

Appendix 25 - Draft Statement of Commitments

Theme	Proposed Commitment	Responsibility	Project Phase
Development	The development will be undertaken in accordance with the Subdivision Concept Plan prepared by WorleyParsons, the Plan of Subdivision prepared by Geoff Slattery and Partners, and the Environmental Assessment report prepared by WorleyParsons.	Utila Pty Ltd	Construction and operation
	Construction Management Plans will be prepared for each stage of construction of the development and submitted to Coffs Harbour City Council for approval.	Utila Pty Ltd	Prior to construction
Ecological	The development is to be undertaken in accordance with the recommendations in the Ecological Assessment report prepared by James Warren and Associates.	Utila Pty Ltd	Construction and operation
	Weeds within habitat areas will be controlled and managed and habitat restoration is to be implemented in accordance with the Vegetation Management Plan (JWA 2011).	Coffs Harbour City Council	Operation
	Contiguous areas of retained vegetation are to be fenced with permeable fencing (e.g. post and rail) to discourage access from human visitation and from trail bikes, etc. Fencing will be installed along the site boundary to the National Park in accordance with the <i>Typical detail for Rural boundary fence</i> and <i>Plan view of pedestrian access</i> contained in the Landscape Concept Plan prepared by Terras Landscape Architects, but not to land forming part of the subject site zoned Environmental Protection 7A Habitat and Catchment.	Utila Pty Ltd	Construction
	Landscape and landfill materials should be sourced from a supplier where Cane toads do not occur.	Utila Pty Ltd and subcontractors	Construction
	A qualified fauna handler will be on site when clearing occurs.	Utila Pty Ltd	Construction
	40 km/hr speed limit will be imposed on internal access roads. Other measures to reduce traffic speeds include traffic calming features, and lighting.	Utila Pty Ltd	Construction
	Formal walking tracks will be provided to established access points to Bongil Bongil National Park. Access points are to be adjacent to the locked gates at the fire trail access points. This will prevent the formation of a larger number of informal tracks.	Utila Pty Ltd DECCW	Construction

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	A s88B Restrictive Covenant in accordance with the <i>Conveyancing Act 1912</i> will be annexed to all lots in the proposed development to prevent residents from owning and housing cats on the residential lots.	Utila Pty Ltd	Operation
	A s88B Restrictive Covenant in accordance with the <i>Conveyancing Act 1912</i> will be annexed to all lots in the proposed development to ensure that all dogs reside within fenced enclosures and be on a leash when outside the enclosure.	Utila Pty Ltd	Operation
	Regeneration and revegetation works on the subject site will utilise preferred Koala food trees where appropriate.	Utila Pty Ltd and subcontractors	Construction
	Lighting will be designed to minimize spill over flora and fauna habitat areas.	Utila Pty Ltd	Construction
Bushfire	Construction and operation of the proposed subdivision will be in accordance with the Bushfire Assessment report – Residential Subdivision prepared by Holiday Coast Bushfire Solutions.	Utila Pty Ltd and Coffs Harbour City Council	Construction and operation
	Construction in the Asset Protection Zones (APZs) is to be implemented in accordance with the <i>Plan showing APZ and construction level thresholds</i> included in the Bushfire Assessment report – Residential Subdivision prepared by Holiday Coast Bushfire Solutions.	Utila Pty Ltd	Construction
	The Asset Protection Zones identified on the <i>Plan showing APZ and construction level thresholds</i> included in the Bushfire report – Residential Subdivision (prepared by Holiday Coast Bushfire Solutions, are to be managed and maintained in accordance with <i>Planning for Bushfire Protection 2006</i> and the Bushfire Assessment.	Coffs Harbour City Council and NPWS	Operation
	A s88B Covenant will be created in accordance with the <i>Conveyancing Act 1919</i> for the title of future lots located within the Asset Protection Zone, to ensure that vegetation and landscaped areas are maintained in accordance with the requirements of <i>Planning for Bushfire Protection 2006</i> and the Bushfire Assessment report.	Utila Pty Ltd	Operation
	All dwellings within the Asset Protection Zone are to be constructed in accordance with Australian Standard 3959 – 2009: Construction of buildings in bushfire-prone	Utila Pty Ltd	Construction

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	areas.		
	The development will provide vehicular and pedestrian access to fire trails on National Park land in accordance with the <i>Plan showing APZ and construction level thresholds</i> in the Bushfire Assessment report – Residential Subdivision (prepared by Holiday Coast Bushfire Solutions). Access to the fire trails on the subject land will be maintained by Coffs Harbour City Council, while the fire trails will be maintained by National Parks (NPWS). Locked gates will be provided at the boundary of the subject land to provide connection to those fire trails within the National Park.	Utila Pty Ltd, Coffs Harbour City Council and NPWS	Construction and operation
Water Management	The proposed bio-retention basins and bio-retention swales will be constructed in accordance with the Stormwater Concept Plan (Geoff Slattery and Partners), and consistent with the Stormwater Management Strategy (WorleyParsons) and the Landscape Concept Masterplan and Landscape Design Report (Terras Landscape Architects) for the proposed development. This infrastructure is to be maintained in accordance with these reports and the Vegetation Management Plan prepared by James Warren and Associates.	Utila Pty Ltd and Coffs Harbour City Council	Construction and operation
	All dwellings will be constructed with a minimum 500mm freeboard above the 1 in 100 year flood level.	Utila Pty Ltd	Construction
	The public reserves, including riparian corridors, will be dedicated to Council.	Utila Pty Ltd	Prior to release of the subdivision certificate
Minimal Use of Water and Energy	Each dwelling will have rainwater tank with a minimum capacity of 5kL. This requirement is consistent with the North Bonville Developer Contributions Plan.	Coffs Harbour City Council	Construction
Landscaping / Visual Amenity	The street tree planting and other landscaping will be implemented and maintained in accordance with the Landscape Concept Plan and Landscape Design Report prepared by Terras Landscape Architects.	Utila Pty Ltd and Coffs Harbour City Council	Construction and operation
Traffic Management and	The construction and operation of the proposed subdivision will be in accordance with the Concept Road Layout and accompanying road profiles prepared by Geoff Slattery	Utila Pty Ltd	Construction and operation

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Access	and Partners.		
	The bus stops and bus shelters will be provided by the developer in the locations nominated on the Concept Road Layout prepared by Geoff Slattery and Partners and maintained by Council.	Utila Pty Ltd and Coffs Harbour City Council	Construction
Noise	The noise impacts from the construction of the subdivision will be monitored and comply with the <i>Environmental Criteria for Road Traffic Noise</i> (EPA, 1999).	Coffs Harbour City Council	Construction
	All new dwellings on the land will be constructed in accordance with <i>Acoustics – Road traffic noise intrusion – Building siting and construction</i> (Standards Australia, 1989, AS 3671-1989).	Coffs Harbour City Council	Construction
Cultural Heritage	All contractors will be made aware that, under Part 6 Section 90 of the NPWS Act 1974, a person who knowingly destroys, defaces or damages or knowingly causes or permits the destruction or defacement of or damage to, an Aboriginal object or Aboriginal place without first obtaining the written consent of the Director-General, is guilty of an offence against the NPWS Act 1974.	Coffs Harbour City Council	Prior to construction
	All ridge topsoil will be removed and relocated to the reserve area of the proposed development.	Utila Pty Ltd	Prior to construction (prior to bulk earthworks)
	The relocated location of the ridge topsoil will be recorded as a relocated site with DECCW Aboriginal Heritage Information Management System.	CHLALC DECCW	Prior to construction
	Relocation of ridge topsoil should be monitored by CHLALC.	CHLALC	Prior to construction
	After the ridge topsoil has been relocated, a walkover of the removal areas should be conducted by the CHLALC and any visible artefacts collected.	CHLALC	Prior to construction
	Collected artefacts will be redeposited by CHLALC representatives in a secure location on site negotiated between Utila PL and the CHLALC.	CHLALC Utila Pty Ltd	Construction and operation.

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	Street names in the development will acknowledge the Traditional Owners of the area. Consultation with the CHLALC and the CHCC will be undertaken to ascertain suitable names for the streets.	Utila Pty Ltd CHLALC CHCC	Prior to construction
	Implementation of the Cultural Heritage Management Plan and the Work Method Statement, contained in Section 6.3 of the Cultural Heritage Assessment report, will be undertaken.	Utila Pty Ltd DoP	Construction and operation.
Infrastructure	Further consultation will be undertaken with Council and service providers to determine the requirements for electricity and telecommunication systems.	Utila Pty Ltd	Prior to construction
	The developer will supply reticulated water and sewerage services for each residential lot in accordance with Coffs Harbour City Council's requirements.	Utila Pty Ltd	Construction
	The developer will supply underground electricity and telecommunication infrastructure to each residential lot in accordance with the service provider requirements.	Utila Pty Ltd	Construction
Groundwater	The four monitoring wells established on the site (MW1-4) will be monitored monthly during construction and for 12 months post development so as to assess the impact the development may have on groundwater in the immediate vicinity of the site. The results of monitoring should be reviewed by a competent groundwater practitioner and recommendations made on modifying, or the need for, further groundwater monitoring.	Utila Pty Ltd	Construction and operation
	The base of all spoon drains will be sited above 5m AHD to avoid groundwater intersection.	Utila Pty Ltd	Construction
Acid Sulfate Soils	If soils are to be removed from the low lying area in the southwest of the site where PASS was encountered, then the upper 0.5m of soils will be stripped, stockpiled and treated with lime to increase the pH. (Note: Liming ratios have been calculated for the PASS and acidic soils should liming	Utila Pty Ltd	Construction

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	be required. Good quality fine agricultural lime will be used to treat excavated PASS. In calculating the liming ratios, a factor of safety of 1.5 has been allowed above the theoretical requirement to take into account the rate of lime reactivity and the possibility of inhomogeneous mixing, particularly in the cohesive soils. Using a 95% confidence limit for the liming results provided, the liming ratio requirements were assessed to be 13.5kg of lime per tonne of soil for the PASS soils).		
Geotechnical	<p>A more detailed geotechnical investigation will be undertaken of the site prior to construction that, in particular, will assess the steeper slopes in the southern portion of the site.</p> <p>The intrusive investigations (such as test pitting) will be undertaken over the site to further assess the subsurface conditions and the potential for slope instability.</p>	Utila Pty Ltd	Prior to Construction
	The existing fill on the site will be removed and replaced and compacted with approved fill under Level 1 conditions.	Utila Pty Ltd	Construction
	For shallow footings founded in stiff clay materials (i.e. as encountered on the hillslopes) an allowable bearing pressure of 100kPa may be adopted for design purposes.	Each developer of housing on the site	Construction
	Construction on gently sloping ground (less than 10°) is considered to be at lower risk of potential instability. These areas of the site are more likely to be suited to single level slab on ground construction or split level residential construction.	Each developer of housing on the site	Construction
	The subsurface conditions within the watercourses areas are likely to comprise firm alluvial clay and silty soils overlying stiffer alluvial clay and residual clay soils. For construction in these areas, consideration will be given to the shallow groundwater table, soils with inadequate bearing pressures and the presence of soils with high silt contents which can be problematic for fill placement and compaction. Construction in these areas may require dewatering, excavation and replacement with controlled Level 1 fill or piled foundations to suitable founding strata below and uncontrolled fill or unsuitable natural materials.	Utila Pty Ltd	Construction

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	Several areas of seepage were observed within the watercourse catchment in the southwest of the site. Due to the likely wet subsurface conditions associated with such seepage, consideration will be given to further assessing the subsurface conditions in this area prior to development. Associated with these seepage zones were gully erosion features which have developed downslope of the seepage points. To limit the effects of erosion in these areas, it is likely that permanent drainage structures such as gravel drains will be required to manage the water flow and prevent further erosion.	Utila Pty Ltd	Construction
	For shallow footings founded in stiff clay materials (i.e. as encountered on the hillslopes) an allowable bearing pressure of 100kPa will be adopted for design purposes.	Each developer of housing on the site	Construction
Developer Contributions	The developer will pay Section 94 developer contributions in accordance with the North Bonville Developer Contributions Plan (Coffs Harbour City Council).	Utila Pty Ltd	Prior to issue of Subdivision Certificate
Transfer of land	<i>This development does not create a dwelling entitlement for [Part Lot 112 DP 107391] currently zoned 7A Environmental Protection under Coffs Harbour LEP 2000.</i> <i>Subject to formal approval from the Minister for Environment, this lot is to be donated to the Foundation for National Parks and Wildlife (then transferred to the Department of Environment and Climate Change to be managed for conservation) in accordance with the undertaking given in a letter from [Utila Pty Ltd] to [the Department of Planning dated [insert date]].</i>	Utila Pty Ltd DECCW	Construction and/or operation