

09 MAR 2018

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NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Issued under the Environmental Planning & Assessment Act 1979 Section 81(1)(a)

Being the applicant of Development Application No. 143/2016 for consent to the following development:

**THREE LOT TORRENS TITLE SUBDIVISION & THREE RESIDUE LOTS
& PUBLIC DOMAIN WORKS
LOTS 4003 & 4004 DP 1235539
HARBOUR BOULEVARD SHELL COVE**

Determination date of consent: 8 MARCH 2018

Note: This Approval will lapse 5 years from the date of consent.

In accordance with section 80 of the Act the Development Application has been determined by the GRANTING OF CONSENT UNDER DELEGATED AUTHORITY SUBJECT TO THE CONDITIONS DESCRIBED BELOW.



Grant Meredith
Group Manager City Development

On behalf of Carey McIntyre, General Manager

CC: DPI Water
jeremy.morice@dpi.nsw.gov.au
Your Ref: 10 ERM2017/0420

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

PART A - ADMINISTRATIVE CONDITIONS

1 Construction Certificate (Subdivision) & PCA Notification *Environmental Planning & Assessment Act 1979 Section 81A*

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

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

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

2 Prescribed Conditions

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

3 Development in Accordance with Plans

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

Name of Plan/Document	Prepared By	Reference	Date
Subdivision Plan	-	-	Undated. Received 05.03.2018
Grading Plan	WorleyParsons	301015-03163-CI- DSK-2001 Issue L	04.08.2017
Stormwater Management Concept Plan	WorleyParsons	301015-03163-CI- DSK-2005 Issue F	07.08.2017
Erosion & Sediment Control Plan	WorleyParsons	301015-03163-CI- DSK-2007 Issue F	07.08.2017
Road Layout Plan	WorleyParsons	301015-03163-CI- DSK-2010 Issue H	07.08.2017
Waste Management Plan	Australand Corporation (NSW) Pty Ltd	-	18.04.2017

PART B - PRIOR TO ISSUE OF SUBDIVISION CONSTRUCTION CERTIFICATE

4 Initial Geotechnical Report

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

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

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

5 Soil and Water Management Plan (SWMP)

Prior to the issue of the Construction Certificate, a SWMP must be submitted to and approved by the Certifying Authority.

The SWMP must clearly identify site features, constraints and soil types together with the nature of the proposed land disturbing activities and specify the type and location of erosion and sediment control measures. In addition, rehabilitation techniques that are necessary to deal with such activities shall be referred to where applicable.

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

- a. minimise the area of soils exposed at any one time,
- b. conserve topsoil for reuse on site,
- c. identify and protect proposed stockpile locations,
- d. preserve existing vegetation and identify revegetation techniques and materials,
- e. control surface water flows through the development construction site in a manner that:
 - i. diverts clean run-off around disturbed areas,
 - ii. minimises slope gradient and flow distance within disturbed areas,
 - iii. ensures surface run-off occurs at non-erodible velocities, and

- iv. ensures disturbed areas are promptly rehabilitated.
- f. trap sediment on site to prevent off site damage. Hay bales are not to be used as sediment control devices. To ensure regular monitoring and maintenance of erosion and sediment control measures and rehabilitation works until the site is stabilised (includes landscaping),
- g. specifies measures to control dust generated as a result of construction activities on site,
- h. temporary sediment ponds must be fenced where the batter slope exceeds 1 vertical to 5 horizontal,
- i. design scour protection for the 20 year ARI event at all inlet and outlet structures, and
- j. include measures to prevent the tracking of sediment off the site.

6 Road Design

The road design must comply with the following:

- a. the grading and layout of all roads and lots must not allow for trapped low points and in addition ensure that overland flow is passed safely over public land,
- b. the road pavement must be designed with one layer of asphalt having a minimum thickness of 40mm AC 10. The pavement design for the proposed roads must be carried out by a qualified Geotechnical/Civil engineer in accordance with *AUSTROADS Guide to Pavement Technology*,
- c. all vertical and horizontal alignment of all streets and all street intersections within the development must have adequate sight distance provided in accordance with AUSTROADS requirements,
- d. the geometric design of all roads, traffic facilities, intersection treatments, mid-block devices and entry features must be such as to permit a 12.5 m HRV, other than Road 10, between the Private Road and Road 11, which shall be a 8.8m MRV, to manoeuvre in order to enter and leave each road travelling in a forward direction and without leaving the carriageway, and
- e. the relevant drawings must be annotated and properly referenced showing compliance with this condition. The drawings must be submitted with application for a Subdivision Construction Certificate for approval by the Certifying Authority.

7 Road Drainage Plans

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

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

8 Structural Design of Deep Pits

All pits deeper than 0.9 metres shall be designed by a certified structural engineer and be in accordance with AS3600-2009. Pits deeper than 1.2 metres must have galvanised steel step irons (plastic coated black steel step irons will not be accepted) and pits deeper than 1.8 metres must be reinforced concrete. Step irons are to be at 300mm interval spacing from bottom of pit. Top step is to be a minimum 500mm below top surface level. Details to this effect must be

incorporated on the detailed drainage design that is submitted to the Certifying Authority for the Subdivision Construction Certificate.

9 Structural Capacity of Stormwater Pipes

Pipes must be structurally designed to withstand all applied forces where likely to be located under buildings. Pipes with a grade of greater than 12% require anchor blocks at the top and bottom of the inclined section and at a maximum interval of 3 metres. Details to this effect must be incorporated on the detailed drainage design must be submitted with application for a Subdivision Construction Certificate for approval by the Certifying Authority.

10 Pit Grates

All pits must have flush fitting grates. All pits larger than 600mm x 600mm are to be grated galvanised steel grid hinged and be heavy duty type where traffic loading is expected. Details to this effect must be submitted with application for a Subdivision Construction Certificate for approval by the Certifying Authority.

11 Retaining Walls

Retaining walls that exceed 600mm in height must be designed by a practising structural engineer and a Construction Certificate must be obtained prior to the commencement of work on the retaining wall.

12 Controlled Activity Approval

A controlled activity approval for any works or activity on water front land must be obtained from DPI - Water prior to the issue of a Subdivision Construction Certificate for works or activity on waterfront land.

13 Electricity Substation

Where required, the land owner must dedicate to the applicable energy supplier, free of cost, an area of land within the development site (excluding any approved landscaped area) to enable an electricity substation to be installed. The size and location of the substation must be submitted for approval of both Council and the energy provider prior to the Subdivision Construction Certificate being issued.

14 Landscape Plan

A detailed landscape plan prepared by a Landscape Architect must be submitted with the Subdivision Construction Certificate. In addition to a soft copy, one hard copy is to be provided. The plan must be prepared in accordance with the *Shellharbour Development Control Plan* and where relevant Council's Open Space, Recreation and Community Facilities Needs Study Report. Any landscape works within the road reserve must have a clear visual site distance of 10m of an approaching side at any point of pedestrian access crossings.

15 Landscape Plan Construction Certificate Assessment

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

16 Street Tree and Landscape Inspection Fees

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

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

PART C - PRIOR TO COMMENCEMENT OF WORKS

17 Unexpected Finds Contingency

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

18 Aboriginal Heritage Induction

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

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

19 Site Meeting with Council

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

20 Soil and Water Management Plan Implementation (SWMP)

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

21 Construction Traffic Management Plan (CTMP)

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

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

22 Construction Environmental Management Plan (CEMP)

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

- Sediment and erosion controls,

- Unexpected acid sulphate soil finds protocols prepared in accordance with the NSW Acid Sulphate Soil Manual 1998,
- Management of fuels and chemicals,
- Contaminated lands unexpected finds and asbestos protocols,
- Construction noise controls,
- Dust control measures,
- Native fauna protection measures, and
- Cultural Heritage stop work protocol.

A stop work protocol must be included in the CEMP and implemented for any potential heritage items found during excavation including ceasing work immediately if any Aboriginal objects are found/uncovered, secure the site and inform Office of Environment and Heritage and Shellharbour Council's Aboriginal Community Liaison Officer immediately.

23 Site Management Plan

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

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

24 Dilapidation Report

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

25 Public Liability

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

PART D – DURING CONSTRUCTION WORKS

26 Site Documentation

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

27 Aboriginal Heritage

The applicant must ensure that the works have been undertaken in accordance with the Consent and Aboriginal Heritage Permit (AHIP) No. 2534. It is essential that works or vehicle movements do not occur in the immediate vicinity of registered Aboriginal site AHIMS 52-5-207.

The applicant must undertake works in accordance with the Approved Archaeological and Heritage Protection Plans (Protection Plans) and the ss87/90 Consent and Permit (No. 2534). The applicant must detail measures that have been taken to ensure compliance with the Conditions outlined within the Consent/Permit and the Protection Plans.

28 Hours of Work

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

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

29 Maintenance of Soil and Water Management Plan (SWMP)

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

Maintenance must include but is not limited to ensuring:

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

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

30 Construction Environmental Management Plan (CEMP)

All contactors are inducted onto site and understand the requirements of the CEMP. The CEMP is onsite and made available to contractors. Management actions detailed in the CEMP must be implemented throughout construction works.

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

Prior to any physical works within Council's road reserve in such as (but not limited to) installing a driveway or connecting stormwater facilities, you will need to apply for approval under

Section 138 of the *Roads Act 1993*. Fees are payable in accordance with Council's *Fees and Charges*.

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

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

32 Subdivision Design Code Compliance

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

33 Lots and Site Filling

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

34 Geotechnical Testing - Drainage

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

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

35 Earthworks Cut, Fill & Grading

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

36 Retaining Walls

All retaining walls must be located wholly within the property, including footings and agricultural drainage lines. This may require the wall to have a boundary setback of at least 200mm. Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing structures.

The maximum height of a retaining wall must not exceed 1.0m above the finished surface level.

No part of a retaining wall structure is to encroach on land proposed to be dedicated to Council.

37 Road Construction and Road Drainage Construction

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

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

38 Connection to Council Pit and/or Pipe

Any connection to a Council pit and/or pipe must:

- a. be made at the pipe obvert (pipe only),
- b. be through a hole that is neatly made by cutting or drilling with any reinforcement encountered cut away,
- c. not protrude past the inner surface of the pit and/or pipe,
- d. have all junctions finished with 2:1 cement mortar,
- e. have a minimum pipe size of 150mm in diameter and either sewer grade PVC or concrete, and
- f. when the diameter of the connection is more than 1/3 the diameter of the Council pipe, connection is to be made by construction of a standard pit.

All construction is to be carried out as per Council's Subdivision Code requirements.

The Certifying Authority must arrange for a satisfactory inspection by Shellharbour City Council prior to backfilling. At least one working day's notice is required for the inspection and is to be arranged through Council's Customer Services.

An inspection fee will apply in accordance with Council's *Fees & Charges*.

39 Street Lighting

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

40 Traffic Committee – Signposting & Line Marking

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

41 Public Domain Works

Works in the future civic plaza, subject of this consent, including landscape, public art and recreational play elements, must be consistent with Precinct D Urban Design Guidelines and be designed and implemented in consultation with Council. These works must be supported with a crime prevention through environmental design analysis, community safety risk analysis and a detailed maintenance schedule.

PART E - PRIOR TO OCCUPATION

Not Applicable

PART F - PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

42 Final Plan of Subdivision

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

- a. an application for a Subdivision Certificate,
- b. five paper prints of the final plan of subdivision,
- c. the original and two paper copies of the 88B Instrument and Administration Sheet,
- d. fees appropriate at the time of submission of the application, and
- e. an electronic copy of the subdivision linework. The electronic copy should be in Map Grid of Australia 1994 Zone 56 (GDA94) coordinates and must contain closed linework of boundaries and easements. It must be submitted in DWG or DXF format on cd-rom or by email to traffic&subdivision@shellharbour.nsw.gov.au

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

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

43 Sydney Water Section 73 Compliance Certificate

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

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

44 Section 94 Contributions

A contribution of \$22,112.96, subject to annual indexation, must be paid to Council towards the provision of public amenities and public services prior to the issue of the Subdivision Certificate. This amount has been calculated in accordance with Shellharbour City Council's *Section 94 Contributions Plan 2013* dated 18 December 2013 in the following manner:

- Residential contribution – Precinct 2, Shellharbour - \$23,645.23
- Credit for C1.26 Passive Open Space Embellishment – (\$1,532.27)

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

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

45 Road Dedication

Prior to issue of the Subdivision Certificate, Benkelman beam testing must be undertaken on all roads proposed for dedication as road reserve. Testing must be carried out in accordance with the current version of the Shellharbour City Council's *Subdivision Design Code* at the time

of issue of this consent. The acceptance criteria will be based on the tolerable deflections as specified by AUSTRROADS at the time of issue of this consent.

At the time immediately prior to all roads becoming designated gazetted public road, an inspection is to be undertaken by Council to determine that the road is in satisfactory condition. The roads are to be handed over to Council at no cost to Council prior to issue of the Subdivision Certificate.

46 Inspection of Stormwater Pipes

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

47 Final Geotechnical Report

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

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

48 Lot Creation Geotechnical Report

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

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

49 Works As Executed Plans - Subdivision

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

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

All levels must relate to Australian Height Datum.

50 Service Conduits

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

51 Services & 88B Instrument

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

52 Utility services – Electricity

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

53 Street Names

Proposed street names for all new roads shall be submitted for Council's consideration.

The submission shall include the:

- a. reasons for/or background/history to the names and estate theme,
- b. an A4 size plan of the street/reserve layout with proposed names and road numbers if applicable, and
- c. fees in accordance with Council's *Fees & Charges*.

Street names and/or public reserve names must be finalised prior to release of the Subdivision Certificate.

54 Street Trees

Prior to the issue of a Subdivision Certificate one tree must be planted with approximately 10m spacing on the Council footpath reserve along all proposed roads in accordance with Council's specifications.

55 Street Tree Planting Distances

The following recommended clearances are to be taken into account prior to the installation of street trees:

- a. minimum 3.0m either side of a driveway or vehicular crossing,
- b. minimum 2.0m from services and signage,
- c. minimum 1.5m from a stormwater outlet/pit,
- d. minimum 3.0m from street light posts, and
- e. minimum 15m from pedestrian crossing and traffic signals.

56 Completion of Landscape Works

All landscape works must be carried out in accordance with the approved Landscape Plans prior to the release of the Subdivision Certificate. Any variations to the design or species must be authorised by Council in writing before any changes are made/installed.

57 Landscape Practical Completion Inspection

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

58 Repairs to Public Infrastructure

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

59 Compliance Certificate

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

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

60 Verification of Waste Management

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

61 Release of Certificate

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

PART G - AFTER ISSUE OF SUBDIVISION CERTIFICATE

62 Road & Drainage Works Maintenance Period

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

63 Landscape Maintenance Period

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

64 Landscape Handover Inspection

The landscape works on land to be dedicated to Council requires a handover inspection to be carried out by Council with the developer at the completion of the 12 month maintenance period. In this regard, Council is to be notified one month prior to handover to arrange an inspection with the developer. Council will take full maintenance responsibility of all the landscape works following a satisfactory inspection result at the end of the maintenance period.

PART H – OTHER APPROVALS

65 NSW Department of Primary Industry – Water

Where there is an inconsistency between the General Terms of Approval (GTAs) for works requiring a controlled activity approval and the conditions of this consent, the GTAs will take precedence to the extent of the inconsistency.

Development Application No. 143/2016
Lots 4003 & 4004 DP 1235539 Harbour Boulevard Shell Cove



SCANNED

Contact: Jeremy Morice
Phone: 02 4224 9736
Fax: 02 4224 9740
Email: jeremy.morice@dpi.nsw.gov.au

Our ref: 10 ERM2016/0375
Our file:
Your ref: DA0143/2016

The General Manager
Shellharbour City Council
PO Box 155
Shellharbour City Centre NSW 2529

10750742
2 AUG 2016

Attention: Anthony Randall

2 August 2016

Dear Sir

Re: Integrated Development Referral – General Terms of Approval
Dev Ref: DA0143/2016

Description of proposed activity: Subdivision, public roads, landscape construction
Site location: Lot 8032 DP 1072187, Lot 1279 DP 1175512, Lot 1597 DP 1194294, Shallows Drive Shell Cove

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the subject property. Attached, please find DPI Water's (formerly the NSW Office of Water) General Terms of Approval (GTA) for works requiring a controlled activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 91A (3) of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, DPI Water requests that these GTA be included (in their entirety) in Council's development consent. Please also note the following:

- DPI Water should be notified if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works on waterfront land (which includes (i) the bed of any river together with any land within 40 metres inland of the highest bank of the river, or (ii) the bed of any lake, together with any land within 40 metres of the shore of the lake, or (iii) the bed of any estuary, together with any land within 40 metres inland of the mean high water mark of the estuary).
- Once notified, DPI Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed works are part of Council's proposed consent conditions and do not appear in the original documentation.

-2-

- DPI Water should be notified if Council receives an application to modify the development consent and the modifications change any activities on waterfront land.
- DPI Water requests notification of any legal challenge to the consent.

As the controlled activity to be carried out on waterfront land cannot commence before the applicant applies for and obtains a controlled activity approval, DPI Water recommends the following condition be included in the development consent:

"The Construction Certificate will not be issued over any part of the site requiring a controlled activity approval until a copy of the approval has been provided to Council".

The attached GTA are not the controlled activity approval. The applicant must apply (to DPI Water) for a controlled activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity on waterfront land.

Finalisation of a controlled activity approval can take up to eight (8) weeks from the date DPI Water receives all documentation (to its satisfaction). Applicants must complete and submit (to the undersigned) an application form for a controlled activity approval together with any required plans, documents, the appropriate fee and security deposit or bank guarantee (if required by the Office or Water) and proof of Council's development consent.

Application forms for the controlled activity approval are available from the undersigned or from DPI Water's website:

www.water.nsw.gov.au [Water licensing](#) > [Approvals](#) > Controlled activities

DPI Water requests that Council provide a copy of this letter to the applicant.

DPI Water also requests that Council provides DPI Water with a copy of the determination for this development application as required under section 91A (6) of the EPA Act.

Yours Sincerely



Jeremy Morice

Water Regulation Officer

Water Regulatory Operations, Water Regulatory Operations South

NSW Department of Primary Industries – DPI Water

General Terms of Approval

for work requiring a controlled activity approval
 under s91 of the *Water Management Act 2000*

Number	Condition	File No:
Site Address:		Lot 8032 DP 1072187, Lot 1279 DP 1175512, Lot 1597 DP 1194294, Shallows Drive Shell Cove
DA Number:		DA0143/2016
LGA:		Shellharbour City Council
Plans, standards and guidelines		
1	<p>These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA0143/2016 and provided by Council:</p> <ul style="list-style-type: none"> (i) Statement of Environmental Effects (ii) Subdivision and Drainage Plans (iii) Stormwater and Water Cycle Management Plan (ii) Flood Study <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified DPI Water (formerly the NSW Office of Water) must be notified to determine if any variations to these GTA will be required.</p>	
2	<p>Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from DPI Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.</p>	
3	<p>The consent holder must prepare or commission the preparation of:</p> <ul style="list-style-type: none"> (i) Construction Civil and Drainage Plans (ii) Soil and Water Management Plan 	
4	<p>The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to DPI Water.</p>	
Rehabilitation and maintenance		
5	<p>The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the DPI Water.</p>	
Bridge, causeway, culverts, and crossing		
6	<p>The consent holder must ensure that the construction of any bridge, causeway, culvert or crossing does not result in erosion, obstruction of flow, destabilisation or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by DPI Water.</p>	
7	<p>The consent holder must ensure that any bridge, causeway, culvert or crossing does not obstruct water flow and direction, is the same width as the river or sufficiently wide to maintain water circulation, with no significant water level difference between either side of the structure other than in accordance with a plan approved by DPI Water.</p>	

www.water.nsw.gov.au

Level 0, 84 Crown Street WOLLONGONG PO Box 53 WOLLONGONG NSW 2520 Australia
 t (02) 4224 9744 | f (02) 4224 9740 | e water.enquiries@dpi.nsw.gov.au
 Template Ref: CAA04 Version 1.1 - June 2015

Number	Condition	File No:
Disposal		
8	The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow, (ii) wash into the water body, or (iii) cause damage to river banks; are left on waterfront land other than in accordance with a plan approved by DPI Water.	
Drainage and Stormwater		
9	The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by DPI Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by DPI Water.	
10	The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by DPI Water.	
Erosion control		
11	The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by DPI Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.	
Excavation		
12	The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by DPI Water.	
END OF CONDITIONS		

REASONS FOR THE IMPOSITION OF CONDITIONS

1. To minimise any possible adverse environmental impacts of the proposed development.
2. To ensure that the amenity and character of the surrounding area is protected.
3. To ensure that the design and siting of the development complies with the provisions of Environmental Planning Instruments and Council's Codes and Policies.
4. To ensure that the development does not conflict with the public interest.

Advisory Notes – Project Specific

Social impact

The following social impact mitigation measures in the public domain should be considered:

- Appropriate lighting is recommended to increase safety and reduce the likelihood of anti-social behaviour that may occur in or around the area. In particular, additional lighting should be considered around vulnerable areas such as pedestrian, bicycle and vehicle entry/exit points.
- Free Wi-Fi should be available in the town centre, public parks and spaces.
- Appropriateness of design for people with culturally and linguistically diverse backgrounds. This includes the inclusion of bilingual signage and support information.
- Ensure cycle racks are placed both within the town centre and parks.
- It is important that accessibility and design for older residents and people with a disability be considered and adhered to. This includes ensuring accessibility within and around the site, clear signage and ensuring seating is accessible. This is particularly important as the trend of an ageing population is evident both within the Shellharbour Local Government Area (LGA) and across New South Wales.
- Skate board deterrents should be fitted to furniture and low retaining walls that provide opportunity for skate board activities.

Landscape species selection

The landscape plan is to consider the following assessment notes of the concept landscape plan submitted in support of the proposal:

- The use of the tree species *Cupaniopsis anacardioides* (Tuckeroo) for roads 10 & 12 is to be omitted. This tree species *Cupaniopsis anacardioides* self-seeds, drops copious amounts of seed and leaf litter and is an environmental weed within the Shellharbour LGA.
- *Pyrostegia venusta*, (Orange Trumpet Vine) is to be excluded as it is considered to be an environmental weed.
- Understory planting proposed for street trees is not a preference.
- Trees installed within a hard surface should be fitted with the strata cell system.
- The climber *Pyrostegia venusta* is an environmental weed and is required to be omitted and replaced with a more suitable climber, eg *trachelospermum jasminoides*
- Street furniture should be of solid concrete construction with timber slats for ease of maintenance and vandalism.

Advisory Notes – General

Erection of Signs

The principal contractor and the Principal Certifying Authority will need to have a sign (or signs) erected and maintained on the development site that provides their name and contact telephone number (during and outside work hours for the principal contractor), and stating that unauthorised entry to the site is prohibited. The principal contractor and Principal Certifying Authority can have separate signs or they can both use one sign if they choose. A maximum penalty of 10 penalty units applies for failure to erect and maintain sign(s) detailing principal contractor and Principal Certifying Authority identification.

WorkCover Authority

The requirements of WorkCover Authority must be satisfied at all times.

Obstacle Height Limitation - Airport

There are height limitations relating to the operation of the airport for developments/activities/construction that may involve cranes, plant or machinery in the Shellharbour Local Government Area. Further details can be obtained from Council concerning the obstacle height limitations.

Failure to Comply with Consent

Failure to comply with any of the conditions of consent may result in a Penalty Infringement Notice being issued against the owner/applicant/builder. Substantially greater penalties may be imposed by the Court for non compliance

Lapsing of Development Consent

In accordance with section 95 of the *Environmental Planning & Assessment Act 1979*, the development approval lapses five years after the approval date unless building, engineering or construction work relating to the building has physically commenced.

Right to Appeal

If you are dissatisfied with this decision, section 97 of the *Environmental Planning & Assessment Act 1979* gives you the right to appeal to the Land & Environment Court within six months after the date on which you receive this notice.

Review of Determination

If you are dissatisfied with this decision, section 82A of the *Environmental Planning & Assessment Act 1979* provides that you may request Council to review its determination. The request cannot be made after the time limit for making of an appeal under section 97 expires.

To Vary Development Consent

The plans and/or conditions of this consent are binding and may only be varied upon **application** to Council under section 96 of the *Environmental Planning & Assessment Act 1979*. The appropriate fee shall accompany the application and no action shall be taken on the requested variation **unless and until** the **written** authorisation of Council is received by way of an amended consent.

Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in New South Wales). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's

Development Application No. 143/2016
Lots 4003 & 4004 DP 1235539 Harbour Boulevard Shell Cove

infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on 1800810443.

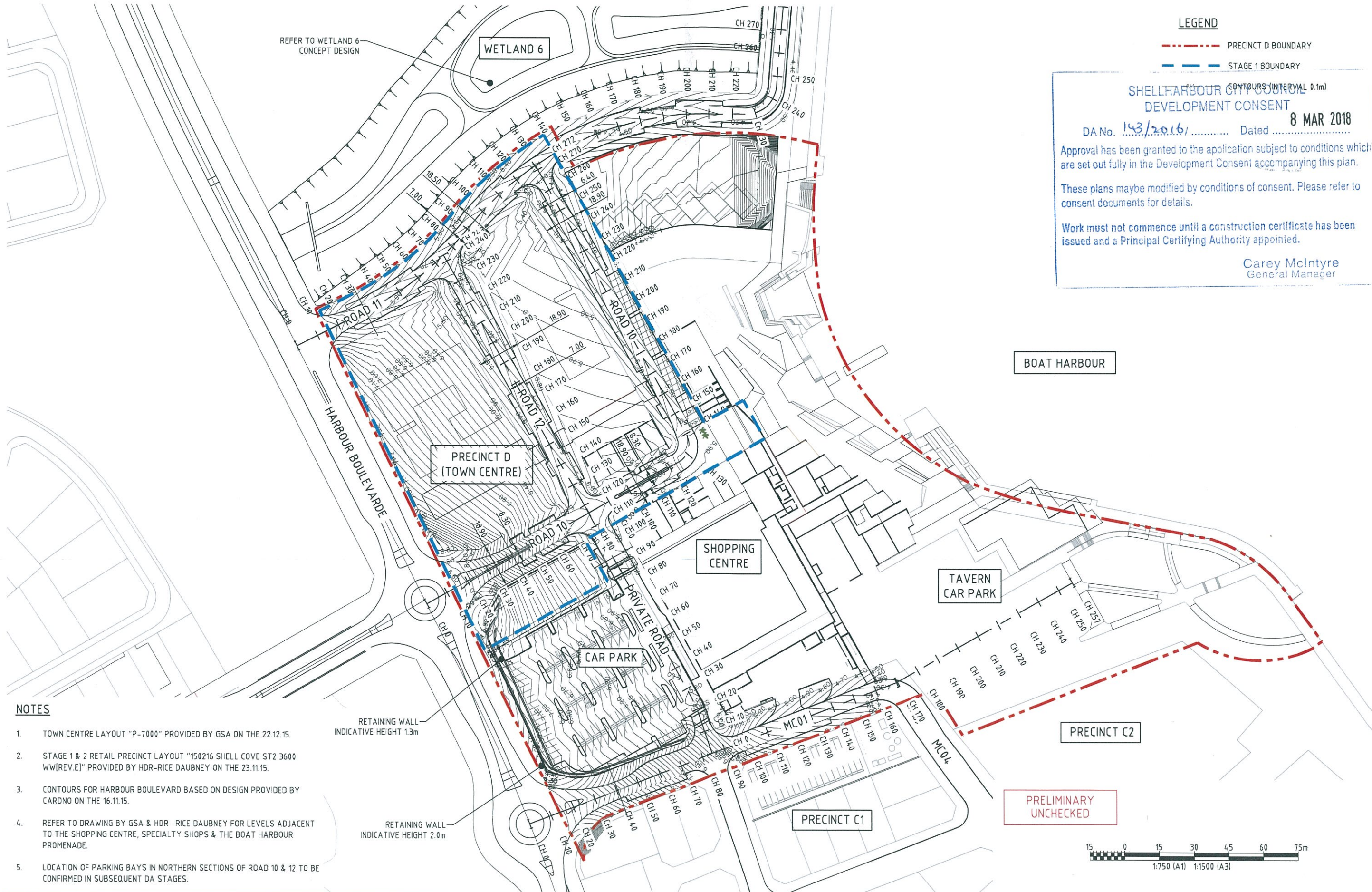
Development within Vicinity of a High Pressure Gas Main

Contact Dial Before You Dig on 1100 or www.dialbeforeyoudig.com.au. Proposed works in the vicinity of any high pressure gas main must be directed to:

Jemena Asset Management Pty Ltd
PO Box 6507
SILVERWATER NSW 2128

Attention: Land Services Department

END OF NOTICE



LEGEND
 --- PRECINCT D BOUNDARY
 --- STAGE 1 BOUNDARY

SHELL HARBOUR CITY COUNCIL
 DEVELOPMENT CONSENT
 DA No. 143/2016 Dated 8 MAR 2018
 Approval has been granted to the application subject to conditions which are set out fully in the Development Consent accompanying this plan.
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 Carey McIntyre
 General Manager

- NOTES**
- TOWN CENTRE LAYOUT "P-7000" PROVIDED BY GSA ON THE 22.12.15.
 - STAGE 1 & 2 RETAIL PRECINCT LAYOUT "150216 SHELL COVE ST2 3600 WW[REV.E]" PROVIDED BY HDR-RICE DAUBNEY ON THE 23.11.15.
 - CONTOURS FOR HARBOUR BOULEVARD BASED ON DESIGN PROVIDED BY CARDNO ON THE 16.11.15.
 - REFER TO DRAWING BY GSA & HDR -RICE DAUBNEY FOR LEVELS ADJACENT TO THE SHOPPING CENTRE, SPECIALTY SHOPS & THE BOAT HARBOUR PROMENADE.
 - LOCATION OF PARKING BAYS IN NORTHERN SECTIONS OF ROAD 10 & 12 TO BE CONFIRMED IN SUBSEQUENT DA STAGES.

RETAINING WALL
 INDICATIVE HEIGHT 1.3m

RETAINING WALL
 INDICATIVE HEIGHT 2.0m



ISSUE	DATE	ISSUE DESCRIPTION	DRAWN
J	14.04.16	ISSUED FOR APPROVAL	EN
I	24.02.16	ISSUED FOR FINAL APPROVAL	BW
H	09.02.16	ISSUED FOR FINAL REVIEW	BW
L	04.08.17	CONTOURS UPDATED	KM
K	18.07.17	KERB LINES REVISED	KM

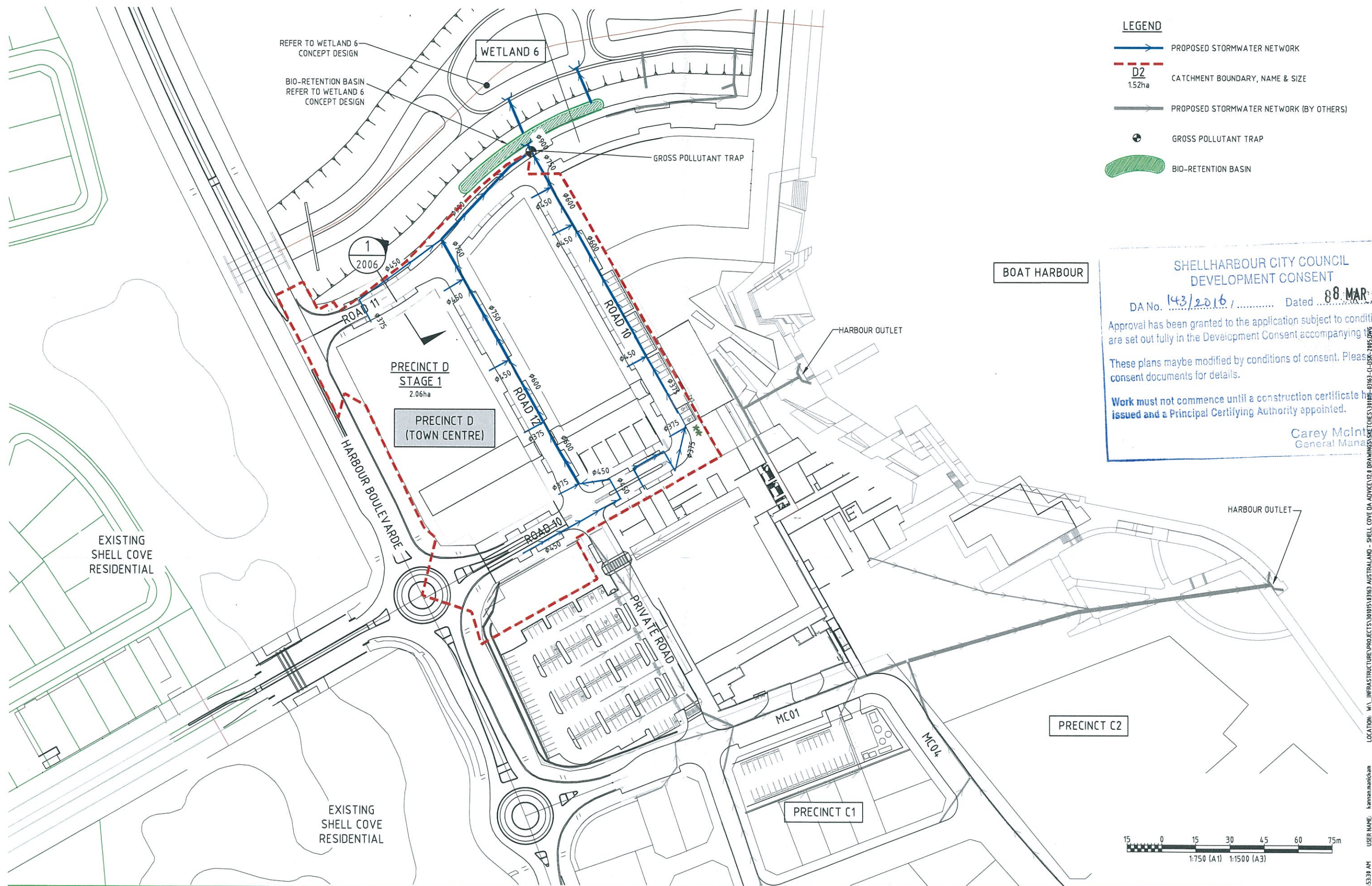


INFORMATION ONLY
 NOT TO BE USED
 FOR CONSTRUCTION



SHELL COVE BOAT HARBOUR PRECINCT
 PRECINCT D STAGE 1 ROADS DA
 GRADING PLAN
 301015-03163-CI-DSK-2001

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 CTB FILE: Worley-Full.ctb Plotter:None
 PLOT DATE & TIME: 4/8/2017 3:48:17 PM
 SAVE DATE & TIME: 4/8/2017 3:37:41 PM



LEGEND

- PROPOSED STORMWATER NETWORK
- D2 1.52ha CATCHMENT BOUNDARY, NAME & SIZE
- PROPOSED STORMWATER NETWORK (BY OTHERS)
- GROSS POLLUTANT TRAP
- BIO-RETENTION BASIN

BOAT HARBOUR

SHELLHARBOUR CITY COUNCIL
DEVELOPMENT CONSENT

DA No. 143/2016 / Dated 8 MAR 2018

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Carey McIntire
General Manager



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C	24.02.16	ISSUED FOR FINAL APPROVAL	BW
B	19.02.16	ISSUED FOR FINAL REVIEW	BW
F	07.08.17	RETAINING WALL ADDED & KERB LINES UPDATED IN PARKING AREA	KM

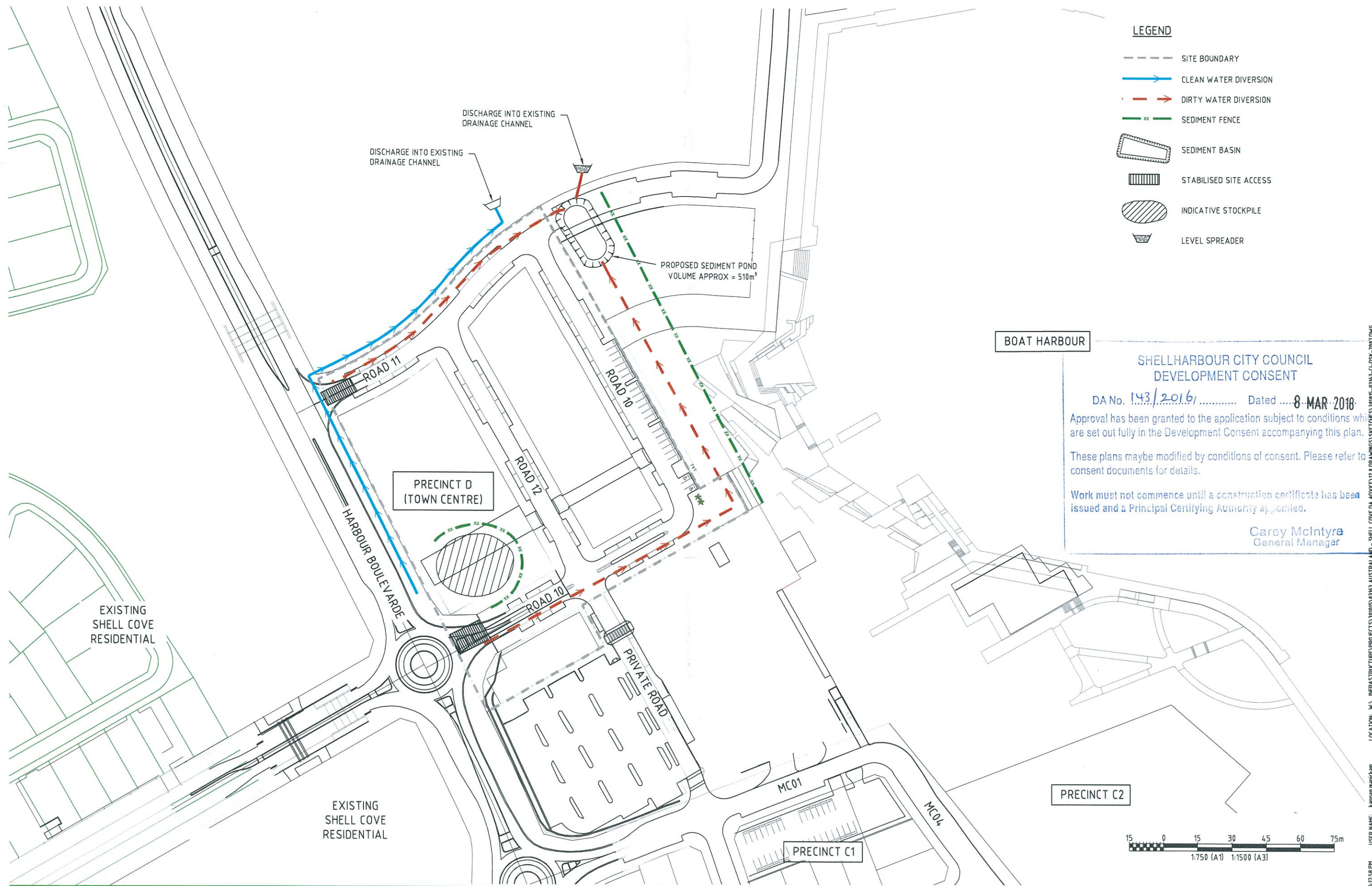


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SHELL COVE BOAT HARBOUR
PRECINCT D STAGE 1 ROADS DA
STORMWATER MANAGEMENT CONCEPT PLAN
301015-03163-CI-DSK-2005

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 SAVE DATE & TIME: 8/20/2017 9:52:06 AM



- LEGEND**
- SITE BOUNDARY
 - CLEAN WATER DIVERSION
 - DIRTY WATER DIVERSION
 - SEDIMENT FENCE
 - ▭ SEDIMENT BASIN
 - ▨ STABILISED SITE ACCESS
 - ▨ INDICATIVE STOCKPILE
 - ▭ LEVEL SPREADER

BOAT HARBOUR

**SHELL HARBOUR CITY COUNCIL
DEVELOPMENT CONSENT**

DA No. 143/2016 Dated **8-MAR-2018**

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Carey McIntyre
General Manager



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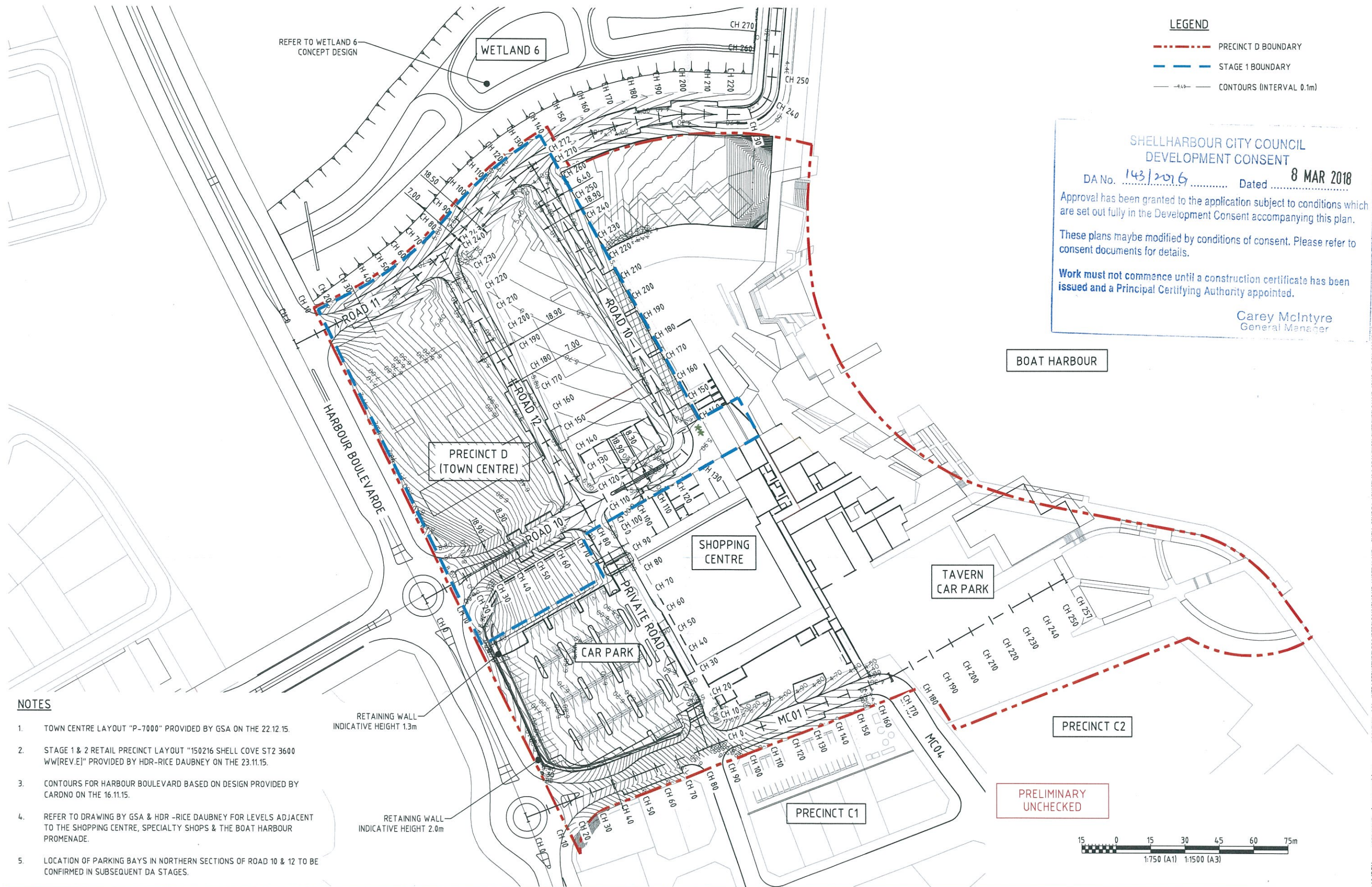
INFORMATION ONLY
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**SHELL COVE BOAT HARBOUR PRECINCT
PRECINCT D STAGE 1 ROADS DA
EROSION & SEDIMENT CONTROL PLAN**

301015-03163-CI-DSK-2007

LOCATION: W:\INFRASTRUCTURE\PROJECTS\301015\03163 AUSTRALAND - SHELL COVE DA\ADVISE\2\DRAWINGS\SKETCHES\301015-03163-CI-DSK-2007.DWG
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**SHELL HARBOUR CITY COUNCIL
DEVELOPMENT CONSENT**

DA No. 143/2016 Dated 8 MAR 2018

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NOTES

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RETAINING WALL
INDICATIVE HEIGHT 1.3m

RETAINING WALL
INDICATIVE HEIGHT 2.0m



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**SHELL COVE BOAT HARBOUR PRECINCT
PRECINCT D STAGE 1 ROADS DA
GRADING PLAN**

301015-03163-CI-DSK-2001

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SAVE DATE & TIME: 4/8/2017 3:37:01 PM

SHELLHARBOUR CITY COUNCIL
DEVELOPMENT CONSENT

DA No. 143/2016 Dated 8 MAR 2018

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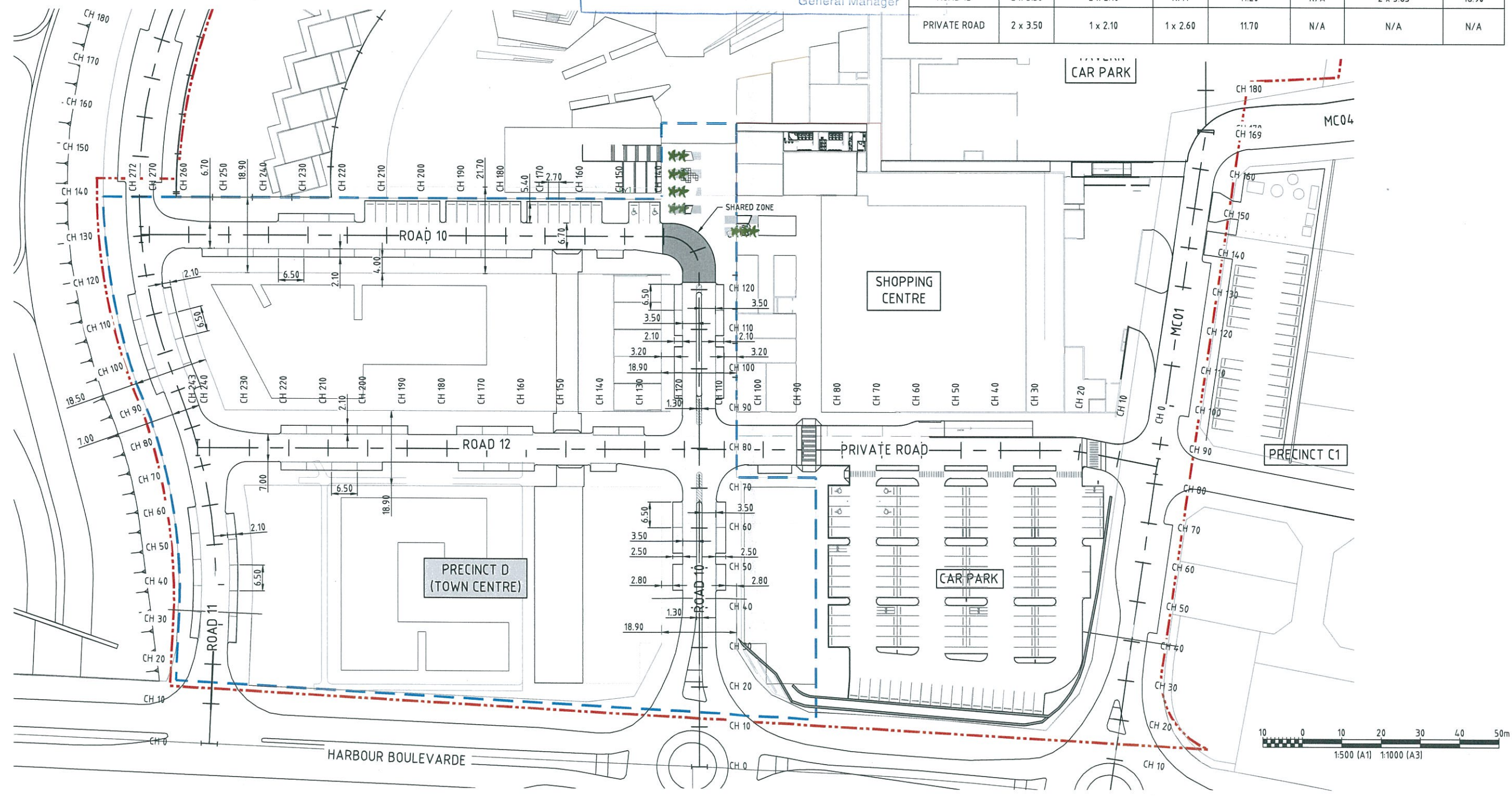
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LEGEND

- PRECINCT D BOUNDARY
- STAGE 1 BOUNDARY
- PERPENDICULAR PARKING SPACE (23 Nos.)
- PARALLEL PARKING SPACE (68 Nos.)
- DISABLED PARKING SPACE (2 Nos.)

PRECINCT D ROAD INFORMATION							
ROAD	LANES (m)	CARPARK BAYS (m)	BUS BAYS (m)	TOTAL CARRIAGEWAY (m)	MEDIAN (m)	VERGES (m)	TOTAL ROAD RESERVE (m)
ROAD 10 (WEST OF ROAD 12)	2 x 3.50	2 x 2.50	N/A	12.00	1.30	2 x 2.80	18.90
ROAD 10 (EAST OF ROAD 12)	2 x 3.50	2 x 2.10	N/A	11.20	1.30	2 x 3.20	18.90
ROAD 10 (SOUTH OF ROAD 11)	2 x 3.35	2 x 2.10	N/A	10.90	N/A	2 x 4.00	18.90
ROAD 10 (NORTH OF BEND)	2 x 3.35	2.1 WEST & 5.4 EAST	N/A	14.20	N/A	4 WEST & 3.5 EAST	21.70
ROAD 11	2 x 3.50	2 x 2.10	N/A	11.20	N/A	2 x 3.65	18.50
ROAD 12	2 x 3.50	2 x 2.10	N/A	11.20	N/A	2 x 3.85	18.90
PRIVATE ROAD	2 x 3.50	1 x 2.10	1 x 2.60	11.70	N/A	N/A	N/A



ISSUE	DATE	ISSUE DESCRIPTION	DRAWN
E	30.05.17	ISSUED FOR INFORMATION	KM
D	29.05.17	ISSUED FOR INFORMATION	KM
H	07.08.17	RETAINING WALL ADDED & KERB LINES UPDATED IN PARKING AREA	KM
G	08.07.17	KERB LINES REVISED	KM
F	11.07.17	ISSUED FOR INFORMATION	KM



INFORMATION ONLY
NOT TO BE USED
FOR CONSTRUCTION



SHELL COVE BOAT HARBOUR PRECINCT
PRECINCT D STAGE 1 ROADS DA
ROAD LAYOUT PLAN
301015-03163-CI-DSK-2010

USER NAME: kamanandican
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 CTB FILE: Worley-Full.ctb
 Plotter: None



HARBOUR BLVD.

COVE BLVDE.

4009
3.3486 Ha

PUBLIC RESERVE

ROAD 11

ROAD 12

ROAD 10

4007
4025.5 m²

4006
5394.4 m²

4005
1076.4 m²

4008
63.461Ha

TOTAL ROAD
AREA 8446.7m²

STAGE 1
LOT 4001 IN
DP 1235539

SHELLHARBOUR CITY COUNCIL
DEVELOPMENT CONSENT

DA No. 143/2016 Dated 8 MAR 2018

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Carey McIntyre
General Manager

Surveyor :
Date of Survey :
Surveyor's Ref :

PLAN OF PROPOSED
SUBDIVISION OF LOT 4003 & 4004 IN DP 1235539

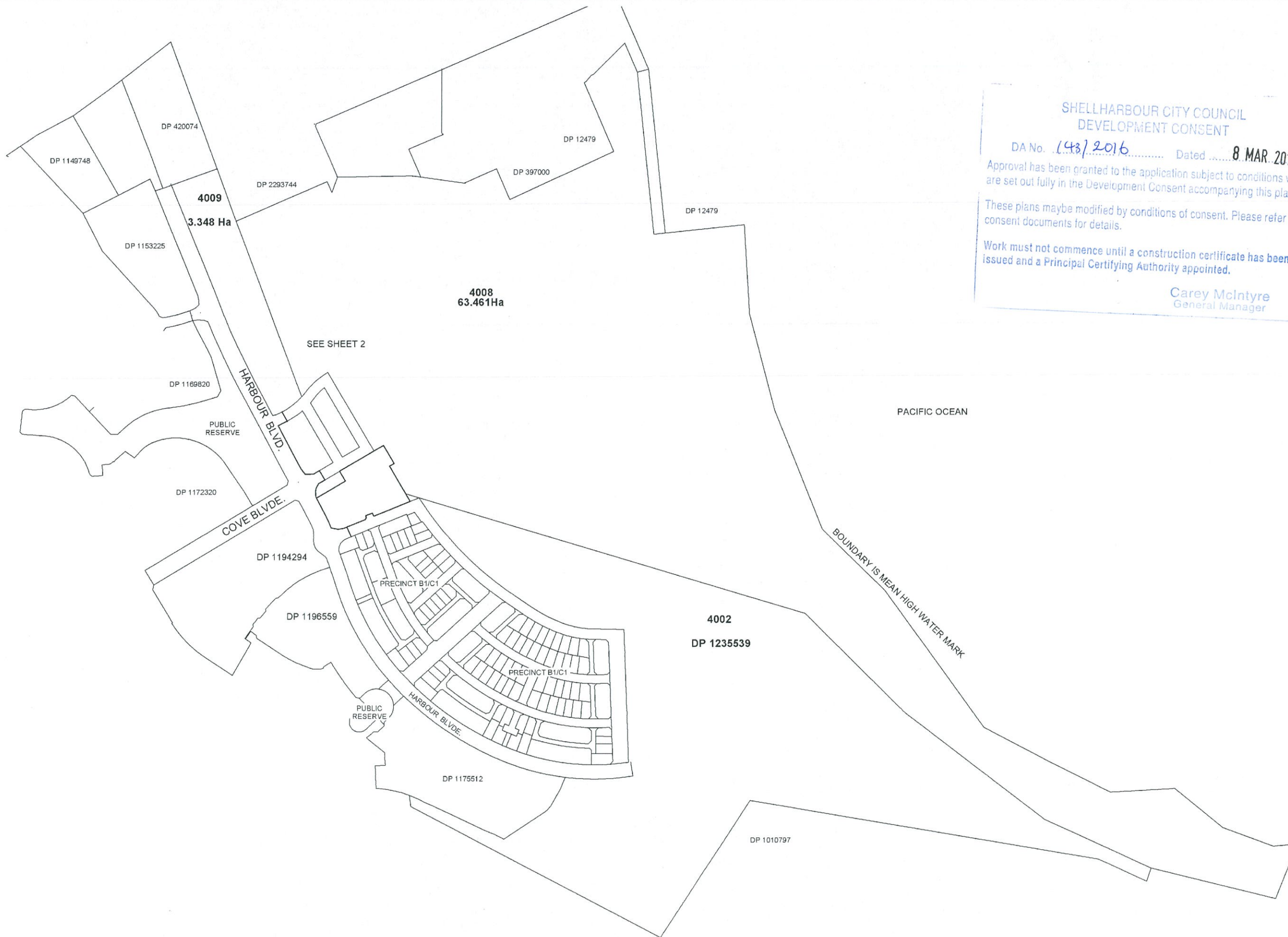
LGA: SHELLHARBOUR
Locality : SHELL COVE
Subdivision No:
Lengths are in metres. Reduction Ratio 1:1000

Registered

DP

00	10	20	30	40	50	Table of mm	90	100	110	120	130	140
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Received 5 March 2018



SHELLHARBOUR CITY COUNCIL
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 General Manager

Surveyor :	PLAN OF PROPOSED	LGA: SHELLHARBOUR	Registered	DP
Date of Survey :	SUBDIVISION OF LOT 4003 & 4004 IN DP 1235539	Locality : SHELL COVE		
Surveyor's Ref :		Subdivision No:		
		Lengths are in metres. Reduction Ratio 1:4500		

00	10	20	30	40	50	Table of mm	90	100	110	120	130	140
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Received 5 March 2018



SHELLHARBOUR CITY COUNCIL
DEVELOPMENT CONSENT

DA No. 143/2016

Dated 8 MAR 2016
"COUNCIL COPY"

All Communication address to the General Manager
Shellharbour City Council,
Locked Bag 155
Shellharbour City Centre, NSW 2529
p. 02 4221 6111 f. 02 4221 6016
e. records@shellharbour.nsw.gov.au
www.shellharbour.nsw.gov.au

Approval has been granted to the application subject to conditions which are set out fully in the Development Consent accompanying this plan.

These plans maybe modified by conditions of consent. Please refer to consent documents for details.

DX 26402 Shellharbour City Centre

Work must not commence until a construction certificate has been

Site Waste Minimisation and Management Plan

Carey McIntyre
General Manager

Waste Management Plan Requirements

- The applicable sections of this table must be completed and submitted with your Development Application
- This form is to be used for all Development Applications. Each section including demolition, construction and the ongoing requirements (as relevant) must be completed. N/A must be placed where it is not deemed applicable.
- Completing this table will assist you in identifying the type of waste that will be generated and provide details in relation to expected quantities of material and detail of how you intend to re-use, recycle or dispose on site
- The information provided on the form and the detail shown on your plans will be assessed against the relevant objectives and controls in the Shellharbour Development Control Plan.
- If the space is insufficient in the table please provide attachments

Applicant Details

Name	Glen Colquhoun
Company Name	Auskaland Corporation (NSW) Pty Ltd
Phone Number	42977364
Address	Po Box 4148 Shellharbour NSW
Email	chris.vandle@frasersproperty.com.au

Project Details

Site Address (Including Lot & DP)	1597/1194294, 8032/1072187 1279/1175512 Core Blvd Shell Cove
Brief Description of Development Proposal	Subdivision to create 3 lots, 3 residual lots, public roads, construct roads, landscape and public square

Compliance with the Plan

Shellharbour City Council may conduct a waste audit of your site at anytime throughout the development. Council is not required to provide you notice than an audit is going to occur.

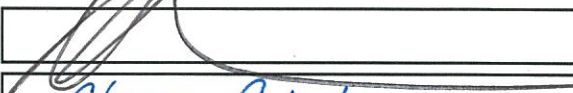
The audits will check that you are complying with this waste management plan and ensure that waste generated from demolition, excavation and construction activities is being taken to a waste facility that can lawfully accept it. During the audit, Council officers may ask to see written records about your waste, such as copies of waste management plans and waste dockets/receipts.

You should be aware that under NSW Protection of the Environment Operations Act 1997, **both the owner and transporter of waste** are legally responsible for ensuring that waste is taken to a place that can lawfully accept it.

- I am aware that Council officers may conduct an audit of my development site without notice at anytime throughout the development.
- I am aware that during this audit, Council will be assessing compliance with this waste management plan and checking that I am lawfully disposing of development waste.
- I am aware that I will be required to produce evidence to Council officers of my compliance with this waste management plan and lawful disposal of waste required under the NSW Protection of the Environment Operations Act 1997.
- I am aware of my responsibilities under the NSW Protection of the Environment Operations Act 1997 in relation to waste.
- Where I am not the person responsible for waste management on the site, I will ensure that the person responsible is also aware of the above.

Declaration

I declare that the information provided in this waste management plan is true to the best of my knowledge.

Applicant Signature:		Date:	18/4/16
Print name:	Alean Colquhoun		
Owner's Signature:		Date:	
Print name:			

Stage 1 – Demolition

- This is the stage with the greatest potential for waste minimisation.
- The first thing that applicants should consider is whether it is possible to re-use existing buildings, or part thereof, for the proposed use.
- Planned and careful on-site sorting and storage makes it possible to re-use many materials, either on-site or offsite. Council supports moving away from "trashing the building" to "total recycling on site". This may require a number of colour-coded or clearly labelled bins on-site (rather than one size fits all).
- The following table should be completed by applicants proposing any demolition work. The following details should be shown on your plans:
 - Location of on-site storage space for materials (for re-use) and containers for recycling and disposal.
 - Vehicle access to the site and to storage and container areas.
- Removal of storage containers must only be carried out in accordance with the approved construction hours.
- The provision of tip fee or recycling processors receipts may be required by Council upon completion of work to show compliance with approved consent.

Stage 1 - Demolition				
MATERIALS ON-SITE		DESTINATION		
		REUSE AND RECYCLING		DISPOSAL
Type of Material	Estimated volume (m3) or area (m3)	ON-SITE Specify proposed reuse or onsite recycling methods	OFF-SITE Specify contractor and recycling outlet	Specify contractor and landfill site
Excavation Material				
Green Waste				
Asbestos Cement Roof and Wall Cladding				
Bricks				
Concrete				
Timber (specify)				
Plasterboard				
Metals (specify)				
Tiles				
Other (specify)				

NOT APPLICABLE TO THIS APPLICATION

- Details of site area to be used for onsite separation, treatment and storage (including weather protection) should be provided on the plan drawings accompanying your application
- Section labelled "other" includes mixed materials on the site including residual waste. Each material type shall be specified.

Stage 2 – Construction and Use

Stage 2(A) – Potential for Waste Minimisation During Construction Stage

You should consider the following measures that may also save resources and minimise waste at the construction stage:

- Ordering the right quantities of materials and prefabrication of materials where possible.
- Reusing formwork.
- Minimising site disturbance, limiting unnecessary excavation.
- Careful source separation of off-cuts to facilitate re-use, resale or efficient recycling.
- Coordination/sequencing of various trades.

The following details should be shown on your plans:

- Location of the temporary storage spaces on the site
- Each designated storage space should be labelled on the plan

Stage 2(B) – Ongoing (Operational) Waste Management

Council encourages sustainable best practice in waste management and encourages you to consider the fact that the design of the development should allow for ease of use for occupiers and user friendly recycling options for all types of developments.

The following details should be shown on your Waste Management Plan:

- Location of waste storage and recycling area(s) per unit or located communally on-site.
- Details of the design of the waste storage and recycling area(s).
- Details showing the number of garbage and recycling bins required and the areas in which they will be stored.
- Where appropriate, design details of garbage and recycling room(s).
- Collection access point for the waste to be removed from on collection day and an indication of the area where the bins will be stored awaiting collection. Consideration should be given to ensure that no roadways or access points are blocked or restricted during collection (This is mainly an issue for multi dwelling residential development).
- Any underground collection, compaction proposals or collection points located on a private roadway will need to be discussed prior to any approval being given.
- In relation to multi dwelling developments, commercial and industrial premises, each building should be provided with a designated waste storage and recycling area which is flexible in size and layout to cater for future changes of use.

Stage 2(A) – Construction Stage				
MATERIALS ON-SITE		DESTINATION		
		REUSE AND RECYCLING		DISPOSAL
Type of Material	Estimated volume (m3) or area (m2)	ON-SITE Specify proposed reuse or onsite recycling methods	OFF-SITE Specify contractor and recycling outlet	Specify contractor and landfill site
Excavation Material	9250	Reuse on site, place as fill in adjoining precinct		
Green Waste	50		Dunmore Recycling and Waste Depot	
Asbestos Cement Roof and Wall Cladding				
Bricks				
Concrete	5		Dunmore Recycling and Waste Depot	
Timber (specify)	5		Dunmore Recycling and Waste Depot	
Plasterboard				
Metals (specify)				
Tiles				
Other (specify) <i>General waste</i>	10			Dunmore Recycling and Waste Depot

- Details of site area to be used for onsite separation, treatment and storage (including weather protection) should be provided on the plan drawings accompanying your application
- Section labelled "other" includes mixed materials on the site including residual waste. Each material type shall be specified.



SCANNED

Contact: Jeremy Morice
Phone: 02 4224 9736
Fax: 02 4224 9740
Email: jeremy.morice@dpi.nsw.gov.au

Our ref: 10 ERM2016/0375
Our file:
Your ref: DA0143/2016

The General Manager
Shellharbour City Council
PO Box 155
Shellharbour City Centre NSW 2529

Attention: Anthony Randall

SHELLHARBOUR CITY COUNCIL	
Doc No.	10750742
04 AUG 2016	
Batch No.	
Box No.	

2 August 2016

Dear Sir

Re: Integrated Development Referral – General Terms of Approval

Dev Ref: DA0143/2016

Description of proposed activity: Subdivision, public roads, landscape construction

**Site location: Lot 8032 DP 1072187, Lot 1279 DP 1175512, Lot 1597 DP 1194294,
Shallows Drive Shell Cove**

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the subject property. Attached, please find DPI Water's (formerly the NSW Office of Water) General Terms of Approval (GTA) for works requiring a controlled activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 91A (3) of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, DPI Water requests that these GTA be included (in their entirety) in Council's development consent. Please also note the following:

- DPI Water should be notified if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works on waterfront land (which includes (i) the bed of any river together with any land within 40 metres inland of the highest bank of the river, or (ii) the bed of any lake, together with any land within 40 metres of the shore of the lake, or (iii) the bed of any estuary, together with any land within 40 metres inland of the mean high water mark of the estuary).
- Once notified, DPI Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed works are part of Council's proposed consent conditions and do not appear in the original documentation.

- DPI Water should be notified if Council receives an application to modify the development consent and the modifications change any activities on waterfront land.
- DPI Water requests notification of any legal challenge to the consent.

As the controlled activity to be carried out on waterfront land cannot commence before the applicant applies for and obtains a controlled activity approval, DPI Water recommends the following condition be included in the development consent:

"The Construction Certificate will not be issued over any part of the site requiring a controlled activity approval until a copy of the approval has been provided to Council".

The attached GTA are not the controlled activity approval. The applicant must apply (to DPI Water) for a controlled activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity on waterfront land.

Finalisation of a controlled activity approval can take up to eight (8) weeks from the date DPI Water receives all documentation (to its satisfaction). Applicants must complete and submit (to the undersigned) an application form for a controlled activity approval together with any required plans, documents, the appropriate fee and security deposit or bank guarantee (if required by the Office or Water) and proof of Council's development consent.

Application forms for the controlled activity approval are available from the undersigned or from DPI Water's website:

www.water.nsw.gov.au [Water licensing](#) > [Approvals](#) > Controlled activities

DPI Water requests that Council provide a copy of this letter to the applicant.

DPI Water also requests that Council provides DPI Water with a copy of the determination for this development application as required under section 91A (6) of the EPA Act.

Yours Sincerely



Jeremy Morice

Water Regulation Officer

Water Regulatory Operations, Water Regulatory Operations South

NSW Department of Primary Industries – DPI Water

General Terms of Approval

for work requiring a controlled activity approval
under s91 of the *Water Management Act 2000*

Number	Condition	File No:
Site Address:	Lot 8032 DP 1072187, Lot 1279 DP 1175512, Lot 1597 DP 1194294, Shallows Drive Shell Cove	
DA Number:	DA0143/2016	
LGA:	Shellharbour City Council	
Plans, standards and guidelines		
1	<p>These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA0143/2016 and provided by Council:</p> <ul style="list-style-type: none"> (i) Statement of Environmental Effects (ii) Subdivision and Drainage Plans (iii) Stormwater and Water Cycle Management Plan (ii) Flood Study <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified DPI Water (formerly the NSW Office of Water) must be notified to determine if any variations to these GTA will be required.</p>	
2	<p>Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from DPI Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.</p>	
3	<p>The consent holder must prepare or commission the preparation of:</p> <ul style="list-style-type: none"> (i) Construction Civil and Drainage Plans (ii) Soil and Water Management Plan 	
4	<p>The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to DPI Water.</p>	
Rehabilitation and maintenance		
5	<p>The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the DPI Water.</p>	
Bridge, causeway, culverts, and crossing		
6	<p>The consent holder must ensure that the construction of any bridge, causeway, culvert or crossing does not result in erosion, obstruction of flow, destabilisation or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by DPI Water.</p>	
7	<p>The consent holder must ensure that any bridge, causeway, culvert or crossing does not obstruct water flow and direction, is the same width as the river or sufficiently wide to maintain water circulation, with no significant water level difference between either side of the structure other than in accordance with a plan approved by DPI Water.</p>	

Number	Condition	File No:
Disposal		
8	The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow, (ii) wash into the water body, or (iii) cause damage to river banks; are left on waterfront land other than in accordance with a plan approved by DPI Water.	
Drainage and Stormwater		
9	The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by DPI Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by DPI Water.	
10	The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by DPI Water.	
Erosion control		
11	The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by DPI Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.	
Excavation		
12	The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by DPI Water.	
END OF CONDITIONS		