




SOUTHERN REGIONAL PLANNING PANEL

ASSESSMENT REPORT SUMMARY AND RECOMMENDATION COVER SHEET

SRPP No	2018STH007
DA Number	619/2017
Local Government Area	Shellharbour
Proposed Development	Torrens title subdivision comprising of 58 residential lots, six (6) superlots, one (1) lot for future boat maintenance facility, one (1) public reserve & three (3) residue lots.
Location	Lots 4002 & 4003 DP 1235539, Harbour Boulevard Shell Cove
Applicant / Owner	Australand Corporation (NSW) Pty Ltd (Frasers Property) / Shellharbour City Council
No. of Submissions	Nil
Regional Development Criteria (Clause 4.5(b) of the Act)	Regionally significant development pursuant to SEPP (State and Regional Development) 2011 clause 20(1) and Schedule 7 clause 3(b). The development proposal is a Council related development, as Council is the owner of the land on which the development is to be carried out, and has a capital investment value of more than \$5 million. The proposed development has a CIV of \$10,868,251.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy No. 71 – Coastal Protection • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 • Shellharbour Local Environmental Plan 2013 • Shellharbour Development Control Plan • Concept Approval – MP07_0027 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> • Subdivision plans • Earthworks and section plans • Landscape plans
Recommendation	That SRPP No. 2018STH007 (DA No. 691/2017) be approved subject to the schedule of conditions contained in Attachment 1.
Report prepared by	Victoria Nicholson, Senior Development Assessment Officer
Signature	
Report endorsed by	Grant Meredith, Group Manager City Development

Signature	
Report endorsed by	Melissa Boxall, Director Community and Customer
Signature	
Date of report	3 December 2018

Executive Summary

Development application (DA) no. 619/2017 was lodged with Shellharbour City Council on 18 December 2017. The application seeks development consent for a Torrens title subdivision of land described as Precinct A in the Shell Cove Boat Harbour Concept Approval.

The consent authority for the subdivision development application is the Southern Regional Planning Panel (SRPP) pursuant to clause 4.5(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The development application was publicly notified in accordance with statutory and local planning controls. No submissions were made to Council regarding the proposal.

The main issues arising from the assessment of the subdivision proposal were:

- the road and lot layout whereby the lot identified for a future boat maintenance and storage facility abuts residential lots and considerations of amenity impacts through loss of solar access and acoustic privacy, in addition to visual amenity,
- a subdivision layout that creates battle-axe lots and associated issues with presentation of waste bins for the kerbside collection of waste,
- encroachment of residential land use onto land identified as 'Transition Area' on the Mineral Resource and Transition Areas Map, and
- general consistency with the concept plan approval, in particular the identified built form of the future development of the superlots.

The subdivision development has been assessed under relevant heads of consideration outlined in section 4.15 of the EP&A Act. The development is consistent with applicable objectives and provisions of relevant environmental planning instruments including *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* (Mining SEPP). The development is generally consistent with the terms of the concept plan approval that applies to the site.

The subdivision development is unlikely to result in adverse impacts on the environment or character and amenity of the locality and surrounding area subject to the schedule of conditions provided in **Attachment 1**.

The draft conditions were provided to the applicant for review. Applicant's comments have been considered in finalising the schedule of conditions.

This report recommends the granting of conditional development consent to SRPP No. 2018STH007 (DA No. 691/2017) for the subdivision of land to create 58 residential lots, six (6) superlots, one (1) lot for the future boat maintenance and storage facility, one (1) public reserve lot and three (3) residue lots at Lots 4002 & 4003 in DP 1235539 Harbour Boulevard, Shell Cove.

Report Structure

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PLANNING REPORT

1 Development description

The subdivision proposal comprises:

- 58 Torrens title residential allotments
- 6 super lots for future multi dwelling housing and apartment development
- 1 Torrens title lot for the future Boat Maintenance Facility
- 1 public reserve lot
- 3 residue lots
- earthworks
- civil infrastructure – road construction, stormwater drainage and water quality treatment devices
- acoustic walls associated with the Boat Ramp Carpark
- Harbour Boulevard boundary fencing
- public domain works including street tree planting and footpaths within the subdivision and landscape treatment to the foreshore (i.e. east of Bass Point Tourist Road), and
- realignment of a section of Bass Point Tourist Road, including the provision of a turning head at the northern end and 20 perpendicular public parking spaces.

The subdivision layout design can be seen in **Figure 1** and **Attachment 2**.

The Statement of Environmental Effects submitted in support of the development states the anticipated dwelling yield for Precinct A will approximate 143 dwellings:

- 59 dwellings from future development of the superlots
- 55 single dwellings
- 6 dwellings from 3 nominated dual occupancy residential allotments.

Residential allotment sizes vary:

- 19 lots between 345sqm – 449m²
- 26 lots between 450sqm – 599m²
- 13 lots between 600sqm – 798.2m².

Residential superlot areas vary between 1035.1m² – 4009.4m².

Lot area of the nominated future Boat Maintenance and Storage Facility is 10,277.3m²

Attachment 3 shows an aerial overlay of the subdivision. Since the aerial image was taken, Harbour Boulevard now connects to the Bass Point Tourist Road.

Attachment 4 shows a cadastre overlay of the subdivision. This figure shows three (3) residue lots arising from the subdivision.

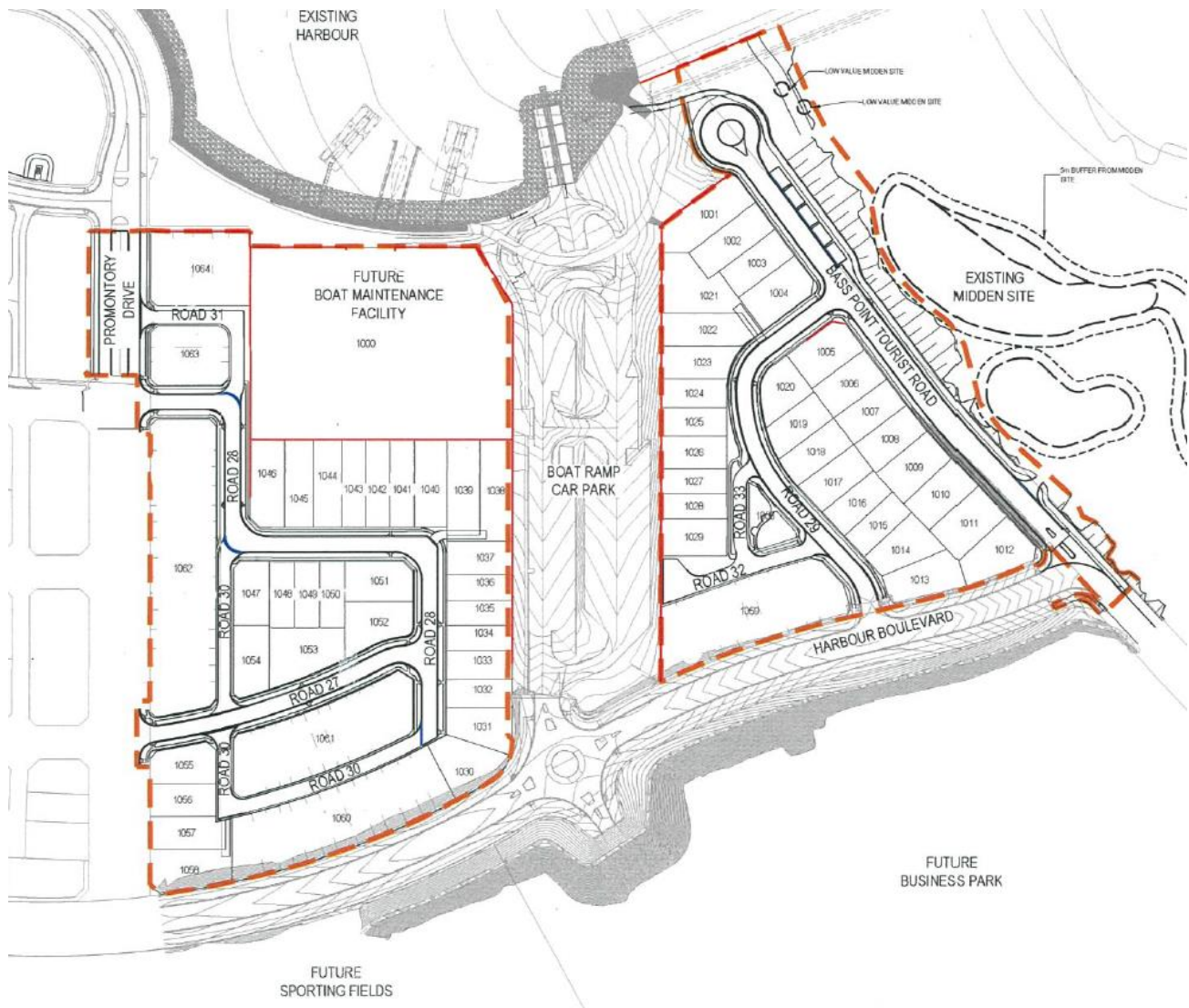


Figure 1: Shell Cove Boat Harbour Precinct A subdivision design

2 Context – Major Project: Shell Cove Boat Harbour Precinct Concept Plan

Figure 2 shows the spatial context of Precinct A within the Shell Cove Boat Harbour Precinct. The Boat Harbour Concept Plan (MP07_0027), approved 15 February 2011 under Part 3A of the EP&A Act (now repealed), is a 100 hectare precinct development surrounding a boat harbour and 350 berth marina. The harbour and marina development were approved by the Minister in November 1996 and is currently under construction. It is anticipated that the harbour will begin to fill in 2020.

The Concept Plan approval comprises of residential, commercial, industrial and open space land uses as conceptualised in **Attachment 5**. The Concept Approval approved up to 1,238 dwellings with a total gross floor area of about 150,000m² comprising single dwellings, medium density and apartments. The development of the Shell Cove Boat Harbour Precinct is a joint venture between Australand Corporation (NSW) Pty Ltd and Shellharbour City Council.

Precinct A has two unique elements when compared to the other six residential precincts. The precinct includes a third potential mixed use precinct within the Boat Harbour, identified in

Attachment 5 as the area coloured light blue and described as 'boat storage and mixed use'. Secondly, A1 and A2 areas of Precinct A are physically separated from each other by a public boat ramp carpark which forms part of the Ministerial approved boat harbour and marina.

Precinct A is the third residential subdivision development to be reported to the regional planning panel. The adjoining B1 and C1 precincts have been substantially developed with the construction of detached single dwellings, dual occupancies and multi dwelling housing. The Panel approved the Precinct E subdivision to the north west of the harbour in March 2018. The Panel is also the consent authority for further residential subdivision of Precincts F and G, currently being assessed by council. The Boat Harbour town centre is now opened with the recent completion of the Stage 1 supermarket and public carpark development. **Attachment 12** refers to approved and current development applications relating to residential developments within the Shell Cove Boat Harbour development.



Figure 2: Shell Cove Boat Harbour Precinct A Locality Plan

Source: Adapted from *Shell Cove Precinct A: Statement of Environmental Effects* (Figure 02, page 8)

Note: The 'finger' of land to the north of the Boat Harbour precinct does not form part of the Concept Plan approval. Its inclusion is subject to a modification application currently under assessment.

3 Context – Locality & land attributes

The development site approximates 9 hectares in area and is located at the south-eastern end of the Shell Cove Boat Harbour Precinct. The land falls to the harbour currently under construction. The applicant explains (SEE page 11) harbour works have modified the landform of Precinct A. These works include the temporary surcharge mounding works and open drainage channels, and fill works to mitigate exposure of acid sulfate soils (ASS) during harbour works. With regard to flora

and fauna, the site to the west of Bass Point Tourist Road is highly disturbed with all pre boat harbour development vegetation removed. The area appears to include stockpile of materials. This area is also used as a temporary site office and depot for earthmoving vehicles, and the like. Photos of the development site and immediate content are provided in **Attachment 6**.

Precinct A interfaces with the future harbour and its perimeter promenade to the north, Bass Point Tourist Road to the east, Harbour Boulevard to its immediate south and to its west the establishing residential B1 precinct, in addition to the future higher residential development of the B2 precinct. On the southern side of Harbour Boulevard is land approved as a business park under the Concept Plan approval, as well as land outside the footprint of the Concept Plan approval zoned as public recreation open space under *Shellharbour Local Environmental Plan 2013* (SLEP 2013).

Further south of Precinct A is an extractive industry located on the Bass Point peninsula that has been operational for over 100 years. The closest point of the development to land mapped as significant mineral resources approximates 140 metres. The development encroaches onto the mineral resources transition area. Further southeast of the site, accessed via Bass Point Tourist Road, is the Bass Point Reserve, an area having high ecological and cultural significance.

There are other site attributes that inform the assessment of the proposal. The development site is also mapped as flood prone land, as having Aboriginal cultural heritage and is shown on the ASS Map as land class 2. In addition, the development site is located on land within the coastal zone as defined under *State Environmental Planning Policy No. 71 – Coastal Protection* (SEPP 71).

4 Relevant legislation & statutory planning

4.1 Environmental Planning and Assessment Act 1979 (EP&A Act) – 4.15 Evaluation

In determining a development application, a consent authority is to take into consideration matters referred to in the EP&A Act section 4.15(1) 'evaluation' as are of relevance to the proposed development:

Relevant s.4.15(1) matters for this application are:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 71 – Coastal Protection
- Shellharbour Local Environmental Plan 2013
- Shellharbour Development Control Plan 2013
- Shellharbour City Council's Section 94 Contributions Plan 2016 Amendment 1
- The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality
- The suitability of the site for the development
- Any submissions made in accordance with the EP&A Act & EP&A Regulation
- The public interest.

4.1.1 Section 4.15(1)(a)(i) – the provisions of any environmental planning instruments

State Environmental Planning Policy (State and Regional Development) 2011

The provisions of this Policy apply to the development proposal however, only insofar as identifying the proposal as regional development where the consent authority is the regional planning panel pursuant to clause 4.5(b) of the EP&A Act. The development is regionally significant development pursuant to SEPP (State and Regional Development) 2011 clause 20(1) and Schedule 7 clause 3(b). The development proposal is a Council related development, as Council is the owner of the land on which the development is to be carried out, and has a capital investment value of more than \$5 million. The proposed development has a CIV of \$10,868,251.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

This Mining SEPP was gazetted in recognition of the importance to New South Wales of mining, petroleum production and extractive industries and to provide proper management and orderly and economic use and development of land containing material resources. The Mining SEPP also establishes appropriate planning controls to encourage ecologically sustainable development through environmental assessment, and sustainable management. Clause 13 is of relevance to this DA as it requires consideration of the compatibility of proposed development within vicinity of mining, petroleum production or extractive industry (clause 13(a)(1)). The development site has proximity to the hard rock quarry at Bass Point.

Subclause (2) outlines matters that must be considered before a consent authority determines an application.

The closest point of the development to the land mapped significant mineral resources approximates 140 metres. In Wilkinson Murray's assessment report¹ of the development encroachment onto the Transition Area, operational activities are described as occurring in the western pit which approximates 385 metres from the interface of the residential development. The quarry haul road is about 300 metres. The report concludes that residential development within the 15m encroachment onto the SLEP 2013 Transition Area 'will not impose an additional imposition on the approved operations of the Quarry'. The report goes on to say that this encroachment will not impact on future expansion of the quarry. In addition, the expected noise levels of the quarry operations are not contrary to the noise design criterion for residential development along Harbour Boulevard (in mitigating road noise).

These findings are specific to that part of the development encroaching onto the Transition Area however, it is possible to extrapolate these findings to that part of Precinct A in 'vicinity' of a Mining SEPP related land use, on the basis of future development on the land having essentially the same built form with finished design surface levels that are the same or lower.

The residential use of the land subject of the DA is approved under the Concept Approval Plan. Having regard to the Wilkinson Murray's report conclusion, the residential use of the land and the quarry are not incompatible land uses.

¹ Barry Murray, *Shell Cove Development – Assessment of Development Encroachment into LEP 2013 Transition Area*, Ref: FP180118 BM (WM Project Number: 05135-BR), dated 18 January 2018.

Having regard to the above, the proposal is considered to be consistent with the aims of the Policy.

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

The aim of SEPP 55 is to provide for the remediation of contaminated land for the purpose of reducing the risk of harm to human health or environment and requiring that any remediation work meet certain standards and notification requirements.

A phase 2 site contamination assessment of the Boat Harbour Precinct was submitted as part of the Concept Plan application. Whilst this report concluded that a remedial action plan was required for the former golf course and a former farm structure, land within Precinct A was not identified as having any contamination and did not require any further investigation (SEE page 12).

On the basis of Council's maps and records, Council's Environment Officer advises that the development site is not identified as contaminated land.

On the basis of the above, the proposal is consistent with the aims of the Policy subject to the preparation of a Construction Environmental Management Plan. This Plan will include an unexpected finds protocol. This requirement is provided in the draft schedule of conditions provided in **Attachment 1**.

State Environmental Planning Policy No. 71 – Coastal Protection

Having regard to the recent gazettal of *State Environmental Planning Policy (Coastal Management) 2018*, the former planning provisions of SEPP 71 continue to apply to the DA pursuant to clause 21(1) Savings and transitional provisions.

SEPP 71 applies to land and development within the coastal zone as defined by the *Coastal Protection Act 1979*. The Policy aims to protect and manage the natural, cultural, recreational and economic attributes, vegetation and visual amenity of the NSW Coast as it applies to the site. In doing so, the development is required to be assessed under a range of considerations, including coastal foreshore access, amenity and scenic qualities, coastal hazards, cultural heritage and values, and stormwater quality.

Precinct A is located within the coastal zone. The development site has frontage or access to the coastal foreshore. The site is not located within the sensitive coastal zone.

The proposal is considered to be consistent with the aims and provisions of SEPP 71 as the applicable heads of consideration listed in Clause 8 and matters of Part 4 are satisfied by the development either conditionally or unconditionally, and because the design and layout is generally consistent with the terms of the Concept Plan Approval.

Shellharbour Local Environmental Plan 2013 (SLEP 2013)

*Part 2 Permitted or prohibited development
Land Use Tables*

The development is characterised as subdivision of land.

Pursuant to the Land Use Tables of SLEP 2013, the development site has multiple zones, these being R3 medium density residential, B7 business park and RE1 public recreation. **Figure 3** shows

the location and land area of the B7 and RE1 zoned land. Pursuant to clause 2.6 subdivision of land to which the SLEP 2013 applies is permitted with development consent, however residential accommodation is prohibited development on land zoned B7 and RE1.

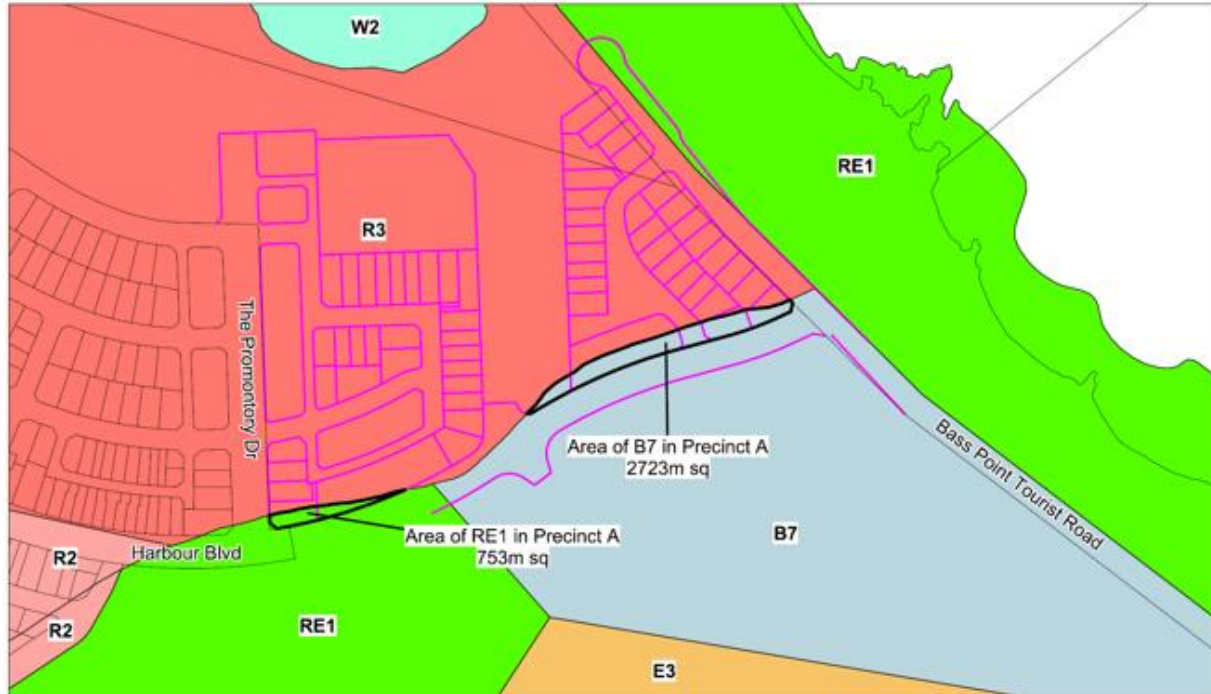


Figure 3: SLEP 2013 Land Use Zones

Note: The B7 land area includes that part encroaching onto the boat ramp car park which does not form part of this DA. An approximate area is deducted from the non-residential area figure referred to in the report.

The objectives of the 3 land use zones are as follows:

R3 Medium Density Residential

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.

RE1 Public Recreation

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

B7 Business Park

- To provide a range of office and light industrial uses.
- To encourage employment opportunities.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To ensure that land uses on land in the zone are not unduly affected in an adverse manner by proximity to the Bass Point quarry, having regard to the normal course of the quarries operations, and will not pose an unacceptable restriction on the nature of operations in the quarry.

The proposed subdivision on the R3 zoned land will support the realisation of the R3 zone objectives in providing residential living in a mixed density residential environment. Whilst subdivision of RE1

and B7 zoned land is permissible, subdivision for residential purposes is inconsistent with the zone objectives.

As a concept plan, a lack of finality is inherent. Flexibility in the interpretation of the significance of a deviation to a concept plan is to be considered within the context of the overall development and whether the development remains generally consistent with the terms of the concept approval despite the deviation. The land to which the Concept Approval applies was not fixed by survey and 'spillage' of non-residential zoned land to the northern side of Harbour Boulevard is evident, as **Figure 3** illustrates. The area of non-residential zone within Precinct A is about 5% of the development site and as such is considered a minor deviation. In this regard, the development is considered to satisfy EP&A (Transitional) Reg schedule 2 clause 3B 2(d).

Notwithstanding the land use zoning of SLEP 2013, pursuant to EP&A (Transitional) Reg schedule 2 clause 3B 2(f) the provisions of any environmental planning instrument do not have effect to which they are inconsistent with the terms of the approval of the concept plan. The Shell Cove Boat Harbour Concept Approval shows the interface between the residential land use and the public recreation and business park land uses being physically separated by Harbour Boulevard. In other words, the southern perimeter of residential land use in Precinct A as depicted in the Concept Approval is bounded by Harbour Boulevard. In this regard, the spatial arrangement of residential land use along the interface of Harbour Boulevard prevails over the land use zoning under SLEP 2013.

Part 4 Principal development standards

Clause 4.1 Minimum subdivision lot size

Subclause (2) states that this clause applies to a subdivision of land shown on the Lot Size Map that requires development consent and is carried out after the commencement of this Plan. In accordance with subclause (3) the size of any lot resulting from the subdivision must not be less than the minimum size shown on the Lot Size Map in relation to that land.

The minimum lot size development standard for land zoned R3 medium density residential is 450m². Over 30% of single dwelling lots have an area less than 450m². An exception to the minimum lot size development standard can be considered pursuant to clause 4.6 of SLEP 2013, however, pursuant to EP&A (Transitional) Reg schedule 2 clause 3B 2(f) the Concept Plan Approval prevails to the extent of the inconsistency with the minimum lot size development standard. The proposed lot sizes support the strategic outcomes of the Approval.

A minimum lot size development standard does not apply to the land zoned B7 business park and RE1 public recreation zoned land.

Part 5 Miscellaneous provisions

Clause 5.10 Heritage

The objectives of this clause are:

- a. to conserve the environmental heritage of Shellharbour,
- b. to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- c. to conserve archaeological sites,
- d. to conserve Aboriginal objects and Aboriginal places of heritage significance.

The site is not identified as having European heritage items, trees or conservation area, or in proximity to a European heritage item.

The development site is subject to the requirements of the permit and consent granted in 2006 under the *National Parks and Wildlife Act 1974* to disturb or destroy Aboriginal objects at the Shell Cove Boat Harbour Precinct during works activities. The development site abuts an AHIMS site identified as having relatively high archaeological value and accordingly must be protected from potential impacts arising from development activities. Recommended conditions to ensure the objectives of this clause are not undermined form part of the draft schedule of conditions provided in **Attachment 1**.

Part 6 Additional local provisions

Clause 6.1 Acid sulfate soils

The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

Acid sulfate soils (ASS) were investigated as part of the Concept Plan application. The terms of the Concept Plan Approval require an Acid Sulfate Soils Management Plan (ASSMP) to be prepared for each stage of the Boat Harbour project (condition Part D, 12 – Acid Sulfate Soils). The Statement of Commitments (Part 4.7.3 – Acid Sulfate Soils) details the relevant publication applicable to the ASSMP.

An ASSMP has been prepared by Coffey (2017) in accordance with the industry guidelines. Coffey's ASS assessment identified the northern portion of the Precinct A development site as having ASS. The report explains that the depth of fill to create the structural platform to support road and building loads will effectively provide a capping layer to the ASS. However, trenching for water/sewer services and stormwater drainage is likely to encounter ASS.

The objectives of clause 6.1 are satisfied subject to Council's Environment Officer's recommended conditions; these are included in **Attachment 1**.

Clause 6.2 Earthworks

The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Substantial earthworks are proposed as shown in the earthworks and section plans at **Attachments 7 and 8**. Filling occurs across the precinct relative to pre-construction levels tapering at its boundaries. These works will create a structural landform with design levels congruent with surrounding development. Sections of the realigned Bass Point Tourist Road will have levels that differ to the existing road. This change in level interface, albeit small, is likely to be the most visible change to existing however, is unlikely to create adverse visual impact as the batter extent is small (given proximity of the midden buffer footprint) and batter works will be landscaped.

The earthworks for this proposal are not expected to detrimentally impact environmental functions and process of surrounding lands where works are undertaken in compliance with related conditions of consent; refer to **Attachment 1**.

Accordingly, the proposal is consistent with the objective of Clause 6.2 and the matters for consideration.

Clause 6.3 Flood planning

The objectives of this clause are:

- a. to minimise the flood risk to life and property associated with the use of land,
- b. to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
- c. to avoid significant adverse impacts on flood behaviour and the environment

Technical assessment of the proposal and supporting study by Advisian finds that the development is unconditionally consistent with clause 6.4 objectives.

Clause 6.4 Stormwater management

The objective of this clause is to minimise the impacts of urban stormwater on the land to which the development applies, adjoining properties, native bushland and receiving waters.

A conceptual drainage design was provided and is capable of satisfying the objectives of the clause and Council's Development Control Plan subject to a detailed drainage design submitted as part of the construction certificate application. Relevant conditions form part of the schedule of conditions of **Attachment 1**.

Clause 6.9 Essential Services

Development consent must not be granted for development unless the consent authority is satisfied that services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water; (b) the supply of electricity; (c) the disposal and management of sewage;
- (d) stormwater drainage or on-site conservation; and (e) suitable vehicular access.

Sydney Water advise that they have a water and wastewater strategy for the Shell Cove Boat Harbour Precinct and do not raise any objection to the proposal. Detailed drinking water and waste water requirements will be provided to the proponent on application to a section 73 Compliance certificate prior to development commencement.

Vehicular access and stormwater management have been assessed by the Traffic and Subdivision Engineer and considered conditionally satisfactory. Details of the supply of electricity will form part of the Subdivision Construction Certificate application. The subdivision layout does accommodate for the provision of electricity sub-stations.

The development site is able to be serviced by all required essential services. Relevant conditions form part of the schedule of draft conditions provided in **Attachment 1**.

Clause 6.10 Significant mineral resources

- (1) The objective of this clause is to identify the location of significant resources of minerals, petroleum or extractive materials for the purposes of clause 13 of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

- (2) The land identified as “Mineral Resource Area” on the [Mineral Resource and Transition Areas Map](#) is the land to which clause 13 of [State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#) applies.

The closest point of the development to the land mapped significant mineral resources approximates 140 metres. The development also encroaches onto the Transition Area’ and for the purpose of this clause, clause 13 of the Mining SEPP applies.

Clause 6.11 Development within the Transition Area

This clause applies to land identified as ‘Transition Area’ on the Mineral Resources and Transition Areas map. **Figure 4** shows that part of the residential subdivision that encroaches onto the Transition Area.

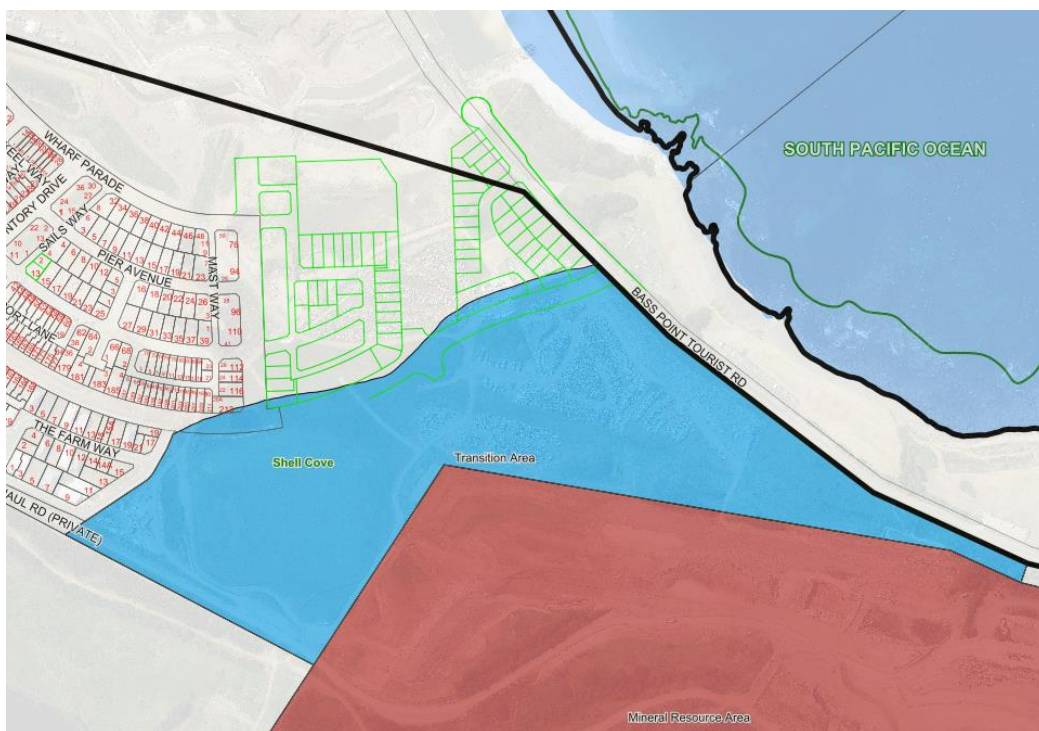


Figure 4: Subdivision encroachment and Transition Area

Subclause (1) provides the objectives of this clause, as follows:

- to provide for the proper management and development of mineral and extractive resources for the purpose of promoting social and economic benefits to Shellharbour and the State,
- to minimise the impact new land uses and development will have on mineral and extractive resource operations identified on the [Mineral Resource and Transition Areas Map](#),
- to minimise the impact mineral and extractive resource operations may have on development in the Transition Area.

Subclause (3) states:

Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the following:

- whether the proposed development would have any adverse impact on the availability of mineral or extractive resources,
- whether there would be any adverse impact on the proposed development arising from noise, dust, vibration or reduced visual amenity from the mine or extractive industry,

- (c) whether any measures incorporated into the proposed development would satisfactorily limit the impact of noise, dust and vibrations associated with the mine or extractive industry.

The Wilkinson Murray report² finds that the 15 metre residential encroachment into the Transition Area will result in insignificant differences in noise, vibration, airblast and dust from the quarry and haul road. Residential development in the Transition Area will not impose any additional imposition on the approved operations of the Quarry. Wilkinson Murray conclude that the encroachment of the future residential use of the land into the Transition Area will not impact on future expansion of the quarry.

Having considered the matters of subclause (3) the subdivision development is consistent with the objectives of clause 6.11.

4.1.2 Section 4.15(1)(a)(ii) – the provisions of any draft instrument that has been

There are no draft instruments applicable to the proposal.

4.1.3 Section 4.15(1)(a)(iii) – the provisions of any development control plan

The *Shellharbour Development Control Plan 2013* (SDCP) applies to the development only inasmuch as where the Concept Plan Approval is silent or where the DCP provides the technical assessment framework. Pursuant to EP&A (Transitional) Reg schedule 2 clause 3B 2(f) however, where there is an inconsistency between the DCP and terms of the concept plan approval, the latter will prevail. The proposal is able to satisfy applicable objectives and the development provisions that underpin these objectives, subject to conditions. Relevant conditions form part of the draft schedule of conditions provided in **Attachment 1**.

4.1.4 Section 4.15(1)(a)(iiia) – any planning agreement entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under section 7.4 which affect the development.

4.1.5 Section 4.15(1)(a)(iv) – the regulations

A standard condition forms part of the schedule of recommended conditions of **Attachment 1** whereby the proposal will be subject to relevant prescribed matters.

4.1.6 Section 4.15(1)(b) – the likely impact of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The following discussion refers to those potential impacts associated with the proposal not discussed elsewhere in this report.

Context and setting

The matter of context relates to an assessment of compatibility. Relevant to this proposal are considerations of the physical impact and visual impact associated with the subdivision layout and acoustic wall.

² *ibid*

Boat ramp car park & acoustic mitigation

The Ministerial consent of the boat ramp and boat loading/unloading facilities in the harbour are a constraint in the design of the adjoining subdivision for future noise sensitive residential development. Noise attenuation measures are required to ensure the design noise criterion is not exceeded. The construction of a noise wall is one of the proposed measures to mitigate the predicted carpark noise levels.

Figure 5 shows the boat ramp car park and the relative location of surrounding dwellings. The red line shows the location of acoustic fencing. The acoustic fencing satisfies the internal noise design criterion for the ground floor of the dwelling. It is expected that dwellings will be 2 storeys and further attenuation measures are required for those lots with openings on the upper level which have an acoustic line of sight from car activities to the residences. These measures include 6mm glazing and the installation of mechanical ventilation or airconditioning so residents can control noise by closing openings.

The Wilkson Murray noise assessment report concludes that noise levels from the boat ramp car park, a potentially incompatible adjoining land use, are capable of meeting appropriate noise criteria for residential development subject to implementation of certain acoustic attenuation measures.



Figure 5: Location of boat ramp acoustic wall

Source: Wilkson Murray Noise Assessment Report June 2018 | figure 2.2 (page 2)

Boat ramp car park– visual amenity of acoustic fence

The Wilkinson Murray acoustic report recommends an acoustic wall with a height of at least 1.8m, possibly up to 2.4m. A 2.4m high acoustic fencing is proposed, and along the eastern and western boundaries of the boat ramp carpark this fencing will sit on top of a retaining wall with a maximum height of 1.6m. The overall height of the retaining wall-acoustic fence structure will vary from 2.4m to 4.2m. The visual impact of this structure will be screened and/or softened with landscaping, as shown in **Attachment 9**. There will be a co-ordinated and cohesive design and treatment of the acoustic fencing constructed which should assist in reducing the visual impact of the fencing.

The amenity impacts associated with the noise attenuation measure in the form of acoustic fencing is considered to be compatible with the locality and surrounding area in context of the Ministerial approval of the location of the boat ramp car park. It is recognised that the green softening required to minimise the visual impact of the retaining wall-acoustic fence structure relies on Council as the land owner of the carpark to undertake and maintain these landscape works.

The subdivision layout and required acoustic attenuation measures are considered to be compatible with the envisaged future built form character of the Precinct A having regard to a 'fixed' boat ramp car park context and its operational activity.

Flora and fauna

SLEP 2013 clause 6.5 – Terrestrial biodiversity does not apply to the development site as the land is not identified as 'Environmentally Sensitive Land' on the Terrestrial Biodiversity Map. Council's Environment Officer comments that despite the highly disturbed nature and poor condition of the land within Precinct A, native vegetation has colonised the disturbed site and now is likely to provide habitat for native fauna. The temporary stormwater channels were observed to be colonised by native wetland species. The area to the east of Bass Point Tourist Road is also disturbed and highly modified however, provide habitat for native fauna. Accordingly, the intent of the recommended conditions provided in **Attachment 1** is to minimise harm to native fauna prior to vegetation and drainage line removal and minimise vegetation removal to the east of Bass Point Tourist Road.

Waste Management

Waste management during the construction stage of the development has been addressed via a condition; refer draft schedule of conditions provided in **Attachment 1**.

The inclusion of battle axe design is generally undesirable as associated with difficulties in servicing for kerbside collection of waste where the lot frontage has inadequate unobstructed kerb length to allow waste receptacles to be presented on the kerb in front of the lot. This has been addressed with land title restrictions for certain lots having the waste receptacles location for kerbside collection on the kerb in front of another lot.

Natural hazards

The coastal hazards of erosion and inundation are not expected to have a significant effect on the Precinct A development site.

Safety, security and crime prevention

Satisfactory assessment by Council's Community Safety Officer subject to lighting and landscaping matters being addressed via conditions included in those provided in **Attachment 1**.

Social impact

No significant adverse social impacts are expected to arise from the approval of the proposal.

Economic impact

There are not expected to be adverse economic impacts, including to Council, arising from the approval of the proposal. Council's Assets section did not raise any objection to the proposal.

Site design and internal design

The proposal is capable of satisfying Council's DCP and technical requirements.

Construction

The proposal has the potential to result in adverse impacts during the construction stage of the development however those impacts are capable of being mitigated by conditions of consent (for example, hours of work, dust control, ASS exposure, erosion/sediment controls, unexpected finds protocols) or can be considered to result in minimal impact within reasonable/acceptable limits.

Cumulative impact

Approval of the subdivision development is not expected to result in adverse cumulative impacts.

4.1.7 Section 4.15(1)(c) – the suitability of the site for the development

As discussed elsewhere in this report the site's attributes are conducive to the proposed subdivision development subject to the draft schedule of conditions provided in **Attachment 1**.

4.1.8 Section 4.15(1)(d) – any submissions made in accordance with the Act or the regulations

The DA was publicly notified during the period 15 February to 16 March 2018. No submissions were received during this notification period nor during the assessment of the DA.

4.1.9 Section 4.5(1)(e) – the public interest

The proposed development is in the public interest as:

- it is not expected to result in unreasonable impacts on the environment or on the amenity of the locality,
- it is consistent with the desired future character and coastal amenity of the area,
- it will increase the supply and diversity of housing in a coastal environment which will facilitate the economic and social vitality of the emerging Shell Cove Boat Harbour commercial precinct,
- it will provide employment and economic benefits to the local community and region during the construction stage of the development,
- the residential development will have minimal impact on the existing and future recovery of minerals and extractive materials resource on land identified on the Mineral Resource and Transition Areas Map, and
- because the subdivision development has been assessed as satisfactory having regard to the heads of consideration under section 4.15 of the EP&A Act subject to conditions being imposed on any development consent granted.

4.2 **Environmental Protection & Assessment (Savings, Transitional and Other Provisions) Regulation 2017** (EP&A (Transitional) Reg)

Pursuant to EP&A (Transitional) Reg schedule 2 clause 3B 2(d), a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan. As already discussed, the development is subject to Boat Harbour Precinct Concept Approval No. 27_2007.

The Concept Plan comprises a number of key elements to guide future development. These are land uses; dwelling number and residential building typology; indicative floor areas; building height (as number of storeys); indicative street alignments and pedestrian networks; and location of open space and wetlands; refer **Attachments 5 and 10**.

Key elements applicable to proposal/site

Land uses – Precinct A

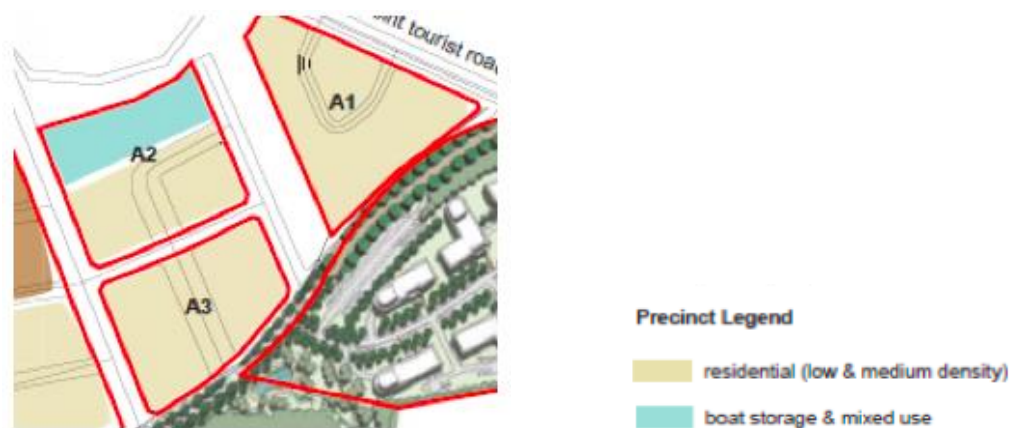


Figure 6: Extract from Land use per precinct
(see **Attachment 5**)

The above extract from the land uses plan show Precinct A has two land uses, these being residential land use and boat storage and mixed use land uses. The Concept Application and Environmental Assessment describes this mixed use area as a potential site for dry stack under cover storage of boats given the locational context of Precinct A in adjoining the public boat ramp and haul out area. Design options provided show residential and boat storage integrated as a mixed use development, a design response to screen the boat storage building from public places including the harbour and waterfront domain by providing a predominantly residential edge to the water.

The proposal has separated the boat storage and residential land uses. Boat storage instead will be integrated with the boat maintenance building. The distinctive land uses has been realised with the provision of a nominated boat maintenance facility lot.

Having consideration to the presentation of future buildings to the water's edge and how the subdivision facilitates a sympathetic visual interface, the subdivision layout will continue to include a residential edge to the water, albeit reduced in length and less than 50% of the future boat maintenance facility building on lot 1000. Design principles addressing the visual importance of both

the residential and boat maintenance facility developments, and building height congruency and design relationship between the two different land uses form part of the Precinct A urban design guidelines. Future development on lot 1000 will need to satisfy the design outcome objective, 'the boat maintenance and storage facility must have appropriate density, bulk, scale, texture and colours to integrate visually with surrounding residential development and waterfront environment'.

The subdivision development is considered to be consistent with the Precinct A land uses in the Concept Approval as the subdivision provides for residential, boat storage and boat maintenance land uses.

Street network

The below extract from the Street Pattern Diagram (**Figure 7**) shows the indicative road hierarchy and layout within the Precinct A development of the Concept Plan Approval.



Figure 7: Extract from Street Pattern Diagram

Source: Concept Application and Environmental Assessment | figure 4.02 (page 50)

A traffic impact assessment was submitted as part of the suite of supporting information. The subdivision design is generally consistent with this road network with exception of the road shown to physically separate the mixed use and residential land uses. The mixed use land use relates to boat maintenance activities and dry boat storage facilities. Boat storage facilities will be operational for 24 hours, 7 days a week whilst the boat maintenance operations will be limited to daytime hours, 7 days a week. The proposed subdivision layout shows the future boat maintenance and storage facility will adjoin the rear boundaries of nine (9) residential lots. The suitability of this layout design having regard to the potential for incompatible adjoining land uses was considered in context of future residential amenity and the proper functioning of the boat maintenance facility during its operational life.

A noise and vibration assessment of dry boat stacking and boat maintenance by Wilkinson Murray concluded that the operation of these facilities will require noise mitigation measures to meet the design noise criteria for adjoining noise sensitive land uses. Noise attenuation measures are acoustic fencing, building design construction and resident behaviour. Windows on the dwelling façade/s facing the facility will be fitted with 6mm glazing on both ground and upper floors and

dwellings will be mechanically ventilated or air-conditioned so residents can close these windows. It is likely that the acoustic wall, which will be 5-6 metres above the level of residential land, will be integrated into the construction design of the boat maintenance and storage facility building.

With regard to vibration, the report concludes that whilst there is potential for vibration to be generated by activities within the boat storage and maintenance building, such as dropping of heavy objects, ground borne vibration 'will be insignificant and will be imperceptible within 3 or 4 metres of such a drop ... no vibration impact on nearby residential developments is expected' (page 9 of report).

The maximum building heights of the boat maintenance facility on lot 1000 is 10 metres with a zero boundary line setback from its southern boundary increasing to 15 metres at a 10 metre setback from the boundary. The design levels of lot 1000 are anticipated to lower the building height to less than 7 metres above the finished surface level of the adjoining residential lots (no.s 1038-1046).

Figure 8 shows the interface between residential development and the future boat maintenance and storage facility on lot 1000 illustrating relative building heights and scale. Shadow diagrams demonstrate that future residential development can achieve 3 hours of continuous and direct sunshine to a private open space area having a minimum dimension of 3 hours during the winter solstice with these wall heights. This assumes a minimum rear building line of residential buildings of 11.5 metres. As the urban design guidelines only require a minimum unobstructed open space dimension of 1.5 metres to receive direct sunshine during the winter solstice, a condition requiring a rear building line restriction of 10 metres on the land title forms part of the recommended conditions in **Attachment 1**. The shadow diagrams are provided in **Attachment 11**.

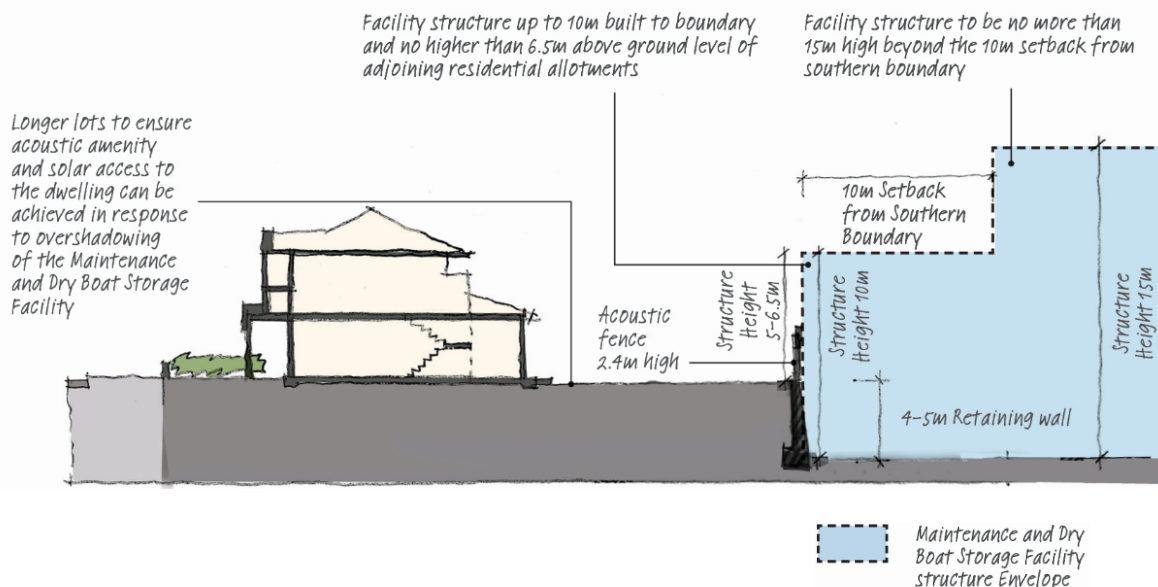


Figure 8: Section drawing of residential development and adjoining lot 1000 development (extract from Precinct A urban design guideline)

The new harbour attractions in this locality such as the groyne will contribute to an increased demand for parking. Road design sections and civil works plans show 20 perpendicular spaces to the realigned Bass Point Tourist Road east of Seaside Avenue (road 29), in addition to parallel parking along the remainder of Bass Point Tourist Road (that part within the development site). The applicant advises these works will provide about 25 parallel parking spaces. Whilst information to support the proposed parking numbers having regard to the increased recreational opportunities in the locality

was not forthcoming, the applicant advised the proposal exceeds the five (5) parallel parking spaces shown in the approved documentation that forms part of the concept plan approval.

Dwelling density, typology & spatial arrangement

The Concept Approval approved documentation includes a plan showing indicative dwelling numbers and spatial arrangement of built form as single dwellings, multi dwelling housing and apartments; refer **Attachment 10** (figure 3.07). An extract of Figure 3.07 pertaining to Precinct A is provided below.

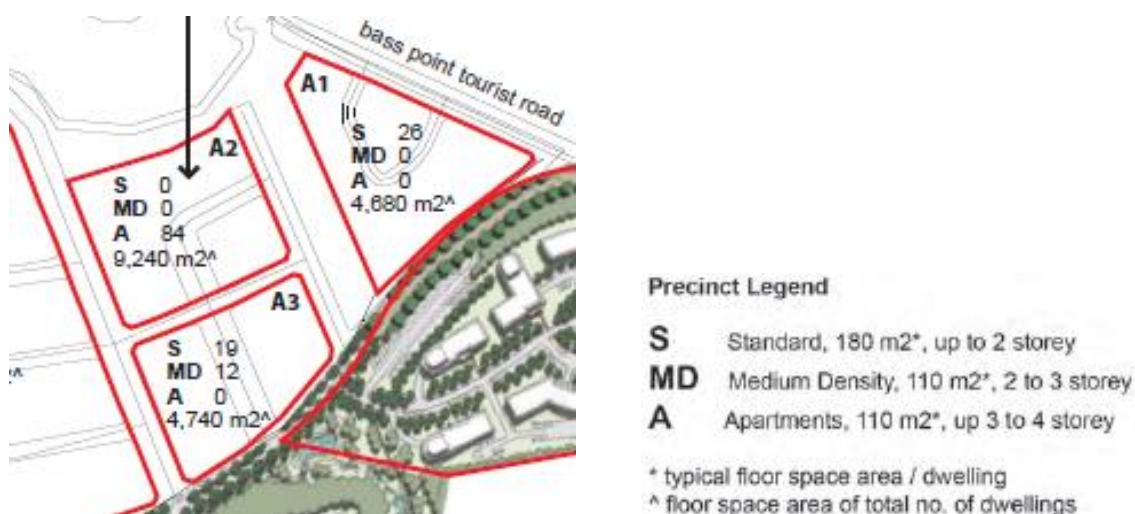


Figure 9: Extract from indicative dwelling no.s and floor space per precinct
(see **Attachment 10**)

The subdivision proposal comprises 58 'standard' lots of which 55 will be developed as single dwellings and the three (3) nominated dual occupancy sites in the urban design guidelines likely to be developed as dual occupancy housing. The DA supporting documentation states that the superlots will be developed as multi dwelling housing and anticipates the future development of 59 dwellings with subdivision, subject to separate development applications. This provides a total dwelling number of about 120 dwellings, a shortfall of 21 dwellings when compared to the indicative 141 dwellings in Precinct A of the Concept Approval.

It can be seen in the above extract that the number and spatial distribution of the dwelling typology, in addition to building height (see **Attachment 10**), envisaged a certain built form character for Precinct A. The loss of the apartment built form is likely to realise a different character particularly having regard to Precincts A contribution to higher density built forms around the harbour edge. It can also be seen that multi dwelling housing is not shown on the land described as A1. The subdivision layout includes one superlot in A1 for future multi dwelling housing.

In addition, the Precinct A urban design guidelines allows for a minimum lot size of 110m². In theory, the development of the superlots can provide 130 dwellings, a total number of 194 dwellings in Precinct A. This far exceeds the indicative number of 141 dwellings in the Concept Approval.

Notwithstanding the above points raised, the number, mix and spatial distribution of dwelling forms is considered generally consistent with the Concept Approval. Firstly, the indicative nature of Figure 3.07

in **Attachment 10** suggests a level of flexibility in the number and spatial arrangement of dwelling typology. The building height standard of the Concept Approval can also lend support to the application of flexibility. For example, whilst the future multi dwelling housing in A1 will provide higher residential housing, the building height of 'up to two storey', in addition to the design principles of the guidelines will create a harmonious interface with the single dwelling development elsewhere in A1. Further, the multi dwelling housing will contribute in providing a cohesive built edge along the length of Harbour Boulevard where housing is provided predominantly in the form of multi dwelling housing. Secondly, the Precinct A urban design guidelines include a statement that future development of the superlots will be required to be consistent with Concept Approval MP 07_0027. This includes dwelling typology, dwelling numbers and building height. This will be managed at the development application stage. It is noted that the current modification to the Concept Approval removes references to dwelling typology.

Networks - open space, pedestrian and bicycle

An extract of the Concept Approval 'Open Space, Pedestrian and Bicycle network' plan is shown below in **Figure 10**. The pedestrian and bicycle network of the Concept Approval is linked to the pattern of open space. Of relevance of this plan to the Precinct A development is the pedestrian network and its connection to the main bike path. The DA plans show a 2.5 metre wide share pedestrian-bicycle pathway located along the eastern side of the re-aligned Bass Point Tourist Road. This will connect to the harbour perimeter path at the northern end of the road termination head. The share-path will connect via a cross-over on the Bass Point Tourist Road to the main bike path along the western side of Harbour Boulevard.

Currently there are no formal off-road cycle or pedestrian paths on this section of the Bass Point Tourist Road. The path infrastructure will contribute to existing and future leisure and recreational opportunities, by connecting to existing major networks and utilising open space links.

The below figure (**Figure 10**) shows there are no open space requirements within Precinct A. The footprint of subdivision development is consistent with the public domain harbour access and the coastal public reserve. The future playing fields and passive open space area is consistent with Council's Development Contribution plan and its Park and Recreation Space Guidelines.



Figure 10: Extract from open space network plan

Source: Concept Application and Environmental Assessment | figure 3.03 (page 26)

The open space, pedestrian and cycle networks are consistent with the Concept Approval.

Urban design guidelines

Pursuant to Schedule 3 Part D condition no. 1 of the Concept Approval urban design guidelines must be prepared for each stage of the development. The relevant urban design guidelines relevant to Precinct A relate to built form outcomes such as architectural diversity, density, bulk, scale, mix of dwelling types, setbacks, environmental amenity, view corridors, and visual and acoustic privacy.

At the time of drafting this planning report, the contents of the final draft of the Precinct A urban design guidelines has been agreed by the Group Manager City Planning and is in the process of being finalised and formatted for publication.

In the assessment of this subdivision development application, due regard has been given to the provisions and objectives of the final draft of the urban design guidelines. Of particular relevance is solar access and visual and acoustic privacy considerations in relation to the boat maintenance and storage facility. The subdivision design and residential lot dimensions have specific regard to these provisions in the immediate area surrounding the boat maintenance and storage building. The provisions as they relate to residential development have also been taken into account in the assessment of the overall subdivision.

It is generally considered that the Precinct A urban design guidelines can be achieved in future development applications for dwellings and other uses that result from the subdivision.

Quarry buffer zone

The Concept Plan Approval excludes residential development from the quarry buffer area. The quarry buffer area referred to at the time of this Approval is now referred to as the Transition Area in SLEP 2013. As seen in **Figure 4** the residential subdivision encroaches onto land identified as 'Transition Area' on the Mineral Resources and Transition Areas map. The Transition Area essentially overlays the footprint of the land zoned B7 and RE1 under SLEP 2013 as it pertains to the footprint of the Precinct A development.

The development is still considered to be generally consistent with the terms of the Approval for the reasons outlined under in SLEP 2013 **Land Use Tables**. Case law around flexibility and interpreting 'generally consistent' with the Concept Plan Approval can permit some relatively minor deviation from the Concept Plan Approval. The deviation in terms of land area is about 5% of the development site. It is considered unlikely that this minor encroachment of residential development in the Transition Area will undermine the aims of the Mining SEPP and the objectives of SLEP 2013 clause 6.11 'development within the Transition Area', as discussed earlier in this report. On this basis, the deviation from the Concept Plan Approval is considered to not be significant and in this matter the proposal is generally consistent with the terms of the Concept Approval.

Conclusion

In conclusion, the proposed subdivision development is generally consistent with the terms of the Concept Approval (MP 07_0027).

4.3 Consultation

4.3.1 Internal

Substantive technical assessment advice was received from Council's Aboriginal Community Liaison Officer, Community Safety Officer, Environment Officer, Landscape Technical Officer, Section 94 Contributions Officer, Subdivision and Traffic Engineering Officer, and Water Engineering Officer. With exception of the latter, the proposal was considered conditionally satisfactory. Water engineering assessed the proposal as unconditionally satisfactory. Officer's recommended conditions are included in the draft schedule of conditions at **Attachment 1**.

4.3.2 External

The subdivision DA was referred to, and substantive advice received from, Sydney Water. The recommended consent conditions are included in the draft schedule of conditions at **Attachment 1**.

Council's Aboriginal Community Liaison Officer recommended that advice be sought from the NSW Office of Environment and Heritage (OEH) having regard to the development site footprint abutting, and in some places encroaching on, land identified as having high archaeological value. A site visit was undertaken with OEH. OEH advice is included in the draft schedule of conditions at **Attachment 1**.

The subdivision DA was also referred for advice and/or comment from NSW Department of Primary Industries (Minerals & Petroleum).

5 Recommendation

That conditional development consent is granted to SRPP No. 2018STH007 (DA No. 691/2017) for the subdivision of land to create 58 residential lots, six (6) superlots, one (1) lot for the future boat maintenance facility, one (1) public reserve lot and three (3) residue lots at Lots 4002 & 4003 in DP 1235539 Harbour Boulevard, Shell Cove for the following reasons:

- a. the subdivision development is in the public interest for the reasons provided in **4.1.9 Section 4.15(1)(e) – the public interest**, and
- b. the proposal is generally consistent with the terms of the approval of the concept plan MP07_0027.

The schedule of recommended conditions are detailed in **Attachment 1**.

Attachment 1 – Schedule of draft conditions

This development consent has been divided into different parts according to where, during the development process, each condition may be most relevant. Some conditions may be appropriate to more than one part. All conditions must be complied with.

PART A - ADMINISTRATIVE CONDITIONS

1 Construction Certificate (Subdivision) & PCA Notification *Environmental Planning & Assessment Act 1979*

Before any site works, building or use is commenced, the person having the benefit of the development consent must:

- a. obtain a Construction Certificate from Shellharbour City Council or other accredited certifier, and
- b. appoint a Principal Certifying Authority.

For Torrens Title Subdivision, the appointed Principal Certifying Authority must be Shellharbour City Council.

2 Prescribed Conditions

This development consent is subject to the prescribed conditions made under the *Environmental Planning & Assessment Regulation 2000*.

3 Development in Accordance with Plans

The development must be in accordance with the following approved Development Application plans and documents as endorsed by Council's stamp except where modified by conditions of this consent. Where there is an inconsistency between the approved plans/documentation and the conditions of this consent, the conditions will take precedence to the extent of the inconsistency.

Name of Plan/Document	Prepared By	Reference	Date
Site Plan	Arcadis	10006310, C-A-003 Issue 05	07.08.2018
Lot Layout Plan	Arcadis	10006310, C-A-004 Issue 05	07.08.2018
Plan of Subdivision	-	-	undated
Waste Collection Plans	Arcadis	Waste Collection Layout Plans C-A-443 10006310 Issue 04	07.08.2018
		Waste Collection Plans, Issue 3 C-A-444 10006310 sheet 1 C-A-445 10006310 sheet 2 C-A-446 10006310 sheet 3 C-A-447 10006310 sheet 4	15.06.2018
Landscape Works	GroupGSA	Cover sheet 13294 LOA-000 D	03.07.2018
		Landscape Plan Sheet 01 13294 LOA-2100 F	03.07.2018

Name of Plan/Document	Prepared By	Reference	Date
		Landscape Plan Sheet 02 13294 LOA-2200 F	03.07.2018
		Landscape Plan Sheet 03 13294 LOA-2300 F	03.07.2018
		Landscape Plan Sheet 04 13294 LOA-2400 F	03.07.2018
		Planting Schedule 13294 LOA-5000C	03.07.2018
		Planting Plan Sheets 01-04 13294 LOA-5001, 5002, 5003, 5004 Issue C	03.07.2018
		Landscape Details 13294 LOA-4001 & 4002 C	03.07.2018
Fence Strategy	Group GSA	13294 LOA-3001 & 3002C	03.07.2018
Cut and Fill Layout Plan	Arcadis	AA006310 C-A-141 Issue 01	05.09.2018
Site Sections	Arcadis	C-A-151 – 156 AA006310 Issue 01 Sheets 1-6	05.09.2018
Civil Works and Stormwater Drainage Plans	Arcadis	10006310, C-A-301 to C-A- 310	
		Sheets 1, 4-7, 9 Issue 4	22.06.2018
		Sheet 8 Issue 03	15.06.2018
		Sheets 2-3 Issue 05	07.08.2018
		Sheet 10 Issue 02	22.06.2018
Typical Road Cross Sections	Arcadis	10006310, C-A-006 Issue 03	15.06.2018
Acid Sulfate Soil Management Plan Precinct A Shell Cove	Coffey Geotechnics Pty Ltd	WOLEN209869-R01	25.10.2017
Noise & Vibration Impact Assessment Precinct A Shell Cove	Wilkson Murray	05135-BR Version D	20.06.2018

4 Compliance with Notations on Drawings

Works must comply with any annotations on the approved plans.

Consent Limitations

This development consent does not grant approval to any structures, such as shelter sheds, to the east of Bass Point Road.

Street Numbering

The addressing for this development will be as detailed in the table below. Allocated street numbers must be shown on the Construction Certificate plans, subdivision plans/Administration sheet and where plans and details are provided to service suppliers, numbers must be in accordance with the addressing below.

Lot	Street number	Street name	Street type	Locality	Alternate
1000	15	Maritime	Drive	Shell Cove	
1001	23	Oceanfront	Drive	Shell Cove	
1002	21	Oceanfront	Drive	Shell Cove	
1003	19	Oceanfront	Drive	Shell Cove	
1004	17	Oceanfront	Drive	Shell Cove	17 Seaside Ave
1005	15	Oceanfront	Drive	Shell Cove	18 Seaside Ave
1006	13	Oceanfront	Drive	Shell Cove	
1007	11	Oceanfront	Drive	Shell Cove	
1008	9	Oceanfront	Drive	Shell Cove	
1009	7	Oceanfront	Drive	Shell Cove	
1010	5	Oceanfront	Drive	Shell Cove	
1011	3	Oceanfront	Drive	Shell Cove	
1012	1	Oceanfront	Drive	Shell Cove	269 Harbour Blvd
1013	2	Seaside	Avenue	Shell Cove	267 Harbour Blvd
1014	4	Seaside	Avenue	Shell Cove	
1015	6	Seaside	Avenue	Shell Cove	
1016	8	Seaside	Avenue	Shell Cove	
1017	10	Seaside	Avenue	Shell Cove	
1018	12	Seaside	Avenue	Shell Cove	
1019	14	Seaside	Avenue	Shell Cove	
1020	16	Seaside	Avenue	Shell Cove	
1021	15	Seaside	Avenue	Shell Cove	
1022	13	Seaside	Avenue	Shell Cove	
1023	11	Seaside	Avenue	Shell Cove	
1024	9	Seaside	Avenue	Shell Cove	
1025	7	Seaside	Avenue	Shell Cove	
1026	5	Seaside	Avenue	Shell Cove	
1027	2	Sandbar	Avenue	Shell Cove	
1028	4	Sandbar	Avenue	Shell Cove	
1029	6	Sandbar	Avenue	Shell Cove	
1030	37	Seaboard	Way	Shell Cove	
1031	35	Seaboard	Way	Shell Cove	
1032	33	Seaboard	Way	Shell Cove	
1033	31	Seaboard	Way	Shell Cove	
1034	29	Seaboard	Way	Shell Cove	
1035	27	Seaboard	Way	Shell Cove	
1036	25	Seaboard	Way	Shell Cove	
1037	23	Seaboard	Way	Shell Cove	
1038	21	Seaboard	Way	Shell Cove	
1039	19	Seaboard	Way	Shell Cove	
1040	17	Seaboard	Way	Shell Cove	
1041	15	Seaboard	Way	Shell Cove	
1042	13	Seaboard	Way	Shell Cove	
1043	11	Seaboard	Way	Shell Cove	
1044	9	Seaboard	Way	Shell Cove	
1045	7	Seaboard	Way	Shell Cove	
1046	5	Seaboard	Way	Shell Cove	
1047	16	Seaboard	Way	Shell Cove	4 Cay lane
1048	18	Seaboard	Way	Shell Cove	
1049	20	Seaboard	Way	Shell Cove	

Lot	Street number	Street name	Street type	Locality	Alternate
1050	22	Seaboard	Way	Shell Cove	
1051	24	Seaboard	Way	Shell Cove	
1052	26	Seaboard	Way	Shell Cove	49 Anchorage Pde
1053	47	Anchorage	Parade	Shell Cove	
1054	45	Anchorage	Parade	Shell Cove	2 Cay Lane
1055	2	Rockpool	Lane	Shell Cove	92 Anchorage Pde
1056	4	Rockpool	Lane	Shell Cove	
1057	6	Rockpool	Lane	Shell Cove	
1058	215	Harbour	Boulevard	Shell Cove	8 Rockpool Lane
1059	257	Harbour	Boulevard	Shell Cove	9 Shore Court
1060	229	Harbour	Boulevard	Shell Cove	22 Rockpool Lane
1061	104	Anchorage	Parade	Shell Cove	11 Rockpool Lane
1062	15	Cay	Lane	Shell Cove	
1063	2	Shoal	Lane	Shell Cove	1 Seaboard Way
1064	5	Shoal	Lane	Shell Cove	

PART B - PRIOR TO ISSUE OF SUBDIVISION CONSTRUCTION CERTIFICATE

Initial Geotechnical Report

A geotechnical report, prepared by a suitably qualified and experienced geotechnical engineer, must be submitted to the Certifying Authority for approval prior to the issue of the Subdivision Construction Certificate.

The report must cover, but not be limited to, the following:

- extent and stability of proposed embankments including those acting as retarding basins,
- recommended Geotechnical testing requirements,
- level of geotechnical supervision for each part of the works as defined under AS 3798 - *Guidelines on Earthworks for Commercial and Residential Developments*,
- an analysis of the level of risk to existing adjacent structures/buildings including the scenario of a construction contractor using vibratory rollers anywhere within the site the subject of these works. In the event that vibratory rollers could affect adjacent structures/buildings, high risk areas must be identified on a plan and the approved engineering plans must be amended to indicate that vibratory rollers must not be used within that zone,
- the impact of the installation of services on overall site stability and recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation,
- the recommended treatment of any unstable areas within privately owned allotments,
- requirement for subsurface drainage lines, and
- overall assessment of the engineering plans for the proposed development and their suitability in relation to the site's geotechnical characteristics.

Soil and Water Management Plan

Prior to the issue of the Subdivision Construction Certificate, a Soil and Water Management Plan (SWMP) must be submitted to and approved by the Certifying Authority.

The SWMP must clearly identify site features, constraints and soil types together with the nature of the proposed land disturbing activities and specify the type and location of erosion and sediment

control measures. In addition, rehabilitation techniques that are necessary to deal with such activities shall be referred to where applicable.

The SWMP must take into account the requirements of Landcom's publication *Managing Urban Stormwater - Soils and Construction (2004)* thus ensuring the following objectives are achieved, namely:

- a. minimise the area of soils exposed at any one time,
- b. conserve topsoil for reuse on site,
- c. identify and protect proposed stockpile locations,
- d. preserve existing vegetation and identify revegetation techniques and materials,
- e. control surface water flows through the development construction site in a manner that:
 - i. diverts clean run-off around disturbed areas,
 - ii. minimises slope gradient and flow distance within disturbed areas,
 - iii. ensures surface run-off occurs at non-erodible velocities, and
 - iv. ensures disturbed areas are promptly rehabilitated.
- f. trap sediment on site to prevent off site damage. Hay bales are not to be used as sediment control devices. To ensure regular monitoring and maintenance of erosion and sediment control measures and rehabilitation works until the site is stabilised (includes landscaping),
- g. specifies measures to control dust generated as a result of construction activities on site,
- h. temporary sediment ponds must be fenced where the batter slope exceeds 1 vertical to 5 horizontal,
- i. design scour protection for the 10 year ARI event at all inlet and outlet structures, and
- j. include measures to prevent the tracking of sediment off the site.

Soil and Water Management Plan Bond

The developer must lodge a bond to the amount of \$200 per lot to ensure compliance with erosion and sediment control measures incorporated in the approved Soil and Water Management Plan (SWMP). This bond must be in the form of an irrevocable bank guarantee made out in favour of Shellharbour City Council, and must operate as follows:

- a. the bond must be submitted to Council prior to the release of the Subdivision Construction Certificate,
- b. the bond must be held by Council until the expiration of the defects liability period for the subdivision which commences at the completion of all engineering works, including placement of the final seal on all new roads, and
- c. if Council is to advise the developer that maintenance work is required on the erosion and sediment control measures, remedial work shall be substantially commenced within forty eight (48) hours from the time of advice. Failure to comply with this direction will give Council the right to employ an appropriate contractor, (which could include the Soil Conservation Service) to undertake such measures as deemed necessary and fund these works from the bond guarantee.

Road Design

The road design must comply with the following:

- a. the grading and layout of all roads and lots must not allow for trapped low points and, in addition, ensure that overland flow is passed safely over public land,

- b. the road pavement must be designed with one layer of asphalt having a minimum thickness of 40mm AC 10. The pavement design for the proposed roads must be carried out by a qualified Geotechnical/Civil engineer in accordance with *AUSTROADS Guide to Pavement Technology*,
- c. all vertical and horizontal alignment of all streets and all street intersections within the development must have adequate sight distance provided in accordance with AUSTROADS requirements,
- d. the geometric design of all roads, traffic facilities, intersection treatments, mid-block devices and entry features must be such as to permit a 12.5m rigid vehicle to manoeuvre in order to enter and leave each road travelling in a forward direction and without leaving the carriageway unless whereby road terminates with a T-head
- f. the road terminating with a T-head must be designed to enable a 12.5m rigid vehicle to enter and exit the road in a forward direction in a maximum three point turn, and
- e. the relevant drawings must be annotated and properly referenced showing compliance with this condition. The drawings must be submitted with application for a Subdivision Construction Certificate for approval by the Certifying Authority.

Road Drainage Plans

Road and drainage plans must be prepared by a suitably qualified engineer in accordance with Council's *Subdivision Design Code*. The plans must be submitted to the Certifying Authority for approval prior to the release of the Subdivision Construction Certificate. All road and drainage work must then be constructed in accordance with Council's construction standards and approval at no cost to Council.

All stormwater pipes within the road reserves and within drainage easements intended to be dedicated to Council must be installed generally to the HS3 standard in accordance with the current edition of AS 3725 - *Design for Installation of Buried Concrete Pipe*.

Structural Design of Deep Pits

All pits deeper than 0.9 metres shall be designed by a certified structural engineer and be in accordance with AS3600-2009. Pits deeper than 1.2 metres must have galvanised steel step irons (plastic coated black steel step irons will not be accepted) and pits deeper than 1.8 metres must be reinforced concrete. Step irons are to be at 300mm interval spacing from bottom of pit. The top step is to be a minimum 500mm below top surface level. Details to this effect must be incorporated on the detailed drainage design that is submitted to the Certifying Authority for the Subdivision Construction Certificate.

Retaining Walls

All retaining walls must be designed by a practising structural engineer. Retaining walls must be located wholly within the property, including footings and agricultural drainage lines. This may require the wall to have a boundary setback of at least 200mm. No part of a retaining wall structure is to encroach on land proposed to be dedicated to Council. Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing structures. All retaining walls must be constructed of masonry materials. Retaining wall details to be submitted with the Subdivision Construction Certificate.

Electricity Substation

Where required, the land owner must dedicate to the applicable energy supplier, free of cost, an area of land within the development site (excluding any approved landscaped area) to enable an electricity substation to be installed. The size and location of the substation must be submitted for

approval of both Council and the energy provider prior to the Subdivision Construction Certificate being issued.

Landscape Plan Construction Certificate Assessment

The developer must lodge with Council a fee as per Council's *Fees and Charges* for the assessment of the landscape plan prior to the issue of the Landscape Construction Certificate.

Street Tree and Landscape Inspection Fees

The developer must lodge with Council prior to the issue of the Subdivision Construction Certificate inspection fees in accordance with Council's *Fees and Charges* for:

- street tree and landscape works certification inspections, and
- street tree and landscape handover inspections following completion of the maintenance period.

Landscape & Street Tree Plan/s

A detailed landscape and street tree plan/s prepared by a Landscape Architect must be submitted and approved by Council prior to the issue of the Subdivision Construction Certificate. In addition to a soft copy, one hard copy is to be provided. The plan must be prepared generally in accordance with the approved Landscape Plans, *Shellharbour Development Control Plan*, Precinct A Urban Design Guidelines and modified by the requirements provided below:

- a. The tree species *Cupaniopsis anacardioides* must not be used as is an environmental weed. This species is creating havoc with self-seeding in our native bushland by bird dispersal.
- b. Street tree species selected shall not obscure vision from properties to green space and road with the aim to maximise the opportunity for surveillance.
- c. Areas to the east of the new Bass Point Road alignment including the batter below Bass Point Road and the dune adjoining the Groyne must be redesigned to be landscaped in accordance with the Draft Shell Cove Boat Harbour Beach Nourishment Rehabilitation Management Plan (Advisian 2018).
- d. Full details of the fence along the eastern side of the pedestrian-bicycle share path of Bass Point Road to be shown on plan.
- e. Landscape between the pavement of the shared driveway and boundary setback of lots 1021, 1058 and 1038. The width of the driveway landscape bed is a minimum 1 metre and will select species that will soften the interface between driveway pavement and boundary fencing and not obstruct required sight distance requirements of AS2890.1-2004. For lot 1021 this setback width is also required to ensure waste receptacles presented to the kerb for the kerbside collection of waste are wholly contained within the unobstructed road frontage of lot 1021.
- f. Landscape between the 2.4m high acoustic wall along the western boundary of Lot 1000 and the road must include species type and density that will soften the visual impact of acoustic fence. The species selected will partially screen the fence which will also assist in minimising the risk of graffiti.
- g. Landscape within road reserves must have a 10 metre visual clearance from an approaching side of any pedestrian access point of crossing and planted with a plant species that has a mature height of 300mm.
- h. Landscape proposed within roundabouts must have a 3000mm set back from the outer edge of the roundabout in a 60km zone and a 2000mm clearance zone in a 40km zone and planted with a plant species that has a mature height of 300mm.

The proposed landscape within the median of the turning head on Bass Point Tourist Road must be landscape consisting of a clear trunk tree and a low groundcover with a maximum mature height of 300mm only.

Street Tree Bond

Prior to the issue of a Subdivision Construction Certificate, a bond to the value of the street tree landscape works must be provided to Shellharbour City Council. The developer is to contact Council prior to providing the bond with a quote of the cost of the works. Council must agree in writing to the bond value prior to the bond being provided.

Bicycle Parking Facilities

The off-street bicycle parking area on the eastern side of Bass Point Road must be safe, secure, convenient and meet the needs of a wide range of cyclists. The bicycle parking area, including adequate space to dismount safely, must be suitably located, sized and designed to ensure the pedestrian-bicycle share path is safe for all users of the path. The bicycle parking area is to be located in a position that offers good passive surveillance. The parking facilities must be physically separated at a suitable distance from the amenity facilities of the walkway entrance which include washing areas, seating and waste collection bins. The design of the structure to secure the bicycles will allow cyclists to secure both wheels and frame with a 'U' lock. Wheel supports should have staggered heights. Details to be submitted, and approved by Council, prior to the issue of the Subdivision Construction Certificate.

Lot 1021 and Sight Distance

The driveway of lot 1021 and adjacent lots 1004 & 1022, must be designed for satisfactory sight distance in accordance with AS2890.1-2004 – *Parking Facilities Part 1: Off-street Car Parking*. As such the driveway and lot layout is to be designed to allow for satisfactory entry/exit sight distance. Details of compliance with the sight distance requirements of AS2890.1 are to be submitted with the Subdivision Construction Certificate.

Footpath and Sight Distance

Footpaths are to be located in accordance with *Precinct A1 and A2 Urban Design Guidelines* and be constructed in accordance with Council's specifications. The setback of the footpath pavement to the lot boundary and road kerb must be detailed on the plans submitted with the Subdivision Construction Certificate.

Waste Management Plan

A Waste Management Plan for the development must be prepared in accordance with Shellharbour City Council's *Shellharbour Development Control Plan* and be submitted with the Subdivision Construction Certificate. The plan must detail all waste streams and disposal methods. Any surplus excavated material from the site must be taken to an approved land fill site and must be detailed on the waste management plan. Waste streams that have reuse/recycling potential must be disposed to a reuse/recycling outlet and not be disposed as landfill. Excavated material may only be taken to another site with prior written approval of the Certifying Authority.

PART C - PRIOR TO COMMENCEMENT OF WORKS

Site Meeting with Council

A site meeting with Council's Engineer and relevant officers, the applicant and the contractor must be held not less than 7 days prior to the commencement of work on site.

Soil and Water Management Plan Implementation

The measures required in the Soil and Water Management Plan approved by the Certifying Authority must be implemented prior to the commencement of works.

Acid Sulfate Soil

Prior to the commencement of works, areas in the northern half of Precinct A where excavations are likely to be greater than 2m depth must have an additional assessment and laboratory testing to assess liming rates. This report must be included as an addendum to Coffey (2017) Acid Sulfate Soil Management Plan Precinct A Shell Cove, NSW.

Construction Traffic Management Plan

Prior to the commencement of works, a Construction Traffic Management Plan (CTMP) detailing vehicle routes, number of trucks, hours of operation, access arrangements, impact on pedestrians and traffic control must be submitted to and approved by the Certifying Authority.

It is the developer's responsibility to adequately inform/brief for construction workers, sub-contractors and supervisors to ensure that the Construction Traffic Management Procedures are adhered to at all times.

Unexpected Finds Contingency

An unexpected finds protocol for contamination must be prepared for the proposed works by a suitably qualified professional and submitted to the Certifying Authority prior to the commencement of works. The unexpected finds protocol should include procedures and protocols for managing risks should unexpected finds of contamination be identified at the site.

Aboriginal Heritage Induction

The applicant must ensure that the construction/project supervisors are fully informed and briefed with respect to the Consent and Aboriginal Heritage Permit (AHIP) No. 2534.

Prior to any works commencing on the land all staff, contractors and sub-contractors working on site must be inducted on Aboriginal Heritage implications and must sign acknowledgement of having received and understood this induction. This induction record must be retained on site for the duration of the construction works.

Construction Environmental Management Plan

Prior to the commencement of works, a Construction Environmental Management Plan (CEMP) must be submitted to and approved by the Certifying Authority. The CEMP must include but is not limited to:

- a. Sediment and erosion controls,
- b. Unexpected acid sulphate soils protocols. This will include actions from Coffey (2017) Acid Sulfate Soil Management Plan Precinct A Shell Cove, NSW - Section 4 Management plan and procedures for Acid Sulfate Soils.
- c. Management of fuels and chemicals,
- d. A contaminated lands including unexpected finds and asbestos protocols,
- e. Construction noise controls. Construction noise levels must be managed according to the EPA *Interim Construction Noise Guidelines*,

- f. Dust control measures,
- g. Cultural Heritage stop work protocol,
- h. Protection of native vegetation east of Bass Point Tourist Road. Measures to minimise the removal of native vegetation to create the new alignment of Bass Point Tourist Road must be detailed in CEMP. Details of vegetation protection fencing to be detailed on plan, and
- i. Native fauna protection measures.

Measures to minimise risk of harm to native fauna must include, but not be limited to,:

- Inspect in an around all vehicles and machines to ensure no native fauna is present prior to turning on or recommencing work,
- Cover trenches when possible to avoid trapping native fauna such as frogs and reptiles,
- Inspect trenches prior to filling, and
- Contact WIRES or South Coast Wildlife Rescue on 0418 427 214 immediately in the event of injury to native fauna.

Pre clearance surveys by the project ecologist must be conducted for temporary open drains and areas colonised by *Typha orientalis* (Bullrush) within the site to be cleared immediately prior to clearance.

Protection of Native Vegetation (East of Bass Point Road)

Vegetation protection fencing, as detailed in the Construction Environmental Management Plan, must be installed prior to works commencing.

Site Management Plan

Prior to the commencement of works, the applicant must submit to and obtain approval for a construction and site management plan from the Certifying Authority that clearly sets out the following:

- a. what actions are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like,
- b. the proposed method of loading and unloading excavation machines, building materials and formwork within the site,
- c. the proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period,
- d. sediment and erosion control measures as per Landcom's publication 'Managing Urban Stormwater - Soils and Construction (2004)' also known as the 'Blue Book' or subsequent revisions,
- d. how it is proposed to ensure that soil/excavated materials is not transported on wheels or tracks of vehicles or plant and deposited on the roadway, and
- e. the proposed method of support to any excavation adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by an appropriately qualified and experienced engineer.

Sydney Water Servicing

Application for a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be made to Sydney Water Corporation prior to the commencement of works.

Application must be made through an authorised Water Servicing Coordinator. For assistance visit www.sydneywater.com.au > *Plumbing, building and developing* > *Developing* > *Land development* or telephone 13 2092.

Dilapidation Report

The beneficiary of the consent is to prepare a Dilapidation Report of any existing damage to public areas in the vicinity of the development site. The report must be supported with suitable photographic records. This information must be submitted to Council prior to the commencement of work.

Public Liability

Where occupation of and/or works within Council's road reserve are proposed, the beneficiary of this consent must provide evidence to Council of a Public Risk Insurance Policy with a minimum cover of \$20M for the full duration of the proposed works prior to the commencement of works. The Policy must note Council as an interested party.

PART D – DURING CONSTRUCTION WORKS

Site Documentation

A full set of approved documents (Development Consent, Construction Certificate Drawings and associated documentation) must be maintained on site for the duration of the construction works.

Hours of Work

Noise generating activities including construction, excavation and delivery of equipment and materials, must only be carried out between:

- 7am to 5pm Mondays to Fridays, and
- 8am to 1pm Saturdays.

Aboriginal Heritage

Works must comply with the Approved Archaeological and Heritage Protection Plans (Protection Plans) and the conditions of the ss87/90 Consent and Permit (no. 2534) issued under the *National Parks and Wildlife Act 1974*. It is essential that works or vehicle movements do not occur in the immediate vicinity of registered Aboriginal site AHIMS 52-5-207.

The applicant must detail measures that have been taken to ensure compliance with the Conditions outlined within the Consent/Permit and the Protection Plans.

Maintenance of Soil and Water Management Plan

The soil and water management controls of the Soil and Water Management Plan must be maintained at all times during each stage of the development and checked for adequacy daily. The controls must not be removed until the development is completed and the disturbed areas have been stabilised to the satisfaction of the Certifying Authority.

Maintenance must include but is not limited to ensuring:

- a. all sediment fences, sediment traps and socks are properly placed and are working effectively, and
- b. that drains, gutters and roads are maintained clear of sediment at all times.

It is an offence under the *Protection of the Environment Operations Act 1997* to allow soil or other pollutants to fall or be washed into any waters or be placed where it is likely to fall or be washed into any waters. Substantial penalties may be issued for any offence.

Construction Environmental Management Plan

Management actions detailed in the Construction Environmental Management Plan must be implemented throughout construction works.

Tree Removal

Existing trees and vegetation nominated for removal must be removed prior to any construction works. Trees/vegetation removed are to be mulched and used to mulch the existing trees and/or vegetation to be retained. Any environmental weed vegetation must be removed from the development site and must not be used for mulch purposes.

Open or Occupy a Roadway or Footpath - Section 138 Roads Act 1993

Prior to any physical works within Council's road reserve such as, but not limited to, installing a driveway or connecting stormwater facilities, you will need to apply for approval under Section 138 of the *Roads Act 1993*. Fees are payable in accordance with Council's *Fees and Charges*.

To lodge your application you will need to submit the following information:

- a. detailed engineering drawings of the proposed works in the road and footpath area,
- b. a Traffic Management Plan,
- c. provision of Public Risk Insurance, and
- d. details of timing and length of works.

Waste Management

The management of waste must comply with the Waste Management Plan approved by the Certifying Authority (refer Part B). All receipts such as waste disposal dockets must be retained (refer Part F). Any variations to the Waste Management Plan must have prior written approval of Council.

Imported Fill Material

The only fill material that may be received at the development site is:

- a. virgin excavated natural material (within the meaning of the *Protection of the Environment Operations Act 1997*), or
- b. any other waste derived material the subject of a resource recovery exemption under clause 51A of the *Protection of the Environment Operations (Waste) Regulation 2005* that is permitted to be used as fill material.

Any waste derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

The intent of this requirement is to ensure that imported fill is of an acceptable standard for environmental protection purposes.

Note: The application of waste derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act*. However, a licence is not required by the occupier of land if the only material applied to land is virgin excavated natural material or waste derived material the subject of a **resource recovery exemption** under clause 51A of the *Protection of the Environment Operations (Waste) Regulation 2005*.

Subdivision Design Code Compliance

All works to be dedicated as a Council asset must be installed/constructed in accordance with Council's *Subdivision Design Code*.

Lots and Site Filling

All lot and site filling must be performed under level 1 Geotechnical supervision in accordance with AS 3798-2007 or subsequent amendments.

Geotechnical Testing - Drainage

Geotechnical testing must be carried out and results submitted to the Certifying Authority to verify that the pipe trench bedding and backfill complies with the requirements outlined in Australian Standard AS 3725 - *Design for Installation of Buried Concrete Pipe*.

Geotechnical testing must verify that the pipe trench bedding and backfill complies with the requirements for HS3 bedding/backfill must be performed at the rate of one test per 50m of pipeline with not less than two tests in any section of pipe exceeding 25m in length.

Earthworks Cut, Fill & Grading

The maximum grading of cut or fill must be 45 degrees (1:1) where there is no retaining wall or no other method of stabilising cut or fill. The maximum depth of cut or fill on any portion of the allotment must be in accordance with the approved Cut and Fill Bulk Earthworks Plan.

Road Construction and Road Drainage Construction

The site manager must arrange for a satisfactory inspection by Shellharbour City Council of the following works:

- a. all road drainage works prior to backfilling of the work, and
- b. all road construction inspections as per Council's *Subdivision Design Code*.

Precinct A Urban Design Guidelines

All works are to be consistent with *Precinct A1 and A2 Urban Design Guidelines* where relevant. Where there is any inconsistency between these guidelines and the conditions of this consent, the consent will take precedence to the extent of the inconsistency.

The footpath location within the road reserve verge must be in accordance with the Guidelines as referred to in condition no. # 'footpaths and sight distance'.

Footpath Crossing and Driveway and Layback - From Kerb to Property Boundary

A residential standard vehicular concrete driveway and layback must be constructed between the kerb and the property boundary for lots 1057-1058, and 1038-1040. The driveway must:

- a. maintain a perpendicular alignment from the kerb to the property boundary line,
- b. have a width between 4-6m for the shared driveway of lots 1038-1040 and 4m for the shared access of lots 1057 and 1058, and of lots 1021 and 1022,
- c. not interfere with the existing public utility infrastructure,
- d. be located 500mm clear of all drainage structures and 3m from any street tree,
- e. be finished with a slip resistant finish, and
- f. be constructed at the developer's expense, including all alterations of public infrastructure where necessary.

Where there is conflict between the location of the proposed driveway and the assets of a service utility, such as Telstra pits/manholes, the relevant service provider must be contacted prior to any driveway works commencing. It is an offence to modify or tamper with the assets of a service provider.

Driveway

A vehicular concrete shared driveway for lots 1057 and 1058, lots 1021 and 1022, and lots 1038-1039 must be constructed generally located as shown on the approved plans. The vehicle pavement must be designed by a qualified civil engineer and certified to be satisfactory for the expected traffic loadings from a development of this size and type. Pavement to comply with *Australian Standard 'Guide to Residential Pavements'* (AS 3727-1993 or subsequent amendment).

The driveway will have a minimum boundary setback of 1m. A greater setback may be required to satisfy sight distance requirements of AS2890.1.

Acoustic Fencing

The acoustic fencing must be constructed and installed in accordance with the approved plans and documentation prior to the issue of a Subdivision Certificate. The acoustic fence along the north-western boundary of Lot 1001 must be setback a minimum 6m from the north-eastern (front) boundary in accordance with the approved plans and documentation.

The materials, design, colours and treatment of the acoustic fencing throughout Precinct A must create a cohesive aesthetic.

The wall shall integrate graffiti prevention techniques including the use of anti-graffiti paint and coatings and be painted in dark colours (excluding black).

Street Lighting

A Public Lighting Design Brief must be submitted to Shellharbour City Council for approval for the provision of street lighting on all new public roads to be dedicated to Council. A street lighting design plan must be prepared by an accredited service provider for contestable works in NSW and submitted to the Energy provider for approval prior to construction. All street lighting must comply with the electricity service provider *Street Lighting Policy* and illumination requirements. All costs associated with the installation of street lighting must be borne by the developer.

All street lighting within the residential areas and boat access area shall be white toned lighting rather than yellow/orange toned lighting to encourage safety, light distribution and surveillance.

Traffic Committee – Signposting & Line Marking

A Signposting and Line Marking Plan must be lodged with Shellharbour City Council's Traffic Committee for written approval. The plan must detail all facilities, signage and line-marking required within and surrounding the development.

Signage that states 'no stopping' at the turning head of road 32 will be required. The intent of this requirement is to ensure all vehicles likely to access this road, including Council's waste contractor trucks, can manoeuvre in accordance with Council's requirements.

Street Tree Installation

Street tree installation by the developer must be deferred until 70% of dwellings are developed to prevent damage and destruction to street trees throughout the dwelling construction phase.

Street Trees

The developer is required to install street trees on the Council footpath reserve, as follows:

- a. tree species to be approved by Council,
- b. planted a minimum 3m from the driveway and street light poles, 2m from services, stormwater outlets and signage and 15m from pedestrian crossing
- c. must be set back a minimum 900mm from the back of the kerb or midway between the footpath and kerb,
- d. rootbarrier must be installed adjacent to the back of the kerb & gutter and the concrete pavement as per the manufacturer's specifications,
- e. a minimum 1000mm width x 1500mm depth timber edging installed at the base of the tree constructed from the back of the kerb,
- f. 2 x hardwood stakes with 50mm Hessian ties, fixed in a figure 8, to support each tree, and
- g. minimum 75mm depth of organic mulch applied a minimum 600mm diameter surrounding the base of the trunk.

PART E - PRIOR TO OCCUPATION

Not Applicable

PART F - PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Final Plan of Subdivision

Prior to the release of the final plan of subdivision, it will be necessary to obtain a Subdivision Certificate from Shellharbour City Council. In this regard, it will be necessary to submit:

- a. an application for a Subdivision Certificate,
- b. a Practical Completion Certificate,
- c. five paper prints of the final plan of subdivision,
- d. the original and two paper copies of the 88B Instrument and Administration Sheet,
- e. fees appropriate at the time of submission of the application, and
- f. an electronic copy of the subdivision linework. The electronic copy should be in Map Grid of Australia 1994 Zone 56 (GDA94) coordinates and must contain closed linework of boundaries

and easements. It must be submitted in DWG or DXF format on cd-rom or by email to traffic&subdivision@shellharbour.nsw.gov.au

The email and the electronic copy should be named "Subdivision Title & Stage".

All sections of the plan, 88B Instrument and Administration Sheet including the original and copies, (except for the General Manager's date and signature) must be completed prior to lodging the plan.

Sydney Water Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation and submitted to the Principal Certifying Authority prior to the issue of the Subdivision Certificate.

Section 94 Contributions

A contribution of \$666,401.15, subject to annual indexation, must be paid to Council towards the provision of public amenities and public services prior to the issue of the Subdivision Certificate. This amount has been calculated in accordance with Shellharbour City Council's *Section 94 Contributions Plan 2016 Amendment 1 dated 8 March 2017* in the following manner:

- Residential contribution – Precinct 2, Shellharbour - \$716,443.17
- Less credit for C1.26 Passive Open Space Embellishment – (\$50,042.02)

The contribution amount contained in this condition is the base rate indexed to the date the consent is issued. The contribution amount will be adjusted in accordance with the indexation methods detailed in the *Contributions Plan*. Current indexed rates are available from Council.

The *Contributions Plan* may be inspected or a copy purchased at the Customer Service Counter at Council's offices, or downloaded from www.shellharbour.nsw.gov.au

Road Dedication

Prior to issue of the Subdivision Certificate, Benkelman beam testing must be undertaken on all roads proposed for dedication as road reserve. Testing must be carried out in accordance with the current version of the Shellharbour City Council's *Subdivision Design Code* at the time of issue of this consent. The acceptance criteria will be based on the tolerable deflections as specified by AUSTROADS at the time of issue of this consent. An inspection is to be undertaken by Council to determine that all roads are in satisfactory condition prior to issue of the Subdivision Certificate.

Inspection of Stormwater Pipes

All stormwater pipes within road reserves and within drainage easements intended to be dedicated to Council must be inspected by CCTV. The CCTV must be carried out after all earthworks and road pavement works within the locality of the pipelines have been completed. A copy of the CCTV inspection must be recorded and submitted to the Principal Certifying Authority prior to the release of the Subdivision Certificate. Damaged pipes must either be replaced or repaired to the Principal Certifying Authority's satisfaction prior to the issuing of a Subdivision Certificate.

Final Geotechnical Report

A final geotechnical report prepared by a suitably qualified and experienced geotechnical consultant must be submitted to the Principal Certifying Authority prior to the issue of the Subdivision Certificate. The report must include, but is not necessarily limited to,:

- a. all earthwork operations,
- b. a fill plan showing extent and depth of fill,
- c. certification that all earthworks within the site have complied with Council's *Subdivision Design Code*. This shall include appropriate test results, test location diagram and date of testing,
- d. certification that all recommendations contained in geotechnical reports lodged in support of this development have been satisfied,
- e. the exact extent of any restricted building zones or any other restrictions affecting any of the allotments. Particular attention shall be paid to the location of drainage lines, which must be burdened with a title restriction in the Section 88B Instrument,
- f. identification of all land affected by landslip or instability constraints (if applicable), and
- g. verification that the pipe trench bedding and backfill complies with the requirements for HS3 bedding/backfill.

Lot Creation Geotechnical Report

A Geotechnical Engineer's report must be submitted to the Principal Certifying Authority with the Subdivision Certificate application. The report must be prepared by a Chartered Professional Engineer with professionally recognised geotechnical experience and must include:

- a. the classification of the proposed lot in accordance with the Australian Standard 2870-Residential Slabs and Footings or subsequent amendments,
- b. the classification of the lot in relation to risk of slope instability, and
- c. the required site preparation and construction constraints within the building envelope of the lot appropriate to the assessed risk of slope instability.

Works As Executed Plans - Subdivision

Works As Executed plans must be submitted to the Principal Certifying Authority by a Registered Surveyor with the Subdivision Certificate application. The Works As Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans. As a minimum, the plan must show:

- a. compliance with the approved design plans of all drainage works within Council land, road reserve and drainage easements including connection into the subject lot/s, surface and invert levels of all pits, invert levels and sizes of all pipelines,
- b. certification from a registered surveyor that all storm water pipes and other services are wholly within an appropriate easement,
- c. compliance with the approved design plans of paved areas within rights of carriageway and road reserve,
- d. the extent, depth and final levels of filling,
- e. the location of all underground service conduits, and
- f. all deviations from the approved Civil Engineering Plans

All levels must relate to Australian Height Datum.

Service Conduits

Service conduits must be placed across carriageways prior to the placing of any pavement material. In this regard, a copy of the services plans must be submitted to the Principal Certifying Authority

prior to the placement of pavement material. Alternatively, the services crossings must be under bored.

Services & 88B Instrument

Lots affected by new or existing utility services must be burdened with easements and restrictions on the use of land to the satisfaction of the Principal Certifying Authority and the relevant utility provider.

Restrictions, covenants and/or easements are to be placed on title that address the following:

- a. Acoustic attenuation measures for all lots within 40m of Harbour Boulevard as detailed in Wilkinson Murray report (no. 05135-CP Version E) dated February 2010 'Concept Plan Application and Environmental Assessment Appendix J – Air Quality and Noise. This will include the superlots Lots 1059, 1060 and 1061.
- b. Waste receptacles must not be presented to the kerb of Harbour Boulevard and The Promontory Drive for the kerbside collection of waste. Affected lots will present waste receptacles to the kerb for kerbside waste collection of the road as shown on the approved waste collection plans prepared by Arcadis; refer condition no. 3.

Lots 1026 to 1029 inclusive will present waste receptacles for the kerbside collection of waste to the road frontage as shown on the approved waste collection plans prepared by Arcadis; refer condition no. 3.

Lots 1057, 1058, and 1037-1040 inclusive must present waste receptacles for the collection of waste at the kerb in accordance with the approved waste collection plans prepared by Arcadis referred to in condition no. 3. Having regard to the location of waste receptacles for kerbside waste collection, lot 1059 must be burdened to benefit lots 1057 and 1058, lot 1037 burdened to benefit 1038 and lot 1040 burdened to benefit lot 1039. The benefited lots must only place waste receptacles at the kerb on the day of Council's waste collection service and must remove them on the same day. Any waste material emanating from the waste receptacles of the benefited lot left on road reserve and verge must be removed by the benefited lot no later than the end of the waste collection day.

Lot 1021 must present waste receptacles for the kerbside collection of waste to the unobstructed road frontage of the lot. This is limited to the 1.5m wide lot frontage between the boundary with lot 1004 and the driveway pavement setback of 1.5m.

- c. The owner or occupier of the lots burdened with an acoustic barrier for the purpose of noise attenuation from the boat ramp carpark must not alter, add to or remove any materials from that barrier or permit the barrier to be altered or to be added to or permit any removal of material from that barrier without the prior written permission of the benefiting authority. The benefiting authority is Shellharbour City Council.
- d. An easement for support will be required where earthworks of the lots created are retained by a retaining walls. The subject lots include Lot 1000, the boatramp car park and lots adjoining the boatramp car park and Lot 1000. The location and width of the easement of support and permitted works within the easment site must be verified by a certified structural engineer.
- e. Lots within the acoustic line of sight from the boatramp car park, including lot 1002, and lots adjoining Lot 1000 are subject to the noise attenuation measures of the Wilkinson Murray report (no. 05135-BR version D) dated June 2018 referred to in condition no. 3.
- f. Lots 1038-1045 inclusive have a rear building line of 10 metres to the dwelling. The intent of the restriction is to ensure future development on these lots can satisfy the private open space solar access requirements of Precinct A urban design guidelines. Shellharbour City Council is the authority that can modify, vary or release this restriction.

- g. Sight distance requirements of lot 1021 where applicable; refer condition no. # 'Lot 1021 and Sight Distance'.
- i. Right of Carriageway for lots 1057 and 1058, lots 1021 and 1022, and lots 1038-1040.

Utility Services – Electricity

Prior to the release of the Subdivision Certificate for the development written advice must be submitted to the Principal Certifying Authority that all requirements for the supply of electricity to the proposed allotments have been satisfied from the relevant electricity provider.

Completion of Landscape Works

All landscape works must be carried out in accordance with the approved Landscape Plan/s (excluding areas to the east of Bass Point Road) prior to the release of the Subdivision Certificate. Any variations to the Plan must be authorised by Council in writing prior to changes being made/installed.

Landscape Inspection

All landscape works excluding street trees must be inspected by Council prior to the issue of the Subdivision Certificate. Council will need to be notified for the landscape inspection.

Completion Certificate

Prior to the issue of a Completion Certificate by the Certifying Authority, the applicant must submit satisfactory Works As Executed Plans, CCTV of stormwater drainage and evidence of all other testing and construction works in accordance with the approved Construction Certificate plans and Council's *Subdivision Design Code* .

The Completion Certificate must be requested by the applicant in writing.

Verification of Waste Management

Documentation verifying that all waste streams were managed in accordance with the Waste Management Plan shall be provided to the Principal Certifying Authority prior to the issue of a Subdivision Certificate. All records, such as waste disposal dockets or photographic evidence, shall be retained by the Principal Certifying Authority.

Repairs to Public Infrastructure

Any damage to public infrastructure, other than that previously noted in the Dilapidation Report (refer Part C), must be repaired and reinstated prior to the issue of the Subdivision Certificate. This work must be carried out by Council, or Council approved contractor, at the expense of the beneficiary of the consent.

Release of Certificate

The Subdivision Certificate shall not be released until all works required for the development, subject of this consent, have been completed.

This condition excludes verge landscape works as the planting of street trees and verge turfing is to be deferred until 70% of dwellings have been constructed.

PART G - AFTER ISSUE OF SUBDIVISION CERTIFICATE

Road & Drainage Works Maintenance Period

All road and drainage works must be maintained for a minimum period of 12 months commencing from the date of issue of the Subdivision Certificate, unless otherwise agreed to by Council. Any defective works must be rectified and/or replaced during the maintenance period in accordance with the approved Construction Certificate plans. All works and costs arising during the maintenance period must be borne by the developer. All roads and drainage must be maintained in their original construction condition for this liability period. The developer must notify Council for a re-inspection at the end of the maintenance period

Landscape Maintenance Period

To ensure establishment of the landscape, the completed landscaping works must be maintained for a 12 month period following the issue of the Subdivision Certificate. It is the responsibility of the beneficiary of the consent to ensure that any defective landscaping and/or plantings are rectified/replaced at the conclusion of the maintenance period in accordance with the approved landscape plan.

Landscape Handover Inspection

The landscape works on land to be dedicated to Council requires a handover inspection to be carried out at the end of the maintenance period. In this regard, the developer is to notify Council one month prior to handover to arrange an inspection with Council and the developer. Council will take full maintenance responsibility of all landscape works following a satisfactory result at the end of the maintenance period.

Street Tree Inspection & Bond

To ensure establishment of the street trees, the completed street tree installation works must be maintained for a six (6) month period following the issue of a satisfactory practical completion notice. The developer must notify Council for a reinspection of the street trees.

The street tree bond will be refunded following this maintenance period provided the street trees remain in a satisfactory condition. In the event that any street trees are found damaged, dying or removed, Council will have the option to retain the whole or part of the bond. The developer must notify Council for a reinspection of the street trees.

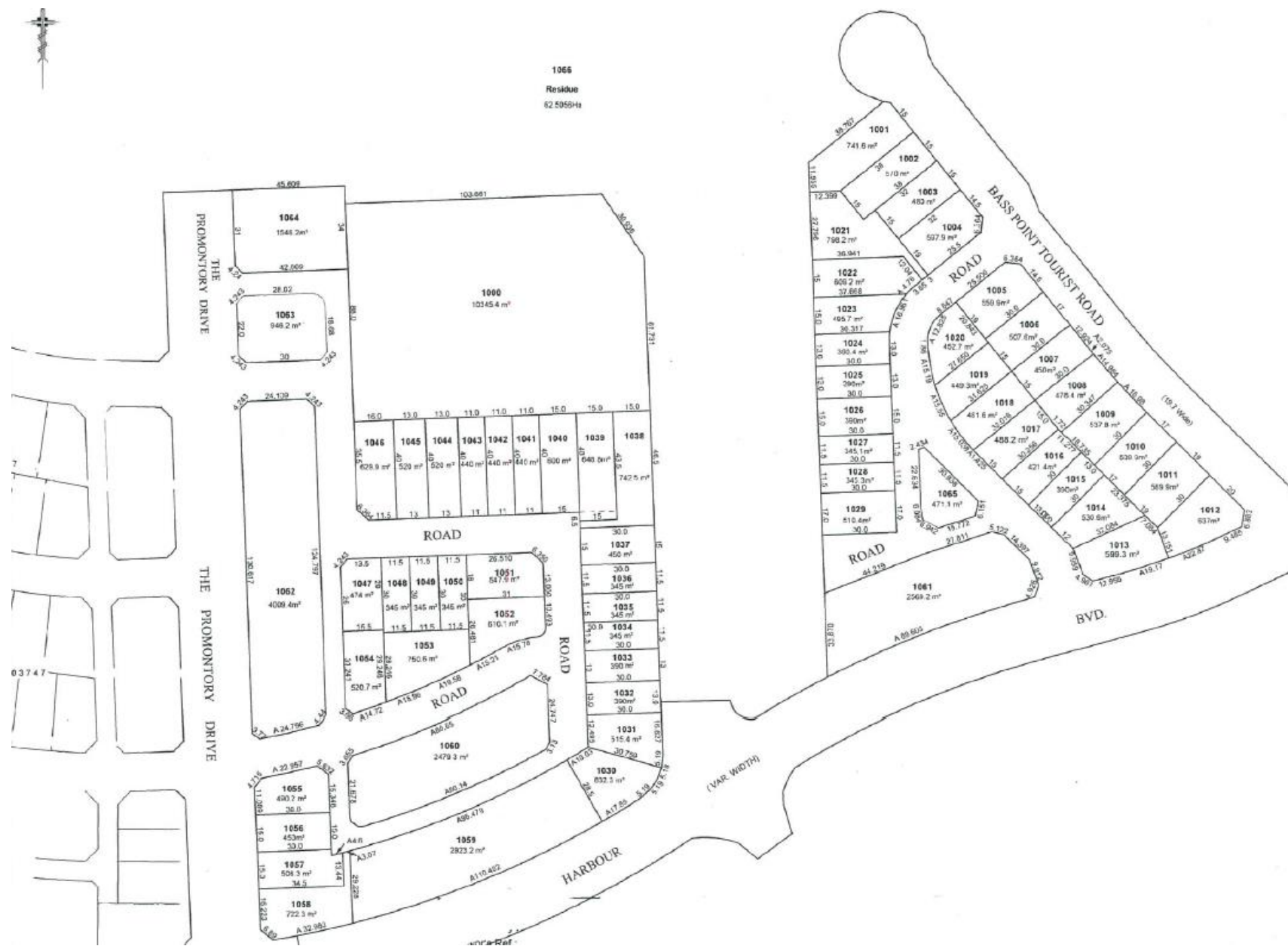
Acoustic Fencing-Retaining Wall Structure & Graffiti

Graffiti on the boat ramp car park acoustic fencing-retaining wall structure must be removed within 24-48 hours of the incident. Where the boat ramp car park landscape works are inadequate in preventing incidents of graffiti, green screens along the wall-fence structure using low lying shrubbery or climbers (that do not compromise functional integrity of the structure) or other graffiti deterrent measure/s shall be carried out.

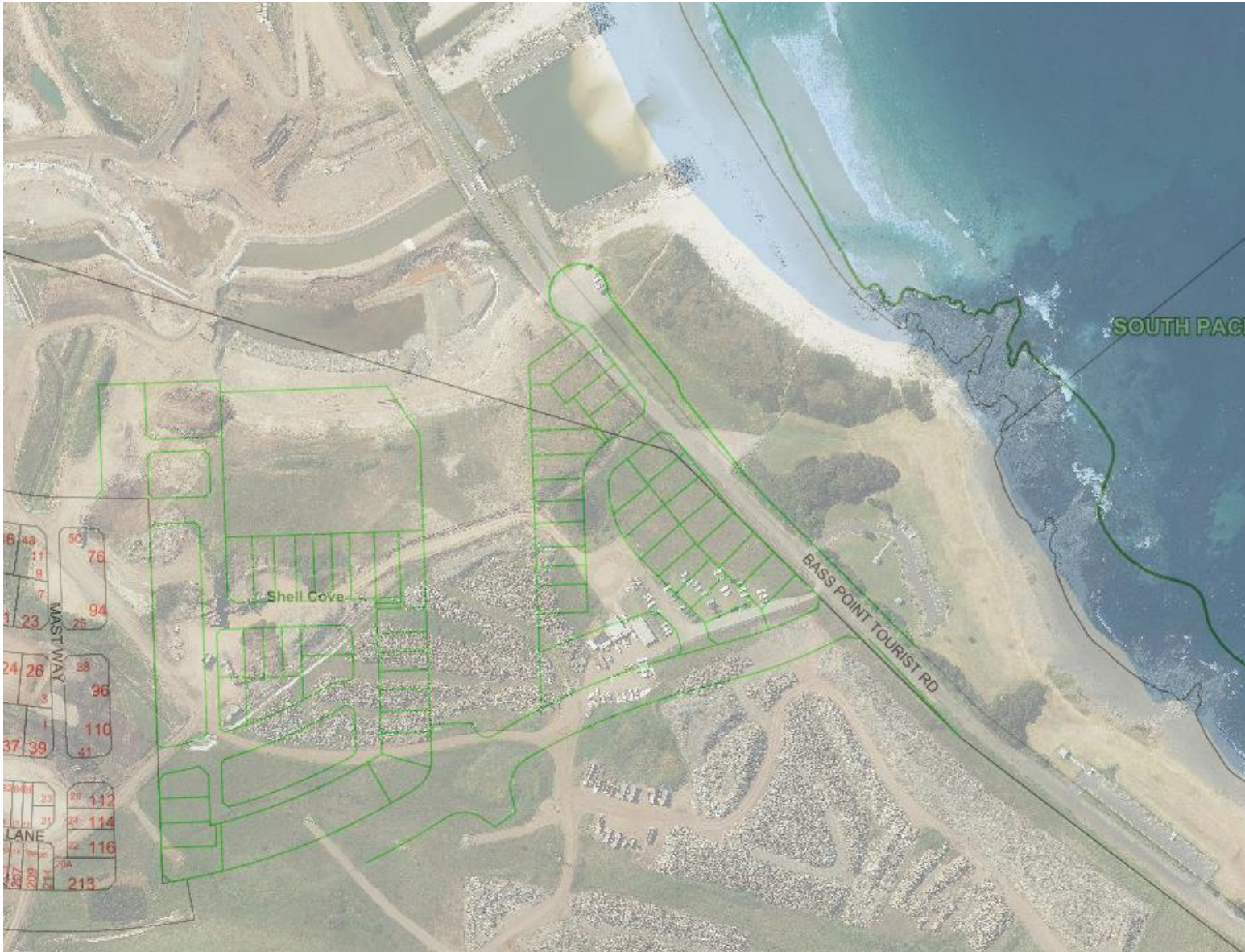
The requirements of this condition is limited to the time period prior to the dedication of this asset to Council. Any outstanding works relating to the requirements of this condition must be carried out prior to handover of the asset or as negotiated with Council.

END OF RECOMMENDED CONDITIONS

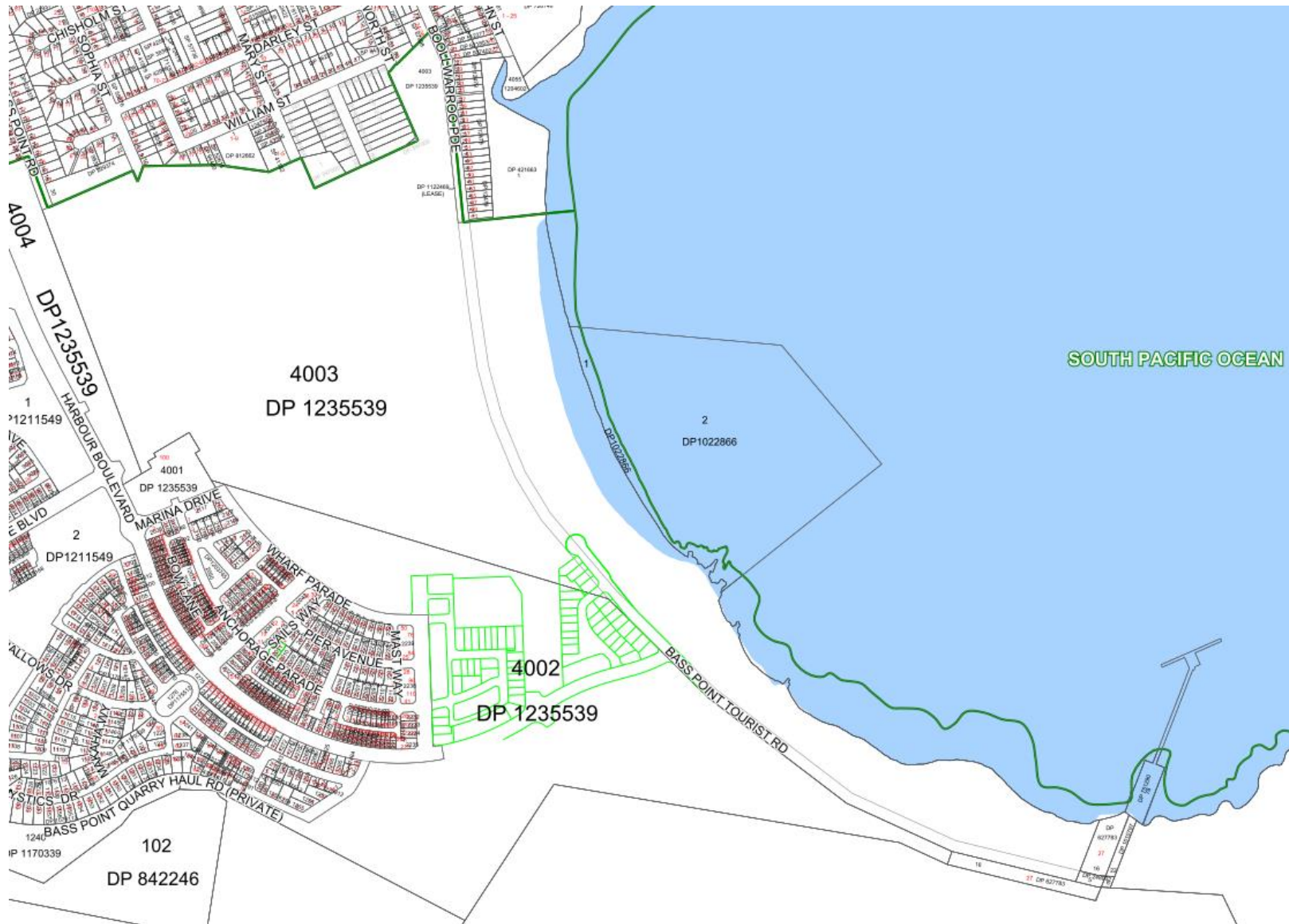
Attachment 2 – Plan of Subdivision



Attachment 3 – Precinct A subdivision and aerial overlay



Attachment 4 – Precinct A subdivision and cadastral overlay



Attachment 5 – Boat Harbour Precinct Concept Plan, MP 07_0027

Source: Shell Cove Boat Harbour Precinct - Concept Application and Environmental Assessment | February 2010 (figure 3.03, page 22)



The Shell Cove Boat Harbour Precinct project comprises the following development precincts:

- Commercial mixed use cores including a landmark hotel.
- Business park precinct (QBZ Precinct).
- Residential development of some 1,238 dwellings (comprising standard, medium density and apartments).
- Boat storage.
- A comprehensive network of open space and wetlands.

Table 3.01 gives the indicative areas of the above development precincts within the Boat Harbour Precinct and Fig. 3.01 illustrates these as part of the overall Concept Plan.

Commercial Precincts	8ha
Residential Precincts	37ha
QBZ Precinct	10ha
Boat Storage & Boat Ramp	2ha
Public Open Space	43ha
Total	100ha

Table 3.01 - Indicative Areas of Boat Harbour Precinct Development Components

Attachment 6 – Site photos (taken 30 November 2018)



Above - Photo taken from The Promontory Drive looking east with Harbour Boulevard RHS – Corner of lot 1058

Below - Harbour Boulevard with Precinct A (A2) LHS. Main pedestrian-cycle share path RHS



SRPP No. 2018STH007 / Development Application No. 619/2017
Lots 4002 & 4003 DP 1235539, Harbour Boulevard Shell Cove



Above - Precinct A (A1) at eastern portion of the site.

Below – Bass Point Tourist Road & Harbour Boulevard intersection. Share path to continue to the tourist Road and connect to sharepath on eastern side

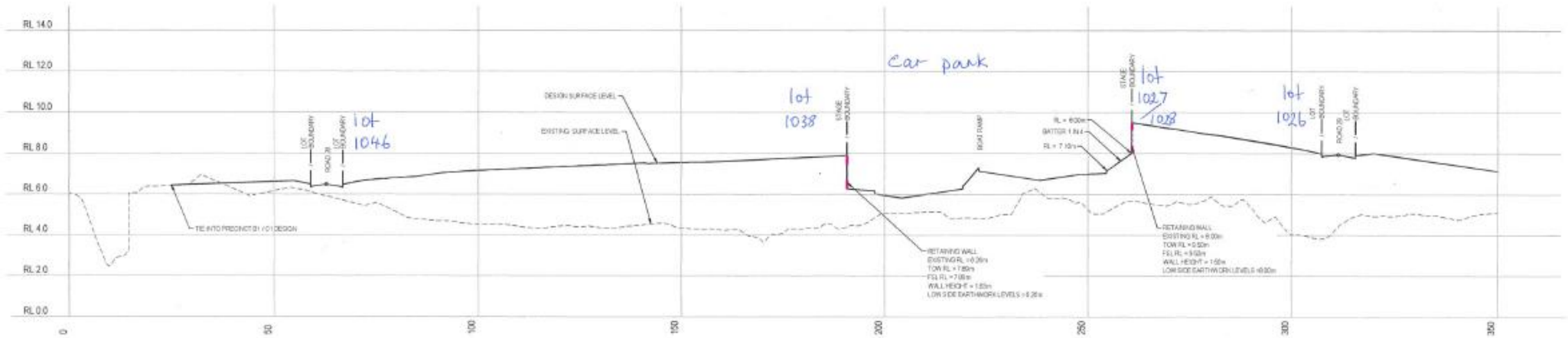


Attachment 7 – Bulk earthworks cut and fill plan

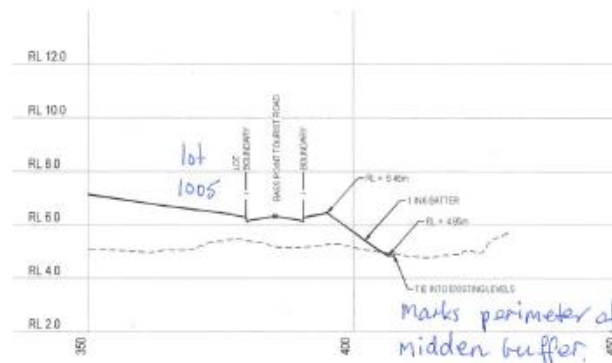


SRPP No. 2018STH007 / Development Application No. 619/2017
 Lots 4002 & 4003 DP 1235539, Harbour Boulevard Shell Cove

Attachment 8 –Site sections



SECTION 2
 1: 500 (H)
 1: 100 (V)

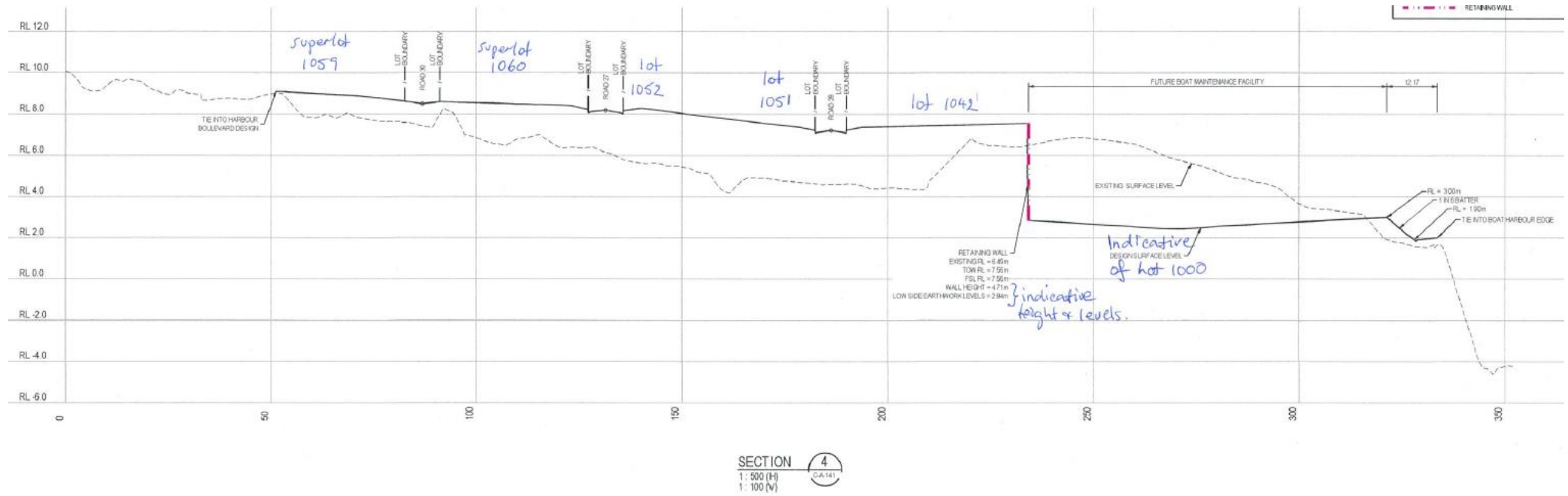


SECTION 2
 1: 500 (H)
 1: 100 (V)

LEGEND	
	PROPOSED DESIGN SURFACE
	EXISTING SURFACE
	RETAINING WALL

NOTE	
1.	EXISTING SURFACE TO BE CONFIRMED PRIOR TO ANY WORKS.

SRPP No. 2018STH007 / Development Application No. 619/2017
 Lots 4002 & 4003 DP 1235539, Harbour Boulevard Shell Cove



SCREEN PLANTING. REFER TO PLANTING PLANS AND SCHEDULE

50mm DEPTH MULCH. KEPT CLEAR FROM PLANT STEMS

MINIMUM 300mm DEPTH TOPSOIL TYPE A

CULTIVATE FINISHED SUBGRADE TO MINIMUM 150mm DEPTH BY ROTARY HOE OR EQUIVALENT. APPLY ADDITIVES AS SPECIFIED. RIP PARALLEL WITH CONTOURS.

2400

HEBEL POWERFENCE POST DIMENSIONS TO BE ENGINEERED TO ENSURE STRUCTURAL INTEGRITY

HEBEL POWERFENCE PANELS OR SIMILAR AND APPROVED. RENDERED MID GREY TO MATCH LANDSCAPE BOUNDARY PALETTE

DECORATIVE PANEL CAPPING AND POST CAPS

RESIDENTIAL LOT, GROUND FINISH TBC

FENCE POST FOOTING FIXED WITHIN RETAINING WALL TO ENGINEERS DETAIL

APPLY ANTI-GRAFFITI SEALER TO BOAT RAMP CAR PARK FACE

MASONRY BLOCK RETAINING WALL TO ENGINEERS DETAIL. EXTERNAL COLOUR TO MATCH APPROVED RENDER FOR HEBEL FENCING.

CONCRETE FOOTING TO ENGINEERS DETAIL

VARIBLE HEIGHT 0-1500MM

Attachment 10 – Concept Approval | Approved documentation (condition no. 2) Indicative dwelling numbers & building typology

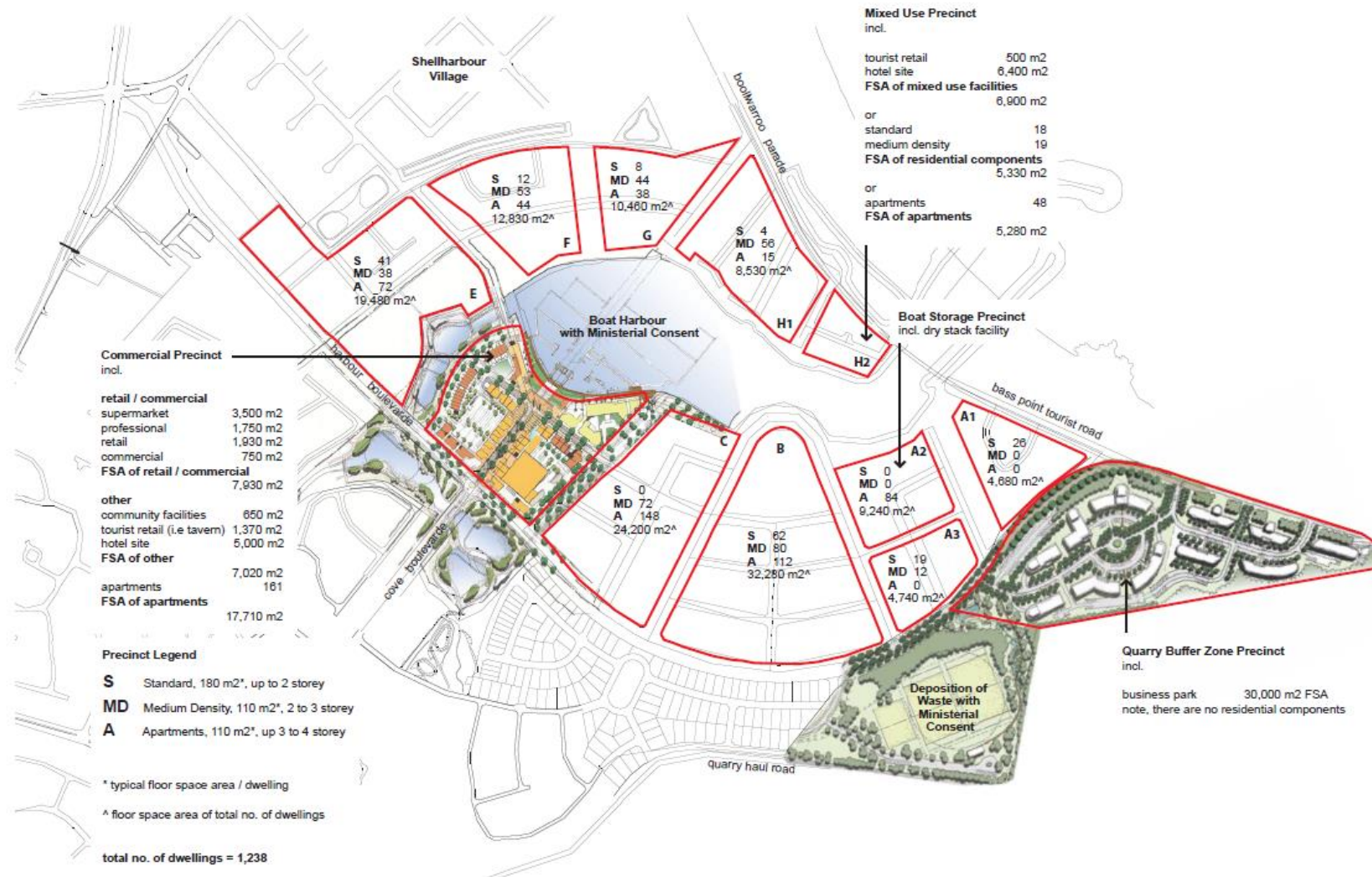


Fig. 3.07 - Indicative Dwelling Nos. and Floor Space Area Per Precinct

Indicative height per precinct

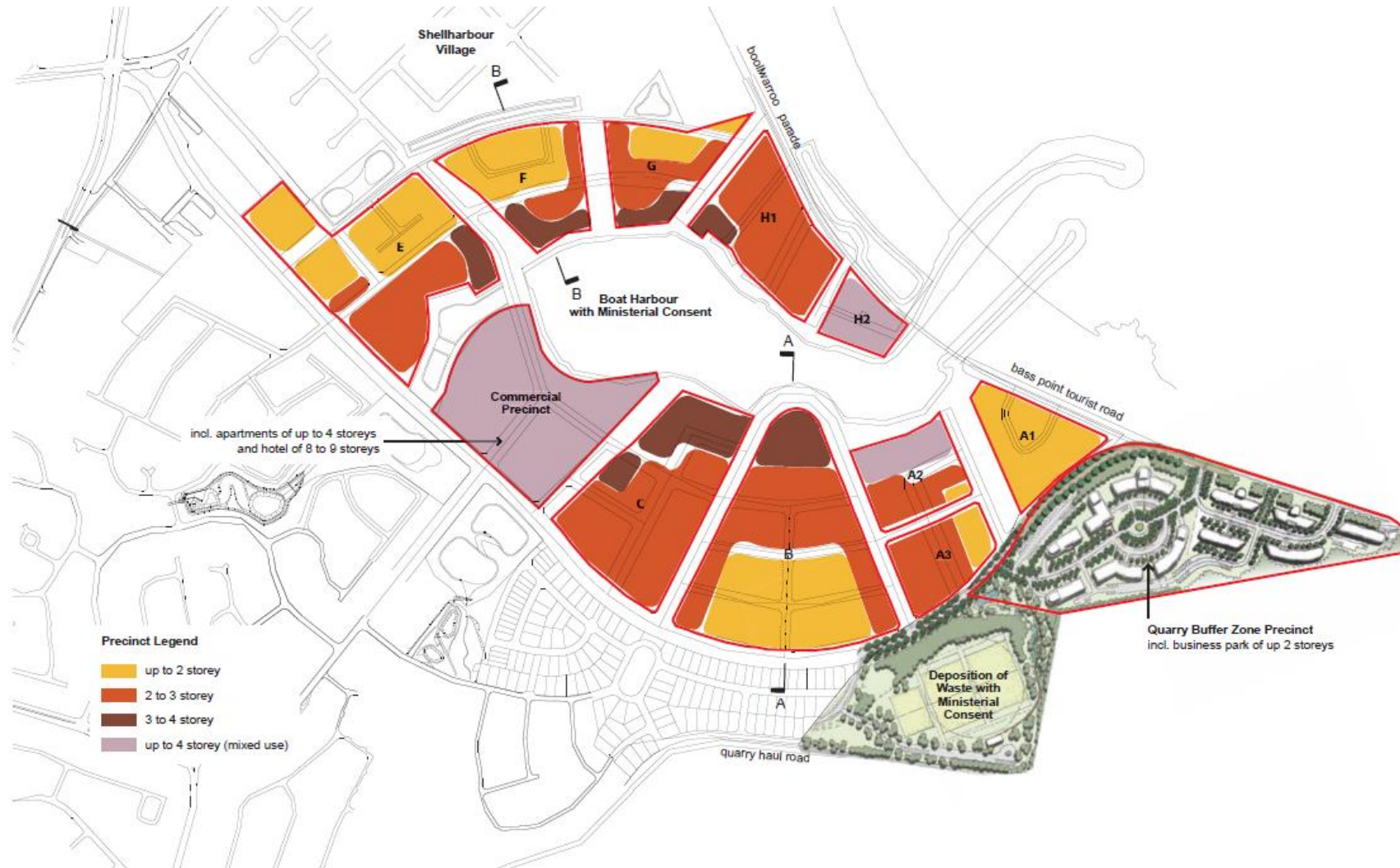
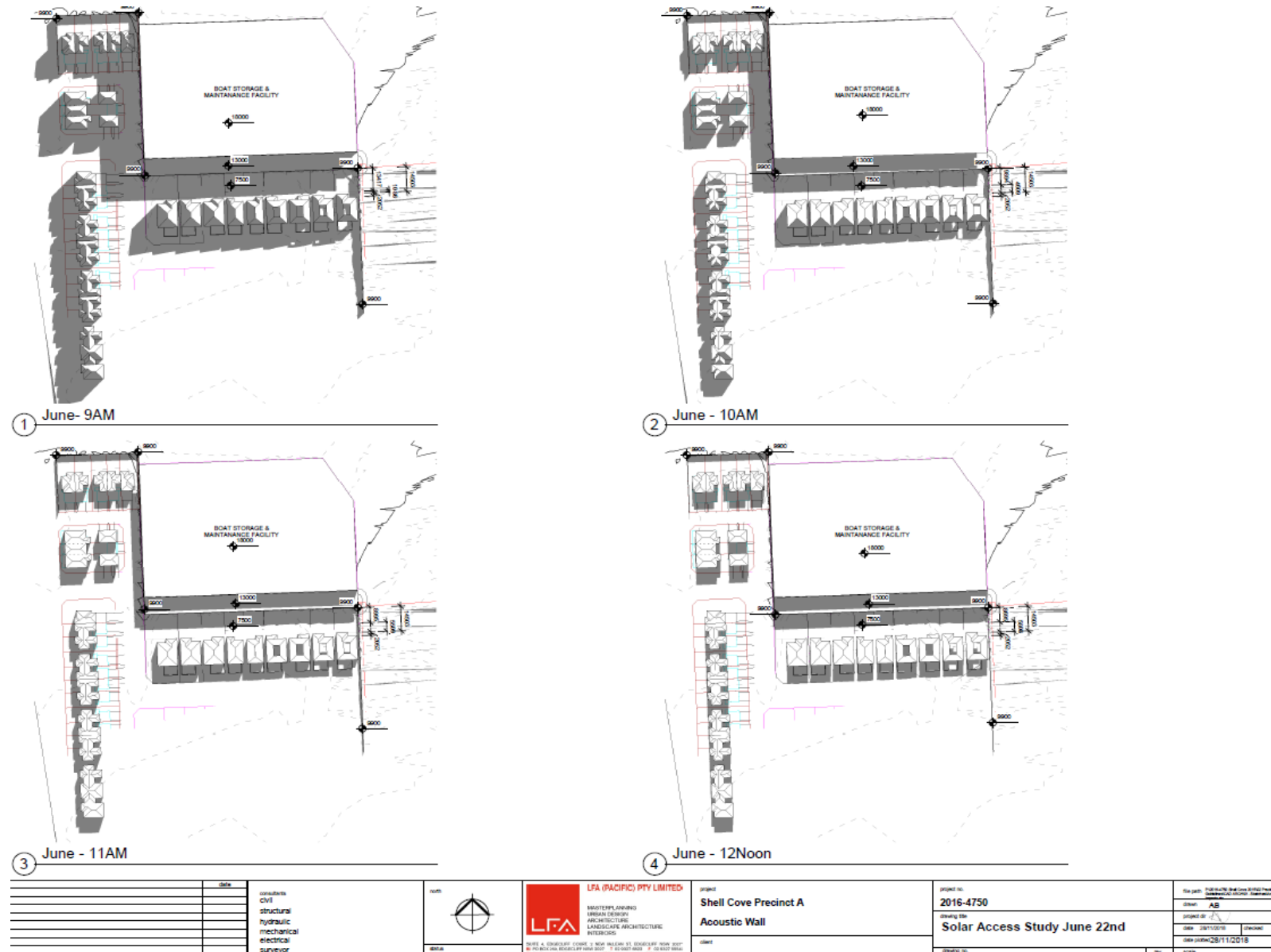
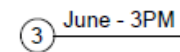
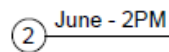
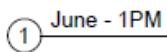


Fig. 3.06 - Indicative Height Per Precinct

Attachment 11– Solar access study



[illegible]

Attachment 12 – Shell Cove Boat Harbour Precinct residential related development applications.

Consent authority Joint / Southern Planning Panel where indicated by JRPP / SRPP application number.

Boat Harbour Residential Precinct developments		
DA / RPP No.	Development	No. of lots / dwellings
DA 411-2013 / 2013STH027	Precinct B1 & C1. Residential subdivision	88 lots 14 MDH superlots
DA 651-2015 / 2015STH026	Precinct B1. Multi dwelling housing & subdivision	23 dwellings / lots
DA 100-2016 / 2015STH026	Precinct C1. Multi dwelling housing & subdivision	24 dwellings / lots
DA 32-2016 / 2016STH009	Precinct B1. Multi dwelling housing & subdivision	40 dwellings / lots
DA 97-2017 / 2017STH008	Precinct C1. Multi dwelling housing & subdivision	18 dwellings / lots
DAs 357, 358, 359 & 360- 2017	Precincts B1 & C1. Multi dwelling housing & subdivision	28 dwellings / lots
		<i>Total no. 221 (minimum as dual occupancy's not included)</i>
DA 118/2017 2017STH010	Precinct E. Residential subdivision	58 lots 8 MDH superlots
Six DAs	Precinct E. Multi dwelling housing & subdivision Under assessment by Council.	51 dwelling / lots
DA 358-2017 2017STH025	Precinct D – Stage 2. Mixed use development Under assessment by Council.	45 apartments with GFA 4,762m ²
DA 331/2018 2018STH026	Precinct F & G Residential subdivision Under assessment by Council.	42 residential standard lots 9 superlots for future MDH
Pre-lodgement/ Design Review Panel	Precinct E. Apartment	74 apartment dwellings