



SHOALHAVEN CITY COUNCIL

CITY ADMINISTRATIVE CENTRE

BOX 42 P.O. NOWRA NSW 2541

OUR REF: 90/3061 JT/GA (85)
ENQUIRIES: Jenny Taylor
YOUR REF:

PHONE: (044) 21 6011
FAX: (044) 22 1816

Shoalhaven City Council
Bridge Road
NOWRA NSW 2541

24 MAY 1991

Dear Sirs

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979
NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

To: Shoalhaven City Council of Bridge Road, Nowra being the applicant in respect of development application No. 90/3061 (Extension of Waste Depot), relating to the land described as follows:

LOT 436 YALWAL ROAD, NOWRA

Pursuant to Section 92 of the Act, notice is hereby given that the development application has been determined by granting of consent, subject to conditions.

(NOTE: When any construction work is involved, the granting of development consent is only the first part of a two-stage process. Before any such work is commenced, a Building Application must first be lodged and approved by Council. See "Advice" section of this letter.)

The conditions of the consent and reasons for such conditions are set out as follows:

CONDITIONS OF CITY PLANNER

General

1. Compliance with Standard Conditions, where applicable, a copy of which is attached.
2. This consent relates to extensions to waste depot as illustrated on the plan(s) submitted with development application number 90/3061.

Any alteration to the abovementioned plan(s) shall be submitted for the approval of the City Planner prior to submission of the building application. No works, other than those approved under this consent, shall be carried out without first having obtained Council's written consent.

3. In accordance with the assessment undertaken, the proposed extensions are approved in the three (3) consecutive stages and related locations



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BOX 42, PO NOWRA NSW 2541

OUR REF: 90/3061 (2)

ENQUIRIES:

YOUR REF:

PHONE: (044) 21 6011

FAX: (044) 22 1816

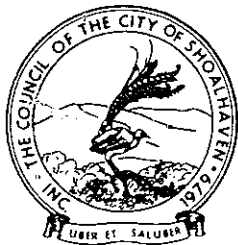
as indicated on Figure No 3 (included within the Statement of Environmental Effects prepared on Shoalhaven City Council's behalf of Sinclair Knight & Partners). The life expectancy and capacity of each stage is as follows:

- Stage 1 North of existing depot comprises 3 trenches with a holding capacity of 421,317 m³ and life expectancy of 8 years.
 - Stage 2 West of existing depot comprises 5 trenches with a holding capacity of 453,600 m³ and a life expectancy of 8 years.
 - Stage 3 South of existing depot comprises 9 trenches with a holding capacity of 1,089,800 m³ and a life expectancy of 13 years.
- 4. To ensure works associated with stages 2 and 3 are to the satisfaction of Council specific details regarding excavation of cover material, placement and construction of bunds and ponds, access, car parking, sediment and erosion control measures and leachate treatment and disposal associated with later stages shall be submitted for approval of the City Planner prior to works and rehabilitation commencing.
 - 5. To ensure the future amenity of the location and in order to properly monitor the impact of the development, the approved use shall be limited for a period of 29 years from the endorsement date of the consent and the approved use shall lapse at the expiration of this period.

The applicant may, however, prior to the expiration date, write to Council seeking reconsideration of this condition.

Environmental Protection

- 6. A comprehensive soil and water management plan is to be submitted for the approval of the City Health Surveyor prior to release of the building application. This plan shall be prepared by a suitably qualified professional independent of Council and in consultation with the Soil Conservation Service of New South Wales and fully detailed work procedures are required. The plan must incorporate details on the following:
 - (a) Trench excavation.
 - (b) Stockpiling.



SHOALHAVEN CITY COUNCIL

CITY ADMINISTRATIVE CENTRE

BOX 42 PO NOWRA NSW 2541

OUR REF: 90/3061 (3)

ENQUIRIES:

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- (c) Progressive capping and progressive final rehabilitation.
 - (d) Clearing strategy.
 - (e) Topsoil management.
 - (f) Revegetation details (ie mulching, topsoil and subsoil testing, staging).
7. To ensure that development does not have an adverse environmental impact, the following shall be observed:
- (a) A detailed sedimentation and erosion plan shall be prepared to mitigate the potential impact of the development both during construction and upon completion. The plan shall incorporate a leachate management control system and sediment control system designed to contain the entire runoff from a 1:10 year storm event and sediment control ponds designed to cater for a storm event up to 1:100 year recurrence. Such measures shall be provided for all three (3) stages of the development. The plan shall be prepared by a suitably qualified professional in consultation with the Soil Conservation Service of New South Wales and submitted with the Building Application for approval by a suitably qualified person to be nominated by the General Manager.
 - (b) A leachate treatment/disposal plan, addressing "contaminated" and "uncontaminated" runoff and underground and overland flow of leachate. In this regard, overland flow should be diverted around disturbed areas to prevent pollution of trenches. The leachate treatment/disposal plan shall be subject to approval by State Pollution Control Commission prior to works commencing. Such plan shall specify biological treatment and disposal of leachate by spray irrigation, with associated runoff controls from irrigated areas.
 - (c) A detailed strategy plan addressing control of wind blown litter, disposal of vegetation and timber waste shall be prepared and submitted for the approval by a suitably qualified person to be nominated by the General Manager prior to release of the building approval. This strategy plan shall be clearly displayed for the information of all staff.



SHOALHAVEN CITY COUNCIL

CITY ADMINISTRATIVE CENTRE

BOX 42, P.O. NOWRA NSW 2541

OUR REF: 90/3061 (4)

ENQUIRIES:

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- (d) To reduce the risk of fire, odour and wind blown matter and vermin the trenches are to be covered with a minimum of 15 cm of soil or similar material at the end of every day and adequate gas vents implemented.
 - (e) If any deposit consists of mainly putrescible organic material it should be covered with 60 cm of soil or similar material.
 - (f) No waste is to remain uncovered for in excess of 24 hours.
 - (g) No layer of waste shall exceed 60 cms in depth.
 - (h) To control wind-blown litter on-site, particularly from the westerly winds, the erection of a portable fence around the subject trench being filled shall be required. Details of type and location of fencing shall be submitted for approval by a suitably qualified person to be nominated by the General Manager prior to release of the building application.
 - (i) To reduce wind-blown dust during periods of extending dry weather watering of unsealed areas and the strategic positioning of a series of steel posts supporting a wire mesh shall be necessary.
 - (j) Following completion of filling in trenches, such be covered with 1 metre of final cover, compacted and revegetated with grass/turf cover as soon as practicable.
 - (k) Boundary corners of disturbed area to be clearly designated by galvanized posts set in concrete in that area of the land comprising the garbage depot to be classified as Unhealthy Building Land.
 - (l) To ensure protection of sensitive creek environs no discharge shall be permitted into Mundami Creek.
8. To ensure the leachate management control system and sediment control system operate to the optimum design capacity at all times, devices shall be regularly cleaned out of sediment and other build-ups which will potentially reduce the efficiency of the devices.



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BOX 42, PO NOWRA NSW 2541

OUR REF: 90/3061 (5)

ENQUIRIES:

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Artifacts/Relics

9. Should any Aboriginal artifacts or archaeological relics be discovered on the subject site or uncovered as a result of carrying out approved works, the applicant shall notify the Regional Archaeologist at the National Parks and Wildlife Service of New South Wales immediately. No further disturbance to the location shall occur until a complete assessment and clearance has been obtained from that Authority.

Landscaping

10. To maintain and enhance the amenity of the area, a detailed landscape and rehabilitation plan shall be submitted prior to release of the Building Approval for approval of the City Planner. Such a plan shall be prepared by a suitably qualified professional independent of Council.

This plan shall incorporate the following:

- (a) General site landscaping treatment.
 - (b) Species, numbers and the location of trees and shrubs proposed.
 - (c) Heavily landscaped tree and shrub perimeter planting of the site.
 - (d) Rehabilitation and revegetation of all disturbed areas. The site rehabilitation plan shall be prepared in accordance with requirements of Soil Conservation Service and State Pollution Control Commission.
11. To protect important vegetation in close proximity to Sandy Creek and Mundania Creek the existing track leading from the northern part of the site to Sandy Creek shall be closed and rehabilitated. Details of revegetation shall be incorporated into a landscape plan to be submitted prior to release of the building approval for Stage I works.
 12. To ensure the landscaping and rehabilitation is both carried out and maintained for at least twelve (12) months following completion of the project, the applicant shall enter into a Landscape Bond and Completion/Maintenance Agreement for the amount of \$5,000. Such documents (enclosed) shall be completed and submitted with the building application.



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BOX 42 PO. NOWRA NSW 2541

OUR REF: 90/3061 (6)

ENQUIRIES:

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Amenity of Surrounding Areas

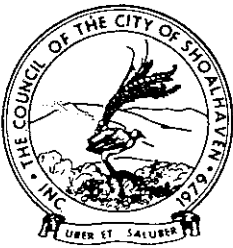
13. To limit the impact of the development on adjoining residents, all work shall be restricted to the hours of 7.00 am - 6.00 pm Monday - Sunday)
14. A natural buffer zone is to be maintained along the western boundary and the north-western corner of the site at all times.
15. No disturbance is to take place within 250 metres of Sandy Creek or Mundania Creek to ensure the future protection of sensitive creek environments.
16. Noise emissions are not to exceed the background noise levels when measured at the nearest affected property.
17. Should future residential release areas encroach towards the waste depot it will be necessary for future gas collection valves to be installed to reduce the impact of methane odour on nearby residential areas.

Vehicular Access/Car Parking

18. The layout of roads, manoeuvring bays and car parking for Stage 1 is considered appropriate. Any further stages will require a detailed design showing internal access roads, manoeuvring areas and stormwater drainage and design.
19. Specific design details of proposed access roads for stage 2 and 3 to be submitted to Council for approval of the City Engineer, prior to works of such stages commencing.

Monitoring

20. To ensure the effectiveness of the operation frequent monitoring programmes shall be undertaken. In this respect, runoff dams and leachate walls shall be monitored every two months to ensure they are operating at the optimum design capacity and utilization of site volume shall be monitored yearly to ascertain the actual life expectancy of the operation. Results of monitoring shall be submitted to Council for approval by a suitably qualified person to be nominated by the General Manager in the form of performance monitoring reports. If such reports are unsatisfactory, Council will have the ability to review the consent and the operations of the waste depot.



SHOALHAVEN CITY COUNCIL

CITY ADMINISTRATIVE CENTRE

BOX 42, PO NOWRA NSW 2541

OUR REF: 90/3061 (7)

ENQUIRIES:

YOUR REF:

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FAX: (044) 22 1816

21. To ensure satisfactory compliance with all conditions of consent and maintain acceptable standards an environmental audit shall be undertaken by a suitably qualified professional every five (5) years.

CONDITIONS OF CITY HEALTH SURVEYOR

22. Development consent shall be strictly in compliance with recommendations of Statement of Environmental Effects prepared by Sinclair, Knight and Partners, dated June 1990, except as otherwise modified by this approval.
23. This approval is subject to the development complying with all conditions and requirements of the State Pollution Control Commission and Soil Conservation Service of New South Wales. Such details shall be submitted with the building application.

Endorsement of date of CONSENT

24 MAY 1991

NOTES

If the development is not substantially commenced within a period of two years from the granting of this approval then it lapses and is considered void. Council may extend the approval for a further twelve months provided that a written application is made with the appropriate fee and setting out reasons before the expiry of two years from the date of this consent.

If a new Environmental Planning Instrument prohibiting this development is gazetted within one year of the granting of this consent then the consent is valid only for one year after the new Instrument comes into force.

Any Building Application which is required for construction must be submitted before the expiry of the two year period for which the consent is valid or, if this is extended, before the expiry of any period of extension should this be granted. Sufficient time should be given for such Building Application to be considered and subsequent development to be substantially commenced.

Section 97 of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within twelve (12) months after receipt of this notice.



SHOALHAVEN CITY COUNCIL

CITY ADMINISTRATIVE CENTRE

BOX 42, PO. NOWRA NSW 2541

OUR REF: 90/3061 (8)

ENQUIRIES:

YOUR REF:

PHONE: (044) 21 6011

FAX: (044) 22 1816

Advice to Applicants of the City Health Surveyor

- (a) A building application, which is a requirement under Part XI of the Local Government Act, 1919 as amended, together with plans and specifications, in accordance with Ordinance 70 must be submitted to and approved by Council prior to works proceeding.
- (b) The applicant to notify the Forestry Commission of New South Wales to arrange for Commission to remove any utilizable timber prior to any clearing.
- (c) The applicant to consult with the Illawarra County Council in relation to possible extension of augmentation.

Advice to Applicants of the City Planner

- (d) The north-eastern portion of the subject site has been identified under the Illawarra Regional Environmental Plan as being affected by a designated Services Corridor. In this respect all future development shall be designed to avoid the corridor.

Yours faithfully

G.A. Napier

G A NAPPER
Town Clerk

per: 

enc:



SHOALHAVEN CITY COUNCIL

CITY ADMINISTRATIVE CENTRE

BOX 42 P.O. NOWRA, N.S.W., 2541

PHONE: (044) 29 3111

FAX: (044) 22 1816

OUR REF: 90/3061 (SDR)
ENQUIRIES: Stephen Richardson
YOUR REF:

14 December 1994

G.A. Napper
General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Dear Sir,

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 NOTICE TO APPLICANT OF AMENDMENT OF A DEVELOPMENT CONSENT

To: G.A. Napper, General Manager of Shoalhaven City Council, PO Box 42, Nowra
being the applicant in respect of Development Application No. 90/3061
(Extension of Waste Depot), relating to the land described as follows:

LOT 436, YALWAL ROAD, WEST NOWRA

In response to your request of 27 September, 1994, and pursuant to Section 102 of the above Act, notice is hereby given that the development approval issued in respect of the above mentioned application and dated 24 May, 1991, has been amended in the following manner:

1. The amendment of condition No 3 to read;

"3. In accordance with the assessment undertaken, the proposed extensions are approved in three consecutive stages and related locations as indicated on Figure No.3 (included with the Statement of Environmental Effects prepared on Shoalhaven City Council's behalf by Sinclair Knight & Partners). The life expectancy and capacity of each stage is as follows:

- | | |
|---------|--|
| Stage 1 | North of the existing depot, and west to the existing 38m AHD contour, comprises of 421,317 cubic metres and life expectancy of 8 years. |
| Stage 2 | West of the existing depot comprises 5 trenches with a holding capacity of 453,600 cubic metres and a life expectancy of 8 years. |
| Stage 3 | South of the existing depot comprises 9 trenches with a holding capacity of 1,089,800 cubic metres and a life expectancy of 13 years." |

2. The addition of condition 7(m) to read as follows;

"7(m) The four existing eucalypt trees located along the western perimeter of the proposed extension of Stage 1, are to be retained, and a ten (10) metre buffer strip extending to the east of these trees is to be retained in an undisturbed state."

4. The addition of condition 8(a) to read as follows;

"8(a) A leachate collection system shall be installed and operational for the proposed extension of Stage 1, which will capture and convey all surface and subsurface flows of leachate to the existing leachate treatment and disposal system. Such system shall be installed prior to the placement of garbage in any area not serviced by the existing leachate collection system. When installing the subsurface leachate collection system care shall be exercised to ensure that all subsurface flows are collected and that adequate gradients exist on the collection lines to successfully convey all polluted material to the existing leachate collection system. This system shall be installed as detailed in the West Nowra Waste EPA Depot Licence."

5. The amendment of condition 10(d) to read as follows;

"10(d) Rehabilitation and revegetation of all disturbed areas. The site rehabilitation plan shall be prepared in accordance with the requirements of the Department of Conservation and Land Management and the Environment Protection Authority. In this regard such a rehabilitation plan should outline the following details;

- (i) Although the final landfill batter of the proposed extension is on an acceptable grade of less than 1V:3H it has a long batter length which could lead to erosion problems if not adequately controlled. To achieve this control a mid point diversion bank should be constructed to divert the batter runoff water along the bank and deposit it at a stable and well vegetated water disposal area. There may be a requirement to construct a concrete drop down drain at the outlet of the bank to carry the water safely down the batter to the disposal point. A land survey of the bank line will determine if this drop down drain is necessary.

- (ii) On completion of each section of the landfill, the entire batter section (including the bank) must be covered with topsoil/growing medium (minimum 100 mm), seeded in accordance with the Waste Service NSW recommendations, fertilised and covered with straw mulch.
- (iii) Urgent attention is required to topsoil the completed landfill batters (minimum 100 mm cover) and to revegetate batters using a seed mix approved by the Department of Conservation and Land Management. Following topsoiling, seeding and fertilising, the batters should be protected from erosion damage during the establishment phase by mulching with straw at a rate of 250 bales/hectare.

Drainage works are also required to be provided along the top of the batter to prevent uncontrolled drainage of the landfill top from damaging the batters.

Please note that Section 102 of the Act confers on an applicant, who is dissatisfied with the determination of a consent authority, a right of appeal to the Land and Environment Court.

Yours faithfully



G A Napper
General Manager

Per





SHOALHAVEN CITY COUNCIL

CITY ADMINISTRATIVE CENTRE

BOX 42, P O, NOWRA, N.S.W. 2541

PHONE: (044) 29 3111

OUR REF: 90/3061

FAX: (044) 22 1816

ENQUIRIES: Michael Tierney

YOUR REF:

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 NOTICE TO APPLICANT OF AMENDMENT OF A DEVELOPMENT CONSENT

To: Shoalhaven City Council (Waste Management Section) of P O Box 42, Nowra 2541 being the applicant in respect of Development Application No. 90/3061 (**Extension of Waste Depot**), relating to the land described as follows:

LOTS 436 AND 437 DP 808415, LOT 1 DP 847203 AND PART VACANT CROWN LAND, YALWAL ROAD, NOWRA

In response to your request of 30 August 1996 and pursuant to Section 102 of the above Act, notice is hereby given that the development approval issued in respect of the above mentioned application has been amended in the following manner:

Condition 15 is deleted and replaced with the following condition.

"15. No disturbance is to take place within 250 metres of Sandy Creek or Mundania Creek except for the area affected by the Stage 2 landfill area as indicated on the plan submitted to Council's Development Services Division on 11 April 1996, where no disturbance is to take place within 200 metres of Sandy Creek to ensure the future protection of the sensitive creek environment."

The following new conditions are added.

"24. The area indicated on the plan submitted on 13 September 1996, and shown as "vegetation" area, shall be revegetated in consultation with the Department of Land and Water Conservation to improve the effectiveness of the vegetation buffer to Sandy Creek. A revegetation plan prepared in consultation with the Department of Land and Water Conservation shall be submitted for approval within 6 months from the date of this amended consent, and revegetation of this area shall be carried out in accordance with the approved plan.

25. A rehabilitation and revegetation plan for the landfill areas, showing how the landfill cells will be progressively rehabilitated and revegetated at the conclusion of each landfill cell stage, shall be prepared in consultation with the Department of Land and Water Conservation and submitted for approval within 12 months from the date of this amended consent. Rehabilitation and revegetation of the landfill areas shall be carried out in accordance with the approved plan."

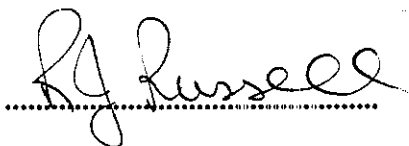
Please note that Section 102 of the Act confers on an applicant, who is dissatisfied with the determination of a consent authority, a right of appeal to the Land and Environment Court.

ADVICE TO APPLICANT

- The applicant is advised to consider the groundwater monitoring and leachate system improvement works (ie Recommendation 1,2, and 3) recommended in the correspondence dated 26 August 1996 from the Department of Land and Water Conservation (Hydrogeology Section), a copy of which is attached

SIGNED on behalf of Shoalhaven City Council:

Signature:

A handwritten signature in black ink, appearing to read 'R. Russell', written over a dotted line.

Name: Robert Russell
Development Manager

Date: 17 September, 1996.

NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION

DEVELOPMENT CONSENT

**Environmental Planning and Assessment Act, 1979
DA08/2388**

TO:

Shoalhaven City Council - Waste Management
PO Box 42
Nowra NSW 2541

**being the applicant(s) for DA08/2388 relating to:
Flatrock Rd, MUNDAMIA - Lot 1 - DP 847203**

APPROVED USE AND OR DEVELOPMENT:

Construction of a New Staff Amenities Building

BCA CLASSIFICATION(s):

10a

DETERMINATION DATE:

05-NOV-2008

Pursuant to the Section 81 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions listed below.

CONSENT TO OPERATE FROM:

05-NOV-2008

CONSENT TO LAPSE ON:

05-NOV-2013

DETAILS OF CONDITIONS

The conditions of consent and reasons for such conditions are set out as follows:

PART A

CONDITIONS OF A GENERAL NATURE, INCLUDING A DESCRIPTION OF THE PROPOSED DEVELOPMENT

General

1. This consent relates to **Construction of a New Staff Amenities Building** as illustrated on the plans
 - Plan No.'s 2824_100, 2824_103, 2824_104, 2824_109, 2824_110, 2824_111, 2824_112, 2824_113, dated 29/9/08.
 - Plan No.'s 2824_101A, 2824_102A, 2824_107A & 2824_108A, Revision A, dated 3/11/08,
 - Plan No.'s 2824_99B, 2824_105B & 2824_106B, Revision B, dated 4/11/08,specifications and supporting documentation stamped with reference to this consent, as modified by the following conditions. The development shall be carried out in accordance with this consent.

Notes:

- *Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act, or a fresh development application. No works, **other than those approved under this consent**, shall be carried out without the prior approval of Council.*
 - *Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.*
2. The **Construction of a New Staff Amenities Building** shall not be occupied or the use shall not commence until all relevant conditions of development consent have been met or unless other satisfactory arrangements have been made with council (i.e. a security).

PART B

CONDITIONS THAT MUST BE COMPLIED WITH BEFORE WORK CAN COMMENCE

Notice of Commencement

3. Notice must be given to Council **at least two (2) days prior to the commencement of building work.**

Construction Certificate

4. A Construction Certificate must be obtained from either Council or an accredited certifier before any building work can commence.

Damage to Public Assets

5. The developer or his agent must undertake a site inspection of the adjacent kerbs, gutters, footpaths, walkways, carriageway, reserves and the like, prior to commencement of work and document evidence of any damage to existing assets. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense.

PART C

**CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF A
CONSTRUCTION CERTIFICATE**

Water and/or Sewer Contributions

6. All conditions listed on the Shoalhaven Water Development Application Notice under the heading "PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE" must be complied with and accepted by Shoalhaven Water. The authority issuing the Construction Certificate for the development shall obtain written approval from Shoalhaven Water allowing a Construction Certificate to be issued.

Note: Relevant details, including **monetary** contributions 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 3111.

PART D

**CONDITIONS RELATING TO THE APPROVED WORK AND SITE
MANAGEMENT**

Building Code of Australia

7. All building work must be carried out in accordance with the requirements of the Building Code of Australia.

Note: *This condition is prescribed under the Environmental Planning and Assessment Regulation 2000.*

Colour Schedule

8. The building(s) must be constructed in accordance with the approved schedule of colours and building materials and finishes.

Roof & walls – Deep Ocean

Bush Fire Safety

9. At the commencement of building works and in perpetuity an area 10 metres around the development shall be managed as an inner protection area (IPA) as outlined within

section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection 2006* and the NSW Rural Fire Service's documents '*Standards for asset protection zones*'.

10. Construction is to comply with Appendix 3 – Site Bush Fire Attack Assessment of *Planning for Bush Fire Protection 2006*. In this regard new construction shall comply with Australian Standard AS3959-1999 '*Construction of buildings in bush fire-prone areas*' Level 1 (except that compliance with clause 3.7.1(b) shall not be required where clause 3.7.1(a) is complied with).

Road Reserve, Footpath & Gutters

11. The kerb, gutter and footpath adjoining the site shall be kept clear of soil and debris.

Soil and Water Management

12. All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur.

In particular, a silt fence or equivalent must be provided downhill from the cut and fill area (or any other disturbed area). The fence must be regularly inspected and cleaned out and/or repaired as necessary and all collected silt must be disposed of to the satisfaction of the Principal Certifying Authority (PCA).

Unnecessary disturbance of the site (eg excessive vehicular access) must not occur. All cuts and fills must be stabilised or revegetated as soon as possible after the completion of site earthworks.

All the above requirements must be to the satisfaction of the PCA. A copy of Council's Code "Guidelines for Stormwater Protection on Building Sites" is enclosed.

Construction Hours

13. To limit the impact of the development on adjoining owners, *all* construction work shall be restricted to the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 3.00pm Saturdays. No construction work shall take place on Sundays or Public Holidays.

Waste Minimisation and Management

14. All waste must be contained within the site during construction and then be recycled in accordance with the approved Waste Minimisation and Management Plan (WMMP) or removed to an authorised waste disposal facility. No waste shall 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 WMMP shall be demonstrated by the retention of relevant receipts. These must be submitted to Council, upon request.

Note: "Waste" has the same meaning as the definition of "Waste" in the Protection of the Environment Operations Act 1997.

PART E

CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

15. A Certificate of Compliance (CC) under Section 307 of Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 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 shall be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Development Application Notice and **prior to the issue of an Occupation Certificate**.

PART F

REASONS FOR CONDITIONS

Conditions of consent have been imposed to:

1. Ensure the proposed development:
 - a) achieves the objects of the Environmental Planning and Assessment Act, 1979;
 - b) complies with the provisions of all relevant environmental planning instruments;
 - c) is consistent with the aims and objectives of Council's Development Control Plans, Codes and Policies.
2. Ensure that the relevant public authorities and the water supply authority have been consulted and their requirements met or arrangements made for the provision of services to the satisfaction of those authorities.
3. Meet the increased demand for public amenities and services attributable to the development in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979.
4. Ensure the protection of the amenity and character of land adjoining and in the locality of the proposed development.
5. Minimise any potential adverse environmental, social or economic impacts of the proposed development.
6. Ensure that all traffic, carparking and access requirements arising from the development are addressed.
7. Ensure the development does not conflict with the public interest.

PART G
OTHER COUNCIL APPROVAL
Section 68 Local Government Act

Approval for Sewerage, Plumbing and Stormwater Drainage

Approval for Sewerage, Plumbing and Stormwater Drainage is granted subject to the following conditions:

General

1. The attached Application to Carry Out Plumbing and Drainage Works under the Plumbing and Drainage Code of Practice is completed by the licensed contractor carrying out the work.

Such application is to be completed in full and returned to Council prior to the commencement of any work.

Inspections

2. Council must be given at least 24 hour's notice to allow for the inspections of:

	Inspection
1	Internal drainage lines before the floor is laid or poured
2	External drainage lines before the backfilling of the trenches, including the septic tank placed in position
3	Water service plumbing lines prior to the internal lining of any walls
4	The septic tank system when completed and prior to use
5	Stormwater drainage lines, discharge point(s) and/or absorption trenches (where appropriate)

Both the internal and external drainage lines are to be under hydraulic test at the time of the inspection.

Waste Water

3. The owner is responsible for arranging for the emptying of the collection well by Council's effluent removal contractor and for proper maintenance of equipment.
4. A licensed plumber and drainer must execute hot and cold water installations in an area of water reticulation.
5. A licensed plumber and drainer must execute sanitary plumbing and draining work in a proposed sewer reticulation area.
6. All house sewer and plumbing work is carried out in accordance with the requirements of Water, Sewerage and Drainage Regulation, 1993.
7. A minimum height of 150mm shall be maintained between the top of the overflow yard gully riser and the lowest fixture connected to the drain. The height shall be measured vertically from the overflow level of the gully riser, or from the invert level of the

overflow pipe, to the appropriate point given in Table 4.3 of AS3500. The minimum height between the top of the overflow yard gully riser, or the invert of the overflow pipe, and the surrounding ground surface level shall be 75mm, except where the gully riser is located in a path or a paved area where it shall be finished at a level so as to prevent the ponding and ingress of water into the drainage system.

8. The collection well is to be emptied at sufficient intervals so that the capacity of the collection well is not exceeded and the contents removed in an approved vehicle to the sanitary depot for disposal.
9. The septic tank collection well suction pipe shall be a minimum 50mm diameter galvanised iron for a horizontal distance, beneath ground level, for at least 1.0 metre beyond all bends and risers at both the collection well and service ends of the pipe.
10. The service pipe shall be suitably encased in concrete at all bends beneath ground level.
11. This septic system must be installed strictly in accordance with Council's On-Site Sewage Management DCP No.78 and the requirements under the Local Government Act, 1993, as amended.
12. In order for the effluent contractor to service the proposed development the location/ installation of the collection tank shall be in accordance with the invert requirements of Annex K (Shoalhaven Water Effluent contract) available from Council.

To achieve this requirement an internal float switch pump may be needed to deliver the effluent to the collection tanks, that are located to comply with the invert requirements of Annex K (Shoalhaven Water Effluent contract)

Developments that can not achieve the invert requirements need to provide an additional booster pump, the performance of the booster pump shall deliver 15 litres per second at the contractor tankers and include a switch for the booster pump to be available and maintained in an operational condition located at the standpipe.

PART H

ADVICE ABOUT RIGHTS OF REVIEW AND APPEAL

Development Consent under Environmental Planning and Assessment Act, 1979

*Under section 82A of the Environmental Planning and Assessment Act, 1979 an applicant may request the council to review its determination except where it relates to a complying development certificate, designated development or integrated development. The request must be made **within twelve (12) months** of the date of the receipt of the determination, with a prescribed fee of 50% of the original DA fee.*

*Section 97 of the Environmental Planning and Assessment Act, 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised **within twelve (12) months** after receipt of this notice.*

Approvals under Local Government Act, 1993

Section 100 of the Local Government Act, 1993 provides that an applicant may request Council to review its determination of an application.

*Section 176 of the Local Government Act, 1993 provides that an applicant who is dissatisfied with the determination of the Council may appeal to the Land and Environment Court. The appeal must be made within **twelve (12) months** of the date of determination.*

PART I

ADVICE ABOUT WHEN THIS CONSENT LAPSES

This consent is valid for five years from the date hereon.

In accordance with Section 95 of the Act, development consent of the erection of a building does not lapse if building, engineering or construction work relating to the building or work is physically commenced on the land to which the consent applies before the lapse date.

PART J

GENERAL ADVICE TO APPLICANT

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on

- a) A matter of national environmental significance (NES) matter; or
- b) Commonwealth land

without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation.

It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of consent as notification to you that the Commonwealth Act does not have application.

The Commonwealth Act may have application and you should obtain advice about this matter.

There are severe penalties for non-compliance with the Commonwealth legislation.

Adjoining Crown Land

The applicant may not:

- Encroach upon the adjacent and adjoining Crown land,
- Remove any vegetation from the adjacent and adjoining Crown land,
- Use the adjacent and adjoining Crown land as access,
- Direct stormwater discharges, septic or contaminated waste on the adjacent or adjoining Crown land, or
- Use the adjacent and adjoining Crown land as effluent management zones or as asset protection zones.

Disclaimer – s88B restrictions on the use of land

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Under clause 37 of Shoalhaven Local Environmental Plan 1985 agreements, covenants or instruments that restrict the carrying out of the proposed development do not apply to the extent necessary to enable the carrying out of that development, other than where the interests of a public authority is involved.

Occupation Certificate

An **occupation certificate** must be issued by the Principal Certifying Authority (PCA) before the building is used or occupied.

If Council is the appointed PCA for this project, a minimum of twenty four (24) hours' notice must be given to Council to make an inspection of the work.

Principal Certifying Authority

A Principal Certifying Authority (PCA) must be appointed before any building work can commence.

Inspections

If Council is the appointed PCA for this project, a minimum twenty-four (24) hours notice must be given to Council to make an inspection of the work.

SIGNED on behalf of Shoalhaven City Council:

Signature

**Name James Bonner
Development Planner
Development & Environmental Services Group**

NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION
DEVELOPMENT CONSENT
Environmental Planning and Assessment Act, 1979
DA16/1511

TO:

Shoalhaven City Council - Waste Management
PO Box 42
Nowra NSW 2541

being the applicant(s) for DA16/1511 relating to:

120 Flatrock Rd, MUNDAMIA - Lot 1 - DP 1018193

APPROVED USE AND OR DEVELOPMENT:

Construction of cover over existing weighbridge office

DETERMINATION DATE:

14 July 2016

Pursuant to the Section 81 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions listed below.

CONSENT TO OPERATE FROM:

14 July 2016

CONSENT TO LAPSE ON:

14 July 2021

This consent is valid for five years from the date hereon.

In accordance with Section 95 of the Act, development consent for the use of the land or the erection of a building does not lapse if building, engineering or construction work relating to the building or work or the use is physically commenced on the land to which the consent applies before the lapse date.

DETAILS OF CONDITIONS

The conditions of consent and reasons for such conditions are set out as follows:

PART A

CONDITIONS OF A GENERAL NATURE, INCLUDING A DESCRIPTION OF THE PROPOSED DEVELOPMENT

General

1. This consent relates to **construction of cover over existing weighbridge office** as illustrated on the plans (referenced in the table below), specifications and supporting documentation stamped with reference to this consent, as modified by the following conditions. The development must be carried out in accordance with this consent.

DOCUMENT	REF/SHEET NO.	PREPARED BY	DATED
Site Plan, Drainage Plan, Footing and Drainage Details	Dwg No.16070/2 Rev B	Westlake Punnett	3/6/2016
Pad footing layout plan, steelwork plan, steelwork sections and elevations	Dwg No.16070/3 Rev B	Westlake Punnett	3/6/2016
Waste management plan	-	Claude Domio	Received with documentation
Local site plan	DN150225/A03 Rev B	MI Engineers	24/2/2016

Notes:

- *Any alteration to the plans and/or documentation must be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act, or a fresh development application. No works, **other than those approved under this consent**, must be carried out without the prior approval of Council.*
 - *Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions must prevail to the extent of that inconsistency.*
2. The **construction of cover over existing weighbridge office** must not be occupied or the use must not commence until all relevant conditions of development consent have been met or unless other satisfactory arrangements have been made with council (i.e. a security).

Occupation Certificate

3. An **Occupation Certificate** must be issued by the Principal Certifying Authority (PCA) before the approved development is used or occupied.

PART B

CONDITIONS THAT MUST BE COMPLIED WITH BEFORE WORK CAN COMMENCE

Construction Certificate

4. A Construction Certificate must be obtained from either Council or an accredited certifier before any building work can commence.

Notice of Commencement

5. Notice must be given to Council **at least two (2) days prior to the commencement of work.**
6. Prior to the commencement of works, Council must be advised in writing of the name of a designated person/company nominated by the applicant to be responsible for construction of all engineering works including erosion and sediment control measures.

Builders' Toilet

7. Before commencing building operations, a builder's water closet accommodation must be provided to Council's satisfaction.

A chemical toilet may be used on the site or alternatively the site may be provided with temporary closet accommodation connected to Council's sewer where sewer is available and operational. Under no circumstances will pit toilets or similar be accepted by Council.

Existing services/damage to public assets – Dilapidation report

8. Prior to the commencement of any work(s) associated with this development the developer or their agent must check that the proposed works are not affected by any Council, electricity, telecommunications, gas or other services. 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 as a consequence of undertaking works under this consent will be at the developer's expense. In addition any repair or damage to services will be at the developer's expense.

Erosion and Sediment Control

9. A Soil and Water Management Plan (SWMP) and accompanying specifications for the construction phase of the works must be lodged for approval with the nominated accredited certifier for works within the subject lot. The Plan must be prepared by a suitably qualified and experienced professional and based on the Landcom manual *Soils and Construction, Managing Urban Stormwater, Vol 1, 4th Edition, March 2004*. In this regard the SWMP must include, however not limited to:
 - a) Location and type of proposed erosion and sediment control measures,
 - b) Disposal site for silt removed from sediment traps, and
 - c) Standard construction drawings for proposed soil and water management measures.

10. The approved erosion and sediment measures must be implemented by the contractor and inspected and approved by the accredited certifier prior to the commencement of any works.

Sign – Supervisor Contact Details

11. A sign must be erected in a prominent position on any site where building work is being carried out:
- a) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
 - b) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours.
 - c) Stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work is being carried out.

PART C

CONDITIONS RELATING TO THE APPROVED WORK AND SITE MANAGEMENT

Stormwater Drainage Design

12. The stormwater drainage system must be generally in accordance with Westlake Punnett Site Plan, Drainage Plan Footing and Drainage Details Drawing No 16070/2 Rev B Dated 3-6-16 and in accordance with Council's Engineering Design Specifications section D5 (Stormwater Drainage Design) and DCP 2014 – Chapter G2: Sustainable Stormwater Management and Erosion/Sediment Control. The minor and major systems must be designed for 10% AEP for commercial / industrial areas and also have consideration for the 1% AEP rainfall events respectively.

Section 68 Approval – Stormwater Drainage Works

13. An application pursuant to Section 68 of the *Local Government Act 1993* is required to be made for any works involving stormwater drainage. In this regard full hydraulics plans/details that have been prepared by a properly qualified and practising hydraulics engineer are to be submitted to Council for assessment.

Disposal of Excavated Material

14. All excavated surplus material must be hauled to an approved landfill site. In this regard all soil and/or fill removed from the site must be classified in accordance with the NSW EPA Environmental Guidelines: Assessment, Classification & Management of Liquid and Non-Liquid Wastes prior to removal.
15. Any new information which comes to light during construction works which has the potential to alter previous conclusions about site contamination must be notified to the Council and the Principal Certifying Authority immediately.

Building Code of Australia

16. All building work must be carried out in accordance with the requirements of the Building Code of Australia.

Note: *This condition is prescribed under the Environmental Planning and Assessment Regulation 2000.*

Construction Hours

17. To limit the impact of the development on adjoining owners, *all* construction work must be restricted to the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 3.00pm Saturdays. No construction work must take place on Sundays or Public Holidays.

Erosion and Sediment Control

18. The erosion and sediment measures must be maintained for the life of the construction period and until runoff catchments are stabilised.

PART D

CONDITIONS THAT MUST BE COMPLIED UPON COMPLETION OF THE WORK

Prior to Issue of an Occupation Certificate

19. Prior to the issue of an Occupation Certificate for the approved development, the conditions of consent listed in Parts A, B, C & D must be complied with and completed to the satisfaction of the Principal Certifying Authority.

Verification of Works

20. Prior to the issue of an Occupation Certificate the person or company nominated to be responsible for construction of all engineering works is to verify in writing that all works have been constructed in accordance with the approved plans and construction specifications.

PART E

REASONS FOR CONDITIONS

Conditions of consent have been imposed to:

1. Ensure the proposed development:
 - a) achieves the objects of the Environmental Planning and Assessment Act, 1979;
 - b) complies with the provisions of all relevant environmental planning instruments;
 - c) is consistent with the aims and objectives of Council's Development Control Plans, Codes and Policies.
2. Ensure that the relevant public authorities and the water supply authority have been consulted and their requirements met or arrangements made for the provision of services to the satisfaction of those authorities.
3. Ensure the protection of the amenity and character of land adjoining and in the locality of the proposed development.

4. Minimise any potential adverse environmental, social or economic impacts of the proposed development.
5. Ensure the development does not conflict with the public interest.

PART F

ADVICE ABOUT RIGHTS OF REVIEW AND APPEAL

Development Determination under Environmental Planning and Assessment Act, 1979

*Under section 82A of the Environmental Planning and Assessment Act, 1979 an applicant may request the council to review its determination except where it relates to a Complying Development Certificate, Designated Development or Integrated Development. The request must be made **within six (6) months** of the date of the receipt of the determination, with a prescribed fee of 50% of the original DA fee.*

*Section 97 of the Environmental Planning and Assessment Act, 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised **within six (6) months** after receipt of this notice.*

Approvals under Local Government Act, 1993

Section 100 of the Local Government Act, 1993 provides that an applicant may request Council to review its determination of an application.

*Section 176 of the Local Government Act, 1993 provides that an applicant who is dissatisfied with the determination of the Council may appeal to the Land and Environment Court. The appeal must be made within **twelve (12) months** of the date of determination.*

PART G

GENERAL ADVICE TO APPLICANT

Privacy Notification

Personal information contained on this Development Consent and any associated documents will be published on Council's website as required by the *Government Information (Public Access) (GIPA) Act 2009*.

Disclaimer – s88B Restrictions on the Use of Land

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Under Clause 1.9A of Shoalhaven Local Environmental Plan 2014 agreements, covenants or instruments that restrict the carrying out of the proposed development do not apply to the extent necessary to enable the carrying out of that development, other than where the interests of a public authority is involved.

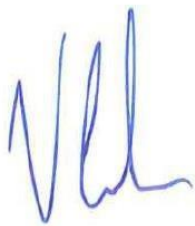
DBYD Enquiry - 'Dial Before You Dig'

In order to avoid risk to life and property it is advisable that an enquiry be made with "Dial Before You Dig" on 1100 or www.dialbeforeyoudig.com.au prior to any excavation works taking place to ascertain the location of underground services. You must also contact your Local Authority for locations of Water and Sewer Mains.

Inspections

If Council is the appointed PCA for this project, a minimum twenty-four (24) hours notice must be given to Council to make an inspection of the work.

SIGNED on behalf of Shoalhaven City Council:



Name Nicholas Cavallo
Senior Development Planner
Planning & Development Services Group

NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION
DEVELOPMENT CONSENT
Environmental Planning and Assessment Act, 1979
DA16/1432

TO:

Shoalhaven City Council - Waste Management
PO Box 42
Nowra NSW 2541

being the applicant(s) for DA16/1432 relating to:

- Flatrock Rd, Mundamia - Lot 436 - DP 808415
- 120 Flatrock Road Mundamia – Lot 1 – DP 1018193

APPROVED USE AND OR DEVELOPMENT:

Waste transfer station comprising the construction of a shed (35m x 20m), installation of 10 concrete recycling bays, access and drainage works

DETERMINATION DATE:

16 September 2016

Pursuant to the Section 81 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions listed below.

CONSENT TO OPERATE FROM:

16 September 2016

CONSENT TO LAPSE ON:

16 September 2021

This consent is valid for five years from the date hereon.

In accordance with Section 95 of the Act, development consent for the use of the land or the erection of a building does not lapse if building, engineering or construction work relating to the building or work or the use is physically commenced on the land to which the consent applies before the lapse date.

DETAILS OF CONDITIONS

The conditions of consent and reasons for such conditions are set out as follows:

PART A

CONDITIONS OF A GENERAL NATURE, INCLUDING A DESCRIPTION OF THE PROPOSED DEVELOPMENT

General

1. This consent relates to **Waste transfer station comprising the construction of a shed (35m x 20m), installation of 10 concrete recycling bays, access and drainage works** as illustrated on the plans (referenced in the table below), specifications and supporting documentation stamped with reference to this consent, as modified by the following conditions. The development must be carried out in accordance with this consent.

DOCUMENT	REF/SHEET NO.	PREPARED BY	DATED
Site Plan	Dwg No.DN150061/A02, Rev B	MI Engineers	11/4/2016
Boundary offset plan	Dwg No.DN150061/A03, Rev B	MI Engineers	11/4/2016
Floor Plan	Dwg No.DN150061/A04, Rev B	MI Engineers	11/4/2016
Elevations	Dwg No.DN150061/A06, Rev B	MI Engineers	11/4/2016
Colour Schedule	Dwg No.DN150061/A07, Rev B	MI Engineers	11/4/2016
Waste Management Plan	-	MI Engineers	-

Notes:

- *Any alteration to the plans and/or documentation must be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act, or a fresh development application. No works, **other than those approved under this consent**, must be carried out without the prior approval of Council.*
 - *Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions must prevail to the extent of that inconsistency.*
2. The **Waste transfer station comprising the construction of a shed (35m x 20m), installation of 10 concrete recycling bays, access and drainage works** must not be occupied or the use must not commence until all relevant conditions of development consent have been met or unless other satisfactory arrangements have been made with council (i.e. a security).

Occupation Certificate

3. An **Occupation Certificate** must be issued by the Principal Certifying Authority (PCA) before the approved development is used or occupied.

PART B

CONDITIONS THAT MUST BE COMPLIED WITH BEFORE WORK CAN COMMENCE

Principal Certifying Authority/Construction Certificate

4. The following must be undertaken before any building works can commence:
 - a) A Principal Certifying Authority (PCA) must be appointed; and
 - b) A Construction Certificate must be obtained from either Council or an accredited certifier.

Notice of Commencement

5. Notice must be given to Council at least two (2) days prior to the commencement of work.
6. Prior to the commencement of works, Council must be advised in writing of the name of a designated person/company nominated by the applicant to be responsible for construction of all engineering works including erosion and sediment control measures and their maintenance. The person/company nominated must be a suitably qualified, experienced and practicing engineer or surveyor.

Builders' Toilet

7. Before commencing building operations, a builder's water closet accommodation must be provided to Council's satisfaction.

A chemical toilet may be used on the site or alternatively the site may be provided with temporary closet accommodation connected to Council's sewer where sewer is available and operational. Under no circumstances will pit toilets or similar be accepted by Council.

Existing services/damage to public assets – Dilapidation report

8. Prior to the commencement of any work(s) associated with this development the developer or their agent must check that the proposed works are not affected by any Council, electricity, telecommunications, gas or other services. 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 as a consequence of undertaking works under this consent will be at the developer's expense. In addition any repair or damage to services will be at the developers expense, and

Erosion and Sediment Control

9. A Soil and Water Management Plan (SWMP) and accompanying specifications for the construction phase of the works must be lodged for approval with the nominated accredited certifier for works within the subject lot and Council for works within the road reserve. The Plan must be prepared by a suitably qualified and experienced professional and based on the Landcom manual *Soils and Construction, Managing Urban Stormwater, Vol 1, 4th Edition, March 2004*. In this regard the SWMP must include, however not limited to:
 - a) Location and type of proposed erosion and sediment control measures;

- b) Location of vegetated buffer strips, unstable slopes, boggy areas, and restricted “no access” areas;
- c) Maintenance program for all soil and water management measures;
- d) Disposal site for silt removed from sediment traps;
- e) Standard construction drawings for proposed soil and water management measures.

The approved erosion and sediment measures must be implemented by the contractor and inspected and approved by the accredited certifier prior to the commencement of any works. The erosion and sediment measures must be maintained for the life of the construction period and until runoff catchments are stabilised.

Sign – Supervisor Contact Details

10. A sign must be erected in a prominent position on any site where building work is being carried out:

- a) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
- b) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours.
- c) Stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work is being carried out.

PART C

CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Contributions for Additional Services and/or Facilities

11. This development will generate a need for additional services and/or facilities as described in Council's *Contributions Plan 2010*, as itemised in the following table.

Project	Description	Calculation	Amount
CWFIRE2001	Citywide Fire & Emergency services	\$127.86*5.65	\$722.41
CWFIRE2002	Shoalhaven Fire Control Centre	\$187.06*5.65	\$1,056.89
CWMGMT3001	Contributions Management & Administration	\$177.93*1	\$177.93
			Total = \$1,957.23

Contribution rates are adjusted annually on 1st July in accordance with the indexation formula indicated in the Contributions Plan (currently the implicit price deflator) and the total contribution levied will be adjusted accordingly at the time of payment. (i.e. contributions are calculated on the rate applicable at the date of payment, **not** the date of development consent.)

A total contribution currently assessed at the sum of **\$1,957.23** or as indexed in future years must be paid to Council prior to the issue of a Construction Certificate.

Contributions Plan 2010 may be inspected at the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.

Odour and Gas Management Plan

12. Prior to the issue of a Construction Certificate an Odour and Gas Management Plan must be prepared to the satisfaction of the Environment Protection Authority (EPA) that addresses, however not limited to, the following:
- a) detail how the exhumation of waste is to be avoided during construction (particularly during piling),
 - b) detail how impacts on gas collection infrastructure will be avoided during construction,
 - c) where impacts on gas collection infrastructure are unavoidable provide details of how the infrastructure is to be modified,
 - d) a detailed timeframe where there is a cessation of gas extraction, and
 - e) a monitoring program for methane gas during activities that involve contact with and/or disturbing landfilled waste.

Fire Risk Management Plan

13. Prior to the issue of a Construction Certificate a Fire Risk Management Plan must be prepared to the satisfaction of the Environment Protection Authority (EPA) that addresses the construction phase of the development.

PART D

CONDITIONS RELATING TO THE APPROVED WORK AND SITE MANAGEMENT

Design Standard

14. Engineering design plans and specifications for all work referred to in this consent are to be submitted for approval as follows:
- a) details of internal civil works must be submitted to the nominated accredited certifier (Private Certifier or Council) for approval, and
 - b) details of all proposed works in the road reserve must be submitted and approved by Council.

All civil works are to be in accordance with Council's Engineering Design Specifications and Development Construction Specifications current at the time of construction unless otherwise specified in this consent.

Internal Road Design

15. The new internal roads must be designed and constructed in accordance with the following:
- a) to be a bitumen sealed/AC/concrete with a compacted pavement thickness designed for a minimum traffic loading of 1×10^6 ESA (200mm minimum) and
 - b) to be constructed with 3.5m wide for one way traffic and 7m wide for two way traffic as a minimum and cater for the largest vehicle required to manoeuvre throughout the site.

Stormwater Drainage Design

16. Major and minor drainage systems must be designed by a qualified practising engineer in accordance with Council's Engineering Design Specifications section D5 (Stormwater Drainage Design) and DCP 2014 – Chapter G2: Sustainable Stormwater Management and Erosion/Sediment Control. The minor and major systems must be designed for 10% AEP for commercial/industrial area and also have consideration for the 1% AEP rainfall events respectively.
17. All table drains constructed or realigned are to comply with the following:
 - a) Table drains must not have a depth of flow higher than the bottom of the road pavement.
 - b) Table drains with grades less than 5% must be shaped to a uniform dish cross section placed with 75-100mm of topsoil, track machine rolled, fertilised and grass seeded with suitable native species.
 - c) Table drains with grades 5 to 10% must be treated similarly to those having less than 5% grade but with the addition of a layer of Jutemaster TM, Fire Mulch or equivalent product over the topsoil.
 - d) Table drains with grades greater than 10% must be uniformly shaped and lined with concrete, rock and cement grout or spraycrete or similar approved treatment. The road bitumen seal for grades $\geq 12\%$ is to be widened to the edge of the lining.

Section 68 Approval – Stormwater Drainage Works

18. An application pursuant to Section 68 of the *Local Government Act 1993* is required to be made for any works involving stormwater drainage. In this regard full hydraulics plans/details that have been prepared by a properly qualified and practising hydraulics engineer are to be submitted to Council for assessment.

Exhumation of Waste

19. If waste is exhumed during construction, construction activities must cease and approval must be sought in writing from the Environment Protection Authority (EPA). The approval request must detail how odour, gas release and fire risk will be managed during construction activities.

Treatment of Landscape Mounds

20. The landscape mounds detailed on the approved plans must be compacted and treated (i.e. seeded) so they do not generate dust and become a nuisance for adjoining properties.
21. Documentation from the supplier of any fill to be used on the development site that certifies that imported fill material is not contaminated based on analyses of the material must be provided to Council prior to placing fill on the site. Sampling and analysis of the imported fill material must be conducted in accordance with the EPA Sampling Design Guidelines.
22. 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 for the life of the development.

Design and Construction

23. New construction must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.

Asset Protection Zones – NSW RFS

24. At the commencement of building works and in perpetuity the property around the proposed building for a distance of 48 metres must be managed as an Asset Protection Zone (APZ) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. (Note: in forested areas a portion of the APZ may be maintained as an outer protection zone as specified in Table A2.7 of 'Planning for Bush Fire Protection 2006'.)

Water and Utilities – NSW RFS

25. Water, electricity and gas must comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access – NSW RFS

26. Property access roads must comply with section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006'.

Building Code of Australia

27. All building work must be carried out in accordance with the requirements of the Building Code of Australia.

Note: *This condition is prescribed under the Environmental Planning and Assessment Regulation 2000.*

Construction Hours

28. To limit the impact of the development on adjoining owners, all construction work must be restricted to the hours of 7.00am to 6.00pm Monday to Friday and 8.00am to 3.00pm Saturdays. No construction work must take place on Sundays or Public Holidays.

PART E

CONDITIONS THAT MUST BE COMPLIED WITH BEFORE AN OCCUPATION CERTIFICATE CAN BE ISSUED

Prior to Issue of an Occupation Certificate

29. Prior to the issue of an Occupation Certificate for the approved development, the relevant conditions of consent listed in Parts A, B, C & D must be complied with and completed to the satisfaction of the Principal Certifying Authority.

Evacuation and Emergency Management

30. Prior to issue of an Occupation Certificate an emergency/evacuation plan is to be prepared consistent with the NSW Rural Fire Service 2014 document 'Development Planning A guide to developing a Bush Fire Emergency Management and Evacuation Plan'.

Verification of Works

31. Prior to the issue of an Occupation Certificate the person or company nominated to be responsible for construction of all engineering works is to verify in writing that all works have been constructed in accordance with the approved plans and construction specifications.

PART F

CONDITIONS THAT RELATE TO ONGOING OPERATION OF THE DEVELOPMENT

Ongoing Operation of the Waste Transfer Station

32. The ongoing operation of the approved waste transfer station must comply with the conditions of the environment protection licence (No.5877) issued by the Environment Protection Authority for the facility.

PART G

REASONS FOR CONDITIONS

Conditions of consent have been imposed to:

1. Ensure the proposed development:
 - a) achieves the objects of the Environmental Planning and Assessment Act, 1979;
 - b) complies with the provisions of all relevant environmental planning instruments;
 - c) is consistent with the aims and objectives of Council's Development Control Plans, Codes and Policies.
2. Ensure that the relevant public authorities and the water supply authority have been consulted and their requirements met or arrangements made for the provision of services to the satisfaction of those authorities.
3. Meet the increased demand for public amenities and services attributable to the development in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979.
4. Ensure the protection of the amenity and character of land adjoining and in the locality of the proposed development.
5. Minimise any potential adverse environmental, social or economic impacts of the proposed development.

6. Ensure that all traffic, carparking and access requirements arising from the development are addressed.
7. Ensure the development does not conflict with the public interest.

PART H

ADVICE ABOUT RIGHTS OF REVIEW AND APPEAL

Development Determination under Environmental Planning and Assessment Act, 1979

*Under section 82A of the Environmental Planning and Assessment Act, 1979 an applicant may request the council to review its determination except where it relates to a Complying Development Certificate, Designated Development or Integrated Development. The request must be made **within six (6) months** of the date of the receipt of the determination, with a prescribed fee of 50% of the original DA fee.*

*Section 97 of the Environmental Planning and Assessment Act, 1979 confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court which can be exercised **within six (6) months** after receipt of this notice.*

Approvals under Local Government Act, 1993

Section 100 of the Local Government Act, 1993 provides that an applicant may request Council to review its determination of an application.

*Section 176 of the Local Government Act, 1993 provides that an applicant who is dissatisfied with the determination of the Council may appeal to the Land and Environment Court. The appeal must be made within **twelve (12) months** of the date of determination.*

PART I

GENERAL ADVICE TO APPLICANT

Privacy Notification

Personal information contained on this Development Consent and any associated documents will be published on Council's website as required by the *Government Information (Public Access) (GIPA) Act 2009*.

Disability Discrimination Act 1992

This application has been assessed in accordance with the *Environmental Planning & Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The Disability Discrimination Act covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS1428.1 - "Design for Access and Mobility". AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act currently available in Australia.

Disclaimer – s88B Restrictions on the Use of Land

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Under Clause 1.9A of Shoalhaven Local Environmental Plan 2014 agreements, covenants or instruments that restrict the carrying out of the proposed development do not apply to the extent necessary to enable the carrying out of that development, other than where the interests of a public authority is involved.

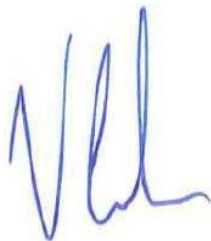
DBYD Enquiry - 'Dial Before You Dig'

In order to avoid risk to life and property it is advisable that an enquiry be made with "Dial Before You Dig" on 1100 or www.dialbeforeyoudig.com.au prior to any excavation works taking place to ascertain the location of underground services. You must also contact your Local Authority for locations of Water and Sewer Mains.

Inspections

If Council is the appointed PCA for this project, a minimum twenty-four (24) hours notice must be given to Council to make an inspection of the work.

SIGNED on behalf of Shoalhaven City Council:



Name Nicholas Cavallo
Senior Development Planner
Planning & Development Services Group