

Assessment Statement of Commitments		Response	Satisfactory
1.1	Planning Agreements. A Voluntary Planning Agreement (VPA) will be negotiated that addresses the current plans to offset section 94 contributions by the provision of the soccer field and the community space which can accommodate a child care centre.	DHA and Ku-ring-gai Council have agreed to terms and prepared a draft Voluntary Planning Agreement under DA0677/11.	Y
1.2	Ecological Sustainable Development Any proposed dwellings within the site will comply with BASIX requirements for water conservation and thermal and energy efficiency.	The DA has been supported by a BASIX certificate and is assessed as complying with the requirements of the commitments	Y
	Staging Consideration will need to be given to the staging and delivery of the development of the Concept Plan. The staging of the development components will need to have regard to: <ul style="list-style-type: none"> Minimisation of construction impacts upon adjoining properties; Protection of existing public benefits and access; Construction access; and Timing of infrastructure provision. A detailed project staging plan will be submitted with the first project application.	The Concept Staging Plan has been provided to Council, under DA0677/11. This commitment is satisfied.	Y
	Built Form <ul style="list-style-type: none"> Floor to ceiling heights will be limited to 3.5 metres. Urban design guidelines will be developed for single lots, integrated lots, and residential flat buildings prior to the first stage of development, to be outlined in the project staging plan to be submitted with the first project application. 	The proposed floor to ceiling heights are under 3.5m and the urban design guidelines have been prepared and submitted to Council.	Y
1.3	Contamination <ul style="list-style-type: none"> A hazardous material audit which will include sampling and identification of asbestos and Polychlorinated Biphenyls (PCBs) will be completed to determine the extent and integrity of the hazardous building materials which exist on the site; Any demolition/removal of Polychlorinated Biphenyls (PCBs) and asbestos containing material will be conducted in accordance with current NSW EPA waste classification and disposal guidelines, and WorkCover occupation health and safety procedures; At the project or development application stage, a limited and targeted Phase 2 intrusive contamination assessment at the northern property boundary will be undertaken to assess whether any contamination, from potential sources identified on the Film Australia site, has migrated onto the UTS property. This would involve the drilling and collection of soil samples as the installation of ground water wells. In addition, limited surface soil sampling will be conducted across the sports oval and any other sporting fields which may have been treated with organochlorine/ 	This commitment was considered and addressed under DA0677/11. It is taken that contamination investigations required by the Statement of Commitments has been sufficiently satisfied, with the site not identified as not being contaminated.	Y

	organophosphate pesticides. The results of Phase 2 soil and groundwater investigation will be assessed against the relevant land use criteria stated by NSW EPA, NEPM and ANZECC guidelines. If concentrations of contaminants exceed the relevant land use guideline a remedial action plan will be developed, with remediation and validation works completed in accordance with NSW EPA guidelines, CLM Act (1997) and SEPP 55.		
1.4	<p>Flora and Fauna</p> <p>Flora and Fauna Indirect impacts on bushland such as weeds, feral and domestic animals and fire will be managed by the implementation of management plans and strategies including:</p> <ul style="list-style-type: none"> ▪ A Threatened Species Management Plan that will address: <ul style="list-style-type: none"> ○ Feral and domestic management strategies to minimise habitats post construction for feral animals and restrictions and controls for domestic cats and dogs ○ Retention of areas of native vegetation and habitat for threatened flora and fauna within the site, including retention of D. biflora plants and habitat; ○ Fencing and flagging of all D. biflora plants to be retained within the development area. A minimum of two D.biflora habitats will be retained to the east and west of the village green. Any D.biflora habitats located in the APZ will be managed accordingly ; ○ Translocation of soil and seeds from D.biflora habitat where this will be impacted by the development area. Translocation will be detailed within a plan prior to any works beginning on the site; ○ A monitoring program will be developed to ensure the viability of the D.biflora and determine the success of translocation of seeds ▪ A Weed Management Plan will be prepared as part of project applications to link into storm water control strategies. ▪ An Erosion and Sedimentation Control Plan will be developed to address both the construction phase and subdivision phase to ensure erosion and sedimentation controls will be put in place prior to any works beginning to ensure that any potential increase in runoff from removal of vegetation or leaf litter does not impact on downstream or off-site environments and development does not contribute to environmental damage of the waterways, bushland or air quality ▪ A Vegetation Management Plan for the site that will address: <ul style="list-style-type: none"> ○ Retention and protection of trees, particularly hollow bearing trees within the development area where possible; ○ Retention of existing understorey vegetation within landscaped areas. These pockets will be rehabilitated as required to remove exotic species and enhance native shrubs and ground covers; ○ Pre-clearance surveys will be conducted by ecologists to ensure all fauna are removed prior to clearance and ecologists on site during all vegetation clearance activities to capture any displaced fauna; 	<p>The commitments concerning flora and fauna were considered and addressed as part of DA0677/11. The scope of works proposed as part of this application are assessed as being consistent with the management plans required under the flora and fauna commitments.</p>	Y

	<ul style="list-style-type: none"> ○ Harvesting of seed banks for the purposes of on-site regeneration. Greening Australia would be consulted regarding the best way to salvage soil seeds and canopy held seeds. These could be used in landscaping or regeneration of disturbed bushland areas adjacent to developed areas. ○ All riparian corridors will be protected and maintained ○ The Red Crowned Toadlet breeding habitat and surrounding habitat will be protected and managed ○ Fencing during construction of all areas of native vegetation that will not be removed for development, as protection from machinery and personnel; ▪ Before future residents move in, information packages detailing the environmental sensitivity of the site including information on the threatened species and habitats will be provided to ensure greater awareness and involvement. ▪ In addition, no activities will be undertaken within DECC land. ▪ All non-APZ bushland on the site, south west of the 50 metre APZ will be dedicated to DECC with their approval, and will be initiated with the approval of the first Project or Development Application. 		
1.5	<p>Trees</p> <p>A Landscape Management Plan for the site that will address:</p> <ul style="list-style-type: none"> ▪ Retention or replacement of planting around the oval ▪ Long term preservation and maintenance of tree assets ▪ Retention and maintenance of planting along the entry road from Eton Road ▪ Retention of the planted retaining wall between the existing oval and tennis courts retained. 	The landscape management plan was provided and approved under DA0677/11. The works associated with this application are assessed as being consistent with the landscape management plan.	Y
1.6	<p>Infrastructure</p> <ul style="list-style-type: none"> ▪ A comprehensive infrastructure delivery plan will be prepared to ensure that the site can be adequately serviced with all utility services including gas, electricity, water, sewer and telecommunications, etc. The Plan will demonstrate that: <ul style="list-style-type: none"> ○ Sewer infrastructure will be augmented to service the new development ○ Gas, Power and Potable water will be augmented where required to meet the requirements of new development ▪ A comprehensive stormwater management plan will be prepared which addresses <ul style="list-style-type: none"> ○ Water flow; ○ Water quality; ○ Water catchments; ○ Water conservation; ○ Water retention; and ○ Water treatment and re-use. ▪ Above ground swales are to be constructed and vegetated with native 	An infrastructure delivery plan and stormwater management plan were submitted and approved as part of DA0677/11. The proposed development is assessed as being consistent with these plans, noting that the capture and disposal of stormwater as part of this development is consistent with the stormwater management plan.	Y

	<p>species and indigenous flora conserved wherever possible</p> <ul style="list-style-type: none"> Water detention areas are to be provided within the development area Cut and fill will be balanced across the site, any fill that is required will be clean fill 		
1.7	<p>Bushfire</p> <ul style="list-style-type: none"> All development on the site will be carried out in accordance with the Planning for Bushfire guidelines. An APZ to be incorporated and maintained, as per the requirements of the Planning for Bushfire Protection Guidelines 2006, and the recommendations of the consultant report prepared by Barry Eadie Consulting; An APZ of a minimum width of 50 metre will be maintained between the south-east edge of the existing building and the north-west edge of the site; An APZ of a minimum width of 60 metres is to be maintain to the east of the residential development, to the north east of the site. Detailed management practices will be outlined in a Bushfire Management Plan including management practices within the APZ prior to occupation of the site Detailed Fire Emergency/ Evacuation plan will be developed prior to occupation of the site The existing fire trail will be upgraded to meet Planning for Bushfire Protection Guidelines 2006 and will be extended to connect with proposed residential development to the NW to provide adequate access for fire fighting and management procedures Prior to any clearance for the Asset Protection Zone (APZ) and fire trail creation, a survey will be conducted to identify any hollow bearing trees or trees considered to provide important fauna habitat. Such trees will be flagged and locations recorded with a GPS and mapped. These trees will be avoided. Small shrubs and ground cover to 50cm will be retained within the APZ. Large shrubs can be retained in vegetation clumps where they will not result in fore spreading to tree canopies; Rocky outcrops and rock will be avoided by the fire trail. No rock will be removed from the APZ or fire trail areas; and Wooden bridges will be built over the drainage lines for construction of the fire trail so that these environments are not disturbed Significant trees will be retained within the development area where possible and all trees will be retained in the APZ. All D.biflora will be flagged and locations recoded with a GPS and protected. A map and works plan will then be devised prior to any vegetation clearance or modification for the APZ creation. Areas within the APZ where soil seed banks or plants could be translocated will also be investigated and identified prior to any works beginning; Construction of all buildings will be Level 3 construction 	<p>A Bushfire Management Plan has been provided to Council as part of DA0677/11. This report has also been provided to the RFS, who have accepted the plan.</p> <p>The submitted plan however is not strictly consistent with the commitments listed in the adjoining column. This is due in part to changes in Planning for Bushfire 2006, and in part to an alternate strategy for the management of bushfire on the Edgelea site.</p> <p>Council has referred the situation to the Director-General of the Department of Planning and Infrastructure for their concurrence. The Department confirmed by correspondence dated 28 May 2012 that bushfire management was consistent with the Concept Approval and associated statement of commitments.</p> <p>This application has been supported by a bushfire plan and certificate as required by S79BA of the Environmental Planning and Assessment Act, 1979.</p>	Y
1.8	<p>Transport</p>		

	<ul style="list-style-type: none"> A minimum of 320 car-parking spaces to be retained for the adaptive re-use of the existing building. Car-parking for the reuse of the existing building will be fully assessed in the future Project Application; Retention of existing access and bus turnaround loop to ensure public transport services are retained A Sustainable Transport Plan will be prepared at the Project (or Development) Application Stage which examines methods to promote the use of non-motorised and public transport to access the site for the reuse of the main campus building. This could include the development of Transport Behavioural Program to be distributed to future residents to encourage objectives outlined in the Sustainable Transport Plan. 	<p>The existing building is not located within the Edgelea site. It is therefore the responsibility of UTS (or the body responsible for the use of the existing buildings) to provide the necessary car parking for the future adaptive re-use of the existing building should it occur. The car parking for the reuse of the building will be assessed as part of the Development Application for the use of the building. It is noted that the statement of commitments do not envisage a situation whereby the University continues to operate while its surplus areas are redeveloped in accordance with the Concept Approval.</p> <p>The existing access and bus turnaround loop have been retained within the site. This matter was covered in DA0677/11.</p> <p>The TMAP has been provided to Council as required, under DA0677/11. No further action is required in this regard.</p>	<p>N/A</p> <p>Y</p>
1.9	<p>Heritage</p> <ul style="list-style-type: none"> A copy of UTS Kuring-Gai, Rezoning Application Indigenous Heritage Issues Report prepared by Jo McDonald Cultural Heritage Management Pty Ltd will be made available to Metropolitan Local Aboriginal Land Council and three copies to Cultural Heritage Division of the Sydney Zone of the Department of Environment and Climate Change. The Metropolitan Local Aboriginal Land Council will be requested to monitor surface works during initial construction phase and promoted the adaptive reuse of the main building is to respect the architectural integrity and quality and not adversely effect the significance of the building including retention of external materials Any future use of the building is to be in accordance with the Heritage Impact Assessment, as well as the Conservation Strategy for the site, prepared by Graham Brooks and Associates, heritage consultants. Original light fittings will be retained and upgraded Planter boxes on roof terraces will be recovered and maintained, where possible Interim heritage listing of the Site to be progressed. Further recognise the architectural and heritage values of main campus of UTS complex on the National Trust Register. Any archaeological findings will be referred to Heritage Office. 	<p>Copies of the UTS Ku-ring-gai, Rezoning Application Indigenous Heritage Issues Report prepared by Jo McDonald Cultural Heritage Management Pty Ltd have been provided to the Local Aboriginal Land Council and the DECC as part of DA0677/11.</p> <p>The Metropolitan Local Aboriginal Land Council will be requested to monitor surface works during the initial construction phase, this will be reinforced through the conditions of consent.</p> <p>Noted. The existing UTS buildings are not located within the subject site.</p> <p>Noted. The existing UTS buildings are now listed as a heritage item.</p> <p>Noted.</p>	Y
1.10	<p>Geotechnical</p> <ul style="list-style-type: none"> A detailed geotechnical investigation will be submitted with the first Project Application. 	<p>A detailed geotechnical investigation has been provided to Council. The investigation concludes that the site is suitable for the proposed redevelopment but recommends further detailed studies be done for the future residential development. The subject DA has been supported by a further Geotechnical study which demonstrates that the area of the Edgelea site to be development is suitable for the intended purpose.</p>	Y
1.11	<p>Community Facilities</p> <ul style="list-style-type: none"> A full-size adult soccer field that is capable of accommodating either two junior cricket fields or two junior soccer fields will be provided and dedicated 	<p>These matters are covered within the VPA associated with DA0677/11.</p>	Y

	<p>to Council.</p> <ul style="list-style-type: none"> ▪ Use of the playing field will be consistent with other playing fields in the Kuring-gai local government area to ensure uses are compatible and conflicts do not arise. ▪ Council will be responsible for the maintenance of the playing field to the current standard and provision of appropriate facilities. 		
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