

GENERAL CONDITIONS																																																																																									
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DA0178/24 Sheet 17 of 42	B	Basement Ramp and Balcony Section	Villa and Villa	22/05/2024
DA0178/24 Sheet 18 of 42	B	Elevations	Villa and Villa	22/05/2024
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DA0178/24 Sheet 22-34 of 42	LDA-1 to LDA-12, Rev D	Landscape Plans	Geoscapes	21/05/2024
DA0178/24 Sheet 34-42 of 42	D1-D8, Rev B	Stormwater Plans	NY Civil Engineering	16/05/2024

Approved documents

Document title	Version number	Prepared by	Date of Document
Document 1 – BASIX Certificate 1423411M_02	02	Building & Energy Consultants Australia	27/05/2024
Document 2 – Traffic Report	Ref 22470	Varga Traffic Planning	5/06/2023
Document 3 – Acoustic Report	2306006T-R	Harwood Acoustics	11/09/2023
Document 4 – Preliminary Site Investigation	Batemens-BE_Rev0	Canopy Enterprises	28/05/2024
Document 5 – Aboriginal Cultural Heritage Report	HN001151-A	Heritage Now	15/08/2024
Document 6 – Geotechnical Report	GG11111.001	Green Geotechnics	8/08/2023
Document 7 – BCA Report	119197-BCA-r1	Jensen Hughs	24/04/2024
Document 8 – Operational Waste	Report No 4495 Rev F	Elephants Foot Consulting	4/12/2024

	Management Plan			
	Document 9 – Stormwater Design Letter	Ref E220637	NY Civil Engineering	16/05/2024
	Document 10 – Water NSW Advice	IDAS1151540	Water NSW	30/10/2023
	Document 11 – Essential Energy Advice	CNR-60945 - A-72913	Essential Energy	24/10/2023
	Document 12 – Transport for NSW	STH24/00755/001	Transport for NSW	29/11/2024
	Document 13 – DPI Fisheries	-	Department of Primary Industries	30/10/2023
	<p>In the event of any inconsistency between the approved plans and documents, the approved plans prevail.</p> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails. [0001]</p> <p>Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>			
2	<p>Concurrence and Referral</p> <p>The advice letter issued by the Water NSW in Document 10 attached to this consent must be complied with. The applicant shall obtain a controlled activity approval under the Water Management Act 2000 for de-watering of the basement.</p> <p>The advice letter issued by Essential Energy in Document 11 attached to this consent must be complied with.</p> <p>The advice letter issued by Transport for NSW in Document 12 attached to this consent must be complied with.</p> <p>The advice letter issued by DPI-Fisheries in Document 13 attached to this consent must be complied with.</p> <p>Reason: To ensure compliance with the legislation. [0002]</p>			
3	<p>Aboriginal Heritage Impact Permit (AHIP)</p> <p>Prior to any works commencing on the site, the applicant shall obtain an AHIP Permit from Heritage NSW in accordance with the Aboriginal Cultural Heritage Report</p>			

	<p>referred to as Document 5 of this Consent. The applicant shall carry out works in accordance with this AHIP.</p> <p>Reason: To ensure compliance with the legislation. [0002]</p>
4	<p><i>Prescribed Conditions</i> The development must comply with Part 4, Division 2, Subdivision 1, if the Environmental Planning and Assessment regulation 2021, as applicable.</p> <p>Reason: To ensure compliance with prescribed conditions. [0003]</p>
5	<p><i>Earthworks, retaining walls and structural support</i> Any earthworks (including any structural support or other related structure for the purposes of the development):</p> <ul style="list-style-type: none"> (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and (c) that if fill brought to the site – must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the Protection of the Environment Operations Act 1997, and (d) that if excavated soil is to be removed from the site – it must be disposed of in accordance with any requirements under the Protection of the Environment Operations (Waste) Regulation 2005. <p>Reason: To ensure the environmental, social and economic impact of the development are minimised.</p>
6	<p><i>Requirement to Notify about New Evidence</i> Any new information which comes to light during remediation, excavation or construction works which has the potential to alter previous conclusions about site contamination, heritage significance, threatened species or other relevant matters must be immediately notified to Council and the Certifier. Remediation is at the full cost of the owner.</p> <p>Reason: To ensure the environmental, social and economic impact of the development are minimised. [11.19]</p>
7	<p><i>Loading and Unloading</i> All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the site at all times.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
8	<p><i>Sewerage Manhole</i> Any alterations to the ground surface adjacent to the sewerage manhole in the vicinity or within the property will require application and payment to Council for alterations to the manhole level to match the new ground surface level. Manholes within driveways will require provision of a trafficable lid at the applicants cost.</p>

	<p>Reason: To ensure that the development complies with the standards and policy of the Water & Sewer Authority</p>
9	<p><i>Water & Sewer Inspections</i></p> <p>All plumbing and drainage works (water supply, sanitary plumbing and drainage, stormwater drainage and hot water) are to comply with Plumbing and Drainage Act 2011 and the Plumbing Code of Australia. Works must only be installed by a licensed person and must be inspected and given final clearance from Council before the issue of any Occupation Certificate. The following inspections are required to be carried out by Council in regard to the installation of plumbing and drainage works. Inspections may be arranged by contacting Council:</p> <ul style="list-style-type: none"> (a) Sanitary drainage under hydrostatic test and before backfilling trenches or covering; (b) Hot and cold water plumbing under pressure test before covering; (c) Internal stackwork under hydrostatic test before covering; and (d) The installation of the septic tank and any sullage trenches before backfilling or covering. (e) Issue of final satisfactory inspection. <p>Reason: To ensure that the development complies with the Water Authority's Standards.</p> <p>2.16</p>
10	<p><i>Use of Mobile Cranes</i></p> <p>The applicant shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works.</p> <p>For special operations including the delivery of materials, hoisting of plant and equipment, and erection and dismantling of on-site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:</p> <ul style="list-style-type: none"> (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions and (b) at least four (4) weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions. <p>The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.</p> <p>Reason: To reduce impacts upon amenity and reduce traffic conflicts.</p>
11	<p><i>Vehicle Direction</i></p> <p>All vehicles to enter and exit the development in a forward direction to avoid possible conflict with through traffic on "insert street name".</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>

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12	<p>Payment of Section 7.11 Contributions - Development</p> <p>Before the issue of a construction certificate, the applicant must pay the following contributions to Council for:</p> <table border="1"> <thead> <tr> <th>Facility</th> <th>3+ bedroom dwelling Rate</th> <th>Total (rate x 32)</th> <th>Per 2 bedroom dwelling</th> <th>Total (rate x 12)</th> <th>Per 0 or 1 bedroom dwelling</th> <th>Total (rate x 2)</th> <th>- Combined Total</th> </tr> </thead> <tbody> <tr> <td>Open Space and Recreation</td> <td>\$533.80</td> <td>\$17,081.60</td> <td>\$305.05</td> <td>\$4,575.75</td> <td>\$247.85</td> <td>\$495.70</td> <td>\$22,153.05</td> </tr> <tr> <td>Community and Cultural</td> <td>\$154.75</td> <td>\$4,952.00</td> <td>\$88.40</td> <td>\$1,326.00</td> <td>\$71.85</td> <td>\$143.70</td> <td>\$6,421.70</td> </tr> <tr> <td>Arterial Roads</td> <td>\$5,326.35</td> <td>\$170,443.20</td> <td>\$3,043.65</td> <td>\$45,654.75</td> <td>\$2,472.95</td> <td>\$4,945.90</td> <td>\$221,043.85</td> </tr> <tr> <td>Paths and Cycleways</td> <td>\$710.60</td> <td>\$22,739.20</td> <td>\$406.05</td> <td>\$6,090.75</td> <td>\$329.90</td> <td>\$659.80</td> <td>\$29,489.75</td> </tr> <tr> <td>Stormwater</td> <td>\$1,433.20</td> <td>\$45,862.40</td> <td>\$819.00</td> <td>\$12,285.00</td> <td>\$665.40</td> <td>\$1,330.80</td> <td>\$59,478.20</td> </tr> <tr> <td>Marine</td> <td>\$215.45</td> <td>\$6,894.40</td> <td>\$123.10</td> <td>\$1,846.50</td> <td>\$100.05</td> <td>\$200.10</td> <td>\$8,941.00</td> </tr> <tr> <td>Plan Preparation and Administration</td> <td>\$125.60</td> <td>\$4,019.20</td> <td>\$71.80</td> <td>\$1,077.00</td> <td>\$58.30</td> <td>\$116.60</td> <td>\$5,212.80</td> </tr> <tr> <td>Total</td> <td>\$8,499.75</td> <td>\$271,992.00</td> <td>\$4,857.05</td> <td>\$72,855.75</td> <td>\$3,946.30</td> <td>7,892.60</td> <td>\$352,740.35</td> </tr> </tbody> </table> <p>The total contribution payable to Council as identified above is calculated at the date of this consent, in accordance with the Eurobodalla Local Infrastructure Contributions Plan 2022.</p> <p>The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the Eurobodalla Local Infrastructure Contributions Plan 2022.</p> <p>A copy of the Contributions Plan is available for inspection at the Eurobodalla Shire Office, Vulcan St, Moruya or can be viewed on Council's website.</p> <p>Reason: To address the increased demand for regional infrastructure resulting from the approved development.</p>							Facility	3+ bedroom dwelling Rate	Total (rate x 32)	Per 2 bedroom dwelling	Total (rate x 12)	Per 0 or 1 bedroom dwelling	Total (rate x 2)	- Combined Total	Open Space and Recreation	\$533.80	\$17,081.60	\$305.05	\$4,575.75	\$247.85	\$495.70	\$22,153.05	Community and Cultural	\$154.75	\$4,952.00	\$88.40	\$1,326.00	\$71.85	\$143.70	\$6,421.70	Arterial Roads	\$5,326.35	\$170,443.20	\$3,043.65	\$45,654.75	\$2,472.95	\$4,945.90	\$221,043.85	Paths and Cycleways	\$710.60	\$22,739.20	\$406.05	\$6,090.75	\$329.90	\$659.80	\$29,489.75	Stormwater	\$1,433.20	\$45,862.40	\$819.00	\$12,285.00	\$665.40	\$1,330.80	\$59,478.20	Marine	\$215.45	\$6,894.40	\$123.10	\$1,846.50	\$100.05	\$200.10	\$8,941.00	Plan Preparation and Administration	\$125.60	\$4,019.20	\$71.80	\$1,077.00	\$58.30	\$116.60	\$5,212.80	Total	\$8,499.75	\$271,992.00	\$4,857.05	\$72,855.75	\$3,946.30	7,892.60	\$352,740.35
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13	<p>Water/Sewer Developer Contributions – Development</p> <p>Before the issue of the Construction Certificate, the developer/consent holder will have to be eligible to obtain a Section 307 Certificate of Compliance under the Water Management Act 2000/ compliance with Section 64 of the Local Government Act 1993. To be eligible, the developer/consent holder will have to contribute:</p> <ul style="list-style-type: none"> a) \$249,471 (31.8 ET) for the augmentation of water supply mains and storage within Eurobodalla Shire where 1.0 ET = \$7,845. b) \$398,676.25 (40.25 ET) for the augmentation of sewerage works within Eurobodalla Shire where 1.0 ET = \$9,905. 																																																																														

	<p>The contribution shall be paid to the Eurobodalla Shire Council. Evidence of the payment shall be submitted to Principal Certifier before the issue of the Construction Certificate.</p> <p>Note: <i>The above contributions are reviewed at least annually and may be subject to increases as a result of indexation or other forces. Contributions can be paid before each stage of the development.</i></p> <p>Reason: To ensure the development contributes to the increased demand of public amenities and infrastructure services.</p>
14	<p>Payment of Building & Construction Industry Levy</p> <p>Before the issue of the Construction Certificate, the long service levy, as calculated at the date of this consent, must be paid to the Long Service Corporation under the Building and Construction Industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to the Certifier. The levy rate is 0.25% of the cost of building and construction works of \$250,000 or more (incl GST).</p> <p>Reason: To ensure the developer complies with NSW legislative requirements.</p>
15	<p>Stormwater Management</p> <p>Prior to the issue of a Construction Certificate, submission to the Principal Certifier of Plans addressing stormwater management for the development. The plans are to be certified by a suitably qualified engineer and certified for compliance with the following:</p> <ul style="list-style-type: none"> • AS/NZS 3500.3:2021 • 70% retention of typical urban annual load for gross pollutants • Sediment trap at the site extremity. • Stormwater detention for all events up to the 1% AEP to limit post-development flow conditions to the 63.2% AEP predevelopment (greenfield) flow conditions. • Pumped System(s) for the discharge of stormwater from the basement area to the Above Ground Onsite Stormwater Detention Tank(s). • Warning system for failure of Pumped Stormwater System. <p>Connection and Discharge to Council’s Piped Stormwater Infrastructure.</p>
16	<p>Waste Collection Vehicle Size</p> <p>Prior to the issue of any construction certificate, details shall be provided to the Principal Certifying Authority demonstrating that the private waste contractor that will be engaged to collect waste for the development has a waste collection truck of suitable size (maximum 2.8m clearance) that is able to enter into the podium level parking area and will be of a dimension and vertical clearance that is suitable for the design of the podium level entry.</p> <p>Reason: To ensure that the specific waste collection vehicle relied upon for collection is available to service the development.</p>

17	<p><i>On Slab Landscape Planters</i></p> <p>Prior to the issue of a Construction Certificate, the following shall occur:</p> <p>a) details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided. Landscape treatment details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, and services connections. The following soil depths are required to support landscaping: 300-450mm for groundcovers; 500-600mm for shrubs; and 800-1200mm for trees.</p> <p>b) design certification shall be submitted to the Certifier by a qualified Structural Engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).</p> <p>Reason: To ensure appropriate soil depth for planting and ensure waterproofing and drainage is installed.</p>
18	<p><i>Structural (Dilapidation) Reports</i></p> <p>A Structural Report detailing the existing condition of the adjoining buildings (66 Beach Road and 7 Golf Links Drive), infrastructure and roads at Beach Road and Golf Links Drive shall be prepared and endorsed by a qualified structural engineer. The Report shall be submitted to the Principal Certifier, prior to the issue of the Construction Certificate. A copy of the report is to be provided to the those residential properties listed above.</p> <p>A second Structural Report shall be prepared by a suitably qualified person at the completion of the works to ascertain if any structural damage has occurred to the adjoining buildings, infrastructure and roads. This Report shall also be submitted to the Principal Certifier and should be compared with the earlier report to ascertain if any change has occurred.</p> <p>Reason: To ensure that any construction damage is documented so evidence can be provided.</p>
19	<p><i>Amendment of Landscape Plans</i></p> <p>The submitted Landscape Plan is to be amended in accordance with the following:</p> <p>a) Plants are to predominantly consist of locally native species that a suitable for the local climatic conditions</p> <p>b) Removal of all exempt species as identified on Council's website</p> <p>c) Removal of all species identified as weeds on the site</p> <p>d) Removal of all species identified as weeds under the Biosecurity Act 2015</p> <p>The Landscape Plan is to be amended by a qualified landscape architect and provided to the Principal Certifier prior to issue of the Construction Certificate.</p>

	<p>Reason: To maintain and replace habitat on the site.</p>
20	<p>Construction Management Plan</p> <p>Before the issue of a Construction Certificate, a construction site management plan must be provided and provided to the Certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> (a) The location and materials for protective fencing and hoardings on the perimeter of the site; (b) Provisions for public safety; (c) Pedestrian and vehicular site access points and construction activity zones; (d) Details of construction traffic management, including: <ul style="list-style-type: none"> i. Proposed truck movements to and from the site; ii. Estimate frequency of truck movements, and iii. Measures to ensure pedestrian safety near the site; (e) Details of bulk earthworks to be carried out; (f) The location of site storage areas and sheds; (g) The equipment used to carry out works; (h) The location of temporary toilets; (i) Dust, noise and vibration control measures; (j) The location of temporary toilets; (k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ul style="list-style-type: none"> i. AS4970 – Protection of trees on Development sites; ii. An applicable Development Control Plan; iii. An arborist’s report approved as part of this consent. (l) Details of how construction vehicle parking is to be managed during the construction process. Once the basement is constructed and available, if safe to do so, construction vehicles should be directed to utilise parking within the basement/podium level. <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p>Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
21	<p>Ocean/Flood</p> <p>Before the issue of a Construction Certificate, submission to Council of certified plans by a suitably qualified and experienced Structural/Civil Engineer endorsing that the development will be capable of withstanding the impact of the flood/ocean hazard applicable, as detailed in the Coastal Hazard Management Report required under this consent. The applicable flood planning level for the development is 3.06m AHD.</p> <p>Reason: To ensure the development is consistent with the legislative and policy framework for flood liable land.</p>
22	<p>Flood</p>

	<p>Before the release of a Construction Certificate plans are to be submitted to the satisfaction of the Principal Certifier showing all building materials used below the nominated flood planning level, including the floor, to be of flood compatible materials, ie. the structural integrity of the materials must not be adversely affected by repeated immersion in flood water. Details of these materials are to be consistent with Council’s “Guidelines for Flood-Compatible Materials”.</p> <p>Reason: To ensure the development is consistent with the legislative and policy framework for flood liable land.</p>
23	<p><i>Flood action plan</i></p> <p>Prior to issue of any Construction Certificate, a Flood Action Plan, including details of evacuation procedures for the basement car park, is to be submitted to and approved by Council. Evidence of implementation of the Flood Action Plan will be necessary prior to occupation.</p> <p>Reason: Mitigate risk in the event of a flood.</p>
24	<p>Coastal Hazard Management Report</p> <p>Prior to the issue of a construction certificate, submission to and approval by Council, a Coastal Hazard Management Report prepared by a suitably qualified Coastal Engineer and Structural Engineer to address the requirements of Section 11 of Council’s Coastal Hazard Code</p> <p>Reason: Requirement of Council’s Coastal Hazard Code and to mitigate risk to life and property</p>
25	<p><i>Replacement and construction over the sewer main</i></p> <p>Submission to and approval by Council, before the issue of Construction Certificate, of plans for the replacement and concrete encasement of the sewer main which traverses the development site. The design shall demonstrate that the basement level has been designed to have a trafficable lid over the sewer main, to allow for maintenance of the sewer main upon completion of the building. Details shall be provided by a suitably qualified engineering incorporating all of the above.</p> <p>Plans are to be prepared by a suitably qualified engineer in accordance with Council’s water and sewer specifications. The plans are to incorporate the proposed footing design, traversing the new and an existing main to be retained, designed in accordance with “Build in the Vicinity of Sewer Mains” Policy. When preparing the design, the location of the proposed and existing sewer main, and proposed building, are to be verified by a registered surveyor. All levels are to be shown in Australian Height Datum (AHD) and are to include the top of sewer main and bottom of footings along the alignment of the sewer mains.</p> <p>Reason: To ensure that the development complies with the standards and policy of the Water & Sewer Authority.</p>
26	<p><i>Water Meter – Residential Flat Building Development</i></p>

	<p>Prior to issue of the Construction Certificate, submission to and approval by Council of certification and a layout plan for the service by a suitably qualified hydraulic engineer/consultant on the recommended water meter size required for the development in accordance with AS 3500.1:2003 National Plumbing and Drainage Code and AS2441:2005 Installation of Fire Hose reels. Individual meters to be sized in accordance with AS/NZS3500.1:2003 Plumbing and Drainage – Water Services.</p> <p>Note: All fire hose reels must be supplied through the metered supply.</p> <p>Note: Each residence is to be separately metered from the main or internally. That is, either by connection to Council’s water main by a single Council meter with all residences separately metered by private meters within the development or individual Council connections and meters from Council’s main for each residence.</p> <p>Council will provide a quote to construct the water service complete with meter with prepayment required prior to works being scheduled. The meter is to be located so as to be accessible to Council's Water Meter Reader at all times. Any work required to Council’s infrastructure to extend the main or allow installation of the meter other than a standard meter connection, is to be undertaken at full cost to the applicant.</p> <p>Note: A backflow prevention device is to be installed and certified by a private plumber in accordance with Council’s Backflow Prevention policy.</p> <p>A standard meter connection is where the water main is located on the same side of the street as the property, the meter is to be located approximately 2.4 metres from the water main to just inside the property boundary and laid in a non-hard surface area (grassed). Please contact Council’s Water and Sewerage Project Engineer on 44741342 to arrange the quote and prepayment will be required to be receipted at Council Administration Centre at Vulcan Street Moruya, the Batemans Bay or Narooma depot.</p> <p>Note: Any amendments to the building or building envelope to accommodate the design may require additional approval from Council.</p> <p>Reason: To ensure that the development complies with the standards of the Water Authority.</p>
27	<p><i>Footpath Construction</i></p> <p>Prior to the issue of the Construction Certificate submission to and approval by Council of a detailed plan for footpath construction along Golf Links Drive for the full frontage of the property.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
28	<p><i>Erosion and sediment control plan</i></p>

	<p>Before the issue of the Construction Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to Certifier:</p> <ol style="list-style-type: none"> Council’s relevant development control plan; the guidelines set out in the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book) (as amended), and the ‘Do it Right On-Site, Soil and Water Management for the Construction Industry’ (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended). <p>Reason: To ensure no substance other than rainwater enters the stormwater system and waterways.</p>
29	<p><i>EV Charging Equipment</i></p> <p>The installation of any EV Charging equipment must be installed in accordance with the Position Statement issued by Fire and Rescue NSW effective 4 June 2024, or any updated version (https://www.fire.nsw.gov.au/page.php?id=9447&position=8). Documentary evidence must be submitted to the satisfaction of the Certifier, prior to the issue of any Construction Certificate.</p> <p>Reason: To ensure that the installation of EV charging units does not impact on the fire safety of the building.</p>
30	<p><i>Noise Attenuation</i></p> <p>Prior to issue of any Construction Certificate for the building, an acoustic report shall be submitted to Certifier documenting:</p> <ol style="list-style-type: none"> Any required noise attenuation measures to be installed within the building during construction to address any potential noise source. Details of all mechanical plant associated with the development, including air conditioning units, pumps and the driveway roller door/security gate. <p>The acoustic report shall demonstrate that the noise generated by the mechanical plant does not exceed 5dBa above background noise levels.</p> <p>Reason: To ensure that the building is designed and constructed to withstand any noise and not create any noise nuisance for existing nearby developments.</p>
31	<p><i>Adaptable Units</i></p> <p>To ensure the requirements of the Batemans Bay Regional Centre DCP are met, details must be provided to the Principal Certifying Authority demonstrating that there is provision for 13 Adaptable Units that are compliant with AS4299-Adaptable Housing within the development and these details prepared by a suitably qualified access consultant.</p> <p>The Certifying Authority is to ensure prior to works that car parking dimensions associated with the adaptable housing units comply with the requirements of AS2809.6-2009. The minimum level of car parking spaces be demonstrated and</p>

	<p>available post adaption of all AS4299 units. This shall be confirmed by a suitably qualified access consultant prior to the issue of a Construction Certificate.</p> <p>Reason: To ensure a sufficient level of adaptable housing is provided in accordance with the DCP.</p>
32	<p><i>Allocation of Car Parking Spaces</i></p> <p>A detailed car parking allocation plan must be submitted to and approved by the Council prior to the issue of a Construction Certificate. This plan must clearly nominate the specific car parking spaces to be assigned to each unit within the development, identifying the spaces allocated to adaptable units, and identify the car parking spaces allocated for visitor use. The approved allocation must be reflected in the final construction drawings, with the spaces marked with their assigned units before the issue of an Occupation Certificate.</p> <p>Reason: To ensure the equitable and transparent allocation of car parking spaces, including provisions for visitor parking, and compliance with planning and parking standards.</p>
33	<p><i>Sealed Traffic Areas</i></p> <p>Prior to the issue of a Construction Certificate submission to and approval by the Principal Certifier of satisfactory plans for sealed car parking spaces, manoeuvring areas and access driveways all conforming to AS2890.1 & 2. Drainage and pavement designs are to be prepared by a qualified engineer and are to address expected vehicle loadings and any fill compaction requirements. Disabled parking is to be designed in accordance with AS2890.6:2009 and constructed prior to release of any Occupation Certificate.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
34	<p><i>Requirements of Public Authorities for Connection to Services</i></p> <p>The applicant shall comply with the requirements of any public authorities (eg Essential Energy, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the applicant. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.</p>
35	<p><i>Construction Dewatering</i></p> <p>Prior to the issue of a Construction Certificate, an Environmental Management Plan (EMP) for construction dewatering must be submitted to Council for approval. The EMP must outline dewatering methods, mitigation measures, monitoring protocols, and contingency plans to address potential environmental impacts. Dewatering activities must not commence until written approval of the EMP is obtained, and the approved plan must be fully implemented during construction. Any deviations require prior Council approval.</p> <p>Reason: Management of groundwater and mitigate impact to receiving waters</p>

36	<p>Hydrogeological Report</p> <p>Prior to the issue of a Construction Certificate, submission to the Principal Certifier a Hydrogeological Report prepared by a suitably qualified geotechnical engineer. The report is to detail the results of geotechnical site investigations to determine the ground water levels and inform the design and construction constraints associated with excavation for the basement carparking area.</p> <p>Reason: To ensure basement excavation is undertaken in accordance with site conditions.</p>
37	<p>Construction below Ground Water Table</p> <p>Prior to the issue of a Construction Certificate, submission to the Principal Certifier of plans prepared by a suitably qualified engineer for the design of all structural components below the Groundwater Level, as informed by a Hydrogeological Report. The design must specifically address the prevention of groundwater ingress into the basement carpark and associated areas, to prevent dewatering once construction is completed per WaterNSW Requirements. The design shall nominate construction techniques ensuring the durability and effectiveness of the engineering design.</p> <p>A compliance certificate shall be provided by a suitably qualified engineer that the works have been completed in accordance with the approved design and are effective in preventing groundwater ingress prior to the issue of an Occupation Certificate.</p> <p>Reason: To ensure groundwater is managed in accordance with state legislation.</p>
38	<p>Stormwater Quality</p> <p>Prior to works, stormwater design plans are to demonstrate and be certified by a suitably qualified engineer that any stormwater leaving the site complies with the water quality benchmarks for the Batemans Marine Park as expressed in the NSW Water Quality Objectives that accord with the ANZECC 200 Guidelines for Water Quality (Info available at OEH website www.environment.nsw.gov.au/ieo/Clyde/index.htm).</p> <p>Reason: Stormwater management adjoining the Marine Park</p>
39	<p>Access</p> <p>Prior to the release of the Construction Certificate, submission to the Principal Certifier of a plan showing details of the access driveway construction addressing the following:</p> <ul style="list-style-type: none"> (a) The location of the driveway within the site and extending to the existing road; (b) A long section showing existing and final levels along the centre line of the driveway from the road centre line to the back of the vehicle standing area, with final levels providing grades conforming AS/NZS 2890.1:2004; (c) Certification by the designer that the design provides underbody clearance for the B85 vehicle and for compliance with AS/NZS 2890.1:2004; (d) Basement Driveway Crest Level of 3.06 AHD

	<p>(e) Minimum headroom of 2.20m to any overhead obstruction along the path of travel.</p> <p>(f) Method of containing all fill and excavation associated with the driveway within the lot;</p> <p>(g) The extent of earthworks within the footpath area adjacent to the driveway to provide a maximum slope of 1 in 8 (12.5%);</p> <p>(h) The location of all services in plan and elevation and any alterations required to conform to the standards of the service provider;</p> <p>(i) The method of controlling water flows to address safety, short and long term erosion to industry standards;</p> <p>(j) Pavement designs;</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
40	<p>Pavement Design</p> <p>Car parking spaces, manoeuvring areas and access driveways are to be sealed, drained and linemarked. Construction to accord with pavement designs prepared by a qualified engineer are to be submitted to and approved by Council prior to release of Construction Certificate. The maintenance of the car parking is to be to the satisfaction of Council.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
41	<p>Plan of Sanitary Drainage</p> <p>Prior to the Issue of a Construction Certificate, submission to Council of plans for sanitary drainage prepared by a suitably qualified consultant. The plans shall be prepared and certified as being in accordance with AS/NZS 3500.2 and demonstrate connection to Council's Sewer Main(s).</p> <p>Note: <i>The provision of additional sewer junctions to service the development will require the applicant to enter into a Private Works Agreement with Council for the construction of additional sewer junction(s) to serve the proposed subdivision and provide certified Works as Executed Plans to Council.</i></p>
PRIOR TO COMMENCEMENT OF WORKS	
42	<p>Excess Fill</p> <p>Any excess clean fill (inert clean waste) removed from the site is to be taken to either:</p> <p>(a) a public waste disposal facility or</p> <p>(b) a site approved by Council.</p> <p>If option (b) is to be used the persons enacting this consent are to advise Council, in writing, of the chosen site and are not to commence any dumping until written approval is granted.</p> <p>Note: Council may carry out random inspections and take photographic records to ensure the integrity of the fill.</p>

	<p>Reason: To ensure the environmental, social and economic impact of the development are minimised.</p>
43	<p>Construction in a Road Reserve</p> <p>Prior to commencement of any works within the road reserve a separate approval is to be obtained from Council under section 138/139 of the Roads Act. The application would consider:</p> <ul style="list-style-type: none"> (a) Public safety, WH&S issues, risk assessment, public liability insurance, control of vehicle and pedestrian traffic, location of plant and equipment, inspections bonding and an application fee. (b) Where a traffic control plan is required, the plan is to be prepared by a suitably qualified consultant, certified by the Roads and Maritime Service (RMS), in work site traffic control plan preparation. (c) Where the Traffic control plan requires a reduced speed, or temporary traffic signals, a Speed Zone Authorization (SZA) is to be obtained from Council for the specific days of work (d) Where works are on a Roads and Maritime Services (RMS) road or would impact traffic on an RMS road, a Road Occupancy Licence (ROL). is to be obtained from the RMS Ms Peta Smith (02 42212509) or email. rol_southern@rta.nsw.gov.au <p>Where works are undertaken by other than the applicant, the supervisor of the works is to be advised of this condition. Details for an application form and fees are available by contacting council Engineering Development Assessment Officer (44741254) & form available from http://www.esc.nsw.gov.au/media/395951/Section_138_Roads_Act.pdf Carrying out works contrary to this condition will result in a penalty being issued under the roads act and works being suspended until such time as a Section 138 consent being issued.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
DURING WORKS	
44	<p>Floor Level</p> <p>The minimum floor level of the habitable areas/rooms shall be at or above 3.06m AHD. The Principal Certifier is to ensure this level is certified by registered land surveyor before the structure proceeding past the nominated level.</p> <p>Reason: To ensure the environmental, social and economic impact of the development are minimised.</p>
45	<p>Shoring and Adequacy of Adjoining Property</p> <p>If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:</p> <ul style="list-style-type: none"> (a) Protect and support the adjoining premises from possible damage from the excavation, and

	<p>(b) Where necessary, underpin the adjoining premises to prevent any such damage.</p> <p>Reason: To ensure the environmental, social and economic impact of the development are minimised.</p>
46	<p><i>Spoil Removal</i> No spoil to be deposited on public roads during the cartage of materials from or to the site. The deposition spoil shall cease, as directed by Council, if the Council determines that excessive deposition of spoil onto the road is taking place.</p> <p>Reason: To ensure the environmental, social and economic impact of the development are minimised.</p>
47	<p><i>Erosion and Sedimentation Control</i> Before any site work commences, the Principal Certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).</p> <p>Reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
48	<p><i>Public Way to be Unobstructed</i> The public way shall not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances at any time during construction.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
49	<p><i>Public Footpaths</i> A safe pedestrian circulation route a minimum of 1.5 metres wide and with a pavement free of trip hazards shall be maintained at all times on, or adjacent to the public footpaths fronting the construction site. Where the footpath is damaged, repair works shall be carried out when directed by Council officers and in accordance with the relevant clauses of the current edition of Council's Development Specifications.</p> <p>Where circulation is diverted on to the roadway, clear directional signage and protective barricades shall be installed in accordance with Australian Standard AS1742-3 1996 <i>Traffic Control Devices for Work on Roads</i>.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
50	<p><i>Hours of work</i> Site work must only be carried out between the following times – from 7am to 6pm on Monday to Friday from 8am to 1pm on Saturday No work on Sundays or public holidays</p>

	<p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p>Reason: To protect the amenity of the surrounding area.</p>
51	<p><i>Loading and Unloading of Construction Vehicles</i> All loading and unloading associated with construction must be accommodated on-site.</p> <p>If this is not feasible, an application may be made for the provision of a construction zone, during the specified hours of work.</p> <p>Reason – To ensure public safety</p>
52	<p><i>Inspection of Sewer & Water Works</i> Contact is to be made with Council’s Water and Sewer Inspector on (02) 4474 1000 or 0418 412909, two days before the commencing any excavation for the sewer or water extension. Payment for inspections are to be in accordance with Council’s fees and charges. The occupation certificate is not to be issued before the submission of Work as Executed plans and testing of the new sewer or water main by Council.</p> <p>Reason: To ensure that the development complies with the standards and policy of the Water & Sewer Authority.</p>
53	<p><i>Construction Works Inspection</i> Council is to be notified two (2) days prior to commencement of any works for construction within the footpath or road reserve (Telephone [02] 44741393) to make arrangements for inspection.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
PRIOR TO OCCUPATION CERTIFICATE	
54	<p><i>Landscape Completion</i> The landscape works are to be implemented in accordance with the approved amended Landscape Plans, and inclusive of the following conditions:</p> <ul style="list-style-type: none"> i) landscape works are to be contained within the legal property boundaries, ii) planting shall be installed as indicated on the approved amended Landscape Plan(s) unless otherwise imposed by any conditions, iii) all tree planting shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; meet the requirements of Natspec - Specifying Trees; planted into a prepared planting hole 1m x 1m x 600mm depth generally, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established; and shall be located within garden bed, iv) mass planting shall be installed in a garden bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch.

	<p>Prior to the issue of an Occupation Certificate, details (from a landscape architect, landscape designer or qualified horticulturalist) shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.</p> <p>Reason: To ensure the landscaping outcomes of the development are met.</p>
55	<p>Noise Attenuation Measures Completed</p> <p>Prior to issue of an Occupation Certificate for the building, evidence shall be provided demonstrating that the acoustic measures referenced within these consent conditions have been implemented for the development, including the noise from mechanical plant and roller doors associated with the development.</p> <p>Reason: To ensure that the building is designed and constructed to withstand any noise and not create any noise nuisance for existing nearby developments.</p>
56	<p>Works as Executed Plans and any other Documentary Evidence</p> <p>Before the issue of the relevant Occupation Certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works:</p> <p style="padding-left: 40px;">a) All stormwater drainage systems and storage system</p> <p>The principal certifier must provide a copy of the plans to Council with the Occupation Certificate.</p> <p>Reason: To confirm the location of works once constructed that will become Council assets.</p>
57	<p>Road Damage</p> <p>The cost of repairing any damage caused to Council or other public authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the applicant/developer prior to issue of any Occupation Certificate.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
58	<p>Reinstatement of Kerb</p> <p>Prior to the issue of any Occupation Certificate, reinstatement of kerb over all redundant laybacks along Beach Road and Golf Links Drive to Council's Infrastructure Design Standards Plan No 4400-A-0001-b-1. All redundant driveway pavements are to be removed, and reinstated with topsoil and turf ground cover.</p> <p>Reason: Maintain public infrastructure</p>
59	<p>Standard Footpath Construction</p>

	<p>Prior to issue of any Occupation Certificate provide construction of Council's standard concrete footpath paving for the full road frontage of the property in accordance with Council's Infrastructure Design Standards Plan No. 4400-A-002-a-2 and to the satisfaction of Council. The area of the footpath not paved shall be topsoiled and turfed. The paving shall provide a safe transition in level and width to connect with any existing paved footpath beyond the frontage of the property to the satisfaction of Council. Contact Council on (02) 44741393 to arrange an inspection prior to occupation of the development.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
60	<p>Work Within Road Reserve</p> <p>Prior to issue of any Occupation Certificate all works within the road reserve (road, nature strip & footpath areas) are to be completed in accordance with the plans and any conditions of approval. All work is to be inspected and passed by Council, an inspection may be booked by phoning 44741393 (inspection fees may apply in accordance with Council's adopted fees and charges). Earthworks adjacent to the driveway are to be grades no steeper than 12%. All service covers are to match the finished ground level within the footpath/road reserve. The vehicle crossing is to be maintained in accordance with Council standards or other approved plan and in sound condition for the life of the development to the satisfaction of Council all at no cost to Council.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
61	<p>Flood Evacuation Plan</p> <p>The Flood Evacuation Plan shall be provided to all owners and occupants of the building to ensure that in the event of any flooding emergency, the plan can be adhered to.</p> <p>Reason: To ensure the safety of occupants of the building in a flooding emergency.</p>
62	<p>Land Consolidation</p> <p>Consolidation of the land into one lot is required. Plan of consolidation to be registered with the Land and Property Information NSW before the issue of any Occupation Certificate.</p> <p>Reason: To ensure the development accords with legislative requirements, policy and rural and regional planning best practice.</p>
63	<p>Garbage and Recycling Facilities</p> <p>All internal walls of the waste rooms shall be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained to the sewer with a tap in close proximity to facilitate cleaning.</p> <p>Waste rooms shall be clear of any other services or utilities infrastructure such as gas, electricity air-conditioning, plumbing, piping ducting or equipment.</p>

	Reason: To prevent pollution of the environment, provide a safe workplace for contractors and residents and to protect the amenity of the area.
64	<p><i>Geotechnical Certification Prior to Occupation Certificate</i></p> <p>A Geotechnical Engineer or Engineering Geologist is to provide written confirmation that they have inspected the site during construction or reviewed information relating to the construction and that they are satisfied that development referred to in the development consent has been constructed in accordance with the intent of the Geotechnical Report referenced in Condition 1 of this consent.</p> <p>Written certification is to be provided to the Principal Certifier prior to the issue of the Occupation Certificate.</p> <p>Reason: To ensure geotechnical risk is mitigated appropriately.</p>
65	<p><i>Easements</i></p> <p>Create drainage, water, sewer and service easements where required and/or as directed by Council free of all costs to Council.</p> <p>Reason: To ensure that the development complies with the standards and policy of Council.</p>
66	<p><i>Building over Sewer Mains</i></p> <p>Construction of the footings over Council's sewer main are to be supervised by an engineer and certified as being constructed in accordance with the approved design before the issue of any Occupation Certificate.</p> <p>Reason: To ensure that the development complies with the standards and policy of the Water & Sewer Authority.</p>
67	<p><i>Survey Confirmation of Access</i></p> <p>Prior to issue of any Occupation Certificate, submission to the Principal Certifier of plans prepared by a registered survey that the access driveway and Basement Crest has been constructed in accordance with the approved design.</p> <p>Reason: To ensure that the development complies with the standards of the Roads Authority.</p>
68	<p><i>Identification of Carparking Spaces</i></p> <p>Prior to the issue of any Occupation Certificate for the development, each car parking space shall be clearly marked to identify the applicable unit assigned to each parking space or designated for visitor use. The markings shall be legible, permanent, and in accordance with AS 1742 Set.</p> <p>Reason: To ensure parking is managed.</p>
69	<i>Identification of Accessible Carparking Spaces</i>

	<p>Prior to the issue of any Occupation Certificate for the development, each accessible car parking space shall be marked in accordance with AS 2890.6:2022. Each visitor parking space allocated for people with disabilities shall be marked by a symbol of access in accordance with Clause 3.1.1 of AS 2890.6:2022. The accessible car parking spaces assigned to each adaptable unit are not to be marked by a symbol of access in accordance with Clause 3.1.2 of AS 2890.6:2022. All shared areas adjacent to all accessible car parking spaces shall be marked in accordance with AS 2890.6:2022, including the provision of a bollard, post, or column.</p> <p>Reason: To ensure parking is managed.</p>
PRIOR TO THE ISSUE OF A STRATA SUBDIVISION CERTIFICATE	
70	<p>Occupation Certificate The Strata Certificate will not be released prior to the issue of an Occupation Certificate to confirm that all requirements of relevant development approvals have been satisfied and that the units are fit for occupation.</p> <p>Reason: To ensure the building is for occupation and all conditions complete</p>
ONGOING CONDITIONS	
71	<p>Landscape Maintenance The ongoing conditions in relation to landscape maintenance are as follows:</p> <ul style="list-style-type: none"> a) if any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. b) trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting. c) if any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan(s) and any conditions of consent. d) a maintenance activity schedule for on-going maintenance of planters on slab shall be incorporated to monitor and replenish soil levels as a result of soil shrinkage over time. e) the approved landscape planted areas, whether containing lawn, gardens or planters shall in perpetuity remain as planting under the development consent, and shall not be replaced with any hard paved surfaces or structures. <p>Reason: To maintain local environmental amenity.</p>
72	<p>Operational Waste Management Waste management is to be carried out in accordance with Document 8 – Operational Waste Management Plan for the life of the development, unless otherwise approved by Council.</p> <p>Reason: To ensure amenity is maintained for surrounding properties and waste collection is appropriately managed in accordance with this approval.</p>

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Eurobodalla Shire Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Southern Regional Planning Panel.[Title]