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29 September 2016
Our Ref: 6376D.3DK_response to submissions

The Secretary
Department of Planning and Environment
GPO Box 39
Sydney 2000

Attention: Fiona Gibson

Dear Fiona,

Section 75W Modification of Concept Plan Approval (MP06_0060) and Project Approval (MP06_0058) – Modification No. 15

Vincentia Coastal Village & District Centre, Corner of Wool Road and Naval College Road, Vincentia – Lot 6002 DP 1195858

We refer to the above Section 75W Modification application and the agency and public submissions received during the public exhibition of the application.

This letter addresses the comments made in those submissions. The applicant has also met with Shoalhaven City Council (Council) to work through the comments raised in their submission and further comments have been received from Council during the course of those discussions.

Amendments to the subdivision layout have been proposed in response to the Council and community comments. The amended layout is provided at **Attachment 1**.

We address the submissions in turn below.

1.0 Council's comments

Council's submission of 9 August 2016 is addressed below. Cardno has met with Council to address their comments. Further comments were provided by Council by way of email dated 12 September 2016 (refer **Attachment 2**) which is also addressed as part of this letter.

Bushfire Assessment

A Bushfire Assessment Report has been prepared by Eco Logical Australia (ELA) and is provided at **Attachment 3** which addresses the comments made by the RFS. The report confirms the APZs required for the proposed lots as well as making recommendations for 'staging APZs' to protect completed dwellings as the subdivision progresses. The APZs for the final development have all been provided within the existing road reserves and front setbacks of houses adjoining those roads (e.g. Coaster Circuit or Moona Creek Road) and no further APZs are required for the development. ELA has undertaken an assessment against *Planning for Bush Fire Protection 2006* and made recommendations regarding APZs, reticulated water

supply, gas service installation requirements, public road requirements, and temporary fire trails. ELA has also considered the turning head at the end of Road 16 which is in accordance with the RFS specifications. ELA has concluded that the bushfire protection requirements identified in their assessment will provide adequate protection for the proposed subdivision.

Statement of Commitment No. 16(a) will need to be amended to:

1. delete the reference to the Bushfire Protection Assessment dated 22 September 2013 which related to the APZs for Lot 6002. The APZs in that report were sized in the event that the retirement living development proceeded and are therefore wider for the special fire protection purpose. The report prepared for this modification will replace those in the previous report.
2. insert a new paragraph to require APZS in accordance with the Bushfire Protection Assessment dated 26 September 2016.

Attachment 4 is an updated copy of the Statement of Commitments.

Council also suggests that Bushfire Attack Levels (BAL) should be identified for each affected lot. In this regard we note that the proposal exceeds the APZs required for the development and all APZs are located outside of the subject land. As noted in our letter dated 6 July 2016 any lots that require a BAL would be determined at the time of a DA or complying development certificate for each lot. The relevant BAL would then have regard to the surrounding vegetation context at that point in time.

Alternatively, the proponent is amendable to having the BAL determined as subdivision certificate stage which has been the process to date.

Threatened Species

We agree with Council's comments that the footprint of the impact is the same as already approved. We note that public submissions raise concerns about impacts on vegetation which Council correctly points out have been addressed as part of the original Concept Plan and Project application assessments and determinations.

General Engineering Comments (Roads)

We have addressed each comment as follows:

- Roads are now shown with road numbering
- One of the design intents of the Concept Plan and Project application was to create 'spine roads' in the form of a divided carriageway with a landscaped central median. This design feature has been retained for the spine roads. The constructed section of Bayswood Avenue (between Naval College Road and Halloran Street) is a divided road with landscaped central median and this design feature is retained for the section of Bayswood Avenue east of Halloran Street.
- The proposed new road / service lane opposite Ketch Lane has been removed and replaced with two driveway crossings serving those lots fronting Halloran Street.
- The layout has been amended to create a turning head to Road 3 as per Council's suggestion and thereby avoid a new road opposite Seabreeze Street.
- A restriction as to user applying to Lots 1618 and 1619 to require access from Road 3 can be conditioned to be provided as part of the relevant subdivision certificate.
- Council suggested a complete redesign of the layout taking the form of a central loop road with cul-de-sacs feeding of the loop road. This suggestion has not been taken up as it would create a layout that differs significantly from the approved layout.

- The access arrangement for Lots 1502-1505 has been amended. A bulb in the elbow of the road has been designed to remove the service road arrangement and provide lots with road frontage and one battle-axe lot, as per Council's suggestion.
- The amended plan shows concrete pathways through the open space corridors connecting with Coaster Circuit, as per Council's comments. The open space corridors can accommodate drainage infrastructure (piped and overland flow) to cater for 1:100 year ARI storms. This requirement is capable of being conditioned with details to be provided as part of construction certificate documentation.
- The plans have been amended to show the indented car parking bays along Halloran Street. The driveway locations have also been indicated to demonstrate that parking bays are not compromised by future driveway crossings. This arrangement will still allow for a bus to operate along Halloran Street as the parking bays do not reduce the width of the carriageway.

General Engineering Comments (Drainage)

We have addressed each comment as follows:

- Inter-allotment drainage will be provided to the rear of Lots 1506-1518 (backing onto Coaster Circuit). This will be documented with the construction certificate and subdivision certificate as has occurred for other stages of the subdivision.

General Engineering Comments (Open Space)

We have addressed each comment as follows:

- The location of a new playground is a separate process to this Section 75W Modification. Council has suggested relocating the proposed open space at the end of Bayswood Avenue to near Halloran Street. Such a change could give rise to further objections from the existing residents that have already made submissions to this application and their desire to see the open space along Halloran Street retain its bushland appearance as per the approved Concept Plan / Project application layout. The proposed layout has attempted to retain as much consistency as possible with the previously approved layout. The Council's suggestion has, therefore, not been reflected in the amended layout and further discussions will take place with Council regarding the location of a new playground. Council has provided further comment on the open spaces in response to amended plan tabled at a meeting with Council on 12 September 2016. Council in its email of the same date, notes the two open space areas shown on the plans are not foreshadowed for playgrounds or similar, but they are to be low maintenance reserves.

Developer Contributions

The comments are noted.

Shoalhaven Water

The comments are noted.

Parks and Reserves

Council's submission states that they have concerns about the about the proposed embellishments being above the standards for other projects in the area and therefore the future maintenance burden to Council. The open space locations and landscaped median strips are design elements of the approved Concept Plan and Project approval. Retaining these features will ensure consistency with the original approval and consistency with the already constructed stages of the subdivision.

Council also notes that further discussions with Council's Parks team is required in relation to the location of a new playground and we agree that those discussions should take place separately from this section 75W Modification to avoid unnecessarily delaying this application.

2.0 Council's Email dated 12 September 2016

Following a review of Council's comments to the Department, an amended layout was provided to Council and Cardno met with Council to discuss the amendments. Council has provided further comments by way of email dated 12 September 2016 a copy of which is provided at **Attachment 2**. We provide commentary below.

Halloran Street

Council has noted that Halloran Street is to be a main bus route. Council has concerns about the ability of a bus to use Halloran Street given the existing and approved medical centre (located at the corner of Halloran Street and Moona Creek Road) and the lots proposed to front Halloran Street.

We note that the carriageway width of Halloran Street is not proposed to be modified as part of this modification. The carriageway width was designed to accommodate a bus. If signage and line marking is required then this can be provided at a later stage.

Parking Bays in Bayswood Avenue

Parking bays have been added to Bayswood Avenue to be consistent with Statement of Commitment No. 66. We note that Council supports the amended design which is provided at **Attachment 1**.

Lots fronting Halloran Street with an option for alternative access

Council has requested that corner lots fronting Halloran Street be accessed from the side street. The amended layout has 4 corner lots fronting Halloran Street. Access can be provided from the side road and is capable of being conditioned with details to be provided as part of the relevant construction certificate.

Access – General

Council has requested that Lots 1601 to 1618 not have vehicular access to Moona Creek Road and should be accessed via Road 3. This is capable of being conditioned with details to be provided as part of the relevant construction certificate.

Lot Shape

Council considered that Lot 1505 was too narrow. The configuration of the lots in the vicinity of Lot 1505 has been adjusted to widen Lot 1505.

Section 88B Restriction on title

Council has asked for lots with particular access requirements to have restrictions on title to confirm vehicle access locations. This would apply to Lots 1415, 1428, 1601 to 1618 and 1619, and is capable of being conditioned with details provided as part of the relevant subdivision certificate.

Open Space

Council has made comments about the future landscaping of public lands within the estate. This is a detailed matter relevant to the construction certificates.

Council has also noted that the two open space areas shown on the plans are not foreshadowed for playgrounds or similar, but are to be low maintenance reserves.

3.0 Rural Fire Service Comments

A Bushfire Assessment Report has been prepared by ELA and is provided at **Attachment 3** that addresses the comments made by the RFS.

4.0 Public Submissions

Andrew and Kristie Lissenden

We have addressed each comment as follows:

- **Original Subdivision** – The previously approved lot layout is the layout approved as part of the Project application (MP06__0058) as contained in the Environmental Assessment Report prepared by ERM. The subdivision layout for this part of the Project has not been amended since the approval was issued.
- **Turning Area** – The laneway/service road servicing Lots 1417 to 1420 has been amended and replaced with sets of two driveway crossings. A turning head solely for Lots 1420 is provided and its northern extent is in line with the common boundary between Lots 1420 and the adjoining property (No. 28 Coaster Circuit).
- **Surface Levels of Lot 1420 and laneway** - It is not intended to significantly change the land levels of the subject site relative to 28 Coaster Circuit that would result in the proposed lot and driveways being elevated to an extent that would cause adverse amenity impacts.
- **Open Space** – It is intended that the open space area at the corner of Coaster Circuit and Halloran Street will not be cleared (other than to create driveway access and pedestrian footpaths) and would be left in a natural state.
- **Bayswood Avenue** – The writer has commented that the twin roadway on Bayswood Avenue with a central vegetated median strip should be retained despite Council's comments not to continue the twin roadway. As noted above, the divided road with landscaped central median is a design feature of the estate and is retained to ensure consistency with the remainder of the estate.
- **Treatment** – The writer's comments relate to the treatment of the laneway servicing Lots 1417-1420. The laneway has been removed and replaced with driveways. The need for bollards or barriers is not required.
- **Drainage** - The writer's comments relate to details of how Lots 1420 and Lots 1505 to 1518 will be drained. As noted in the response to Council's comments, inter-allotment drainage will be provided to these lots and can be documented as part of the relevant construction certificate and subdivision certificate as has occurred for other stages of the subdivision.
- **Carparking** – The amended plans show indented car parking bays along Halloran Street and Bayswood Avenue consistent with Statement of Commitment No. 66.
- **Level of Detail** – The comment relates many of the preceding comments. The level of detail provided with the Modification is consistent with that provided as part of the previous applications and further details can be provided as part of future construction certificate and subdivision certificate applications as has occurred for other stages of the subdivision.

A R Mulligan

The writer has no objection to the proposed Modification. However, they sought clarification regarding the 20m buffer zone to properties along Coaster Circuit from Halloran Street to Moona Creek Road.

We are not aware of the 20m buffer to which the writer is referring. A 20m buffer was not provided within the lots of the approved subdivision layout and nor was a 20m buffer provided as part of the Retirement Living Project Approval.

Judi Nethery

We have addressed each comment as follows:

- Size and shape of open space on the corner of Halloran Street and Coaster Circuit –**
 The approved subdivision layout included a triangular shaped open space area surrounded by roads. When the lots fronting Coaster Circuit were approved to 'fit' the retirement living layout, the western most lot (now known as No. 28 Coaster Circuit) was reconfigured slightly changing the shape and area of the open space to the irregular form depicted in the plans submitted with this section 75W Modification. An area of open space is maintained as per the approval and existing vegetation will be retained within this open space. The service road has been deleted and replaced with two sets of driveway crossings which still allows for open space between the two sets of crossings. The open space will provide a separation of 30-50m between the property boundary of the proposed lots and the writer's property mitigating any visual or acoustic impacts. The distance separation will provide a visual buffer between the writer's house and the future houses. The movement of vehicles from the six lots front Halloran Street will be negligible.
- Boundary of Lot 6002 –** Lot 6002 was created as a super lot some years after the Concept Plan and Project approvals were issued. Lot 6002 represents that part of the site that was not yet developed. The open space area was included in Lot 6002 as that portion of land had not been transferred to Council. When the subdivision certificate is created, the open space area will be transferred to Council, mostly likely as part of the road reserve.
- Roadway layout -** The number of intersections with Halloran Street has been reduced as part of the modified layout such that Bayswood Avenue is the only intersection. Corner lots will be accessed from side streets. The writer makes reference to the 'No Stopping' zone along Halloran Street. The proposed configuration of Halloran Street, the road reserve and provision of driveway crossings is no different to that originally approved. In relation to the medical centre at the corner of Halloran Street and Moona Creek Road, the amended layout removes the intersection and the Council's requirement for driveway access from side streets will remove potential traffic conflicts adjacent to the medical centre. Additional on-street parking will also be provided with the creation of the parking bays.
- Loss of habitat –** The Glossy Black-Cockatoo Nest Survey Report dated January 2006 prepared by GDH and accompanying the Concept Plan and Project Application identified 4 nest sites. The subdivision layout was amended at that time to ensure that the development footprint did not impact on the nest sites and they are all located within the environmental zone and not Lot 6002 including the small area of open space adjoining Halloran Street. The impacts of the proposed modification are consistent with the previous assessment.

Bill and Jan Medaris

This submission reflects the comments made by Judi Nethery, addressed above. The submission also makes reference to retaining trees. This has been accommodated within the layout by maintaining consistency with the Concept Plan and Project approval in terms of the open space areas and vegetated medians to Bayswood Avenue.

Nyree Cornelius

This submission contains very similar comments to that made by Judi Nethery.

- Size and shape of open space on the corner of Halloran Street and Coaster Circuit –**
 The submission reiterates the comments made by Judi Nethery which is addressed above.
- Boundary of Lot 6002 –** The submission reiterates the comments made by Judi Nethery which is addressed above.
- Roadway layout -** The submission reiterates the comments made by Judi Nethery which is addressed above.



- **Flaws in the Environmental Assessment** - The writer comments that the DFP assessment did not address the service road and reduction in the open space adjacent to Halloran Street. These comments have been addressed in this response to submissions.
- **Flaws in Council's submission** – The writer is referring to the submission uploaded to the Department's website in relation to this Modification No. 15. Two comments are made. One in relation to threatened species wherein Council states that the area of impact remains the same. The impacts to threatened species were addressed in the Concept Plan and Project Approval assessments and the footprint of the development remains the same. As noted above, the open space area adjacent to Halloran Street was not identified as a nesting site for the Glossy Black Cockatoo which are all contained in the environmental zone. The other comment relates to the relocation of the playground which as noted earlier in the response to Council's comments is a matter separate to this section 75W Modification.

We trust that these responses satisfactorily address the issues raised by the agencies and in the public submissions. The amended layout provided at **Attachment 1** addresses many of the issues raised and is the plan for which approval is sought.

Should you have any questions in relation to this letter please do not hesitate to contact David Kettle on 9980 6933.

Yours faithfully

DFP PLANNING PTY LTD

DAVID KETTLE
DIRECTOR

dkettle@dfpplanning.com.au

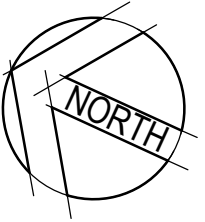
Reviewed: _____

- | | |
|-------------|--|
| Attachments | <ol style="list-style-type: none"> 1. Amended Layout 2. Council's email dated 12 September 2016 3. Bushfire Assessment Report has been prepared by ELA dated 26 September 2016 4. Updated Statement of Commitments dated 26 September 2016 |
|-------------|--|



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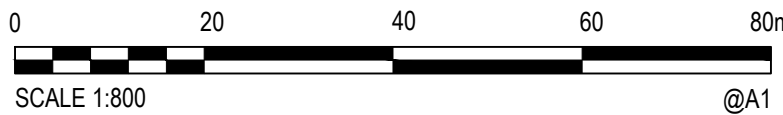
ATTACHMENT I



PROPOSED LOT LAYOUT
SCALE 1:800

LEGEND:

----- STAGE BOUNDARY



8	16/09/2016	LOT LAYOUT AMENDED TO SUIT CLIENT COMMENTS	SCA	JRO	EPW
7	12/09/2016	DRIVEWAY ACCESS AMENDED TO SUIT COMMENTS	SCA	JRO	EPW
6	7/09/2016	PARKING BAYS ADDED ALONG BAYSWOOD AVENUE	SCA	JRO	EPW
5	5/09/2016	LOTS 1421, 1422 & 1619 AMENDED	SCA	JRO	EPW
4	2/09/2016	LOT LAYOUT AMENDMENT	CAP	JRO	EPW
3	30/08/2016	REVISED LOT LAYOUT AND ROAD SECTION	SCA	JRO	EPW
2	26/08/2016	LOT AND ROAD LAYOUT AMENDED	SCA	JRO	EPW
1	19/08/2016	ISSUED FOR INFORMATION	SCA	JRO	EPW
Rev.	Date	Description	Des.	Verif.	Appd.

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Drawn	SCA	Date	19/08/2016
Checked		Date	
Designed	SCA	Date	19/08/2016
Verified	JRO	Date	19/08/2016
Approved			

Client	WAKEFIELD ASHURST DEVELOPMENTS PTY LTD		
Project	BAYSWOOD VINCENTIA RESIDENTIAL SUBDIVISION STAGE 14-16		
Title	PROPOSED LOT LAYOUT		

Status	FOR INFORMATION ONLY NOT TO BE USED FOR CONSTRUCTION PURPOSES		
DATUM	AHD	Scale	1:250
Size	A1		
Drawing Number	82014047-11-SK006		Revision
			8



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ATTACHMENT 2

David Kettle

From: Cathy Bern <Cathy.Bern@shoalhaven.nsw.gov.au>
Sent: Monday, 12 September 2016 12:49 PM
To: James Olsen
Cc: Simon Heung; Ian Dollery; Glen Elliott; James Harris
Subject: Further Comments on Proposed Modification (currently with the Dept) - Bayswood Estate

Thank you James for meeting with us today.

In summary, we offer the following comments on the plans tabled today.

1. Halloran St

This road is to be a main bus route. In this regard, given the location of the existing and approved medical centre and proposed lots with frontages to this street, we have some concern regarding the ability of a bus to use this street.

Some consideration needs to be given to signs and lines in due course. Changes, or the introduction of signs and lines, will need traffic committee approval from Shoalhaven City Council.

The introduction of parking restrictions will impact on the medical centre.

2. Extra parking bays – Bayswood Ave

Council supports this amendment.

3. Lots fronting Halloran with an option for alternative access

Where there is a corner lot, ideally the access should be off the secondary street frontage and not via a parking bay.

4. Access – General

Lots 1601-1618 – access should be prevented to Moona Creek Rd.
1618 should have access via Road 3.

5. Lot Shape

Lot 1505 is an isolated narrow lot. Is there any scope to revisit this?

6. Section 88B Restrictions on Land Title

Ideally, the lots with particular access requirements should have restrictions on title making it clear where the access is.

7. Open Space

Please consider landscaping carefully. Council is keen to minimise maintenance and upkeep in the locality as it will be and is heavily burdened with upkeep of existing public lands in the estate. No objection is made with respect to appropriate turfing and some perimeter planting, however that planting needs to be suitable for the use, maintenance regime and locality. Council can provide further comment on this when designs are developed.

The open spaces on the tabled plans are not foreshadowed for playgrounds or similar. They are simply to be low maintenance reserves.

Regards,

Cathy Bern

Section Manager - Development
Shoalhaven City Council

Phone (02) 4429 3527
Bridge Rd (PO Box 42) NOWRA NSW 2541
Cathy.Bern@shoalhaven.nsw.gov.au
www.shoalhaven.nsw.gov.au



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ATTACHMENT 3



Bushfire Protection Assessment

Proposed Subdivision:

Stages 14-16, Bayswood, Vincentia

Prepared for

Wakefield Ashurst Developments Pty Ltd

26 September 2016



DOCUMENT TRACKING

Item	Detail
Project Name	Bushfire Protection Assessment, Proposed Subdivision – Stages 14-16, Bayswood, Vincentia
Project Number	16HNG_5287
Project Manager	Susan Courtney Ph: 4443 5555 1/51 Owen Street, Huskisson NSW 2540
Prepared by	Susan Courtney
Reviewed by	Danielle Meggos
Approved by	Danielle Meggos (FPAA BPAD Certified Practitioner No. BPAD37742-L2)
Status	Final
Version Number	2
Last saved on	26 September 2016

This report should be cited as 'Eco Logical Australia September 2016. *Bushfire Protection Assessment, Proposed Subdivision – Stages 14-16, Bayswood, Vincentia.* Prepared for Wakefield Ashurst Developments Pty Ltd.'

ACKNOWLEDGEMENTS

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

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Template 01/07/13

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1 Property and proposal

Name:	Wakefield Ashurst Developments Pty Ltd c/o Cardno		
Postal address:	PO Box 33, Nowra NSW 2541		
Street or property Name:	Moona Creek Road		
Suburb, town or locality:	Vincentia	Postcode:	2540
Lot/DP no:	Lot 6002 DP 1195858		
Local Government Area:	Shoalhaven City Council		
Type of area:	Urban		
Type of development:	Residential subdivision		

1.1 Description of proposal

Wakefield Ashurst Developments Pty Ltd commissioned Eco Logical Australia Pty Ltd (ELA) to prepare a bushfire protection assessment (BPA) for a proposed amendment to a previously approved residential subdivision layout within what is now known as Lot 6002 DP 1195858 Moona Creek Road, Vincentia.

The current proposal consists of a reduction of the total number of lots within the subject land from 126 down to 116 and an amended road layout including the removal of previously approved laneways.

This assessment has been prepared by ELA Senior Bushfire Planner, Susan Courtney with quality assurance review by Danielle Meggos. The subject land was inspected on 9 May 2016.

1.2 Location and description of subject land

The subject land is located on the north-eastern side of the Bayswood Estate in Vincentia as shown in **Figure 1**.

Figure 2 outlines the bushfire hazard assessment for the proposed subdivision.

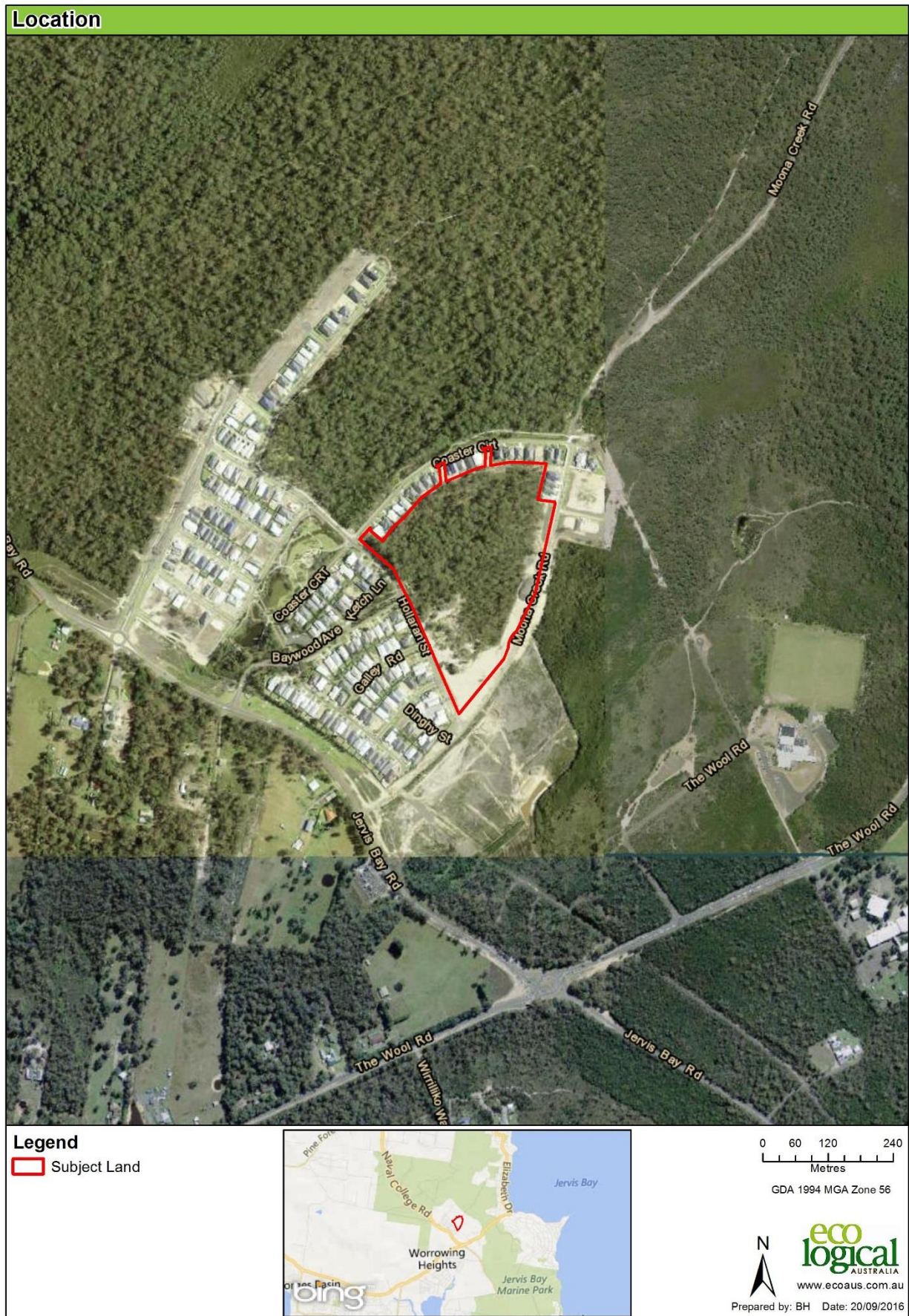


Figure 1: Location

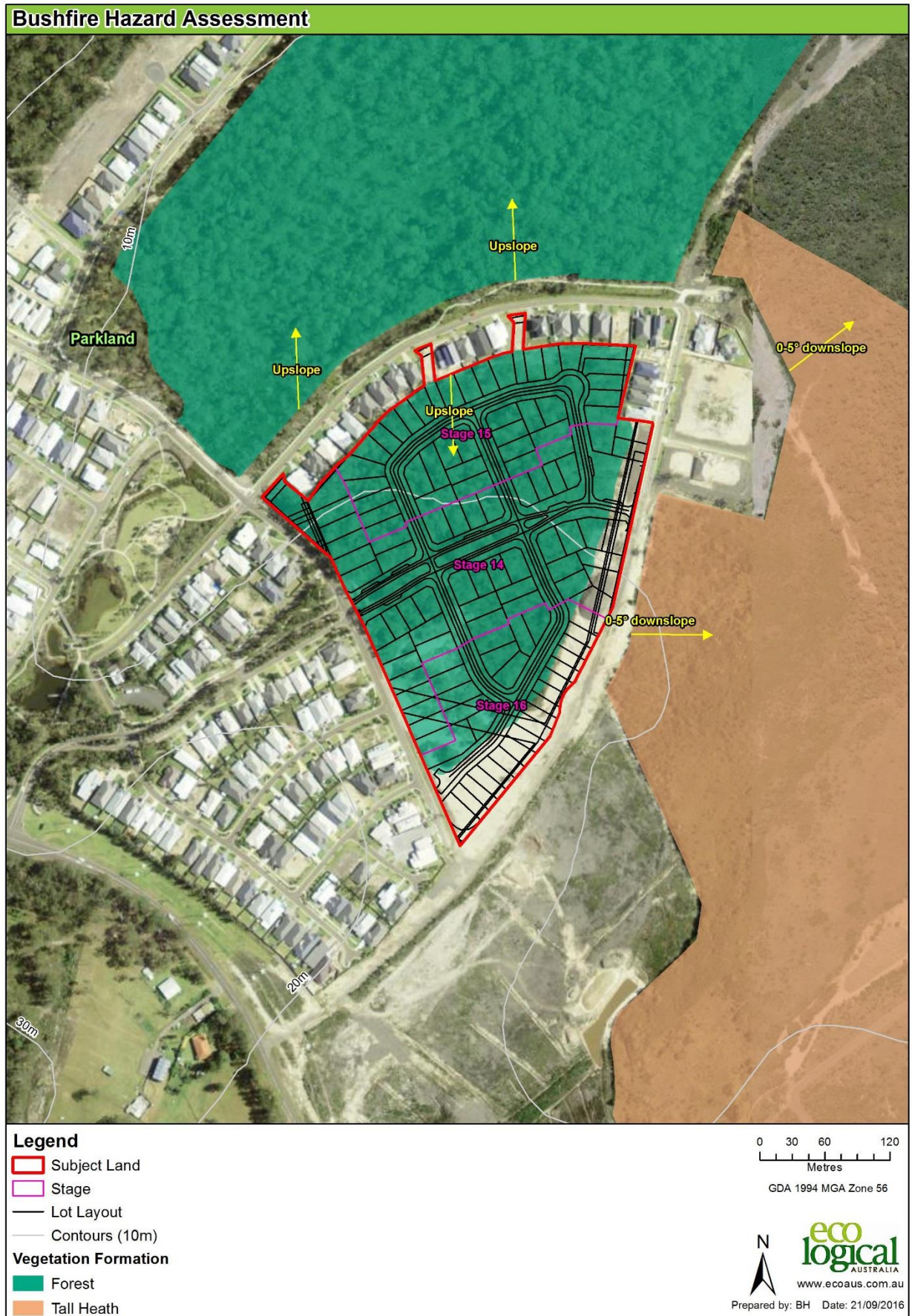


Figure 2: Bushfire hazard assessment

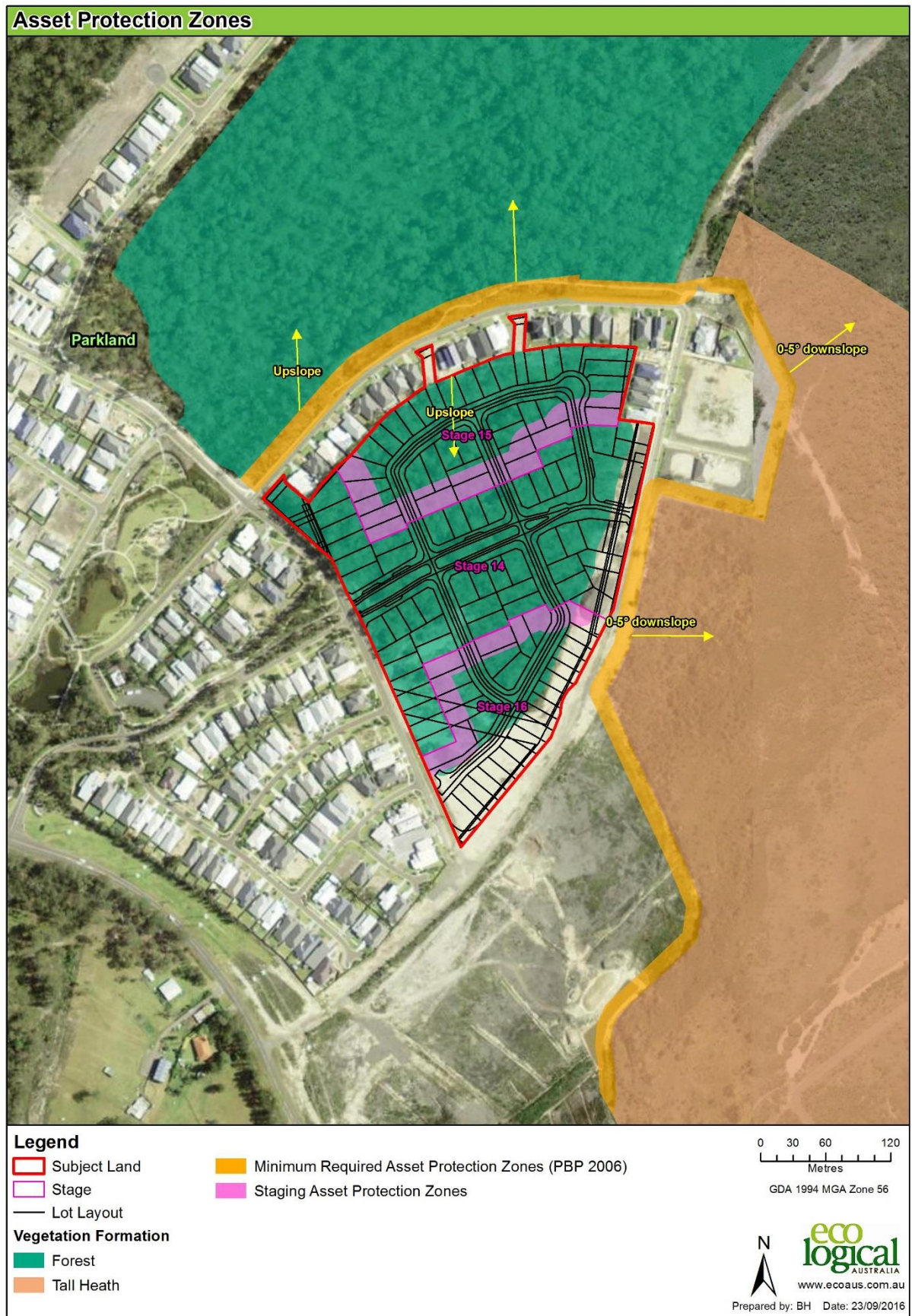


Figure 3: Asset Protection Zones for proposed subdivision including staging APZs for Stage 14

2 Bushfire threat assessment

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* and 'Planning for Bush Fire Protection 2006' (RFS 2006), herein referred to as PBP (RFS 2006).

2.1 Vegetation types and slope

The vegetation and slope have been assessed in all directions for the proposed development. In accord with PBP the predominant vegetation class has been determined for a distance of at least 140 m out from the proposed development and the slope class '*most significantly affecting fire behaviour having regard for vegetation found [on it]*' calculated for a distance of at least 100 m in all directions. The predominant vegetation and effective slope assessments are shown in **Figure 2** and **Table 1**.

As shown in **Figure 2**, there is Currumbene-Batemans Lowlands Forest both within and to the north-west and north of the proposed subdivision (beyond Coaster Circuit) which is classified as 'forest' by PBP. This forest vegetation is on level or slightly upslope land which falls into the PBP slope category 'all upslopes and flat land'.

To the east of the proposed subdivision beyond Moona Creek Road, there is a combination of Morton Mallee-Heath and Coastal Sandstone Plateau Heath vegetation which is classified as 'tall heath' by PBP. This tall heath is on very slight downslopes which fall into the PBP slope category of 'downslope >0-5 degrees'.

There are managed lands to the south-east in the form of land cleared for the Vincentia Marketplace development and also to the south-west in the form of existing residential development within Bayswood Estate.

3 Asset protection zones (APZ)

PBP has been used to determine the width of the Asset Protection Zone (APZ) for the proposed subdivision development using the vegetation and slope data identified in **Table 1** (overleaf). The proposed APZs are also shown in **Table 1** and **Figure 3**.

The APZs for the proposed building allotments will be provided by a combination of the proposed perimeter roads to the east, north and north-west and building setbacks within allotments.

As shown in **Figure 3**, given that Stage 14 of the development will proceed before Stages 15 and 16, staging APZs will provide minimum setbacks compliant with PBP for dwellings within Stage 14 until such time as the remaining stages are developed. These staging APZs are to be ensured via Section 88b easements which may be extinguished once Stages 15 and 16 proceed.

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

Direction	Slope ¹	Vegetation ²	PBP required APZ ³	Proposed APZ	Comment
North-west	All upslopes/ flat land	Forest	20 m	> 25 m	APZ in place within Coaster Circuit road reserve and surrounding residential development
North					
East	>0-5° downslope	Tall heath (scrub)	15 m	> 15 m	APZ in place within Moona Creek road reserve and surrounding residential development
All other directions	Managed lands				

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

² 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”.

³ Assessment according to PBP ‘Addendum: Appendix 3’.

4 APZ maintenance plan

The APZs for the overall proposed subdivision are currently in place within surrounding road reserves and existing residential development.

The staging APZs for proposed Stage 14 are currently forested and both tree removal and vegetation clearance will be required to establish the required APZs outlined in **Figure 3**.

Once established, the APZs are to be managed to Inner Protection Area APZ standards as follows:

- No tree or tree canopy is to occur within 2 m of the future building rooflines;
- The presence of a few shrubs or trees in the APZ is acceptable provided that they:
 - Are well spread out and do not form a continuous canopy
 - Are not species that retain dead material or deposit excessive quantities of ground fuel in a short period or in a danger period
 - Are located far enough away from the building so that they will not ignite future buildings by direct flame contact or radiant heat emission
- Any landscaping or plantings should preferably be local endemic mesic species or other low flammability species;
- A minimal ground fuel is to be maintained to include less than 4 tonnes per hectare of fine fuel (fine fuel means ANY dead or living vegetation of <6 mm in diameter e.g. twigs less than a pencil in thickness. 4 t/ha is equivalent to a 1 cm thick layer of leaf litter); and
- Any structures storing combustible materials such as firewood (e.g. sheds) must be sealed to prevent entry of burning debris.

5 Water supply

The proposed development will be serviced by reticulated water. The furthest point from any future dwellings to a hydrant will be less than 70 m. The reticulated water supply will comply with the following acceptable solutions within Section 4.1.3 of PBP:

- Reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- Fire hydrant spacing, sizing and pressures comply with Australian Standard AS 2419.1 'Fire hydrant installations – System design installation and commissioning' (Standards Australia 2005). Where this cannot be met, the RFS will require a test report of the water pressures anticipated by the relevant water supply authority. In such cases, the location, number and sizing of hydrants shall be determined using fire engineering principles;
- Hydrants are not located within any road carriageway;
- All above ground water and gas service pipes external to the building are metal, including and up to any taps; and
- The PBP provisions of parking on public roads are met.

6 Gas and electrical supplies

Electricity supply to the subject land will be underground which will comply with PBP.

Any gas services are to be installed and maintained in accordance with Australian Standard AS/NZS 1596:2014 'The storage and handling of LP Gas' (Standards Australia 2014).

7 Access

7.1 Public Roads

The proposed public road network for the overall subdivision is capable of complying with the Acceptable Solutions for public roads as outlined in PBP (see **Table 2**), aside from the requirement for a 12 m outer radius turning circle for fire tankers at the end of the dead end road within Stage 16.

While a compliant turning circle is not provided at the end of this dead end road (which is approximately 150 m long), a multi-point turning area is provided that allows a Category 1 fire tanker to turn safely as per the RFS specifications shown in **Appendix A**. This achieves the performance criteria '*public road widths and design that allow safe access for firefighters while residents are evacuating an area*'.

7.2 Property access roads

Future dwellings within the proposed subdivision will be accessed via standard residential driveways from the nearby public roads which will be serviced with reticulated water including fire hydrants at appropriate intervals.

A fire involving these buildings will be attended to by fire appliances from the hardstand surface of adjoining roads. This complies with PBP and no additional access provisions are required to support the proposed development.

7.3 Perimeter access

Perimeter access separating the built assets within this overall proposed subdivision from surrounding forest hazards is already provided via existing formed roads including Coaster Circuit, Moona Creek Road and Halloran Street.

Once Stage 14 has been completed, it is recommended that temporary fire trails be established within Stages 15 and 16 linking the dead end roads until such time as these latter stages proceed. This will provide through access for fire tankers for fire mitigation and fire suppression purposes. These trails should be gated and keys provided to the local Shoalhaven Rural Fire District and the nearby Crossroads Rural Fire Brigade.

The temporary staging fire trails are to be constructed in accord with the PBP design specifications outlined in **Table 3**.

8 Assessment of environmental issues

At the time of this bushfire assessment, there were no known significant environmental features, threatened species or Aboriginal relics identified under the *Threatened Species Conservation Act 1995* or the *National Parks Act 1974* that will affect or be affected by the bushfire protection proposals in this report.

The NSW Department of Planning and Environment is the determining authority for this proposed amended subdivision; they will assess more thoroughly any potential environmental and heritage issues.

Table 2: Performance criteria for proposed public roads (PBP p. 21)

Performance Criteria	Acceptable Solutions	Complies
The intent may be achieved where:		
<ul style="list-style-type: none"> • firefighters provided with safe all weather access to structures 	<ul style="list-style-type: none"> • public roads are two-wheel drive, all weather roads 	Can comply
<ul style="list-style-type: none"> • public road widths and design that allows safe access for firefighters while residents are evacuating an area 	<ul style="list-style-type: none"> • urban perimeter roads are two-way, that is, at least two traffic lane widths (carriageway 8 metres minimum kerb to kerb), allowing traffic to pass in opposite directions. Non perimeter roads comply with Table 4.1 – Road widths for Category 1 Tanker (Medium Rigid Vehicle) • the perimeter road is linked to the internal road system at an interval of no greater than 500 metres in urban areas • traffic management devices are constructed to facilitate access by emergency services vehicles • public roads have a cross fall not exceeding 3 degrees • public roads are through roads. Dead end roads are not recommended, but if unavoidable, dead ends are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end and direct traffic away from the hazard • curves of roads (other than perimeter roads) are a minimum inner radius of six metres • maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient • there is a minimum vertical clearance to a height of four metres above the road at all times • the capacity of road surfaces and bridges is sufficient to carry fully loaded firefighting vehicles (approximately 15 tonnes for areas with reticulated water, 28 tonnes or 9 tonnes per axle for all other areas). Bridges clearly indicated load rating 	<p>Not applicable</p> <p>Not applicable</p> <p>Can comply</p> <p>Can comply</p> <p>Multi-point turning area provided</p> <p>Can comply</p> <p>Can comply</p> <p>Can comply</p> <p>Can comply</p>
<ul style="list-style-type: none"> • the capacity of road surfaces and bridges is sufficient to carry fully loaded firefighting vehicles 	<ul style="list-style-type: none"> • public roads greater than 6.5 metres wide to locate hydrants outside of parking reserves to ensure accessibility to reticulated water for fire suppression 	Can comply
<ul style="list-style-type: none"> • roads that are clearly sign posted (with easy distinguishable names) and buildings / properties that are clearly numbered 	<ul style="list-style-type: none"> • public roads between 6.5 metres and 8 metres wide are No Parking on one side with the services (hydrants) located on this side to ensure accessibility to reticulated water for fire suppression • public roads up to 6.5 metres wide provide parking within parking bays and located services outside of the parking bays to ensure accessibility to reticulated water for fire suppression 	<p>Not applicable</p> <p>Not applicable</p>
<ul style="list-style-type: none"> • there is clear access to reticulated water supply 	<ul style="list-style-type: none"> • one way only public access roads are no less than 3.5 metres wide and provide parking within parking bays and located services outside of the parking bays to ensure accessibility to reticulated water for fire suppression • parking bays are a minimum of 2.6 metres wide from kerb to kerb edge to road pavement . No services or hydrants are located within the parking bays 	<p>Not applicable</p> <p>Can comply</p>
<ul style="list-style-type: none"> • parking does not obstruct the minimum paved width 	<ul style="list-style-type: none"> • public roads directly interfacing the bush fire hazard vegetation provide roll top kerbing to the hazard side of the road 	Can comply

Table 3: Performance criteria for fire trails (PBP p. 25)

Performance Criteria	Acceptable Solutions	Complies
The intent may be achieved where:		
<ul style="list-style-type: none"> the width and design of the fire trails enables safe and ready access for firefighting vehicles 	<ul style="list-style-type: none"> a minimum carriageway width of four metres with an additional one metre wide strip on each side of the trail (clear of bushes and long grass is provided) the trail is a maximum grade of 15 degrees if sealed and not more than 10 degrees if unsealed a minimum vertical clearance of four metres to any overhanging obstructions, including tree branches is provided the crossfall of the trail is not more than 10 degrees the trail has the capacity for passing by: <ul style="list-style-type: none"> reversing bays using the access to properties to reverse fire tankers, which are six metres wide and eight metres deep to any gates, with an inner minimum turning radius of six metres and outer minimum radius of 12 metres; and / or a passing bay every 200 metres, 20 metres long by three metres wide, making a minimum trafficable width of seven metres at the passing bay <p><i>Note: Some short construction in the access may be accepted where they are not less than the minimum (3.5m) and extend for no more than 30 m and where obstruction cannot be reasonably avoided or removed</i></p>	<p>Can comply</p> <p>Can comply</p> <p>Can comply</p> <p>Can comply</p> <p>Not applicable (trails less than 200 m long)</p>
<ul style="list-style-type: none"> fire trails are trafficable under all weather conditions. Where the fire trail joins a public road, access shall be controlled to prevent use by non-authorised people 	<ul style="list-style-type: none"> the fire trail is accessible to firefighters and maintained in a serviceable condition by the owner of the land appropriate drainage and erosion controls are provided the fire trail system is connected to the property access road and / or to the through road system at frequent intervals of 200 metres or less fire trails do not traverse a wetlands or other land potentially subject to periodic inundation (other than a flood or storm surge) gates for fire trails are provided and locked with a key / lock system authorised by the local RFS 	<p>Can comply</p> <p>Can comply</p> <p>Not applicable</p> <p>Can comply</p> <p>Can comply</p>
<ul style="list-style-type: none"> fire trails designed to prevent weed infestation, soil erosion and other land degradation 	<ul style="list-style-type: none"> fire trail does not adversely impact on natural hydrological flows fire trail design acts as an effective barrier to the spread of weeds and nutrients fire trail construction does not expose acid-sulphate soils 	<p>Can comply</p> <p>Can comply</p> <p>Can comply</p>

9 Recommendations and conclusion

The proposal consists of a 116 lot residential subdivision. The development is able to satisfy the standards for residential subdivision and the aim and objectives of PBP.

The following recommendations have been made within this report:

1. All residential allotments within the subdivision are to be managed to Inner Protection Area APZ standards as outlined in **Section 4**;
2. Staging APZs are to be provided for Stage 14 as outlined in **Figure 3** and ensured via Section 88b easements until such time as subsequent Stages 15 and 16 proceed;
3. The reticulated water supply will comply with the acceptable solutions within Section 4.1.3 of PBP as outlined in **Section 6** of this report;
4. Any gas services are to be installed and maintained in accordance with AS/NZS 1596:2014 (**Section 6**);
5. The public roads are to be constructed in accord with the PBP requirements outlined in **Table 2** of this report (**Section 8**);
6. A multi-point fire tanker turning area is to be provided at the end of the dead end road in Stage 16 in accord with the RFS specifications outlined in **Appendix A**; and
7. Temporary staging fire trails are to be provided linking the dead end roads in Stage 14 until such time as Stages 15 and 16 proceed and these trails are to be constructed in accord with the PBP design specifications outlined in **Table 3 (Section 8)**.

9.1 Conclusion

In the author's professional opinion the bushfire protection requirements listed in this assessment provide adequate bushfire protection measures for the proposed subdivision development, consistent with 'Planning for Bush Fire Protection 2006' and appropriate for the issue of a Bush Fire Safety Authority.



Susan Courtney
Senior Bushfire Planner

10 References

NSW Rural Fire Service (RFS). 2006. *Planning for Bush Fire Protection: A Guide for Councils, Planners, Fire Authorities, Developers and Home Owners* including the 2010 Appendix 3 Addendum. Australian Government Publishing Service, Canberra.

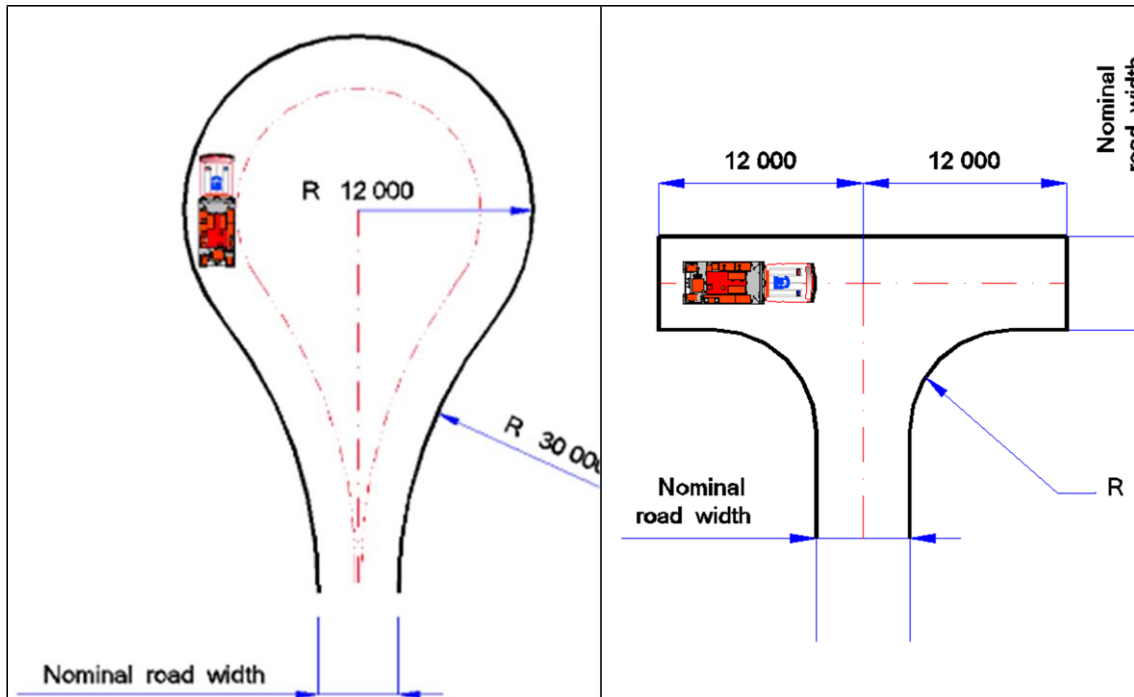
Standards Australia. 2005. *Fire hydrant installations - System design, installation and commissioning*, AS2419.1, Fourth edition 2005, SAI Global, Sydney.

Standards Australia. 2009. *Construction of buildings in bushfire-prone areas*, AS 3959-2009. SAI Global, Sydney

Standards Australia. 2014. *The storage and handling of LP Gas*, AS/NZS 1596:2014, Eighth edition 2014. SAI Global, Sydney.

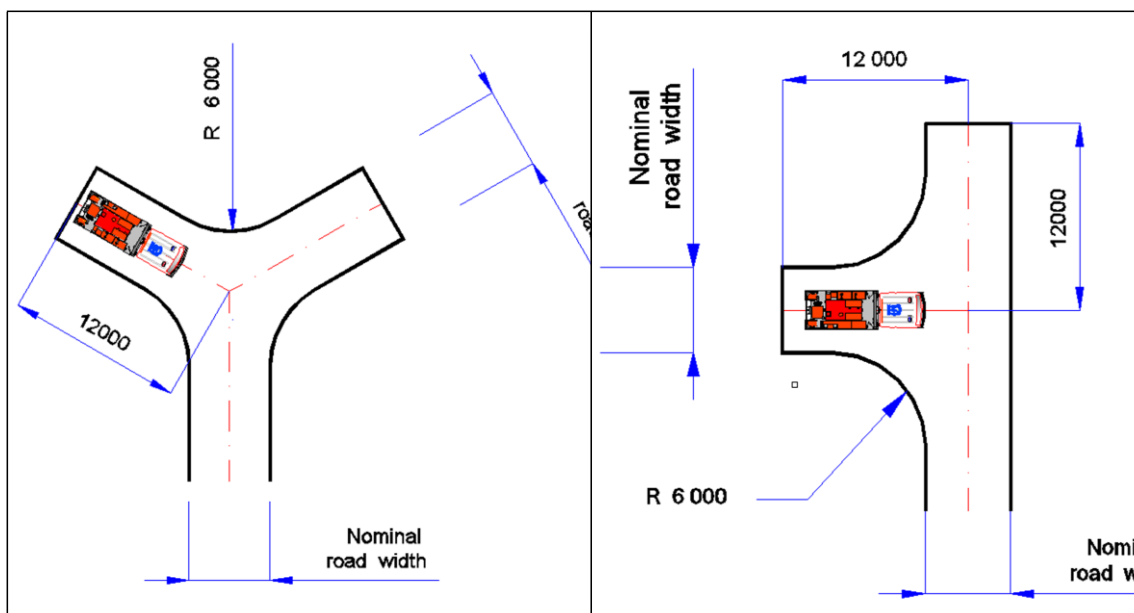
Appendix A – RFS Category 1 Fire Tanker Multi-point Turning Area Specifications

The RFS requires that any dead ends should be provided with a turn-around area which preferably avoids multipoint turns. The minimum turning radius should be no less than the respective outer radius given in Type A. Where multipoint turning is proposed the RFS will consider the following types:



Type A

Type B



Type C

Type D

**HEAD OFFICE**

Suite 2, Level 3
668-672 Old Princes Highway
Sutherland NSW 2232
T 02 8536 8600
F 02 9542 5622

CANBERRA

Level 2
11 London Circuit
Canberra ACT 2601
T 02 6103 0145
F 02 9542 5622

COFFS HARBOUR

35 Orlando Street
Coffs Harbour Jetty NSW 2450
T 02 6651 5484
F 02 6651 6890

PERTH

Suite 1 & 2
49 Ord Street
West Perth WA 6005
T 08 9227 1070
F 02 9542 5622

DARWIN

16/56 Marina Boulevard
Cullen Bay NT 0820
T 08 8989 5601
F 08 8941 1220

SYDNEY

Suite 1, Level 1
101 Sussex Street
Sydney NSW 2000
T 02 8536 8650
F 02 9542 5622

NEWCASTLE

Suites 28 & 29, Level 7
19 Bolton Street
Newcastle NSW 2300
T 02 4910 0125
F 02 9542 5622

ARMIDALE

92 Taylor Street
Armidale NSW 2350
T 02 8081 2685
F 02 9542 5622

WOLLONGONG

Suite 204, Level 2
62 Moore Street
Austinmer NSW 2515
T 02 4201 2200
F 02 9542 5622

BRISBANE

Suite 1, Level 3
471 Adelaide Street
Brisbane QLD 4000
T 07 3503 7192
F 07 3854 0310

HUSKISSON

Unit 1, 51 Owen Street
Huskisson NSW 2540
T 02 4201 2264
F 02 9542 5622

NAROOMA

5/20 Canty Street
Narooma NSW 2546
T 02 4302 1266
F 02 9542 5622

MUDGEES

Unit 1, Level 1
79 Market Street
Mudgee NSW 2850
T 02 4302 1234
F 02 6372 9230

GOSFORD

Suite 5, Baker One
1-5 Baker Street
Gosford NSW 2250
T 02 4302 1221
F 02 9542 5622

ADELAIDE

2, 70 Pirie Street
Adelaide SA 5000
T 08 8470 6650
F 02 9542 5622

1300 646 131

www.ecoaus.com.au



planning consultants

ATTACHMENT 4



town planners

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	DFP Planning
On behalf of	Stockland Developments Pty Ltd
Date	April 2014
Amendments by	DFP Planning
On behalf of	Wakefield Ashurst Developments Pty Ltd
Date	September 2016

Printed: 26 September 2016
 File Name: L:\6001 to 6500\6376B Vincentia Complying Development\Reports\6376B_updated 26 September 2016_proposed Mod 15.doc
 Project Manager: David Kettle
 Client: Wakefield Ashurst Developments Pty Ltd
 Project Number: 6376D

Document history and status

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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	5	19/11/07	David Kettle
	Stockland	1		
Final	Department of Planning	1-e	1/2/2011	David Kettle
	Stockland	1-e		
	Cardno	1-e		
Final	Dept of Planning & Infrastructure	1-e	14/3/2012	David Kettle
	Stockland	1-e		
Final	Dept of Planning & Infrastructure	1-e	20/2/2013	David Kettle
Final	DoPI and Stockland	1-e	1/4/2014	David Kettle
Final	DPE and Wakefield Ashurst	1-e	29/9/2016	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"> • 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; • Construction Certificates for the Display Village within Stage 1; • Subdivision Certificates for each residential stage; • Roads and Traffic Authority Road Occupancy Licence; • Road Opening Permit; • Section 138 Consent for roadworks (Roads Act 1993); • Integral Energy Design Certification; • Integral Energy notification of Arrangement; • Telstra Compliance Certificate; • Shoalhaven Water Compliance Certificate; • Department of land and Property Information registration of the subdivision 	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"> • 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. • 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 • Lots 610 and 1001 to prevent vehicular access being obtained over the western and eastern boundary, respectively. 			
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"> • an education strategy for construction contractors • description of the work program outlining relevant timeframes for activities. • 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 • ; description of the roles and responsibilities for all relevant employees involved in the construction phase • details of the environmental management procedures, monitoring and reporting requirements during the construction or operation phase. • details as to what incident management procedures will be undertaken during construction or operation • the minimisation of rubbish and debris at the site from development activities during the construction phase. 	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.	
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.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
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"> • building setbacks; • APZ setbacks where necessary; • architectural form; • architectural detail; • landscape design. 	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
15		The Proponent will create a restrictive covenant on the title of each residential lot which will require dwelling houses to be consistent with the Design Guidelines before lodging a Development Application with Shoalhaven City Council or obtaining a Complying Development Certificate. The instrument will identify both The Proponent and Shoalhaven City Council as a benefiting party.	The Proponent	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amendment proposed November 2007 Amendment proposed Modification 12 Amendment proposed Modification No. 14
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"> • 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 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)		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		Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier for each stage.	Amendment proposed November 2007 Deletion proposed Modification 14
16(a)	Fire Management	<p>The Proponent will establish Asset Protect Zones (APZs) in accordance with:</p> <ul style="list-style-type: none"> 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; 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; and the lots adjacent to Naval College Road in the Western Precinct; iii. The Bushfire Protection Assessment dated 29 May 2013 and prepared by Eco Logical Australia iv. The Bushfire Protection Assessment dated 22 September 2016 and prepared by Eco Logical Australia <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. 15
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	ENVIRONMENTAL CORE LAND	Weed Management			
		<p>The Proponent will prepare a weed management plan for the core environment area that addresses:</p> <ul style="list-style-type: none"> • a resident education strategy; • identification of invasive weeds; • monitoring of exotic plant distribution and effectiveness of management controls, particularly adjacent to the Jervis Bay National Park. 	<p>The Proponent 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>	<p>Amendment proposed in Modification No. 14</p>
21		Vegetation Management			
(a)		<p>The Proponent will prepare a vegetation management plan for land in the core environment area that addresses monitoring of:</p> <ul style="list-style-type: none"> • rare and threatened communities and species; • threatening processes associated with changed in habitat conditions. <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>The Proponent 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>	<p>Amendment proposed in Modification No. 14</p>
21(b)		The Proponent will prepare a fire management plan for the environmental core land.	<p>The Proponent in consultation with DEC and the RFS</p> <p>Responsibility for implementing the fire management plan will be vested with the landowner.</p>	Within 6 months of release of subdivision certificate for stage 1.	Amendment proposed in Modification No. 14

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
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		The Proponent 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.	The Proponent	Upon commencement of work on the site, with the appropriate entity being identified prior to the completion of the project.	Amendment proposed in Modification No. 14
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 NSW Office of Environment and Heritage (OEH) 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 OEH	Prior to the release of the Subdivision Certificate by Shoalhaven City Council or accredited certifier that creates the core environment land.	Amendment proposed in Modification No. 14
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 th 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	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
35	Social	<p>The Proponent will prepare a community development program which will include:</p> <ul style="list-style-type: none"> welcome initiatives for residents of the subdivision and provide local information; consultation with the new community in regards to planning and development of future stages; opportunities for resident involvement in environmental restoration and maintenance initiatives; 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 community education in regards to recycling initiatives 	The Proponent	Prior to the sale of residential lots in stage 1.	Amendment proposed in Modification No. 14
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	Reticulated Services			
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.	
Roads					
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 Road.	The Proponent	Prior to the occupation of the first stage of the District Town Centre.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
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 prior to the issue of a subdivision certificate for residential development within Proposed Super Lot 6002 residential stage 6 whichever is sooner.	Amendment proposed in Modification No. 14
56		The Proponent will design and construct the signalised intersection at Access D along The Wool Road, including the approach and departure lanes.	The Proponent	Prior to the occupation of the first stage of the District Town Centre.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
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		The Proponent will design and construct the Naval College Road pedestrian / cycleway underpass 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.	The Proponent	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 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.	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
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"> 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; Shared foot and cycle paths to all be at a width of 2.0m; Main east – west footpath to the District Centre from residential stages 6 & 8 to be a shared foot and cycle path at a width of 2.0m. 	The Proponent	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	
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	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.	Stockland	Prior to the release of the Subdivision Certificate by the Shoalhaven City Council or accredited certifier for each stage.	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 adaptable housing within 12 months of obtaining Concept approval for adaptable housing, should it be determined appropriate.	The Proponent	Submission of Project Approval Application	

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
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"> The design and siting of the display village will conform with the following: <ul style="list-style-type: none"> The display village will be confined to proposed Lots 110 to 121. 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. 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. All display homes will comply with the built form controls and design guidelines contained in Part 4 Annexure B of 	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>the Preferred Project Report, except the requirement for a rainwater tank.</p> <ul style="list-style-type: none"> ○ The total display office area will be contained within a maximum of one storey in height, will not exceed 100m² 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. ○ 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). ○ 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. ○ 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. <ul style="list-style-type: none"> • Vehicular access to the display village will be established within the proposed public roads connecting to Naval College Road prior to commencement of operations. • The hours of operation of the display village will be limited to 9am to 5pm, Monday to Sunday. • 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. • All display homes shall be subject to works to ensure compliance as required for use as a dwelling-house prior to occupation. • 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. 			

Item Number	Item	Commitment	Responsibility	Timing	Amendment Date
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"> The design and siting of the display village will conform with the following: <ul style="list-style-type: none"> The display village will be confined to proposed Lots 530-535, 551 and 552. 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. 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. The provision of a six (6) customer car parking spaces on proposed Lot 550 in the western village. 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. 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. 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. Vehicular access to the display village will be established within the proposed public roads connecting to Naval College Road prior to commencement of operations. The hours of operation of the display village will be limited to 9am to 5pm, Monday to Sunday. 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. 	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
		<ul style="list-style-type: none"> All display homes shall be subject to works to ensure compliance as required for use as a dwelling-house prior to occupation. 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. 			
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