

Draft Statement of Commitments

In accordance with the Director-General's Environmental Assessment Requirements, the proponent is required to include a Draft Statement of Commitments in respect of environmental management and mitigation measures on the site. The following are the commitments made by Landcom to manage and minimise potential impacts arising from the project.

<i>Subject</i>	<i>Commitments</i>	<i>Timing</i>
1. Compliance with applicable planning requirements	Detailed design of the development will demonstrate compliance with applicable planning requirements, including BCA, SEPP 65 and BASIX.	Addressed at the detailed development design stage as part of the relevant Project Application(s).
2. Design excellence	The applicant must put in place limited architectural design competition/s for all the buildings on the site. An evaluation panel will be established to assess the design competition/s which will include representatives of Landcom and the Department of Planning.	Prior to the lodgement of project applications for new buildings.
3. Built form and urban design	The detailed design of the buildings will adhere to the Site Design Principles formulated for the project to ensure that the intended development outcomes will be achieved. The 'Site Design Principles' document shall provide guidance as to acceptable: FSR, building heights, building setbacks, building separation, street wall heights and upper storey setbacks, extent of active frontages, vehicular access points and through-site links.	Detailed design for each building will be undertaken as part of the relevant Project Application(s).

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4. Access, traffic and parking	Further traffic analysis will be undertaken for the detailed design of the project to ensure that the development will be consistent with the recommendations included in the Traffic Assessment Report prepared by Mark Waugh Transport and will not result in adverse traffic impacts.	Details of the traffic analysis will be undertaken as part of the relevant Project Application(s).
	Construction management plans will be prepared for subsequent Project Application(s) to address the management of impacts from construction activities, as well as management of truck/vehicle and pedestrian access during construction.	Construction management plans will be prepared as part of the relevant Project Application(s).
5. Public domain	Detailed design of the development will incorporate public domain works in accordance with this Concept Plan and will be provided in accordance with Council's reasonable requirements.	Details of the design will be submitted in accordance with Council's reasonable requirements at Project Application stage.
6. Visual impact	An analysis of visual impacts will be submitted with the subsequent Project Application(s) to ensure that the location and detailed design of the buildings will preserve important visual corridors and are consistent with the Site Design Principles submitted with the Concept Plan.	Analysis of visual impacts will be undertaken as part of the relevant Project Application(s).
7. Solar analysis and overshadowing	If a future building extends beyond the approved Concept Plan building envelope, an overshadowing analysis will be required at the subsequent Project Application stage to ensure that the proposal will minimise overshadowing of Newcastle Beach in accordance with the solar access analysis included in Section 6.8 of the Environmental Assessment Report.	Details of overshadowing analysis will be undertaken as part of the relevant Project Application(s).

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8. Heritage matters	<p>The following are to accompany subsequent Project Application(s) at the detailed development design stage:</p> <ul style="list-style-type: none"> ▪ A Statement of Heritage Impact (SOHI) prepared in accordance with the recommendations included in the review of heritage issues prepared by Tanner Architects. ▪ A site wide Interpretation Strategy will be prepared, recognising and celebrating the site's social history and built form heritage. ▪ If aboriginal objects are exposed during the work, works must cease until the Department of Environment and Conservation and the local Aboriginal Land Council have been consulted. 	<p>A Statement of Heritage Impact will be undertaken as part of the relevant Project Application(s) at the detailed development design stage.</p> <p>The Interpretation Strategy will be submitted before, or in conjunction with the first project applications seeking approval for buildings and public realm works.</p>
9. Ecologically sustainable design and water management	The detailed design of the development is to demonstrate consistency with the ESD and water sensitive urban design (WSUD) measures generally consistent with Council's requirements and BASIX.	Addressed at the detailed development design stage as part of the relevant Project Application(s).
10. Wind conditions	Further wind analysis will be undertaken at the Project Application stage to ensure that no unacceptable wind conditions will result. Such analysis will also assess the need for measures that are necessary to mitigate any wind impacts (e.g. local screening and awnings along pedestrian thoroughfares and around public open spaces).	Analysis of the impacts on wind will be undertaken as part of the relevant Project Application(s).
11. Social Plan	Subsequent Project Application(s) will take account of the Social Plan prepared by Heather Nesbitt Planning submitted with this Concept Plan.	As part of the relevant Project Application(s).

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12. Site contamination and remediation	A Remediation Action Plan (RAP) will accompany any Project Application(s) in accordance with the recommendations included in the Phase 2 Environmental Site Assessment prepared by HLA-Envirosciences. The RAP will detail how the site is to be cleaned up including the excavation and disposal offsite of any contaminated material.	A Remediation Action Plan will accompany any relevant Project Application(s).
13. Geotechnical conditions	Subsequent Project Application(s) will be required to incorporate the recommendations included in the Geotechnical Investigation prepared by Coffey Geosciences Pty Ltd.	As part of the relevant Project Application(s).
14. Site infrastructure and services	Detailed site infrastructure and services reports will be required to accompany any subsequent Project Application(s) to demonstrate how the development can be adequately and properly serviced. The report will include an outline of any necessary augmentation of existing services.	As part of the relevant Project Application(s).
15. Section 94 contributions	<p>To meet the demand for additional public facilities and services generated by development on the site contributions will be made in the form of works in kind, material public benefits and/or the payment of a monetary contributions to a monetary value equal to that otherwise payable in accordance with the relevant Newcastle City Council Section 94 Contribution Plan. The following public facilities and services proposed in this application are to be offset against any otherwise payable monetary Section 94 contributions that arise in relation to this or any subsequent Project Application(s):</p> <ul style="list-style-type: none"> ▪ New street tree planting along King and Watt Streets, and Shortland Esplanade; ▪ Publicly accessible through site link from Pacific Street to Shortland Esplanade and from King Street to Shortland Esplanade; ▪ A widened footpath along the northern side of Shortland Esplanade; and ▪ Appropriately located pedestrian crossings from the site across Shortland Esplanade to the foreshore. 	As part of the issuing of the Construction Certificate for each Project Application(s).

