

**From:** Andre Vernez  
**Sent:** Monday, 24 July 2023 4:09 PM  
**To:** Meg D'souza  
**Subject:** Modification 3 - Stage 1 of Greenwell Point Tourist Facility - COMMENTS  
FROM SHOALHAVEN CITY COUNCIL ON REQUEST FOR ADVICE  
**Attachments:** Water Development Notice - 3A08-1009 (Mod 3) - N2.PDF  
**Importance:** High

Dear Meg,

Please find below comments from Shoalhaven City Council on the Request for Advice in relation to Modification No. 3 to Stage 1 of the Greenwell Point Tourist Facility at Lot 3 DP 589201 (known as 84 Greenwell Point Road, Greenwell Point).

### **MODIFICATION NO. 3**

#### **Planning Comments/Requirements:**

1. No objections are raised.

Based on the submitted documentation, it is understood that the proposed apartments have been characterised as “*serviced apartments*”, which are defined by *Shoalhaven Local Environmental Plan 2014* as follows:

*“serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner’s or manager’s agents.”*

- As such, the provisions of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* are not applicable to this development.

The subject site is zoned E1 Local Centre and development for the purpose of “*serviced apartments*” is permissible with consent in this zone.

#### **Development Engineering Comments/Requirements:**

2. No objections are raised.

There are only three matters potentially related to development engineering that have been identified.

The entry footpath is proposed to be relocated from the eastern side of the driveway to the western side. Previous storage areas in the basement are to be replaced with plant rooms and a small bicycle storage area.

The Modification Report also notes that the service manoeuvring area is being relocated from the eastern to the western boundary. This change is rather inconsequential, as it is only changing the annotated turning path on the plan. The hardstand area is remaining largely the same, so the service vehicle could still turn around in either of the locations

identified. It is noted the areas are only large enough to permit the turning movements of an SRV, not an MRV. However, this was also the case in the current existing layout.

**Shoalhaven Water Comments/Requirements:**

3. A new Water Development Notice has been issued for this modification and is attached.

There is no change to previous conditions of consent.

Should you have any questions in relation to the above please give me a call.

Regards,



**Andre Vernez**

Senior Development Planner

+61 2 4429 5210

Bridge Road (PO Box 42) Nowra NSW 2541

[shoalhaven.nsw.gov.au](http://shoalhaven.nsw.gov.au)

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**RESPECT | INTEGRITY | ADAPTABILITY | COLLABORATION**

**THIS NOTICE ONLY APPLIES WHERE AN OPERATIONAL  
DEVELOPMENT CONSENT HAS BEEN GRANTED**

**SHOALHAVEN WATER**

(A Group of Shoalhaven City Council)

**DEVELOPMENT APPLICATION NOTICE**

(This Notice is given under Section 306 of the Water Management Act 2000)

Applicant's Name	<b>Milad Investments No.1 Pty Ltd C/o i Architecture</b>	
Applicant's Address	<b>50 Junction Street, Nowra NSW 2541</b>	
Development Type	<b>Tourist &amp; Commercial Development</b>	
Stage	<b>1, 2 and 3</b>	
House No.	<b>84</b>	
LOT No.	<b>3</b>	
DP	<b>589201</b>	
Section	<b>-</b>	
Parish	<b>-</b>	
Street	<b>Greenwell Point Road</b>	
Location/Town	<b>Greenwell Point</b>	
File No.	<b>3A08/1009 &amp; CC16/2207</b>	<b>MOD 3</b>
Date Completed	<b>15/12/2016</b>	<b>18/7/2023</b>

- The notes, conditions/requirements (including fees/charges) listed on subsequent page/s are based on the Development Application referral or written application for a Certificate of Compliance, submitted to Shoalhaven Water on: 25/11/2016 and 18/7/2023.

***Please note:- Contributions/fees/charges payable will be those applicable at the time of payment and in accordance with Council's then current Management Plan (List of Council's Fees of Charges and Rentals).***

- Any alterations whatsoever to the development will require review of the conditions/requirements listed and may require subsequent amendment.
- If staging of the development is to occur application for amended conditions/requirements will be required in writing to Shoalhaven Water.
- Where conditions stated on this NOTICE under "PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE" are required to be complied with no construction works are to commence without written consent from Shoalhaven Water.
- The applicant must certify the completion of all the following conditions/requirements prior to the granting of a Certificate of Compliance under Section 307 of the Water Management Act 2000.

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| <ul style="list-style-type: none"> <li>Documentation/receipts/etc supporting each claim against the conditions/requirements listed in this Notice are to be submitted with this Notice to enable determination by the Water Supply Authority prior to the granting of a Certificate of Compliance.</li> </ul> |
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- For further information please contact Shoalhaven Water.

**Stage 1 – No. 84 Greenwell Point Road**

No	Conditions/Requirements	(Please Initial)	
		Applicant's Certification	S/Water's Confirmation
i)	Part of the proposed development (basement level car park slab and footings) is located over, and within the Zone of Influence of Council's sewer main. Wherever this is the case, Shoalhaven Water requires protection of the sewer main in accordance with Council's Policy For Building Over Sewers, and in accordance with the sequence per the following conditions <u>1.2, 1.3, 1.7, 1.8, 1.9 &amp; 1.10</u> .		
ii)	In addition to concerns in respect of part of the proposed development being constructed over the sewer main, it is also necessary to maintain satisfactory cover over the main in both trafficable and non-trafficable areas. Refer following conditions <u>1.4 and 1.7</u> .		

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE			
1.1	Applicant shall submit in writing to Shoalhaven Water the name and contact details of the certifying authority for matters relating to the issue of a Construction Certificate.		
1.2	<p>Part of the development is located over and/or within the zone of influence of Shoalhaven City Council's sewer assets. As such design plans are to be prepared in accordance with Shoalhaven City Council's Building Over Water/Sewer Assets Policy and Technical Guidelines for Building on or Near our Assets and submitted to (and approved by) Shoalhaven Water.</p> <p>Unobstructed access to all manholes/lampholes/junctions must be maintained at all times.</p> <ul style="list-style-type: none"> <li>• Shoalhaven City Council's initial fee for checking Engineer's "Building Over Sewers" details is \$214.00 (2023/24). Time spent checking plans in excess of 2.5 hours will be charged at the rate of \$102.00/hr (2023/24).</li> </ul> <p>Lodge the plan(s) and information with Shoalhaven Water via the Shoalhaven Water website:  <a href="#">Information &amp; Support Documentation Submission</a></p> <p>Note: That no works and services request will proceed until billing details are confirmed.</p>		
1.3	Where there is a requirement to excavate Council's sewer main for the purpose of concrete encasement and this excavation work is likely to undermine footings of the existing building it may be necessary to under-pin the existing footings. Details of all required under-pinning is to be prepared by the Structural Engineer and submitted to Council.		

1.4	Engineer's details for proposed "cut" and "fill" in the vicinity of the existing sewer main, showing proposed finished surface levels and clearances to the existing sewer main (long section), are to be submitted to Shoalhaven Water for approval of the proposed cover over the main.		
1.5	<p>Water Supply Infrastructure Development Servicing (Section 64) charge – (44WATR0003) of <b>\$27,627.60 (2023/24)</b> is payable for this application and is based on <b>4.2 ET's</b>. However, Council resolved on 3-9-2013 to allow concession to the calculated loading for all types of developments (MIN13.864). <b>Therefore, a concessional Water Supply Infrastructure Development Servicing (Section 64) charge – (44WATR0002) of \$10,524.80 (2023/24) is payable for this application.</b> <i>The applicant is advised that after the 30 June 2024 the Council resolution (MIN13.864) may <b>NOT</b> apply. As such the overall applicable charge may be significantly greater than the discounted amount.</i></p>		
1.6	<p>Sewer Service Infrastructure Development Servicing (Section 64) charge – (80SEWR0003) of <b>\$35,023.80 (2023/24)</b> is payable for this application and is based on <b>4.2 ET</b>. However, Council resolved on 3-9-2013 to allow concession to the payable amount for all types of developments (MIN13.864). <b>Therefore, a concessional Sewer Service Infrastructure Development Servicing (Section 64) charge – (80SEWR0003) of \$13,342.40 (2023/24) is payable for this application.</b> <i>The applicant is advised that after the 30 June 2024 the Council resolution (MIN13.864) may <b>NOT</b> apply. As such the overall applicable charge may be significantly greater than the discounted amount.</i></p>		

PRIOR TO COMMENCEMENT OF ANY WORKS			
1.7	<p>(a) Prior to excavation for concrete encasement, carry out all required under-pinning of the existing building as required per <u>1.3</u>, above. Arrange for inspections and certification of this work by Shoalhaven City Council's Building Surveyor (where Shoalhaven City Council is the Principal Certifying Authority) or by a Practising Structural Engineer (if Private Certifier) and submit certifications to Shoalhaven Water.</p> <p>Lodge the certification with Shoalhaven Water via the Shoalhaven Water website:  <a href="https://www.shoalhavenwater.nsw.gov.au/information-support/documentation-submission">Information &amp; Support Documentation Submission (nsw.gov.au)</a></p>		

	<p>(b) Following <u>1.2</u>, above, Shoalhaven Water requires that all necessary concrete encasement of the sewer main (and relocation of affected sewer junction) is carried out per approved Engineer's details and in accordance with Shoalhaven Water approval documents Concrete encasement and sewer junction relocation must be inspected by Shoalhaven Water's inspector, at the developer's cost.</p> <p>Contact Shoalhaven Water to request an inspection via application on the Shoalhaven Water's website:  <a href="https://shoalwater.nsw.gov.au/planning-building/developers-consultants/book-an-inspection">https://shoalwater.nsw.gov.au/planning-building/developers-consultants/book-an-inspection</a></p> <ul style="list-style-type: none"> <li>- <b>Allow minimum notice of two (2) working days.</b></li> <li>- Cost for inspection(s) is \$103.00 per hour (2023/24) (incl. travelling time) plus \$0.88 per kilometre for inspector's vehicle costs.</li> <li>- Date and time requested for the inspection cannot be granted. Shoalhaven Water will contact the applicant of the application to confirm date and time.</li> </ul> <p>Note: Shoalhaven City Council's Policy for Building Over Water/Sewer Pipeline does not allow for concrete encasement of existing A.C. sewer mains or existing sewer mains that are constructed with mortar jointed VC pipe. Where these types of pipes exist, and the Building Over Water/Sewer Pipeline Policy requires concrete encasement of the sewer main, approval may be given for the developer to have the affected section of sewer main replaced with uPVC pipe.</p>		
1.8	In order to satisfy Shoalhaven Water's requirements per requirement ( <u>ii</u> ) and depending on the cover over the sewer main being provided by the proposal (details provided per condition <u>1.4</u> ), it may be necessary to provide additional protection of the sewer main (concrete encasement, per condition <u>1.7</u> ) and/or it may be necessary to alter the proposed surface levels.		

#### DURING CONSTRUCTION OF WORKS

1.9	Shoalhaven Water requires protection (piers and beams per approved Engineer's details) of the sewer main in accordance with Council's Policy For Building Over Sewers.		
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1.10	Shoalhaven Water will require that inspections (and certification) are carried out of the pier and beam arrangements to ensure that they have been constructed to design, that piers are to the required depths and that the required pier and beam clearances to the sewer main have been achieved. Certifications by Council's Building Surveyor (where Council is the Principal Certifying Authority) or by a Practising Structural Engineer (Private Certifier) are to be submitted to Shoalhaven Water.		
1.11	The water service and meter for the development shall be sized by a suitably qualified person and is subject to application. Copies of sizing calculations are to be submitted to Shoalhaven Water for assessment & determination.		

#### PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

1.12	Satisfy all conditions, complete and submit this Notice <b>(including lodgement of all documentation/receipts etc)</b> to Shoalhaven Water.		
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#### DURING ALL STAGES

1.13	All works are to be at the developer's expense.		
1.14	Written approval shall be obtained from all landowners who are impacted/affected by proposed water supply and/or sewerage infrastructure and/or landowners who are impacted/affected by alteration/s to existing water supply and/or sewerage infrastructure.		

## ADVICE TO APPLICANT

- **Note:- GST is not applicable to Developer Contributions and the provision of metered water services.**
- All non-strata and non-residential properties (**incl. dual occupancies**) will be levied water and wastewater availability charges (where applicable) based on the size of the water meter service connection/s. For further information regarding water and wastewater availability charges please contact Shoalhaven Water on 4429 3547.
- Where direct payment into Council's banking account has been made by the applicant, appropriate details must be provided (eg. DA No., stage, what type of payment, etc) in order for the payment to be processed. **A hard copy of the receipt (payment details) MUST be provided by the applicant to Shoalhaven Water where a Construction Certificate and/or Certificate of Compliance is requested.**
- Properties are categorised and charges levied for water and sewerage services based on a number of factors including the nature and use of premises to which the services are provided. A change of category may cause different water/sewerage/trade waste charges to be levied as a consequence of this approved development. Applicants are advised to contact Shoalhaven Water for further details of the ongoing fees and charges.
- **Shoalhaven Water undertakes the installation, modification and maintenance of all metered or unmetered services which are connected directly to the mains within the Shoalhaven Local Government area. Unless approved in writing by Shoalhaven Water it is an offence under the Local Government Act to tamper with any metered service or fittings owned and operated by Shoalhaven Water.**

This completed Notice is hereby submitted for the granting of a Certificate of Compliance under Section 307 of the Water Management Act 2000. **All documentation/receipts/etc supporting my claim against the above requirements is attached.**

Applicant's  
Name  
(Please Print)

Applicant's  
Signature

Date

/ /

Shoalhaven Water acknowledges all conditions/requirements as set out in this Notice have been satisfied.

Council Officer

Date



**Stage 2 – No. 76 Greenwell Point Road**

No	<i>Conditions/Requirements</i>	(Please Initial)	
		Applicant's Certification	S/Water's Confirmation
i)	<b>Part of the proposed development (apartment building) is located over, and within the Zone of Influence of Council's sewer main. Wherever this is the case, Shoalhaven Water requires protection of the sewer main in accordance with Council's Policy For Building Over Sewers, and in accordance with the sequence per the following conditions <u>2.3, 2.6, 2.7, 2.8 and 2.9</u>.</b>		
ii)	<b>In addition to concerns in respect of part of the proposed development being constructed over the sewer main, it is also necessary to maintain satisfactory cover over the main in both trafficable and non-trafficable areas. Refer following conditions <u>2.3 and 2.6</u>.</b>		

<b>PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE</b>			
2.1	Applicant shall submit in writing to Shoalhaven Water the name and contact details of the certifying authority for matters relating to the issue of a Construction Certificate.		
2.2	<p>Part of the development is located over and/or within the zone of influence of Shoalhaven City Council's sewer assets. As such design plans are to be prepared in accordance with Shoalhaven City Council's Building Over Water/Sewer Assets Policy and Technical Guidelines for Building on or Near our Assets and submitted to (and approved by) Shoalhaven Water.</p> <p>Unobstructed access to all manholes/lampholes/junctions must be maintained at all times.</p> <ul style="list-style-type: none"> <li><b>Shoalhaven City Council's initial fee for checking Engineer's "Building Over Sewers" details is \$214.00 (2023/24). Time spent checking plans in excess of 2.5 hours will be charged at the rate of \$102.00/hr (2023/24).</b></li> </ul> <p>Lodge the plan(s) and information with Shoalhaven Water via the Shoalhaven Water website:  <a href="#">Information &amp; Support Documentation Submission</a></p> <p>Note: That no works and services request will proceed until billing details are confirmed.</p>		
2.3	Engineer's details for proposed "cut" and "fill" in the vicinity of the existing sewer main, showing proposed finished surface levels and clearances to the existing sewer main (long section), are to be submitted to Shoalhaven Water for approval of the proposed cover over the main.		

2.4	<p>Water Supply Infrastructure Development Servicing (Section 64) charge – (44WATR0002) of <b>\$89,197.68 (2023/24)</b> is payable for this application and is based on <b>6.28 ET's</b>. However, Council resolved on 3-9-2013 to allow concession to the calculated loading for all types of developments (MIN13.864).</p> <p><b>Therefore, a concessional Water Supply Infrastructure Development Servicing (Section 64) charge – (44WATR0002) of \$41,309.84 (2023/24) is payable for this application.</b></p> <p><i>The applicant is advised that after the 30 June 2024 the Council resolution (MIN13.864) may <b>NOT</b> apply. As such the overall applicable charge may be significantly greater than the discounted amount.</i></p>		
2.5	<p>Sewer Service Infrastructure Development Servicing (Section 64) charge – (80SEWR0003) of <b>\$113,076.84 (2023/24)</b> is payable for this application and is based on <b>13.56 ET</b>. However, Council resolved on 3-9-2013 to allow concession to the payable amount for all types of developments (MIN13.864).</p> <p><b>Therefore, a concessional Sewer Service Infrastructure Development Servicing (Section 64) charge – (80SEWR0003) of \$52,368.92 (2023/24) is payable for this application.</b></p> <p><i>The applicant is advised that after the 30 June 2024 the Council resolution (MIN13.864) may <b>NOT</b> apply. As such the overall applicable charge may be significantly greater than the discounted amount.</i></p>		

#### PRIOR TO COMMENCEMENT OF ANY WORKS

2.6	<p>(c) Prior to excavation for concrete encasement, carry out all required under-pinning of the existing building as required per <u>2.3</u>, above. Arrange for inspections and certification of this work by Council's Building Surveyor (where Council is the Principal Certifying Authority) or by a Practising Structural Engineer (if Private Certifier) and submit certifications to Shoalhaven Water.</p> <p>(d) Following <u>2.2</u>, above, Shoalhaven Water requires that all necessary concrete encasement of the sewer main (and relocation of affected sewer junction) is carried out per approved Engineer's details and in accordance with Council's Policy For Building Over Sewers.</p> <p>(e) Shoalhaven Water requires that all proposed concrete encasement and sewer junction relocation be inspected by Shoalhaven Water's inspector, at the developer's cost.</p>		
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	Please Note: Council's Policy For Building Over Sewers does not allow for concrete encasement of existing A.C. sewer mains or existing sewer mains that are constructed with mortar jointed VC pipe. Where these types of pipe exist, and the Policy requires concrete encasement of the sewer main, approval may be given for the developer to have the affected section of sewer main replaced with uPVC pipe.		
2.7	In order to satisfy Shoalhaven Water's requirements per requirement ( <i>ii</i> ) and depending on the cover over the sewer main being provided by the proposal (details provided per condition <u>2.3</u> ), it may be necessary to provide additional protection of the sewer main (concrete encasement, per condition <u>2.6</u> ) and/or it may be necessary to alter the proposed surface levels.		

### DURING CONSTRUCTION OF WORKS

2.8	Shoalhaven Water requires protection (piers and beams per approved Engineer's details) of the sewer main in accordance with Council's Policy For Building Over Sewers.		
2.9	Shoalhaven Water will require that inspections (and certification) are carried out of the pier and beam arrangements to ensure that they have been constructed to design, that piers are to the required depths and that the required pier and beam clearances to the sewer main have been achieved. Certifications by Council's Building Surveyor (where Council is the Principal Certifying Authority) or by a Practising Structural Engineer (Private Certifier) are to be submitted to Shoalhaven Water.		
2.10	The water service and meter for the development shall be sized by a suitably qualified person and is subject to application. Copies of sizing calculations are to be submitted to Shoalhaven Water for assessment & determination.		

### PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

2.11	Satisfy all conditions, complete and submit this Notice ( <b>including lodgement of all documentation/receipts etc</b> ) to Shoalhaven Water.		
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### DURING ALL STAGES

2.12	All works are to be at the developer's expense.		
2.13	Written approval shall be obtained from all landowners who are impacted/affected by proposed water supply and/or sewerage infrastructure and/or landowners who are impacted/affected by alteration/s to existing water supply and/or sewerage infrastructure.		

## ADVICE TO APPLICANT

- **Note:- GST is not applicable to Developer Contributions and the provision of metered water services.**
- All non-strata and non-residential properties (**incl. dual occupancies**) will be levied water and wastewater availability charges (where applicable) based on the size of the water meter service connection/s. For further information regarding water and wastewater availability charges please contact Shoalhaven Water on 4429 3547.
- Where direct payment into Council's banking account has been made by the applicant, appropriate details must be provided (eg. DA No., stage, what type of payment, etc) in order for the payment to be processed. **A hard copy of the receipt (payment details) MUST be provided by the applicant to Shoalhaven Water where a Construction Certificate and/or Certificate of Compliance is requested.**
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- **Shoalhaven Water undertakes the installation, modification and maintenance of all metered or unmetered services which are connected directly to the mains within the Shoalhaven Local Government area. Unless approved in writing by Shoalhaven Water it is an offence under the Local Government Act to tamper with any metered service or fittings owned and operated by Shoalhaven Water.**

This completed Notice is hereby submitted for the granting of a Certificate of Compliance under Section 307 of the Water Management Act 2000. **All documentation/receipts/etc supporting my claim against the above requirements is attached.**

Applicant's  
Name  
(Please Print)

Applicant's  
Signature

Date

Shoalhaven Water acknowledges all conditions/requirements as set out in this Notice have been satisfied.

Council Officer

Date

**Stage 3 – Goodnight Island**

**NIL conditions for water and waste water.**