

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application Number	DA2025/1446
Applicant	Allen Price Pty Ltd
Description of development	Educational Establishment – demolition of existing shed, 2 new dormitory buildings, multi-purpose pavilion, alterations and additions to Halloran house and shed, upgrades to an existing shed including a bushfire refuge, carparking, on-site sewerage management, perimeter road to provide for emergency access and bushfire vehicle access and landscaping works.
Property	453 Culburra Road WOLLUMBOOLA 441 Culburra Road WOLLUMBOOLA Lot 1 DP 1017929 Lot 2 DP 1017929 Lot 7 DP 1141006
Determination	Approval
Date of determination	[#Consent Start Date#]
Date from which the consent operates	[#Consent Start Date#]
Date on which the consent lapses	[#Consent End Date#]

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

Reasons for Grant of Consent

- a) The development proposal, subject to the recommended conditions is consistent with:
- i) the objects of the Environmental Planning and Assessment Act, 1979.
 - ii) the aims, objectives and provisions of the applicable environmental planning instruments,
 - iii) the aims, objectives and provisions of applicable development control plans
 - iv) the aims, objectives and provisions of relevant Council policies.
- b) The likely impacts of the proposed development are considered acceptable.
- c) The site is suitable for the proposed development.

- d) Any submissions received during the public notification period have been considered and issues and concerns raised by the community in submissions have been addressed in the assessment.
- e) The proposed development does not conflict with the public interest.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

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

Rights to appeal

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

Dictionary

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

Person on behalf of the consent authority

Name

Delegated Authority

City Development

Terms and Reasons for Conditions

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

GENERAL CONDITIONS						
CONDITIONS					REASON	
1.	Approved plans and supporting documentation Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				To ensure compliance with the approved plans and documents.	
	Approved Plans					
	Plan Number	Revision Number	Plan Title	Drawn by		Date of Plan
	.S-01	6	Site Plan	Baxter & Jacobson Architects		11/09/25
	.S-02	6	Site Works Plan	Baxter & Jacobson Architects		11/09/25
	.S-03	6	Site Detail Plan - Dorms	Baxter & Jacobson Architects		11/09/25
	.S-04	6	Site Analysis Plan	Baxter & Jacobson Architects		11/09/25
	.S-06	6	Sediment, Erosion Control & Waste Management Plan	Baxter & Jacobson Architects		11/09/25
	B1-01	6	B1 – Ground Floor Plan	Baxter & Jacobson Architects		11/09/25
	B1-02	6	B1 – First Floor Plan	Baxter & Jacobson Architects		11/09/25
	B1-03	6	B1 – Roof Plan	Baxter & Jacobson Architects		11/09/25

B1-10	6	B1 Elevations -	Baxter & Jacobson Architects	11/09/25
B1-11	6	B1 Elevations -	Baxter & Jacobson Architects	11/09/25
B1-20	6	B1-Sections	Baxter & Jacobson Architects	11/09/25
B1-21	6	B1 Sections -	Baxter & Jacobson Architects	11/09/25
B2-01	6	B2 – Ground Floor Plan	Baxter & Jacobson Architects	11/09/25
B2-02	6	B2 – First Floor Plan	Baxter & Jacobson Architects	11/09/25
B2-03	6	B2 – Roof Plan	Baxter & Jacobson Architects	11/09/25
B2-10	6	B2 Elevations -	Baxter & Jacobson Architects	11/09/25
B2-11	6	B2 Elevations -	Baxter & Jacobson Architects	11/09/25
B2-20	6	B2 Sections -	Baxter & Jacobson Architects	11/09/25
B2-21	6	B2 Sections -	Baxter & Jacobson Architects	11/09/25
HH-01	6	HH - Floor Plan	Baxter & Jacobson Architects	11/09/25
HH-02	6	HH – Floor and Roof Plan	Baxter & Jacobson Architects	11/09/25
HH-10	6	HH Elevations -	Baxter & Jacobson Architects	11/09/25

HH-11	6	HH – Elevations & Section	Baxter & Jacobson Architects	11/09/25
P-01	6	P – Floor Plan	Baxter & Jacobson Architects	11/09/25
P-02	6	P- Roof Plan	Baxter & Jacobson Architects	11/09/25
P-10	6	P - Elevations	Baxter & Jacobson Architects	11/09/25
P-11	6	P – Elevations & Section	Baxter & Jacobson Architects	11/09/25
RS-01	6	RS – Floor Plan	Baxter & Jacobson Architects	11/09/25
RS-02	6	R1 – Roof Plan	Baxter & Jacobson Architects	11/09/25
RS-10	6	RS - Elevations	Baxter & Jacobson Architects	11/09/25
RS-11	6	RS - Elevations	Baxter & Jacobson Architects	11/09/25
RS-20	6	RS Sections -	Baxter & Jacobson Architects	11/09/25
-	-	Finishes Schedule	Baxter & Jacobson Architects	28/11/24
L-GI-AI-01	B	General Information Sheet	Urban Landscape Projects	28/03/25
L-LP-A1	B	Landscape Plan	Urban Landscape Projects	28/03/25
L-PP-A1-01	B	Planting Plan	Urban Landscape Projects	28/03/25

L-PP-A1-02	B	Planting References	Urban Landscape Projects	28/03/25
C002	D	Stormwater Layout Plan	MI Engineers	27/08/25
C002	A	Stormwater Plan	MI Engineers	17/12/24
C003	C	Stormwater Catchment Plan	MI Engineers	25/03/24
C005	D	Erosion & Sediment Control Plan	MI Engineers	27/08/25
N25837-401	P1	Detail – Engineering Layout	Allen Price Pty Ltd	03/04/25
N25837-402	P1	Longsections and Cross-Sections Plan	Allen Price Pty Ltd	03/04/25
N25837-403	P1	Typical Details Plan	Allen Price Pty Ltd	03/04/25
N25837-404	P1	Vehicle Movements Plan	Allen Price Pty Ltd	03/04/25
N25837-405	P1	Vehicle Movements Plan	Allen Price Pty Ltd	03/04/25
N25837-406	P1	Vehicle Movements Plan	Allen Price Pty Ltd	03/04/25

Approved Documents			
Document title	Version number	Prepared by	Date of document
Aboriginal Cultural Heritage Assessment	P0063024	Urbis	15/12/25
Integrated Water Cycle Management Strategy	24P00242.R01 – Issue 2	MI Engineers	24/08/25

	Emergency Response Plan	Issue A	The Scots College	17/09/25	
	Arboriculture Impact Assessment Report	-	Gummifera	19/11/24	
	Bushfire Hazard Assessment Report	REF 7005BF	Harris Environmental Consulting	28/11/24	
	In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.				
2.	Existing Infrastructure Any required alterations or damage to infrastructure will be at the developer's expense. <i>Note: It is recommended prior to the issue of a Construction Certificate, all infrastructure, existing and proposed, is to be shown accurately on construction plans with clearances clearly labelled confirming that the proposed works do not affect any existing infrastructure. This will reduce the potential for unexpected costs and expenses.</i>				To ensure existing infrastructure is accounted for and any damage to infrastructure is suitably repaired.
3.	Prescribed Conditions The development must comply with Part 4, Division 2, Subdivision 1, of the <i>Environmental Planning and Assessment Regulation 2021</i> , as applicable.				To ensure compliance with prescribed conditions.
4.	Scope of Consent The scope of this consent is limited to only the works proposed in this application, and it does not approve or imply approval of any existing unlawful works that may be present on the site.				To establish the scope of the development consent.
5.	Shoalhaven Water – Compliance with Conditions All conditions listed on the Shoalhaven Water Development Notice at each stage of work must be complied with as relevant to that stage. Written notification must be issued by Shoalhaven Water and evidence provided to the Certifier for each applicable stage.				To ensure compliance with Shoalhaven Water requirements.
6.	Aboriginal Cultural Heritage Report The recommendations made in the Aboriginal Cultural Heritage Assessment, Reference No: P0063024, dated 15				To ensure the protection of objects of potential

	December 2025 are included as conditions of this consent and must be complied with.	significance during works.
7.	Surrender of Consent Prior to any works commencing, the consent relating to RA13/1001 - Lot 2 DP 1017929 (No.453) Culburra Road, Wollumboola – Educational Establishment – School Building and Associated Infrastructure must be surrendered by submitting an application for <u>Surrender of Consent or Existing Use Right – Voluntary Application</u> to Council in accordance with the <i>Environmental Planning and Assessment Regulation 2021</i>.	To ensure the affected development consent is surrendered.
8.	Concurrence and Referral – Department of Primary Industries and Regional Development The advice/General Terms of Approval issued by the Department of Primary Industries and Regional Development, Reference No: D25/41710, dated 5 June 2025 are included as conditions of this consent and must be complied with.	To ensure compliance with external concurrence and referral advice.
9.	Concurrence and Referral – NSW Rural Fire Service The advice/General Terms of Approval issued by the NSW Rural Fire Service, Reference No: CNR-82083, dated 16 June 2025 are included as conditions of this consent and must be complied with.	To ensure compliance with external concurrence and referral advice.
10.	Concurrence and Referral – Endeavour Energy The advice/General Terms of Approval issued by the Endeavour Energy, Reference No: CNR-82083, dated 19 May 2025 are included as conditions of this consent and must be complied with.	To ensure compliance with external concurrence and referral advice.
11.	Concurrence and Referral – Department of Planning and Environment - Water The advice/General Terms of Approval issued by the Department of Planning and Environment - Water, Reference No: IDAS-2025-10338, dated 10 July 2025 are included as conditions of this consent and must be complied with.	To ensure compliance with external concurrence and referral advice.
12.	Concurrence and Referral – Department of Planning Industry and Environment – Crown Lands The advice/General Terms of Approval issued by the Department of Planning Industry and Environment – Crown	To ensure compliance with external concurrence

	Lands, Reference No: CM10 Ref:25/00157#39 dated 28 May 2025 are included as conditions of this consent and must be complied with.	and referral advice.
DEMOLITION WORK Before Demolition Work Commences		
CONDITIONS		REASON
13.	Demolition – Asbestos Removal Asbestos removal must be carried out in accordance with <u>AS2601-2 SafeWork NSW – Code of Practice, Demolition Work [ISBN 978-0-642-78415-5]</u> and as applicable, by a person holding the relevant licence issued by SafeWork NSW. A licence is not required to remove less than 10m² of non-friable asbestos, provided that the total amount of non-friable asbestos removed from the lot does not exceed 10m². Asbestos must be taken for disposal to the licensed Waste Management Facility identified in the approved Waste Management Plan. Post asbestos removal and before further work on the site, the following must be submitted to the Certifier: a) A clearance certificate issued by a licensed asbestos assessor or competent person as required by the <i>Work, Health and Safety Regulation 2017</i> for the specific type of asbestos removal work confirming that the area has been cleaned satisfactorily and is safe to be re-occupied for normal use. a) A clearance certificate is required if the removal work involved any quantity of friable asbestos, or if it involved removal of more than a total of 10 square metres of non-friable asbestos from the lot. b) Documentary evidence of the legitimate disposal of all asbestos in the form of tip receipts from an approved waste management facility. Seven (7) days before the commencement of any demolition works involving asbestos, all immediate neighbours must be notified in writing of the intention to carry out asbestos demolition works. Copies of these written notifications should be retained and submitted to Council	To ensure demolition works are carried out appropriately.

14.	Erosion and Sediment Controls – Implementation 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).	To ensure appropriate erosion and sediment control measures are in place.
DEMOLITION WORK During Demolition Work		
CONDITIONS		REASON
15.	Demolition - Completion of Works Demolition work, once commenced, must be completed within three (3) months.	To ensure demolition works are completed within an acceptable timeframe.
16.	Demolition – Standards Demolition work must be carried out in accordance with all applicable Australian Standards and SafeWork Code of Practice.	To ensure demolition works are carried out appropriately.
BUILDING WORK Before Issue of a Construction Certificate		
CONDITIONS		REASON
17.	Council Approvals - Evidence A Construction Certificate / Subdivision Works Certificate must not be issued until the Certifier has received notification from, or evidence of, any Council approval that is required before the commencement of building works.	To ensure all required approvals are obtained.
18.	Access for People with a Disability Access for people with a disability must be provided to the proposed Pavilion building (including the stage) to comply with the objectives of the Disability Discrimination Act.	To ensure appropriate disabled

	Before the issue of a Construction Certificate, detailed plans and specifications must be provided to the satisfaction of the Certifier, detailing how the buildings will comply with Access for People with a Disability in the National Construction Code (NCC) in force at the date of issue of the Construction Certificate.	access is provided.
19.	Erosion and Sediment Controls - Erosion and Sediment Control Plan 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. All plans must include: c) Site access location and stabilisation details and restrictions; d) Erosion control locations and types; e) Sediment control locations and types; f) Soil, water and drainage management plans; g) Site rehabilitation details; h) Inspection and maintenance details; i) Identification of existing vegetation and site revegetation to have 70% cover established before plan is decommissioned; j) Existing and final contours (clearly distinguished and adequately annotated); k) Standard construction drawings for proposed soil, water and drainage management measures. l) All implemented measures must ensure that a pollution incident must not occur as defined by the Protection of the Environment Operations Act (POEO). All implemented measures must: a) not cause water pollution as defined by the Protection of the Environment Operations Act (POEO). b) be maintained at all times. c) not be decommissioned until at least 70% revegetation cover has been established.	To ensure an appropriate Erosion and Sediment Control Plan has been prepared.

20.	Car Parking Design Standards Prior to the issue of a Construction Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The car parking and access design must comply with the following: a) Generally, in accordance with the approved plans b) AS2890.1 and AS2890.6 where applicable. c) Pavement design to be undertaken by a suitably qualified geotechnical engineer including assessment and adoption of ESA loading appropriate for the largest vehicles anticipated to access the site (i.e. 14.5m bus and HRV) in accordance with AS2890.1, AS2890.2 and Council's Engineering Design Specification D2. d) Bordered in accordance with Council's Standard Drawings by: i) concrete kerbing, except where surface runoff is concentrated, in which case concrete integral kerb and gutter must be constructed. ii) a concrete edge strip (min 150mm wide and 300mm deep).	To ensure carparking has been appropriately designed.
21.	Local Transport Forum Before issue of a Construction Certificate, details of proposed traffic management and traffic control devices must be submitted to the satisfaction of Council for referral and endorsement of the Shoalhaven Local Transport Forum. These plans must be provided with sufficient detail, including all relevant dimensions (such as road widths, travel lane widths, typical sections with dimensions of proposed traffic control devices, positioning and locations of signage, lengths and offsets for linemarking) and a matrix of all signage, linemarking and traffic control devices, to demonstrate compliance to relevant Australian Standards. <u>Note:</u> This process can take six to eight weeks.	To ensure proposed traffic management and traffic control devices are endorsed by the Local Transport Forum.

22.	Road – Design Standards (Existing Rural) Before the issue of a Construction 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: a) Provide a Basic Right Turn (BAR) and a Rural Auxiliary Left-Turn Treatment – Short Turn Lane (AUL(s)) intersection treatment opposite the site entry, in accordance with Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections and Council's Engineering Design Specifications - Section D2 - Flexible Pavement Design, having a compacted pavement depth of 200mm minimum, subject to geotechnical testing. b) The longitudinal design must have a minimum grade of 1% and must extend a minimum of 30 metres each end of the development and further if necessary, to ensure the proposed works will be compatible with the existing and future pavement grades. c) Table drains impacted by the works are to be regraded to align with the new road pavement and ensure consistent passage of overland stormwater flows.	To ensure road and pavement infrastructure is appropriately designed.
23.	Driveway Design Standards (Rural) 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 driveway design must comply with the following: a) Council's Engineering Design Standard Drawings. b) Driveway crossing constructed using a bitumen sealed or concrete pavement with a compacted pavement thickness designed for 1x10⁶ ESA (200mm minimum) must be constructed 6 metres wide (minimum) at the property boundary and splayed at the pavement edge line to incorporate the proposed intersection turning treatment and largest vehicle expected to enter and exit the site accordingly. c) The driveway and internal access road must be widened to demonstrate compliance for the swept path turning movements of a 12.5m bus, 14.5m bus and HRV design vehicle to and from the site, ensuring the full wheel tracking envelope is contained within the road.	To ensure road and pavement infrastructure is appropriately designed.

	d) Pipe culvert or gutter crossing at the table drains in accordance with Standard Drawing 2637-35. e) Indented rural access at the approved driveway location in accordance with Council's Engineering Specification Plan D1.21 which must: i) ensure that the largest expected vehicle does not overhang the public road travel lane. ii) be a minimum of 3.5 metres wide at the gate and configured to accommodate a minimum distance of 13 metres between the gate and the table drain or 15 metres to the road shoulder if there is no table drain. iii) have the same standard of construction from the road alignment to the gate as is required for the driveway crossing. iv) be fenced where the remainder of the road property boundary is fenced.	
24.	Stormwater – Car Park Drainage Design Standards Before the issue of a Construction Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The stormwater drainage design must comply with the following: a) The approved stormwater concept plans prepared by MI Engineers (Plan No: 24P00242, Rev C) on 17th December 2024 b) Major and minor drainage systems in accordance with Council's Engineering Design Specifications - Section D5 - Stormwater Drainage Design. c) The minor and major systems must be designed for a 10% AEP and 1% AEP rainfall events, respectively.	To ensure stormwater infrastructure is designed appropriately.
25.	Stormwater – Major Development Design Standards (Rural) Before the issue of a Construction Certificate, certified engineering design plans, specifications, and DRAINS model (or an approved alternative) must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.	To ensure stormwater infrastructure is designed appropriately.

	The stormwater drainage design for any table drains and culverts within the site must comply with the following: a) Major and minor drainage systems in accordance with Council's Engineering Design Specifications - Section D5 - Stormwater Drainage Design and utilising Australian Rainfall and Runoff (ARR, 2019) Guidelines. b) Designed for a minimum 10% AEP rainfall event. Table drains must not have a depth of flow for the 18.13% AEP higher than the bottom of the road pavement. c) Maximum batter grades for table drains must be maximum 1:4 towards the edge of shoulder and towards the property boundary. d) Be protected against erosion by the provision of: i) For grades <5%: a uniform trapezoidal cross section placed with 75-100mm of topsoil, track machine rolled, fertilised and grass seeded with suitable native species. ii) For grades 5 to 10%: a uniform trapezoidal cross section placed with 75-100mm of topsoil with a layer of Jutemaster TM, Fire Mulch or equivalent product. iii) For grades >10%: be uniformly shaped and lined with concrete, rock and cement grout or spraycrete or similar approved treatment. The road bitumen seal for grades $\geq 12\%$ is to be widened to the edge of the lining. e) Withstand the pressure of the maximum AEP stored upstream before the culvert/roadway is overtopped. f) Resist scour and erosion within the table drains and the roadway/driveway caused by overtopping of any culvert. g) Where culverts are 1m high or greater (roadway to invert) they are to be provided with guard rail in accordance with Australian Standards.	
26.	Stormwater – On-Site Detention Design Standards Before the issue of a Construction Certificate, details of on-site detention must be provided on the Construction Certificate plans and approved by the Certifier. On-site detention must be provided as per certified engineering design plans and specifications prepared by a professional engineer, (as defined in the National Construction Code) or surveyor. The on-site stormwater detention (OSD) design must be designed such that stormwater runoff from the	To ensure stormwater infrastructure is designed appropriately.

	site for design storm events up to and including the 1% AEP does not exceed the pre-developed conditions.	
27.	Water Sensitive Urban Design – Private Devices Before the issue of a Construction Certificate, detailed design of permanent stormwater quality improvement devices must be certified by a professional engineer, (as defined in the National Construction Code) demonstrating the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and approved by the Council's Development Manager (or delegate). Specifications can be found on Council's web site. The drainage design must also not include any uncoated metal (i.e. Copper etc.) surfaces such as roofs, facades and/or downpipes.	To ensure stormwater infrastructure is designed appropriately.
28.	Water Sensitive Urban Design - Water Quality, Retention and Reuse Before issue of a Construction Certificate, a detailed design of permanent water quality, retention and reuse 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's Development Manager (or delegate). Specifications can be found on Council's website. The stormwater treatment, retention and reuse design must comply with the following: - The approved stormwater concept plans prepared by MI Engineers (Plan No: 24P00242, Rev C) on 17th December 2024, and demonstrate compliance with the following further requirements. - No stormwater infrastructure is permitted in land zoned as Environmental Conservation without Council approval. - The WSUD strategy must be able to remove 80% of Total Suspended Solids (TSS), 45% of Total Nitrogen (TN) and 65% 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. - The WSUD strategy must have appropriate stormwater retention storage that is equal to or greater than 8mm for increases in all impervious surfaces compared to the pre-development condition.	To ensure stormwater infrastructure is designed appropriately.

	e) The 50% AEP pre-development peak discharge must be maintained. f) The post-development duration of stream forming flows must be no greater than a stream erosion index of 2.	
29.	Water Sensitive Urban Design – Vegetated Swale Before issue of a Construction Certificate, a detailed design of vegetated swale 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's Development Manager (or delegate). Specification can be found on Council's website. The vegetated swale design must comply with the following: a) Side slopes of 1:8 are preferred with a 1:5 maximum side slope permitted. b) Minimum longitudinal grade of 1%. c) Maximum longitudinal grade of 5% unless a steeper grade is approved by Council. d) Maximum Velocity x Depth product of 0.3 m²/s. Calculations are to be provided to Council. e) Council's Engineering Design Specification where relevant. f) Where vegetated swales are designed as infiltration swales; the in-situ soil profile, depth to groundwater, measured infiltration rate (in device location) and details of any potentially contaminated soil and/or groundwater must be submitted.	To ensure stormwater infrastructure is designed appropriately.
30.	Water Sensitive Urban Design - Operation and Maintenance Manual Adopted WSUD Management, Operation, Maintenance and Monitoring Manual/s for the permanent water quality facilities must be submitted to Council before the issue of the Construction Certificate. The manuals must be prepared by a suitably qualified professional in accordance with the objectives and criteria identified in the Integrated Water Cycle Management Plan and other relevant documents.	To ensure stormwater infrastructure is designed appropriately.
31.	Earthworks - Site Filling Design Standards Before the issue of a Construction Certificate, certified engineering design plans and specifications must be prepared	To ensure site filling is

	by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. 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.	designed appropriately.																												
32.	Onsite Wastewater Before the issue of a Construction Certificate, an application for installation of an on-site sewage management system must be approved by Council under section 68 of the <i>Local Government Act 1993</i>. The application must be consistent with the Soil and Site Assessment for Onsite Wastewater Disposal prepared by Harris Consulting dated November 18 2024 Reference 6905WW and include the following details: a) Detailed site specific design of the effluent disposal mounds and subsurface irrigation area. The design of the effluent irrigations areas shall be in accordance with the NSW Onsite Wastewater Guidelines and AS/NZS 1547:2012. b) Detailed site plan with all components of the system identified, including the location of all filters, valves and distribution lines. c) The operation and maintenance requirements of the sewage management facility. The location and construction details of any stormwater and flow path diversion berms required by the onsite wastewater report.	To ensure required approval is obtained.																												
33.	Local Infrastructure Contribution 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): <table><tr><th>Project</th><th>Description</th><th>Rate</th><th>Qty</th><th>Total</th><th>G ST</th><th>GST Incl</th></tr><tr><td>CWFIRE 2001</td><td>Citywide Fire & Emergency services</td><td>\$165.78</td><td>9.57</td><td>\$1,586.51</td><td>Nil</td><td>\$1,586.51</td></tr><tr><td>CWFIRE 2002</td><td>Shoalhaven Fire Control Centre</td><td>\$242.53</td><td>9.57</td><td>\$2,321.01</td><td>Nil</td><td>\$2,321.01</td></tr><tr><td>CWMGM T3001</td><td>Contributions Management & Administration</td><td>\$390.75</td><td>1.00</td><td>\$390.75</td><td>Nil</td><td>\$390.75</td></tr></table> Sub Total: GST Total: Estimate Total: \$4,298.27 \$0.00 \$4,298.27	Project	Description	Rate	Qty	Total	G ST	GST Incl	CWFIRE 2001	Citywide Fire & Emergency services	\$165.78	9.57	\$1,586.51	Nil	\$1,586.51	CWFIRE 2002	Shoalhaven Fire Control Centre	\$242.53	9.57	\$2,321.01	Nil	\$2,321.01	CWMGM T3001	Contributions Management & Administration	\$390.75	1.00	\$390.75	Nil	\$390.75	To ensure applicable local infrastructure contributions are collected.
Project	Description	Rate	Qty	Total	G ST	GST Incl																								
CWFIRE 2001	Citywide Fire & Emergency services	\$165.78	9.57	\$1,586.51	Nil	\$1,586.51																								
CWFIRE 2002	Shoalhaven Fire Control Centre	\$242.53	9.57	\$2,321.01	Nil	\$2,321.01																								
CWMGM T3001	Contributions Management & Administration	\$390.75	1.00	\$390.75	Nil	\$390.75																								

	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. The Contributions Plan 2019 can be accessed on Councils website www.shoalhaven.nsw.gov.au or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla. <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>	
34.	Long Service Levy 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.
35.	Retaining Walls – Design Standards Before the issue of a Construction Certificate for approved retaining walls exceeding 600mm in height above ground level (existing) and/or within 1m of a property boundary, detailed design plans must be prepared and submitted to the Certifier for approval. The retaining walls must satisfy the following: 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 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. c) Retaining walls, footings and drainage must be contained wholly within the development site. d) Construction within a registered easement is prohibited. 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</i>	To ensure retaining walls are appropriately designed.

	<i>and Complying Development Codes) 2008 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></i>	
36.	Section 68 Application – Water Supply, Sewerage and Stormwater Drainage / Sewage Management Facility 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>	To ensure relevant approvals are obtained.
BUILDING WORK Before Building Work Commences		
CONDITIONS		REASON
37.	Appointment of Principal Certifier Before building/subdivision work commences a Principal Certifier must be appointed.	To ensure a Principal Certifier is appointed where required.
38.	Construction Certificate A Construction Certificate must be obtained from either Council or a certifier before any building work can commence. <u>Note:</u> You are advised that pursuant to Clause 19 of the EP&A (Development Certification and Fire Safety) Regulation 2021, the certifier will need to ensure that all necessary upgrading of the existing 'red' shed/ building is completed to ensure that the proposed building will comply with all the relevant requirements of the Building Code of Australia (BCA) in force on the relevant date, and is appropriate for the proposed use. Details of any proposed upgrading must accompany the application for a Construction Certificate, and it is recommended that the upgrading addresses, but is not limited to, the following Performance Requirements of the BCA: a) B1P1 Structural reliability b) F1P4 Rising damp c) F3P1 Weatherproofing d) NSW J1 Energy efficiency	To ensure a appropriate building and Subdivision Certificates are obtained.

39.	Dilapidation Report (Minor) 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. 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. 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. 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. 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. <i>Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.</i>	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.
40.	Erosion and Sediment Controls – Implementation 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).	To ensure appropriate erosion and sediment control measures are in place.
41.	Notice of Commencement Notice must be given to Council at least two (2) days before the commencement of building or subdivision work by completing and returning the form ‘Commencement Notice for Building or Subdivision Work and Appointment of Principal Certifying Authority’.	To ensure appropriate notice is given to Council.

42.	Shoalhaven Water – Application for Certificate of Compliance 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. Shoalhaven Water will determine if sewerage and/or water infrastructure and/or easements will be affected by any part of your development including what charges/fees apply. Please visit https://shoalwater.nsw.gov.au/planning-building/developers-consultants/water-development-notice to make application for a Certificate of Compliance or call (02) 4429 3214 to learn more about applying. 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. <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>	To ensure a Water Development Notice and Certificate of Compliance are obtained.
43.	Biodiversity – Tree and Vegetation Protection Before the commencement of any clearing works the following requirements must be met to the satisfaction of the Council: - The developer must identify and physically mark environmental features to be retained as shown on the approved plans. - The developer must identify the extent of clearing work as shown on the approved plans. - A temporary protective barrier or similar visible material must be installed in accordance with the approved tree and vegetation plan and retained until all work are complete. - The dripline of trees to be retained must be clearly identified and protected with temporary barrier fencing in accordance with AS 4970: Protection of trees on development sites. - Where trees have been identified for retention within an Asset Protection Zone, these trees must be physically marked to be retained in accordance with the development consent. Evidence of compliance with the above requirements must be provided to Council prior to the commencement of any clearing works.	To minimise biodiversity impacts.

	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. Where a Council inspection is considered necessary by Shoalhaven City Council to verify the installation of tree/environmental protection measures, an inspection fee may apply.	
44.	Biodiversity – Engagement of Ecologist Before the commencement of clearing work, a suitably qualified arborist (level 5) must be engaged to guide and supervise the clearing work and protection of environmental features on the site. Evidence of engagement must be submitted to Council prior to the commencement of work.	To minimise biodiversity impacts.
45.	Biodiversity – Tree/Environmental Protection Measures (Evidence of Installation) Before the commencement of any site work, evidence must be submitted to the Director – City Development (or delegate) of Shoalhaven City Council that all required tree/environmental protection measures detailed in this consent and approved plans and documents are in place. Site works must not commence until the Director – City Development (or delegate) of Shoalhaven City Council has confirmed in writing that the installed protection measures are satisfactory. Where a Council inspection is considered necessary by Shoalhaven City Council to verify the installation of tree/environmental protection measures, an inspection fee may apply.	To ensure tree/environmental protection measures are adequately installed.
46.	Toilet Facilities – Temporary Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must: a) be a standard flushing toilet connected to a public sewer, or b) have an on-site effluent disposal system approved under the <i>Local Government Act 1993</i>, or c) be a temporary chemical closet approved under the <i>Local Government Act 1993</i>.	To ensure suitable toilet facilities are provided.

47.	Works within the Road Reserve – Submissions to Council 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>. The following details must be submitted to Council as part of the application: a) Any civil works design required by this consent. b) Evidence of the contractor's Public Liability Insurance to an amount of \$20 million. c) Name and contact information of the person responsible for all relevant works. d) A Traffic Control Plan prepared, signed, and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation. e) Where the Traffic Control Plan requires a reduction of the speed limit, a 'Application for Speed Zone Authorisation' must be obtained from the relevant road authority.	To ensure relevant approvals are obtained.
48.	Construction Traffic Management Plan 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. Details must include, but are not limited to: a) Stabilised site construction access location b) Proposed haulage routes for delivery of materials to the site c) Proposed haulage routes for spoil disposal from the site d) Traffic control planning for each of the various phases of construction and/or vehicle movements associated with construction e) Parking arrangements for construction employees and contractors f) Proposed maintenance of the haulage routes and access locations g) Name of the person responsible for such maintenance h) Loading / unloading areas i) Requirements for construction or work zones j) Pedestrian and cyclist safety k) Speed zone restrictions.	To ensure ongoing compliance.

BUILDING WORK During Building Work		
CONDITIONS		REASON
49.	Acid Sulfate Soils - Unexpected Finds If acid sulfate soils are encountered during excavation and/or construction works, all work must cease, and Shoalhaven City Council notified immediately. The extent of acid sulfate soil must be evaluated by a qualified environmental consultant with experience in the assessment of acid sulfate soils and a preliminary assessment provided to Council. Council will determine an appropriate response, including if an Acid Sulfate Soils Management Plan is required to be prepared and implemented, before works can recommence.	To ensure acid sulfate soils are appropriately managed.
50.	Discovery of relics and Aboriginal objects While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered: a) the work in the area of the discovery must cease immediately. b) the following must be notified for a relic – the Heritage Council; or c) 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. Site work may recommence at a time confirmed in writing by: a) for a relic – the Heritage Council; or for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.	To ensure the protection of objects of potential significance during works.
51.	Earthworks - Cut, Fill and Grading 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.	To ensure earthworks are appropriately retained.
52.	Stormwater - Overland Flow, Redirecting and/or Concentrating Stormwater	To ensure ongoing compliance.

	All excavation, backfilling and landscaping works must not result in: 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. b) the redirection and/or concentration of stormwater flows onto neighbouring properties.	
53.	Biodiversity – Habitat Modification and Vegetation Removal The removal and/or disturbance of native vegetation and habitat on the property, including canopy trees, understorey, and groundcover vegetation must be undertaken strictly in accordance with the approved plans. Vegetation removal must be undertaken in accordance with the following: a) Trees approved for removal must be felled into the development area carefully so as not to damage trees to be retained in or beyond the development footprint. b) Any hollow-bearing trees approved for removal must be felled carefully in sections utilising handheld tools to allow the rescue of native fauna. Hollow-bearing sections must be carefully lowered to the ground so as not to injure native fauna. c) Pruning or trimming of any trees to be retained must be undertaken in accordance with <i>AS 4373 Pruning of amenity trees</i>. d) Trees and vegetation must be retained within the APZ where it complies with the prescriptions for Planning for Bushfire Protection APZ requirements. e) The removal or disturbance of native vegetation on the property including but not limited to canopy trees, understorey and groundcover vegetation beyond that approved within this consent is not permitted. f) Hand tools must be used for the effluent treatment facility to avoid damage to the tree protection zone (TPZ). g) Install tree protection fencing around tree number 35 (Arborist Report) prior to the demolition of the existing shed. Minimise vehicle access within the TPZ during the demolition. If any wildlife is discovered during site works and is disoriented or injured, works must stop immediately. A suitably qualified	To protect biodiversity values.

	wildlife handler is to be contacted to responsibly rescue and relocate the animal(s).	
54.	Biodiversity – Fauna Rescue and Vegetation Removal Protocol During works, in order to protect wildlife the following vegetation removal protocol is to be adhered to: a) Before starting each morning, all vehicles and mechanical plant must be inspected for wildlife prior to operation. b) All vegetation to be removed must be inspected for wildlife prior to removal. c) Farm sheds to be demolished may provide habitat for microbats and other native wildlife and must be inspected prior to removal. d) All trenches must be inspected for wildlife prior to backfilling. e) Where hollow bearing trees (HBTs) are approved for removal, they must be identified and clearly marked by a suitably qualified ecologist prior to works commencing. Approved clearing of vegetation and removal of HBTs must be undertaken using a staged approach to allow wildlife to flee the area: Stage 1 – All ground and shrub layer vegetation is to be removed in accordance with the approved plans. Stage 2 - On a subsequent day, a suitably qualified ecologist is to check if nests are present and carefully relocate them to nearby trees or nest boxes, as directed by the supervising ecologist/if nesting is present, advise that works must cease until nesting is complete. Canopy trees that do not contain hollows are to be removed in accordance with the approved plans. Stage 3 – Where HBTs are approved for removal are to be checked for resident fauna prior to felling by a suitably qualified ecologist. i) If nesting is present, the ecologist must advise that works must cease until nesting is complete. ii) If fauna is residing, but not nesting within a hollow, the ecologist must either return at an appropriate time when the animal has vacated and block the hollow to prevent re-entry, or provide sound advice on how to appropriately remove the hollow without causing harm to residing wildlife.	To minimise biodiversity impacts.

	iii) Once it is confirmed that there is no roosting or nesting occurring within the hollow (or as advised by the ecologist), the hollow-bearing tree must be gently nudged with felling equipment prior to felling to encourage safe fauna evacuation. Hollow-bearing sections must be carefully lowered to the ground so as not to injure native fauna. Once the tree has been felled the hollows are to be inspected again for fauna and relocated in an appropriate location determined by the ecologist. The tree must be felled carefully in sections to allow the rescue of native fauna. iv) If animals are injured, they will need to be assessed and either taken to the nearest veterinary clinic or placed into care with South Coast Wildlife Rescue. f) Any wombat burrows located in proximity to the approved development footprint must be managed as follows: Avoid burrows wherever possible. i) For burrows that cannot be avoided a qualified ecologist must supervise the following process: ii) Set up a motion detector camera on each burrow to monitor use and confirm activity. iii) Block passage to any inactive burrows. iv) For active burrows, install a gate at the entrances (frame with a one way exit and no re-entry) with follow up camera footage to ensure wombat has not re-entered the burrow. g) If any native wildlife is identified as 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. h) 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). Within 10 days of completing clearing work, the engaged ecologist must provide to Council written evidence of any fauna detected during clearing.	
55.	Potentially Contaminated Land - Unexpected Finds If unexpected, contaminated soil and/or groundwater is encountered during any works:	To ensure any detected contaminants are

	a) all work must cease, and the situation must be promptly evaluated by an appropriately qualified environmental consultant. 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. 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. 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). <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>	appropriately managed.
56.	Site Management - Hours for Construction 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.	To ensure site work occurs within appropriate construction hours.
57.	Site Management - Maintenance of Site and Surrounds During works, the following maintenance requirements must be complied with: a) All materials and equipment must be stored and delivered wholly within the work site unless an approval to store them elsewhere is held. b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility. c) Where tree or vegetation protection measures are in place, the protected area must be kept clear of materials and / or machinery.	To ensure the site is maintained in a safe and secure manner.

	d) The developer must maintain the approved soil water management / erosion and sediment control measures to the satisfaction of the Certifier for the life of the construction period and until runoff catchments are stabilised. e) During construction: i) all vehicles entering or leaving the site must have their loads covered, and ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads. f) At the completion of the works, the work site must be left clear of waste and debris.	
58.	Site Management - Noise 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.
BUILDING WORK Before Issue of an Occupation Certificate		
CONDITIONS		REASON
59.	Colours and Materials The development must be constructed in accordance with the approved schedule of colours and building materials and finishes.	To ensure colours and materials are appropriate.
60.	Completion of Public Utility Services Before the issue of the relevant Occupation Certificate / Subdivision Certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.	To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements,

		before occupation.
61.	Dilapidation Report – Evidence of Completion Before the issue of an Occupation Certificate, the developer must provide the Certifier and Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer to the satisfaction of Council.	To ensure any damage not previously identified in the Dilapidation Report is suitably repaired.
62.	Completion of Landscape and Tree Works Before the issue of an Occupation Certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.	To ensure the approved landscaping works have been completed.
63.	Food Business - Notification Before commencing any food handling operations, a 'Food Business Registration Form' available on Councils' website will need to be submitted to Council as part of the NSW Food Partnership and for the purposes of regular food hygiene inspection.	To ensure businesses are appropriately registered for food hygiene inspections.
64.	Onsite Wastewater Before the issue of an Occupation Certificate an application for approval to operate an onsite sewage management facility must be approved by Council under section 68 of the <i>Local Government Act 1993</i> . The sewage management facility, including all works associated with the effluent disposal area, must be completed in accordance with the installation approval to enable Council to issue an approval to operate this facility.	To ensure system is installed to satisfaction of Council and ensure required approval is obtained.
65.	Driveway – Evidence of Completion Before the issue of a full Occupation Certificate, all driveway works internal to the site as shown on the approved plans must be completed.	To ensure the completion of the driveway in a timely manner
66.	Fire Safety – Evidence of Compliance	To ensure compliance with the Fire

	Before the issue of an Occupation Certificate the Certifier must be provided with a Final Fire Safety Certificate showing compliance with the Fire Safety Schedule.	Safety Schedule.
67.	Retaining Walls – Certification Before the issue of an Occupation Certificate, certification must be provided to the Certifier prepared by a professional engineer, (as defined in the National Construction Code), certifying that retaining walls within 1m of the property boundary or exceeding 1m in height above ground level (existing) are constructed in accordance with the approved engineering design plans. 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. <i>Note: This condition does not prevent a partial Occupation Certificate to be issued for the parts of the development that have been completed.</i>	To ensure retaining walls have been constructed appropriately.
68.	Section 68 Approvals – Evidence of Completion 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.	To ensure compliance with section 68 approval.
69.	Shoalhaven Water – Certificate of Compliance 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. 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.	To ensure compliance with Shoalhaven Water requirements.
70.	Waste - Private Collection Service Before the issue of an Occupation Certificate, the developer/owner must provide evidence to the Certifier of a formal agreement with a licenced private waste contractor to service the development. A copy of the contract must be forwarded to Council. The agreement must ensure: a) the removal of all waste from the developed property. b) the service is functional and meets the operational requirements for the developed property.	To ensure an appropriate waste management agreement is entered into.

	c) the service minimises environmental nuisances including noise and other adverse impacts on the safety and amenity of residents and the public. d) the developer/owner indemnifies Council against claims for loss or damages, should Council take over provision of the service at some point in the future.	
71.	Works in the Road Reserve - Evidence of Completion Before the issue of a full Occupation Certificate, the developer must provide the Certifier with a Construction Inspection Ticket / Completion of Works in Road Reserve Letter provided by Council, confirming compliance with the requirements of section 138 of the <i>Roads Act 1993</i>.	To ensure works in the road reserve are completed appropriately.
72.	Works in the Road Reserve - Works as Executed 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. 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: a) Council's Development Engineering Construction Specification. b) Show compliance with the approved design plans of all road and drainage works. c) Show any retaining walls including footings and agricultural drainage lines. d) Show the location of all underground service conduits. e) Include all deviations from the approved Civil Engineering Plans.	To ensure ongoing compliance
73.	Stormwater - Works as Executed 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.	To ensure ongoing compliance

	The Works as Executed be shown in red on a copy of the approved plans. This plan must verify locations & sizes of all pipelines. Where the system includes an underground tank, a certificate of structural adequacy must be prepared and provided by a professional engineer (as defined in the National Construction Code).	
74.	On-site Detention System Before the issue of an Occupation Certificate, the developer must: - 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. - 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: - the property owner(s) are to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule (application number to be referenced). - the registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site stormwater detention system' must include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.	To ensure required on site detention infrastructure is provided and requirements registered on the title of the land.
BUILDING WORK Occupation and Ongoing use		
CONDITIONS		REASON

75.	Occupation – Satisfaction of Conditions of Consent The development must not be occupied or used before an Occupation Certificate has been issued by the Principal Certifier.	To ensure conditions of consent are complied with or other satisfactory arrangement made.
76.	Biodiversity – Exotic Grasses Adjoining Bushland Areas In order to maintain the interface between disturbed areas and the remaining native vegetation, the property where it directly adjoins bushland areas it must be managed for the life of the development as follows: c) no exotic perennial grasses listed on the Final Determination of the NSW Scientific Committee for the key threatening process Invasion of native plant communities by exotic perennial grasses, must be sown. d) where new grass is provided it must be native grasses or include a barrier to prevent spreading to bushland.	To protect biodiversity values.
77.	Biodiversity – Disposal of Lawn and Garden Waste To protect adjoining bushland disposal of lawn or garden waste or the storage of materials beyond the Asset Protection Zone is prohibited.	To protect biodiversity values.
78.	Stormwater – Maintenance of Stormwater Infrastructure 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 ongoing compliance
79.	Emergency Response Plan The Emergency Response Plan prepared by The Scots College (Issue A, dated 17/09/2025) must be implemented and maintained for the life of the development. The Plan must be reviewed regularly and updated as necessary to ensure it remains current, effective and fit for purpose. Any revised version of the Plan must be implemented immediately upon completion.	To ensure the development appropriately responds to emergency events.
80.	Food Business - Regulations Any premises used for the preparation and storage of food for sale to the general public must (where relevant) comply with:	To ensure food is prepared and

	a) Shoalhaven City Council's Food Premises Policy b) Chapter 3 of the Australia/New Zealand Food Standards Code c) Food Act 2003 (NSW) d) Food Regulation 2015 e) AS 4674 - Construction and fit out of food premises f) AS 1668.2 - The use of ventilation and air-conditioning in buildings-Mechanical ventilation in buildings.	stored in accordance with the relevant requirements
81.	Site Management - Commercial/Industrial Development The owner or operator must at all times be responsible for on-going site management and maintenance in accordance with the following: a) loading and unloading in relation to the use of the premises must occur in the designated loading areas or within the road reserve under an approved traffic control plan. b) goods or machinery must be stored, and all activities must occur, inside the building(s) and not in the carpark or driveway areas. c) maintenance and replacement (if necessary) of all landscaping in accordance with the approved landscape plan. d) maintenance of vehicular movement areas including driveways, carparking, manoeuvring areas, line marking, pedestrian facilities, lighting, to the standard specified by this consent. e) ongoing waste and recycling must be managed in accordance with the approved Waste Management Plan. Waste bins are not to be stored within the loading area/space that is visible from a public place. f) maintenance of stormwater drainage pipes and systems to ensure efficient discharge of stormwater in accordance with the approved stormwater drainage plan. g) maintenance of buildings, fencing, signage/markings to the standards specified in this consent.	To ensure the site is maintained and operated in a safe and appropriate manner.
82.	Noise – Commercial/Industrial Development The use of the approved development must not give rise to transmission of unacceptable vibration or an offensive noise to any place of different occupancy or the public in accordance with the NSW Environment Protection Authority's <i>Noise Policy for</i>	To protect the amenity of neighbouring properties

	<i>Industry and Noise Guide for Local Government (guideline) and the Protection of the Environment Operations Act (POEO Act).</i>	
83.	Fire Safety – Annual Statement A building owner must ensure that an annual fire safety statement prepared by a competent fire safety practitioner is issued each year and that a copy of the statement is provided to the Shoalhaven City Council and the Commissioner of Fire and Rescue NSW. An application form is available on Council's website. <i>Note: An annual fire safety statement is a declaration by, or on behalf of a building owner that a competent fire safety practitioner (CFSP) has:</i> a) assessed, inspected and verified the performance of each existing essential fire safety measure that applies to the building b) inspected the exit systems serving the building and found that the exit systems within the building do not contravene the Environmental Planning and Assessment Regulation 2021 <i>Failure to give Council an annual fire safety statement by the due date constitutes a separate offence for each week beyond that date for which the failure continues. Substantial penalties for non-compliance apply under the Environmental Planning and Assessment Act 1979.</i>	To ensure an annual fire safety statement is prepared.

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.