

Assessment Against SF10851 Conditions of Consent

SF10851 Condition	Project Response
Part E: Prior to the Issue of a Subdivision Works Certificate	
20. Compliance with Conditions	
A Subdivision Works Certificate must not be issued until the Certifier has received evidence that all relevant conditions have been met.	BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council
21. Design Standards – Subdivision Works	
Prior to the issue of a Subdivision Works Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor in accordance with Council's Engineering Design and Construction Specifications and approved by the Certifier. Specifications can be found on Council's website.	BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council
22. Shoalhaven Water – Prior to the issue of a Subdivision Works Certificate	
Prior to the issue of a Subdivision Works Certificate, all conditions listed on the attached Shoalhaven Water Notice of Requirements under the heading "Prior to Issue of Subdivision Works Certificate" must be complied with. Written notification must be issued by Shoalhaven Water and provided to the Certifier.	BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council
23. Soil and Water Management Plans (SWMP)	
<p>Prior to the issue of a Subdivision Works Certificate, a Soil and Water Management Plan must be prepared by a Professional Engineer, (as defined in the National Construction Code) to the satisfaction of the Certifier.</p> <p>All implemented measures must:</p> <ol style="list-style-type: none"> Prevent water pollution as defined by the Protection of the Environment Operations Act (POEO). be maintained at all times. not be decommissioned until at least 70% revegetation cover has been established 	BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council
24. Design Standards – Works Within Road Reserve	
Prior to the issue of a Subdivision Works Certificate, all subdivision works proposed within road reserves must be approved by Council.	BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council
25. Existing Services	
Prior to the issue of a Subdivision Works Certificate, the developer must check that the proposed works are not affected by or do not affect any Council electricity, telecommunications, gas, or other service. All services existing and proposed, above or below ground are to be shown accurately on the engineering plans including longitudinal sections with clearances to proposed infrastructure clearly labelled. Any required alterations to services will be at the developer's expense.	BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council
26 – Retaining Walls - Design	
<p>Prior to the issue of a Subdivision Works Certificate for approved retaining walls exceeding 0.6m 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:</p> <ol style="list-style-type: none"> For retaining walls exceeding 0.6m in height above natural ground level (existing) a professional engineer has certified the retaining walls as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load; and For retaining walls less than 0.6m in height above natural ground level (existing) the Certifier must be satisfied that the retaining walls are structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load. Retaining walls, footings and drainage must be contained wholly within the development site. <p>Construction within a registered easement is prohibited.</p>	BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council

<p>Retaining walls not shown on the approved plan must meet the criteria for Exempt retaining walls and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>, or be approved by way of Complying Development prior to construction and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	
27. Internal Road Design Standards (Urban) – Greenfield Subdivision	
<p>Prior to the issue of a Subdivision Works Certificate, certified road design engineering plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The road design must comply with the following:</p> <p>a) Council's Engineering Design Specifications sections D1 – Geometric Road Design and D2 – Flexible Pavement Design.</p> <p>b) AUSTRROADS Design Requirements and Specifications.</p> <p>c) In accordance with the layout within the approved concept engineering plans by Allen Price & Scarratts Pty Ltd (Drawing No. N27790-401 to N27790-403, dated 06/06/2022 (Revision P9), 01/08/2022 (Revision P15) and 27/07/2022 (Revision P10)).</p> <p>d) Avoid trapped low points and ensure that overland flow is passed safely over public land.</p> <p>e) Integral layback kerb and gutter in accordance with Council's Standard Drawings. Upright kerb and gutter is to be provided for frontages to the West Cambewarra Road reserve, public open spaces and the cul-de-sac.</p> <p>f) Subsoil drainage behind the kerb line on the high side of the road or both side if the cross fall is neutral or the road is in cut.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
28 – Access Driveway Design Standards – Bushfire Evacuation Exit	
<p>Prior to the issue of a Subdivision Works Certificate, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The driveway and layback design for the bushfire evacuation access must comply with the following:</p> <p>a) Council's Engineering Design Standard Drawings.</p> <p>b) Constructed using minimum 20 MPa reinforced concrete, reinforced with SL72 mesh, on a 150mm compacted road base with concrete slab of minimum 6 metres width and minimum 150mm depth.</p> <p>c) For the layback interface with the existing pavement on Moss Vale Road – include removal of sufficient width of existing road seal and pavement to allow placing of formwork and laying/compaction of suitable pavement material for the driveway layback with a minimum 300mm offset to the kerb lip line.</p> <p>d) Ensure stormwater runoff is not concentrated on to adjoining lots.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
29. Lighting Design – Street Lighting on Public Roads	
<p>Prior to the issue of a Subdivision Works Certificate, the developer must request a Public Lighting Design Brief from Council as per the requirements of the authority (Endeavour Energy).</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
30. Relocation of Bus Shelter	
<p>Prior to the issue of a Subdivision Works Certificate, the developer must consult with TfNSW, Council and relevant bus authorities in regard to the potential re-location or decommissioning of the existing bus shelter at the intersection of Moss Vale Road and Elvin Drive which is impacted by the proposed intersection works. Evidence of this consultation is to be provided to and accepted by Council in writing, prior to the issue of the Subdivision Works Certificate.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
31. Design Standards – Traffic Committee Referral	
<p>Prior to the issue of a Subdivision Works Certificate details of proposed traffic management and traffic control devices must be submitted to the satisfaction of Council for referral and endorsement of the Shoalhaven Traffic Committee.</p> <p><i>Note: This process can take six to eight weeks.</i></p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
32. Cycleway and Footpath Design Standards	
<p>Prior to the issue of a Subdivision Works Certificate, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The cycleway and footpath design must comply with the following:</p> <p>a) Councils Engineering Design Specifications Section D8 – Cycleway and Footpath Design.</p> <p>b) A 1.2 metre-wide concrete footpath designed for the full length of Proposed Road 01 and continue to the intersection with Moss Vale Road and the proposed bus stop on Moss Vale Road with:</p> <p>i) 3% cross fall from the boundary to top of kerb or existing road pavement, unless accepted by Council.</p> <p>ii) kerb ramps at intersections in accordance with Council's Engineering Design Specifications.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>

33. Stormwater Drainage Design Standards (Urban)	
<p>Prior to the issue of a Subdivision Works Certificate, certified engineering design plans, specifications and DRAINS model (or approved alternative) must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The stormwater drainage design must comply with the following:</p> <p>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.</p> <p>b) The minor and major systems must be designed for a 10% AEP and 1% Annual Exceedance Probability (AEP) rainfall events, respectively.</p> <p>c) Generally, in accordance with the layout within the approved concept engineering plans by Allen Price & Scarratts Pty Ltd (Drawing No. N27790-401 to N27790-403, dated 06/06/2022 (Revision P9), 01/08/2022 (Revision P15) and 27/07/2022 (Revision P10)).</p> <p>d) Where a pipe drains a public road through land adjoining the road, the pipe is to be designed to cater for the 1% AEP event with an overland flow path to provide for bypass/surcharge in the event of the pipe or pit inlet being 50% blocked.</p> <p>e) The existing stormwater drainage system is to be adjusted to suit the new works. In this regard the following is required: i) existing drainage systems through lots draining public roads are to be upgraded where necessary to contain flows in accordance with Council's Engineering Design Specifications - Section D5.04.</p> <p>ii) all relevant calculations are to be noted on the drainage plans to confirm the adequacy of the existing system, or the upgraded design.</p> <p>f) Design of stormwater drainage is to include piping, swales and easements to facilitate future development of the site.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
34. Stormwater Drainage Design – Trunk Drainage	
<p>Prior to the issue of a Subdivision Works Certificate, a detailed design including certified engineering plans, specifications and DRAINS model (or an approved alternative) for major trunk drainage 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 utilising Australian Rainfall and Runoff (ARR, 2019) Guidelines and approved by Council Specifications can be found on Council's web site.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
35. Structural Design – Major Structures	
<p>Prior to the issue of a Subdivision Works Certificate, a detailed structural design for the following works must be certified professional engineer, (as defined in the National Construction Code) and approved by Council.</p> <p>a) Bridges and other major drainage structures, including cast in situ concrete culverts, headwalls, wing walls and stormwater pits / structures that require steel reinforcement.</p> <p>b) The structural design must comply with the Council's Engineering Design Specification – Chapter 3 – Structures/Bridge Design and relevant Australian Standards.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
36. On-Site Detention – Greenfield Subdivision	
<p>Prior to the issue of a Subdivision Works Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approve by the Certifier.</p> <p>The on-site stormwater detention (OSD) design must comply with the following:</p> <p>a) Provided wholly above the 10% AEP storm event inundation level of the natural watercourse or water body.</p> <p>b) Designed such that stormwater runoff from the development for design storm events up to and including the 1% AEP does not exceed the pre-developed conditions.</p> <p>c) All flow discharging from on-site detention is to be via gravity flow to an approved discharge location. Automatic pump out systems from on-site detention will not be permitted.</p> <p>d) Adequate scour protection at the outlet of the on-site detention basin, in accordance with Council's Engineering Design Specification.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
37. Site Filling Design Standards	
<p>Prior to the issue of a Subdivision Works Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The site filling design must comply with the following:</p> <p>a) The lot/site must be filled to generally in accordance with the layout within the approved concept engineering plans by Allen Price & Scarratts Pty Ltd (Drawing No. N27790-401 to N27790-403, dated 06/06/2022 (Revision P9), 01/08/2022 (Revision P15) and 27/07/2022 (Revision P10)) and have an absolute minimum grade of 0.5%.</p> <p>b) The filling specification must be approved by Council and require all allotment filling to be placed in accordance with AS 3798 Guidelines on earthworks for commercial and residential developments and compacted at least to the minimum relative compaction listed in the standard applicable to the type of development / subdivision.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>

38. Landscape Design Plan (subdivision)	
<p>Prior to the issue of a Subdivision Works Certificate, landscaping design plans and specifications must be prepared by a suitably qualified person and approved by Council. The landscape design plan must:</p> <ul style="list-style-type: none"> a) Provide street trees as follows: <ul style="list-style-type: none"> i) At least one street tree of minimum 60L pot size per 20m of road frontage. ii) set back a minimum 900mm from the back of the kerb or midway between the footpath and kerb. Where the tree is less than 900mm from the footpath, root barriers must be installed. iii) minimum 75mm depth of organic mulch applied a minimum 600mm diameter surrounding the base of the trunk. iv) each tree is to be protected by a braced structure comprising 4 timber posts with 75mm x 75mm minimum dimensions and bordered by 100mm x 25mm treated pine edging. v) root barriers are to be placed between the trees and above or below ground civil infrastructure to a minimum depth of 1.0 metre, at least twice the pot size away from the tree and extend along the service for a minimum length of half the mature drip line. i) All existing and proposed infrastructure including underground services. ii) Existing site conditions (contours, vegetation, drainage, etc). iii) Approximate location and description of structures and vegetation on adjacent property. iv) Vegetation to be retained including isolated trees or habitat of ecological significance. v) Protective fencing. vi) Type of grass seed or turf to be used (Council prefers Australian native grasses in rural developments and adjacent to natural areas in urban developments. vii) Botanic and common names of plantings (and cultivar name if applicable). viii) Size in litres when planted and mature height and spread. ix) Years to maturity (to determine possible restriction to sight distance at intersections and other locations as necessary). x) Hard landscaping details. 	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
39. Flooding – Subdivision Works Certificate Requirements	
<p>Prior to the issue of a Subdivision Works Certificate, a professional engineer, (as defined in the National Construction Code) must submit to the satisfaction of the Certifier, certification that the following items have been detailed on the construction drawings:</p> <ul style="list-style-type: none"> a) All roads will be constructed at or above the 1% Annual Exceedance Probability (AEP) event flood level as documented on a Flood Certificate obtained from Council that is based on the latest flooding information held. b) All new lots are constructed at or above the 1% AEP event flood level as documented on a Flood Certificate obtained from Council that is based on the latest flooding information held. c) Flood-free emergency vehicle access is provided to the subdivision for ambulance, SES, fire brigade, police and other emergency services during a 1% AEP flood event. d) Flood-free pedestrian access is provided during a 1% AEP flood event. e) No filling is permitted in areas mapped as High Hazard Floodway in the Bomaderry Creek Floodplain Risk Management Study and Plan (2016). f) Filling must be limited to less than 1% of the 2050 scenario 5% and 1% AEP flood volume and less than 1m above natural ground level within the property in areas mapped with a Flood Storage hydraulic category in the Bomaderry Creek Floodplain Risk Management Study and Plan (2016) with the exception of the localised area currently mapped as a Category 3 riparian waterway in which a greater fill depth is permitted. g) No flood afflux is permitted in existing properties located to the north of Moss Vale Rd in a 1% AEP event as a result of proposed works to divert the local overland flow path immediately downstream of the existing culvert around the bioretention basin. All flood impact calculations must be provided to Council for acceptance. 	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>
40. WSUD Measures – Water Quality, Retention and Reuse	
<p>Prior to the issue of a Subdivision Works 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 is to be approved by Council. Specifications can be found on Council’s website. The stormwater treatment, retention and reuse design must comply with the following:</p> <ul style="list-style-type: none"> a) The proposed WSUD strategy must comprise of one CDS style GPT or approved equivalent, rainwater tanks in accordance with BASIX requirements and one bioretention basin. b) Rainwater tanks in accordance with BASIX requirements. All rainwater tanks shall have a minimum volume as documented in the Integrated Water Cycle Management Strategy report by Allen Price & Scarratts Pty Ltd (Reference No. N27790, dated 01/08/2022) and a minimum of 80% of roof areas contributing to the rainwater tank. c) No stormwater infrastructure is permitted on the adjacent land zoned as Environmental Conservation without Council approval. 	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>

<p>d) The WSUD strategy must be able to remove 80% of Total Suspended Solids (TSS), 45% of Total Nitrogen (TN) and 45% of Total Phosphorus (TP) for the total site area as demonstrated using MUSIC software. The detailed MUSIC model must be provided to Council for acceptance. The WSUD strategy must be able to retain litter and gross pollutants greater than 40mm and sediment greater than 0.125mm for flows up to the 4 Exceedances Per Year (EY) event.</p> <p>e) The 50% AEP pre-development peak discharge must be maintained.</p> <p>f) The post-development duration of stream forming flows must be no greater than a stream erosion index of 2.</p>	
<p>41. WSUD Measures – Bioretention Basins</p>	
<p>Prior to the issue of a Subdivision Works Certificate, a detailed design of bioretention basin stormwater quality improvement devices must be certified by a professional engineer, (as defined in the National Construction Code) who can demonstrate the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications is to be approved by Council. Specification can be found on Council's website.</p> <p>The bioretention basin design must comply with the following:</p> <p>a) The bioretention basin must be located in a treatment train configuration immediately downstream of a proprietary GPT device that is offline from the stormwater network to allow flows exceeding an approximately 4 exceedance per year (EY) event to bypass the proprietary GPT device. The GPT invert level must be at or above the bioretention basin extended detention level.</p> <p>b) For proprietary treatment devices, documentation from the supplier providing evidence that the proposed device has been appropriately sized for the contributing catchment must be submitted. Documentation from the supplier confirming the recommended MUSIC pollutant reduction targets must also be provided. The proprietary treatment device must as a minimum have a storage capacity to store 12-month of litter/sediment from the contributing catchment.</p> <p>c) All stormwater inlet pipes to the bioretention basin must have an invert level located at or above the surface level of the bioretention basin and energy dissipation structures design in accordance with Council's Engineering Design Specification. The inlet configuration must prevent damage to bioretention filter media from concentrated inflows.</p> <p>d) Erosion protection must be provided in the bioretention basin inlet and outlets locations, in accordance with Council's Engineering Design Specification.</p> <p>e) The bioretention basin must have a 300mm maximum extended detention depth (EDD). The saturated hydraulic conductivity must be between 100 and 300mm/hour, with a 100mm/hour value adopted for design in MUSIC.</p> <p>f) The bioretention basin must be designed in accordance with the latest version of the Adoption Guidelines for Stormwater Biofiltration Systems (CRC for Water Sensitive Cities) or a demonstrated equivalent approved by Council.</p> <p>g) All underdrains must comprise straight sections with no bend angles greater than 45 degrees.</p> <p>h) Flushing points shall be designed in accordance with the Adoption Guidelines for Stormwater Biofiltration Systems (CRC for Water Sensitive Cities) and comprise screw on PVC lids.</p> <p>i) The bioretention basin must be located outside the 1% AEP event flood extent for Bomaderry Creek as documented on a Flood Certificate obtained from Council that is based on the latest flooding information held.</p> <p>j) The local overland flow path that enters the property from the existing Moss Vale Rd culvert must be conveyed around the bioretention basin for events up to the 1% AEP event local catchment flow. The local catchment overland flow path must comprise a minimum longitudinal grade of 1%, maximum longitudinal grade of 5% and maximum Velocity x Depth product of 0.8 m²/s in the 1% AEP event. Calculations are to be provided to Council for acceptance.</p> <p>k) Land must be retained around the stormwater system to allow Council to access stormwater infrastructure and conduct maintenance activities. A minimum 3m average width buffer around the stormwater devices (measured from the top of batter) are required for access, landscaping and safety requirements unless an alternative setback is approved by Council. All surfaces with a grade steeper than 1V:4H must be planted.</p> <p>l) Batter slopes for the bioretention basin that are steeper than 1V:4H, including vertical retaining walls, are not permitted unless approved by Council.</p> <p>m) A vehicle access ramp must be provided to all trash rack, GPT, sediment basin / forebay and bioretention basin treatment devices for maintenance and operation requirements, such as debris, litter and sediment removal and vegetation reinstatement. Access slopes for maintenance vehicles should not exceed 1V:8H for trucks and 1V:5H for excavators and other maintenance vehicles. Access turnings paths must be demonstrated to comply with AS2890.2 for a medium rigid vehicle (MRV).</p> <p>n) Landscape details for the bioretention basin and surrounds are to be included on the Landscape Plan and submitted to Council for approval.</p> <p>o) Stormwater detention is to be provided above the bioretention basin footprint as shown in the engineering plan by Allen Price & Scarratts Pty Ltd (Drawing No. N27790-402, dated 01/08/2022). Stormwater bypass flows above the 1 EY event can only enter the OSD storage</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>

<p>after the treatment EDD has been filled. The maximum storage depth must not exceed 1.2m (EDD and OSD) and the bioretention device must be able to fully drain within 24 hours except where restricted by downstream flooding in Bomaderry Creek. The DRAINS model (or approved alternative software accepted by Council) must be provided to Council for acceptance of the OSD modelling. Outlet pits must be set at the bioretention basin extended detention level with OSD outflows controlled by a staged outlet structure or approved equivalent. All OSD storage must be provided above the extended detention depth within the bioretention basin. Overland flows up to the 1% AEP event must be able to enter the bioretention basin downstream of the pre-treatment device and the inflow location must be designed to prevent damage to the bioretention basin filter media and planting.</p> <p>p) The bioretention basin must be established offline from inflows until it is fully established and not before at least 90% of upstream catchment is fully developed and disturbed land has been stabilised.</p> <p>q) Councils Engineering Design Specification where relevant.</p>							
<p>42. Water Sensitive Urban Design Operation and Maintenance Manual</p>							
<p>Adopted WSUD Management, Operation, Maintenance and Monitoring Manual/s for the permanent water quality facilities must be submitted to Council prior to issue of the Subdivision Certificate. The manuals must be prepared by a suitably qualified professional in accordance with the objectives and criteria identified in the approved Integrated Water Cycle Management Plan.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>						
<p>43. Water Sensitive Urban Design Checklists</p>							
<p>Compliance checklists are to be prepared by the WSUD Designers and submitted to Council prior to issue of the relevant Subdivision Certificate. The checklists must incorporate all checks and certifications that are required to be carried out during the civil construction phase, asset protection phase, landscape practical completion phase and final compliance inspection prior to final handover.</p>	<p>BEW CC is issued and under construction– SWC is currently under assessment by Shoalhaven City Council</p>						
<p>44. Retirement of Biodiversity Offset Scheme Credits</p>							
<p>The NSW Biodiversity Conservation Act 2016 requires that a condition to retire credits is to be complied with before any development that would impact on biodiversity values is carried out (BC Act s7.13(5)). Evidence that credit obligations have been met must be provided to Council prior to issue a Subdivision Works Certificate. A private certifier cannot assume the role of the consent authority in confirming compliance with offset conditions.</p> <p>Biodiversity credit obligation options</p> <p>Species Credits</p> <table border="1" data-bbox="213 1227 1082 1330"> <thead> <tr> <th>Species</th> <th>Number of Credits</th> <th>Like for Like</th> </tr> </thead> <tbody> <tr> <td>Large-eared Pied Bat <i>Chalinolobus dwyeri</i></td> <td>1</td> <td>Any Large-eared Pied bat <i>Chalinolobus dwyeri</i> in NSW</td> </tr> </tbody> </table> <p>Like for like credit obligations may be achieved through either:</p> <ul style="list-style-type: none"> The purchase and retirement of credits: Evidence must be provided in the form of a credit retirement report issued by NSW Office of Environment and Heritage (OEH) confirming credit transactions. The credit transaction must correspond to the required like for like credits from an appropriate location. Payment into the Biodiversity Conservation Fund (BCF) administered by the Biodiversity Conservation Trust (BCT): Evidence must be provided in the form of a section 6.33 Statement Confirming Payment into the Biodiversity Conservation Fund issued by the Biodiversity Conservation Trust. The payment transaction must correspond to the appropriate class and number of credits required. <p>Note that the use of variation rules to utilise the “Variation options” under the Biodiversity credit obligation options, can only be approved following demonstration of reasonable steps to locate like for like offsets. Actions that constitute ‘reasonable steps’ are outlined in the ancillary rules (https://www.environment.nsw.gov.au/resources/bcact/ancillary-rules-reasonable-steps-170498.pdf).</p>	Species	Number of Credits	Like for Like	Large-eared Pied Bat <i>Chalinolobus dwyeri</i>	1	Any Large-eared Pied bat <i>Chalinolobus dwyeri</i> in NSW	<p>Biodiversity Credits are retired.</p>
Species	Number of Credits	Like for Like					
Large-eared Pied Bat <i>Chalinolobus dwyeri</i>	1	Any Large-eared Pied bat <i>Chalinolobus dwyeri</i> in NSW					
<p>45. Vegetation Management Plan</p>							
<p>Prior to the issue of a Subdivision Works Certificate, a Vegetation Management Plan must be prepared by a suitably qualified ecologist for the revegetation and management of the 50m riparian corridor and submitted to Council for approval.</p> <p>The plan must address as a minimum:</p> <ol style="list-style-type: none"> Site description. Identify proposed management zones on the subject site. Detail management actions such as revegetation, weed control and fencing Determine aims and quantifiable objectives to meet objectives and the performance criteria of the plan including native cover to be achieved. 	<p>Vegetation management plans has completed and is currently with Council for review</p>						

e) Prepare a schedule of works and a budget including initial works and ongoing monitoring and management.	
f) Define monitoring and reporting methods to monitor the performance criteria.	
Part F: During Works	
45. 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.	Noted and is currently being adhered to on site.
47. Demolition	
Demolition work must be carried out in accordance with AS2601-2 SafeWork NSW – Code of Practice, Demolition Work [ISBN 978-0-642-78415-5] and SafeWork NSW – Code of Practice, How to Safely Remove Asbestos [ISBN 978-0-642-33317-9] as applicable.	Noted and is currently being adhered to on site.
48. Noise	
The noise from all 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 LA10 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.	Noted and is currently being adhered to on site.
49. Excavation	
Excavation must be carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-78544-2) published by Safe Work Australia in October 2018.	Noted and is currently being adhered to on site.
50. CCTV Inspection of Stormwater Pipes	
Prior to the completion of works, all stormwater pipes within road reserves and within drainage easements intended to be dedicated to Council must be inspected by CCTV and submitted to the Certifier for approval. The CCTV must be carried out in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia Version 3.1 after all earthworks and adjacent road pavement works have been completed. Damaged pipes must either be replaced or repaired to the satisfaction of the Certifier prior to the issue of a Subdivision Certificate.	Noted and is currently being adhered to on site.
51. Street Signs	
Prior to completion of works, the developer must ensure that street name signs and posts are erected at all street intersections in accordance with Council approved street names as detailed in Council's standard drawings and the requirements of Council's Development Construction Specifications C262 Signposting.	Noted and will form part of future works
52. Lot Filling	
Prior to completion of works, the developer must ensure that the following requirements are met in relation to lot filling: a) The site supervisor must ensure that all fill outside the allotment areas must be placed in accordance with Council's Engineering Construction Specification. b) Performed under Level 1 supervision by a professional engineer, (as defined in the National Construction Code). c) A Level 1 Supervision Report is to be approved by Council prior to the release of the Subdivision Certificate. d) Obtain a lot classification, in accordance with AS 2870 Residential slabs and footings, of no worse than 'H'; a lot classification must be submitted to Council prior to the release of the Subdivision Certificate. e) Any fill must: i) have a maximum batter of 25% (1v:4h) at any location. ii) not encroach onto adjoining land. iii) not cause the diversion or concentration of natural overland stormwater runoff onto adjoining property. iv) be protected against erosion, with measures incorporated in the erosion and sediment control plan. v) include adjustment of services (manholes, inter-allotment drainage, etc.) in the scope of works.	Noted and is currently being adhered to on site.
53. Aboriginal Objects Discovered During Excavation	
If an Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work: a) All excavation or disturbance of the area must stop immediately.	Noted and is currently being adhered to on site.

<p>b) Additional assessment and approval pursuant to the National Parks and Wildlife Act 1974 may be required prior to works continuing the affected area(s) based on the nature of the discovery.</p> <p>c) Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required (or once any required assessment has taken place or any required approval has been given).</p> <p>d) The Heritage NSW must be advised of the discovery in accordance with section 89A of the National Parks and Wildlife Act 1974.</p>	
<p>54. Archaeology Discovered During Excavation</p>	
<p>If any object having interest due to its age or association with the past is uncovered during the course of the work:</p> <p>a) All work must stop immediately in that area.</p> <p>b) Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required (or once any required assessment has taken place or any required approval has been given).</p> <p>c) In accordance with the Heritage Act 1997, the Heritage NSW must be advised of the discovery.</p>	<p>Noted and is currently being adhered to on site.</p>
<p>55. Contamination – Unexpected Finds</p>	
<p>a) If unexpected contaminated soil and/or groundwater is encountered during any works: i) all work must cease, and the situation must be promptly evaluated by an appropriately qualified environmental consultant.</p> <p>ii) the contaminated soil and/or groundwater must be managed under the supervision of the environmental consultant, in accordance with relevant NSW Environment Protection Authority (EPA) Guidelines.</p> <p>b) 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 prior to recommencement of works. The verification documentation must be provided to the satisfaction of the Certifier and Council prior to the recommencement of any works.</p> <p>c) If contaminated soil or groundwater is to be removed from the site, it must be transported to an appropriately licensed waste facility by an NSW EPA licensed waste contractor in accordance with relevant NSW EPA guidelines including the Waste Classification Guidelines (2014).</p> <p>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).</p>	<p>Noted and is currently being adhered to on site.</p>
<p>56. Waste Management Plan</p>	
<p>All waste must be contained within the site during construction and then be recycled in accordance with the approved Waste Management Plan (WMP) or removed to an authorised waste disposal facility. Waste must not be placed in any location or in any manner that would allow it to fall, descend, blow, wash, percolate or otherwise escape from the site. Compliance with the WMP must be demonstrated by the submission of tip receipts to the Certifier.</p> <p>Note: “Waste” is defined in the Dictionary to the Protection of the Environment Operations Act 1997 (POEO Act).</p>	<p>Noted and is currently being adhered to on site.</p>
<p>57. Maintenance</p>	
<p>During works, the following maintenance requirements must be complied with:</p> <p>a) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.</p> <p>b) Waste materials (including excavation and construction waste materials) must be managed on the site and then disposed of at a waste management facility.</p> <p>c) Where tree or vegetation protection measures are in place, the protected area must be kept clear of materials and / or machinery.</p> <p>d) The developer must maintain the approved soil water management measures to the satisfaction of the Certifier for the life of the construction period and until runoff catchments are stabilised.</p> <p>e) During construction: i) all vehicles entering or leaving the site must have their loads covered, and</p> <p>ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.</p> <p>f) At the completion of the works, the work site must be left clear of waste and debris.</p>	<p>Noted and is currently being adhered to on site.</p>
<p>58. Vegetation Clearing Timing</p>	
<p>The clearing of native vegetation must not commence until after the issue of a Subdivision Works Certificate. This is to ensure that the offset obligation is met prior to vegetation clearing in accordance with s7.13(5) of the <i>Biodiversity Conservation Action 2016</i>.</p>	<p>Noted and is currently being adhered to on site.</p>

59. Vegetation Removal Protocol																																																					
<p>a) To protect wildlife occurring within the site, all clearing works are to be supervised by a qualified consultant ecologist experienced in wildlife handling and rescue.</p> <p>b) All vehicles and mechanical plant must be inspected for wildlife prior to operation.</p> <p>c) All vegetation to be removed must be inspected for wildlife prior to removal.</p> <p>d) Trees to be cleared must be felled into the development area carefully so as not to damage trees to be retained in or beyond the development footprint.</p> <p>e) If any wildlife is disoriented or injured during clearing works, works must stop immediately, and the consultant ecologist is to advise and responsibly rescue and relocate the animal(s).</p> <p>f) In the event of an unexpected find of a threatened species, works must stop immediately, and the developer and consultant ecologist must call Council's Environmental Assessment Officer to determine how to proceed.</p>	<p>Noted and is currently being adhered to on site.</p>																																																				
60. Vegetation Management Plan																																																					
<p>Works within the riparian zone must be undertaken in accordance with the approved Vegetation Management Plan.</p>	<p>Noted – the works are pending Council approval of the VMP</p>																																																				
61. Parking and storing of building equipment and materials																																																					
<p>The parking of machinery and vehicles or the storing of building or landscaping materials, soil, spoil, or rubbish, within the fenced riparian zone and around trees to be retained is prohibited.</p>	<p>Noted and is currently being adhered to on site.</p>																																																				
Part G: Prior to the Issue of an Occupation Certificate																																																					
<p>Nil.</p>																																																					
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62. Subdivision Certificate																																																					
<p>A Subdivision Certificate must be obtained from Council or an accredited certifier prior to lodgement of the Final Plan of Survey with NSW Land Registry Services.</p>	<p>Future works</p>																																																				
63. Schedule of Compliance																																																					
<p>The Subdivision Certificate must not be issued until all relevant conditions of development consent have been met or other satisfactory arrangements have been made with Council (i.e. a security). A schedule of compliance in table format must be submitted with the application for a Subdivision Certificate. The schedule must provide evidence of how all relevant conditions of development consent have been fulfilled.</p>	<p>Future works</p>																																																				
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<p>This development will generate a need for the additional services and/or facilities described in Shoalhaven Contributions Plan 2019 and itemised in the following table:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Project</th> <th style="text-align: left;">Description</th> <th style="text-align: left;">Calculation</th> <th style="text-align: left;">Amount</th> </tr> </thead> <tbody> <tr> <td>01AREC5006</td> <td>Northern Shoalhaven Sports Stadium</td> <td>\$737.62 * 3</td> <td>\$2,212.86</td> </tr> <tr> <td>01AREC5007</td> <td>Nowra Swimming Pool Expansion (Scenic Drive)</td> <td>\$572.04 * 3</td> <td>\$1,716.12</td> </tr> <tr> <td>01AREC5009</td> <td>Planning Area 1 recreational facilities upgrades (various locations)</td> <td>\$772.15 * 3</td> <td>\$2,316.45</td> </tr> <tr> <td>01CFAC5012</td> <td>Nowra Integrated Youth Services Centre (Cnr Kinghome & Plunkett Streets)</td> <td>\$31.58 * 3</td> <td>\$94.74</td> </tr> <tr> <td>CWAREC5005</td> <td>Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry</td> <td>\$2,035.08 * 3</td> <td>\$6,105.24</td> </tr> <tr> <td>CWCFAC5002</td> <td>Shoalhaven Entertainment Centre (Bridge Road Nowra)</td> <td>\$1,538.08 * 3</td> <td>\$4,614.24</td> </tr> <tr> <td>CWCFAC5006</td> <td>Shoalhaven City Library Extensions (Berry Street, Nowra)</td> <td>\$1,348.90 * 3</td> <td>\$4,046.70</td> </tr> <tr> <td>CWCFAC5007</td> <td>Shoalhaven Regional Gallery</td> <td>\$74.05 * 3</td> <td>\$222.15</td> </tr> <tr> <td>CWFIRE2001</td> <td>Citywide Fire & Emergency services</td> <td>\$145.50 * 3</td> <td>\$436.50</td> </tr> <tr> <td>CWFIRE2002</td> <td>Shoalhaven Fire Control Centre</td> <td>\$212.86 * 3</td> <td>\$638.58</td> </tr> <tr> <td>CWGMT3001</td> <td>Contributions Management Administration</td> <td>\$605.06 * 3</td> <td>\$1,815.18</td> </tr> <tr> <td colspan="3"></td> <td style="text-align: right;">\$24,218.76</td> </tr> </tbody> </table>	Project	Description	Calculation	Amount	01AREC5006	Northern Shoalhaven Sports Stadium	\$737.62 * 3	\$2,212.86	01AREC5007	Nowra Swimming Pool Expansion (Scenic Drive)	\$572.04 * 3	\$1,716.12	01AREC5009	Planning Area 1 recreational facilities upgrades (various locations)	\$772.15 * 3	\$2,316.45	01CFAC5012	Nowra Integrated Youth Services Centre (Cnr Kinghome & Plunkett Streets)	\$31.58 * 3	\$94.74	CWAREC5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	\$2,035.08 * 3	\$6,105.24	CWCFAC5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	\$1,538.08 * 3	\$4,614.24	CWCFAC5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,348.90 * 3	\$4,046.70	CWCFAC5007	Shoalhaven Regional Gallery	\$74.05 * 3	\$222.15	CWFIRE2001	Citywide Fire & Emergency services	\$145.50 * 3	\$436.50	CWFIRE2002	Shoalhaven Fire Control Centre	\$212.86 * 3	\$638.58	CWGMT3001	Contributions Management Administration	\$605.06 * 3	\$1,815.18				\$24,218.76	<p>Future works</p>
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<p>The total contribution, identified in the above table or as indexed in future years, must be paid to Council prior to the issue of a Subdivision Certificate. Evidence of payment must be provided to the Certifying Authority.</p> <p>Contributions Plan 2019 can be accessed on Councils website www.shoalhaven.nsw.gov.au or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.</p>																																																					

65. Rainwater Tanks	
<p>Prior to the issue of the Subdivision Certificate, the developer must:</p> <p>a) Create a restriction on use of land over each lot stating no building or dwelling is to be erected on any lot unless it is provided with a rainwater tank in accordance with an approved plan which complies with the following: i) Install a rainwater tank with a minimum volume as documented in the Integrated Water Cycle Management Strategy report by Allen Price & Scarratts Pty Ltd (Reference No. N27790, dated 01/08/2022) on the lot(s) in accordance with BASIX which captures at least 80% of roof areas from the habitable dwelling.</p> <p>ii) Provide a certificate from a professional engineer, (as defined in the National Construction Code) to verify that the rainwater tank has been constructed in accordance with the approved plan and Integrated Water Cycle Management Strategy by Allen Price & Scarratts Pty Ltd (Reference No. N27790, dated 01/08/2022).</p>	Future works
66. Water Sensitive Urban Design Elements	
<p>The registered proprietor must not make or permit or suffer the making of any alterations to any stormwater treatment measures/ water sensitive urban design (WSUD) elements which is, or must be, constructed on the lot(s) burdened without the prior consent in writing of Shoalhaven City Council.</p> <p>The expression “stormwater treatment measures/ water sensitive urban design elements” means the infiltration systems, porous pavement, sediment basins, bio-retention swales, bioretention basins, rain gardens, landscaped or vegetated swales, vegetated buffers, swale/ buffer systems, sand filter, wetlands, ponds, retarding basins, aquifer storage and recovery, rainwater reuse tanks, stormwater reuse tanks, gross pollutant traps, pit inserts, silt/ oil arrestors or other proprietary products including all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins or surfaces graded to direct stormwater to the stormwater treatment measures/ water sensitive urban design elements.</p>	Future works
67. Maintenance Period of WSUD Devices	
<p>The developer is responsible for all maintenance of the stormwater infrastructure; including trash racks, GPT devices, sediment basins / forebays, constructed wetlands, bioretention basins, water quality ponds, infiltration basins, swales etc for a period of 3 years up until Council's acceptance that the WSUD devices and associated stormwater assets are of a satisfactory condition at the end of the 3-year maintenance period.</p> <p>Approaching hand over at the conclusion of the 3-year maintenance period, a site meeting with Council must be arranged by the developer. The objective of the meeting will be to identify any outstanding actions that require rectification by the developer before asset hand over. Annual reports documenting implementation measures and containing all monitoring results are to be submitted to Council during this phase.</p>	Future works
68. Handover of WSUD Assets to Council	
<p>The following conditions are required to be met for WSUD devices to be handed over to Council.</p> <p>a) The WSUD infrastructure has been designed and constructed in accordance with Council guidelines, the approved design drawings and specifications.</p> <p>b) All WSUD infrastructure has been maintained in accordance with the approved WSUD Operation and Maintenance Manual. This includes but is not limited to, the removal of all sediment and litter from trash racks / GPT devices, removal of any weeds and reinstatement of any dead or unhealthy plants.</p> <p>c) Any accumulated sediment has been removed to the as-built invert levels of the bioretention basin.</p> <p>d) For bioretention and infiltration basins, an infiltration test has been undertaken to validate the saturated hydraulic conductivity is in accordance with the approved design. The infiltration test must be observed by Council's Development Engineering Coordinator or delegate.</p> <p>e) Any identified defects have been rectified to the satisfaction of Council at the developer's cost.</p> <p>f) Work As Executed (WAE) drawings have been provided to and accepted by Council.</p>	Future works
69. Evidence of Compliance with Bushfire Measures	
<p>Prior to the issue of the Subdivision Certificate, certification must be provided by a BPAD Level 3 accredited consultant to the satisfaction of the Certifier, that the bushfire measures required by the approval have been installed to their satisfaction.</p>	Future works
70. Verification of Works	
<p>Prior to issue of a Subdivision Certificate, the developer is to provide the following documentation to the Certifier for approval:</p> <p>a) Notification from the developer verifying that all subdivisions works have been constructed in accordance with the approved plans and construction specifications.</p> <p>b) Written evidence from a suitably qualified landscape professional that all landscape works have been completed in accordance with the approved landscape plans.</p> <p>c) Completion of Works within the Road Reserve notification letter from Council.</p>	Future works

<p>d) Certification from Council or an accredited certifier to verify that all inspections required by the Certifier have been completed in accordance with the approved plans and construction specifications.</p> <p>e) A structural certificate from a professional engineer, (as defined in the National Construction Code) submitted to Council to certify that all structural elements have been constructed in accordance with the approved plans and relevant Australian Standards.</p> <p>f) Level 1 Supervision Report and Lot Classification Report.</p> <p>g) Final pavement tests to confirm material depth and compaction complies with the pavement design.</p>	
<p>71. Works as Executed Plans</p>	
<p>Prior to the issue of a Subdivision Certificate, Works as Executed Plans must be prepared by a registered surveyor / professional engineer, (as defined in the National Construction Code) and be submitted to council and the Certifier demonstrating compliance with the approved design plans.</p> <p>The Works as Executed dimensions and levels must be shown in red on a copy of the approved Subdivision Works Certificate plans and comply with the following requirements:</p> <p>a) Council's Development Engineering Construction Specification.</p> <p>b) Show compliance with the approved design plans of all road and drainage works.</p> <p>c) Certify that all storm water pipes, and other services are wholly within an appropriate easement.</p> <p>d) Show the extent, depth and final levels of filling.</p> <p>e) Show any retaining walls including footings and agricultural drainage lines.</p> <p>f) Show the location of all underground service conduits.</p> <p>g) Include all deviations from the approved Civil Engineering Plans.</p>	<p>Future works</p>
<p>72. Maintenance Bond – Subdivision Works</p>	
<p>Prior to the issue of a Subdivision Certificate, the developer must submit a cash bond or irrevocable bank guarantee equal to 5% of the cost of the civil works (excluding water supply and sewerage) to Council to provide security and assurance that the developer will repair any defective works or re-establish ground cover where this has not been maintained, to be held for a period of twelve (12) months.</p>	<p>Future works</p>
<p>73. Prior to the Issue of a Subdivision Certificate</p>	
<p>a) all existing easements must be acknowledged on the final subdivision plan.</p> <p>b) all existing restriction on the use of land must be acknowledged on the final subdivision plan.</p> <p>c) a minimum one (1) metre wide easement to drain water must be created over any encroaching drainage pipes.</p> <p>d) A minimum one (1) metre wide easement for services must be created over any encroaching utility service.</p>	<p>Future works</p>
<p>74. Property Addressing</p>	
<p>Road naming and property addressing, whether for a public or private road within an urban, rural or community subdivision, must comply with the NSW Address Policy and NSW Addressing User Manual administered by the NSW Geographical Names Board and Council's Road Naming Policy and/or Property Addressing Policy.</p> <p>An Application for Road Naming and/or an Application for Property Addressing must be submitted to Council and approved prior to submission of a Subdivision Certificate Application. For further information see Council's website or contact Council's GIS Group on (02) 4429 3479.</p>	<p>Future works</p>
<p>75. Utility Services</p>	
<p>Prior to the issue of a Subdivision Certificate, utility services must be provided in accordance with the following:</p> <p>a) The provision of electricity to service allotments and street lighting in the subdivision must be in accordance with the requirements of Endeavour Energy who are to confirm in writing that conditions of supply have been met.</p> <p>b) The submission of a Telecommunications Infrastructure Provisioning Confirmation from an approved telecommunications carrier to the Certifier or Council (as applicable) confirming that satisfactory arrangements have been made for the provision of telecommunication services to all individual lots.</p> <p>c) A Certificate of Compliance under Section 307 of Division 5 of Part 2 of Chapter 6 of the <i>Water Management Act 2000</i> must be obtained to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance must be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Notice of Requirements and prior to the issue of a Subdivision Certificate, as the case may be.</p> <p>d) If development is to be completed in approved stages or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.</p>	<p>Future works</p>

<p><i>Note: Relevant details, including monetary contributions (where applicable) under the Water Management Act 2000, are given on the attached Notice issued by Shoalhaven Water. For further information and clarification regarding the above please contact Shoalhaven Water's Development Unit on (02) 4429 3547.</i></p>	
<p>76. Restrictions – Easements and Restrictions on Use of Land</p>	
<p>a) An Instrument must be prepared under section 88B of the Conveyancing Act 1919 which will provide for the following Restrictions on the land when the subdivision is registered: i) In accordance with Council's policy Companion Animals (Impacts On Native Fauna) - Conditions Of Development Consent (POL16/231), to protect native fauna in the locality, the positive covenant must stipulate that: A). To protect native fauna in the locality, including threatened species, cats must be kept indoors or contained within a cat run.</p> <p>b) The Instrument must contain a provision that it cannot be varied, modified or released without the consent of the relevant parties as appropriate and without the consent of the Shoalhaven City Council.</p> <p>c) The Instrument must not contain any restriction that prohibits development on the site allowed under the relevant environmental planning instruments.</p> <p>A draft 88B Instrument must be submitted to the Certifier for approval before a Subdivision Certificate is issued.</p>	<p>Future works</p>
<p>77. Landscaping</p>	
<p>Prior to the issue of a Subdivision Certificate landscaping must be completed in accordance with the approved Landscape Plan.</p>	<p>Future works</p>
<p>78. Water Sensitive Urban Design Operation and Maintenance Manual</p>	
<p>Adopted WSUD Management, Operation, Maintenance and Monitoring Manual/s for the permanent water quality facilities must be submitted to Council prior to issue of the Subdivision Certificate. The manuals must be prepared by a suitably qualified professional in accordance with the objectives and criteria identified in the approved Integrated Water Cycle Management Plan.</p>	<p>Future works</p>
<p>79. Water Sensitive Urban Design Checklists</p>	
<p>Compliance checklists are to be prepared by the WSUD Designers and submitted to Council prior to issue of the relevant Subdivision Certificate. The checklists must incorporate all checks and certifications that are required to be carried out during the civil construction phase, asset protection phase, landscape practical completion phase and final compliance inspection prior to final handover.</p>	<p>Future works</p>
<p>Part I: Ongoing Use of the Development</p>	
<p>80. Landscaping</p>	
<p>The planting of plant species listed in the <i>South East Regional Strategic Weed Management Plan 2017 – 2022</i> is prohibited for the life of the development.</p>	<p>Future works</p>
<p>81. Grasses when Adjoining Bushland</p>	
<p>In order to maintain the interface between disturbed areas and the remaining native vegetation, the area within the Outer Protection Area / Asset Protection Zone must be managed for the life of the development as follows:</p> <p>a) 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.</p> <p>b) where grass is required to be sown it must be native grasses.</p>	<p>Future works</p>
<p>Part J: Other Council Approvals and Consents</p>	
<p>Nil.</p>	