

Notice of Modification

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate, under delegation executed on 16 February 2015, I approve the Section 75W modification of the Project Approval referred to in Schedule 1, subject to the modified conditions of approval outlined in Schedule 2.



Chris Ritchie
Manager
Industry Assessments

Sydney 6 MAY 2015

SCHEDULE 1

**Project Approval:
For the Following:**

MP09_0166

Community Title Residential Subdivision comprising:

- 250 residential and four medium density lots;
- four public reserve lots, one water reservoir site, one drainage reserve lot, one community lot
- landforming and earthworks;
- community recreation facility on Lot 713;
- associated roads, stormwater and utility infrastructure.

Modification:

Torrens Title Subdivision comprising:

- 250 residential and five medium density lots;
- four public reserves, one water reservoir site, and one drainage reserve;
- landforming and earthworks;
- associated roads, stormwater and utility infrastructure;
- deletion of the community recreation facility on Lot 713; and
- reconfiguration of open space.

SCHEDULE 2

The above approval is modified as follows:

1. In the Definitions table in Schedule 2, delete the definition of 'Director-General' and replace it with the following:

Secretary Secretary of the Department of Planning and Environment, or nominee/delegate

2. In the Definitions table in Schedule 2, delete the definition of 'Department' and replace with the following:

Department Department of Planning and Environment or its successors

3. In Schedule 2, replace all references to 'Director-General' with 'Secretary'.

4. In Schedule 2 Part A, delete Condition A1 and replace it with the following:

A1 – Project Description

Project approval is granted only to carrying out the project described in detail below:

- 1) Subdivision of Lot 1 DP 304649, Lot 1 DP 175235, Lot 1 DP 781687, Lot 2 DP 778727, Lot 1 DP 781697, Lot 1 DP 169490, Lots 40 & 43 DP 254416 Fraser Drive Terranora;
- 2) Creation of 250 residential housing lots;
- 3) Creation of 5 medium density lots comprising Lot 701, Lot 711, Lot 713, Lot 925 and Lot 926;
- 4) Creation of 5 open space lots for public recreation reserve comprising Lot 451, Lot 713, Lot 819 and Lot 1001;
- 5) Creation of 1 drainage reserve lot, comprising Lot 610;
- 6) Creation of a reservoir site at Lot 501 and dedication to the Council;
- 7) Construction of roads, footpaths, access driveways, earthworks and drainage infrastructure; and
- 8) Dedication of land for roads, public parks and public infrastructure to Council.

5. In Schedule 2 Part A, delete Condition A2 and replace it with the following:

A2 – Staging

The project is to be constructed in ten (10) stages, generally in accordance with the 'Plan Showing Existing topography and Proposed Subdivision Layout' dated 18 July 2013, prepared by B & P Surveys Revision D (Drawing No 18779B), incorporating the lots as follows:

- (1) Stage 1 comprises residential lots 101 -143 inclusive, incorporating roads and required infrastructure;
- (2) Stage 2 comprises residential lots 201 - 228 inclusive, incorporating roads and required infrastructure;
- (3) Stage 3 comprises residential lots 301 – 324 inclusive, incorporating roads and required infrastructure;
- (4) Stage 4 comprises residential lots 401 – 450 inclusive, public reserve on Lot 451 and incorporating roads and required infrastructure;
- (5) Stage 5 comprises residential lots 502 – 524 inclusive, water reservoir site on Lot 501 and incorporating roads and required infrastructure;
- (6) Stage 6 comprises residential lots 601 – 610 inclusive, drainage reserve on Lot 610 and incorporating roads and required infrastructure;

- (7) Stage 7 comprises residential lots 702 – 713 inclusive, 3 medium density residential lots 701, 711 and 712, public reserve on Lot 713, and incorporating roads and required infrastructure;
- (8) Stage 8 comprises residential lots 801 – 818 and lots 820 - 841 inclusive, public reserve on Lot 819 and incorporating roads and required infrastructure;
- (9) Stage 9 comprises residential lots 901 – 924 inclusive, 2 medium density residential lots 925 and lot 926 and incorporating roads and required infrastructure; and
- (10) Stage 10 comprises the public reserve on Lot 1001, and incorporating roads and required infrastructure.

Subject to any conditions of approval, staging of allotment and/or road construction may vary in sequence and timing. Essential infrastructure associated with and including, but not limited to, roads, roundabouts, bus routes, footpaths, parks, services, landscaping and environmental management, shall be constructed as specified in the staging listed above or as otherwise provided in these conditions and the proponent's Statement of Commitments.

Any revised staging plan that varies the stage boundaries or components listed in (1) – (10) inclusive, shall be submitted for the approval of the Secretary, prior to the issuing of a Construction Certificate for subdivision works.

6. In Schedule 2 Part A, delete Condition A3 and replace it with the following:

Condition A3 - Project in Accordance with Plans

The project will be undertaken in accordance with the following documents:-

- a) Environmental Assessment prepared by Darryl Anderson Consulting Pty Ltd dated December 2010;
- b) Preferred Project Report prepared by Darryl Anderson Consulting Pty Ltd dated April 2013;
- c) Addendum to the PPR prepared by Darryl Anderson Consulting Pty Ltd dated October 2013; and
- d) Modification Report – Major Project Approval No. 09_0166 Proposed Residential Subdivision, "Altitude Aspire" Fraser Drive, Terranora, prepared by Darryl Anderson Consulting Pty Ltd and dated February 2015.

and the following drawings, except where varied by the conditions of this approval:

Subdivision Layout Plans prepared by B & P Surveys, Reference No T15263			
Drawing No.	Revision	Name of Plan	Date
18779B	G	Plan Showing Existing Property Descriptions and Tweed Local Environmental Plan 2000 & 2014 - Zonings (Sheet 1)	12 February 2015
18779B	G	Plan Showing Existing Topography & Proposed Subdivision Layout (Sheet 2)	12 February 2015
18779B	G	Plan Showing Proposed Subdivision Layout & Design Contours (Sheet 3)	12 February 2015
18779B	G	Plan Showing Proposed Subdivision Layout & Design Contours (Sheet 4)	12 February 2015
18779B	G	Plan Showing Proposed Subdivision Layout & Design Contours (Sheet 5)	12 February 2015
18779B	G	Plan Showing Proposed Subdivision	12 February 2015

		Layout & Design Contours (Sheet 6)	
18779B	G	Plan Showing Proposed Subdivision Layout & Design Contours (Sheet 7)	12 February 2015
18779B	G	Plan Showing Proposed Subdivision Layout & Design Contours (Sheet 8)	12 February 2015
18779B	I	Locality/Context Plan	10 July 2013
Density and Structural Systems Plans prepared by Local Office Architecture, Project No 130300			
Drawing No.	Revision	Name of Plan	Date
SK.0001	C	Density Projection Plan	March 2013
SK.0002	D	Structural Systems Plan	March 2013
SK.0003	A	Display Village Plan	July 2013
SK.0004	B	Medium Density – Lot 926	March 2013
SK.0005	B	Medium Density – Lot 925	March 2013
SK.0006	A	Medium Density – Lot 711	March 2013
SK.0007	A	Medium Density – Lot 701	March 2013
SK.0008	B	Solar Orientation Plan	March 2013
Engineering Drawings prepared by Bradlees Civil Consulting, Project No 09-374			
Drawing No.	Revision	Name of Plan	Date
SK3628	E	Road Hierarchy Plan	3 July 2013
SK3586 SK3616 (inclusive)	B	Road Plans – road longitudinal, long and cross sections	7 January 2013
SK3963, SK3965, SK3966, SK3967	A	Road Plans – road longitudinal, long and cross sections	7 January 2013
SK3562	E	Ultimate Earthworks Phasing Plan	4 July 2013
SK2604	F	Cut/Fill Plan (Sheet 1)	4 July 2013
SK2605	F	Cut/Fill Plan (Sheet 2)	4 July 2013
SK3507	D	Earthworks Layout (Sheet 1)	15 May 2013
SK3508	D	Earthworks Layout (Sheet 2)	15 May 2013
SK3527	D	Earthworks Layout (Sheet 3)	9 April 2013
SK3528	D	Earthworks Layout (Sheet 4)	9 April 2013
SK3529	C	Earthworks Layout (Sheet 5)	27 Feb 2013
SK3635	D	Earthworks Sections Layout	16 May 2013
SK3636	B	Earthworks Cross Sections (Sheet 1)	7 January 2013
SK3637	B	Earthworks Cross Sections (Sheet 2)	7 January 2013
SK3638	C	Earthworks Cross Sections (Sheet 3)	21 May 2013
SK3639	C	Earthworks Cross Sections (Sheet 4)	16 May 2013
SK3640	C	Earthworks Cross Sections (Sheet 5)	9 April 2013

SK3641	C	Earthworks Cross Sections (Sheet 6)	9 April 2013
SK3642	C	Earthworks Cross Sections (Sheet 7)	9 April 2013
SK3643	C	Earthworks Cross Sections (Sheet 8)	9 April 2013
SK4032	A	Existing Boundary Tie In	15 March 2013
SK3626	C	Water Quality Treatment Areas	25 Feb 2013
SK3618	D	Central Open Drain Swale Plan	9 April 2013
SK4038	B	Central Open Drain Swale Bund	17 April 2013
SK3619	B	Central Open Drain Swale Long Section	25 Feb 2013
SK3620	C	Central Open Drain Swale Cross Sections (Sheet 1)	25 Feb 2013
SK3621	C	Central Open Drain Swale Cross Sections (Sheet 2)	25 Feb 2013
SK3622	C	Central Open Drain Swale Cross Sections (Sheet 3)	25 Feb 2013
SK3623	C	Central Open Drain Swale Cross Sections (Sheet 4)	25 Feb 2013
SK3624	C	Central Open Drain Swale Cross Sections (Sheet 5)	25 Feb 2013
SK3625	C	Central Open Drain Swale Cross Sections (Sheet 6)	25 Feb 2013
SK3631	C	Stormwater Layout (Sheet 1)	16 May 2013
SK3632	D	Stormwater Layout (Sheet 2)	16 May 2013
SK3487	C	Bebo Culvert Sections	9 April 2013
SK3633	B	Water Layout (Sheet 1)	7 January 2013
SK3634	C	Water Layout (Sheet 2)	9 April 2013
SK3629	C	Sewer Layout (Sheet 1)	16 May 2013
SK3630	D	Sewer Layout (Sheet 2)	16 May 2013
SK3647	C	Stages 1,2 and 3 Services (Sheet 1)	16 May 2013
SK3648	D	Stages 1,2 and 3 Services (Sheet 2)	16 May 2013
Traffic and Roads Drawings prepared by Bitzios Consulting (Revised Altitude Aspire Transport Assessment), Project No 09-374			
Drawing No.	Revision	Name of Plan	Date
Figure 6.3	-	Bus Stop locations Plan	8 April 2013
Landscape Drawings prepared by Form Landscape Architects, Project No 100906, DA09 dated 11 February 2015			
Drawing No.	Revision	Name of Plan	Date
Figure 1	-	Landscape Master Plan	11 February 2015
Figure 2	-	Landscape Structure	11 February 2015
Figure 3	-	Circulation Network	11 February 2015
-	-	Fence Types	11 February 2015
-	-	Community Park Node	11 February 2015
-	-	Fraser Drive Entry	11 February 2015

-	-	Landscape Sections 1 – 10 and 12 - 15 inclusive	11 February 2015
-	-	Community Park Node	11 February 2015
-	-	Drainage Corridor and Wetlands	11 February 2015
-	-	Pocket Park 1	11 February 2015
-	-	Pocket Park 2	11 February 2015
-	-	Planting Palette	11 February 2015
Hydrological and Hydraulic Plans prepared by Gilbert & Sutherland dated 19 April 2013, Project No 10849			
Drawing No.	Revision	Name of Plan	Date
203	-	Proposed Development	19 April 2013
204	-	Existing Sub-catchments and WBNM model layout	19 April 2013
205	-	Developed sub-catchments and WBNM model layout	19 April 2013
206	-	Base Case Sobek model layout	22 April 2013
207	-	Developed Case Sobek model layout	23 April 2013
208	-	100 year ARI Developed Case Flood inundation	22 April 2013
Stormwater Plans prepared by Gilbert & Sutherland dated 17 April 2013, Project No 10849			
Drawing No.	Revision	Name of Plan	Date
103	-	Proposed Development	17 April 2013
104	-	Developed Case Catchment Plan and Drainage Detail	17 April 2013
105	-	Stormwater Quality Treatment Measures	17 April 2013
106	-	Bioretention Basin Typical Detail	22 April 2013

7. In Schedule 2 Part A, delete Condition A4 and replace it with the following:

A4 Project in Accordance with Documents

The project will be undertaken in accordance with the following documents except where varied by the conditions of this approval:

- (1) Environmental Assessment Report dated September 2010, as revised December 2010 prepared by Darryl Anderson Consulting Pty Ltd;
- (2) Preferred Project Report/Response to Submissions prepared by Darryl Anderson Consulting Pty Ltd dated April 2013 and PPR Addendum dated August 2013 and October 2013;
- (3) Cultural Heritage Assessment prepared by Everick Heritage Consultant Pty Ltd dated March 2012;
- (4) Acoustic Report prepared by Sound matters tm, Reference No 11GCA0048 R01 7 dated 8 April 2013;
- (5) Stormwater Assessment and Management Plan prepared by Gilbert & Sutherland dated April 2013;

- (6) Revised Ecological Assessment prepared by JWA Pty Ltd Ecological Consultants dated April 2013, Job No N09031/EA/2013/Rw7 and Addendum to the Ecological Assessment prepared by JWA Pty Ltd dated August 2013;
- (7) Revised Vegetation Management and Rehabilitation Plan prepared by JWA Pty Ltd Ecological Consultants dated April 2013, Job No N09031/VMRP/2013/MJ1;
- (8) Preferred Project Report (Revised) for MP 09_0166 for Altitude Aspire Terranora (Engineering) prepared by Bradlees Civil Consulting dated March 2013 (Job No 09-374 Altitude Aspire and Response to DOP Outstanding Issues in Addendum to PPR.
- (9) Amended Biting Insect Management Plan prepared by HMC Environmental Consulting Pty Ltd dated April 2012, Report No 2012.045;
- (10) Bushfire Assessment Report prepared by Bushfire Safe (Australia) Pty Ltd dated March 2012;
- (11) Altitude Aspire Revised Transport Assessment prepared by Bitzios Consulting dated 8 April 2013, Version 002 Project No P1197;
- (12) Acid Sulphate Soil Assessment and Management Plan prepared by Gilbert & Sutherland dated April 2012, Ref No 10849_ASS&MP;
- (13) Hydrological and Hydraulic Assessment prepared by Gilbert & Sutherland dated April 2013 (Revision 2), Ref No 10849 HHA;
- (14) Soil Contamination Assessment for 'Area E' Properties Terranora dated October 2003, prepared by Gilbert & Sutherland Pty Ltd;
- (15) Sampling, Analysis and Quality Plan prepared by Gilbert & Sutherland dated October 2013 (Revision 3), Ref No 10849_SAQP_RZ1F.docx;
- (16) Remediation Action Plan, prepared by Gilbert & Sutherland dated October 2013 (Revision 3), Ref No 10849_RAP_RZ1F.docx;
- (17) Section B Site Audit Statement prepared by Marc Salmon dated 15 October 2013, Ref 14003 (Site Audit Statement – 0103 – 1301);
- (18) Interim Site Audit Advice prepared by Marc Salmon dated 9 August 2013;
- (19) Soil Preservation Management Plan prepared by Gilbert & Sutherland Pty Ltd dated April 2013 (Ref 10849_SPMP_RMF);
- (20) Broad Geotechnical Engineering Assessment prepared by Morrison Geotechnic Pty Ltd dated November 2010; and
- (21) Modification Report – Major Project Approval No. 09_0166 Proposed Residential Subdivision, "Altitude Aspire" Fraser Drive, Terranora, prepared by Darryl Anderson Consulting Pty Ltd and dated February 2015.

8. In Schedule 2 Part A, delete Condition A15.

9. In Schedule 2, Part B, add new requirement (j) to Condition B8 after requirement (i):

- (j) provide evidence from a suitably qualified Engineer to the satisfaction of the Council, demonstrating that the regional sewerage pumping station servicing Lot 712 is capable of accommodating the flows generated by the 10 additional dwellings contemplated in the *Concept Plans for Future Medium Density Housing on Proposed Lot 712* (Drawing No. SK0009) prepared by Local Office Architecture and dated February 2015.

10. In Schedule 2, Part B, add new requirement 3) e) and f) to Condition B46 after requirement d):

- e) The final landscape plan must identify the location of all water supply and sewerage discharge points within each public open space reserve.
- f) The final landscape plan must ensure that there are no signage walls or stone walls within the Fraser Drive road reserve.

11. In Schedule 2 Part E, delete Condition E10.

END OF MP09_0166 MOD 1

Revised Statement of Commitments – Altitude Aspire, MP 09_0166

STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Responsibility for Each Commitment, Monitoring and Reporting
1. Erosion and Sediment Control (Construction Phase)	1.1 Minimise the escape of wind-borne particles by complying with the Erosion and Sedimentation Control Plan	1.1.1 Minimise disturbance area 1.1.2 Promptly rehabilitate disturbed areas 1.1.3 Regularly water disturbed areas of the site	To ensure that air pollution does not exceed DECC standards	Ongoing during the construction phase for each relevant stage of the subdivision.	Any complaints to be recorded in the Complaints Register and valid claims to be acted on within one hour. Details to be provided in the quarterly Compliance Report. Responsibility: Project Manager or his/her Nominee (PM or N).
	1.2 Minimise mobilisation of sediments by complying with the Erosion and Sedimentation Control Plan	1.2.1 Erect sedimentation fences, inlet filters, hay bale barriers and diversion drains in accordance with the Erosion and Sedimentation Control Plan. 1.2.2 The controls shall be maintained during the construction phase and defects liability period. 1.2.3 Comply with the provisions of the Stormwater Assessment and Management Plan, Gilbert and Sutherland, April 2013 (Annexure 8).	To ensure that water quality in receiving waters is not decreased in quality by sediment and nutrient loads	All sediment and erosion control measures to be in place prior to commencing site work or demolition for each relevant stage of the subdivision.	Visual monitoring shall be carried out on a weekly basis and after each storm event. Details to be contained in the quarterly Compliance Report. Responsibility: PM or N.
	2.1 Minimise risk of injury to construction workers and members of the public by generally complying with the Safety Management Plan	2.1.1 The principal contractor shall prepare a Health and Safety Plan and submit the Plan to the Project Manager for approval. The contractor shall comply with the approved Plan. 2.1.2 The principal contractor shall prepare a Traffic and Pedestrian Plan for approval by the Project Manager.	To ensure that Occupational Health and Safety Act 2000, Occupation Health and Safety Regulation 2001 and relevant Codes of Practice are complied with.	Prior to commencing any work on the site for each relevant stage of the subdivision.	Monitoring and reporting incidents to be recorded in the Incident Register and details to be included in the quarterly Compliance Report. Work Cover to be notified in appropriate circumstances. Responsibility: PM or N.
2. Site Safety			To ensure that traffic and pedestrian management during the construction phase complies with the RTA Traffic Control Worksite Manual and AS1742.3	Prior to commencing work on site for each relevant stage of the subdivision.	As above.

STATEMENT OF COMMITMENTS				
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion
8. Aboriginal Cultural Heritage	8.1 Avoid disturbing any areas of Aboriginal Cultural Heritage.	8.1.1 Comply with Recommendations contained in the Cultural Heritage Assessment, Everick Heritage Consultants, March 2012 (Annexure 6) (see below).	To ensure compliance with the National Parks and Wildlife Act 1974.	Ongoing during the construction phase for each relevant stage of the subdivision.
		8.1.2 Comply with the conditions recommended by DECCW.		
Everick Conditions				
8.1.3	The Proponent shall continue to consult with and involve all registered local Aboriginal representatives for the project, in the ongoing management of the Aboriginal cultural heritage values. Evidence of this consultation must be collated and kept on record. If the Proponent is planning to undertake ground disturbance within the areas Zoned 7(a) Environmental Protection (Wetlands and Litoral Rainforest) (Figure 2), consultation with the registered Aboriginal Stakeholders should be undertaken.			
8.1.4	If human remains are located at any stage during construction works within the Subject Lands, all works must halt in the immediate area to prevent any further impacts to the remains. The Site should be cordoned off and the remains themselves should be left untouched. The nearest police station, the Tweed Byron LALC, and the DECCW (Enviroline Ph: 131 555), are to be notified as soon as possible. If the remains are found to be of Aboriginal origin and the police do not wish to investigate the Site for criminal activities, the Aboriginal community and the DECCW should be consulted as to how the remains should be dealt with. Work may only resume after agreement is reached between all notified parties, provided it is in accordance with all parties' statutory obligations. In all dealings with Aboriginal human remains, the proponent should use respectful language, bearing in mind that they are the remains of Aboriginal people rather than scientific specimens.			
8.1.5	If it is suspected that Aboriginal material has been uncovered as a result of development activities within the Subject Lands: (a) work in the surrounding area is to stop immediately; (b) a temporary fence is to be erected around the site, with a buffer zone of at least 10 metres around the known edge of the site; (c) an appropriately qualified archaeological consultant is to be engaged to identify the material; and (d) if the material is found to be of Aboriginal origin, the Aboriginal community is to be consulted in a manner as outlined in the DECCW guidelines: Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010).			
8.1.6	If Aboriginal cultural material is uncovered as a result of development activities within the Subject Lands, it is to be registered as a Site in the Aboriginal Heritage Information Management System (AHIMS) managed by the DECCW. Any management outcomes for the site will be included in the information provided to the AHIMS.			
8.1.7	All effort must be taken to avoid any impacts on Aboriginal cultural heritage values at all stages during the development works. If impacts are unavoidable, mitigation measures should be negotiated between the Proponent and the Aboriginal community.			
8.1.8	An Aboriginal Cultural Education Program must be developed for the induction of all personnel and contractors involved in the construction activities on site. Records should be maintained of which staff/contractors were inducted and when for the duration of the project. The program should be developed and implemented in collaboration with the local Aboriginal community.			
DECCW Conditions				
8.1.9	The applicant must continue to consult with and involve all the registered local Aboriginal representatives for the project, in the ongoing management of the Aboriginal cultural heritage values. Evidence of this consultation must be collated and provided to the consent authority upon request.			
8.1.10	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the object(s). The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) (managed by DECCW) and the management outcome for the site included in the information provided to the AHIMS. The proponent will consult with the Aboriginal community representatives the archaeologist and DECCW to develop and implement management strategies for all objects/sites.			
8.1.11	If human remains are located in the event that surface disturbance occurs, all works must halt in the immediate area to prevent any further impacts to the remains. The NSW Police are contacted immediately. No action is to be undertaken until police provide written notification to the proponent. If the skeletal remains are identified as Aboriginal, the proponent must contact DECCW's Enviroline on 131555 and representatives of the local Aboriginal community. No works are to continue until DECCW provide written notification to the proponent.			

Revised Statement of Commitments – Altitude Aspire, MP 09_0166

STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Responsibility for Each Commitment, Monitoring and Reporting
13. Transport Access Guide	13.1 Ensure that future residents are adequately advised of travel options.	13.1.1 A transport access guide for residents of Altitude Aspire shall be provided to all new residents as part of the contract for sale advising them of travel options to and from particular venues by way of walking, cycling and public transport.	To minimise motor vehicle use.	Prior to sale of individual allotments.	Responsibility: PM or N.
14. Water Supply	14.1 Ensure that an adequate potable water supply is provided to the development.	14.1.1 Provide water supply to each lot in accordance with the Preliminary Engineering Report at Annexure 11 .	To ensure that an adequate potable water supply is provided.	Prior to release of the final Subdivision Certificate for each stage.	Responsibility: PM or N and Tweed Shire Council.
15. Sewerage	15.1 To provide a reticulated sewer system to the estate.	15.1.1 Provide sewer supply to each lot in accordance with the Preliminary Engineering Report at Annexure 11 .	To ensure that a public standard reticulation system is provided and minimise potential adverse impacts arising from pollution events on local water bodies.	Prior to the release of the final Subdivision Certificate for each stage.	Responsibility: PM or N and Tweed Shire Council.
16. Contributions	16.1 Ensure that appropriate contributions are paid based on the demands generated by the subdivision.	16.1.1 Payment of relevant Section 94 Contributions and contributions required by the Voluntary Planning Agreement.	To achieve the objectives of the Environmental Planning and Assessment Act in relation to the levying of contributions and comply with Tweed Shire Council policies.	Prior to the issue of a Subdivision Certificate for each relevant stage.	Responsibility: PM or N and Tweed Shire Council.
17. Mosquito Management	17.1 Mitigate impacts of mosquitoes on future residents.	17.1.1 Comply with the recommendations contained in Section 7 of the Amended Biting Insect Management Plan, HMC, April 2012 (Annexure 13).	To comply with the Tweed Development Control Plan 2008, Section A6 Biting Midge and Mosquito Control.	Prior to the issue of a Subdivision Certificate for each relevant stage.	Responsibility: PM or N.
18. Voluntary Planning Agreement	18.1 Ensure that adequate infrastructure is provided.	18.1.1 Enter into a Voluntary Planning Agreement in accordance with the Draft dated 9 October 2013 attached, subject to reaching agreement on the final amount of the contributions.	To enable contributions to be validly levied.	Prior to the issue of a Subdivision Certificate for the first residential lot.	Responsibility: PM or N and Tweed Shire Council.

Revised Statement of Commitments – Altitude Aspire, MP 09_0166

STATEMENT OF COMMITMENTS							
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)			Purpose of Measure	Timing for Completion	Responsibility for Each Commitment, Monitoring and Reporting
		*142	No	Yes			
* Stage 11 has now been included in Stage 1 such that there are now only 10 stages. The Stage 11 Lots have been renumbered from 137 to 141 (previously 102 to 107). The table above has been amended to refer to the correct Lot numbers, however, the Acoustic Report at Annexure 7 of the PPR refers to the former Stage 11 Lot numbers.							
20. Groundwater and Surface Water	20.1 To manage and minimise potential groundwater and surface water impacts.	20.1.1	Comply with the conditions required by the NSW Office of Water as follows:		To mitigate potential groundwater impacts.	Prior to the issue of a Construction Certificate for each relevant stage of the subdivision.	Responsibility: PM or N.
20.1.2	The applicant to prepare a Surface Water Management Plan in consultation with and to the satisfaction of the NSW Office of Water prior to the commencement of works.						
20.1.3.	The applicant to prepare a Groundwater Management Plan in consultation with and to the satisfaction of the NSW Office of Water prior to commencement of works.						
20.1.4	The applicant to obtain the relevant licences to the satisfaction of the NSW Office of Water under the Water Act 1912 and the Water Management Act 2000 (whichever is relevant at the time application is made) for all activities that intercept or extract groundwater and surface water prior to commencement of these activities.						
20.1.5	A site specific Acid Sulfate Soil Management Plan should be produced in accordance with the ASSMAC guidelines including investigations to a total depth of one metre past the base of the deepest excavation within the identified potential acid sulfate soil area (assumed to be the stormwater quality treatment device). The documents to be prepared in Conditions 20.1.2 and 20.1.3 above will include where relevant the following:						
20.1.6	Detailed groundwater assessment to include but not limited to the following: - Groundwater levels and flow direction within the development area and adjacent SEPP 14 wetlands; - Extent surface-groundwater connectivity within the drainage lines; - Degree of groundwater dependency of the SEPP 14 wetlands and the potential impacts of any changes to flow direction, quantity and quality of groundwater to the wetlands and Terranora Creek; and - Development of trigger levels for impacts of changes in groundwater quantity and quality.						
20.1.7	A detailed surface water assessment for the adjacent SEPP 14 wetland and Terranora Creek to provide baseline data for determining trigger levels for changes in water quantity and quality.						
21. Geotechnical	21.1 Ensure lots are stable and suitable for dwellings.	21.1.1	Comply with the recommendations of the Geotechnical Report at Annexure 20 of the Environmental Assessment (see below).		To achieve geotechnical stability and suitable dwelling sites.	Prior to the issue of a Subdivision Certificate for each relevant stage of the subdivision.	Responsibility: PM or N.
21.1.2	Failure to remove all areas of instability and implement adequate drainage prior to earthworks will result in saturation and weakening of the natural soils and fill, creating further instability in the form of slips, soil creep, erosion and soil consolidation. The drainage recommendations provided in the Morrison Geotechnic (Annexure 20 of the Environmental Assessment) report and outlined in the 'Recommendations for Site Development' below must be implemented to reduce the risk of slope instability and ensure the long term performance of the site. The recommendations are as follows:						
21.1.3	In areas which are to be filled, all trees, grass, weed zones, uncontrolled fill, rocks and debris must be removed from the existing ground surface to expose the very stiff to hard, natural clay soil or weathered rock. Tree root matter typically extends to a depths ranging between 0.20m and 0.4m below the existing natural ground surface.						
21.1.4	No filling or residential development should take place within any surface irregularities such as landslips, scarps, washouts or erosion features. If filling or development is to occur in these areas, surface irregularities must be removed prior to development and appropriate drainage provisions must be implemented in accordance with the recommendations described in Section 8.0 of this report. The unstable areas are typically limited to the main drainage channel in Unit 5, the drainage gully in the northern portion of Unit 4 and the lower portions of the Units 3 and 4.						

Revised Statement of Commitments – Altitude Aspire, MP 09_0166

STATEMENT OF COMMITMENTS				
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion
				Responsibility for Each Commitment, Monitoring and Reporting
	subsoil trench drains. These may be required to maintain low groundwater conditions in areas of groundwater or surface water concentrations.			
21.1.23	This office must be actively involved on-site during the repair of all landslips and other areas of instability.			
21.1.24	Vegetation clearing must be kept to a minimum, in small section at a time, with revegetation commencing immediately after the completion of earthworks to minimise future erosion.			
21.1.25	The footings of the retaining walls must be founded in the rock or residual soils with a minimum allowable bearing pressure of 150kPa, rather than on colluvial soil.			
21.1.26	All footings shall found in the residual soil, weathered rock or structural fill, below all non structural fill, colluvium and slopewash soil and below a line extending up from the toe of all retaining walls at 300.			
21.1.27	Where the geological contact zone is shallow, all footings must found within the Neranleigh Fernvale geology, below the contact.			
21.1.28	No development should take place within any surface irregularities such as slips, scarps, washouts, erosion features or elongated rock mounds. If development is to occur in these areas, surface irregularities must be removed and repaired prior to development and the drainage improved.			
21.1.29	No residential development should take place below the Council regulated design flood levels (Q100 Flood Level).			
21.1.30	In all Topographic Units the Guidelines for Development and the attached Guidelines for Hillside Engineering (Appendix D) must be followed.			
21.1.31	Slope sensitive residential design and construction, which minimises earthworks should be adopted for all Lots located on slopes with a surface gradient of greater than 15o. Slope sensitive design for housing includes conventional pole houses, concrete framed houses with suspended floors which overly the natural contours and split level on-grade raft slab floors and/or suspended floors. All footings should found in the residual soils or weathered rock below the soils which are suspect to downslope creep movement, and the structural design should ensure stiffness in the downslope direction eg. strip footings, slab beams or bearers aligned up and down the slope.			
21.1.32	Regular site attendances by a geotechnical engineer or engineering geologist who is familiar with the constraints of the site and design and landslip remediation issues shall be undertaken during construction.			
21.1.33	Level 1 earthworks supervision as defined in Australian Standard AS3798-2007 shall be implemented.			
22. Soil Preservation Management Plan	22.1 To identify and manage the continued productivity of Class 6 soils.	22.1.1 Comply with the Soil Preservation Management Plan at Annexure 29 of the PPR.	To achieve the desired outcomes.	Prior to the issue of a Subdivision Certificate for each relevant stage.
23. Vegetation Management Rehabilitation Plan	21.1 Rehabilitation of environmental open space areas.	21.1.1 In accordance with the VMRP at Annexure 10 , the following rehabilitation works shall be undertaken: - Rehabilitation within Lot 1001 will be completed by Newland prior to release of the Stage 7 Subdivision Certificate. - Management and monitoring shall be undertaken in accordance with Section 6 of the VMRP.	To achieve compensatory plantings and improved environmental outcomes.	Prior to release of the Stage 7 Subdivision Certificate.
24. Community Facility	24.1 Minimise impacts on residential amenity.	24.1.1 Hours of operation and use of amplifiers shall be controlled by the Owners' Corporation.	To achieve the desired outcome.	Ongoing.
				Owners' Corporation.

Revised Statement of Commitments – Altitude Aspire, MP 09_0166

STATEMENT OF COMMITMENTS				
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion
28. Remediation of Contaminated Land	28.1 To remediate the site in accordance with the Site Analysis Quality Plan and Remediation Action Plan	28.1.1 The site will be remediated in accordance with the Remediation Action Plan	To ensure the site is suitable for the proposed use.	The Sampling Analysis and Quality Plan shall be implemented prior to the issue of a Construction Certificate for bulk earthworks and the Remediation Action Plan shall be implemented and a Site Audit Statement issued by an Accredited Site Auditor prior to the issue of a Subdivision Certificate.
				Responsibility: PM or N.