

## **Annexure A**

### **DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT**

**Development Application No:** RA23/1003

**Development:** 14 Lot Subdivision, including creation of a conservation lot, and construction of Multi-Dwelling Housing (32 Dwellings) on Proposed Lots 6 and 9, and associated civil works, earthworks and vegetation clearing.

**Site:** Depot Rd, WEST NOWRA – Lot 425 DP 720906  
Rainford Rd, WEST NOWRA – Lot 426 DP 720906  
Part of Depot Road Reserve

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

**Date of determination:** 21 February 2025

**Date from which consent takes effect:** Date of determination.

#### **TERMINOLOGY**

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the “applicant” means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the “site”, means the land known as Lot 425 DP 720906, Lot 426 DP 720906 and Part of Depot Road Reserve shown on the Subdivision Plan

### Reasons for Grant of Consent

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

### Dictionary

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

## **PARTIAL AND DEFERRED COMMENCEMENT CONSENT**

This consent is given in two parts pursuant to s.4.16 of the EPA Act

Part of the proposed development, being the creation of Proposed Lots 1 – 5, is approved pursuant to s.4.16(3) of the *Environmental Planning and Assessment Act 1979* subject to the deferred commencement condition in Schedule 1. This “Deferred Commencement” consent is not to operate until the Applicant satisfies the Shoalhaven City Council (“Council”) as to the matters set out in Schedule 1.

The balance of the development, comprising the creation of Proposed Lots 6 – 15, is approved subject to the conditions in Schedule 2.

### **SCHEDULE 1 – Deferred commencement conditions**

1. The operation of this development consent is deferred in relation to Proposed Lots 1 – 5 and will not operate in relation to those Lots unless and until that part of the Depot Road Reserve included in the Site has been transferred from the Council to the developer.

This deferred commencement condition must be met within 3 years from the date of determination. The Conditions in Schedule 2 will then apply to Proposed Lots 1 – 5.

**Schedule 2: Conditions of consent**

GENERAL CONDITIONS						
CONDITIONS					REASON	
1.	<b>Approved plans and supporting documentation</b> Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				To ensure compliance with the approved plans and documents.	
	Approved Plans					
	Plan Number	Revision Number	Plan Title	Drawn by		Date of Plan
	220080 DA000	L	Cover Sheet	Clarke Hopkins		10.10.2024
	220080 DA050	L	Locality Plan	Clarke Hopkins		10.10.2024
	220080 DA100	L	Masterplan – Site Analysis	Clarke Hopkins		10.10.2024
	220080 DA101	L	Masterplan – Overall Subdivision Plan	Clarke Hopkins		10.10.2024
	220080 DA102	K	Masterplan – Unit Layout	Clarke Hopkins		10.10.2024
	220080 DA150	L	GF Plan – Superlot 9	Clarke Hopkins		10.10.2024
	220080 DA151	L	L1 Plan – Superlot 9	Clarke Hopkins		10.10.2024
	220080 DA155	L	GF Plan – Superlot 6	Clarke Hopkins		10.10.2024
	220080 DA156	L	L1 Plan – Superlot 6	Clarke Hopkins		10.10.2024
	220080 DA160	L	GF Plan – Superlot Areas	Clarke Hopkins		10.10.2024
	220080 DA161	L	L1 Plan – Superlot Areas	Clarke Hopkins		10.10.2024
	220080 DA200	L	Roof Plan – Superlot 9	Clarke Hopkins		10.10.2024
	220080 DA201	L	Roof Plan – Superlot 6	Clarke Hopkins		10.10.2024

220080 DA250	L	Streetscape Elevations Superlot 9	Clarke Hopkins	10.10.2024
220080 DA251	L	Streetscape Elevations Superlot 6	Clarke Hopkins	10.10.2024
220080 DA300	L	Site Sections	Clarke Hopkins	10.10.2024
220080 DA301	C	Site Sections	Clarke Hopkins	10.10.2024
220080 DA500	J	Townhouse Type 01 – Sheet 1	Clarke Hopkins	10.10.2024
220080 DA501	J	Townhouse Type 02 – Sheet 1	Clarke Hopkins	10.10.2024
220080 DA502	J	Townhouse Type 03 – Sheet 1	Clarke Hopkins	10.10.2024
220080 DA503	J	Townhouse Type 04 – Sheet 1	Clarke Hopkins	10.10.2024
220080 DA504	J	Townhouse Type 05 – Sheet 1	Clarke Hopkins	10.10.2024
220080 DA505	J	Townhouse – Universal Dwelling	Clarke Hopkins	10.10.2024
220080 DA510	J	Typical Details – Bin Enclosure	Clarke Hopkins	10.10.2024
407-22C- DA-001 to 0903	F	Civil Engineering Plans (excluding bulk earthworks)	Colliers	14.10.2024
407-22C- DA-0051	G	Bulk Earthworks Plan	Colliers	19.11.2024
407-22GIS L04 [07]	07	Subdivision Plan	Colliers	11.10.2024
407-22GIS L06 [00]	07	Vegetation Retention Plan	Colliers	23.10.2024
20221207 LDA-601	C	Landscape Calculation Plan	Clarke Hopkins	14.08.2024
21721 Sh.s 1 to 2	F	Bushfire Mitigation Plan	SET Consultants	19.11.2024
407-22GIS L04 [06]	06	Minimum Building Setback	Colliers	08.10.2024
Approved Documents				
Document title		Version number	Prepared by	Date of document
Arboricultural Impact Assessment		1	Advanced Treescape Consulting	15.10.2024

	BDAR Report	04	Biosis	05.08.2024
	Addendum to BDAR Report	-	Biosis	01.11.2024
	Preliminary Site Investigation (Desktop with Soil Sampling)	TERRA 22-404.Rep 1 Rev 0 –	Terra Insight	9 December 2022
	Report on Geotechnical Report	Rev 0	Terra Insight	6 December 2022
	BASIX Certificate			
	<p>To the extent of inconsistency between the approved documents and plans:</p> <ol style="list-style-type: none"> <li>The APZ, BAL 29 line and Right of Footway are those shown on Bushfire Mitigation Plan revision E;</li> <li>To minimise impacts to the Nowra Heath Myrtle, the Bushfire &amp; Basin Access Road is to follow the route shown on the Engineering Plans revision G.</li> <li>The building envelopes for Lots 10, 11 and 12 are those shown in Appendix A of the BDAR Addendum.</li> <li>No subdivision inside proposed Lots 6 and 9 is approved as part of this Consent.</li> </ol> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p>			
<b>2.</b>	<p><b>Existing Infrastructure</b></p> <p>Any required alterations or damage to infrastructure will be at the developer's expense.</p> <p><i>Note: It is recommended prior to the issue of a Subdivision Works Certificate or Construction Certificate, all infrastructure, existing and proposed, is to be shown accurately on construction plans with clearances clearly labelled confirming that the proposed works do not affect any existing infrastructure. This will reduce the potential for unexpected costs and expenses.</i></p>			
	To ensure existing infrastructure is accounted for and any damage to infrastructure is suitably repaired.			
<b>3.</b>	<p><b>Prescribed Conditions</b></p> <p>The development must comply with Part 4, Division 2, Subdivision 1, of the <i>Environmental Planning and Assessment Regulation 2021</i>, as applicable.</p>			
	To ensure compliance with prescribed conditions.			

<b>4.</b>	<b>Sequencing of Development</b> The development is to be undertaken in the following order; <ol style="list-style-type: none"> <li>1. approved vegetation clearing</li> <li>2. Creation of Torrens Title Subdivision</li> <li>3. Multi-Dwelling Housing on Lots 6 and 9 within the registered subdivision.</li> </ol>	To establish the development occurs in accordance with the required sequence
<b>5.</b>	<b>Management of Conservation Lot</b> This condition modifies the approved plans <ol style="list-style-type: none"> <li>a) [Not used]</li> <li>b) The boundary between proposed lot 13, proposed lot 10 and Road 1 currently shown as a right angle is to be adjusted to follow a 29m buffer to the BAL 29 line on Lot 9 as shown on the Bushfire Mitigation Plan dated 19 November 2024 prepared by SET consultants in order to achieve the required APZ while minimising encroachment into the conservation land.</li> </ol>	To ensure that there is an approved building footprint associated with the conservation land and ensure the management of the conservation land
<b>6.</b>	<b>Endeavour Energy</b> The conditions of consent contained in the referral response issued by Endeavour Energy are included as conditions of consent and must be complied with.	To ensure compliance with Endeavour Energy requirements.
<b>7.</b>	<b>Crown Lands</b> The conditions of consent contained in the consent from Crown Lands are included as conditions of consent and must be complied with.	To ensure compliance with Crown Lands requirements.
<b>8.</b>	<b>Shoalhaven Water – Compliance with Conditions</b> All conditions listed on the Shoalhaven Water Development Notice at each stage of work must be complied with as relevant to that stage. Written notification must be issued by Shoalhaven Water and evidence provided to the Certifier that all conditions have been met for each applicable stage before work on a subsequent stage commences.	To ensure compliance with Shoalhaven Water requirements.
<b>9.</b>	<b>Bushfire – Asset Protection Zones</b>	To ensure suitable asset

	<p>All residential lots (except Lot 13) shall be maintained as an Asset Protection Zone (Inner Protection Area) for the life of the development and shall comply with section 5 and Appendix 4 of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service's document 'Standards for asset protection zones', as follows:</p> <p>Trees</p> <ul style="list-style-type: none"> <li>• Native trees and shrubs should be retained as clumps or islands and should maintain a covering of no more than 20% of the area</li> <li>• tree canopy cover should be less than 15% at maturity;</li> <li>• trees at maturity should not touch or overhang the building;</li> <li>• lower limbs should be removed up to a height of 2m above the ground;</li> <li>• tree canopies should be separated by 2 to 5m; and</li> <li>• preference should be given to smooth barked and evergreen trees.</li> </ul> <p>Shrubs</p> <ul style="list-style-type: none"> <li>• create large discontinuities or gaps in the vegetation to slow down or break the</li> <li>• progress of fire towards buildings should be provided;</li> <li>• shrubs should not be located under trees;</li> <li>• shrubs should not form more than 10% ground cover; and</li> <li>• clumps of shrubs should be separated from exposed windows and doors by a distance</li> <li>• of at least twice the height of the vegetation.</li> </ul> <p>Grass</p> <ul style="list-style-type: none"> <li>• grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and</li> <li>• leaves and vegetation debris should be removed.</li> </ul>	protection zones
10.	<p><b>Bushfire – Public Road Access</b></p> <p>a) The design and construction of public roads shall adhere to the road layout depicted in the Bushfire Mitigation Plan, prepared by SET Consultants and dated 19th November 2024.</p> <p>b) Chainage 178m – 264m of Road 1 shall be constructed to a perimeter road standard as outlined in Section 5.3.2, Access Table 5.3b of PBP 2019 and extension of Albert Street and the chainage 0 – 178 and - 264m - 353m of Road 1, shall be constructed to a non-perimeter road standard as outlined in Section 5.3.2, Access Table 5.3b of PBP 2019.</p>	To ensure suitable public road access



11.	<p><b>Bushfire – Public Road Access</b></p> <p>All Roads shall comply with the following General requirements detailed in table 5.3b of Planning for Bush Fire Protection 2019;</p> <ul style="list-style-type: none"> <li>a) Traffic management devices are constructed to not prohibit access by emergency services vehicles.</li> <li>b) Maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient.</li> <li>c) Where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road.</li> <li>d) The capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/causeways are to clearly indicate load rating.</li> <li>e) Hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression.</li> <li>f) Hydrants are provided in accordance with the relevant clauses of AS 2419.1:2021 – Fire hydrant installations System design, installation and commissioning.</li> </ul>	To ensure suitable public road access
12.	<p><b>Bushfire – Public Road Access</b></p> <p>Perimeter roads must comply with the general requirements outlined above in conditions 10 and 11 and the following:</p> <ul style="list-style-type: none"> <li>a) Are two-way sealed roads.</li> <li>b) Have a minimum 8 metres carriageway width kerb to kerb.</li> <li>c) Parking is provided outside of the carriageway width.</li> <li>d) Hydrants are located clear of parking areas.</li> <li>e) Are through roads, and these are linked to the internal road system at an interval of no greater than 500 metres.</li> <li>f) Curves of roads have a minimum inner radius of 6 metres.</li> <li>g) The maximum grade road is 15 degrees and average grade of not more than 10 degrees.</li> <li>h) The road crossfall does not exceed 3 degrees.</li> <li>i) A minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches, is provided.</li> </ul>	To ensure suitable public road access

13.	<p><b>Bushfire – Public Road Access</b></p> <p>Non-perimeter roads must comply with the general requirements outlined above in conditions 10 and 11 and the following:</p> <ul style="list-style-type: none"> <li>a) Have a minimum 5.5 metres carriageway width kerb to kerb.</li> <li>b) Parking is provided outside of the carriageway width.</li> <li>c) Hydrants are located clear of parking areas.</li> <li>d) Roads are through roads, and these are linked to the internal road system at an interval of no greater than 500 metres.</li> <li>e) Curves of roads have a minimum inner radius of 6 metres.</li> <li>f) The road cross fall does not exceed 3 degrees.</li> <li>g) A minimum vertical clearance of 4 metres to any overhanging obstruction, including tree branches, is provided.</li> </ul>	To ensure suitable public road access
14.	<p><b>Bushfire &amp; Bioretention Basin Access Road</b></p> <p>The design and construction of access road shall adhere to the road layout depicted in the Bushfire Mitigation Plan, prepared by SET Consultants and dated 19<sup>th</sup> November 2024.</p>	To ensure a suitable access road is created
15.	<p><b>Bushfire &amp; Bioretention Basin Access Road</b></p> <p>The Access Road must comply with the general requirements outlined above in condition 11 and the following:</p> <ul style="list-style-type: none"> <li>a) Minimum 4m carriageway width.</li> <li>b) A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches.</li> <li>c) Provide a suitable turning area in accordance with Appendix 3.</li> <li>d) Curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress.</li> <li>e) the minimum distance between inner and outer curves is 6m.</li> <li>f) the crossfall is not more than 10 degrees.</li> <li>g) maximum grades for sealed roads do not exceed 15. degrees and not more than 10 degrees for unsealed roads.</li> </ul>	To ensure a suitable access road is created
16.	<p><b>Bushfire – Servicing</b></p>	To ensure the development

	The provision of water, electricity and gas services must comply with section 5.3.3 of Planning for Bush Fire Protection 2019, including but not limited to a hydrant system meeting AS2419.1:2021.	is suitably serviced
<b>17.</b>	<b>Bushfire – Servicing</b> <ul style="list-style-type: none"> <li>a) The hydrant design must include hydrants in the strategic location shown on the plan titled Bushfire Mitigation Plan prepared SET Consultants dated 19<sup>th</sup> November 2024.</li> <li>b) Trenching and infrastructure to connect to fire hydrants must be outside of the Tree Protection Zones for retained trees as shown in Appendix A of the Arboricultural Impact Assessment by Advanced Treescape Consulting</li> </ul>	To ensure the development is suitably serviced
<b>18.</b>	<b>Bushfire – Landscaping</b> <p>Any future landscaping on the residential lots shall be designed and maintained in accordance with the following practices:</p> <ul style="list-style-type: none"> <li>a) Maintaining a clear area of low cut lawn or pavement adjacent to the house.</li> <li>b) keeping areas under fences, fence posts and gates and trees raked and cleared of fuel.</li> <li>c) Utilising non-combustible fencing and retaining walls.</li> <li>d) Breaking up the canopy of trees and shrubs with defined garden beds.</li> <li>e) Organic mulch should not be used in bushfire prone areas and non-flammable material should be used as ground cover, e.g. Scoria, pebbles, recycled crushed bricks.</li> <li>f) Planting trees and shrubs such that: <ul style="list-style-type: none"> <li>i) the branches will not overhang the roof; and</li> <li>ii) the tree canopy is not continuous.</li> </ul> </li> </ul>	To ensure suitable landscaping
<b>19.</b>	<b>Preliminary Site Investigation Report – recommendations</b> <p>All recommendations as outlined in Lot 425 and 425 DP 720906, West Nowra NSW – Preliminary Site Investigation (Desktop with Soil Sampling) – Ref: TERRA22-404.Rep 1 Rev 0 – 9 December 2022 – prepared by Terra Insight (“the PSI Report”) are to be actioned for the development.</p>	To ensure compliance with the recommendations of the report and the land is suitable for its

		intended purpose										
20.	<b>Construction Management Plan</b> A Construction Management Plan (CEMP) must be submitted to Shoalhaven City Council for review that addresses the recommendations of the PSI Report and validation of the site after removal of stockpiles and contaminated soil.	To ensure compliance with the recommendations of the report and the land is suitable for its intended purpose										
21.	<b>Vegetation Management</b> The measures recommended in the Tree Management Plan in Section 7 of the Arboricultural Impact Assessment by Advanced Treescape Consulting must be implemented for each stage of the development	To minimise impacts to vegetation										
CLEARING WORK Before Clearing Work Commences												
CONDITIONS		REASON										
22.	<b>Biodiversity – Retirement of Ecosystem Credits</b> Before the commencement of any clearing work, the class and number of ecosystem credits in the below table must be retired to offset the residual biodiversity impacts of the development. The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits as determined by the Biodiversity Conservation Trust. <table><tr><td>Impacted plant community type</td><td>Number of ecosystem credits</td><td>Hollow-bearing trees present</td><td>Offset trading group (like-for-like credit retirement options)</td><td>IBRA sub-region</td></tr><tr><td>1082 Red Bloodwood - Hard-leaved Scribbly Gum - Silvertop</td><td>61</td><td>Yes</td><td>South East Dry Sclerophyll Forest, &lt;50% cleared This includes PCT's: 716, 879, 891, 892, 901,932, 946, 1082,</td><td>Jervis, Bateman , Ettrema and Illawarra OR From a location within</td></tr></table>	Impacted plant community type	Number of ecosystem credits	Hollow-bearing trees present	Offset trading group (like-for-like credit retirement options)	IBRA sub-region	1082 Red Bloodwood - Hard-leaved Scribbly Gum - Silvertop	61	Yes	South East Dry Sclerophyll Forest, <50% cleared This includes PCT's: 716, 879, 891, 892, 901,932, 946, 1082,	Jervis, Bateman , Ettrema and Illawarra OR From a location within	To ensure biodiversity/species credits are appropriately retired.
Impacted plant community type	Number of ecosystem credits	Hollow-bearing trees present	Offset trading group (like-for-like credit retirement options)	IBRA sub-region								
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	<table><tr><td>Ash heathy open forest on sandstone plateaux of the lower Shoalhave n Valley, Sydney Basin Bioregion</td><td></td><td></td><td>1084,1146, 1147, 1148, 1149, 1150, 1151, 1154, 1155, 1157, 1158, 1160, 1161, 1322, 1338, 1339, 1340, 3300, 3492, 3642, 3643, 3644, 3645, 3646, 3648, 3649, 3650, 3651, 3652, 3653, 3654, 3655, 3656, 3657, 3658, 3659, 3660, 3661, 3662, 3663, 3664, 3665, 3666, 3667, 3668.</td><td>100km of the impact site</td></tr></table>	Ash heathy open forest on sandstone plateaux of the lower Shoalhave n Valley, Sydney Basin Bioregion			1084,1146, 1147, 1148, 1149, 1150, 1151, 1154, 1155, 1157, 1158, 1160, 1161, 1322, 1338, 1339, 1340, 3300, 3492, 3642, 3643, 3644, 3645, 3646, 3648, 3649, 3650, 3651, 3652, 3653, 3654, 3655, 3656, 3657, 3658, 3659, 3660, 3661, 3662, 3663, 3664, 3665, 3666, 3667, 3668.	100km of the impact site							
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	<p>The number of ecosystem credits to be retired may be reduced if no clearing is undertaken on lots 1-5 and 7-8. Any reduction in credits is to be assessed by the project ecologist and approved in writing by Council.</p> <p>Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of this condition must be provided to the Shoalhaven City Council for review and approval. Before the issue of the Construction Certificate, approval must be obtained in writing from the Director – City Development of Shoalhaven City Council that this condition has been satisfied.</p> <p>Note: A Certifier cannot assume the role of the consent authority in confirming compliance with offset conditions.</p>												
23.	<p><b>Biodiversity – Retirement of Species Credits</b></p> <p>Before the commencement of any clearing work, the type and number of species credits in the below table must be retired to offset the residual biodiversity impacts of the development. The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the type and number of species credits as determined by the Biodiversity Conservation Trust.</p> <table><tr><td>Impacted species credit species</td><td>Number of species credits</td><td>Like-for-like credit retirement options</td><td>IBRA sub- region</td></tr><tr><td>Chalinolobus dwyeri / Large- eared Pied Bat ( Fauna )</td><td>121</td><td>Chalinolobus dwyeri / Large- eared Pied Bat ( Fauna )</td><td>Anywh ere in NSW</td></tr></table>				Impacted species credit species	Number of species credits	Like-for-like credit retirement options	IBRA sub- region	Chalinolobus dwyeri / Large- eared Pied Bat ( Fauna )	121	Chalinolobus dwyeri / Large- eared Pied Bat ( Fauna )	Anywh ere in NSW	To ensure biodiversity/s pecies credits are appropriately retired.
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	<table><tr><td>Triplarina nowraensis / Nowra Heath Myrtle ( Flora )</td><td>6</td><td>Triplarina nowraensis / Nowra Heath Myrtle ( Flora )</td><td>Anywh ere in NSW</td></tr></table> <p>Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of this condition must be provided to the Shoalhaven City Council for review and approval. Before the issue of the Construction Certificate, approval must be obtained in writing from the Director – City Development of Shoalhaven City Council that this condition has been satisfied.</p> <p>The number of ecosystem credits to be retired may be reduced if no clearing is undertaken on lots 1-5 and 7-8. Any reduction in credits is to be assessed by the project ecologist and approved in writing by Council.</p> <p>Note: A Certifier cannot assume the role of the consent authority in confirming compliance with offset conditions.</p>	Triplarina nowraensis / Nowra Heath Myrtle ( Flora )	6	Triplarina nowraensis / Nowra Heath Myrtle ( Flora )	Anywh ere in NSW	
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24.	<p><b>Biodiversity – Engagement of Ecologist</b></p> <p>Before the commencement of any clearing work, a suitably qualified ecologist must be engaged to guide and supervise the clearing work and protection of environmental features on the site, including vegetation identified for retention on the Vegetation Retention Plan. Evidence of the ecologist’s engagement must be submitted to Council prior to the commencement of clearing work.</p>	To minimise biodiversity impacts.				
25.	<p><b>Bushland – Management Plan</b></p> <p>Before the commencement of any clearing work, a Bushland Management Plan must be prepared by a suitably qualified person.</p> <p>The BMP will include three sub-plans, as one concise document, to ensure consistency across each plan, including:</p> <p>a) Vegetation Management Sub-Plan:</p> <ul style="list-style-type: none"><li>i) Avoid or minimise impacts on vegetation including process for minimising vegetation removal within the APZ for Lots 1 – 5 and 10,11 and 12.</li><li>ii) Management requirements for any vegetation to be retained.</li><li>iii) Rehabilitation details including management zones, objectives and performance criteria for each zone.</li></ul>	To ensure a Vegetation Management Plan is prepared and approved prior to works commencing.				

	<ul style="list-style-type: none"> <li>iv) Schedules for inspection, monitoring, management and actions.</li> <li>v) Weed management activities.</li> <li>vi) Revegetation strategy and flora lists.</li> <li>vii) Pest management and eradication methods.</li> <li>viii) Management strategies for Heath Myrtle population.</li> <li>ix) Required monitoring and reporting requirements of the BMP and sub plans</li> <li>x) Costed schedule of works.</li> </ul> <p>a) Pre-clearance Procedures Sub-Plan:</p> <ul style="list-style-type: none"> <li>i) Describe a strategy for staged vegetation and habitat clearing.</li> <li>ii) Identify HBTs to be retained within the BMP area and identify required Tree Protection Zones.</li> </ul> <p>b) Nest Box Management Strategy:</p> <ul style="list-style-type: none"> <li>i) Hollow-bearing trees and nest boxes suitable for installation, including number, type, size, location, inspection requirements and replacement when required.</li> </ul> <p>The Bushland Management Plan is to be submitted to the Director – City Development (or delegate) of Shoalhaven City Council for approval in writing before the issue of a Subdivision Works Certificate.</p>	
<b>26.</b>	<p><b>Biodiversity - Tree and Vegetation Protection</b></p> <p>This condition varies the approved plans and documents and displaces the application of the 10/50 vegetation clearing scheme.</p> <ul style="list-style-type: none"> <li>a) Trees and native vegetation to the north -east of the BAL 29 Line on proposed lots 7 – 8, as shown on the civil plans, must be retained to the maximum extent permitted by the Planning for Bush Fire Protection 2019 APZ requirements. No cut or fill is approved on this part of the Site.</li> <li>b) For Proposed lots 1-5 and 10–12, trees and native vegetation outside the proposed building envelope shown on the Minimum Building Setback plan number 407-22GIS L04 [06], must be retained within the Asset Protection Zone (APZ) to the maximum extent permitted by the prescriptions for Planning for Bush Fire Protection 2019 APZ requirements.</li> </ul>	To minimise biodiversity impacts.

	<p>c) Within the APZ referred to in (a) and (b) the Project Ecologist must prioritise and clearly mark trees for retention while achieving the RFS APZ requirements based on general health and age, retaining the most mature and hollow bearing trees where possible.</p> <p>Before the commencement of any clearing works the following requirements must be met to the satisfaction of the Council:</p> <p>d) The extent of clearing, including the boundary of the Asset Protection Zone and areas of retained native vegetation, must be accurately and clearly marked out on-site using para webbing or similar visible material.</p> <p>e) The Project Ecologist must identify and clearly mark the Threatened Nowra Heath Myrtle and hollow bearing trees to be retained and the boundary of areas of retained native vegetation as shown on the updated BDAR Figure 11 in Appendix B of the Depot Road West Nowra BDAR Addendum by Biosis.</p> <p>f) A temporary protective barrier or similar visible material must be installed around the drip line of all retained trees, the Nowra Heath Myrtle to be retained, and all retained native vegetation outside proposed works until all works are complete.</p> <p>g) Tree and vegetation protection measures as detailed in the approved Bushland Management Plan must be implemented.</p> <p>Evidence of compliance with the above requirements must be provided to Council prior to the commencement of any clearing works.</p> <p>Site works must not commence until the Director – City Development (or delegate) of Shoalhaven City Council has confirmed in writing that the above have been satisfied.</p>	
27.	<p><b>Biodiversity - Fauna Boxes</b></p> <p>Before commencement of any clearing work nest boxes or similar must be installed in accordance with the approved Bushland Management Plan. Evidence must be provided that this condition has been met. The Director – City Development (or delegate) of Shoalhaven City Council must certify in writing the nest boxes are in place prior to works commencing.</p> <p>Nest boxes must be maintained, including repair and replacement where required, as instructed by a suitably qualified ecologist or Shoalhaven City Council.</p>	To protect biodiversity values.



CLEARING WORK During Clearing Work		
CONDITIONS		REASON
28.	<p><b>Biodiversity – Fauna Rescue and Vegetation Removal Protocol</b></p> <p>During works, in order to protect wildlife the following vegetation removal protocol is to be adhered to:</p> <ul style="list-style-type: none"> <li>a) Before starting each morning, all vehicles and mechanical plant must be inspected for wildlife prior to operation.</li> <li>b) All vegetation to be removed must be inspected for wildlife prior to removal.</li> <li>c) All trenches must be inspected for wildlife prior to backfilling.</li> <li>d) Vegetation is to be removed using a staged approach to allow wildlife to naturally flee the area.</li> <li>e) The following procedure for felling of the approved Hollow Bearing Trees (HBTs) should be undertaken: <ul style="list-style-type: none"> <li>i) A suitably licensed ecologist is to be engaged to supervise the removal of the HBTs in order to minimise the chance of harm to fauna, and to rescue or relocate any fauna displaced during the clearing process.</li> <li>ii) A suitably qualified Arborist is required to fell hollow bearing trees.</li> <li>iii) Check the HBT disturbance area for fauna before clearing and remove any fauna before commencing clearance.</li> <li>iv) Remove the non-HBTs prior to removal of the HBTs.</li> <li>v) Leave the HBTs standing for at least one night after other non-HBT clearing to allow any fauna the opportunity to remove themselves after site disturbance.</li> <li>vi) After clearing, re-check the site to ensure no fauna have become trapped or injured during clearing operations. Any fauna found should be moved to adjacent habitat.</li> <li>vii) Before felling the HBTs, tap trunk using heavy machinery to scare fauna from the hollows. Repeat several times. The aim is to 'substantially' shake the tree and encourage fauna to exit.</li> </ul> </li> </ul>	To minimise biodiversity impacts.

	<p>viii) The non-hollow bearing branches should be removed before the hollow bearing branches.</p> <p>ix) Hollow sections must be either lowered carefully to the ground using pulleys, or the tree gently lowered to the ground using an excavator arm fitted with grapples.</p> <p>x) After felling the tree, thoroughly check for fauna in the case that any have become trapped or injured during clearing operations. Any fauna should be checked and safely moved into adjacent habitat.</p> <p>f) Fell trees into the already disturbed areas to avoid damaging adjacent vegetation.</p> <p>g) Take care when moving equipment near vegetation to be retained.</p> <p>h) Where possible, logs from felled trees should be distributed outside the APZ to provide habitat.</p> <p>i) Any protection measures and vegetation removal protocols as detailed in the approved Bushland Management Plan must be implemented.</p> <p>j) If any native wildlife is identified during pre clearance surveys or tree removal as nesting or breeding on site, clearing works must stop immediately and must not recommence until the Director – City Development (or delegate) of Shoalhaven City Council has confirmed in writing that clearing works may recommence.</p> <p>k) If any wildlife is disoriented or injured during clearing works, works must stop immediately, and any injured wildlife must be referred to a local Veterinary Clinic or into the care of Wildlife Rescue South Coast (0418 427 214).</p> <p>Within 10 days of completing clearing work, the project ecologist must provide to Council written evidence that the tree removal protocol detailed above has been implemented and document any fauna detected during clearing.</p>	
<b>BUILDING WORK</b> <b>Before Issue of a Construction Certificate</b>		
CONDITIONS		REASON
29.	<p>Council Approvals – Evidence</p> <p>A Construction Certificate must not be issued until the Certifier has received notification from, or evidence of, any Council</p>	To ensure all required

	approval that is required before the commencement of building works.	approvals are obtained.
<b>30.</b>	<p>Erosion and Sediment Controls – Erosion and Sediment Control Plan</p> <p>Before issue of a Construction Certificate /Subdivision Works Certificate, an Erosion and Sediment Control Plan (ESCP) and specifications must be prepared in accordance with Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) by a suitably qualified person, (as defined in the National Construction Code) to the satisfaction of the Certifier.</p> <p>All plans must include:</p> <ol style="list-style-type: none"> <li>Site access location and stabilisation details and restrictions;</li> <li>Erosion control locations and types;</li> <li>Sediment control locations and types;</li> <li>Soil, water and drainage management plans;</li> <li>Site rehabilitation details;</li> <li>Inspection and maintenance details;</li> <li>Identification of existing vegetation and site revegetation to have 70% cover established before plan is decommissioned;</li> <li>Existing and final contours (clearly distinguished and adequately annotated);</li> <li>Standard construction drawings for proposed soil, water and drainage management measures.</li> <li>All implemented measures must ensure that a pollution incident must not occur as defined by the Protection of the Environment Operations Act (POEO).</li> </ol> <p>All implemented measures must:</p> <ol style="list-style-type: none"> <li>not cause pollution as defined by the Protection of the Environment Operations Act (POEO).</li> <li>be maintained at all times.</li> <li>not be decommissioned until at least 70% revegetation cover has been established.</li> </ol>	To ensure an appropriate Erosion and Sediment Control Plan has been prepared.
<b>31.</b>	<b>Local Infrastructure Contribution – Multi-Dwelling Housing</b>	To ensure applicable local infrastructure

This development will generate a need for the additional services and/or facilities described in Shoalhaven Contributions Plan 2019 and itemised in the following table(s):

contributions are collected.

**Lot 6**

Project	Description	Rate	Qty	Total	GST	GST Incl
01AREC 5006	Northern Shoalhaven Sports Stadium	\$821.55	16.00	\$13,144.80	\$0.00	\$13,144.80
01AREC 5007	Nowra Swimming Pool Expansion (Scenic Drive)	\$637.12	16.00	\$10,193.92	\$0.00	\$10,193.92
01AREC 5009	Planning Area 1 recreational facilities upgrades (various locations)	\$860.00	16.00	\$13,760.00	\$0.00	\$13,760.00
01CFAC 5012	Nowra Integrated Youth Services Centre (Cnr Kinghorn & Plunkett Streets)	\$35.18	16.00	\$562.88	\$0.00	\$562.88
01ROAD 0150	Roundabouts - Yalwal Road/Rannoch Drive and Yalwal Road/Lightwood Drive	\$1,136.91	16.00	\$18,190.56	\$0.00	\$18,190.56
01ROAD 0152	Traffic signals and associated works at intersection of Albatross / Yalwal Roads.	\$364.34	16.00	\$5,829.44	\$0.00	\$5,829.44
CWARE C5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	\$2,266.62	16.00	\$36,265.92	\$0.00	\$36,265.92
CWCFA C5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	\$1,713.07	16.00	\$27,409.12	\$0.00	\$27,409.12
CWCFA C5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,502.37	16.00	\$24,037.92	\$0.00	\$24,037.92
CWCFA C5007	Shoalhaven Regional Gallery	\$82.48	16.00	\$1,319.68	\$0.00	\$1,319.68
CWFIRE 2001	Citywide Fire &	\$162.05	16.00	\$2,592.80	\$0.00	\$2,592.80

	Emergency services					
CWFIRE 2002	Shoalhaven Fire Control Centre	\$237.08	16.00	\$3,793.28	\$0.00	\$3,793.28
CWMGMT3001	Contributions Management & Administration	\$673.90	16.00	\$10,782.40	\$0.00	\$10,782.40

Sub Total: \$167,882.72  
 GST Total: \$0.00  
 Estimate Total: \$167,882.72

**Lot 9**

Project	Description	Rate	Qty	Total	GST	GST Incl
01AREC 5006	Northern Shoalhaven Sports Stadium	\$821.55	14.00	\$11,501.70	\$0.00	\$11,501.70
01AREC 5007	Nowra Swimming Pool Expansion (Scenic Drive)	\$637.12	14.00	\$8,919.68	\$0.00	\$8,919.68
01AREC 5009	Planning Area 1 recreational facilities upgrades (various locations)	\$860.00	14.00	\$12,040.00	\$0.00	\$12,040.00
01CFAC 5012	Nowra Integrated Youth Services Centre (Cnr Kinghorne & Plunkett Streets)	\$35.18	14.00	\$492.52	\$0.00	\$492.52
01ROAD 0150	Roundabouts - Yalwal Road/Rannoch Drive and Yalwal Road/Lightwood Drive	\$1,136.91	14.00	\$15,916.74	\$0.00	\$15,916.74
01ROAD 0152	Traffic signals and associated works at intersection of Albatross / Yalwal Roads.	\$364.34	14.00	\$5,100.76	\$0.00	\$5,100.76
CWARE C5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	\$2,266.62	14.00	\$31,732.68	\$0.00	\$31,732.68
CWCFA C5002	Shoalhaven Entertainment Centre	\$1,713.07	14.00	\$23,982.98	\$0.00	\$23,982.98

		(Bridge Road Nowra)					
	CWCFA C5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,502.37	14.00	\$21,033.18	\$0.00	\$21,033.18
	CWCFA C5007	Shoalhaven Regional Gallery	\$82.48	14.00	\$1,154.72	\$0.00	\$1,154.72
	CWFIRE 2001	Citywide Fire & Emergency services	\$162.05	14.00	\$2,268.70	\$0.00	\$2,268.70
	CWFIRE 2002	Shoalhaven Fire Control Centre	\$237.08	14.00	\$3,319.12	\$0.00	\$3,319.12
	CWMGM T3001	Contributions Management & Administration	\$673.90	14.00	\$9,434.60	\$0.00	\$9,434.60
							Sub Total: \$146,897.38 GST Total: \$0.00 Estimate Total: \$146,897.38
<p>The total contribution, identified in the above table(s) or as indexed in future years, must be paid to Council prior to the issue of a Construction Certificate. Evidence of payment must be provided to the Certifying Authority.</p> <p>The Contributions Plan 2019 can be accessed on Councils website <a href="http://www.shoalhaven.nsw.gov.au">www.shoalhaven.nsw.gov.au</a> or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.</p> <p><i>Note: There are also provisions that may apply with respect to the timing of payments. See: Environmental Planning and Assessment (Local Infrastructure Contributions - Timing of Payments) Direction 2020 (nsw.gov.au)</i></p>							
<b>32.</b>	<b>Long Service Levy</b> Before the issue of the relevant Construction Certificate / Subdivision Works Certificate, the long service levy must be paid to the Long Service Corporation of Council under the Building and Construction industry <i>Long Service Payments Act 1986</i> , section 34, and evidence of the payment is to be provided to the Certifier.						To ensure compliance with long service levy requirements.
<b>33.</b>	<b>Retaining Walls – Design Standards</b> Before the issue of a Construction Certificate for approved retaining walls exceeding 600mm in height above ground level (existing) and/or within 1m of a property boundary, detailed						To ensure retaining walls are

	<p>design plans must be prepared and submitted to the Certifier for approval.</p> <p>The retaining walls must satisfy the following:</p> <ul style="list-style-type: none"> <li>a) For retaining walls exceeding 600mm in height above natural ground level (existing) a professional engineer has certified the retaining walls as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load; and</li> <li>b) For retaining walls less than 600mm in height above natural ground level (existing) the Certifier must be satisfied that the retaining walls are structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load.</li> <li>c) Retaining walls, footings and drainage must be contained wholly within the development site.</li> <li>d) Construction within a registered easement is prohibited.</li> </ul> <p>Retaining walls not shown on the approved plan must meet the criteria for Exempt retaining walls and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> or be approved by way of Complying Development before construction and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	appropriately designed.
<b>34.</b>	<p><b>Stormwater - New Buildings Design Standards</b></p> <p>Before the issue of a construction certificate, stormwater plans must be prepared by a professional engineer (as defined in the National Construction Code) and submitted to the Certifier.</p> <p>Drainage must be designed and constructed in accordance with:</p> <ul style="list-style-type: none"> <li>a) AS3500.3</li> <li>b) the National Construction Code</li> <li>c) Council's <u>Engineering Design Specifications</u></li> <li>d) <u>Development Control Plan G2</u></li> </ul>	To ensure appropriate designs are prepared before works commence.
<b>35.</b>	<p><b>Stormwater - On-Site Detention Design Standards</b></p> <p>Before issue of a Construction Certificate, certified engineering design plans and specifications must be prepared by professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The on-site stormwater detention (OSD) design must comply with the following:</p>	To ensure appropriate designs are prepared before works commence.

	<p>a) Designed such that stormwater runoff from the site for design storm events up to and including the 1% AEP does not exceed the pre-developed conditions.</p>	
<b>36.</b>	<p><b>Driveway – Design Standards (Urban)</b></p> <p>Before the issue of a construction certificate, engineering design plans must be prepared by a suitably qualified person and approved by the Certifier and Council (for the part in the road reserve). The layback/footpath crossing design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Council’s Engineering Design Standard Drawings.</li> <li>b) Constructed using 20 MPa reinforced concrete, reinforced with SL72 mesh, on a 75mm compacted fine crushed rock base with slab of minimum 3 metres width and minimum 100mm depth</li> <li>c) Removal of sufficient width of existing road seal and pavement to allow placing of formwork and laying/compaction of suitable pavement material for the driveway layback with a minimum 300mm offset to the kerb lip line.</li> </ul>	To ensure appropriate design is undertaken before works commence.
<b>37.</b>	<p><b>Adaptable Dwellings</b></p> <p>Before the issue of the construction certificate, detailed plans and specifications must be submitted to the certifier’s satisfaction demonstrating that any adaptable dwellings specified in the approved plans or documents comply with the provisions of the Silver Level of the Livable Housing Design Guidelines.</p>	To ensure ongoing compliance.
<b>38.</b>	<p><b>Street Numbering</b></p> <p>Street numbering must comply with the State Governments Comprehensive Property Addressing System (CPAS), and Council’s Property Address Numbering Policy.</p> <p>The allocated numbers must be shown on the engineering/construction plans with the Construction Certificate. Where plans and details are provided to service suppliers, numbers must be in accordance with the above.</p>	To ensure consistent and appropriate street numbering.
<b>39.</b>	<p><b>Section 68 Application – Water Supply, Sewerage and Stormwater Drainage</b></p> <p>Before the issue of a Construction Certificate, an application for water supply, sewerage and stormwater drainage and/or sewage management facility must be approved under section 68 of the <i>Local Government Act 1993</i>.</p>	To ensure relevant approvals are obtained.



<b>BUILDING WORK</b>		
<b>Before Building Work Commences</b>		
CONDITIONS		REASON
<b>40.</b>	<b>Appointment of Principal Certifier</b> Before building/subdivision work commences a Principal Certifier must be appointed.	To ensure a Principal Certifier is appointed where required.
<b>41.</b>	<b>Bushfire Construction Standards</b> e) All new construction on proposed Lot 6 and Lot 9 must be designed and constructed to comply with sections 3 and 7 (BAL 29) of Australian Standard 3959 'Construction of buildings in bushfire prone areas' or equivalent requirements of the NASH Standard – Steel Framed Construction in Bushfire Areas. Construction must also comply with the construction requirements in Section 7.4 of Planning for Bush Fire protection 2019.	To ensure buildings are constructed to appropriately reduce risk from bushfire
<b>42.</b>	<b>Bushfire Fencing</b> A 1.8m radiant heat shield (colourbound fence), must be installed and maintained along the northern and western boundary of proposed Lot 6, as depicted on the plan titled Bushfire Mitigation Plan prepared SET Consultants dated 19 <sup>th</sup> November 2024, until such time as the Depot Road Reserve is cleared and managed to an Asset Protection Zone Standard in accordance with section 5 and Appendix 4 of Planning for Bushfire Protection 2019 and the NSW Rural Fire Service's document 'Standards for asset protection zones'.	
<b>43.</b>	<b>Construction Certificate</b> A Construction Certificate must be obtained from either Council or a certifier before any building work can commence.	To ensure a appropriate building and Subdivision Certificates are obtained.
<b>44.</b>	<b>Construction Traffic Management Plan</b> Before the commencement of works, a Construction Traffic Management Plan detailing the proposed method of dealing	To ensure ongoing compliance.

	<p>with construction traffic and parking must be approved by Council.</p> <p>Details must include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a) Stabilised site construction access location</li> <li>b) Proposed haulage routes for delivery of materials to the site</li> <li>c) Proposed haulage routes for spoil disposal from the site</li> <li>d) Traffic control planning for each of the various phases of construction and/or vehicle movements associated with construction</li> <li>e) Parking arrangements for construction employees and contractors</li> <li>f) Proposed maintenance of the haulage routes and access locations</li> <li>g) Name of the person responsible for such maintenance</li> <li>h) Loading / unloading areas</li> <li>i) Requirements for construction or work zones</li> <li>j) Pedestrian and cyclist safety</li> <li>k) Speed zone restrictions.</li> </ul>	
<b>45.</b>	<p><b>Dilapidation Report (Minor)</b></p> <p>Before the commencement of work, the developer must engage a competent person to prepare a dilapidation report in respect of the neighbouring premises and adjacent public infrastructure, including adjacent kerbs, gutters, footpaths (formed or unformed), driveways (formed or unformed), carriageway, reserves and the like to document evidence of any existing damage.</p> <p>The dilapidation report must consider the impact of any excavation work that extends below the level of the base of the footings of any structure within 900mm of the shared boundary.</p> <p>Before works commence, a copy of the dilapidation report must be provided to the Certifier and Council. The dilapidation report will be the benchmark for necessary repairs to damage caused during the development works. All repairs must be completed by the developer at the developer's cost.</p> <p>Not less than seven (7) days before works commence, the developer must notify the owner of any affected property of the intention to carry out approved works. The developer must also furnish the owner with details of the approved work.</p> <p>However, if the occupier or owner of any neighbouring dwelling does not permit reasonable access for the purposes for the preparation of the dilapidation report, written evidence of the efforts taken to secure access may be submitted to the Principal Certifier and the Principal Certifier may waive the requirement in relation to the relevant property.</p>	<p>To ensure a suitable dilapidation report is prepared and the status of existing infrastructure and adjoining structures is recorded prior to the commencement of work.</p>

	<i>Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.</i>	
<b>46.</b>	<p><b>Erosion and Sediment Controls – Implementation</b></p> <p>Before any site work commences, the Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any disturbed areas have been restabilised in accordance with Landcom’s publication Managing Urban Stormwater - Soils and Construction (2004) and approved plans (as amended from time to time).</p>	To ensure appropriate erosion and sediment control measures are in place.
<b>47.</b>	<p><b>Notice of Commencement</b></p> <p>Notice must be given to Council at least two (2) days before the commencement of building or subdivision work by completing and returning the form <u><a href="#">‘Commencement Notice for Building or Subdivision Work and Appointment of Principal Certifying Authority’</a></u>.</p>	To ensure appropriate notice is given to Council.
<b>48.</b>	<p><b>Shoalhaven Water – Application for Certificate of Compliance</b></p> <p>Before commencement of works, an application for a Certificate of Compliance must be made with Shoalhaven Water and where required a Water Development Notice is to be obtained.</p> <p>Shoalhaven Water will determine if sewerage and/or water infrastructure and/or easements will be affected by any part of your development including what charges/fees apply. Please visit <a href="https://shoalwater.nsw.gov.au/planning-building/developers-consultants/water-development-notice">https://shoalwater.nsw.gov.au/planning-building/developers-consultants/water-development-notice</a> to make application for a Certificate of Compliance or call (02) 4429 3214 to learn more about applying.</p> <p>Upon the receipt of the application, Shoalhaven Water will assess the development and if required will issue a “Water Development Notice” document detailing all requirements which must be met.</p> <p><i>Note: As water and/or sewerage infrastructure may impact on part/s or all of the development such as building, provision of services, protection of water and/or sewer assets, etc., it is recommended that this application is made as early as possible during the development process.</i></p>	To ensure a Water Development Notice and Certificate of Compliance are obtained.
<b>49.</b>	<p><b>Toilet Facilities – Temporary</b></p> <p>Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are</p>	To ensure suitable toilet

	<p>completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:</p> <ul style="list-style-type: none"> <li>a) be a standard flushing toilet connected to a public sewer, or</li> <li>b) have an on-site effluent disposal system approved under the <i>Local Government Act 1993</i>, or</li> <li>c) be a temporary chemical closet approved under the <i>Local Government Act 1993</i>.</li> </ul>	facilities are provided.
<b>50.</b>	<p><b>Waste Management Plan – an approved document of this consent</b></p> <p>Before the commencement of site works a waste management plan for the development must be provided to the Certifier for review and approval.</p>	To ensure an appropriate waste management plan is provided.
<b>51.</b>	<p><b>Works within the Road Reserve – Submissions to Council</b></p> <p>Before undertaking any works within an existing road reserve, the developer must obtain the consent of Council under section 138 of the <i>Roads Act 1993</i>.</p> <p>The following details must be submitted to Council as part of the application:</p> <ul style="list-style-type: none"> <li>a) Any civil works design required by this consent.</li> <li>b) Evidence of the contractor's Public Liability Insurance to an amount of \$20 million.</li> <li>c) Name and contact information of the person responsible for all relevant works.</li> <li>d) A Traffic Control Plan prepared, signed, and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation.</li> <li>e) Where the Traffic Control Plan requires a reduction of the speed limit, a 'Application for Speed Zone Authorisation' must be obtained from the relevant road authority.</li> </ul>	To ensure relevant approvals are obtained.
<p><b>BUILDING WORK</b></p> <p>During Building Work</p>		
CONDITIONS		REASON
<b>52.</b>	<p><b>Acid Sulfate Soils - Unexpected Finds</b></p> <p>If acid sulfate soils are encountered during excavation and/or construction works, all work must cease, and Shoalhaven City</p>	To ensure acid sulfate soils are

	<p>Council notified immediately. The extent of acid sulfate soil must be evaluated by a qualified environmental consultant with experience in the assessment of acid sulfate soils and a preliminary assessment provided to Council. Council will determine an appropriate response, including if an Acid Sulfate Soils Management Plan is required to be prepared and implemented, before works can recommence.</p>	appropriately managed.
<b>53.</b>	<p><b>Tree Protection Measure During Construction</b></p> <p>Tree protection must be maintained around Threatened Nowra Heath Myrtle and trees to be retained and the boundary of areas of retained native vegetation as shown on the updated BDAR Figure 11 in Appendix B of the Depot Road West Nowra BDAR Addendum by Biosis.</p>	To minimise biodiversity impacts.
<b>54.</b>	<p><b>Biodiversity - Parking and Storing of Building Equipment and Materials</b></p> <p>During building the parking of machinery and vehicles or the storing of building or landscaping materials, soil, spoil, or rubbish or disposal of liquid waste within the fenced area around trees and vegetation to be retained is prohibited.</p>	To minimise biodiversity impacts.
<b>55.</b>	<p><b>Discovery of relics and Aboriginal objects</b></p> <p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ol style="list-style-type: none"> <li>the work in the area of the discovery must cease immediately.</li> <li>the following must be notified for a relic – the Heritage Council; or</li> <li>for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</li> </ol> <p>Site work may recommence at a time confirmed in writing by:</p> <ol style="list-style-type: none"> <li>for a relic – the Heritage Council; or for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</li> </ol>	To ensure the protection of objects of potential significance during works.
<b>56.</b>	<p><b>Potentially Contaminated Land - Unexpected Finds</b></p> <p>If unexpected, contaminated soil and/or groundwater is encountered during any works:</p>	To ensure any detected contaminants are

	<p>a) all work must cease, and the situation must be promptly evaluated by an appropriately qualified environmental consultant.</p> <p>b) the contaminated soil and/or groundwater must be managed under the supervision of the environmental consultant, in accordance with relevant NSW Environment Protection Authority (EPA) Guidelines.</p> <p>If unexpected, contaminated soil, or groundwater is treated and/or managed on-site an appropriately qualified environmental consultant must verify that the situation was appropriately managed in accordance with relevant NSW EPA guidelines before recommencement of works. The verification documentation must be provided to the satisfaction of the Certifier and Shoalhaven City Council before the recommencement of any works.</p> <p>If contaminated soil or groundwater is to be removed from the site, it must be transported to an appropriately licensed waste facility by an NSW EPA licensed waste contractor in accordance with relevant NSW EPA guidelines including the Waste Classification Guidelines (2014).</p> <p><i>Note: An appropriately qualified environmental consultant will have qualifications equivalent to CEnvP "Site Contamination" (SC) Specialist - by Certified Environmental Practitioner or 'Certified Professional Soil Scientist' (CPSS CSAM) by Soil Science Australia (SSA).</i></p>	appropriately managed.
<b>57.</b>	<p><b>Site Management - Hours for Construction</b></p> <p>Construction may only be carried out between 7.00am and 5.00pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday. Proposed changes to hours of construction must be approved by Council in writing.</p>	To ensure site work occurs within appropriate construction hours.
<b>58.</b>	<p><b>Procedure for critical stage inspections</b></p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p>	To ensure ongoing compliance.
<b>59.</b>	<p><b>Site Management - Maintenance of Site and Surrounds</b></p> <p>During works, the following maintenance requirements must be complied with:</p>	To ensure the site is maintained in a safe and secure manner.

	<ul style="list-style-type: none"> <li>a) All materials and equipment must be stored and delivered wholly within the work site unless an approval to store them elsewhere is held.</li> <li>b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility in accordance with the approved waste management plan.</li> <li>c) Where tree or vegetation protection measures are in place, the protected area must be kept clear of materials and / or machinery.</li> <li>d) The developer must maintain the approved soil water management / erosion and sediment control measures to the satisfaction of the Certifier for the life of the construction period and until runoff catchments are stabilised.</li> <li>e) During construction: <ul style="list-style-type: none"> <li>i) all vehicles entering or leaving the site must have their loads covered, and</li> <li>ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.</li> </ul> </li> <li>f) At the completion of the works, the work site must be left clear of waste and debris.</li> </ul>	
<b>60.</b>	<p><b>Stormwater – Overland Flow, Redirecting and/or Concentrating Stormwater</b></p> <p>All excavation, backfilling and landscaping works must not result in:</p> <ul style="list-style-type: none"> <li>a) any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff must be collected and directed to a legal point of discharge.</li> <li>b) the redirection and/or concentration of stormwater flows onto neighbouring properties.</li> </ul>	To ensure ongoing compliance.
<b>61.</b>	<p><b>Stormwater – Connections in Road Reserve</b></p> <p>Before the completion of works, the site supervisor must ensure that stormwater connections between the property boundary and the road drainage networks are inspected and approved by Council and backfilled as soon as possible. <i>Note: A section 138 approval under the Roads Act 1993 will be required for any works within the road reserve.</i></p>	To ensure stormwater connections are appropriately installed.

<b>62.</b>	<b>Site Management - Noise</b> The noise from all site work, demolition and construction activities associated with the approved development must comply with the work practices as outlined in the NSW Department of Environment & Climate Change Interim Construction Noise Guideline. The LAeq noise level measured over a period of not less than 15 minutes During works must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.	To protect the amenity of neighbouring properties.
<b>63.</b>	<b>Construction Management Plan</b> The approved Construction Management Plan and Construction Traffic Management Plan must be implemented in carrying out building work.	
<b>BUILDING WORK</b> <b>Before Issue of an Occupation Certificate</b>		
CONDITIONS		REASON
<b>64.</b>	<b>Schedule of Compliance</b> The Occupation Certificate must not be issued until all relevant conditions of development consent have been met or other satisfactory arrangements have been made with council (i.e. a security). A schedule of compliance in table format must be submitted with the application for an Occupation Certificate. The schedule must provide evidence of how all relevant conditions of development consent have been fulfilled.	To ensure compliance with consent conditions
<b>65.</b>	<b>Timing of Consent</b> A Subdivision Certificate must be issued for the subdivision of land prior to the issue of any occupation certificate for the multi-dwelling housing component on Superlots 6 and 9.	To ensure the development occurs in accordance with the relevant sequencing
<b>66.</b>	<b>Letter Boxes</b> A letterbox structure(s) must be provided and be designed to comply with the requirements of Australia Post, located close to the major pedestrian entry to the site, and built from materials that are non-reflective and blend in with the approved development.	To ensure compliance with the requirements of Australia Post.



	Note: Where no roadside delivery service is provided by Australia Post these requirements may be varied subject to the approval of Council.	
<b>67.</b>	<b>Colours and Materials</b> The development must be constructed in accordance with the approved schedule of colours and building materials and finishes.	To ensure ongoing compliance.
<b>68.</b>	<b>Completion of landscape and tree works</b> Before the issue of an occupation certificate or after the clearing of vegetation), the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.	To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s)
<b>69.</b>	<b>Noise – Air-Conditioning Units</b> Any air-conditioning unit must be installed in accordance with manufacturer's instructions and operated at all times so as not to cause "Offensive Noise" as defined by the <i>Protection of the Environment Operations Act</i> (POEO Act). Air-conditioning units not shown on the approved plan must comply with the relevant criteria listed in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.	To protect the amenity of neighbouring properties
<b>70.</b>	<b>BASIX Certificate</b> Before the issue of an Occupation Certificate, documentary evidence prepared by a suitably qualified person must be submitted to the Certifier confirming that all commitments listed in the BASIX Certificate(s) are fulfilled in accordance with Clause 97A of the <i>Environmental Planning and Assessment Regulation 2021</i>	To ensure ongoing compliance.
<b>71.</b>	<b>Post-construction dilapidation report</b> Before the issue of an Occupation Certificate a post-construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the Principal Certifier, detailing whether:	To identify any damage to adjoining properties resulting from site work on the

	<ul style="list-style-type: none"> <li>a) after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and</li> <li>b) where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent, and</li> <li>c) a copy of the post-construction dilapidation report must be provided to council (where council is not the principal certifier, or a principal certifier is not required) and to the relevant adjoining property owner(s).</li> </ul>	development site
<b>72.</b>	<p><b>Retaining Walls – Certification</b></p> <p>Before the issue of an Occupation Certificate, certification must be provided to the Certifier prepared by a professional engineer, (as defined in the National Construction Code), certifying that retaining walls:</p> <ul style="list-style-type: none"> <li>a) within 1m of the property boundary or</li> <li>b) exceeding 1m in height above ground level (existing) or</li> <li>c) adjacent to proposed drainage easements,</li> <li>d) are constructed in accordance with the approved engineering design plans.</li> </ul> <p>The Certifier must be satisfied that all retaining walls have been constructed in accordance with the relevant retaining wall plans and specifications, and in accordance with the requirements of any other conditions of this consent.</p> <p>Note: This condition does not prevent a partial Occupation Certificate to be issued for the parts of the development that have been completed.</p>	To ensure retaining walls have been constructed appropriately.
<b>73.</b>	<p><b>Completion of Public Utility Services</b></p> <p>Before the issue of the relevant Occupation Certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.</p>	To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.
<b>74.</b>	<b>Dilapidation Report (Minor) – Evidence of Completion</b>	To ensure any damage

	Before the issue of an Occupation Certificate, the developer must provide the Certifier and Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer to the satisfaction of Council.	not previously identified in the Dilapidation Report is suitably repaired.
<b>75.</b>	<p><b>On-site Detention System</b></p> <p>Before the issue of an Occupation Certificate, the developer must:</p> <ul style="list-style-type: none"> <li>a) provide a certificate from a professional engineer, (as defined in the National Construction Code) to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.</li> <li>b) create a restriction on use under the Conveyancing Act 1919 over the on-site detention system naming the authority having the power to release, vary or modify the restriction referred to as Shoalhaven City Council and provide it to the Certifier as follows: <ul style="list-style-type: none"> <li>i) the registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited.</li> <li>ii) The expression 'on-site stormwater detention system' must include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.</li> </ul> </li> </ul>	To ensure ongoing compliance
<b>76.</b>	<p><b>Stormwater Works As Executed</b></p> <p>Before the issue of an Occupation Certificate, a Works as Executed Plans and certification must be submitted to the Council by a licenced plumber/ registered surveyor / professional engineer (as defined in the National Construction Code) certifying compliance of all drainage works with the approved design plans and the National Construction Code.</p> <p>The Works as Executed be shown in red on a copy of the approved plans. This plan must verify locations &amp; sizes of all pipelines.</p> <p>Where the system includes an underground tank, a certificate of structural adequacy must be prepared and provided by a</p>	To ensure works as executed plans are prepared and provided.

	professional engineer (as defined in the National Construction Code).	
<b>77.</b>	<p><b>Works in the Road Reserve - Evidence of Completion</b></p> <p>Before the issue of an Occupation Certificate, the developer must provide the Certifier with a Construction Inspection Ticket / Completion of Works in Road Reserve Letter provided by Council, confirming compliance with the requirements of section 138 of the <i>Roads Act 1993</i>.</p>	To ensure works in the road reserve are completed appropriately.
<b>78.</b>	<p><b>Driveway - Evidence of Completion</b></p> <p>Before the issue of a full Occupation Certificate, all driveway works internal to the site as shown on the approved plans must be completed.</p>	To ensure the completion of the driveway in a timely manner
<b>79.</b>	<p><b>Works in the Road Reserve - Works as Executed</b></p> <p>Before the issue of an Occupation Certificate, Works as Executed Plans for works within the road reserve must be prepared by a registered surveyor / professional engineer, (as defined in the National Construction Code) and approved by Council demonstrating compliance with the approved design plans.</p> <p>The Works as Executed dimensions and levels must be shown in red on a copy of the approved plans and comply with the following requirements:</p> <ol style="list-style-type: none"> <li>Council's Development Engineering Construction Specification.</li> <li>Show compliance with the approved design plans of all road and drainage works.</li> <li>Show any retaining walls including footings and agricultural drainage lines.</li> <li>Show the location of all underground service conduits.</li> <li>Include all deviations from the approved Civil Engineering Plans.</li> </ol>	To ensure works as executed plans are prepared and provided.
<b>80.</b>	<p><b>Restrictions – Easements and Restrictions on Use of Land</b></p> <p>An Instrument must be prepared under section 88B of the Conveyancing Act 1919 which will provide for the following Restrictions on the land:</p> <ol style="list-style-type: none"> <li>Alterations to any stormwater treatment measures/ water sensitive urban design (WSUD) elements, including raingardens are not permitted except without the prior consent in writing of Shoalhaven City Council.</li> </ol>	To ensure restrictions and easements are registered on the title of the land where required.

	<p>b) easement for drainage over stormwater pipes in accordance with Shoalhaven City Council Design Specification D5.18)</p> <p>The Instrument must contain a provision that it cannot be varied, modified or released without the consent of the relevant parties as appropriate and without the consent of the Shoalhaven City Council.</p> <p>The Instrument must not contain any restriction that prohibits development on the site allowed under the relevant environmental planning instruments.</p> <p>A draft 88B Instrument must be submitted to the Certifier for approval before a Subdivision Certificate is issued and registered on subdivision.</p>	
<b>81.</b>	<p><b>Section 68 Approvals – Evidence of Completion</b></p> <p>All the conditions under the approval of section 68 of the <i>Local Government Act 1993</i> are to be complied with before the issue of an Occupation Certificate.</p>	To ensure compliance with section 68 approval.
<b>82.</b>	<p><b>Shoalhaven Water – Certificate of Compliance</b></p> <p>Before the issue of any Occupation Certificate, a Certificate of Compliance under section 307 of the <i>Water Management Act 2000</i> must be obtained from Shoalhaven Water to verify satisfactory compliance with all conditions for the supply of water and sewerage, as listed on the Water Development Notice.</p> <p>If the development is to be completed in approved stages, or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.</p>	To ensure compliance with Shoalhaven Water requirements.
<b>BUILDING WORK</b> <b>Occupation and Ongoing use</b>		
CONDITIONS		REASON
<b>83.</b>	<p><b>Occupation – Satisfaction of Conditions of Consent</b></p> <p>The development must not be occupied or used before an Occupation Certificate has been issued by the Principal Certifier.</p> <p>If an Occupation Certificate is not required, the use must not commence until all conditions of development consent have</p>	To ensure conditions of consent are complied with or other satisfactory arrangement made.

	been met or other satisfactory agreements have been made with Council (i.e., a security).	
<b>84.</b>	<b>Maintenance of Stormwater Infrastructure</b> The approved stormwater design and any associated on site detention must be maintained for the life of the development in accordance with the approved documents and maintenance programs.	To ensure stormwater infrastructure is maintained in accordance with the standards of the consent
<b>SUBDIVISION WORK</b> <b>Before the Issue of a Subdivision Works Certificate</b>		
CONDITIONS		REASON
<b>85.</b>	<b>Long Service Levy</b> Before the issue of the relevant Construction Certificate / Subdivision Works Certificate, the long service levy must be paid to the Long Service Corporation of Council under the Building and Construction industry <i>Long Service Payments Act 1986</i> , section 34, and evidence of the payment is to be provided to the Certifier.	To ensure compliance with long service levy requirements.
<b>86.</b>	<b>Positive Covenant – Environmental Management</b> Before the issue of a Subdivision Works Certificate, a draft positive covenant prepared by a registered surveyor must be provided to and approved in writing by Director – City Development (or delegate) of Shoalhaven City Council. The Instrument must apply to all affected lots and contain a provisions that cannot be varied, modified or released without the consent of the relevant parties as appropriate and without the consent of the Shoalhaven City Council. The positive covenant must stipulate that: a) No development other than environmental protection works may take place within the conservation area on proposed lot 13 b) The approved Bushland Management Plan is to be implemented in its entirety in relation to the conservation lots, Lot 13 and Lot 14. c) Hollow bearing trees within lots 3, 5, 10, 11 and 12 as shown in Appendix 1 of the Arboricultural Impact	To ensure the required positive covenant is appropriately worded and that it is registered on the land title.

	<p>Assessment by Advanced Treescape Consulting must be retained, unless deemed unsafe by a Level 5 Arborist. This includes Tree 1 on Lot 3, Tree 2 on Lot 5, Trees 3, 4 and 5 on Lot 10, Tree 6 on Lot 11 and Tree 7 on Lot 12.</p> <p>d) The erection of a dwelling on Lots 10, 11 and 12 is restricted to the building envelopes shown on the approved Vegetation Retention Plan.</p> <p>Upon endorsement by Council, the positive covenant must be registered with NSW Land Registry Services or the appropriate land registration body at the time of registration.</p> <p>Details of the Covenant must be indicated on the Certificate of Title for the land.</p>	
<b>87.</b>	<p><b>Landscape Design Plan</b></p> <p>Before the issue of a Subdivision Works Certificate, landscaping design plans and specifications must be prepared by a suitably qualified person and approved by Council.</p> <p>The landscape design plan must:</p> <ul style="list-style-type: none"> <li>a) provide street trees as follows: <ul style="list-style-type: none"> <li>i) at the rate of one tree of minimum 60 litre pot size located centrally to each lot</li> <li>ii) each tree is to be protected by a braced structure comprising 4 timber posts with 75mm x 75mm minimum dimensions and bordered by 100mm x 25mm treated pine edging.</li> <li>iii) root barriers are to be placed between the trees and above or below ground civil infrastructure to a minimum depth of 1.0 metre, at least twice the pot size away from the tree and extend along the service for a minimum length of half the mature drip line.</li> </ul> </li> <li>b) Include the following details: <ul style="list-style-type: none"> <li>i) All existing and proposed infrastructure including underground services.</li> <li>ii) Existing site conditions (contours, vegetation, drainage, etc).</li> <li>iii) Approximate location and description of structures and vegetation on adjacent property.</li> <li>iv) Vegetation to be retained including isolated trees or habitat of ecological significance.</li> <li>v) All trees and other vegetation in road reserves are to be removed unless specifically identified to be retained.</li> <li>vi) Trees in unformed road reserves, existing or proposed public/drainage reserve areas or pathways and within lots are to be assessed by an arborist and those identified as being dangerous are to be removed.</li> </ul> </li> </ul>	To ensure the subdivision is suitably landscaped

	<p>Assessment for removal is to be made on the grounds of being of risk to public or private property or persons.</p> <p>vii) Replacement trees for any trees removed from public reserves.</p> <p>viii) Protective fencing.</p> <p>ix) Type of grass seed or turf to be used (Council prefers Australian native grasses in rural developments and adjacent to natural areas in urban developments.</p> <p>x) Botanic and common names of plantings (and cultivar name if applicable).</p> <p>xi) Size in litres when planted and mature height and spread.</p> <p>xii) Years to maturity (to determine possible restriction to sight distance at intersections and other locations as necessary).</p> <p>xiii) Hard landscaping details.</p>	
<b>88.</b>	<p><b>Existing Infrastructure</b></p> <p>Before the issue of a Subdivision Works Certificate, all infrastructure, existing and proposed, is to be shown accurately on the engineering plans including longitudinal sections with clearances clearly labelled confirming that the proposed works do not affect any existing infrastructure. Any required alterations to infrastructure will be at the developer's expense.</p>	To ensure ongoing compliance.
<b>89.</b>	<p><b>Erosion and Sediment Controls - Soil and Water Management Plans</b></p> <p>Before the issue of a Subdivision Works Certificate, a Soil and Water Management Plan and specifications must be prepared in accordance with Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) by a Professional Engineer, (as defined in the National Construction Code) to the satisfaction of the Certifier.</p> <p>All plans must include:</p> <ol style="list-style-type: none"> <li>Area proposed to be exposed to the possibility of erosion as used in calculations;</li> <li>Site access locations and stabilisation details and restrictions;</li> <li>Erosion and sediment control locations and types;</li> <li>Soil, water and drainage patterns and management plans;</li> <li>Location of vegetated buffer strips, unstable slopes, boggy areas, and restricted "no access" areas;</li> <li>Nature and extent of proposed clearing, excavation and filling;</li> <li>Approximate location and proposed treatment of haul roads, borrow pits, site sheds and stockpiles;</li> </ol>	To ensure an appropriate Soil and Water Management Plan has been prepared.



	<ul style="list-style-type: none"> <li>h) Proposed staging of construction and SWMP measures;</li> <li>i) Inspection and maintenance program for all soil and water management measures;</li> <li>j) Disposal site for silt removed from sediment traps;</li> <li>k) All design criteria and calculations used to size erosion and sediment control measures;</li> <li>l) Site rehabilitation details including frequency of watering;</li> <li>m) Identification of existing vegetation and site revegetation to have 70% cover established before plan is decommissioned;</li> <li>n) Existing and final contours (clearly distinguished and adequately annotated);</li> <li>o) Standard construction drawings for proposed soil, water and drainage management measures.</li> </ul> <p>All implemented measures must ensure that a pollution incident must not occur as defined by the Protection of the Environment Operations Act (POEO).</p> <p>All implemented measures must:</p> <ul style="list-style-type: none"> <li>a) not cause water pollution as defined by the Protection of the Environment Operations Act (POEO).</li> <li>b) be maintained at all times.</li> <li>c) not be decommissioned until at least 70% revegetation cover has been established.</li> </ul> <p>Before the issue of a Construction Certificate, a Soil and Water Management Plan must be prepared by a Professional Engineer, (as defined in the National Construction Code) to the satisfaction of the Certifier.</p>	
<b>90.</b>	<p><b>Shared Path – Design Standards</b></p> <p>Before the issue of a construction certificate, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The plans must include a cycleway and footpath design plan which complies with the following:</p> <ul style="list-style-type: none"> <li>a) Councils Engineering Design Specifications Section D8 – Cycleway and Footpath Design.</li> <li>b) A 2.0 metre-wide shared user path along the Depot Rd frontage. The path must be appropriately offset to the property boundary and be capable of accommodating safe sight distances for future driveways as well as accommodating safe clearance distances from infrastructure and objects adjacent to the path (such as power poles).</li> <li>c) A 2.0 metre-wide concrete footpath constructed from the development to the next intersection beyond the</li> </ul>	To ensure appropriate design is undertaken

	<p>immediate frontage of the development, namely to Olympic Drive, to provide adequate connection from the development to public transport.</p> <p>d) A 1.5m footpath constructed along the southern side of Albert Street and extending through to the proposed multi-dwelling development.</p> <p>e) Shared paths in the locations demonstrated on the submitted Engineering Plans prepared by Colliers (Ref No. 407-22, Rev F, dated 14.10.2024).</p> <p>i) Alignment to minimise disturbance to vegetation and be approved by Council.</p> <p>ii) 3% cross fall.</p> <p>iii) Longitudinal section demonstrating compliance with Council's Engineering Design Specifications.</p> <p>iv) Kerb ramps at intersections in accordance with Council's Engineering Design Specifications.</p> <p>f) Concrete footpaths with:</p> <p>i) 3% cross fall from the boundary to top of kerb.</p> <p>ii) Kerb ramps at intersections in accordance with Council's Engineering Design Specifications.</p>	
<b>91.</b>	<p><b>Earthworks - Site Filling Design Standards</b></p> <p>Before the issue of a subdivision works certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The filling specification must be approved by Council and require all allotment filling to be placed in accordance with AS 3798 Guidelines on earthworks for commercial and residential developments and compacted at least to the minimum relative compaction listed in the standard applicable to the type of development / subdivision.</p>	To ensure appropriate measures are undertaken
<b>92.</b>	<p><b>Retaining Walls – Design Standards</b></p> <p>Before the issue of a Subdivision Works Certificate for approved retaining walls exceeding 600mm in height above ground level (existing) and/or within 1m of a property boundary, detailed design plans must be prepared and submitted to the Certifier for approval.</p> <p>The retaining walls must satisfy the following:</p> <p>a) For retaining walls exceeding 600mm in height above natural ground level (existing) a professional engineer has certified the retaining walls as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load; and</p>	To ensure retaining walls are appropriately designed.

	<p>b) For retaining walls less than 600mm in height above natural ground level (existing) the Certifier must be satisfied that the retaining walls are structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load.</p> <p>c) Retaining walls, footings and drainage must be contained wholly within the development site.</p> <p>d) Construction within a registered easement is prohibited.</p> <p>Retaining walls not shown on the approved plan must meet the criteria for Exempt retaining walls and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> or be approved by way of Complying Development before construction and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	
<b>93.</b>	<p><b>Road Lighting Design</b></p> <p>Before the issue of a Subdivision Works Certificate, the developer must request a Public Lighting Design Brief from Council as per the requirements of the authority (Endeavour Energy).</p>	To ensure appropriate design is undertaken
<b>94.</b>	<p><b>Structural Design – Major Structures</b></p> <p>Before the issue of a Subdivision Works Certificate, a detailed structural design for the following works must be certified professional engineer, (as defined in the National Construction Code) and approved by Council.</p> <p>a) Bridges and other major drainage structures, including pre-cast concrete culverts, headwalls, wing walls and stormwater pits / structures that require steel reinforcement.</p> <p>The structural design must comply with the Council's Engineering Design Specification – Chapter 3 – Structures/Bridge Design and relevant Australian Standards.</p>	To ensure appropriate design is undertaken
<b>95.</b>	<p><b>Stormwater – Major Development Design Standards (Urban)</b></p> <p>Before the issue of a Subdivision Works Certificate, certified engineering design plans, specifications, and DRAINS model (or approved alternative) must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p>	To ensure appropriate design is undertaken

	<p>The stormwater drainage design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Major and minor drainage systems in accordance with Council's Engineering Design Specifications - Section D5 - Stormwater Drainage Design and utilising Australian Rainfall and Runoff (ARR, 2019) Guidelines.</li> <li>b) The minor and major systems must be designed for a 18.13% AEP and 1% Annual Exceedance Probability (AEP) rainfall events, respectively.</li> <li>c) Generally, in accordance with the Civil Engineering Plans by Colliers, 407-22, Rev F, dated 14.10.2024.</li> <li>d) Where a pipe drains a public road through land adjoining the road, the pipe is to be designed to cater for the 1% AEP event with an overland flow path to provide for bypass/surcharge in the event of the pipe or pit inlet being 50% blocked.</li> <li>e) The existing stormwater drainage system is to be adjusted to suit the new works. In this regard the following is required: <ul style="list-style-type: none"> <li>i) existing drainage systems are to be assessed for condition and capacity, and upgraded where necessary if found to be in unsuitable condition or of inadequate capacity to contain flows in accordance with Council's Engineering Design Specifications - Section D5.04.</li> <li>ii) all relevant calculations are to be noted on the drainage plans to confirm the adequacy of the existing system, or the upgraded design.</li> </ul> </li> <li>f) Overland flow of stormwater from land upslope of Proposed Lot 7 is to be addressed.</li> <li>g) Design of stormwater drainage is to include piping, swales and easements to facilitate future development of the site.</li> </ul>	
<b>96.</b>	<p><b>External Fencing Design Standards</b></p> <p>Before the issue of a Subdivision Works Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The fence design must:</p> <ul style="list-style-type: none"> <li>a) Prevent unauthorised vehicle and pedestrian access between the boundary of the subject site and the adjoining Crown Land or existing / proposed public reserve.</li> <li>b) Be to a minimum standard of galvanised steel post and wire fence or similar product as otherwise approved by Council.</li> <li>c) Be approved by Council.</li> </ul>	To ensure fencing is appropriately designed

97.	<p><b>Bioretention Basin Access - Design Standards</b></p> <p>Before the issue of a Subdivision Works Certificate, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The access design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Council's Engineering Design Standard Drawings.</li> <li>b) The Amended Concept Civil Works Plans – Prepared by Colliers, Ref. No: 407-22C-DA-0003 to 0903, Rev. E, dated 11/10/2024.</li> <li>c) Ensure stormwater runoff is not concentrated on to adjoining lots.</li> </ul>	
98.	<p><b>Road - Design Standards (Urban)</b></p> <p>Before the issue of a Subdivision Works Certificate, certified road design engineering plans for Depot Road must be prepared by a suitably qualified engineer or surveyor and approved by Council. The road design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Councils Engineering Design Specifications Sections D1 – Geometric Road Design and D2 – Flexible Pavement Design.</li> <li>b) AUSTROADS Design Requirements and Specifications.</li> <li>c) Integral upright kerb and gutter / layback kerb and gutter in accordance with Council's Standard Drawings with alignment as shown on the Amended Concept Civil Works Plans – Prepared by Colliers, Ref. No: 407-22C-DA-0003 to 0903, Rev. E, dated 11/10/2024.</li> <li>d) Give-way signage and linemarking to be provided at the Lyndon Crescent / Depot Road intersection.</li> <li>e) Staggered side road signage to be provided on Depot Road for both the northern (Z-W2-8(R)) and southern (Z-W2-8(L)) approaches of the intersections along Depot Road, spaced from the intersections as required by Australian Standards or as agreed by Council.</li> <li>f) A road shoulder pavement constructed from the gutter crossing to 300mm beyond the edge of existing bitumen seal on a pavement having a minimum compacted thickness of 300mm and either: <ul style="list-style-type: none"> <li>a. a minimum 30mm AC10 on a primer seal; or,</li> <li>b. 2 coat bitumen seal with 14mm &amp; 7mm aggregate</li> </ul> </li> <li>g) The kerb and gutter must have a minimum grade of 0.5% and the longitudinal design must extend a</li> </ul>	

	<p>minimum of 30 metres each end of the development and at least 60m if the grade is <math>&lt;0.5\%</math> or <math>\geq 0.3\%</math>.</p> <p>h) The road table drain either side of the proposed development is to be reconstructed as required to match the kerb and gutter and to prevent ponding of water, including any adjustment or reconstruction of nearby driveways.</p> <p>i) Subsoil drainage is to be provided behind the kerb line where an outlet to existing underground drainage (or other alternative suitable to Council) is available. Subsoil drainage is to be placed on the high side of the road or both sides if the cross-fall is neutral.</p> <p>j) Any variations to the above standards due to existing site constraints must first be approved by Council.</p>	
<b>99.</b>	<p><b>Road - Design Standards (Greenfield Subdivision)</b></p> <p>Before issue of a Subdivision Works Certificate, certified road design engineering plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The road design must comply with the following:</p> <p>a) Council's Engineering Design Specifications sections D1 – Geometric Road Design and D2 – Flexible Pavement Design.</p> <p>b) AUSTRROADS Design Requirements and Specifications.</p> <p>c) Avoid trapped low points and ensure that overland flow is passed safely over public land.</p> <p>d) Cater for the turning movements of the 8.8m medium rigid vehicle as the design vehicle, and 12.5m heavy rigid vehicle as the checking vehicle.</p> <p>e) Integral kerb and gutter, in accordance with Council's Standard Drawings.</p> <p>f) Subsoil drainage behind the kerb line on the high side of the road or both side if the cross fall is neutral or the road is in cut.</p>	To ensure appropriate designs are prepared before works commence.
<b>100.</b>	<p><b>Traffic Committee</b></p> <p>Before issue of a subdivision works certificate details of proposed traffic management and traffic control devices must be submitted to the satisfaction of Council for referral and endorsement of the Shoalhaven Traffic Committee.</p> <p>Note: This process can take six to eight weeks.</p>	To ensure appropriate designs are prepared before works commence and relevant approval(s) are obtained.

101.	<p><b>Traffic Signage</b></p> <p>To ensure traffic safety, the following signage must be provided:</p> <ul style="list-style-type: none"> <li>a) Give way signage, warning signage, and linemarking at the proposed intersection of Albert Street and Depot Road.</li> <li>b) Staggered side road signage to be provided on Depot Road for both the northern (Z-W2-8(R)) and southern (Z-W2-8(L)) approaches of the intersections along Depot Road, spaced from the intersections as required by Australian Standards or as agreed by Council.</li> <li>a) Such signage must be demonstrated on plans submitted to Council and the certifier prior to the release of any Subdivision Works Certificate for approval.</li> </ul>	To ensure appropriate signage
102.	<p><b>Water Sensitive Urban Design - Water Quality, Retention and Reuse</b></p> <p>Before issue of a Subdivision Works Certificate, an Amended Integrated Water Cycle Management Strategy (IWCMS) and detailed design of permanent water quality, retention and reuse devices must be designed and certified by a professional engineer, (as defined in the National Construction Code) who can demonstrate the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and is to be approved by Council. Specifications can be found on Council's website.</p> <p>The stormwater treatment, retention and reuse design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Amended Concept Civil Works Plans – Prepared by Colliers, Ref. No: 407-22C-DA-0003 to 0903, Rev. E, dated 11/10/2024.</li> <li>b) No stormwater infrastructure is permitted in land zoned as Environmental Conservation without Council approval.</li> <li>c) Rainwater tanks in accordance with BASIX requirements.</li> <li>d) The WSUD strategy must be able to remove 80% of Total Suspended Solids (TSS), 45% of Total Nitrogen (TN) and 45% of Total Phosphorus (TP) for the total site area as demonstrated using MUSIC software. The detailed MUSIC model must be provided to Council for acceptance. NOTE: These targets apply to all other areas not covered by item d) above. Delete either item d) or e) as required.</li> <li>e) Council's DCP Chapter G2 – Section 5.1.4 – Onsite Detention requirements.</li> </ul>	To ensure stormwater infrastructure is designed appropriately.

103.	<p><b>Water Sensitive Urban Design – Bioretention Basins</b></p> <p>Before issue of a Subdivision Works Certificate, a detailed design of bioretention basin stormwater quality improvement devices must be certified by a professional engineer, (as defined in the National Construction Code) who can demonstrate the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and is to be approved by Council. Specification can be found on Council's website.</p> <p>The bioretention basin design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) A graduated trash rack configuration is required to prevent litter overtopping the trash rack if it becomes fully blocked. The trash rack must be designed to retain litter greater than 40mm for flows up to the 4 EY event. The invert of the trash rack must be located above the permanent water level of the sediment basin.</li> <li>b) The sediment forebay must be designed to capture "coarse" sediment before entering the bioretention basin.</li> <li>c) The bioretention basin must have a 300mm maximum extended detention depth (EDD). The saturated hydraulic conductivity must be between 100 and 300mm/hour, with a 100mm/hour value adopted for design in MUSIC.</li> <li>d) Erosion protection must be provided in the sediment forebay and bioretention basin inlet and outlets locations, in accordance with Council's Engineering Design Specification.</li> <li>e) The bioretention basin must be designed in accordance with the latest version of the Adoption Guidelines for Stormwater Biofiltration Systems (CRC for Water Sensitive Cities) and Facility for Advancing Water Biofiltration (FAWB) Guidelines or a demonstrated equivalent approved by Council.</li> <li>f) The bioretention basin must be established offline from inflows until it is fully established.</li> <li>g) Land must be retained around the stormwater system to allow Council to access stormwater infrastructure and conduct maintenance activities. A minimum 3m average width buffer around the stormwater devices (measured from the top of batter) are required for access, landscaping and safety requirements unless an alternative setback is approved by Council. All surfaces with a grade steeper than 1V:4H must be planted.</li> <li>h) Batter slopes for the sediment forebay and bioretention basin that are steeper than 1V:6H, including vertical</li> </ul>	To ensure the basin has been appropriately designed
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	<p>retaining walls, are not permitted unless approved by Council. In the case that the above requirements cannot be met, the basin is to be fenced with a fencing design approved by Council.</p> <p>i) A vehicle access ramp must be provided to all trash rack and sediment forebay treatment devices for maintenance and operation requirements, such as debris, litter and sediment removal. Access slopes for maintenance vehicles should not exceed 1V:12H for trucks and 1V:5H for excavators and other maintenance vehicles. Access turnings paths must be demonstrated to comply with AS2890.2 for a medium rigid vehicle (MRV).</p> <p>j) Landscape details for the bioretention basin and surrounds are to be included on the Landscape Plan and submitted to Council for approval.</p> <p>k) Stormwater detention is to be provided above the bioretention basin footprint. The maximum permitted depth of stormwater detention above the treatment EDD is 500mm. Stormwater bypass flows above the 1 EY event can only enter the OSD storage after the treatment EDD has been filled but the bioretention device must be able to fully drain within 24 hours. The DRAINS model (or approved alternative software accepted by Council) must be provided to Council for acceptance of the OSD modelling.</p> <p>l) Councils Engineering Design Specification where relevant.</p> <p>m) All variations to the above requirements are to be approved by Council's Development Manager.</p>	
<b>104.</b>	<p><b>Water Sensitive Urban Design Operation and Maintenance Manual</b></p> <p>Adopted WSUD Management, Operation, Maintenance and Monitoring Manual/s for the permanent water quality facilities must be submitted to Council prior to issue of the Subdivision Works Certificate. The manuals must be prepared by a suitably qualified professional in accordance with the objectives and criteria identified in the approved Integrated Water Cycle Management Plan.</p>	To ensure appropriate designs are prepared before works commence.
<b>105.</b>	<p><b>Water Sensitive Urban Design Checklists</b></p> <p>Compliance checklists are to be prepared by the WSUD Designers and submitted to Council before the issue of the relevant Subdivision Works Certificate. The checklists must incorporate all checks and certifications that are required to be carried out during the civil construction phase, asset protection</p>	To ensure appropriate designs are prepared before works commence

	phase, landscape practical completion phase and final compliance inspection before final handover.	and that checks and balances are observed during construction to handover phases.
<b>106.</b>	<b>Relocation of Water Main</b> a) A Plan must be submitted to Council prior to the release of the Subdivision Works Certificate, demonstrating the relocation of the existing water main along the Depot Rd and Albert St frontages. b) The Plan must <ul style="list-style-type: none"> <li>i. permit consistency with the approved engineering plans prepared by Colliers (Ref No. 407-22, rev F, dated 14<sup>th</sup> October 2024).</li> <li>ii. Be consistent with Shoalhaven Water standards and guidelines.</li> </ul> c) Written agreement must be provided from Council's Shoalhaven Water Section that the layout meets their requirements, in order to demonstrate compliance with this condition.	To ensure water infrastructure is suitably located
<b>SUBDIVISION WORK</b> <b>Before Subdivision Work Commences</b>		
<b>CONDITIONS</b>		<b>REASON</b>
<b>107.</b>	<b>Works within the Road Reserve – Submissions to Council</b> Before undertaking any works within an existing road reserve, the developer must obtain the consent of Council under <i>section 138 of the Roads Act, 1993</i> . The following details must be submitted to Council as part of the application: <ul style="list-style-type: none"> <li>a) Any civil works design required by this consent.</li> <li>b) Evidence of the contractor's Public Liability Insurance to an amount of \$20 million.</li> <li>c) Name and contact information of the person responsible for all relevant works.</li> <li>d) A Traffic Control Plan prepared, signed, and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation.</li> </ul>	To ensure ongoing compliance.

	Where the Traffic Control Plan requires a reduction of the speed limit, a 'Application for Speed Zone Authorisation' must be obtained from the relevant road authority.	
<b>108.</b>	<p><b>Construction Traffic Management Plan</b></p> <p>Before the commencement of works, a Construction Traffic Management Plan detailing the proposed method of dealing with construction traffic and parking must be approved by Council.</p> <p>Details must include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a) Stabilised site construction access location</li> <li>b) Proposed haulage routes for delivery of materials to the site</li> <li>c) Proposed haulage routes for spoil disposal from the site</li> <li>d) Traffic control planning for each of the various phases of construction and/or vehicle movements associated with construction</li> <li>e) Parking arrangements for construction employees and contractors</li> <li>f) Proposed maintenance of the haulage routes and access locations</li> <li>g) Name of the person responsible for such maintenance</li> <li>h) Loading / unloading areas</li> <li>i) Requirements for construction or work zones</li> <li>j) Pedestrian and cyclist safety</li> <li>k) Speed zone restrictions.</li> </ul>	To ensure ongoing compliance.
<b>109.</b>	<p><b>Dilapidation Report</b></p> <p>Before the commencement of work, the developer must engage a competent person to prepare a dilapidation report in respect of the neighbouring premises and adjacent public infrastructure, including adjacent kerbs, gutters, footpaths (formed or unformed), driveways (formed or unformed), carriageway, reserves, street trees, and the like to document evidence of any existing damage.</p> <p>The dilapidation report must consider the impact of any excavation work that extends below the level of the base of the footings of any structure within 0.9metres of the shared boundary.</p> <p>Before works commence, a copy of the dilapidation report must be provided to the Certifier and Council. The dilapidation report will be the benchmark for necessary repairs to damage caused during the development works. All repairs must be completed by the developer at the developer's cost.</p>	To ensure ongoing compliance.

	<p>Not less than seven (7) days before works commence, the developer must notify the owner of any affected property of the intention to carry out approved works. The developer must also furnish the owner with details of the approved work.</p> <p>However, if the occupier or owner of any neighbouring dwelling does not permit reasonable access for the purposes for the preparation of the dilapidation report, written evidence of the efforts taken to secure access may be submitted to the <i>Principal Certifier</i> and the <i>Principal Certifier</i> may waive the requirement in relation to the relevant property.</p> <p>Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.</p>	
<b>SUBDIVISION WORK</b> <b>During Subdivision Work</b>		
CONDITIONS		REASON
<b>110.</b>	<p><b>Stormwater - CCTV Inspection of Stormwater Pipes</b></p> <p>Before the completion of works, all stormwater pipes within road reserves and within drainage easements intended to be dedicated to Council must be inspected by CCTV and submitted to the Certifier for approval. The CCTV must be carried out in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia Version 3.1 after all earthworks and adjacent road pavement works have been completed.</p> <p>Damaged pipes must either be replaced or repaired to the satisfaction of the Certifier before the issue of a Subdivision Certificate.</p>	To ensure the appropriate approvals and inspections are undertaken.
<b>111.</b>	<p><b>Street Signs</b></p> <p>Before the completion of works, the developer must ensure that street name signs and posts are erected at all street intersections in accordance with Council approved street names as detailed in <a href="#">Council's standard drawings</a> and the requirements of Council's <a href="#">Development Construction Specifications C262 Signposting</a>.</p>	To ensure consistency street name signs and posts.
<b>112.</b>	<p><b>Earthworks - Cut, Fill and Grading</b></p> <p>The maximum grading of cut or fill must be 2H:1V where there is no retaining wall or no other method of stabilising cut or fill during construction. Earthworks and retaining walls must be constructed as per the approved plans.</p>	

<b>113. Earthworks - Filling</b>	<p>Before the completion of works, the developer must ensure that the following requirements are met in relation to lot filling:</p> <ul style="list-style-type: none"> <li>a) The site supervisor must ensure that all fill outside the allotment areas must be placed in accordance with Council's Engineering Construction Specification.</li> <li>b) Must be performed under Level 1 supervision by a professional engineer, (as defined in the National Construction Code).</li> <li>c) A Level 1 Supervision Report is to be approved by Council before the release of the Subdivision Certificate.</li> <li>d) Obtain a lot classification, in accordance with AS 2870 Residential slabs and footings, of no worse than 'H'; a lot classification must be submitted to Council before the release of the Subdivision Certificate.</li> <li>e) Any fill must: <ul style="list-style-type: none"> <li>i) have a maximum batter of 25% (1v:4h) at any location.</li> <li>ii) not encroach onto adjoining land.</li> <li>iii) not cause the diversion or concentration of natural overland stormwater runoff onto adjoining property.</li> <li>iv) be protected against erosion, with measures incorporated in the erosion and sediment control plan.</li> </ul> </li> <li>f) include adjustment of services (manholes, inter-allotment drainage, etc.) in the scope of works.</li> </ul>	To ensure lot filling is undertaken in accordance with best practice.
<b>114. Stormwater - Overland Flow, Redirecting and/or Concentrating Stormwater</b>	<p>All excavation, backfilling and landscaping works must not result in:</p> <ul style="list-style-type: none"> <li>a) any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff must be collected and directed to a legal point of discharge.</li> <li>b) the redirection and/or concentration of stormwater flows onto neighbouring properties.</li> </ul>	To ensure ongoing compliance.
<b>SUBDIVISION WORK</b> <b>Before the Issue of a Subdivision Certificate</b>		
CONDITIONS		REASON
<b>115. Subdivision Certificate</b>		To ensure appropriate building and

	A Subdivision Certificate must be obtained from Council or an accredited certifier prior to lodgement of the Final Plan of Survey with NSW Land Registry Services.	Subdivision Certificates are obtained.																												
116.	<b>Subdivision – Schedule of Compliance</b> A Subdivision Certificate must not be issued until all relevant conditions of development consent have been met or other satisfactory arrangements have been made with Council (i.e. a security). A schedule of compliance in table format must be submitted with any application for a Subdivision Certificate. The schedule must provide evidence of how all relevant conditions of development consent have been fulfilled.	To ensure conditions of consent have been satisfied or other satisfactory arrangements made.																												
117.	<b>Native vegetation clearance - Prior to Subdivision Certificate</b> All clearing required for the building envelope and APZ to be completed in accordance with the approved plans and building envelopes for Lots 10, 11 and 12 clearly demarcated prior to the issue of a subdivision certificate.	To ensure clearing occurs in accordance with approved plans																												
118.	<b>Stormwater – On-Site Disposal – Evidence of Completion</b> Before the issue of a Subdivision Certificate, the Certifier must be satisfied that all on-site stormwater disposal systems have been installed in accordance with any relevant condition of consent and the requirements of the National Construction Code.																													
119.	<b>Local Infrastructure Contribution – Subdivision</b> This development will generate a need for the additional services and/or facilities described in Shoalhaven Contributions Plan 2019 and itemised in the following table(s): <i>Lots 6 to 12</i> <table><tr><th>Project</th><th>Description</th><th>Rate</th><th>Qty</th><th>Total</th><th>GST</th><th>GST Incl</th></tr><tr><td>01AREC 5006</td><td>Northern Shoalhaven Sports Stadium</td><td>\$821.55</td><td>6.00</td><td>\$4,929.30</td><td>\$0.00</td><td>\$4,929.30</td></tr><tr><td>01AREC 5007</td><td>Nowra Swimming Pool Expansion (Scenic Drive)</td><td>\$637.12</td><td>6.00</td><td>\$3,822.72</td><td>\$0.00</td><td>\$3,822.72</td></tr><tr><td>01AREC 5009</td><td>Planning Area 1 recreational facilities</td><td>\$860.00</td><td>6.00</td><td>\$5,160.00</td><td>\$0.00</td><td>\$5,160.00</td></tr></table>	Project	Description	Rate	Qty	Total	GST	GST Incl	01AREC 5006	Northern Shoalhaven Sports Stadium	\$821.55	6.00	\$4,929.30	\$0.00	\$4,929.30	01AREC 5007	Nowra Swimming Pool Expansion (Scenic Drive)	\$637.12	6.00	\$3,822.72	\$0.00	\$3,822.72	01AREC 5009	Planning Area 1 recreational facilities	\$860.00	6.00	\$5,160.00	\$0.00	\$5,160.00	To ensure applicable local infrastructure contributions are collected.
Project	Description	Rate	Qty	Total	GST	GST Incl																								
01AREC 5006	Northern Shoalhaven Sports Stadium	\$821.55	6.00	\$4,929.30	\$0.00	\$4,929.30																								
01AREC 5007	Nowra Swimming Pool Expansion (Scenic Drive)	\$637.12	6.00	\$3,822.72	\$0.00	\$3,822.72																								
01AREC 5009	Planning Area 1 recreational facilities	\$860.00	6.00	\$5,160.00	\$0.00	\$5,160.00																								

	upgrades (various locations)						
01CFAC 5012	Nowra Integrated Youth Services Centre (Cnr Kingshorne & Plunkett Streets)	\$35.18	6.00	\$211.08	\$0.00	\$211.08	
01ROAD 0150	Roundabout s - Yalwal Road/Ranno ch Drive and Yalwal Road/Lightw ood Drive	\$1,136.91	6.00	\$6,821.46	\$0.00	\$6,821.46	
01ROAD 0152	Traffic signals and associated works at intersection of Albatross / Yalwal Roads.	\$364.34	6.00	\$2,186.04	\$0.00	\$2,186.04	
CWARE C5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	\$2,266.62	6.00	\$13,599.72	\$0.00	\$13,599.72	
CWCFA C5002	Shoalhaven Entertainme nt Centre (Bridge Road Nowra)	\$1,713.07	6.00	\$10,278.42	\$0.00	\$10,278.42	
CWCFA C5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,502.37	6.00	\$9,014.22	\$0.00	\$9,014.22	
CWCFA C5007	Shoalhaven Regional Gallery	\$82.48	6.00	\$494.88	\$0.00	\$494.88	
CWFIRE 2001	Citywide Fire & Emergency services	\$162.05	6.00	\$972.30	\$0.00	\$972.30	
CWFIRE 2002	Shoalhaven Fire Control Centre	\$237.08	6.00	\$1,422.48	\$0.00	\$1,422.48	
CWMGM T3001	Contributio ns Managemen	\$673.90	6.00	\$4,043.40	\$0.00	\$4,043.40	

	t & Administrati on						
Sub Total:						\$62,956.02	
GST Total:						\$0.00	
Estimate Total:						\$62,956.02	
<b>Lots 1 to 5</b>							
Project	Description	Rate	Qty	Total	GST	GST Incl	
01AREC 5006	Northern Shoalhaven Sports Stadium	\$821.55	5.00	\$4,107.75	\$0.00	\$4,107.75	
01AREC 5007	Nowra Swimming Pool Expansion (Scenic Drive)	\$637.12	5.00	\$3,185.60	\$0.00	\$3,185.60	
01AREC 5009	Planning Area 1 recreational facilities upgrades (various locations)	\$860.00	5.00	\$4,300.00	\$0.00	\$4,300.00	
01CFAC 5012	Nowra Integrated Youth Services Centre (Cnr Kinghorne & Plunkett Streets)	\$35.18	5.00	\$175.90	\$0.00	\$175.90	
01ROAD 0150	Roundabout s - Yalwal Road/Ranno ch Drive and Yalwal Road/Lightw ood Drive	\$1,136.91	5.00	\$5,684.55	\$0.00	\$5,684.55	
01ROAD 0152	Traffic signals and associated works at intersection of Albatross / Yalwal Roads.	\$364.34	5.00	\$1,821.70	\$0.00	\$1,821.70	
CWARE C5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	\$2,266.62	5.00	\$11,333.10	\$0.00	\$11,333.10	



	<table><tr><td>CWCFA C5002</td><td>Shoalhaven Entertainment Centre (Bridge Road Nowra)</td><td>\$1,713.07</td><td>5.00</td><td>\$8,565.35</td><td>\$0.00</td><td>\$8,565.35</td></tr><tr><td>CWCFA C5006</td><td>Shoalhaven City Library Extensions (Berry Street, Nowra)</td><td>\$1,502.37</td><td>5.00</td><td>\$7,511.85</td><td>\$0.00</td><td>\$7,511.85</td></tr><tr><td>CWCFA C5007</td><td>Shoalhaven Regional Gallery</td><td>\$82.48</td><td>5.00</td><td>\$412.40</td><td>\$0.00</td><td>\$412.40</td></tr><tr><td>CWFIRE 2001</td><td>Citywide Fire &amp; Emergency services</td><td>\$162.05</td><td>5.00</td><td>\$810.25</td><td>\$0.00</td><td>\$810.25</td></tr><tr><td>CWFIRE 2002</td><td>Shoalhaven Fire Control Centre</td><td>\$237.08</td><td>5.00</td><td>\$1,185.40</td><td>\$0.00</td><td>\$1,185.40</td></tr><tr><td>CWMGM T3001</td><td>Contributions Management &amp; Administration</td><td>\$673.90</td><td>5.00</td><td>\$3,369.50</td><td>\$0.00</td><td>\$3,369.50</td></tr><tr><td colspan="5">Sub Total:</td><td colspan="2">\$52,463.35</td></tr><tr><td colspan="5">GST Total:</td><td colspan="2">\$0.00</td></tr><tr><td colspan="5">Estimate Total:</td><td colspan="2">\$52,463.35</td></tr><tr><td colspan="7"><p>The total contribution, identified in the above table(s) or as indexed in future years, must be paid to Council prior to the issue of a Construction Certificate. Evidence of payment must be provided to the Certifying Authority.</p><p>The Contributions Plan 2019 can be accessed on Councils website <a href="http://www.shoalhaven.nsw.gov.au">www.shoalhaven.nsw.gov.au</a> or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.</p><p>Note: There are also provisions that may apply with respect to the timing of payments. See: Environmental Planning and Assessment (Local Infrastructure Contributions - Timing of Payments) Direction 2020 (nsw.gov.au)</p></td></tr></table>	CWCFA C5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	\$1,713.07	5.00	\$8,565.35	\$0.00	\$8,565.35	CWCFA C5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,502.37	5.00	\$7,511.85	\$0.00	\$7,511.85	CWCFA C5007	Shoalhaven Regional Gallery	\$82.48	5.00	\$412.40	\$0.00	\$412.40	CWFIRE 2001	Citywide Fire & Emergency services	\$162.05	5.00	\$810.25	\$0.00	\$810.25	CWFIRE 2002	Shoalhaven Fire Control Centre	\$237.08	5.00	\$1,185.40	\$0.00	\$1,185.40	CWMGM T3001	Contributions Management & Administration	\$673.90	5.00	\$3,369.50	\$0.00	\$3,369.50	Sub Total:					\$52,463.35		GST Total:					\$0.00		Estimate Total:					\$52,463.35		<p>The total contribution, identified in the above table(s) or as indexed in future years, must be paid to Council prior to the issue of a Construction Certificate. Evidence of payment must be provided to the Certifying Authority.</p> <p>The Contributions Plan 2019 can be accessed on Councils website <a href="http://www.shoalhaven.nsw.gov.au">www.shoalhaven.nsw.gov.au</a> or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.</p> <p>Note: There are also provisions that may apply with respect to the timing of payments. See: Environmental Planning and Assessment (Local Infrastructure Contributions - Timing of Payments) Direction 2020 (nsw.gov.au)</p>							
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120.	<b>Completion of Public Utility Services</b> Before the issue of the relevant Occupation Certificate / Subdivision Certificate, confirmation must be obtained from the	To ensure required changes to																																																																						

	<p>relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.</p>	<p>public utility services are completed, in accordance with the relevant agency requirements, before occupation.</p>
<p><b>121. Subdivision – Provision of Utility Services</b></p>	<p>Before the issue of a Subdivision Certificate, utility services must be provided in accordance with the following:</p> <ul style="list-style-type: none"> <li>a) The provision of electricity to service allotments and street lighting in the subdivision must be in accordance with the requirements of Endeavour Energy who are to confirm in writing that conditions of supply have been met.</li> <li>b) The submission of a Telecommunications Infrastructure Provisioning Confirmation from an approved telecommunications carrier to the Certifier or Council (as applicable) confirming that satisfactory arrangements have been made for the provision of telecommunication services to all individual lots.</li> <li>c) A Certificate of Compliance under Section 307 of Division 5 of Part 2 of Chapter 6 of the <i>Water Management Act 2000</i> must be obtained to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance must be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Water Development Notice and before the issue of a Strata Certificate, as the case may be.</li> <li>d) If development is to be completed in approved stages or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.</li> </ul> <p>Note: Relevant details, including monetary contributions (where applicable) under the Water Management Act 2000, are given on the attached Notice issued by Shoalhaven Water. For further information and clarification regarding the above please contact Shoalhaven Water's Development Unit on (02) 4429 3547.</p>	<p>To ensure utilities and services are appropriately provided.</p>

<p><b>122.</b></p>	<p><b>Restrictions – Easements and Restrictions on Use of Land</b></p> <p>An Instrument must be prepared under section 88B of the Conveyancing Act 1919 which will provide for the following Restrictions on the land when the subdivision is registered:</p> <ul style="list-style-type: none"> <li>a) all existing easements must be acknowledged on the final subdivision plan.</li> <li>b) all existing restriction on the use of land must be acknowledged on the final subdivision plan.</li> <li>c) Where there is shared infrastructure, landscaping, structures, and the like, arrangements must be made for access and maintenance.</li> </ul> <p>The Instrument must contain a provision that it cannot be varied, modified or released without the consent of the relevant parties as appropriate and without the consent of the Shoalhaven City Council.</p> <p>The Instrument must not contain any restriction that prohibits development on the site allowed under the relevant environmental planning instruments.</p> <p>A draft 88B Instrument must be submitted to the Certifier for approval before a Subdivision Certificate is issued.</p>	<p>To ensure restrictions and easements are registered on the title of the land where required.</p>
<p><b>123.</b></p>	<p><b>Restrictions – Right of Footway</b></p> <p>At the issue of a subdivision certificate a suitably worded instrument for 2.5m wide Right of Footway must be created pursuant to section 88 of the Conveyancing Act 1919 over the proposed Lot 10, 11 and 12 as depicted on the plan titled Bushfire Mitigation Plan prepared SET Consultants dated 19th November 2024 to ensure the Rural Fire Service has clear and unobstructed access to the interface with proposed Lot 13.</p> <p>The restriction shall note:</p> <ul style="list-style-type: none"> <li>a) The Right of Footway must remain unobstructed by fencing, and any storage of materials. If gates are installed, they are to remain unlocked, other than at public road entrance.</li> <li>b) The side of the Right of Footway interfacing proposed Lot 13 can only be fenced by post and wire fencing.</li> <li>c) Permitted gates at public road entrances shall be locked using a key/lock system authorised by the NSW Rural Fire Service Shoalhaven District Fire Control.</li> </ul> <p>Name of authority empowered to release, vary or modify the instrument shall be Shoalhaven City Council. The benefiting party will be the Rural Fire Service.</p>	<p>To ensure suitable restrictions are imposed.</p>

<p><b>124. Restrictions on Lot 12 – Bushfire</b></p>	<p>At the issue of subdivision certificate, a restriction to the land use pursuant to section 88B of the 'Conveyancing Act 1919' must be placed on proposed Lot 12 identifying the building envelope as depicted on the plan titled Bushfire Mitigation Plan prepared SET Consultants dated 19th November 2024. The restriction must limit the habitable portions of any dwelling on proposed Lot 12 to that nominated building envelope.</p> <p>The restriction shall note:</p> <ul style="list-style-type: none"> <li>a) The building envelope identified was determined based on the NSW RFS Short Fire Run Policy, methodology and associated modelling under Planning for Bush Fire Protection 2019.</li> <li>b) Any future dwelling must be designed and constructed to comply with sections 3 and 7 (BAL 29) of Australian Standard 3959 'Construction of buildings in bushfire prone areas' or equivalent requirements of the NASH Standard – Steel Framed Construction in Bushfire Areas. Construction must also comply with the construction requirements in Section 7.4 of Planning for Bush Fire protection 2019.</li> <li>c) A 1.8m radiant heat shield (colourbound fence), must be installed and maintained in perpetuity along the southern boundary, as depicted on the plan titled Bushfire Mitigation Plan prepared SET Consultants dated 19<sup>th</sup> October 2024.</li> </ul> <p>Name of authority empowered to release, vary or modify the instrument shall be Shoalhaven City Council.</p>	<p>To ensure bushfire measures are maintained in perpetuity</p>
<p><b>125. Restrictions on Lots 1, 7, 8, 10 and 11 – Bushfire</b></p>	<p>At the issue of subdivision certificate, a restriction to the land use pursuant to section 88B of the 'Conveyancing Act 1919' must be placed on proposed Lots 1, 7, 8, 10 and 11 identifying the building envelopes as depicted on the plan titled Bushfire Mitigation Plan prepared SET Consultants dated 19th November 2024. The restriction must limit the habitable portions of any dwelling on proposed Lots 1, 7, 8, 10 and 11 to the nominated building envelope and outside of the BAL 29 offset. The restriction shall note that any future dwelling must be designed and constructed to comply with sections 3 and 7 (BAL 29) of Australian Standard 3959 'Construction of buildings in bushfire prone areas' or equivalent requirements of the NASH Standard – Steel Framed Construction in Bushfire Areas. Construction must also comply with the construction requirements in Section 7.4 of Planning for Bush Fire protection 2019.</p>	

	Name of authority empowered to release, vary or modify the instrument shall be Shoalhaven City Council.	
<b>126.</b>	<p><b>Restriction on Lots 13 and 15 – Bushfire</b></p> <p>A restriction to the land use pursuant to section 88B of the 'Conveyancing Act 1919' must be registered on proposed Lots 13 and 15 to ensure that no residential development can occur on either proposed lot unless a compliant building envelope (29 kW/m<sup>2</sup> or less) is established and demonstrated.</p> <p>In respect of lot 15, the restriction is to include provision that it is to be lifted where the Depot Road Reserve comes into the ownership of the owner of lot 15.</p> <p>In respect of lot 15, no restriction is required if the Depot Road Reserve is already owned by the Applicant prior to the issue of any subdivision certificate.</p>	
<b>127.</b>	<p><b>Restrictions – Bushfire</b></p> <p>This condition amends the approved plans.</p> <p>At the issue of subdivision certificate, a restriction to the land use pursuant to section 88B of the 'Conveyancing Act 1919' must be placed on proposed Lots 1- 12 identifying</p> <ul style="list-style-type: none"> <li>a) that fencing must comprise Colourbond or other non-combustible material approved by the Council.</li> <li>b) That the 10/50 vegetation clearing scheme does not apply to the land</li> </ul>	
<b>128.</b>	<p><b>Subdivision Certificate &amp; Restrictions – Asset Protection Zone</b></p> <p>At the issue of a subdivision certificate and in perpetuity, the entirety proposed Lots 1 – 12 must be managed as an inner protection area in accordance with the requirements of condition 18 and Appendix 4 of Planning for Bush Fire Protection 2019. A covenant under 88B is to be registered requiring compliance with those requirements.</p>	To ensure the property is managed to an APZ standard
<b>129.</b>	<p><b>Subdivision Certificate &amp; Restrictions – Asset Protection Zone – Lot 15</b></p> <p>At the issue of a subdivision certificate and in perpetuity, the entirety proposed Lot 15 must be managed as an inner protection area in accordance with the requirements of condition 18 and Appendix 4 of Planning for Bush Fire Protection 2019. A covenant under 88B is to be registered requiring compliance with those requirements.</p>	To ensure the property is managed to an APZ standard

	<p>The restriction is to include provision that it is to be lifted where the Depot Road Reserve comes into the ownership of the owner of lot 15.</p> <p>No restriction is required if the Depot Road Reserve is already owned by the Applicant prior to the issue of any subdivision certificate.</p>	
<b>130.</b>	<p><b>Repair of Infrastructure</b></p> <p>Before the issue of a subdivision certificate,</p> <ul style="list-style-type: none"> <li>a) any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council, or</li> <li>b) if the works in (a) are not carried out to council's satisfaction, council may carry out the works required and the costs of any such works must be paid as directed by council and in the first instance will be paid using the security deposit required to be paid under this consent.</li> </ul>	To ensure any damage to public infrastructure is rectified
<b>131.</b>	<p><b>Completion of landscape and tree works</b></p> <p>Before the issue of a subdivision certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.</p>	To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s)
<b>132.</b>	<p><b>Street Numbering</b></p> <p>Street numbering must comply with the State Governments Comprehensive Property Addressing System (CPAS), and Council's Property Address Numbering Policy.</p> <p>The allocated numbers must be shown on any engineering/construction plans where applicable. Where plans and details are provided to service suppliers, numbers must be in accordance with the above.</p>	To ensure consistent and appropriate street numbering.
<b>133.</b>	<p><b>Post-construction dilapidation report</b></p> <p>Before the issue of an Occupation Certificate a post-construction dilapidation report must be prepared by a suitably qualified</p>	To identify any damage to adjoining

	<p>engineer, to the satisfaction of the Principal Certifier, detailing whether:</p> <ul style="list-style-type: none"> <li>a) after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and</li> <li>b) where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent, and</li> <li>c) a copy of the post-construction dilapidation report must be provided to council (where council is not the principal certifier, or a principal certifier is not required) and to the relevant adjoining property owner(s).</li> </ul>	properties resulting from site work on the development site
<b>134.</b>	<p><b>Retaining Walls – Certification</b></p> <p>Before the issue of an Occupation Certificate, certification must be provided to the Certifier prepared by a professional engineer, (as defined in the National Construction Code), certifying that retaining walls:</p> <ul style="list-style-type: none"> <li>a) within 1m of the property boundary or</li> <li>b) exceeding 1m in height above ground level (existing) or</li> <li>c) adjacent to proposed drainage easements,</li> <li>d) are constructed in accordance with the approved engineering design plans.</li> </ul> <p>The Certifier must be satisfied that all retaining walls have been constructed in accordance with the relevant retaining wall plans and specifications, and in accordance with the requirements of any other conditions of this consent.</p> <p>Note: This condition does not prevent a partial Occupation Certificate to be issued for the parts of the development that have been completed.</p>	To ensure retaining walls have been constructed appropriately.
<b>135.</b>	<p><b>Dilapidation Report (Minor) – Evidence of Completion</b></p> <p>Before the issue of an Occupation Certificate, the developer must provide the Certifier and Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer to the satisfaction of Council.</p>	To ensure any damage not previously identified in the Dilapidation Report is suitably repaired.
<b>136.</b>	<p><b>Verification of Works</b></p>	To ensure compliance with the approval.

	<p>Before the issue of the Subdivision Certificate, the developer is to provide the following documentation to the Certifier for approval:</p> <ul style="list-style-type: none"> <li>a) Notification from the developer verifying that all subdivisions works have been constructed in accordance with the approved plans and construction specifications.</li> <li>b) Written evidence from a suitably qualified landscape professional that all landscape works have been completed in accordance with the approved landscape plans.</li> <li>c) Completion of Works within the Road Reserve notification letter from Council.</li> <li>d) Certification from Council or an accredited certifier to verify that all inspections required by the Certifier have been completed in accordance with the approved plans and construction specifications.</li> <li>e) A structural certificate from a professional engineer, (as defined in the National Construction Code) submitted to Council to certify that all structural elements have been constructed in accordance with the approved plans and relevant Australian Standards.</li> <li>f) Level 1 Supervision Report and Lot Classification Report.</li> <li>g) Final pavement tests to confirm material depth and compaction complies with the pavement design.</li> </ul>	
<b>137.</b>	<p><b>Subdivision - Works as Executed</b></p> <p>Before the issue of the Subdivision Certificate, Works as Executed Plans must be prepared by a registered surveyor / professional engineer, (as defined in the National Construction Code) and be submitted to council and the Certifier demonstrating compliance with the approved design plans.</p> <p>The Works as Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans and comply with the following requirements:</p> <ul style="list-style-type: none"> <li>a) Council's Development Engineering Construction Specification.</li> <li>b) Show compliance with the approved design plans of all road and drainage works.</li> <li>c) Certify that all storm water pipes, and other services are wholly within an appropriate easement.</li> <li>d) Show the extent, depth and final levels of filling.</li> <li>e) Show any retaining walls including footings and agricultural drainage lines.</li> <li>f) Show the location of all underground service conduits.</li> <li>g) Include all deviations from the approved Civil Engineering Plans.</li> </ul>	To ensure compliance with the approval.



138.	<p><b>Subdivision - Maintenance Bond for Civil Works</b></p> <p>Before the issue of the Subdivision Certificate, the developer must submit a cash bond or irrevocable bank guarantee equal to 5% of the cost of the civil works (excluding water supply and sewerage) to Council to provide security and assurance that the developer will repair any defective works or re-establish ground cover where this has not been maintained, for a 12-month maintenance period.</p>	To ensure the developer repairs any impacts.
139.	<p><b>Dedication via plan of subdivision</b></p> <p>The Plan of Subdivision to be registered must give effect to</p> <ul style="list-style-type: none"> <li>a) the dedication of Proposed Lot 14 to the Council for use as a stormwater detention;</li> <li>b) the dedication of the development roads to the Council</li> </ul>	To give effect to the SEE and dedication of land and assets on registration of the subdivision
140.	<p><b>Maintenance Period of WSUD Devices</b></p> <p>The developer is responsible for all maintenance of the stormwater infrastructure; including trash racks, GPT devices, sediment basins / forebays, constructed wetlands, bioretention basins, water quality ponds, infiltration basins, swales etc for a period of 3 years up until Council's acceptance that the WSUD devices and associated stormwater assets are of a satisfactory condition at the end of the 3-year maintenance period.</p> <p>Approaching hand over at the conclusion of the 3-year maintenance period, a site meeting with Council must be arranged by the developer. The objective of the meeting will be to identify any outstanding actions that require rectification by the developer before asset hand over. Annual reports documenting implementation measures and containing all monitoring results are to be submitted to Council during this phase.</p>	
141.	<p><b>Handover of WSUD Assets to Council</b></p> <p>The following conditions are required to be met for WSUD devices to be handed over to Council.</p> <ul style="list-style-type: none"> <li>a) The WSUD infrastructure has been designed and constructed in accordance with Council guidelines, the approved design drawings, and specifications.</li> <li>b) All WSUD infrastructure has been maintained in accordance with the approved WSUD Operation and Maintenance Manual. This includes but is not limited to, the removal of all sediment and litter from trash racks /</li> </ul>	

	GPT devices, removal of any weeds and reinstatement of any dead or unhealthy plants.	
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## General advisory notes

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

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

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

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

## Dictionary

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

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

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

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

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

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

**Council** means Shoalhaven City Council.

**Court** means the NSW Land and Environment Court.

**EPA** means the NSW Environment Protection Authority.

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

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

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

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

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

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

**Stormwater drainage system** means all works and facilities relating to:

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

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