	The Proponent	During construction of the stage of development, and will remain in place until the adjacent stage has been developed.	
25		Stockland will retain ownership and maintenance responsibility for the environmental core land under its current zoning 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.	Stockland	Upon commencement of work on the site, with the appropriate entity being identified prior to the completion of the project.	
26		The Proponent will prepare and implement restoration for the scald area within the Jervis Bay Orchid habitat north of the District Town Centre, in consultation with DEC and relocate the existing Bay and Basin Leisure Centre access as part of the future approval of the village east area.  A 25 metres buffer will be provided from the identified Jervis Bay Leek Orchids as shown on Drawing No 104016-71-SK 01_P0 prepared by Forbes Rigby Pty Ltd.	The Proponent in consultation with DEC	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier that creates the core environment land.	
27		The Proponent will provide flora and fauna interpretive signage along the boundary of the residential subdivision and the environmental core land.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council for the final stage.	
28	Flooding	The Proponent will create flood free building envelopes for all residential allotments in the subdivision.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council for each stage	
29		The Proponent will provide safe vehicular ingress and egress for all residential allotments in the 1% AEP flood event.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council for each stage	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
30	Water Supply and Quality Management	The Proponent will design and install water quality control measures in accordance with the principles of the Water Sensitive Urban Design Study report prepared by Forbes Rigby, January, 2006 and modified in accordance with the attached Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) and Construction Certificate Plans and include: Bio retention swales, detention ponds and artificial wetlands to be located in the APZ and Gross Pollutant traps.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	
31		The Proponent will collaborate with the Shoalhaven City Council to establish the agreed detailed design of the WSUD and maintenance thereof.	The Proponent in consultation with the Shoalhaven City Council	During the detailed design of the WSUD, and to be agreed prior to the transfer of the infrastructure in accordance with item number 8 above.	
32		The Proponent will prepare a soil and water management plan to control run off during construction in accordance with the principles of the Water Sensitive Urban Design Study report prepared by Forbes Rigby, January, 2006 and modified in accordance with the attached Cardno Forbes Rigby plan (Drawing SK08 Rev P1 and SK18 Rev P3) the Landcom publication Managing Urban Stormwater (MUS): Soils and Construction Volume 1, 4 <sup>th</sup> Edition, approved Construction Certificate Plans and DCP100.	The Proponent in consultation with the Shoalhaven City Council	Prior to the release of the Construction Certificate by Shoalhaven City Council or accredited certifier for each stage.	
33(a)		The Proponent will remain responsible for the maintenance of public open space containing water sensitive urban design structure (WSUD) measures for 3 years for each stage containing the structures. At that time testing will be conducted to confirm the infrastructure is operating in accordance with the design. When confirmed the maintenance of stormwater quality control measures will be transferred to the Shoalhaven City Council.	The Proponent	To be maintained by The Proponent for 3 years for each stage.	
33(b)		The Proponent will test the WSUD devices prior to handover of maintenance responsibility to Shoalhaven City Council to confirm that they are operating in accordance with the design. If the tests indicate that maintenance is required, The Proponent will undertake the necessary remedial action to ensure at its cost that the WSUD devices are operating in accordance with the design.		Prior to handover of maintenance responsibility to the Shoalhaven City Council	
34		The Proponent will contribute \$150,000 to the Shoalhaven City Council for the future maintenance of the WSUD devices.	The Proponent	To be made at the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for the first residential stage	
35	Social	The Proponent will prepare a community development program which	Stockland	Prior to the sale of residential lots in	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		will include: <ul style="list-style-type: none"> <li>welcome initiatives for residents of the subdivision and provide local information;</li> <li>consultation with the new community in regards to planning and development of future stages;</li> <li>opportunities for resident involvement in environmental restoration and maintenance initiatives;</li> <li>a Feral and Domestic Animal Management Plan that includes a resident education strategy to recognise the importance of dogs being kept on a lead and out of conservation areas</li> <li>community education in regards to recycling initiatives</li> </ul>		stage 1.	
36	Cultural Heritage	The Proponent will ensure all artefacts retrieved during the excavations of Site #58-2-0392 and Site #58-2-0393 will be retained in consultation with the Jerrinja community.	The Proponent in consultation with the Jerrinja	During construction of any stage of the development.	
37		The Proponent will inform the Jerrinja Local Aboriginal Land Council of progress of the development.	The Proponent	Ongoing through the construction of the subdivision.	
38		The Proponent will engage the local community and facilitate employment opportunities where possible between contractors and Jerrinja Aboriginal community.	The Proponent	Ongoing through the construction of the subdivision.	
	Infrastructure	<b>Reticulated Services</b>			
39		The Proponent will provide reticulated water supply, sewerage and underground electricity to each residential lot.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
40		The Proponent will provide a reticulated water connection to each public reserve.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
41		The Proponent will relocate existing high voltage electricity cables parallel to Naval College Road where they conflict with the development footprint.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
42		The Proponent will relocate existing high voltage electricity cables along Moona Creek Road where they conflict with the proposed road realignment.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	



Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
43		The Proponent will provide for infrastructure services generally in accordance with Drawing Number 4105 rev 2 Electricity, Telecommunications and Interallotment Drainage Concept Plan, Drawing Number 4103 rev 2 Sewer Reticulation Concept Plan and Drawing number 4104 rev 2 Water Reticulation Concept Plan prepared by Forbes Rigby Pty Ltd.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
44		The Proponent will relocate the existing sewerage rising main and treated effluent transfer main where they conflict with the development footprint.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
45		The Proponent will provide a minor system street drainage network designed to accommodate the 20% AEP storm event in accordance with design plans approved in the Construction Certificate.	The Proponent in consultation with the Shoalhaven City Council	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
46		The Proponent will provide a major system street drainage network designed to accommodate the 1% AEP storm event in accordance with design plans in the Construction Certificate.	The Proponent in consultation with the Shoalhaven City Council	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier or each stage.	
47		The Proponent will bear the cost of the relocation of utility services required as a result of construction of the development.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
<b>Roads</b>					
48a		The Proponent will complete an initial concept design for all works (Naval College Road and The Wool Road) including all paths / cycleway works.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 1.	
48b		The full suite of road design for all works (Naval College Road and The Wool Road) including all path / cycleway works must be completed and approved by Shoalhaven City Council prior to the occupation of Stage 1 of the District Centre.	The Proponent	Prior to occupation of Stage 1 of the District Centre	
48c		The Proponent will design and construct signalised intersection of The Wool Road, the access road to the Bay and Basin Leisure Centre and the access to the Vincentia High School.	The Proponent	Prior to the occupation of the first stage of the District Town Centre or prior to the construction certificate of village east, which ever is first.	
49		The Proponent will design and upgrade The Wool Road to four lanes from the intersection with the access road to the Bay and Basin Leisure Centre and the access to the Vincentia High School to Naval College	The Proponent	Prior to the occupation of the first stage of the District Town Centre.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		Road.			
50		The Proponent will remove the existing pavement from the current access to the Bay and Basin leisure centre and rehabilitate.	The Proponent	At the completion of the construction of item 49C	
51		The Proponent will design and upgrade the roundabout at the Naval College Road and the Wool Road intersection to two lanes.	The Proponent	Prior to the occupation of the first stage of the District Town Centre.	
52		The Proponent will provide a proportional contribution towards the upgrade of the Wool Road southwest of Naval College Road where it can be demonstrated by traffic counts together with projected traffic from the following stage that the district centre has or is likely to affect traffic volumes to the point where a level of service D cannot be achieved. Traffic volumes to be measured at a point approx 500m west of the Naval College Road/Wool Rd roundabout and between the proposed school and the roundabout on the Wool Rd.	The Proponent	To be assessed at each stage of the District Town Centre.	
53		The Proponent will design and construct a roundabout with a non mountable central island intersection at Access A along Naval College Road to AUSTROADS standards, including approach and departure lanes.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 9 (shown as Stage 6 in the Western Village on the Proposed Staging Plan, Drawing 4107, Rev 15 prepared by Cardno).  Refer also to commitment 80.	Amended s.75W Modification 9
54		The Proponent will design and construct the 80km/hr full channelised stop-sign controlled intersection at Access B along Naval College Road to AUSTROADS standards, including approach and departure lanes ensuring that adequate sight distance is provided, which may require realignment of Naval College Road. Appropriate signage is to be installed north of intersection A to forewarn of the changed traffic conditions and intersection at B. Once intersection A is constructed the above signage can be removed.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 1.	
55		The Proponent will design and construct a roundabout with non mountable central island intersection at Access C along Naval College Road to AUSTROADS standards, including approach and departure lanes.	The Proponent	Prior to the occupation of the first stage of the District Town Centre or residential stage 6 whichever is sooner.	
56		The Proponent will design and construct the signalised intersection at Access D along The Wool Road, including the approach and departure	The Proponent	Prior to the occupation of the first stage of the District Town Centre.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		lanes.			
57		The Proponent will design and upgrade Naval College Road between The Wool Road intersection and Access C to four lanes, including road widening for setbacks.	The Proponent	Prior to the occupation of the first stage of the District Town Centre.	
58a		The Proponent will design, realign and upgrade Naval College Road between Access C and Access B to two lanes and 80km/hr AUSTROAD standards.	The Proponent	In conjunction with provision of access C (item 56).	
58b		The Proponent will design, realign and upgrade Naval College Road between Access B and Access A to two lanes and 80km/hr AUSTROAD standards.	The Proponent	In conjunction with provision of access A (item 54).	
59		Stockland will design and construct the Naval College Road pedestrian/ <del>cycleway underpass</del> mid-block signalised pedestrian crossing with a 50% contribution from Council as Section 94 offset in accordance with Appendix B of the Don Fox Planning Report: Review of Developer Contributions and Associated Works Proposed Residential and Commercial Development Vincentia District Centre, February 2006 and as modified in October 2006 as part of the Preferred Project Report.	Stockland	Prior to the occupation of the first stage of the District Town Centre.	Amended s.75W Modification 13 on 9 April 2013
60		The Proponent will design and upgrade the existing track between the northern end of the newly formed Moona Creek Road within the site and the western end of the existing formation of Berry Street as a shared footpath / cycleway. The upgrade will include regrading the existing vehicular track, formalising table drains and minor relief drainage, trimming of vegetation as necessary and construction of a 2 metre wide bitumen pavement.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for stage 4.	
61		The Proponent will relocate existing unformed public roads to suit the subdivision layout at nil cost and nil compensation to state or local government. The Proponent fund all of the cost related to the road closures.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for the affected stage.	
62		The Proponent will design and construct flexible road pavements in accordance with the Australian Road Research Board design criteria and Shoalhaven City Council DCP 100.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
63		The Proponent will design and construct rigid road pavements in accordance with the Cement and Concrete Association design guidelines.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
64		The Proponent will ensure that the AUSTROADS Design Service	The Proponent	Prior to the release of the	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		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.		Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
65		<p>The Proponent will design and construct foot and cycle paths as documented in the EAR including:</p> <ul style="list-style-type: none"> <li>continuing the shared foot and cycle path network to connect with the proposed underpass at Naval College Road and the existing pedestrian network including a safe crossing facility across The Wool Road;</li> <li>Shared foot and cycle paths to all be at a width of 2.0m;</li> <li>Main east – west footpath to the District Centre from residential stages 6 &amp; 8 to be a shared foot and cycle path at a width of 2.0m.</li> </ul>	The Proponent	<p>Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.</p>	
66		The Proponent will provide parking bays within the road reserve of the ridge and connector roads at a rate of one per two dwellings.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
67		The Proponent will provide street signs for each new public road in accordance with the requirements of the Shoalhaven City Council.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
68	Geotechnical	<del>Stockland 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.</del>	Stockland	<del>Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.</del>	Condition A6 of the Project Approval prevails. Refer Modification 5 approved 20 April 2009
69	Staging	The Proponent will construct the subdivision in accordance with the Proposed Staging Plan prepared by Forbes Rigby, 2006 or as otherwise approved in Construction Certificate plans approved by Shoalhaven City Council or accredited certifier.	The Proponent	For all stages of the development.	
70		The Proponent commits to construct stage 1 of the District Town Centre in accordance with the staging plan submitted as part of the preferred project (drawing Number A009 dated 24 May 2006) or as otherwise approved by consent in the project approval for the development.	The Proponent	Submission of Project Approval Application	
71		The Proponent commits to submitting a project approval application for	The Proponent	Submission of Project Approval	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		adaptable housing within 12 months of obtaining Concept approval for adaptable housing, should it be determined appropriate.		Application	
72	Monitoring	The Proponent 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 registration of the final subdivision plan for the final stage that drains into the monitoring location.	The Proponent	For a period of three years following the registration of the final plan of subdivision for each stage.	
73		The Proponent will undertake a weed monitoring program in accordance with the Weed Management Plan during the maintenance period.	The Proponent	For a period of two years following the registration of the final plan of subdivision for each stage.	
74	Developer Contributions	The Proponent will pay Section 94 developer contributions in accordance with Appendix B of the Don Fox Planning Report: Review of Developer Contributions and Associated Works Proposed Residential and Commercial Development Vincentia District Centre, February 2006, and as modified in October 2006 as part of the Preferred Project Report which forms part of the EAR on a "per ET" basis for each stage of the residential subdivision at the rate applicable at the time of payment, except for project 03 CFAC 0003 (Amendment 67 – Bay & Basin Recreation & Cultural Hall) which is a fixed amount of \$3,656 that would then fully recoup the developer share for that whole project.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage of the residential subdivision and the Construction Certificate for each stage of the District Town Centre.	
75		The Proponent will pay Section 64 water and sewer developer contributions in accordance with the development servicing plan applicable at the time of payment.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
76	Display village	<p>The Proponent will design, construct and operate a housing display village in Stage 1 of the residential subdivision.</p> <ul style="list-style-type: none"> <li>The design and siting of the display village will conform with the following: <ul style="list-style-type: none"> <li>The display village will be confined to proposed Lots 110 to 121.</li> <li>Be generally consistent with the display village Concept Plan prepared by Annand Alcock Urban Design included as Part 4 Annexure B of the Preferred Project Report.</li> <li>Each of the display homes are capable of complying with all requirements of the Concept Plan and Project Approval prior to registration of the allotments and occupation for</li> </ul> </li> </ul>	The Proponent	As soon as practicable, coordinated so that operation commences after suitable vehicular access is established. The operation of the display village will continue until such time as market conditions do not warrant such a village, or a maximum of 24 months after the registration of the final stage of the residential subdivision development.	Amended 8 October 2007



Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		<p>residential purposes.</p> <ul style="list-style-type: none"> <li>○ All display homes will comply with the built form controls and design guidelines contained in Part 4 Annexure B of the Preferred Project Report, except the requirement for a rainwater tank.</li> <li>○ The total display office area will be contained within a maximum of one storey in height, will not exceed 100m<sup>2</sup> in gross floor area, and will be generally consistent with the Sales Centre Plans prepared by Stockland Property Trust dated 1 February 2004, Drawing No. 0803.00 05-07 and Martins Design Pty Ltd dated 1-3-04.</li> <li>○ The provision of a minimum of 26 car parking spaces inclusive of one space for persons with a disability, suitably sealed and marked, and compliant with AS2890(2002).</li> <li>○ The provision of utility services adequate for the operation of the display village inclusive of amenities for sales staff and customers, with provision to ensure full services can be connected to all lots prior to registration.</li> <li>○ Final plans, demonstrating compliance with the above requirements, together with a signage plan and landscape plan, shall be prepared and certified to be in accordance with the requirements of the Concept Plan and Project Approvals by a person authorized to issue a complying development certificate for housing in the Shoalhaven Local Government Area, prior to the issue of a Construction Certificate.</li> </ul> <ul style="list-style-type: none"> <li>• Vehicular access to the display village will be established within the proposed public roads connecting to Naval College Road prior to commencement of operations.</li> <li>• The hours of operation of the display village will be limited to 9am to 5pm, Monday to Sunday.</li> <li>• No display home will be occupied for residential purposes until after the cessation of the operation of the display village and registration of the lots and issue of Occupation Certificates.</li> <li>• All display homes shall be subject to works to ensure compliance as required for use as a dwelling-house prior to occupation.</li> <li>• The display office, car parking and any associated works not relevant to the long term residential occupation of the site will be decommissioned and works undertaken as required to render the</li> </ul>			

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		proposed lots suitable for proposed residential occupation.			
76a	Display Village - Western Village	<p>The Proponent will design, construct and operate a housing display village in the Western Village of the residential subdivision.</p> <ul style="list-style-type: none"> <li>The design and siting of the display village will conform with the following: <ul style="list-style-type: none"> <li>The display village will be confined to proposed Lots 530-535, 551 and 552.</li> <li>Each of the display homes are capable of complying with all requirements of the Concept Plan and Project Approval prior to registration of the allotments and occupation for residential purposes.</li> <li>All display homes will comply with the built form controls and design guidelines of the Bayswood Design Essentials dated 10 December 2009, except the requirement for a rainwater tank.</li> <li>The provision of a six (6) customer car parking spaces on proposed Lot 550 in the western village.</li> <li>The approved and constructed display office area and customer car parking (minimum 26 car car parking spaces) located in the Central Village will continue to operate for the life of the Western Village display homes.</li> <li>The provision of utility services adequate for the operation of the display village inclusive of amenities for sales staff and customers, with provision to ensure full services can be connected to all lots prior to registration.</li> <li>Final plans, demonstrating compliance with the above requirements, together with a signage plan and landscape plan, shall be prepared and certified to be in accordance with the requirements of the Concept Plan and Project Approvals by a person authorized to issue a complying development certificate for housing in the Shoalhaven Local Government Area, prior to the issue of a Construction Certificate.</li> </ul> </li> <li>Vehicular access to the display village will be established within the proposed public roads connecting to Naval College Road prior to commencement of operations.</li> <li>The hours of operation of the display village will be limited to 9am to 5pm, Monday to Sunday.</li> <li>No display home will be occupied for residential purposes until after</li> </ul>	The Proponent	The operation of the display village will continue until such time as market conditions do not warrant such a village, or a maximum of 24 months after the registration of the final stage of the residential subdivision development.	<p>Amended s.75W Modification 10</p> <p>Amended s.75W Modification 12</p>

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
		<p>the cessation of the operation of the display village and registration of the lots and issue of Occupation Certificates.</p> <ul style="list-style-type: none"> <li>• All display homes shall be subject to works to ensure compliance as required for use as a dwelling-house prior to occupation.</li> <li>• The display office, car parking and any associated works not relevant to the long term residential occupation of the site will be decommissioned and works undertaken as required to render the proposed lots suitable for proposed residential occupation.</li> </ul>			
77	Signage	The Proponent will provide estate marketing signs within The Wool Road and Naval College Road reserves in accordance with plans approved by Shoalhaven City Council as part of the Construction Certificate	The Proponent		
78	Noise	The Proponent will provide a 1.8 metre high timber noise attenuation barrier on a 0.7metres high landscaped earth mound along the boundary of Lots 154 to 163 and 725 to 733 in accordance with the Noise Impact Assessment by Heggies Australia, 2006, subject to such plans first being approved by Shoalhaven City Council.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
78a	Noise	The Proponent will construct a 3.4m high acoustic barrier comprising a 1600m landscaped mound and 1800mm high colourbond mini screen fencing along the southern boundary of the lots and for 15m along the northern return of each end lot, in accordance with the Landscape Plan: Acoustic Treatment LCo1 Revision C prepared by Taylor Bramer dated 26 November 2010.	The Proponent	Details of the acoustic fence to be provided with the construction certificate for the relevant stage incorporating the affected lots.	Amended s.75W Modification 9
78b	Noise	The Proponent will register a Section 88B instrument under the Conveyancing Act 1919 upon Lots 601 to 610 and 673 to 683 adjoining Naval College Road in the Western Village to require two storey dwellings to incorporate mechanical ventilation and/or architectural treatment techniques such as appropriate dwelling layout and design to manage noise impacts to the first floor of the habitable rooms of future dwellings.	The Proponent	Prior to the registration of each allotment within each stage of the development.	Amended s.75W Modification 9
79	Road Widening	Land for Road Widening to be ceded to and at nil cost to the Council. The Proponent to bear all costs to facilitate transfer of land.	The Proponent	As soon as practicable after practical completion of the road widening construction works.	
80	Subdivision Certificates for the western village (stages 6 and above)	The Proponent commits to ensuring that subdivision certificates for Stage 6 of the western village (as indicated on the Proposed Staging Plan, Drawing 4107, Rev 15, prepared by Cardno) and all subsequent stages in the western village will not be issued until Access A and the ridge road (Seagrass Avenue) is constructed to a standard for public use.	The Proponent	On-going until Access A and the ridge road are constructed.	Amended s.75W Modification 9



planning consultants

# ATTACHMENT 3



## DRAFT Bushfire Protection Assessment

Proposed Subdivision: Superlot Creation Bayswood Vincentia

Prepared for  
**Stockland**

29 May 2013



## DOCUMENT TRACKING

ITEM	DETAIL
Project Name	Bushfire Protection Assessment, Proposed Superlot Creation, Bayswood, Vincentia
Project Number	13SGBBUS-0032
Project Manager	Julie Holden
Approved by	David Peterson
Status	FINAL
Version Number	1
Last saved on	29 May 2013

## ACKNOWLEDGEMENTS

This document has been prepared by Eco Logical Australia Pty Ltd.

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# 1 Property and proposal

<b>Name:</b>	Stockland		
<b>Street or property Name:</b>	Bayswood Development (off Naval College Road)		
<b>Suburb, town or locality:</b>	Vincentia	<b>Postcode:</b>	2540
<b>Lot/DP no:</b>	Lot 600 DP 1171 256		
<b>Local Government Area:</b>	Shoalhaven City Council		
<b>Type of development:</b>	Subdivision		

## 1.1 Introduction

Stockland commissioned Eco Logical Australia Pty Ltd (ELA) to prepare a bushfire protection assessment (BPA) for a proposed Section 75W amendment application to alter an existing approved development at the Bayswood, Vincentia site. The amendment will create two lots for future development (currently approved for residential and retirement living use) and two residual lots (one of which is the Environmental Lands).

## 1.2 Location and description of subject land

The subject land is located on the northern side of Naval College Road on the eastern side of the Jervis Bay of Vincentia on the south coast of NSW as shown in

**Figure 1.** The nearest bush fire prone vegetation is dry sclerophyll forest in all directions from the development. The proposed lot configuration is shown in **Figure 2.**

This assessment has been prepared by the ELA Senior Bushfire Consultant, Julie Holden (FPAA BPAD-A Certified Practitioner No. BPAD-PA-23572) with quality assurance review by David Peterson. Both Julie and David are recognised by the NSW Rural Fire Service as qualified bushfire consultants in bushfire risk assessment. The subject land was inspected on 15 May 2013.

## 1.3 Description of proposal

The development proposal will establish

- Two super-lots for future development
  - portion 6002 which is the approved retirement living site and
  - portion 6003 which has two sections and is in the approved western residential precinct.
- Two residual lots
  - portion 6001 (to be incorporated into the road easement)
  - portion 6004 which is the Environmental Zone lands.



**Figure 1: Location**



**Figure 2: Proposal**

## 2 Bushfire threat assessment

### 2.1 Assessment requirements

The subject land is identified as Bush Fire Prone Land by Shoalhaven City Council. The following assessment is prepared in accordance with Section 100B of the *Rural Fires Act 1997*, Clause 44 of the *Rural Fires Regulation 2008*, and 'Planning for Bush Fire Protection 2006' (RFS 2006) herein referred to as PBP.

### 2.2 Vegetation types and slopes

The vegetation and slope have been assessed in all directions for the proposed lots, excluding proposed lot 6004 which is the environmental zone lands as these are not proposed for any development and cannot to be burdened with any bushfire protection measures required for the development (i.e. all bushfire protection measures must be within the development lots).

The bush fire prone vegetation within 140 m of the proposed Lot 6002 (approved retirement living site) is dry sclerophyll forest to the north, and tall heath to the east which changes to short heath and sedgeland further to the east. This vegetation is slightly downslope in the PBP slope category 'downslope >0-5 degrees'.

The bush fire prone vegetation within 140 m of the proposed Lot 6003 (approved western residential precinct) is dry sclerophyll forest in all directions except south-east for the northern section of the proposed lot and dry sclerophyll forest to the south of the southern section of the proposed lot. As this proposed lot is located on a ridge line within the landscape in all directions the hazard is on downslopes in the PBP slope category 'downslope >0-5 degrees'.

**Table 1: Threat assessment, APZ and category of bushfire attack**

DIRECTION FROM EVELOPE	SLOPE <sup>1</sup>	VEGETATION <sup>2</sup>	PBP REQUIRED APZ <sup>3</sup>	PROPOSED APZ	COMMENT
------------------------	--------------------	-------------------------	-------------------------------	--------------	---------

Proposed Lot 6002

North	0-5° downslope	Forest	25m	50m	APZ provided within lots immediately to the north and Summercloud Cres roadway. This APZ exceeds that required for this subdivision. Refer to Section 3.1 below for comment on existing APZ arrangements.
East	0-5° downslope	Tall heath	15m	30m	APZ provided within Moona Creek Road roadway and drainage infrastructure. This APZ exceeds that required for this subdivision. Refer to Section 3.1 below for comment on existing APZ arrangements.
All other directions	Managed Lands				

Lot 6003 (northern portion)

North	0-5° downslope	Forest	25m	>25m	APZ to be provided with in the lot. Refer to Section 3.1 below for comment on existing APZ arrangements.
South	0-5° downslope	Forest	25m	25m	APZ to be provided with in the lot (may utilised clear area under power easement)
West	0-5° downslope	Forest	25m	>25m	APZ to be provided with in the lot
East (northern section near Summercloud Cres only)	0-5° downslope	Forest	25m	>30m	Required APZ is already provided by existing development and Summercloud Cres roadway. No APZ will be required within the proposed Lot to allow the subdivision however refer to Section 3.1 below for comment on existing APZ arrangements).

**Bushfire Protection Assessment**  
**Proposed Subdivision; Superlot Creation Bayswood Vincentia**

DIRECTION FROM EVELOPE	SLOPE <sup>1</sup>	VEGETATION <sup>2</sup>	PBP REQUIRED APZ <sup>3</sup>	PROPOSED APZ	COMMENT
------------------------	--------------------	-------------------------	-------------------------------	--------------	---------

Lot 6003 (southern portion)

South	0-5° downslope	Forest	25m	25m	APZ to be provided with in the lot (may utilised clear area under power easement)
West	0-5° downslope	Forest	25m	>30m	Required APZ is provided by recently constructed Seagrass Avenue and no APZ is required within the proposed Lot.
North and East	Managed land				

<sup>1</sup> Slope most significantly influencing the fire behaviour of the site having regard to vegetation found. Slope classes are according to PBP.

<sup>2</sup> Predominant vegetation is identified, according to PBP and "Where a mix of vegetation types exist the type providing the greater hazard is said to be predominate".

<sup>3</sup> Assessment according to PBP.

<sup>4</sup> Assessment according to AS 3959-2009.



## 3 Bushfire protection measures

### 3.1 Consideration of existing bushfire protection measures

As the lots to be created are within the existing Bayswood development there are a number of bushfire protection measures already in place which must be formalised on the lots as part of the subdivision. These existing arrangements are detailed below.

All bushfire protection arrangements which are required for the existing development but occur on the lots proposed for subdivision must be formalised in an easement under section 88b of the *Conveyancing Act 1919*, which will allow continuation of these bushfire protection measures post subdivision. Where an APZ is required to be maintained, the easement may be extinguished when development occurs and the bushfire hazard is no longer present.

#### Proposed Lot 6001

This proposed lot must allow maintenance of a 20 m APZ at the rear of the properties along Skiff Street, as there is bushfire hazard on adjoining properties to the south. (This APZ is currently provided by the cleared area within the power easement, but should still be formalised).

#### Proposed Lot 6002

This proposed lot must allow maintenance of a 20 m APZ at the rear of the properties along Coaster Circuit and a 40 m APZ west and south of the properties on western side of Moona Creek Road (consistent with current development staging plans).

#### Proposed Lot 6003

This proposed lot must allow maintenance of

- APZ between the northern boundary of the proposed Lot and the line formed by the northern boundary of the current Lot 572 and the end of Summercloud Crescent roadway, to the western boundary of Lot 572
- a 75 m APZ on the eastern boundary of the proposed lot (i.e. western boundary of the current development on Summercloud Crescent, Bow St & Halyard Lane) south down to the Halloran Street intersection
- a 50 m APZ on the remainder of the eastern boundary of the proposed lot, between Halloran St and the southern boundary of the proposed lot

#### Proposed Lot 6004

This proposed lot is the environmental zone lands and no existing or proposed bushfire protection measures are located within this lot.

### 3.2 Requirements for future development on lots to be created

Due to the large size of the super-lots proposed for future development (proposed lots 6002 and 6003), asset protection zones (APZ) can be accommodated within the lot between future development and the hazards identified. An indication of the likely APZ dimensions for future residential development is shown in **Table 1** above.

As the proposal does not involve approval or construction for development, all APZs listed in **Table 1** are not required to be established at this stage. A subsequent subdivision application for residential lots will demonstrate how the APZs will be applied based on a subdivision design.

Similarly, water supply, access, utilities and landscaping are not proposed and are therefore not required to be assessed for compliance. A future subdivision design will be able to comply with all the necessary requirements and specifications of PBP. A bushfire assessment of which will inform future subdivision design and demonstrate compliance.

## 4 Conclusion

As the proposal is for the subdivision of two large super-lots for future development and two residual lots, it does not involve the creation of residential lots, roads or other infrastructure. Therefore this assessment focuses on the ability of the proposed lot to accommodate both the bushfire protection measures required for the current development and the likely requirement for future requirements on the created lots.

It is concluded that the subdivision proposal complies with the aims and objectives of PBP. It is recommended that a Bush Fire Safety Authority be issued with the condition that future subdivision and development design comply with PBP.



Julie Holden  
**Principal Bushfire Consultant**  
**FPAA BPAD Certified Practitioner No. BPAD-PA-23572**





# References

NSW Rural Fire Service (RFS). 2006. *Planning for Bush Fire Protection: A Guide for Councils, Planners, Fire Authorities, Developers and Home Owners*. Australian Government Publishing Service, Canberra.

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# ATTACHMENT 4

## David Kettle

---

**From:** Ross Nimmo <Ross.Nimmo@cardno.com.au>  
**Sent:** Friday, 17 May 2013 10:38 AM  
**To:** Britton, John  
**Cc:** Erwin Way; Wollongong Document Control  
**Subject:** RE: TRIM: RE: 75W Mod - Bayswood residential subdivision (104016-01)

Hi John

For clarity I am having the detail on the corner Lot 6002 added to the plan prior to submission to the department.

Has Shoalhaven Water provided any further feedback?

Regards

Ross

**Ross Nimmo**  
CIVIL ENGINEER  
CARDNO



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---

From: Britton, John [<mailto:BRITTON@shoalhaven.nsw.gov.au>]  
Sent: Tuesday, 14 May 2013 3:34 PM  
To: Ross Nimmo  
Cc: Erwin Way  
Subject: RE: TRIM: RE: 75W Mod - Bayswood residential subdivision (104016-01)

TAKE 2, Ross,  
FYI,

I note that the road widening for dedication (DP 1154465) at cnr Halloran Street and Moona Creek Road is NOT shown on the plan for proposed Lot 6002 in the latest version that you intend to submit to DPOI with the 75W application.

Regards,  
**John Britton**

Part 3A Coordinator  
Shoalhaven City Council

---

From: Ross Nimmo [mailto:[Ross.Nimmo@cardno.com.au](mailto:Ross.Nimmo@cardno.com.au)]  
Sent: Tuesday, 14 May 2013 11:44 AM  
To: Britton, John  
Cc: Erwin Way; Wollongong Document Control; David Kettle ([dkettle@donfoxplanning.com.au](mailto:dkettle@donfoxplanning.com.au)); Jade Biason ([Jade.Biason@stockland.com.au](mailto:Jade.Biason@stockland.com.au))  
Subject: TRIM: RE: 75W Mod - Bayswood residential subdivision (104016-01)

Hi John

The road widening on proposed lot 6002 was dedicated as part of Stage 3, as per the attached DP registered in June 1012 (see sheet 4).

I responded to a query from Shoalhaven Water last week and have not heard anything further. Will you be liaising with them or should I follow up directly with Mathew Kidd.

Regards

Ross

**Ross Nimmo**  
CIVIL ENGINEER  
CARDNO



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---

From: Britton, John [mailto:[BRITTON@shoalhaven.nsw.gov.au](mailto:BRITTON@shoalhaven.nsw.gov.au)]  
Sent: Tuesday, 14 May 2013 10:04 AM  
To: Ross Nimmo  
Cc: Erwin Way  
Subject: 75W Mod - Bayswood residential subdivision

Hello Ross,

I am just back from leave and responding to your email of 8 May 2013 about the proposed modification to create a number of super lots.

In principle, Council does not object.

I am awaiting advice from Shoalwater and will advise asap.

In respect of proposed Lot 6002 ( future retirement living) I request that the required splay corner at cnr Moona Creek Road (MCR) and Halloran Street be provided at this point. The splay is required to enable a roundabout at that intersection as part of the construction of MCR that is part of the District Centre (VDC) application. This has been subject to preliminary design work by Cardno (refer to drawing 104016 / 39/ 4015/PI as the example).

The VDC MOD 5 is currently before DPI for assessment and determination and includes now a 4<sup>th</sup> southern leg off that roundabout although this is subject to a Design review , presumably by Cardo as the MCR upgrade progresses.

If the splay is provided at this point it will not impede the VDC project as I understand that Woolworths are keen to proceed as soon as an approval is obtained and may be in advance of development by a new owner of Lot 6002. Can you inform Stockland of this.

Regards,  
John Britton

Part 3A Coordinator  
Shoalhaven City Council

---

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## David Kettle

---

**From:** Ross Nimmo <Ross.Nimmo@cardno.com.au>  
**Sent:** Thursday, 9 May 2013 1:56 PM  
**To:** Kidd, Matthew  
**Cc:** Erwin Way; Wollongong Document Control  
**Subject:** RE: Bayswood Residue Subdivision Shoalhaven Water Query (104016-01)

Hi Mathew

Requirement for construction would remain as per the existing Statement of Commitments. I have attached some excerpts below FYI.

Construction of the intersection with Naval College Road, is tied to development of either the district centre, or Stage 12 (whichever occurs first).

Item Number	Item	Commitment	Responsibility	Timing
55		Stockland will design and construct a roundabout with non mountable central island intersection at Access C along Naval College Road to AUSTROADS standards, including approach and departure lanes.	Stockland	Prior to the completion of the first stage of the District Town Centre residential subdivision, whichever is

---

Construction of Moona Creek Road itself would fall under the general requirement

2	Statutory Requirements	<p>Stockland will obtain and maintain the following licences, permits and approvals for the residential subdivision:</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) for each stage of the subdivision;</li><li>• Subdivision Certificates for each residential stage;</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>	Stockland	Prior to the completion of registration of the subdivision within the development time as required from the time.
---	------------------------	---	-----------	---

Does this satisfy your query?

Regards

Ross

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CIVIL ENGINEER  
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---

From: Kidd, Matthew [mailto:kiddm@shoalhaven.nsw.gov.au]  
Sent: Thursday, 9 May 2013 12:03 PM  
To: Ross Nimmo  
Subject: FW: Bayswood Residue Subdivision (104016-01)

Ross,

The plans indicate Moona Creek Rd as a stage, can you please confirm what stage that will be attached too?

Regards,  
Matthew Kidd

Engineering Officer Developments  
Shoalhaven Water Group

---

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✉ [kiddm@shoalhaven.nsw.gov.au](mailto:kiddm@shoalhaven.nsw.gov.au)

🌐 <http://shoalhaven.nsw.gov.au>

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From: Lazarevski, Ljupcho  
Sent: Thursday, 9 May 2013 9:09 AM  
To: Kidd, Matthew  
Subject: FW: Bayswood Residue Subdivision (104016-01)

Matt

Please prepare any comments for the proposed modification by Stockland.

Thanks

Ljupcho

---

From: Fraser, Tony  
Sent: Thursday, 9 May 2013 9:07 AM  
To: Dollery, Ian; Lazarevski, Ljupcho  
Cc: Britton, John  
Subject: FW: Bayswood Residue Subdivision (104016-01)

Ian, Ljupcho



Stockland has requested Council feedback on proposed modifications to the Bayswood consent. Details of the proposed changes are shown on the attached and further information is below. Please forward any comments you may have by the end of next week.

Let me know if you require any further information.

Regards,  
Tony Fraser

---

From: Ross Nimmo [<mailto:Ross.Nimmo@cardno.com.au>]  
Sent: Wednesday, 8 May 2013 6:22 PM  
To: Fraser, Tony  
Cc: Britton, John; Erwin Way; Wollongong Document Control; Jade Bason ([Jade.Bason@stockland.com.au](mailto:Jade.Bason@stockland.com.au))  
Subject: Bayswood Residue Subdivision (104016-01)

Tony

As discussed Stockland propose to lodge a S75W Modification with the department shortly. Councils comment would be valued prior to lodgement with the department, so that any queries can be addressed.

Attached is a draft plan of survey for subdivision of the residue lot, current Staging plan, and Servicing Plans for the Eastern and Western Precinct.

The residue is being subdivided for the purpose of allowing sale of Stage 12 (proposed Superlot 6002), and 6B to 11 (proposed Superlot 6003), while allowing Stockland to continue with the transfer process of ownership of EZ land to OEH/NPWS (proposed lot 6004). Lot 6001 will be dedicated to Council in the future as road widening.

Please circulate to relevant sections of Council and Shoalhaven Water for review and comment.

If you consider it warranted to have a meeting to discuss the proposal, and any queries, please advise, so that I can liaise with Stockland and confirm their attendance.

Regards

Ross

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CIVIL ENGINEER  
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## David Kettle

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**Subject:** FW: Bayswood Residue subdivision Shoalhaven Council Comments (104016-01)  
**Attachments:** RE: TRIM: RE: 75W Mod - Bayswood residential subdivision (104016-01); RE: Bayswood Residue Subdivision Shoalhaven Water Query (104016-01)

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From: Britton, John [<mailto:BRITTON@shoalhaven.nsw.gov.au>]  
Sent: Tuesday, 21 May 2013 11:13 AM  
To: Ross Nimmo  
Cc: Lazarevski, Ljupcho; Kidd, Matthew  
Subject: Bayswood - subdivision

Hello Ross,

I have spoken with Shoalwater. They are still to complete their assessment, however verbally it appears that in respect of the proposed large lots there will be no issues that would prevent DPI dealing with the Mod application.

Shoalwater will be seeking some clarifications via the DPI that ensures the separation of ownerships within the ultimate delivery of the development are coordinated in terms of the water and sewer infrastructure as included in the various Statement of Commitments and approvals.

It would seem appropriate that you lodge with DPI, and Council will provide a comment to DPI in the usual processes.

Regards,  
**John Britton**

Part 3A Coordinator  
Shoalhaven City Council

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✉ [britton@shoalhaven.nsw.gov.au](mailto:britton@shoalhaven.nsw.gov.au)

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## David Kettle

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**Subject:** FW: Vincentia - super lots MOD. Shoalhaven water comments (104016-01)

From: Britton, John [<mailto:BRITTON@shoalhaven.nsw.gov.au>]  
Sent: Thursday, 23 May 2013 1:01 PM  
To: Ross Nimmo  
Subject: Vincenmtia - super lots MOD. Shoalhaven water comments

Hello Ross,

This is from Shoalwater, so at the appropriate time will be sent to DPI – see reference to a lot for the SPS, below,

*Based on the attached plans and information listed in your e-mail, Shoalhaven Water advise that the conditions listed in the current Notice for the subdivision SF9786 will continue to apply.*

*The creation of the four (4) super lots will not impact on the development of the subdivision. Both water and sewerage assets exist and can be further extended to service the super lots identified for further development.*

*Section 64 contributions for water supply and sewerage services of one (1) equivalent tenement is payable. Fee towards one (1) metered service is also payable.*

*Section 64 Contributions*

*Water Supply \$6,578/lot (2012/13)*

*Sewerage \$8,339/lot (2012/13)*

*Water Service Contribution*

*For 20mm service \$692.00 (2012/13)*

*Within the large portion of Part Lot 6003 a sewage pumping station lot shall be created for a new pumping station (SPS) to support the further subdivision of this lot. This proposed lot and legal access to the lot and easement for services and easement for rising main (where no public road exists) will need to be created and transferred to the ownership of Shoalhaven City Council a minimum of one year before the commencement of any sewerage works that will gravitate and connect to this future SPS. This will allow Shoalhaven Water to program and finance the works.*

**John Britton**

**Part 3A Coordinator**

Shoalhaven City Council

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