

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA2024/1145
Applicant	Allen Price Pty Ltd
Description of development	Construction of a new industrial building for use as General Industry and associated site works and services
Property	39 Norfolk Avenue, SOUTH NOWRA – Lot 105 DP 1305372 <i>(formerly 37 Norfolk Ave, SOUTH NOWRA – Lot 100 DP 1096630 and Norfolk Ave, SOUTH NOWRA – Lot 137 DP 1124258)</i>
Determination	Approval
Date of determination	10 June 2025 (Determined at Ordinary Council Meeting on 10 June 2025 - MIN25.294)
Date from which the consent operates	10 June 2025
Date on which the consent lapses	10 June 2030

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for Grant of Consent

- a) The development proposal, subject to the recommended conditions is consistent with:
 - i) the objects of the Environmental Planning and Assessment Act, 1979.
 - ii) the aims, objectives and provisions of the applicable environmental planning instruments,
 - iii) the aims, objectives and provisions of applicable development control plans
 - iv) the aims, objectives and provisions of relevant Council policies.
- b) The likely impacts of the proposed development are considered acceptable.
- c) The site is suitable for the proposed development.
- d) Any submissions received during the public notification period have been considered and issues and concerns raised by the community in submissions have been addressed in the assessment.
- e) The proposed development does not conflict with the public interest.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

Dictionary

The Dictionary at the end of this consent defines words and expressions for the purposes of this consent.

Person on behalf of the consent authority:

Emily May

Senior Development Planner

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS					
CONDITIONS				REASON	
1.	Approved plans and supporting documentation Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				To ensure compliance with the approved plans and documents.
	Plan Number	Plan Title	Drawn by	Date of Plan	
	A02.01 DA-15	Proposed Site Plan	BN	17.12.24	
	A02.02 DA-15	Proposed GF Plan	BN	17.12.24	
	A02.03 DA-6	Proposed Office Building Plan	BN	15.03.22	
	A02.04 DA-6	Proposed Office, Amenities & Storage Plans	BN	15.03.22	
	A02.05 DA-14	Proposed Roof Plan	BN	13.12.24	
	A02.30 DA-14	Proposed External Elevations	BN	13.12.24	
	A02.31 DA-14	Proposed External Elevations	BN	13.12.24	
	A11.01 DA-8	Proposed Buildings Sections	BN	24.03.24	
	A100.70 DA-8	Finishes Material Schedule	BN	24.03.22	
	LPDA22-225	Landscape Site Plan	BN	30.03.22	

	<table><tr><td>LPDA22-225</td><td>Landscape Plan 1</td><td>BN</td><td>30.03.22</td></tr><tr><td>LPDA22-225</td><td>Landscape Plan 2 & 3</td><td>BN</td><td>30.03.22</td></tr><tr><td>LPDA22-225</td><td>Landscape Details & Specifications</td><td>BN</td><td>30.03.22</td></tr></table> <table><tr><td colspan="4">Approved Documents</td></tr><tr><td>Document title</td><td>Version number</td><td>Prepared by</td><td>Date of document</td></tr><tr><td>Bushfire Assessment Report</td><td>S022243</td><td>SET Consultants</td><td>18.03.22</td></tr></table> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p>	LPDA22-225	Landscape Plan 1	BN	30.03.22	LPDA22-225	Landscape Plan 2 & 3	BN	30.03.22	LPDA22-225	Landscape Details & Specifications	BN	30.03.22	Approved Documents				Document title	Version number	Prepared by	Date of document	Bushfire Assessment Report	S022243	SET Consultants	18.03.22	
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2.	<p>Existing Infrastructure</p> <p>Any required alterations or damage to infrastructure will be at the developer's expense.</p> <p><i>Note: It is recommended prior to the issue of a Construction Certificate, all infrastructure, existing and proposed, is to be shown accurately on construction plans with clearances clearly labelled confirming that the proposed works do not affect any existing infrastructure. This will reduce the potential for unexpected costs and expenses.</i></p>	To ensure existing infrastructure is accounted for and any damage to infrastructure is suitably repaired.																								
3.	<p>Prescribed Conditions</p> <p>The development must comply with Part 4, Division 2, Subdivision 1, of the <i>Environmental Planning and Assessment Regulation 2021</i>, as applicable.</p>	To ensure compliance with prescribed conditions.																								
4.	<p>Signage - Design and Maintenance</p> <p>The location and dimensions of the signage must be in accordance with the approved plans. Additional signage must not be erected or displayed without first gaining development consent from Council, unless carried out under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p> <p>The approved sign must:</p> <p>a) not impede access to any other property or premises nor obscure or impede access to any public infrastructure such</p>	To ensure ongoing compliance																								

	<p>as electricity or telecommunications facilities, garbage receptacles, street furniture, manholes, inspection openings and the like.</p> <p>b) professionally constructed in accordance with the approved plan and painted by a competent sign-writer.</p> <p>c) not detract from or resemble road traffic regulatory or advisory signs.</p> <p>d) not be altered or modified without the written consent of Council.</p> <p>e) be maintained in good repair and in a structurally sound condition.</p> <p>f) Have any graffiti removed within a maximum of 14 days of being notified by Council.</p>	
5.	<p>Shoalhaven Water – Compliance with Conditions</p> <p>All conditions listed on the Shoalhaven Water Development Notice at each stage of work must be complied with as relevant to that stage. Written notification must be issued by Shoalhaven Water and evidence provided to the Certifier for each applicable stage.</p>	To ensure compliance with Shoalhaven Water requirements.
6.	<p>Concurrence and Referral – Endeavour Energy</p> <p>The advice/General Terms of Approval issued by the Endeavour Energy, Reference No: CNR-38703, dated 11/05/2024 are included as conditions of this consent and must be complied with.</p>	To ensure compliance with external concurrence and referral advice.
7.	<p>Bushfire Protection</p> <p>The development is to comply with the recommendations of the endorsed Bushfire Assessment Report prepared by SET Consultants, Reference: S022243, dated: 18 March 2022.</p>	To ensure compliance with applicable bushfire controls.
<p>BUILDING WORK</p> <p>Before Issue of a Construction Certificate</p>		
CONDITIONS		REASON
8.	<p>Council Approvals - Evidence</p> <p>A Construction Certificate must not be issued until the Certifier has received notification from, or evidence of, any Council</p>	To ensure all required approvals are obtained.

	approval that is required before the commencement of building works.	
9.	<p>Erosion and Sediment Controls - Erosion and Sediment Control Plan</p> <p>Before issue of a Construction Certificate, an Erosion and Sediment Control Plan (ESCP) and specifications must be prepared in accordance with Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) by a suitably qualified person, (as defined in the National Construction Code) to the satisfaction of the Certifier.</p> <p>All plans must include:</p> <ul style="list-style-type: none"> g) Site access location and stabilisation details and restrictions; h) Erosion control locations and types; i) Sediment control locations and types; j) Soil, water and drainage management plans; k) Site rehabilitation details; l) Inspection and maintenance details; m) Identification of existing vegetation and site revegetation to have 70% cover established before plan is decommissioned; n) Existing and final contours (clearly distinguished and adequately annotated); o) Standard construction drawings for proposed soil, water and drainage management measures. p) All implemented measures must ensure that a pollution incident must not occur as defined by the Protection of the Environment Operations Act (POEO). <p>All implemented measures must:</p> <ul style="list-style-type: none"> a) not cause water pollution as defined by the Protection of the Environment Operations Act (POEO). b) be maintained at all times. c) not be decommissioned until at least 70% revegetation cover has been established. 	To ensure an appropriate Erosion and Sediment Control Plan has been prepared.
10.	<p>Housing and Productivity Contribution</p> <p>Before the issue of a Construction Certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made.</p>	To require contributions towards the provision of

	<table><tr><th>Housing and productivity contribution</th><th>Amount</th></tr><tr><td>Housing and productivity contribution (base component)</td><td>\$159,538.57</td></tr><tr><td>Transport project component</td><td>NIL</td></tr><tr><td>Total housing and productivity contribution</td><td>\$159,538.57</td></tr></table> <p>The HPC must be paid using the NSW planning portal.</p> <p>At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).</p> <p>The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the Environmental Planning and Assessment Act 1979 agrees.</p> <p>The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution.</p> <p>The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.</p>	Housing and productivity contribution	Amount	Housing and productivity contribution (base component)	\$159,538.57	Transport project component	NIL	Total housing and productivity contribution	\$159,538.57	regional infrastructure																											
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11.	<p>Local Infrastructure Contribution</p> <p>This development will generate a need for the additional services and/or facilities described in Shoalhaven Contributions Plan 2019 and itemised in the following table(s):</p> <table><tr><th>Project</th><th>Description</th><th>Rate</th><th>Qty</th><th>GST Incl</th></tr><tr><td>CWFIRE 2001</td><td>Citywide Fire & Emergency services</td><td>\$162.05</td><td>49.76</td><td>\$8,063.61</td></tr><tr><td>CWFIRE 2002</td><td>Shoalhaven Fire Control Centre</td><td>\$237.08</td><td>49.76</td><td>\$11,797.10</td></tr><tr><td>CWMGM T3001</td><td>Contributions Management & Administration</td><td>\$1,986.07</td><td>1.00</td><td>\$1,986.07</td></tr><tr><td colspan="4"></td><td>\$21,846.78</td></tr><tr><td colspan="4"></td><td>\$0.00</td></tr><tr><td colspan="4"></td><td>\$21,846.78</td></tr></table> <p>The total contribution, identified in the above table(s) or as indexed in future years, must be paid to Council prior to the issue of a Construction Certificate. Evidence of payment must be provided to the Certifying Authority.</p>	Project	Description	Rate	Qty	GST Incl	CWFIRE 2001	Citywide Fire & Emergency services	\$162.05	49.76	\$8,063.61	CWFIRE 2002	Shoalhaven Fire Control Centre	\$237.08	49.76	\$11,797.10	CWMGM T3001	Contributions Management & Administration	\$1,986.07	1.00	\$1,986.07					\$21,846.78					\$0.00					\$21,846.78	To ensure applicable local infrastructure contributions are collected.
Project	Description	Rate	Qty	GST Incl																																	
CWFIRE 2001	Citywide Fire & Emergency services	\$162.05	49.76	\$8,063.61																																	
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	<p>The Contributions Plan 2019 can be accessed on Councils website www.shoalhaven.nsw.gov.au or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.</p> <p><i>Note: There are also provisions that may apply with respect to the timing of payments. See: Environmental Planning and Assessment (Local Infrastructure Contributions - Timing of Payments) Direction 2020 (nsw.gov.au)</i></p>	
12.	<p>Long Service Levy</p> <p>Before the issue of the relevant Construction Certificate / Subdivision Works Certificate, the long service levy must be paid to the Long Service Corporation of Council under the Building and Construction industry <i>Long Service Payments Act 1986</i>, section 34, and evidence of the payment is to be provided to the Certifier.</p>	To ensure compliance with long service levy requirements.
13.	<p>Retaining Walls – Design Standards</p> <p>Before the issue of a Construction Certificate for approved retaining walls exceeding 600mm in height above ground level (existing) and/or within 1m of a property boundary, detailed design plans must be prepared and submitted to the Certifier for approval.</p> <p>The retaining walls must satisfy the following:</p> <ol style="list-style-type: none"> For retaining walls exceeding 600mm in height above natural ground level (existing) a professional engineer has certified the retaining walls as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load; and For retaining walls less than 600mm in height above natural ground level (existing) the Certifier must be satisfied that the retaining walls are structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load. Retaining walls, footings and drainage must be contained wholly within the development site. Construction within a registered easement is prohibited. <p>Retaining walls not shown on the approved plan must meet the criteria for Exempt retaining walls and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> or be approved by way of Complying Development before construction and comply with the relevant criteria listed in</p>	To ensure retaining walls are appropriately designed.

	<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</i>	
14.	Waste Management Plan Prior to the issue of a Construction Certificate, a revised Waste Management Plan (WMP) must be prepared in accordance with Chapter G7 of Shoalhaven Development Control Plan 2014 to account for changes of waste volumes as a result of changes since the creation of the original WMP. The WMP must be approved by the Certifier prior to demolition works commencing	To ensure an appropriate waste management plan is provided.
15.	Design Standards – Works Within the Road Reserve Prior to the issue of a Construction Certificate, all works proposed within road reserves must be approved by Council.	To ensure road and pavement infrastructure is appropriately designed.
16.	Driveway Design Standards – Urban Prior to the issue of a Construction Certificate, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The access driveway design must comply with the following: <ul style="list-style-type: none"> a) Council's Engineering Design Standard Drawings. b) Constructed using 20 MPa reinforced concrete, reinforced with SL72 mesh, on a 75mm compacted fine crushed rock base with centrally placed slab of minimum 3 metres width and minimum 100mm depth. c) Removal of sufficient width of existing road seal and pavement to allow placing of formwork and laying/compaction of suitable pavement material for the driveway layback with a minimum 300mm offset to the kerb lip line. 	To ensure road and pavement infrastructure is appropriately designed.
17.	Car Parking Design Standards Prior to the issue of a Construction Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The car parking and access design must comply with the following:	

	<p>a) AS2890.1 and AS2890.6 where relevant.</p> <p>b) Generally in accordance with the layout on the approved plans.</p> <p>c) Constructed in accordance with the following:</p> <ul style="list-style-type: none"> i) with an asphaltic concrete (AC) flexible pavement designed and constructed for a minimum traffic loading of 1×10^6 ESA. Where asphaltic concrete surfaced pavements are likely to be subject to bogie-axle vehicles turning tightly, the asphaltic concrete is to include a rubber base to improve durability and manufacturer's product details. <p>d) Bordered in accordance with Council's Standard Drawings by:</p> <ul style="list-style-type: none"> i) concrete kerbing, except where surface runoff is concentrated, in which case concrete integral kerb and gutter must be constructed. 	
18.	<p>Lighting Design – Internal Driveway and Carparking</p> <p>Before the issue of a Construction Certificate, lighting design plans are to be submitted to Council for approval. Lighting is to be provided to the internal driveway and car parking area in accordance with <i>AS/NZS 1158.3.1 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements</i>.</p>	To ensure public road lighting will be appropriate.
19.	<p>Design Standards – Traffic Committee Referral</p> <p>Prior to the issue of a Construction Certificate details of proposed traffic management and traffic control devices must be submitted to the satisfaction of Council for referral and endorsement of the Shoalhaven Traffic Committee.</p> <p><i>Note: This process can take six to eight weeks.</i></p>	To ensure proposed traffic management and traffic control devices are endorsed by the Shoalhaven Traffic Committee.
20.	<p>Structural Design – Major Structures</p> <p>Prior to the issue of a Construction Certificate, a detailed structural design for the following works must be certified</p>	To ensure the development is accompanied

	<p>professional engineer, (as defined in the National Construction Code) and approved by the Certifier.</p> <p>a) Bridges and other major drainage structures, including pre-cast concrete culverts, headwalls, wing walls and stormwater tanks / pits / structures that require steel reinforcement.</p> <p>The structural design must comply with the Council's Engineering Design Specification – Chapter 3 – Structures/Bridge Design and relevant Australian Standards.</p>	<p>by an appropriate engineered structural design.</p>
21.	<p>Soil and Water Management Plans (SWMP)</p> <p>Prior to the issue of a Construction Certificate, a Soil and Water Management Plan must be prepared by a Professional Engineer, (as defined in the National Construction Code) to the satisfaction of the Certifier.</p> <p>All implemented measures must:</p> <ul style="list-style-type: none"> a) prevent water pollution as defined by the <i>Protection of the Environment Operations Act 1997</i> (POEO). b) be maintained at all times. c) not be decommissioned until at least 70% revegetation cover has been established. <p>It is expected that a sediment basin will be required based on the site disturbance and expected average annual soil loss in accordance with the Blue Book. Calculations are to be provided addressing this matter.</p>	<p>To ensure an appropriate Soil and Water Management Plan has been prepared.</p>
22.	<p>Amended Stormwater Plans</p> <p>Before the issue of a Construction Certificate, the following matters are to be addressed and approved by Council:</p> <ul style="list-style-type: none"> a) The modification of pit 5/EX to a layback grate will only be accepted where a replacement standard kerb inlet pit is provided immediately adjacent to the driveway to Council's standard details. This pit shall be shown on updated Concept Stormwater Plans. b) On-Site Detention pre/post results are to be provided for to 5yr ARI event in accordance with DCP Chapter G2 A5.1 c) The Run drains model including results shall be provided for all design storm events d) The Integrated Water Cycle Management Study confirms that 40% of the site is untreated, however the reductions indicated in Section 3.2 exceed 40%. Additional explanation is requested. 	<p>To ensure stormwater infrastructure is designed appropriately.</p>

	<p>e) Music model is requested for additional clarity.</p>	
23.	<p>Stormwater – Major Development Design Standards (Urban)</p> <p>Before the issue of a Construction Certificate, certified engineering design plans, specifications, and DRAINS model (or approved alternative) must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The stormwater drainage design must comply with the following:</p> <ul style="list-style-type: none"> a) Major and minor drainage systems in accordance with Council's Engineering Design Specifications - Section D5 - Stormwater Drainage Design and utilising Australian Rainfall and Runoff (ARR, 2019) Guidelines. b) The minor and major systems must be designed for a 18.13% AEP and 1% Annual Exceedance Probability (AEP) rainfall events, respectively. c) Where a pipe drains a public road through land adjoining the road, the pipe is to be designed to cater for the 1% AEP event with an overland flow path to provide for bypass/surcharge in the event of the pipe or pit inlet being 50% blocked. d) The existing stormwater drainage system is to be adjusted to suit the new works. In this regard the following is required: <ul style="list-style-type: none"> i) existing drainage systems through lots draining public roads are to be upgraded where necessary to contain flows in accordance with Council's Engineering Design Specifications - Section D5.04. ii) all relevant calculations are to be noted on the drainage plans to confirm the adequacy of the existing system, or the upgraded design. e) Design of stormwater drainage is to include piping, swales and easements to facilitate future development of the site. 	<p>To ensure stormwater infrastructure is designed appropriately.</p>
24.	<p>Stormwater – New Buildings Design Standards</p> <p>Before the issue of a Construction Certificate stormwater plans must be prepared by a Licensed Plumber or professional</p>	<p>To ensure stormwater infrastructure is designed appropriately.</p>

	<p>engineer (as defined in the National Construction Code) and submitted to the Certifier.</p> <p>a) Drainage must be designed and constructed in accordance with:</p> <ul style="list-style-type: none"> i) Generally, in accordance with the approved plans ii) the National Construction Code iii) Council's Engineering Design Specifications iv) Development Control Plan G2 	
25.	<p>On-Site Detention – Infill Subdivision and Development</p> <p>Prior to the issue of a Construction Certificate, certified engineering design plans and specifications must be prepared by professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The on-site stormwater detention (OSD) design must comply with the following:</p> <p>a) Designed such that stormwater runoff from the site for design storm events up to and including the 1% AEP does not exceed the pre-developed conditions.</p>	To ensure stormwater infrastructure is designed appropriately.
26.	<p>Water Sensitive Urban Design (WSUD) Devices – Private Devices</p> <p>Before the issue of a Construction Certificate, detailed design of permanent stormwater quality improvement devices must be certified by a professional engineer, (as defined in the National Construction Code) demonstrating the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and approved by the Certifier. Specifications can be found on Council's web site.</p> <p>The drainage design must also not include any uncoated metal (i.e. Copper etc.) surfaces such as roofs, facades and/or downpipes.</p>	To ensure stormwater infrastructure is designed appropriately.
27.	<p>Amendments to Site Layout</p> <p>All plans prepared for any Construction Certificate (including all site, floor and engineering plans) are to be amended to show the landscaped areas and dimensions shown within the approved landscape plans, in order to remove site layout inconsistencies between landscape and site layout plans.</p>	To ensure consistent plans.

28.	Electricity Demand Application The applicant is to submit an appropriate application to Endeavour Energy based on the maximum demand for electricity for connection of load. An extension and / or augmentation of the existing local network will be required. The extent of any works required will not be determined until the final load assessment is completed.	To ensure compliance with Endeavour Energy requirements.
29.	Electricity Authority Requirements for Electricity Connection and Substation Design Documentary evidence from Endeavour Energy is to be submitted to Council prior to the issue of a Construction Certificate, which confirms that satisfactory arrangements have been made for the connection of electricity and the design requirements for the substation.	To ensure compliance with Endeavour Energy requirements.
30.	Section 68 Application – Water Supply, Sewerage and Stormwater Drainage Before the issue of a Construction Certificate, an application for water supply, sewerage and stormwater drainage must be approved under section 68 of the <i>Local Government Act 1993</i> .	To ensure relevant approvals are obtained.
BUILDING WORK Before Building Work Commences		
CONDITIONS		REASON
31.	Appointment of Principal Certifier Before building/subdivision work commences a Principal Certifier must be appointed.	To ensure a Principal Certifier is appointed where required.
32.	Construction Certificate A Construction Certificate must be obtained from either Council or a certifier before any building work can commence.	To ensure a appropriate building and Subdivision Certificates are obtained.
33.	Dilapidation Report Before the commencement of work, the developer must engage a competent person to prepare a dilapidation report in	To ensure a suitable dilapidation

	<p>respect of the neighbouring premises and adjacent public infrastructure, including adjacent kerbs, gutters, footpaths (formed or unformed), driveways (formed or unformed), carriageway, reserves and the like to document evidence of any existing damage.</p> <p>The dilapidation report must consider the impact of any excavation work that extends below the level of the base of the footings of any structure within 900mm of the shared boundary.</p> <p>Before works commence, a copy of the dilapidation report must be provided to the Certifier and Council. The dilapidation report will be the benchmark for necessary repairs to damage caused during the development works. All repairs must be completed by the developer at the developer's cost.</p> <p>Not less than seven (7) days before works commence, the developer must notify the owner of any affected property of the intention to carry out approved works. The developer must also furnish the owner with details of the approved work.</p> <p>However, if the occupier or owner of any neighbouring dwelling does not permit reasonable access for the purposes for the preparation of the dilapidation report, written evidence of the efforts taken to secure access may be submitted to the Principal Certifier and the Principal Certifier may waive the requirement in relation to the relevant property.</p> <p><i>Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.</i></p>	<p>report is prepared and the status of existing infrastructure and adjoining structures is recorded prior to the commencement of work.</p>
34.	<p>Erosion and Sediment Controls – Implementation</p> <p>Before any site work commences, the Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any disturbed areas have been restabilised in accordance with Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) and approved plans (as amended from time to time).</p>	<p>To ensure appropriate erosion and sediment control measures are in place.</p>
35.	<p>Notice of Commencement</p> <p>Notice must be given to Council at least two (2) days before the commencement of building or subdivision work by completing and returning the form ‘Commencement Notice for Building or Subdivision Work and Appointment of Principal Certifying Authority’.</p>	<p>To ensure appropriate notice is given to Council.</p>

<p>36.</p>	<p>Shoalhaven Water – Application for Certificate of Compliance</p> <p>Before commencement of works, an application for a Certificate of Compliance must be made with Shoalhaven Water and where required a Water Development Notice is to be obtained.</p> <p>Shoalhaven Water will determine if sewerage and/or water infrastructure and/or easements will be affected by any part of your development including what charges/fees apply. Please visit https://shoalwater.nsw.gov.au/planning-building/developers-consultants/water-development-notice to make application for a Certificate of Compliance or call (02) 4429 3214 to learn more about applying.</p> <p>Upon the receipt of the application, Shoalhaven Water will assess the development and if required will issue a “Water Development Notice” document detailing all requirements which must be met.</p> <p><i>Note: As water and/or sewerage infrastructure may impact on part/s or all of the development such as building, provision of services, protection of water and/or sewer assets, etc., it is recommended that this application is made as early as possible during the development process.</i></p>	<p>To ensure a Water Development Notice and Certificate of Compliance are obtained.</p>
<p>37.</p>	<p>Toilet Facilities – Temporary</p> <p>Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:</p> <ul style="list-style-type: none"> a) be a standard flushing toilet connected to a public sewer, or b) have an on-site effluent disposal system approved under the <i>Local Government Act 1993</i>, or c) be a temporary chemical closet approved under the <i>Local Government Act 1993</i>. 	<p>To ensure suitable toilet facilities are provided.</p>
<p>38.</p>	<p>Construction Traffic Management Plan</p> <p>Prior to the commencement of works, a Construction Traffic Management Plan detailing the proposed method of dealing with construction traffic and parking must be approved by Council. Details must include, but are not limited to:</p> <ul style="list-style-type: none"> a) Stabilised site construction access location b) Proposed haulage routes for delivery of materials to the site 	<p>To ensure construction traffic is managed in a safe and appropriate manner.</p>

	<ul style="list-style-type: none"> c) Proposed haulage routes for spoil disposal from the site d) Traffic control planning for each of the various phases of construction and/or vehicle movements associated with construction e) Parking arrangements for construction employees and contractors f) Proposed maintenance of the haulage routes and the name of the person responsible for such maintenance g) Loading / unloading areas h) Requirements for construction or work zones i) Pedestrian and cyclist safety j) Speed zone restrictions. 	
39.	<p>Works within the Road Reserve – Submissions to Council</p> <p>Before undertaking any works within an existing road reserve, the developer must obtain the consent of Council under section 138 of the <i>Roads Act 1993</i>.</p> <p>The following details must be submitted to Council as part of the application:</p> <ul style="list-style-type: none"> a) Any civil works design required by this consent. b) Evidence of the contractor's Public Liability Insurance to an amount of \$20 million. c) Name and contact information of the person responsible for all relevant works. d) A Traffic Control Plan prepared, signed, and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation. e) Where the Traffic Control Plan requires a reduction of the speed limit, a 'Application for Speed Zone Authorisation' must be obtained from the relevant road authority. 	To ensure relevant approvals are obtained.
BUILDING WORK During Building Work		
CONDITIONS		REASON
40.	Acid Sulfate Soils - Unexpected Finds	To ensure acid sulfate soils are

	<p>If acid sulfate soils are encountered during excavation and/or construction works, all work must cease, and Shoalhaven City Council notified immediately. The extent of acid sulfate soil must be evaluated by a qualified environmental consultant with experience in the assessment of acid sulfate soils and a preliminary assessment provided to Council. Council will determine an appropriate response, including if an Acid Sulfate Soils Management Plan is required to be prepared and implemented, before works can recommence.</p>	appropriately managed.
41.	<p>Discovery of relics and Aboriginal objects</p> <p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ol style="list-style-type: none"> the work in the area of the discovery must cease immediately. the following must be notified for a relic – the Heritage Council; or for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. <p>Site work may recommence at a time confirmed in writing by:</p> <ol style="list-style-type: none"> for a relic – the Heritage Council; or for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. 	To ensure the protection of objects of potential significance during works.
42.	<p>Potentially Contaminated Land - Unexpected Finds</p> <p>If unexpected, contaminated soil and/or groundwater is encountered during any works:</p> <ol style="list-style-type: none"> all work must cease, and the situation must be promptly evaluated by an appropriately qualified environmental consultant. the contaminated soil and/or groundwater must be managed under the supervision of the environmental consultant, in accordance with relevant NSW Environment Protection Authority (EPA) Guidelines. <p>If unexpected, contaminated soil, or groundwater is treated and/or managed on-site an appropriately qualified environmental consultant must verify that the situation was appropriately managed in accordance with relevant NSW EPA guidelines before recommencement of works. The verification</p>	To ensure any detected contaminants are appropriately managed.

	<p>documentation must be provided to the satisfaction of the Certifier and Shoalhaven City Council before the recommencement of any works.</p> <p>If contaminated soil or groundwater is to be removed from the site, it must be transported to an appropriately licensed waste facility by an NSW EPA licensed waste contractor in accordance with relevant NSW EPA guidelines including the Waste Classification Guidelines (2014).</p> <p><i>Note: An appropriately qualified environmental consultant will have qualifications equivalent to CEnvP "Site Contamination" (SC) Specialist - by Certified Environmental Practitioner or 'Certified Professional Soil Scientist' (CPSS CSAM) by Soil Science Australia (SSA).</i></p>	
43.	<p>Site Management - Hours for Construction</p> <p>Construction may only be carried out between 7.00am and 5.00pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday. Proposed changes to hours of construction must be approved by Council in writing.</p>	To ensure site work occurs within appropriate construction hours.
44.	<p>Waste Management Plan</p> <p>Before the commencement of site works a waste management plan for the development must be provided to the Certifier for review and approval.</p>	To ensure an appropriate waste management plan is provided.
45.	<p>Earthworks and Excavation</p> <p>a) Approved earthworks (including any structural support or other related structures for the purpose of the development):</p> <ul style="list-style-type: none"> i) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot. ii) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property. iii) that is fill brought to the site, must contain only virgin excavated natural material (VENM) or excavated natural material (ENM) as defined in Part 3 of schedule 1 to the <i>Protection of the Environment Operations Act 1997 (POEO Act)</i>. <p>Documentation must be provided to the Certifier</p>	To ensure earthworks are carried out appropriately.

	<p>certifying that imported fill material is not contaminated and does not contain contaminants such as asbestos, chemicals or building waste.</p> <p>iv) that is excavated soil to be removed from the site, must be disposed of in accordance with any requirements under the <i>Protection of the Environment Operations (Waste) Regulation 2005</i>.</p> <p>b) Any excavation must be carried out in accordance with Excavation Work: Code of Practice (<i>ISBN 978-0-642-78544-2</i>) published by Safe Work Australia in October 2018.</p>	
46.	<p>Overland Stormwater Flow, Redirecting and/or Concentrating Stormwater</p> <p>All excavation, backfilling and landscaping works must not result in:</p> <p>a) any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff shall be collected and directed to a legal point of discharge.</p> <p>b) the redirection and/or concentration of stormwater flows onto neighbouring properties.</p>	To ensure stormwater is appropriately managed.
47.	<p>Survey Certification</p> <p>All excavation, backfilling and landscaping works must not result in:</p> <p>a) any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff shall be collected and directed to a legal point of discharge.</p> <p>b) the redirection and/or concentration of stormwater flows onto neighbouring properties.</p>	To ensure adherence to the approved plans.
48.	<p>Building Construction Standards</p> <p>The proposed buildings, precast concrete external walls, metal wall cladding, roof and roller doors must be constructed entirely of non-combustible materials.</p>	To ensure ongoing compliance.
49.	<p>Site Management - Maintenance of Site and Surrounds</p>	To ensure the site is

	<p>During works, the following maintenance requirements must be complied with:</p> <ul style="list-style-type: none"> a) All materials and equipment must be stored and delivered wholly within the work site unless an approval to store them elsewhere is held. b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility. c) Where tree or vegetation protection measures are in place, the protected area must be kept clear of materials and / or machinery. d) The developer must maintain the approved soil water management / erosion and sediment control measures to the satisfaction of the Certifier for the life of the construction period and until runoff catchments are stabilised. e) During construction: <ul style="list-style-type: none"> i) all vehicles entering or leaving the site must have their loads covered, and ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads. f) At the completion of the works, the work site must be left clear of waste and debris. 	<p>maintained in a safe and secure manner.</p>
50.	<p>Site Management - Noise</p> <p>The noise from all site work, demolition and construction activities associated with the approved development must comply with the work practices as outlined in the NSW Department of Environment & Climate Change Interim Construction Noise Guideline. The LAeq noise level measured over a period of not less than 15 minutes During works must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.</p>	<p>To protect the amenity of neighbouring properties.</p>
<p>BUILDING WORK</p> <p>Before Issue of an Occupation Certificate</p>		
CONDITIONS		REASON
51.	<p>Damage to Public Assets</p>	<p>To ensure public assets are maintained</p>

	<p>Prior to the issue of an Occupation Certificate, any infrastructure within the road reserve, along the frontage of the subject site, or in proximity, which has been damaged as a result of construction works, must be repaired by the developer to the satisfaction of Council.</p>	<p>in working condition.</p>
52.	<p>Works as Executed – Stormwater Drainage</p> <p>Works as Executed Plans and certification must be submitted to the Council by a licenced plumber, registered surveyor & professional engineer (as defined in the National Construction Code) certifying compliance of all drainage works with the approved design plans and the National Construction Code.</p> <p>The Works as Executed be shown in red on a copy of the approved plans. This plan must verify locations and sizes of all pipelines.</p> <p>Where the system includes an underground tank, a certificate of structural adequacy must be prepared and provided by a professional engineer (as defined in the National Construction Code).</p>	<p>To ensure works as executed plans are prepared and provided.</p>
53.	<p>On-site Detention and WSUD System</p> <p>Prior to the issue of the Occupation Certificate, the developer must:</p> <ol style="list-style-type: none"> a) create a restriction on use under the <i>Conveyancing Act 1919</i> over the on-site detention system and water quality treatment devices and provide it to the Certifier as follows: <ol style="list-style-type: none"> i) The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site stormwater detention system' must include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures. Name of the authority having the power to release, vary or modify the restriction referred to is Shoalhaven City Council. ii) The registered proprietor must not make or permit or suffer the making of any alterations to any stormwater treatment measures/ water sensitive urban design (WSUD) elements which is, or must be, constructed on the lot(s) burdened without the 	<p>To ensure stormwater infrastructure is designed appropriately.</p>

	<p>prior consent in writing of Shoalhaven City Council.</p> <p>iii) The expression “stormwater treatment measures/ water sensitive urban design elements” means the infiltration systems, porous pavement, sediment basins, bio- retention swales, bioretention basins, rain gardens, landscaped or vegetated swales, vegetated buffers, swale/ buffer systems, sand filter, wetlands, ponds, retarding basins, aquifer storage and recovery, rainwater reuse tanks, stormwater reuse tanks, gross pollutant traps, pit inserts, silt/ oil arrestors or other proprietary products including all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins or surfaces graded to direct stormwater to the stormwater treatment measures/ water sensitive urban design elements.</p> <p>iv) create a positive covenant under the <i>Conveyancing Act 1919</i>, requiring the property owner(s) to undertake maintenance in accordance with the approved WSUD System Operation and Maintenance Manual.</p> <p>v) provide a certificate from a professional engineer, (as defined in the National Construction Code) to verify the structural and hydraulic adequacy of the on-site detention facility and water quality improvement devices and that the facility / devices have been constructed in accordance with the approved Construction Certificate plans.</p>	
54.	<p>Colours and Materials</p> <p>The development must be constructed in accordance with the approved schedule of colours and building materials and finishes.</p>	To ensure colours and materials are appropriate.
55.	<p>Completion of Public Utility Services</p> <p>Before the issue of the relevant Occupation Certificate / Subdivision Certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.</p>	To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements,

		before occupation.
56.	Completion of landscape and tree works Before the issue of an Occupation Certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.	To ensure the approved landscaping works have been completed.
57.	Dilapidation Report – Evidence of Completion Before the issue of an Occupation Certificate, the developer must provide the Certifier and Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer to the satisfaction of Council.	To ensure any damage not previously identified in the Dilapidation Report is suitably repaired.
58.	Driveway – Evidence of Completion Before the issue of a full Occupation Certificate, all driveway works internal to the site as shown on the approved plans must be completed.	To ensure the completion of the driveway in a timely manner
59.	Fire Safety – Evidence of Compliance Prior to the issue of a partial or whole Occupation Certificate, a final fire safety certificate is to be issued to Council and Fire & Rescue NSW by or on behalf of the owner of a building to the effect that each essential fire safety measure specified in the current fire safety schedule for the building to which the certificate relates: a) has been assessed by a properly qualified person, and b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.	To ensure compliance with the Fire Safety Schedule.
60.	Retaining Walls – Certification Before the issue of an Occupation Certificate, certification must be provided to the Certifier prepared by a professional engineer, (as defined in the National Construction Code), certifying that retaining walls within 1m of the property boundary or exceeding 1m in height above ground level	To ensure retaining walls have been constructed appropriately.

	<p>(existing) are constructed in accordance with the approved engineering design plans.</p> <p>The Certifier must be satisfied that all retaining walls have been constructed in accordance with the relevant retaining wall plans and specifications, and in accordance with the requirements of any other conditions of this consent.</p> <p><i>Note: This condition does not prevent a partial Occupation Certificate to be issued for the parts of the development that have been completed.</i></p>	
61.	<p>Structural Elements – Certification</p> <p>Prior to the issue of an Occupation Certificate, certification must be provided to the Certifier prepared by a professional engineer, (as defined in the National Construction Code), certifying that all structural elements (e.g. underground stormwater tanks) have been constructed in accordance with the approved engineering design plans.</p>	To ensure that required works have been appropriately carried out.
62.	<p>Section 68 Approvals – Evidence of Completion</p> <p>All the conditions under the approval of section 68 of the <i>Local Government Act 1993</i> are to be complied with before the issue of an Occupation Certificate.</p>	To ensure compliance with section 68 approval.
63.	<p>Shoalhaven Water – Certificate of Compliance</p> <p>Before the issue of any Occupation Certificate, a Certificate of Compliance under section 307 of the <i>Water Management Act 2000</i> must be obtained from Shoalhaven Water to verify satisfactory compliance with all conditions for the supply of water and sewerage, as listed on the Water Development Notice.</p> <p>If the development is to be completed in approved stages, or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.</p>	To ensure compliance with Shoalhaven Water requirements.
64.	<p>Waste - Private Collection Service</p> <p>Before the issue of an Occupation Certificate, the developer/owner must provide evidence to the Certifier of a formal agreement with a licenced private waste contractor to service the development. A copy of the contract must be forwarded to Council.</p> <p>The agreement must ensure:</p> <p>a) the removal of all waste from the developed property.</p>	To ensure an appropriate waste management agreement is entered into.

	<p>b) the service is functional and meets the operational requirements for the developed property.</p> <p>c) the service minimises environmental nuisances including noise and other adverse impacts on the safety and amenity of residents and the public.</p> <p>d) the developer/owner indemnifies Council against claims for loss or damages, should Council take over provision of the service at some point in the future.</p>	
65.	<p>Works in the Road Reserve - Evidence of Completion</p> <p>Before the issue of a full Occupation Certificate, the developer must provide the Certifier with a Construction Inspection Ticket / Completion of Works in Road Reserve Letter provided by Council, confirming compliance with the requirements of section 138 of the <i>Roads Act 1993</i>.</p>	To ensure works in the road reserve are completed appropriately.
BUILDING WORK Occupation and Ongoing use		
CONDITIONS		REASON
66.	<p>Occupation – Satisfaction of Conditions of Consent</p> <p>The development must not be occupied or used before an Occupation Certificate has been issued by the Principal Certifier.</p> <p>If an Occupation Certificate is not required, the use must not commence until all conditions of development consent have been met or other satisfactory agreements have been made with Council (i.e., a security).</p>	To ensure conditions of consent are complied with or other satisfactory arrangement made.
67.	<p>Hours of Operation</p> <p>The use of the approved development is restricted to operating during the following hours:</p> <p><u>Monday to Saturday</u></p> <ul style="list-style-type: none"> • Warehouse 7am to 5pm • Office 8am – 6pm <p><u>Sunday</u></p> <p>Closed</p>	To limit the hours of operation for the development.

68.	<p>Waste Collection Hours</p> <p>Hours of waste collection from the site are limited to the following times:</p> <ul style="list-style-type: none"> Monday to Friday: 7:00am to 7:00pm Saturday and Sunday: 8:00am to 7:00pm 	<p>To ensure waste is collected at appropriate times.</p>
69.	<p>Site Management - Commercial/Industrial Development</p> <p>The owner or operator must at all times be responsible for on-going site management and maintenance in accordance with the following:</p> <ol style="list-style-type: none"> loading and unloading in relation to the use of the premises must occur in the designated loading areas or within the road reserve under an approved traffic control plan. goods or machinery must be stored, and all activities must occur, inside the building(s) and not in the carpark or driveway areas. maintenance and replacement (if necessary) of all landscaping in accordance with the approved landscape plan. maintenance of vehicular movement areas including driveways, carparking, manoeuvring areas, line marking, pedestrian facilities, lighting, to the standard specified by this consent. ongoing waste and recycling must be managed in accordance with the approved Waste Management Plan. Waste bins are not to be stored within the loading area/space that is visible from a public place. maintenance of stormwater drainage pipes and systems to ensure efficient discharge of stormwater in accordance with the approved stormwater drainage plan. maintenance of buildings, fencing, signage/markings to the standards specified in this consent. the removal of all graffiti within a maximum of 14 days of being notified by Council. 	<p>To ensure the site is maintained and operated in a safe and appropriate manner.</p>
70.	<p>Noise – Commercial/Industrial Development</p> <p>The use of the approved development must not give rise to transmission of unacceptable vibration or an offensive noise to any place of different occupancy or the public in accordance</p>	<p>To protect the amenity of neighbouring properties</p>

	with the NSW Environment Protection Authority's <i>Noise Policy for Industry</i> and <i>Noise Guide for Local Government</i> (guideline) and the <i>Protection of the Environment Operations Act (POEO Act)</i> .	
71.	Provision of Parking At least 63 onsite car parking spaces (including 1 accessible space) are to be provided at all times.	To ensure ongoing compliance
72.	Fire Safety – Annual Statement A building owner must ensure that an annual fire safety statement prepared by a competent fire safety practitioner is issued each year and that a copy of the statement is provided to the Shoalhaven City Council and the Commissioner of Fire and Rescue NSW. An application form is available on Council's website. <i>Note: An annual fire safety statement is a declaration by, or on behalf of a building owner that a competent fire safety practitioner (CFSP) has:</i> a) assessed, inspected and verified the performance of each existing essential fire safety measure that applies to the building b) inspected the exit systems serving the building and found that the exit systems within the building do not contravene the Environmental Planning and Assessment Regulation 2021 <i>Failure to give Council an annual fire safety statement by the due date constitutes a separate offence for each week beyond that date for which the failure continues. Substantial penalties for non-compliance apply under the Environmental Planning and Assessment Act 1979.</i>	To ensure an annual fire safety statement is prepared.
73.	Stormwater Quality Improvement Devices – Ongoing Maintenance The revisited proprietor must ensure the stormwater drainage system, inclusive of OSD tanks and stormwater quality improvement devices, is maintained in a functional condition for the life of the development. Routine maintenance must be undertaken in accordance with the approved WSUD System Operation and Maintenance Manual. Records of maintenance undertaken must be kept and furnished to Council upon request.	To ensure stormwater infrastructure is appropriately maintained.
74.	Bushfire Protection	To ensure compliance

	The development is to comply with the recommendations of the endorsed Bushfire Assessment Report prepared by SET Consultants, Reference: S022243, dated: 18 March 2022.	with applicable bushfire controls.
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General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation, and other legislation. Some of these additional obligations are set out in the Conditions of development consent: advisory notes. The consent should be read together with the Conditions of development consent: advisory notes to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a Construction Certificate or Subdivision Works Certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this consent (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction Certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means Shoalhaven City Council.

Court means the NSW Land and Environment Court.

EPA means the NSW Environment Protection Authority.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2021.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation Certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater
- the reuse of stormwater
- the detention of stormwater
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata Certificate means a certificate in the approved form issued under Part 4 of the Strata Schemes Development Act 2015 that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.