

## Ordinary Meeting

**Meeting Date:** Monday, 28 October, 2024

**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra

## Attachments (Under Separate Cover)

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## a. Senior Staff Contractual Matters Committee

Meetings per year – As required No set commencement time	Quorum – Three (3) (5001E)
<b>Purpose and Delegated Authority</b>  The Committee be delegated authority under Section 377 of the Local Government Act to consider information and advice from the Chief Executive Officer (CEO) with respect to organisational structure and related topics.	
<b>CEO Appointment and Performance Review Sub- Committee</b>  In accordance with the 'Guidelines for the Appointment and Oversight of General Managers 2022':  <div><div>1. Undertake recruitment for the position of the CEO in the circumstance that the position becomes vacant.</div><div>2. Undertake performance reviews of the CEO including:<div><div>a. inviting non- member Councillors to contribute to the performance review process by providing feedback to the mayor on the CEO's performance relevant to the agreed performance criteria.</div><div>b. conducting performance reviews</div><div>c. reporting the findings and recommendations of reviews to the council in closed session for determination, and</div><div>d. development of the performance agreement.</div></div></div></div>	
Note: Section 377(1)(a) of the Local Government Act provides that the appointment of a Chief Executive Officer (General Manager) can only be determined by resolution of the Elected Council.	
<b>Chairperson</b> – Mayor	
<b>2023-2024 Councillor / Staff Membership</b> Mayor Clr Findley - Chairperson All Councillors CEO	<b>2024-2025 Councillor / Staff Membership</b> Mayor – Clr White - Chairperson All Councillors CEO
<u>Sub- Committee to undertake Delegations 1&amp;2:</u> Mayor - Clr Findley (Chairperson) Deputy Mayor – Clr Norris Clr White Clr Gray Clr Copley	<u>Sub- Committee to undertake Delegations 1&amp;2:</u> Mayor – Clr White Deputy Mayor – Clr Wilkins Clr  Appointed External Professional Facilitator (Observer) Clr Nominated by CEO

Note: This committee operates as a confidential committee under the *Local Government Act - Section 10A(2)(a) - Personnel matters concerning particular individuals (other than Councillors)*.



## b. Aboriginal Advisory Committee

<p><u>Meetings per year</u> – Four (4) &amp; others as required Commencement time – 4pm</p>	<p>Quorum – Five (5) local Aboriginal community members Terms of Reference: <a href="#">POL23/35</a> (1209E) Amended: 17 July 2023</p>
<p><b>Purpose</b></p> <p>The purpose of the Aboriginal Advisory Committee, hereby known as the Committee, is to provide cultural advice to Council on its Strategies and Plans.</p> <p>The Committee will also seek to gain Council's support in achieving the objectives for the current Statement of Commitment 2010 (SoC), the Shoalhaven City Council (SCC) Community Strategic Plan 2027 (SCCSP) and endorsement of the Uluru Statement of the Heart June 2020.</p>	
<p><b>Role of the Committee</b></p> <p>The role of the Committee is to:</p> <ul style="list-style-type: none"> <li>• Advise SCC on matters relating to Aboriginal communities in the LGA.</li> <li>• Promote and increase knowledge and understanding of Aboriginal society, history and culture throughout SCC and in the Community.</li> <li>• Advocate and support Council's plan to promote inclusive and accessible services and facilities for Aboriginal people.</li> <li>• Provide advice towards and monitor the implementation of relevant Council plans and strategies with respect to the needs, issues and interests of Aboriginal people and communities.</li> <li>• To support and work with Aboriginal and other organisations committed to increasing respect for Aboriginal culture and history, past and present.</li> <li>• Foster and safeguard a spirit of mutual trust and respect which allows the Aboriginal Advisory Committee (AAC) and SCC to work together in their commitment towards well-informed decision-making processes that are culturally respectful.</li> <li>• Support the recognition and preservation of past and present local cultural heritage and its place in future Council planning and strategies.</li> <li>• Offers a reciprocal platform for the communication of information from Aboriginal community voices and others that identify local needs for services, facilities and activities.</li> <li>• Work together with Council to develop and promote appropriate commemorations and celebrations of Aboriginal culture including, but not limited to Sorry Day and NAIDOC Week.</li> <li>• Provide relevant information to other Committees of Council when needed or requested.</li> </ul>	
<p><b>Delegation</b> – NIL</p>	
<p><b>Chairperson &amp; Co-Chairperson</b> – Appointed by Committee</p>	
<p><b>2023-2024 Councillor / Staff Membership</b> All Councillors CEO or nominee</p>	<p><b>2024-2025 Councillor / Staff Membership</b> All Councillors CEO or Nominee</p>
<p>Note: Any non-voting Councillor in attendance at any of the above Committees may act as an alternate voting member in circumstances where achievement of a quorum is required, noting that this doesn't apply when quorum specifies the quorum to require community member attendance.</p>	
<p><b>Community / Organisational Representatives</b> Up to thirteen (13) local Aboriginal community representatives including Elders, Youth (including 2 Youth, aged 18 – 25 years, members). Nowra LALC Jerrinja LALC Ulladulla LALC</p>	

### c. Inclusion and Access Advisory Committee

<p><u>Meetings per year</u> – Four (4) Commencement time – 11.00 am</p>	<p>Quorum – Seven (one (1) Councillor with voting rights and six (6) community representatives are present. Terms of Reference: <a href="#">POL23/42</a> (1228E) Amended: 14 August 2023</p>
<p><b>Purpose:</b> Guided by lived experience and expertise, provide advice and guidance to Shoalhaven City Council to promote an accessible, inclusive and welcoming community that respects independence and human dignity by:</p> <ul style="list-style-type: none"> <li>Ensuring that all residents can participate actively in all aspects of community and civic life and ensure that Council recognises and values the diversity of its community.</li> <li>Identifying and addressing barriers preventing people from participating in programs, services and facilities across the City.</li> </ul> <p>And advocate for:</p> <ul style="list-style-type: none"> <li>Adherence to the principles of the Disability Discrimination Act 1992 and the NSW Disability Inclusion Act 2014 which will benefit the community.</li> <li>Inclusion in our community through recommendations to improve the built environment, changes in community attitudes and behaviours, and creating better systems and processes for meaningful participation of people of all abilities.</li> </ul> <p><b>Strategic Plan Alignment</b> <u>Disability Inclusion Action Plan (2022-26)</u> Create positive attitudes and behaviours within community Create accessible and liveable communities Improve access to our systems and processes Support access to meaningful employment. <u>Community Strategic Plan 2032</u> Resilient, Safe, Accessible and Inclusive Communities 1.1 - Support inclusive, safe and connected communities 1.2 - Preserve, support and develop cultural and creative vitality across our communities 1.3 - Support community wellbeing through fostering active and healthy communities</p> <p><b>Role</b> To receive and disseminate information and updates to and from the community about regarding issues of accessibility and inclusion in the Shoalhaven. To provide and receive information to Council staff and Councillors regarding the reports and presentations made to the Committee.</p>	
<p><b>Delegation</b> – NIL</p>	
<p><b>Chairperson</b> – Appointed by Committee for each meeting</p>	
<p><b>2023-2024 Councillor / Staff Membership</b> Clr White Clr Ell (Alternate) All other Councillors (Non-voting members) CEO or Nominee</p>	<p><b>2024-2025 Councillor / Staff Membership</b> <b>1 Nominated Councillor</b> Clr – Clr – (Alternate) All other Councillors may attend as observers CEO or Nominee</p>
<p>Note: Any non-voting Councillor in attendance at any of the above Committees may act as an alternate voting member in circumstances where achievement of a quorum is required, noting that this doesn't apply when quorum specifies the quorum to require community member attendance.</p>	

**Community / Organisational Representatives***A maximum of twelve (12) community members which includes:*

- Five (5) community members who live with disability (with representation from across the Shoalhaven).
- A maximum of five (5) family, friends and/or carers of people living with disability who have an interest in advocating for improved access and inclusion for all.
- An Aboriginal representative living with disability or their family, friends and/or carer of a person living with disability
- A Youth representative (18 – 25 years) living with disability

*A maximum of thirteen (13) non-voting Government and Non-Government Organisations which includes:*

- Relevant Government Agencies ((e.g., DCJ, NSW Health, NDIA, Service NSW)
- Service providers/community organisations that support a broad range of people with disabilities (e.g., Flagstaff, Autism NSW, First Peoples Disability Network Australia and Multicultural Disability Advocacy Association).
- One representative for each of the Federal Member for Gilmore and the State Members for South Coast and Kiama

#### d. Natural Area Volunteers Group

Meetings per year – As required Commence time – 4.00pm		Quorum – Five (5) – One (1) Councillor acting as chair and four (4) community representatives Terms of Reference: <a href="#">POL23/67</a> (42643E) Amended: 27 November 2023	
<b>Purpose:</b> The purpose of the Natural Area Volunteers Group is to act as an advisory and representative group on all matters relating to the future directions of the Bushcare Policy and program (refer MIN10.1461).			
<b>Role:</b> To meet the ‘Purpose’ above, the Group will advise Council on strategic matters pertaining to the Bushcare Program. This will include policies, procedures, resourcing, natural resources management, environmental restoration and preservation techniques and plans, and community and volunteer stakeholder engagement. Natural Area volunteer groups include those managed under Council’s Bushcare program that predominantly work on Community Land categorised as ‘Natural Area’ ( <i>Local Government Act 1993</i> ). These include Bushcare, Dunecare and similar groups.			
<b>Delegation – Nil</b>			
<b>Chairperson – Appointed by the Council</b>			
<b>2023-2024 Councillor / Staff Membership</b> Clr Evan Christan (Chairperson) All other Councillors (observers) CEO (or nominee) (non voting)		<b>2024-2025 Councillor / Staff Membership</b> <b>Clr - Chairperson</b> All available Councillors (observers) CEO (or nominee) (non voting)	
Note: Any non-voting Councillor in attendance at any of the above Committees may act as an alternate voting member in circumstances where achievement of a quorum is required, noting that this doesn’t apply when quorum specifies the quorum to require community member attendance.			
<b>Community/ Organisational Representatives</b> Up to ten (10) Natural Area volunteer representatives (e.g., Bushcare, Dunecare volunteers) South-east Local Land Services representative (optional) NSW Department of Planning and Environment representative (optional) Other relevant government agency representatives			

## e. Rural Fire Service Strategic Planning Committee

Meetings per year – Two (2) – others as required	Quorum – Five (5)
Commencement time – 5.30 pm	Terms of Reference: Nil (1227E)
<b>Objectives:</b> To advise Council on issues of a strategic and policy nature relating to the operation of the Rural Fire Services having regard to the following: <ul style="list-style-type: none"> <li>• That the core communication between brigades and Fire Control Officer on operational issues be raised through the Group Officers utilising the committee structure.</li> <li>• All issues be raised through Fire Control so that statutory matters can be resolved immediately.</li> <li>• Policy matters raised can be referred to the Strategy and Assets Committee through the CEO so that statutory matters can be resolved.</li> <li>• That the Strategic Planning Committee be developed as the body advising Council on Rural Fire Service policy issues</li> </ul>	
<b>Delegation</b> – NIL	
<b>Chairperson</b> – Appointed by the Council	
<b>2023-2024 Councillor / Staff Membership</b> Cllr Christen - Chairperson Cllr Copley Cllr White (Alternate) CEO or Nominee	<b>2024-2025 Councillor / Staff Membership</b> Cllr - Chairperson Cllr Cllr (Alternate) CEO or Nominee
<b>Community / Organisational Representatives</b> RFS Executive Representative RFS Staff Representative Primary Representative RFSA (and alternate) Group 1 Area Representative (and alternate) Group 2 Area Representative (and alternate) Group 3 Area Representative (and alternate) Group 4 Area Representative (and alternate) Group 5 Area Representative (and alternate) Group 6 Support Brigades Representative (and alternate)) Operations Manager – Jervis Bay Territory Administration or nominee	

## f. Shoalhaven City Mayor's Relief Fund

Meetings per year – One (1) & others as required	Quorum – Three (3)
No determined commencement time	Rules: <a href="#">POL16/190</a> (3296E)
<b>Purpose:</b> <p>The fund has been established and maintained as a public fund for the relief of persons in Australia who are in necessitous circumstances and it is intended that the public be invited to contribute to the fund.</p> <p>A person will be in necessitous circumstances where his or her financial resources are insufficient to obtain all that is necessary, not only for a bare existence, but for a modest standard of living in the Australian community.</p> <p>Necessitous circumstances may result from a disaster caused by flood, fire, drought, tempest or other calamity.</p>	
<b>Delegations:</b> <p>The management of the fund is vested in the Shoalhaven City Mayor's Relief Fund Committee. Rules have been adopted by Council.</p>	
<b>Chairperson</b> – Appointed by Council	
<b>2023-2024 Councillor/ Staff Membership</b> Mayor - Cllr Findley - Chairperson All Councillors CEO or nominee Director City Performance	<b>2024-2025 Councillor/ Staff Membership</b> Mayor – Cllr White - Chairperson All Councillors CEO or nominee Director City Performance
<b>Organisational Representatives</b> Representative of Salt Care Shoalhaven Shoalhaven City Council Fire Control Officer or nominee; Shoalhaven City Council State Emergency Services Coordinator or nominee;	

## g. Shoalhaven Heads Estuary Taskforce

<p><u>Meetings per year</u> – Quarterly Commencement time – 4.00pm</p>	<p>Quorum – Five (5) – One (1) Councillor as Chair or acting Chair and Four (4) Community Members</p> <p>Terms of Reference: <a href="#">POL22/173</a> (45866E) Amended: 5 December 2022</p>
<p><b>Purpose</b></p> <p>The purpose of the Shoalhaven Heads Estuary Taskforce (SHET) is to act as an advisory and representative group on matters relating to the Shoalhaven River, it's estuary and entrance at Shoalhaven Heads.</p>	
<p><b>Role</b></p> <ul style="list-style-type: none"> <li>To receive and disseminate information and updates to and from the Shoalhaven Heads community about the management of the Shoalhaven Heads estuary.</li> <li>To provide and receive information to the Northern CMP Advisory Committee in the preparation of the Lower Shoalhaven River CMP.</li> <li>To provide and receive information to the Northern Floodplain Risk Management Committee in the development and preparation of the Lower Shoalhaven Flood Risk Management Study/Plan.</li> <li>When the Lower Shoalhaven River CMP is adopted by Council on behalf of the community, the SHET will be disestablished.</li> </ul>	
<p><b>Delegation</b> – NIL</p>	
<p><b>Chairperson</b> – Councillor Appointed by the Council</p>	
<p><b>2023-2024 Councillor / Staff Membership</b> Clr Copley - Chairperson All Councillors</p>	<p><b>2024-2025 Councillor / Staff Membership</b> <b>Clr - Chairperson</b> All Councillors (observers)</p>
<p>Note: Any non-voting Councillor in attendance at any of the above Committees may act as an alternate voting member in circumstances where achievement of a quorum is required, noting that this doesn't apply when quorum specifies the quorum to require community member attendance.</p>	
<p><b>Community / Organisational Representatives</b> Member for Kiama or nominee Indigenous representative Youth representative Five (5) Community representatives Shoalhaven Heads Community Forum representative Greenwell Point Community representative Department of Planning and Environment (DPE) representatives Transport for NSW (TfNSW) representatives New South Wales State Emergency Services (NSW SES) representative Local Aboriginal Land Council representative Other relevant government agency representatives Other such persons as the Chairperson of SHET may deem necessary from time to time.</p>	



## h. Strategic Planning Working Party

Meetings per year – As required	Quorum – No quorum
	Terms of Reference: Nil (65374E)
<b>Role</b> a. To provide early input into projects on the Strategic Planning Work Program, with a focus on 'priority' projects and other projects that may require early and ongoing consideration/direction. b. To consider and inform reports to Council's Development & Environment Committee on the scope and direction of the Strategic Planning Work Program, including: i. The need for additional projects. ii. Priorities to be given to projects. iii. Other matters of strategic planning interest. c. The Working Party is not a formal decision-making forum or a public meeting. Relevant resulting matters will be reported through Council's various Committees as required to enable formal decisions and community awareness. d. The Working Party may inform the scope of work required by specialist consultants for confirmed projects. e. The Working Party can assist in the selection of specialised consultants for significant projects/where significant expenditure is required.	
<b>Chairperson</b> – Appointed by Council	
<b>2023-2024 Councillor / Staff Membership</b> Cllr White – Chairperson All Councillors CEO	<b>2024-2025 Councillor / Staff Membership</b> Cllr - Chairperson All Councillors CEO
<b>Community/Organisational Representatives</b> Nil	

## i. Youth Advisory Committee

Meetings per year – Four (4) and others as required	Quorum – Six (6)
Commencement time – 10am or 2pm	Terms of Reference: <a href="#">POL23/14</a> (1506E) Amended: 27 March 2023
<b>Purpose:</b> <p>The purpose of the committee is to represent the interests and views of young people to Council and the Community.</p> <p>The Committee will also seek to influence Council's support and intent in achieving their objectives for the current Shoalhaven City Council Community Strategic Plan 2032 (SCC CSP).</p>	
<b>Role:</b> <ul style="list-style-type: none"> <li>To represent the interests and views of young people to Council and the Community</li> <li>To provide an opportunity for young people to discuss issues of concern to young people</li> <li>To provide a mechanism for young people to make representations to organisations and various spheres of Government requesting appropriate action to improve facilities and services available to young people</li> <li>To give young people experience in Local Government and community affairs</li> <li>To create greater awareness and appreciation within the general community of the needs and talents of young people</li> <li>To provide a mechanism for young people to address youth issues themselves</li> </ul>	
<b>Delegation:</b> Nil	
<b>Chairperson</b> – Appointed by Committee for each meeting	
<b>2023-2024 Councillor / Staff Membership</b> All Councillors (as observers only)	<b>2024-2025 Councillor / Staff Membership</b> All Councillors (as observers only)
<b>Community / Organisational Representatives</b> <p>Voting Members:</p> <ul style="list-style-type: none"> <li>A maximum of eighteen (18) Secondary School Student Representatives</li> <li>A maximum of five (5) Tertiary Education Student Representatives</li> <li>A maximum of six (6) community youth representatives</li> </ul> <p>Non-Voting Members</p> <ul style="list-style-type: none"> <li>Representatives from other relevant Government Agencies, Community Organisations and Service Providers, with preference for youth representatives</li> <li>One representative for each of the Federal Member for Gilmore and the State Members for South Coast and Kiama, with preference for youth representatives</li> <li>All available Councillors</li> <li>Council's Chief Executive Officer (CEO) or nominee</li> </ul>	

## j. Northern Floodplain Risk Management Committee

Meetings per year – As required	Quorum – Three (provided that a minimum of one (1) Councillor as the Chair or Acting chair and two community representatives are present)
Commencement time – 4pm	Terms of Reference: <a href="#">POL22/196</a> (59952E) Amended: 5 December 2022
<b>Purpose</b> <p>The principal objective of the Northern Floodplain Risk Management Committee is to assist Shoalhaven City Council in the development and implementation of one or more Floodplain Risk Management Study and Floodplain Risk Management Plan for the northern area of the Council. This will need to be in accordance with the NSW Floodplain Development Manual. The northern area applies to the following catchments:</p> <ul style="list-style-type: none"> <li>• Lower Shoalhaven River</li> <li>• Crookhaven River</li> <li>• Kangaroo River</li> <li>• Broughton Creek</li> <li>• Bomaderry Creek</li> <li>• Nowra and Browns Creek</li> <li>• Lake Wollumboola</li> </ul>	
<b>Role of the Committee</b> <ol style="list-style-type: none"> <li>To assist the Council in the development and implementation of a Flood Study, Floodplain Risk Management Study and Floodplain Risk Management Plan for the areas listed under 'Purpose' (see above).</li> <li>To assist the Council monitoring and assessing the effectiveness of the management plans during and after their implementation.</li> <li>To assist the Council by providing input into known flood behaviour as part of the Flood Study; and</li> <li>Facilitate broader community consultation and participation in floodplain risk management through informing and liaising with member community groups.</li> </ol>	
<b>Delegation</b> – NIL	
<b>Chairperson</b> – Appointed by Council	
<b>2023-2024 Councillor / Staff Membership</b> Cllr White – Chairperson All other Councillors (non voting members) CEO or nominee (non voting member)	<b>2024-2025 Councillor / Staff Membership</b> Cllr - Chairperson All other Councillors (non voting members) CEO or nominee (non voting member)
<b>Community/Organisational Representatives</b> Community representatives (including a maximum of five (5) local community representatives, one (1) youth representative between ages 16 and 30, and one (1) indigenous representative) Relevant government agency representatives (Non voting)	

## k. Central Floodplain Risk Management Committee

<p>Meetings per year – As required_ Commencement time – 4pm</p>	<p>Quorum – Three (provided that a minimum of one (1) Councillor as the Chair or Acting chair and two community representatives are present)</p>
	<p>Terms of Reference: <a href="#">POL22/196</a> (59951E) Amended: 5 December 2022</p>
<p><b>Purpose</b></p> <p>The principal objective of the Central Floodplain Risk Management Committee is to assist Shoalhaven City Council in the development and implementation of one or more Floodplain Risk Management Study and Floodplain Risk Management Plan for the central area of the Council. This will need to be in accordance with the NSW Floodplain Development Manual. The central area applies to the following catchments:</p> <ul style="list-style-type: none"> <li>• St Georges Basin (includes Sussex inlet)</li> <li>• Jervis Bay</li> <li>• Currumbene Creek</li> <li>• Moona Moona Creek</li> <li>• Currarong Creek</li> <li>• Berrara Creek</li> <li>• Callala Creek</li> <li>• Swan Lake</li> </ul>	
<p><b>Role of the Committee</b></p> <ol style="list-style-type: none"> <li>To assist the Council in the development and implementation of a Flood Study, Floodplain Risk Management Study and Floodplain Risk Management Plan for the areas listed under 'Purpose' (see above).</li> <li>To assist the Council monitoring and assessing the effectiveness of the management plans during and after their implementation.</li> <li>To assist the Council providing input into known flood behaviour as part of the Flood Study; and</li> <li>Facilitate broader community consultation and participation in floodplain risk management through informing and liaising with member community groups.</li> </ol>	
<p><b>Delegation – NIL</b></p>	
<p><b>Chairperson</b>– Appointed by Council</p>	
<p><b>2023-2024 Councillor / Staff Membership</b> Clr Norris - Chairperson All other Councillors (Non voting members) CEO or nominee (Non voting member)</p>	<p><b>2024-2025 Councillor / Staff Membership</b> <b>Clr - Chairperson</b> All other Councillors (Non voting members) CEO or nominee (Non voting member)</p>
<p><b>Community/Organisational Representatives</b></p> <p>Community representatives (including a maximum of five (5) local community representatives, one (1) youth representative between ages 16 and 30, and one (1) indigenous representative)</p> <p>Relevant government agency representatives (Non voting)</p>	

## I. Southern Floodplain Risk Management Committee

<p>Meetings per year – As required</p> <p>Commencement time – 4pm</p>	<p>Quorum – Three (provided that a minimum of one (1) Councillor as the Chair or Acting chair and two community representatives are present)</p> <p>Terms of Reference: <a href="#">POL22/196</a> (59950E) Amended: 5 December 2023</p>
<p><b>Purpose</b></p> <p>The principal objective of the Southern Floodplain Risk Management Committee is to assist Shoalhaven City Council in the development and implementation of one or more Floodplain Risk Management Study and Floodplain Risk Management Plan for the southern area of the Council. This will need to be in accordance with the NSW Floodplain Development Manual. The southern area applies to the following catchments:</p> <ul style="list-style-type: none"> <li>• Lake Conjola</li> <li>• Narrawallee</li> <li>• Mollymook</li> <li>• Ulladulla</li> <li>• Burrill Lake</li> <li>• Clyde River</li> <li>• Lake Tabourie</li> <li>• Willinga Lake</li> </ul>	
<p><b>Role of the Committee</b></p> <ol style="list-style-type: none"> <li>To assist the Council in the development and implementation of a Flood Study, Floodplain Risk Management Study and Floodplain Risk Management Plan for the areas listed under 'Purpose' (see above).</li> <li>To assist the Council monitoring and assessing the effectiveness of the management plans during and after their implementation.</li> <li>To assist the Council by providing input into known flood behaviour as part of the Flood Study; and</li> <li>Facilitate broader community consultation and participation in floodplain risk management through informing and liaising with member community groups.</li> </ol>	
<p><b>Delegation – NIL</b></p>	
<p><b>Chairperson</b>– Appointed by Council</p>	
<p><b>2023-2024 Councillor / Staff Membership</b></p> <p>Chairperson</p> <p>All other Councillors (Non voting members)</p> <p>CEO or nominee (Non voting member)</p>	<p><b>2024-2025 Councillor / Staff Membership</b></p> <p><b>Clr - Chairperson</b></p> <p>All other Councillors (Non voting members)</p> <p>CEO or nominee (NoN voting member)</p>
<p><b>Community/Organisational Representatives</b></p> <p>Community representatives (including a maximum of five (5) local community representatives, one (1) youth representative between ages 16 and 30, and one (1) indigenous representative)</p> <p>Relevant government agency representatives (Non voting)</p>	

## m. Northern Coastal Management Program Advisory Committee

Meetings per year – As required	Quorum – Three (provided that a minimum of one (1) Councillor as the Chair or Acting chair and two community representatives are present)
Commencement time – 4pm	Terms of Reference: <a href="#">POL22/197</a> (64354E) Amended: 5 December 2022
<b>Purpose</b> <p>The principal objective of the Northern Coastal Management Program Advisory Committee is to assist Shoalhaven City Council in the development and implementation of one or more Coastal Management Program for the northern area of the Council. This will need to be in accordance with the NSW Coastal Management Manual. The north area applies to the following coastal areas and estuaries:</p> <ul style="list-style-type: none"> <li>• All Council managed beaches from Seven Mile / Berry Beach to the most northern coastal boundary of the Shoalhaven LGA, to the southern end of Warrain / Currarong Beach</li> <li>• Shoalhaven River Estuary</li> <li>• Broughton Creek</li> <li>• Crookhaven River/Curleys Bay</li> <li>• Lake Wollumboola</li> <li>• Shoalhaven Urban and Rural estuaries</li> </ul>	
<b>Role of the Committee</b> <ol style="list-style-type: none"> <li>To assist the Council in the development and implementation of the CMPs for the areas relevant to 'Purpose' (see above).</li> <li>To assist the Council monitoring and assessing the effectiveness of the CMPs during and after their implementation.</li> <li>To assist the Council by providing input into known coastal event(s) and erosion behaviour; and</li> <li>Facilitate broader community consultation and participation in coast and estuary management through informing and liaising with member community groups.</li> </ol>	
<b>Delegation – NIL</b>	
<b>Chairperson – Appointed by Council</b>	
<b>2023-2024 Councillor / Staff Membership</b> Cllr Wells - Chairperson All other Councillors (Non voting members) CEO or nominee (Non voting member)	<b>2024-2025 Councillor / Staff Membership</b> Cllr - Chairperson All other Councillors (Non voting members) CEO or nominee (Non voting member)
<b>Community/Organisational Representatives</b> Community representatives (including 4 local community reps, 1 youth rep & 1 Local Aboriginal rep) Department of Planning and Environment (DPE) representatives Transport for NSW (TfNSW) representatives New South Wales State Emergency Services (NSW SES) representatives Local Aboriginal Land Council (LALC) representatives Other relevant government agency representatives	

## n. Central Coastal Management Program Advisory Committee

Meetings per year – As required	Quorum – Three (provided that a minimum of one (1) Councillor as the Chair or Acting chair and two community representatives are present)
Commencement time – 4pm	Terms of Reference: <a href="#">POL22/197</a> (64355E) Amended: 5 December 2022
<b>Purpose</b> <p>The principal objective of the Central Coastal Management Program Advisory Committee is to assist Shoalhaven City Council in the development and implementation of one or more Coastal Management Programs for the central area of the Council. This will need to be in accordance with the NSW Coastal Management Manual. The central area applies to the following coastal areas and estuaries:</p> <ul style="list-style-type: none"> <li>• All Council managed beaches from Callala Bay in the north, to Cunjurong Point in the South</li> <li>• St Georges Basin</li> <li>• Jervis Bay</li> <li>• Currumbene Creek</li> <li>• Moona Moona Creek</li> <li>• Currarong Creek</li> <li>• Callala Creek</li> <li>• Sussex Inlet</li> <li>• Swan Lake</li> <li>• Berrara Creek</li> <li>• Shoalhaven Urban and Rural estuaries</li> </ul>	
<b>Role of the Committee</b> <ol style="list-style-type: none"> <li>To assist the Council in the development and implementation of the CMPs for the areas relevant to 'Purpose' (see above).</li> <li>To assist the Council monitoring and assessing the effectiveness of the CMPs during and after their implementation.</li> <li>To assist the Council by providing input into known coastal event(s) and erosion behaviour; and</li> <li>Facilitate broader community consultation and participation in coast and estuary management through informing and liaising with member community groups.</li> </ol>	
<b>Delegation – NIL</b>	
<b>Chairperson – Appointed by Council</b>	
<b>2023-2024 Councillor / Staff Membership</b> Clr Ell - Chairperson Clr Christen (Alternate Chair) All other Councillors (Non voting members) CEO or nominee (Non voting member)	<b>2024-2025 Councillor / Staff Membership</b> Clr - Chairperson All other Councillors (Non voting members) CEO or nominee (Non voting member)
<b>Community/Organisational Representatives</b> Community representatives (including 4 local community reps, 1 youth rep & 1 Local Aboriginal rep) Department of Planning and Environment (DPE) representatives Transport for NSW (TfNSW) representatives New South Wales State Emergency Services (NSW SES) representatives Local Aboriginal Land Council (LALC) representatives Other relevant government agency representatives	



## o. Southern Coastal Management Program Advisory Committee

Meetings per year – As required	Quorum – Three (provided that a minimum of one (1) Councillor as the Chair or Acting chair and two community representatives are present)
Commencement time – 4pm	Terms of Reference: <a href="#">POL22/197</a> (64356E) Amended: 5 December 2022
<b>Purpose</b> <p>The principal objective of the Southern Coastal Management Program Advisory Committee is to assist Shoalhaven City Council in the development and implementation of one or more Coastal Management Programs for the southern area of the Council. This will need to be in accordance with the NSW Coastal Management Manual. The southern area applies to the following coastal areas and estuaries:</p> <ul style="list-style-type: none"> <li>• All Council managed beaches from Lake Conjola entrance in the north, reaching to the southern boundary of the Shoalhaven LGA in the south – North Durras Beach.</li> <li>• Lake Conjola</li> <li>• Narrawallee Creek</li> <li>• Mollymook</li> <li>• Ulladulla</li> <li>• Burrill Lake</li> <li>• Lake Tabourie</li> <li>• Lake Willinga</li> <li>• Shoalhaven Urban and Rural estuaries</li> </ul>	
<b>Role of the Committee</b> <ol style="list-style-type: none"> <li>To assist the Council in the development and implementation of the CMPs for the areas relevant to 'Purpose' (see above).</li> <li>To assist the Council monitoring and assessing the effectiveness of the CMPs during and after their implementation.</li> <li>To assist the Council by providing input into known coastal event(s) and erosion behaviour; and</li> <li>Facilitate broader community consultation and participation in coast and estuary management through informing and liaising with member community groups.</li> </ol>	
<b>Delegation</b> – NIL	
<b>Chairperson</b> – Appointed by Council	
<b>2023-2024 Councillor / Staff Membership</b> Cllr White - Chairperson All other Councillors (Non voting members) CEO or nominee (Non voting member)	<b>2024-2025 Councillor / Staff Membership</b> Cllr - Chairperson All other Councillors (Non voting members) CEO or nominee (Non voting member)
<b>Community/Organisational Representatives</b> Community representatives (including 4 local community reps, 1 youth rep & 1 Local Aboriginal rep) Department of Planning and Environment (DPE) representatives Transport for NSW (TfNSW) representatives New South Wales State Emergency Services (NSW SES) representatives Local Aboriginal Land Council (LALC) representatives Other relevant government agency representatives	



## Monthly Investment Review



**August 2024**

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Authorised Representative of InterPrac Financial Planning Pty Ltd  
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125 Middle Harbour Road, East Lindfield NSW 2070

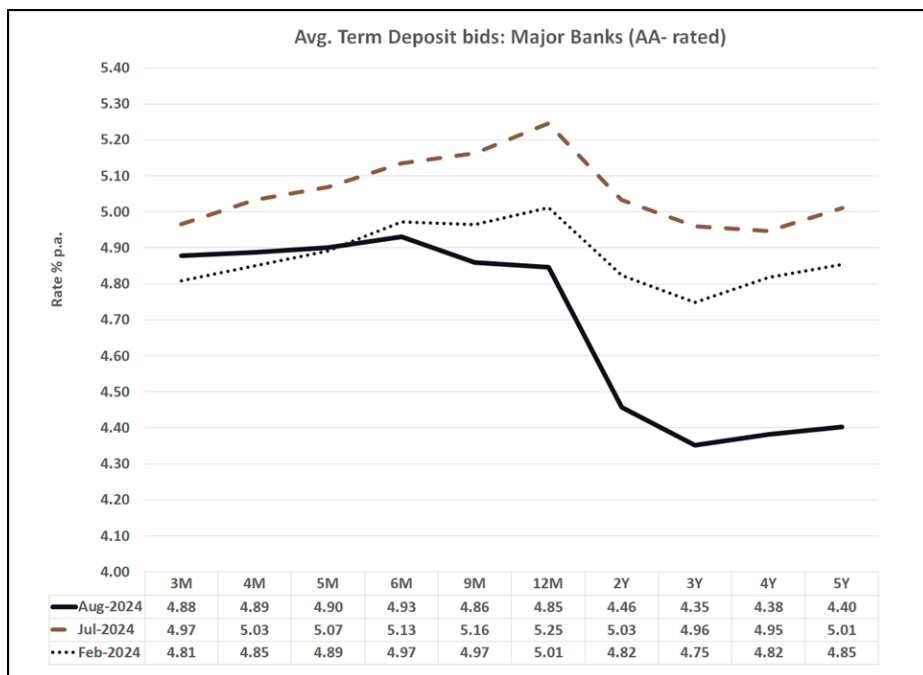
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## Market Update Summary

In August, it was a tale of two halves as financial markets were sold off early in the month before recovering in the final two weeks. Key economic indicators continue to point towards a soft landing and markets have been quick to position for a lower interest rate environment.

In the deposit market, over August, the average deposit rates offered by the major banks dropped significantly as rate cut expectations were brought forward. Most notably, at the longer-end of the curve (1-5 years), the average bids offered by the major banks dropped between 40-60bp from where they were in July. The deposit curve is significantly inverse with rates now peaking at the 6 month term and then dropping across 1-5 year horizon (with the lowest rates offered in the 3 year tenor), as the market aggressively factors in multiple rate cuts over the coming year.



Source: Imperium Markets

With a global economic downturn and multiple interest rate cuts still being priced over the next 6-12 months, investors should consider diversifying and taking an 'insurance policy' against a potentially lower rate environment by investing across 2-5 year fixed deposits, targeting rates above 4½% p.a. (small allocation only).



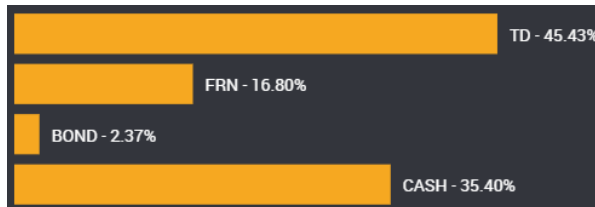
## Shoalhaven City Council 's Portfolio & Compliance

### Asset Allocation

The majority of the portfolio is directed to fixed term deposits and cash or cash notice accounts. The remainder of the portfolio is directed to liquid senior FRNs and fixed bonds.

Senior FRNs remain relatively attractive as spreads have generally widened over the past 2-3 years. New issuances may be considered again on a case by case scenario. In the interim, staggering a mix of fixed deposits between 9-12 months to 3 years remains a more optimal strategy to maximise returns over a longer-term cycle.

Should inflation be within the RBA's target band of 2-3% over the longer-term, targeting yields around 4½% p.a. or higher should outperform benchmark. Fixed term deposits spread across 1-5 year horizons (staggered approach) would be suitable to address the potential for a lower rate environment in coming years.





### Term to Maturity

All maturity limits (minimum and maximum) comply with the Investment Policy. Short-Medium Term (1-2 years) assets account for around 9% of the total investment portfolio, with capacity of ~\$128m remaining.

Once the immediate capital projects are completed, we recommend a proportion of longer-dated funds be allocated to 1-3 year fixed term deposits in combination with any attractive new FRNs (3-5 years) as they come to market (refer to respective sections below).

Compliant	Horizon	Invested (\$)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available (\$)
✓	0 - 90 days	\$107,793,285	51.02%	0%	100%	\$103,498,797
✓	91 - 365 days	\$54,101,476	25.61%	0%	100%	\$157,190,605
✓	1 - 2 years	\$19,092,169	9.04%	0%	70%	\$128,812,288
✓	2 - 5 years	\$30,305,151	14.34%	0%	50%	\$75,340,889
✓	5 - 10 years	\$0	0.00%	0%	25%	\$52,823,020
		<b>\$211,292,082</b>	<b>100.00%</b>			

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### Counterparty

As at the end of August 2024, all counterparty exposures comply within the Policy limits. Capacity limits are also dependent on the movement in the cash balances. Overall, the portfolio is well diversified across the entire credit spectrum, including some exposure to the regional bank (lower rated) ADIs.

Compliant	Issuer	Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	DBS Cov	AAA	\$1,003,419	0.47%	100.00%	\$210,288,663
✓	ANZ (Sunc.) Cov	AAA	\$2,017,602	0.95%	100.00%	\$209,274,480
✓	ANZ	AA-	\$34,573,155	16.36%	100.00%	\$176,718,927
✓	CBA	AA-	\$71,499,270	33.84%	100.00%	\$139,792,812
✓	HSBC Bank	AA-	\$2,016,002	0.95%	100.00%	\$209,276,080
✓	NAB	AA-	\$48,008,344	22.72%	100.00%	\$163,283,738
✓	Northern Terr.	AA-	\$5,000,000	2.37%	100.00%	\$206,292,082
✓	NSW (SIRA)	AA+	\$6,675,000	3.16%	100.00%	\$204,617,082
✓	Macquarie	A+	\$3,995,712	1.89%	100.00%	\$207,296,370
✓	Rabobank	A+	\$5,318,492	2.52%	100.00%	\$205,973,590
✓	ING Bank	A	\$21,702,633	10.27%	100.00%	\$189,589,449
✓	BoQ	A-	\$5,000,000	2.37%	20.00%	\$37,258,416
✓	AMP Bank	BBB+	\$2,380,977	1.13%	5.00%	\$8,183,627
✓	Newcastle PBS	BBB+	\$2,101,476	0.99%	5.00%	\$8,463,128
			<b>\$211,292,082</b>	<b>100.00%</b>		

On 31<sup>st</sup> July 2024, ANZ's takeover of Suncorp Bank was formalised, and ratings agency S&P upgraded Suncorp's long-term credit rating to that of its parent company immediately (now rated AA-). Investor's exposure to Suncorp is now reflected under the parent company being ANZ.



### Credit Quality

The portfolio is well diversified from a credit ratings perspective. The portfolio is entirely invested amongst the investment grade ADIs (BBB+ or higher). There is no exposure to Unrated assets now following the disposal of the TCorp Long-Term Growth Fund earlier this year.

All ratings categories are within the Policy limits:

Compliant	Credit Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	AAA Category	\$3,021,021	1%	100%	\$208,271,061
✓	AA Category	\$167,771,771	79%	100%	\$43,520,311
✓	A+ to A Category	\$31,016,837	15%	100%	\$180,275,245
✓	A- Category	\$5,000,000	2%	40%	\$79,516,833
✓	BBB+ to BBB Category	\$4,482,453	2%	30%	\$58,905,171
✓	BBB- & NR Category	\$0	0%	5%	\$10,564,604
✓	NSW TCorp LTGF	\$0	0%	100%	\$211,292,082
		<b>\$211,292,082</b>	<b>100.00%</b>		

CL24.291 - Attachment 1





### Performance

Council's performance for the month ending August 2024 (excluding cash) is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.36%	1.08%	2.17%	0.73%	4.32%
AusBond Bank Bill Index	0.38%	1.11%	2.22%	0.75%	4.39%
T/D Portfolio	0.44%	1.27%	2.54%	0.86%	4.85%
FRN Portfolio	0.45%	1.30%	2.60%	0.88%	5.18%
Bond Portfolio	0.09%	0.27%	0.55%	0.19%	1.08%
Council's Fixed Interest <sup>^</sup>	0.43%	1.24%	2.47%	0.84%	4.77%
Council's Total Portfolio <sup>^^</sup>	0.43%	1.26%	2.52%	0.86%	6.10%
Relative (to Bank Bills)	0.05%	0.16%	0.30%	0.10%	1.71%

<sup>^</sup>Council's Fixed Interest portfolio returns excludes Council's cash account holdings.

<sup>^^</sup> Total portfolio returns includes historical holdings in the TCorp LTGF.

Performance (Annualised)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	4.35%	4.35%	4.35%	4.35%	4.32%
AusBond Bank Bill Index	4.54%	4.46%	4.44%	4.52%	4.39%
T/D Portfolio	5.30%	5.15%	5.11%	5.20%	4.85%
FRN Portfolio	5.38%	5.26%	5.22%	5.29%	5.18%
Bond Portfolio	1.11%	1.09%	1.09%	1.10%	1.08%
Council's Fixed Interest <sup>^</sup>	5.16%	5.01%	4.97%	5.06%	4.77%
Council's Total Portfolio <sup>^^</sup>	5.16%	5.10%	5.06%	5.15%	6.10%
Relative (to Bank Bills)	0.62%	0.64%	0.62%	0.63%	1.71%

<sup>^</sup>Council's Fixed Interest portfolio returns excludes Council's cash account holdings.

<sup>^^</sup> Total portfolio returns includes historical holdings in the TCorp LTGF.

For the month of August, the total portfolio (excluding cash) provided a return of +0.43% (actual) or +5.16% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.38% (actual) or +4.54% p.a. (annualised). The longer-term positive performance continues to be anchored by the handful of deposits that were originally placed for terms greater than 12 months.



## Recommendations for Council

### **AMP Business Saver & Notice Account**

We note the AMP Business Saver and AMP 31 Day Notice Account are now sub optimal investments given the rise in deposit yields in recent months. We recommend switching into short-dated fixed deposits with the major banks yielding a considerably higher rate of return, or simply just redeem to replenish capital reserves.

### **Term Deposits**

As at the end of August 2024, Council's **deposit** portfolio was yielding 5.12% p.a. (unchanged from the previous month), with a weighted average duration of ~209 days (~7 months).

Going forward, once immediate capital projects are completed, a more optimal strategy would be staggering deposits across 9-24 months terms – this is likely to earn up to ¼-½% p.a. higher compared to shorter tenors in a normal market environment. There is growing belief that interest rate cuts and a global economic downturn is imminent and so locking in rates above 4½% p.a. across 1-5 year tenors may provide some income protection against a lower rate environment.

Please refer to the section below for further details on the Term Deposit market.

### **Securities**

Primary (new) Senior FRNs (with maturities between 3-5 years) continue to be appealing (particularly for those investors with portfolios skewed towards fixed assets) and should be considered on a case by case scenario. Please refer to the section below for further details on the FRN market.

### **Council's FRN Portfolio**

We recommend that Council retains all its FRNs at this stage (most are marked at a slight discount to par at month-end). We will continue to monitor them individually and will advise when it is appropriate to sell to boost the overall returns of the portfolio in future.

Should there be a compelling new issue available (or in the case of an emergency), the following FRNs are up for consideration to be sold:

Issuer	Rating	Maturity Date	ISIN	Face Value	Trading Margin	~Capital Price (\$)	~Unrealised Gain (\$)
CBA	AA-	14/01/2027	AU3FN0065579	\$2,750,000	+60.0bp	\$100.187	\$5,143
NAB	AA-	25/02/2027	AU3FN0066528	\$4,000,000	+61.0bp	\$100.209	\$8,344
DBS	AAA	16/08/2027	AU3FN0080313	\$1,000,000	+65.5bp	\$100.342	\$3,419



### Council's Senior Fixed Bonds

In September 2020, Council invested into the following NTTC (AA-) fixed bonds:

Investment Date	Maturity Date	Principal	Rate % p.a.	Interest Paid
15/09/2021	15/12/2024	\$3,000,000	1.00%	Annually
15/09/2021	15/12/2025	\$2,000,000	1.10%	Annually
<b>Totals / Wgt. Avg.</b>		<b>\$5,000,000</b>	<b>1.04%</b>	

We believe this was prudent at the time of investment given the low rate environment and particularly after the RBA's easing decision in early November 2020 to 0.10% and their forward guidance towards official interest rates (no rate rises "until at least 2024").

The NTTC bonds are a 'retail' offering and not 'wholesale' issuances. Given the lack of liquidity and high penalty costs if they were to be sold/redeemed prior to the maturity date, they are considered to be a hold-to-maturity investment and will be marked at par value (\$100.00) throughout the term of investment.



## Term Deposit Market Review

### Current Term Deposits Rates

As at the end of August, we see value in the following:

ADI	LT Credit Rating	Term	Rate % p.a.
ING	A	5 years	4.67%
Westpac	AA-	5 years	4.50%
ING	A	4 years	4.59%
Westpac	A-	4 years	4.45%
Hume	BBB+	4 years	4.45%
ING	A	3 years	4.54%
Westpac	A-	3 years	4.45%
Hume	BBB+	3 years	4.45%
Bank of Us	BBB+	2 years	4.65%
ING	A	2 years	4.63%
Westpac	AA-	2 years	4.55%
Hume	BBB+	2 years	4.55%
NAB	AA-	2 years	4.50%

The above deposits are suitable for investors looking to maintain diversification and lock-in a slight premium compared to purely investing short-term.

For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs (*we stress that rates are indicative, dependent on daily funding requirements and different for industry segments*):



ADI	LT Credit Rating	Term	Rate % p.a.
NAB	AA-	12 months	5.00%
Hume	BBB+	12 months	4.94%
ING	A	12 months	4.93%
ICBC	A	12 months	4.91%
Westpac	AA-	12 months	4.90%
NAB	AA-	9 months	5.00%
Hume	BBB+	9 months	4.96%
Bank of Us	BBB+	9 months	4.90%
ING	A	9 months	4.89%
NAB	AA-	6 months	5.00%
Suncorp	AA-	6 months	5.00%
Hume	BBB+	6 months	4.96%
Westpac	AA-	6 months	4.95%
NAB	AA-	3 months	4.95%
Westpac	AA-	3 months	4.89%

If Council does not require high levels of liquidity and can stagger a proportion of its investments across the longer term horizons (1-5 years), it will be rewarded over a longer-term cycle. Investing a spread of 12 months to 3 year horizons can likely yield up to, on average, an extra ¼-½% p.a. higher compared to those investors that entirely invest in short-dated deposits (under 6-9 months).

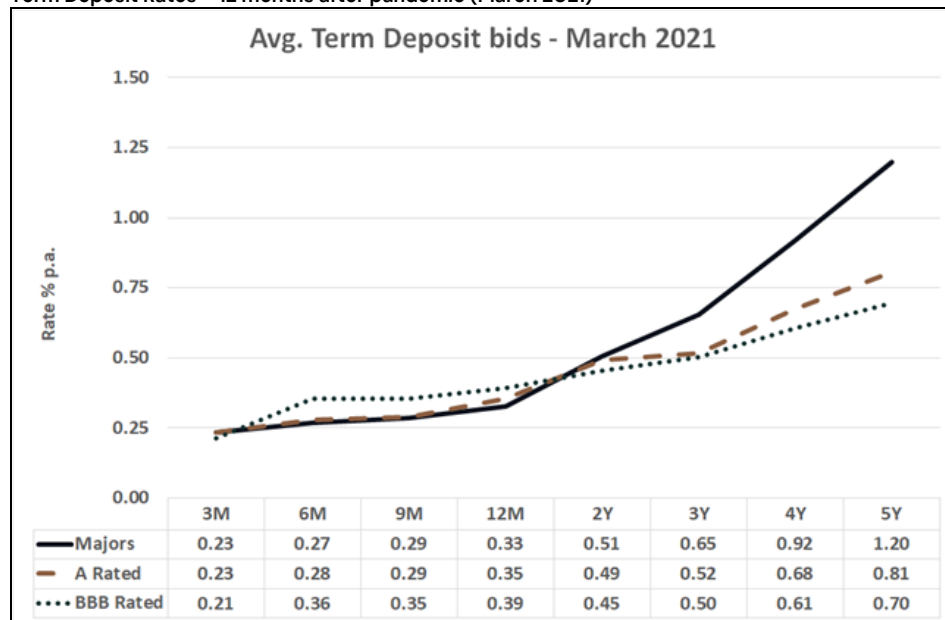
With a global economic slowdown and multiple interest rate cuts being priced over the next few years, investors should strongly consider diversifying by allocating some longer term surplus funds and undertake an insurance policy by investing across 2-5 year fixed deposits and locking in rates above 4½% p.a. This will provide some income protection with central banks now potentially looking to cut rates in coming months.



### Term Deposits Analysis

Pre-pandemic (March 2020), a 'normal' marketplace meant the lower rated ADIs (i.e. BBB category) were offering higher rates on term deposits compared to the higher rated ADIs (i.e. A or AA rated). But due to the cheap funding available provided by the RBA via their Term Funding Facility (TFF) during mid-2020, allowing the ADIs to borrow as low as 0.10% p.a. fixed for 3 years, those lower rated ADIs (BBB rated) did not require deposit funding from the wholesale deposit. Given the higher rated banks had more capacity to lend (as they have a greater pool of mortgage borrowers), they subsequently were offering higher deposit rates. In fact, some of the lower rated banks were not even offering deposit rates at all. As a result, most investors placed a higher proportion of their deposit investments with the higher rated (A or AA) ADIs over the past three years.

#### Term Deposit Rates – 12 months after pandemic (March 2021)



Source: Imperium Markets

The abnormal marketplace experienced during the pandemic is starting to reverse as the competition for deposits slowly increases, partially driven by the RBA's term funding facility coming to an end. In recent months, we have started to periodically see some of the lower rated ADIs ("A" and "BBB" rated) offering slightly higher rates compared to the domestic major banks ("AA" rated) on different parts of



the curve (i.e. pre-pandemic environment). Some of this has been attributed to lags in adjusting their deposit rates as some banks (mainly the lower rated ADIs) simply set their rates for the week.

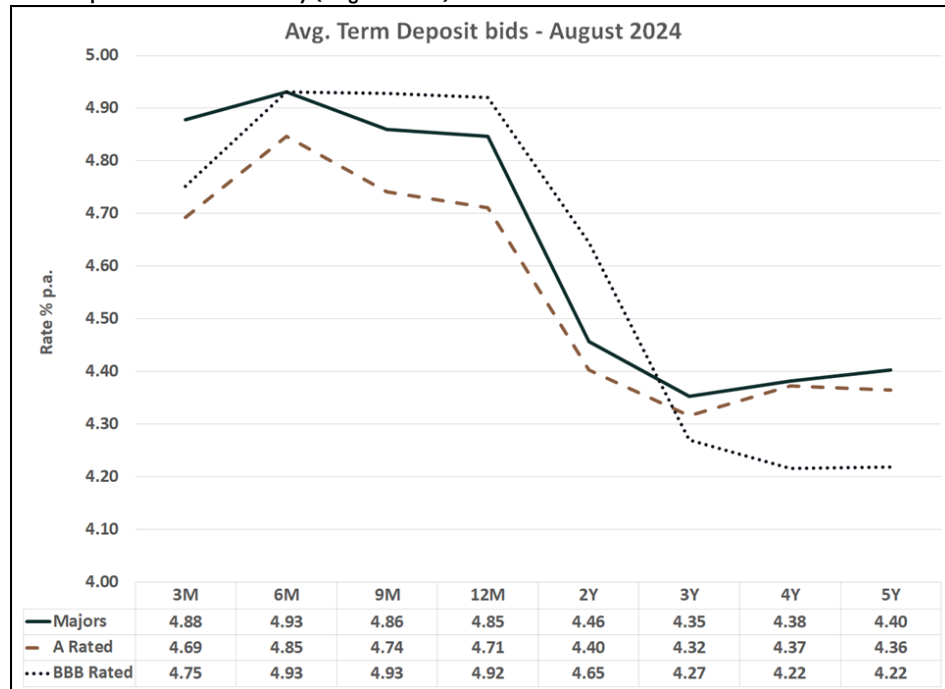
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Going forward, Council should have a larger opportunity to invest a higher proportion of its funds with the lower rated institutions (up to Policy limits), from which the majority are not lending to the Fossil Fuel industry or considered 'ethical'. We are slowly seeing this trend emerge (as was the case this month at the short-end of the curve), although the major banks always seem to react more quickly than the rest of the market during periods of volatility:

#### Term Deposit Rates – Currently (August 2024)



Source: Imperium Markets

#### Regional & Unrated ADI Sector

Ratings agency S&P has commented that "mergers remain compelling for mutual lenders" in providing smaller lenders greater economies of scale and assisting them in being able to price competitively and will see "the banking landscape will settle with a small number of larger mutual players". S&P expects that consolidation to continue over the next two years.

We remain supportive of the regional and unrated ADI sector (and have been even throughout the post-GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting

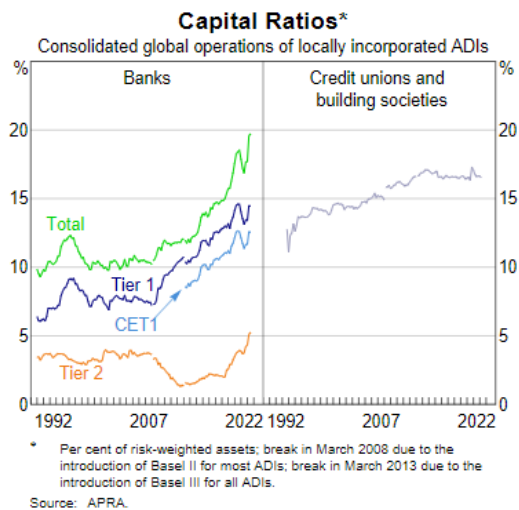


high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have up to 25–40% more capital than the domestic major banks, and well above the Basel III requirements.

Overall, the lower rated ADIs (BBB and unrated) are generally now in a better financial position than they have been historically (see the Capital Ratio figure below). The financial regulator, APRA has noted that the Common Equity Tier 1 capital of Australian banks now exceeds a quarter of a trillion dollars. It has increased by \$110 billion, or more than 70%, over the past decade. Over the same time, banks' assets have grown by 44%. Some of the extra capital is supporting growth in the banking system itself but clearly, there has been a strengthening in overall resilience and leverage in the system is lower.

We believe that deposit investments with the lower rated ADIs should be considered going forward, particularly when they offer 'above market' specials. Not only would it diversify the investment portfolio and reduce credit risk, it would also improve the portfolio's overall returns. The lower rated entities are generally deemed to be the more 'ethical' ADIs compared to the higher rated ADIs.

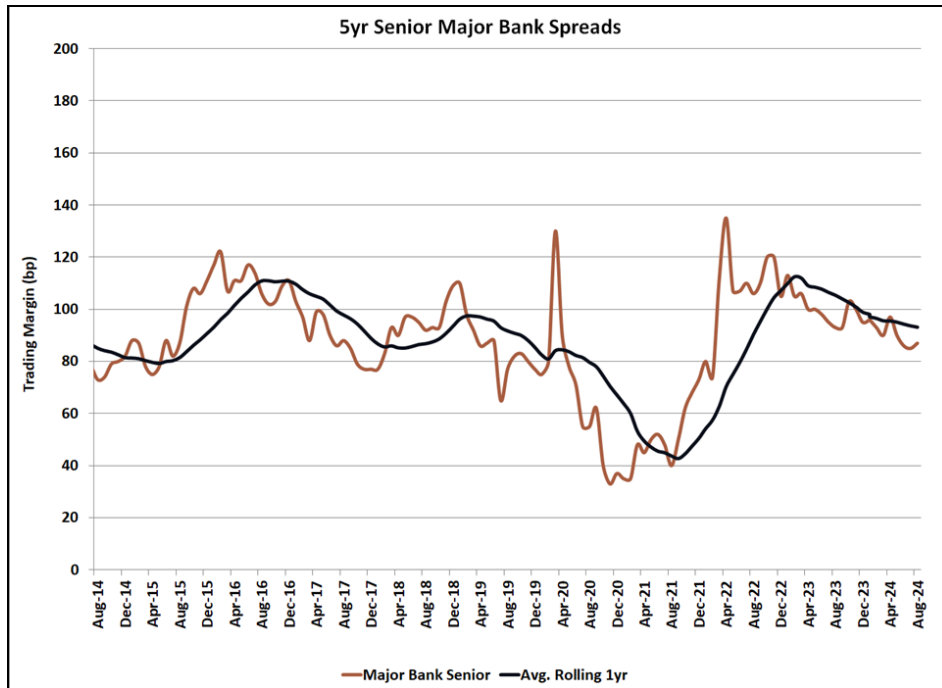
In the current environment of high regulation and scrutiny, all domestic (and international) ADIs continue to carry high levels of capital. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC and the pandemic period. APRA's mandate is to "protect depositors" and provide "financial stability".





## Senior FRNs Market Review

Over August, amongst the senior major bank FRNs, physical credit securities remained relatively flat at the long-end of the curve. During the month, CBA (AA-) issued a dual 3 & 5 year senior deal at +70bp and +87bp respectively. Major bank senior securities remain at fair value on a historical basis although looking fairly expensive if the 5yr margin tightens to +80bp in the near future.



Source: IBS Capital

There was minimal issuance again during the month apart from:

- OCBC (AA-) 3 year senior FRN at +69bp
- Mizuho (A) 3 year senior FRN at +75bp

Amongst the "A" and "BBB" rated sector, the securities remained flat at the longer-end of the curve. Overall, credit securities are looking more attractive given the widening of spreads over the past 2-3 years. FRNs will continue to play a role in investors' portfolios mainly on the basis of their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment), whilst also providing some diversification to those investors skewed towards fixed assets.



Senior FRNs (ADIs)	30/08/2024	31/07/2024
"AA" rated – 5yrs	+87bp	+85bp
"AA" rated – 3yrs	+65bp	+65bp
"A" rated – 5yrs	+102bp	+100bp
"A" rated – 3yrs	+87bp	+80bp
"BBB" rated – 3yrs	+130bp	+130bp

Source: IBS Capital

We now generally recommend switches ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- On or before 2026 for the "AA" rated ADIs (domestic major banks);
- On or before late-2025 for the "A" rated ADIs; and
- Within 6-9 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last few years are now generally holding sub optimal investments and are not maximising returns by foregoing realised capital gains. In the current challenging economic environment, any boost in overall returns should be locked in when it is advantageous to do so, particularly as switch opportunities become available.



## Senior Fixed Bonds – ADIs (Secondary Market)

With global inflation still high by historical standards, this has seen a significant lift in longer-term bond yields over the past 2-3 years (valuations have fallen) as markets have reacted sharply.

This has resulted in some opportunities in the secondary market. We currently see value in the following fixed bond lines, with the majority now being marked at a significant discount to par (please note supply in the secondary market may be limited on any day):

ISIN	Issuer	Rating	Capital Structure	Maturity Date	~Remain. Term (yrs)	Fixed Coupon	Indicative Yield
AU3CB0278174	UBS	A+	Senior	26/02/2026	1.50	1.1000%	4.59%
AU3CB0280030	BoQ	A-	Senior	06/05/2026	1.68	1.4000%	4.83%
AU3CB0299337	Bendigo	A-	Senior	15/05/2026	1.71	4.7000%	4.72%
AU3CB0296168	BoQ	A-	Senior	27/01/2027	2.41	4.7000%	4.76%
AU3CB0308955	BoQ	A-	Senior	30/04/2029	4.67	5.3580%	4.89%



## Economic Commentary

### International Market

In August, it was a tale of two halves as financial markets were sold off early in the month before recovering in the final two weeks. Key economic indicators continue to point towards a soft landing and markets have been quick to position for a lower interest rate environment.

Across equity markets, the S&P 500 Index rose +2.28% over the month, whilst the NASDAQ gained +0.65%. Europe's main indices also provided positive returns, led by Germany's DAX (+2.15%), France's CAC (+1.32%) and UK's FTSE (+0.10%).

The US Fed left rates unchanged in August but there were some tweaks to the wording in the post meeting statement (most notably that the committee is *"attentive to the risks to both sides of its dual mandate"*, whereas previously it was focused on inflation risks), which is seen as a high prospect of a September rate cut.

The US unemployment rate rose 0.2% to 4.3% (versus 4.1% expected). US consumer prices gained +0.2% m/m in July and +2.9% y/y, which came in as expected. Core CPI rose to an annual rate of +3.2% in July (from +3.3% in June), its lowest level since April 2021.

Both of Bank of Canada's preferred core measures of inflation eased during the month averaging +2.55% y/y, from a downwardly revised +2.70% a month earlier.

The Bank of England kicked off its easing cycle with a 25bp cut to the policy rate to 5.00%, as widely expected, but in rather balanced 5-4 vote.

Sweden's central bank—the Riksbank—lowered its policy rate by 25bps to 3.50%. The move was widely expected, but the surprise came from the Bank's dovish forward guidance.

Japan's Nikkei 225 stock index plunged more than -12% in a single day in early August, surpassing the -11.4% drop in October 2008 during the GFC, as investors were concerned that the US economy may be in worse shape than had been expected.

The Reserve Bank of New Zealand surprised markets by lowering its cash rate by 25bp to 5.25% as it stated headline inflation is returning to its target band.

The MSCI World ex-Aus Index rose +2.49% for the month of August:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	+2.28%	+7.03%	+25.31%	+7.69%	+14.06%	+10.92%
MSCI World ex-AUS	+2.49%	+6.25%	+22.72%	+5.33%	+11.51%	+7.86%
S&P ASX 200 Accum. Index	+0.47%	+5.74%	+16.49%	+6.73%	+8.14%	+8.02%

Source: S&P, MSCI



### Domestic Market

The RBA kept rates on hold in its meeting in August as widely expected and kept its tightening bias, saying it remains “vigilant to upside risks to inflation”. The most important addition to the post-Meeting Statement was the line “policy will need to be sufficiently restrictive until the Board is confident that inflation is moving sustainably towards the target range”, suggesting the RBA’s default is to keep policy unchanged until that confidence builds.

RBA Governor Bullock pushed back on market pricing, which was again highlighted in the latest Minutes: “based on the information available at the time of the meeting, it was unlikely that the cash rate target would be reduced in the short term”.

The Monthly CPI indicator fell to +3.5% y/y in July from +3.8% (consensus +3.4%), driven by the fall in electricity prices following the introduction of new subsidies (electricity fell -6.4% m/m, vs +0.9% without the subsidies).

Australia’s employment growth for July rose by 58.2k vs. 20k expected. Despite this strong employment growth, the unemployment rate increased to 4.2% (rising 0.1% from June) reflective of the increase in the participation rate to a record level of 67.1%.

Wage inflation continues to moderate as Q2 WPI growth rose +0.8% q/q (+4.1% y/y), in line with expectations.

Retail Sales for July rose +0.0% m/m, weaker than the +0.3% consensus.

Regional Queensland bank Auswide and Tasmania’s MyState have entered into a binding Scheme Implementation Agreement under which the two banks will merge.

The Australian dollar surged +4.85%, finishing the month at US68.06 cents (from US64.91 cents the previous month).

### Credit Market

The global credit indices marginally tightened across the board in August. They remain at their levels in early 2022 (prior to the rate hike cycle from most central banks):

Index	August 2024	July 2024
CDX North American 5yr CDS	50bp	52bp
iTraxx Europe 5yr CDS	52bp	55bp
iTraxx Australia 5yr CDS	64bp	65bp

Source: Markit



## Fixed Interest Review

### Benchmark Index Returns

Index	August 2024	July 2024
Bloomberg AusBond Bank Bill Index (0+YR)	+0.38%	+0.37%
Bloomberg AusBond Composite Bond Index (0+YR)	+1.21%	+1.48%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.43%	+0.52%
Bloomberg AusBond Credit Index (0+YR)	+0.93%	+1.56%
Bloomberg AusBond Treasury Index (0+YR)	+1.16%	+1.48%
Bloomberg AusBond Inflation Gov't Index (0+YR)	+0.57%	+1.74%

Source: Bloomberg

### Other Key Rates

Index	August 2024	July 2024
RBA Official Cash Rate	4.35%	4.35%
90 Day (3 month) BBSW Rate	4.39%	4.49%
3yr Australian Government Bonds	3.54%	3.76%
10yr Australian Government Bonds	3.93%	4.11%
US Fed Funds Rate	5.25%-5.50%	5.25%-5.50%
2yr US Treasury Bonds	3.91%	4.29%
10yr US Treasury Bonds	3.91%	4.09%

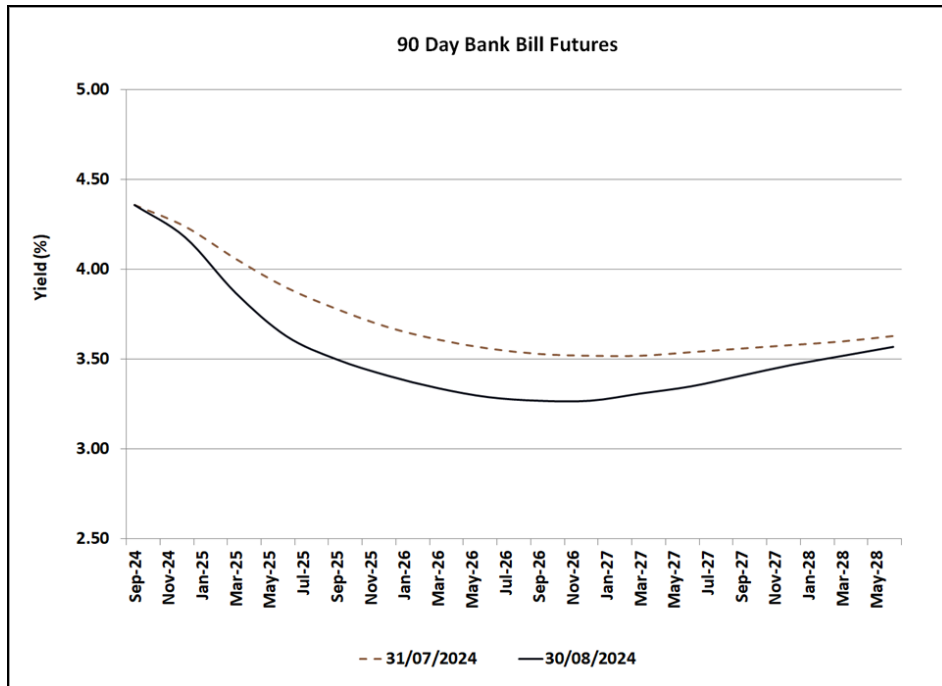
Source: RBA, ASX, US Department of Treasury





### 90 Day Bill Futures

Bill futures fell across the board this month, following the movement in the global bond market. Rate cut expectations have moved forward over the past month.



Source: ASX

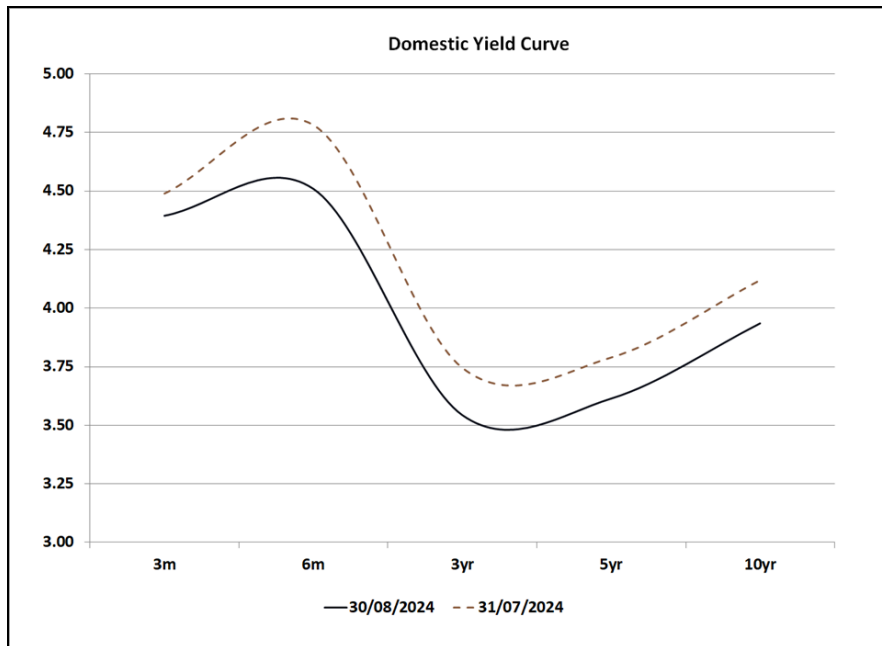


## Fixed Interest Outlook

The steady rise in the unemployment rate may accelerate the US Fed's easing cycle, with markets now all but pricing in a rate cut in September. This is supported by the latest CPI data, which showed the annual inflation rate in July falling to its lowest level since April 2021. The futures market expects official interest rates in the US to be cut by up to 100bp by December 2024 and up to 200bp by July 2025, with the terminal FOMC rate of 3.00% priced by June 2026.

Domestically, the RBA remains on a tightening bias after keeping rates on hold in August. The Governor again pushed back against market pricing for immediate rate cuts, stating *"a near-term reduction in the cash rate doesn't align with the board's current thinking"* and that markets *"are a bit ahead of themselves"*. This suggests the Board's conditions for a cut are unlikely to be in place in the near-term. Governor Bullock, while affirming the RBA assessed policy as restrictive, acknowledged they were perhaps less restrictive than some other central banks, and as a result had less room to cut rates while maintaining restrictive settings.

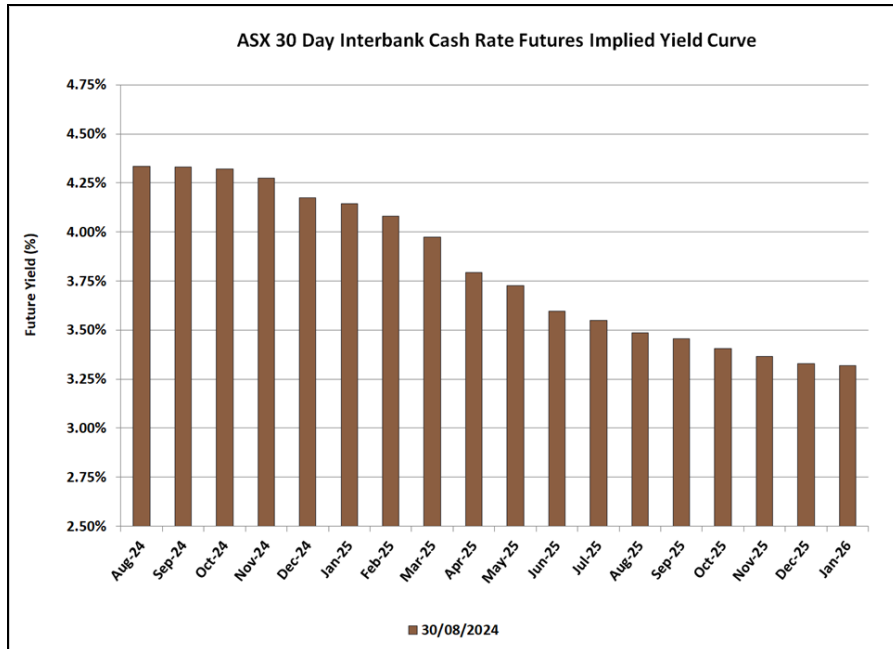
Over the month, longer-term yields fell up to 20bp at the very long end of the curve (remains an inverse yield curve):



Source: ASX, RBA



Financial markets have pushed forward their expectations of rate cuts, with the first cut pencilled in by February, and around 100bp of cuts priced by the end of 2025.



Source: ASX

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## Monthly Investment Review



**September 2024**

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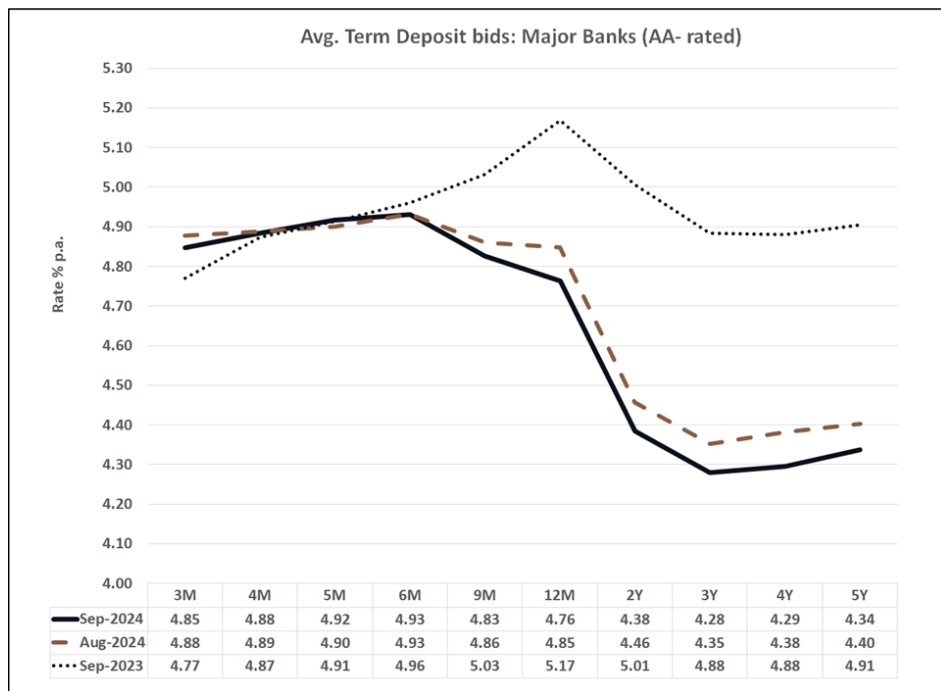
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## Market Update Summary

In September, risk markets continued their positive momentum, welcoming the US Federal Reserve's decision to commence their easing cycle. Other developed central banks are poised to follow or continue in the same path over coming months.

In the deposit market, over September, the average deposit rates offered by the major banks remained below where they were the previous month (August) by around 5-10bp at the long-end of the curve. The overall deposit curve remains significantly inverse with rates now peaking at the 6 month term and then dropping across 1-5 year horizon (with the lowest rates offered in the 3 year tenor at around 4.30%), as the market aggressively factors in multiple rate cuts in 2025.



Source: Imperium Markets

With a global economic downturn and multiple interest rate cuts being priced in 2025, investors should consider diversifying and taking an 'insurance policy' against a potentially lower rate environment by investing across 1-5 year fixed deposits, targeting rates close to or above 4½% p.a. (small allocation only).



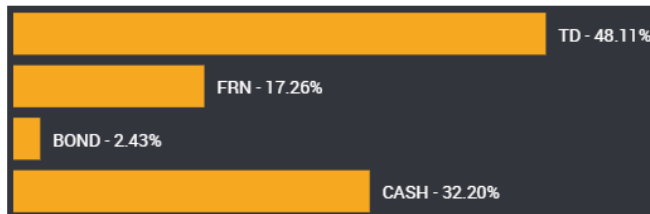
## Shoalhaven City Council 's Portfolio & Compliance

### Asset Allocation

The majority of the portfolio is directed to fixed term deposits and cash or cash notice accounts. The remainder of the portfolio is directed to liquid senior FRNs and fixed bonds.

Senior FRNs remain relatively attractive as spreads have generally widened over the past 2-3 years. New issuances may be considered again on a case by case scenario. In the interim, staggering a mix of fixed deposits between 9-12 months to 3 years remains a more optimal strategy to maximise returns over a longer-term cycle.

Should inflation be within the RBA's target band of 2-3% over the longer-term, targeting yields close to or above 4½% p.a. should outperform benchmark. Fixed term deposits spread across 1-5 year horizons (staggered approach) would be suitable to address the potential for a lower rate environment in coming years.





### Term to Maturity

All maturity limits (minimum and maximum) comply with the Investment Policy. Short-Medium Term (1-2 years) assets account for around 8% of the total investment portfolio, with capacity of ~\$126m remaining.

Once the immediate capital projects are completed, we recommend a proportion of longer-dated funds be allocated to 1-3 year fixed term deposits in combination with any attractive new FRNs (3-5 years) as they come to market (refer to respective sections below).

Compliant	Horizon	Invested (\$)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available (\$)
✓	0 - 90 days	\$113,257,282	55.04%	0%	100%	\$92,513,067
✓	91 - 365 days	\$45,101,814	21.92%	0%	100%	\$160,668,535
✓	1 - 2 years	\$17,095,958	8.31%	0%	70%	\$126,943,287
✓	2 - 5 years	\$30,315,295	14.73%	0%	50%	\$72,569,880
✓	5 - 10 years	\$0	0.00%	0%	25%	\$51,442,587
		<b>\$205,770,349</b>	<b>100.00%</b>			

CL24.291 - Attachment 2



### Counterparty

As at the end of September 2024, all counterparty exposures comply within the Policy limits. Capacity limits are also dependent on the movement in the cash balances. Overall, the portfolio is well diversified across the entire credit spectrum, including some exposure to the regional bank (lower rated) ADIs.

Compliant	Issuer	Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	DBS Cov	AAA	\$1,003,843	0.49%	100.00%	\$204,766,506
✓	ANZ (Sunc.) Cov	AAA	\$2,019,022	0.98%	100.00%	\$203,751,327
✓	ANZ	AA-	\$46,573,656	22.63%	100.00%	\$159,196,693
✓	CBA	AA-	\$62,954,128	30.59%	100.00%	\$142,816,221
✓	HSBC Bank	AA-	\$2,016,492	0.98%	100.00%	\$203,753,857
✓	NAB	AA-	\$43,009,384	20.90%	100.00%	\$162,760,965
✓	Northern Terr.	AA-	\$5,000,000	2.43%	100.00%	\$200,770,349
✓	NSW (SIRA)	AA+	\$6,675,000	3.24%	100.00%	\$199,095,349
✓	Macquarie	A+	\$3,998,276	1.94%	100.00%	\$201,772,073
✓	Rabobank	A+	\$5,325,197	2.59%	100.00%	\$200,445,152
✓	ING Bank	A	\$19,702,878	9.58%	100.00%	\$186,067,471
✓	BoQ	A-	\$3,000,000	1.46%	20.00%	\$38,154,070
✓	AMP Bank	BBB+	\$2,390,658	1.16%	5.00%	\$7,897,860
✓	Newcastle PBS	BBB+	\$2,101,814	1.02%	5.00%	\$8,186,703
			<b>\$205,770,349</b>	<b>100.00%</b>		

On 31<sup>st</sup> July 2024, ANZ's takeover of Suncorp Bank was formalised, and ratings agency S&P upgraded Suncorp's long-term credit rating to that of its parent company immediately (now rated AA-). Investor's exposure to Suncorp is now reflected under the parent company being ANZ.





### Credit Quality

The portfolio is well diversified from a credit ratings perspective. The portfolio is entirely invested amongst the investment grade ADIs (BBB+ or higher). There is no exposure to Unrated assets now following the disposal of the TCorp Long-Term Growth Fund earlier this year.

All ratings categories are within the Policy limits:

Compliant	Credit Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	AAA Category	\$3,022,865	1%	100%	\$202,747,484
✓	AA Category	\$166,228,661	81%	100%	\$39,541,688
✓	A+ to A Category	\$29,026,351	14%	100%	\$176,743,998
✓	A- Category	\$3,000,000	1%	40%	\$79,308,140
✓	BBB+ to BBB Category	\$4,492,472	2%	30%	\$57,238,632
✓	BBB- & NR Category	\$0	0%	5%	\$10,288,517
✓	NSW TCorp LTGF	\$0	0%	100%	\$205,770,349
		<b>\$205,770,349</b>	<b>100.00%</b>		

CL24.291 - Attachment 2



## Performance

Council's performance for the month ending September 2024 (excluding cash) is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.35%	1.08%	2.16%	1.08%	4.34%
AusBond Bank Bill Index	0.36%	1.11%	2.21%	1.11%	4.41%
T/D Portfolio	0.42%	1.28%	2.53%	1.28%	4.92%
FRN Portfolio	0.43%	1.30%	2.59%	1.30%	5.20%
Bond Portfolio	0.09%	0.27%	0.54%	0.27%	1.08%
<b>Council's Fixed Interest<sup>^</sup></b>	<b>0.42%</b>	<b>1.25%</b>	<b>2.47%</b>	<b>1.25%</b>	<b>4.83%</b>
<b>Council's Total Portfolio<sup>^^</sup></b>	<b>0.42%</b>	<b>1.27%</b>	<b>2.53%</b>	<b>1.27%</b>	<b>6.60%</b>
<b>Relative (to Bank Bills)</b>	<b>0.06%</b>	<b>0.16%</b>	<b>0.32%</b>	<b>0.16%</b>	<b>2.19%</b>

<sup>^</sup>Council's Fixed Interest portfolio returns excludes Council's cash account holdings.

<sup>^^</sup> Total portfolio returns includes historical holdings in the TCorp LTGF.

Performance (Annualised)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	4.35%	4.35%	4.35%	4.35%	4.34%
AusBond Bank Bill Index	4.45%	4.50%	4.45%	4.50%	4.41%
T/D Portfolio	5.29%	5.17%	5.12%	5.17%	4.92%
FRN Portfolio	5.40%	5.27%	5.24%	5.27%	5.20%
Bond Portfolio	1.12%	1.09%	1.09%	1.09%	1.08%
<b>Council's Fixed Interest<sup>^</sup></b>	<b>5.17%</b>	<b>5.04%</b>	<b>4.98%</b>	<b>5.04%</b>	<b>4.83%</b>
<b>Council's Total Portfolio<sup>^^</sup></b>	<b>5.17%</b>	<b>5.15%</b>	<b>5.10%</b>	<b>5.15%</b>	<b>6.60%</b>
<b>Relative (to Bank Bills)</b>	<b>0.72%</b>	<b>0.66%</b>	<b>0.65%</b>	<b>0.66%</b>	<b>2.19%</b>

<sup>^</sup>Council's Fixed Interest portfolio returns excludes Council's cash account holdings.

<sup>^^</sup> Total portfolio returns includes historical holdings in the TCorp LTGF.

For the month of September, the total portfolio (excluding cash) provided a return of +0.42% (actual) or +5.17% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.36% (actual) or +4.45% p.a. (annualised). The longer-term positive performance continues to be anchored by the handful of deposits that were originally placed for terms greater than 12 months.



## Recommendations for Council

### **AMP Business Saver & Notice Account**

We note the AMP Business Saver and AMP 31 Day Notice Account are now sub optimal investments given the rise in deposit yields in recent months. We recommend switching into short-dated fixed deposits with the major banks yielding a considerably higher rate of return, or simply just redeem to replenish capital reserves.

### **Term Deposits**

As at the end of September 2024, Council's **deposit** portfolio was yielding 5.13% p.a. (up 1bp from the previous month), with a weighted average duration of ~196 days (~6½ months).

Going forward, once immediate capital projects are completed, a more optimal strategy would be staggering deposits across 9-24 months terms – this is likely to earn up to ¼-½% p.a. higher compared to shorter tenors in a normal market environment. There is growing belief that interest rate cuts and a global economic downturn is imminent and so locking in rates close to or above 4½% p.a. across 1-5 year tenors may provide some income protection against a lower rate environment.

Please refer to the section below for further details on the Term Deposit market.

### **Securities**

Primary (new) Senior FRNs (with maturities between 3-5 years) continue to be appealing (particularly for those investors with portfolios skewed towards fixed assets) and should be considered on a case by case scenario. Please refer to the section below for further details on the FRN market.

### Council's FRN Portfolio

We recommend that Council retains all its FRNs at this stage (most are marked at a slight discount to par at month-end). We will continue to monitor them individually and will advise when it is appropriate to sell to boost the overall returns of the portfolio in future.

Should there be a compelling new issue available (or in the case of an emergency), the following FRNs are up for consideration to be sold:

Issuer	Rating	Maturity Date	ISIN	Face Value	Trading Margin	~Capital Price (\$)	~Unrealised Gain (\$)
CBA	AA-	14/01/2027	AU3FN0065579	\$2,750,000	+59.0bp	\$100.212	\$5,819
NAB	AA-	25/02/2027	AU3FN0066528	\$4,000,000	+60.0bp	\$100.235	\$9,384
DBS	AAA	16/08/2027	AU3FN0080313	\$1,000,000	+64.5bp	\$100.384	\$3,843



### Council's Senior Fixed Bonds

In September 2020, Council invested into the following NTTC (AA-) fixed bonds:

Investment Date	Maturity Date	Principal	Rate % p.a.	Interest Paid
15/09/2021	15/12/2024	\$3,000,000	1.00%	Annually
15/09/2021	15/12/2025	\$2,000,000	1.10%	Annually
<b>Totals / Wgt. Avg.</b>		<b>\$5,000,000</b>	<b>1.04%</b>	

We believe this was prudent at the time of investment given the low rate environment and particularly after the RBA's easing decision in early November 2020 to 0.10% and their forward guidance towards official interest rates (no rate rises "until at least 2024").

The NTTC bonds are a 'retail' offering and not 'wholesale' issuances. Given the lack of liquidity and high penalty costs if they were to be sold/redeemed prior to the maturity date, they are considered to be a hold-to-maturity investment and will be marked at par value (\$100.00) throughout the term of investment.



## Term Deposit Market Review

### Current Term Deposits Rates

As at the end of September, we see value in the following:

ADI	LT Credit Rating	Term	Rate % p.a.
Rabobank	A	5 years	4.70%
ING	A	5 years	4.51%
Westpac	AA-	5 years	4.50%
BoQ	A-	5 years	4.40%
Rabobank	A	4 years	4.55%
ING	A	4 years	4.42%
Westpac	AA-	4 years	4.40%
BoQ	A-	4 years	4.35%
Rabobank	A	3 years	4.40%
ING	A	3 years	4.36%
Westpac	AA-	3 years	4.35%
ING	A	2 years	4.43%
Westpac	AA-	2 years	4.42%
Hume Bank	BBB+	2 years	4.40%
NAB	AA-	2 years	4.35%
BoQ	A-	2 years	4.35%

The above deposits are suitable for investors looking to maintain diversification and lock-in a slight premium compared to purely investing short-term.

For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs (we stress that rates are indicative, dependent on daily funding requirements and different for industry segments):



ADI	LT Credit Rating	Term	Rate % p.a.
Arab Bank	Unrated	12 months	5.00%
ICBC	A	12 months	4.92%
NAB	AA-	12 months	4.90%
Bank of Sydney	Unrated	12 months	4.90%
Westpac	AA-	12 months	4.82%
Hume Bank	BBB+	12 months	4.78%
Arab Bank	Unrated	9 months	5.05%
ICBC	A	9 months	4.98%
NAB	AA-	9 months	4.95%
BoQ	A-	9 months	4.90%
Arab Bank	Unrated	6 months	5.10%
Suncorp	AA-	6 months	5.06%
NAB	AA-	6 months	5.05%
ICBC	A	6 months	5.04%
BoQ	A-	6 months	5.01%
Arab Bank	Unrated	3 months	5.10%
NAB	AA-	3 months	4.95%
Westpac	AA-	3 months	4.93%

If Council does not require high levels of liquidity and can stagger a proportion of its investments across the longer term horizons (1-5 years), it will be rewarded over a longer-term cycle. Investing a spread of 12 months to 3 year horizons can likely yield up to, on average, an extra  $\frac{1}{4}$ - $\frac{1}{2}$ % p.a. higher compared to those investors that entirely invest in short-dated deposits (under 6-9 months).

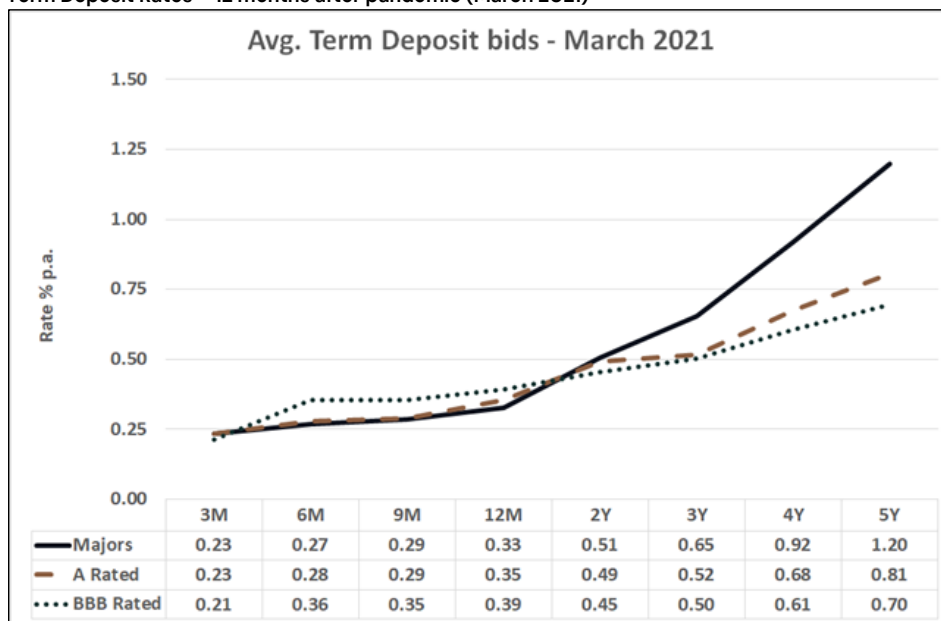
With a global economic slowdown and multiple interest rate cuts being priced over 2025, investors should strongly consider diversifying by allocating some longer term surplus funds and undertake an insurance policy by investing across 1-5 year fixed deposits and locking in rates above or close to  $4\frac{1}{2}$ % p.a. This will provide some income protection with the RBA now potentially looking to cut rates in coming months.



### Term Deposits Analysis

Pre-pandemic (March 2020), a 'normal' marketplace meant the lower rated ADIs (i.e. BBB category) were offering higher rates on term deposits compared to the higher rated ADIs (i.e. A or AA rated). But due to the cheap funding available provided by the RBA via their Term Funding Facility (TFF) during mid-2020, allowing the ADIs to borrow as low as 0.10% p.a. fixed for 3 years, those lower rated ADIs (BBB rated) did not require deposit funding from the wholesale deposit. Given the higher rated banks had more capacity to lend (as they have a greater pool of mortgage borrowers), they subsequently were offering higher deposit rates. In fact, some of the lower rated banks were not even offering deposit rates at all. As a result, most investors placed a higher proportion of their deposit investments with the higher rated (A or AA) ADIs over the past three years.

#### Term Deposit Rates – 12 months after pandemic (March 2021)



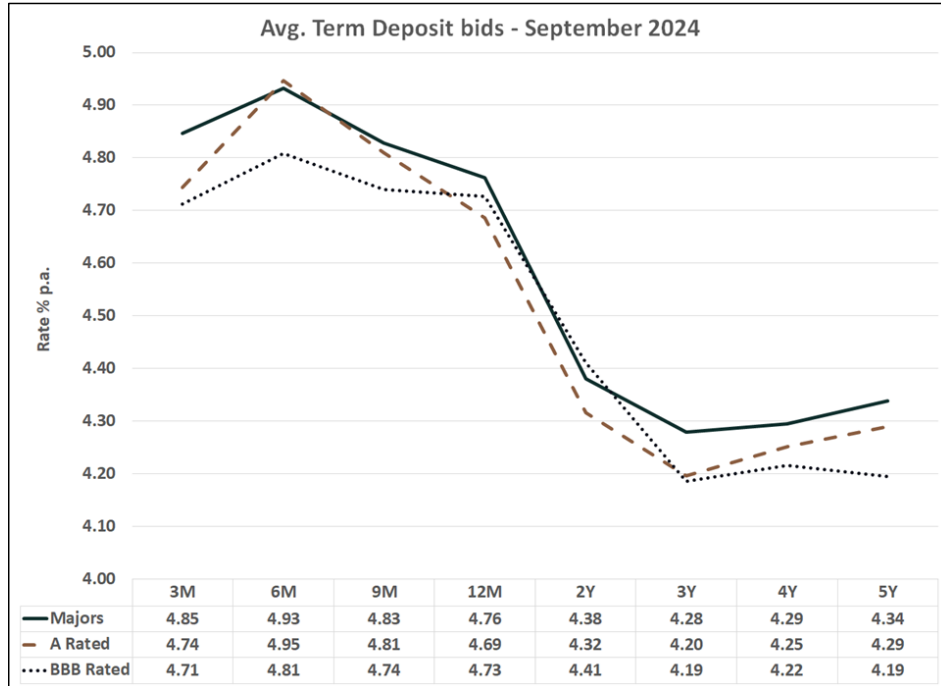
Source: Imperium Markets

The abnormal marketplace experienced during the pandemic is starting to reverse as the competition for deposits slowly increases, partially driven by the RBA's term funding facility coming to an end. In recent months, we have started to periodically see some of the lower rated ADIs ("A" and "BBB" rated) offering slightly higher rates compared to the domestic major banks ("AA" rated) on different parts of the curve (i.e. pre-pandemic environment). Some of this has been attributed to lags in adjusting their deposit rates as some banks (mainly the lower rated ADIs) simply set their rates for the week.



Going forward, Council should have a larger opportunity to invest a higher proportion of its funds with the lower rated institutions (up to Policy limits), from which the majority are not lending to the Fossil Fuel industry or considered 'ethical'. We are slowly seeing this trend emerge, although the major banks always seem to react more quickly than the rest of the market during periods of volatility:

**Term Deposit Rates – Currently (September 2024)**



Source: Imperium Markets

**Regional & Unrated ADI Sector**

Ratings agency S&P has commented that "mergers remain compelling for mutual lenders" in providing smaller lenders greater economies of scale and assisting them in being able to price competitively and will see "the banking landscape will settle with a small number of larger mutual players". S&P expects that consolidation to continue over the next two years.

We remain supportive of the regional and unrated ADI sector (and have been even throughout the post-GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have up to 25-40% more capital than the domestic major banks, and well above the Basel III requirements.

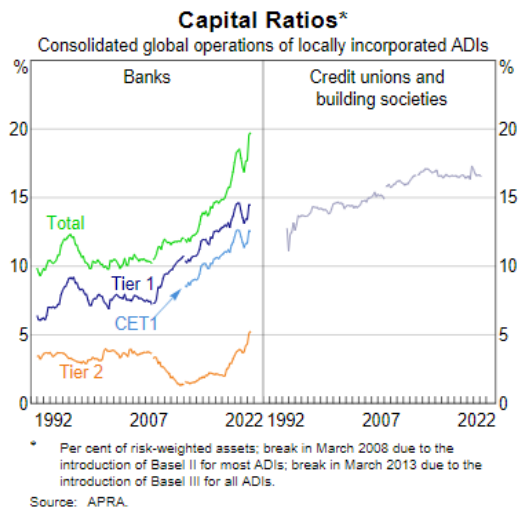




Overall, the lower rated ADIs (BBB and unrated) are generally now in a better financial position than they have been historically (see the Capital Ratio figure below). The financial regulator, APRA has noted that the Common Equity Tier 1 capital of Australian banks now exceeds a quarter of a trillion dollars. It has increased by \$110 billion, or more than 70%, over the past decade. Over the same time, banks' assets have grown by 44%. Some of the extra capital is supporting growth in the banking system itself but clearly, there has been a strengthening in overall resilience and leverage in the system is lower.

We believe that deposit investments with the lower rated ADIs should be considered going forward, particularly when they offer 'above market' specials. Not only would it diversify the investment portfolio and reduce credit risk, it would also improve the portfolio's overall returns. The lower rated entities are generally deemed to be the more 'ethical' ADIs compared to the higher rated ADIs.

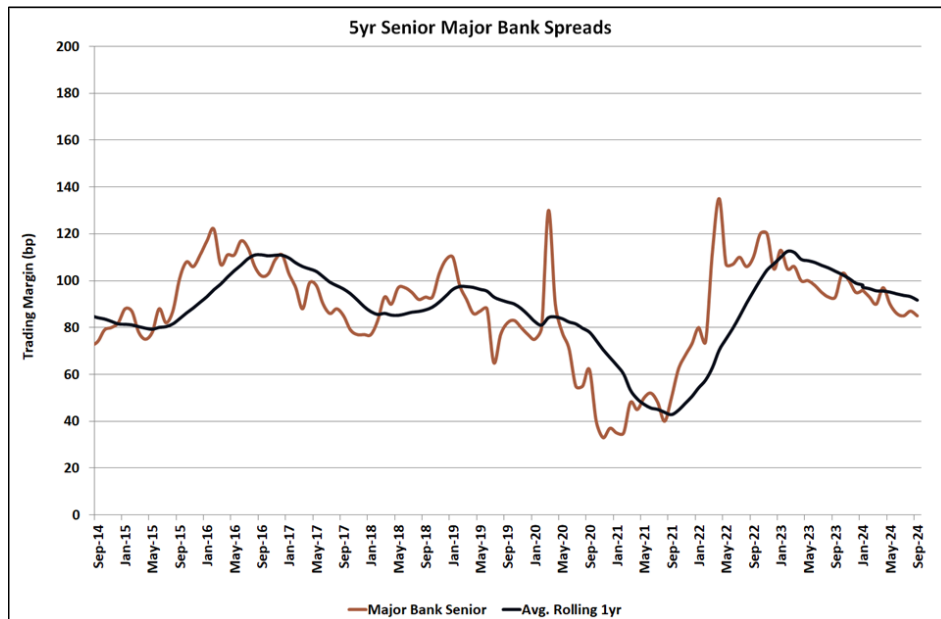
In the current environment of high regulation and scrutiny, all domestic (and international) ADIs continue to carry high levels of capital. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC and the pandemic period. APRA's mandate is to "protect depositors" and provide "financial stability".





## Senior FRNs Market Review

Over September, amongst the senior major bank FRNs, physical credit securities remained relatively flat at the long-end of the curve. During the month, WBC (AA-) issued a 5 year senior deal at +85b, whilst Suncorp (AA-) issued a dual 3 & 5 year senior FRN at +74bp and +92bp respectively. Major bank senior securities remain at fair value on a historical basis although looking fairly expensive if the 5yr margin tightens to +80bp in the near future.



Source: IBS Capital

There was minimal issuance again during the month apart from:

- Auswide (BBB) 3 year senior FRN at +133bp
- AMP (BBB+) 3 year senior FRN at +127bp

Amongst the "A" and "BBB" rated sector, the securities marginally tightened at the longer-end of the curve. Overall, credit securities are looking more attractive given the widening of spreads over the past 3 years. FRNs will continue to play a role in investors' portfolios mainly on the basis of their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment), whilst also providing some diversification to those investors skewed towards fixed assets.



Senior FRNs (ADIs)	30/09/2024	30/08/2024
"AA" rated – 5yrs	+85bp	+87bp
"AA" rated – 3yrs	+66bp	+65bp
"A" rated – 5yrs	+102bp	+102bp
"A" rated – 3yrs	+82bp	+87bp
"BBB" rated – 3yrs	+127bp	+130bp

Source: IBS Capital

We now generally recommend switches ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- On or before 2026 for the "AA" rated ADIs (domestic major banks);
- On or before 2025 for the "A" rated ADIs; and
- Within 6–9 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last few years are now generally holding sub optimal investments and are not maximising returns by foregoing realised capital gains. In the current challenging economic environment, any boost in overall returns should be locked in when it is advantageous to do so, particularly as switch opportunities become available.



## Senior Fixed Bonds – ADIs (Secondary Market)

With global inflation still high by historical standards, this has seen a significant lift in longer-term bond yields over the past 2–3 years (valuations have fallen) as markets have reacted sharply.

This has resulted in some opportunities in the secondary market. We currently see value in the following fixed bond lines, with the majority now being marked at a significant discount to par (please note supply in the secondary market may be limited on any day):

ISIN	Issuer	Rating	Capital Structure	Maturity Date	~Remain. Term (yrs)	Fixed Coupon	Indicative Yield
AU3CB0278174	UBS	A+	Senior	26/02/2026	1.41	1.1000%	4.35%
AU3CB0280030	BoQ	A-	Senior	06/05/2026	1.60	1.4000%	4.72%
AU3CB0299337	Bendigo	A-	Senior	15/05/2026	1.62	4.7000%	4.60%
AU3CB0296168	BoQ	A-	Senior	27/01/2027	2.33	4.7000%	4.64%
AU3CB0308955	BoQ	A-	Senior	30/04/2029	4.59	5.3580%	4.76%

CL24.291 - Attachment 2



## Economic Commentary

### International Market

In September, risk markets continued their positive momentum, welcoming the US Federal Reserve's decision to commence their easing cycle. Other developed central banks are poised to follow or continue in the same path over coming months.

Across equity markets, the S&P 500 Index rose +2.02% over the month, whilst the NASDAQ gained +2.68%. Europe's main indices were mixed, with positive returns in Germany's DAX (+2.21%) and France's CAC (+0.06%). UK's FTSE fell -1.67% for the month.

The US Fed opted for a 50bp rate cut, which was largely expected (and it's first cut since March 2020). Markets responded sharply, but then rowed back shortly afterwards as US Fed Chair Jerome Powell tried to downplay the significance of the move at the ensuing press conference, saying this was not a new pace, just a recalibration of policy.

The US economy added 142k jobs in August, slightly below the 163k forecast by economists. The unemployment rate was 4.2% in August, down from 4.3% in July.

US headline inflation rate was +0.2% m/m for August as expected, while core inflation came in slightly higher than expected at +0.3% m/m. The inflation rate was +2.5% y/y in August (down from +2.9% y/y in July), marking the slowest pace since February 2021.

The European Central Bank (ECB) cut rates by another 25bp to 3.50% as widely expected. An additional rate cut is expected in Q4.

The Bank of England (BoE) held rates steady at 5.00% as expected. Services inflation for August was up +0.4% to +5.6% y/y and core inflation was up +0.3% to +3.6% y/y.

Sweden's Riksbank cut rates by 25bp as expected. The statement said that *"if the outlook for inflation and economic activity remains unchanged, the policy rate may also be cut at the two remaining monetary policy meetings this year"*.

China consumer prices rose by +0.6% y/y in August, which was below expectations as transportation, home goods prices and rents declined. On a monthly basis, CPI grew +0.4% in August, slightly lower than the +0.5% recorded in July.

The MSCI World ex-Aus Index rose +1.64% for the month of September:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	+2.02%	+5.53%	+34.38%	+10.19%	+14.12%	+11.32%
MSCI World ex-AUS	+1.64%	+5.94%	+30.56%	+7.46%	+11.44%	+8.32%
S&P ASX 200 Accum. Index	+2.97%	+7.79%	+21.77%	+8.45%	+8.38%	+8.93%

Source: S&P, MSCI



### Domestic Market

The RBA kept rates on hold at 4.35% as expected. The post-Meeting Statement was broadly in line with the Governor's recent remarks where Ms Bullock again pushed back on market pricing for near-term cuts. The Statement also noted that *"headline inflation will decline for a time, [but] underlying inflation is more indicative of inflation momentum, and it remains too high"*.

The Monthly CPI Indicator fell to +2.7% y/y from +3.5% y/y as expected on fuel base effects and electricity subsidies. Services inflation remained elevated at +4.2% y/y, while goods and non-tradables inflation fell, also driven by electricity.

The unemployment rate remained at 4.2% (falling from 4.24% to 4.16% at the second decimal place). Employment growth was a strong +47k. With trend employment growth steady near +40k, the labour market has been ably absorbing strong supply growth amid high participation and elevated population growth.

GDP rose by +0.2% q/q (+1.0% y/y), which was in line with consensus. Consumption was weaker than expected, while the other components were largely in line with the partials – business and dwelling investment made no contribution while net exports and public demand were key supports.

Export values rose +0.8% to \$43.8bn in July, remaining comfortably higher than pre-pandemic peak of \$36 billion, but are now well below the peak of \$55bn in June 2022 that was driven by the short-lived surge in coal export values.

Dwelling approvals bounced +10.4% higher in June (consensus +3% m/m). That more than unwinds the 6.4% fall in June.

The Australian dollar gained another +1.85%, finishing the month at US69.32 cents (from US68.06 cents the previous month).

### Credit Market

The global credit indices marginally widened in September. They remain at their levels in early 2022 (prior to the rate hike cycle from most central banks):

Index	September 2024	August 2024
CDX North American 5yr CDS	53bp	50bp
iTraxx Europe 5yr CDS	59bp	52bp
iTraxx Australia 5yr CDS	63bp	64bp

Source: Markit



## Fixed Interest Review

### Benchmark Index Returns

Index	September 2024	August 2024
Bloomberg AusBond Bank Bill Index (0+YR)	+0.36%	+0.38%
Bloomberg AusBond Composite Bond Index (0+YR)	+0.31%	+1.21%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.43%	+0.43%
Bloomberg AusBond Credit Index (0+YR)	+0.54%	+0.93%
Bloomberg AusBond Treasury Index (0+YR)	+0.24%	+1.16%
Bloomberg AusBond Inflation Gov't Index (0+YR)	+0.63%	+0.57%

Source: Bloomberg

### Other Key Rates

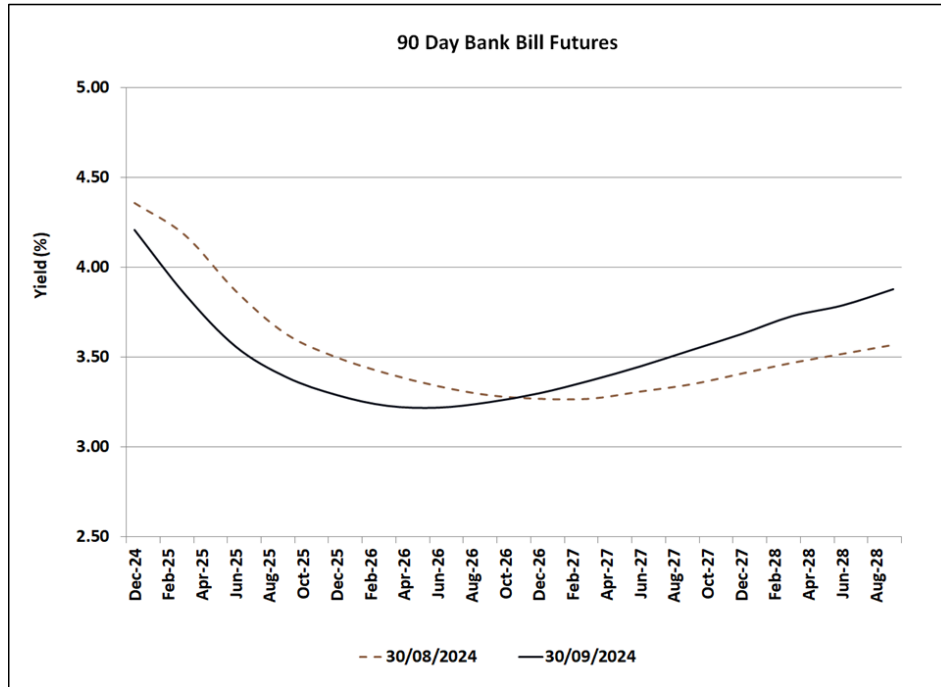
Index	September 2024	August 2024
RBA Official Cash Rate	4.35%	4.35%
90 Day (3 month) BBSW Rate	4.43%	4.39%
3yr Australian Government Bonds	3.53%	3.54%
10yr Australian Government Bonds	3.99%	3.93%
US Fed Funds Rate	4.75%-5.00%	5.25%-5.50%
2yr US Treasury Bonds	3.66%	3.91%
10yr US Treasury Bonds	3.81%	3.91%

Source: RBA, ASX, US Department of Treasury



### 90 Day Bill Futures

Bill futures fell at the short-end this month in response to expectations of impending interest rate cuts in early 2025.



Source: ASX



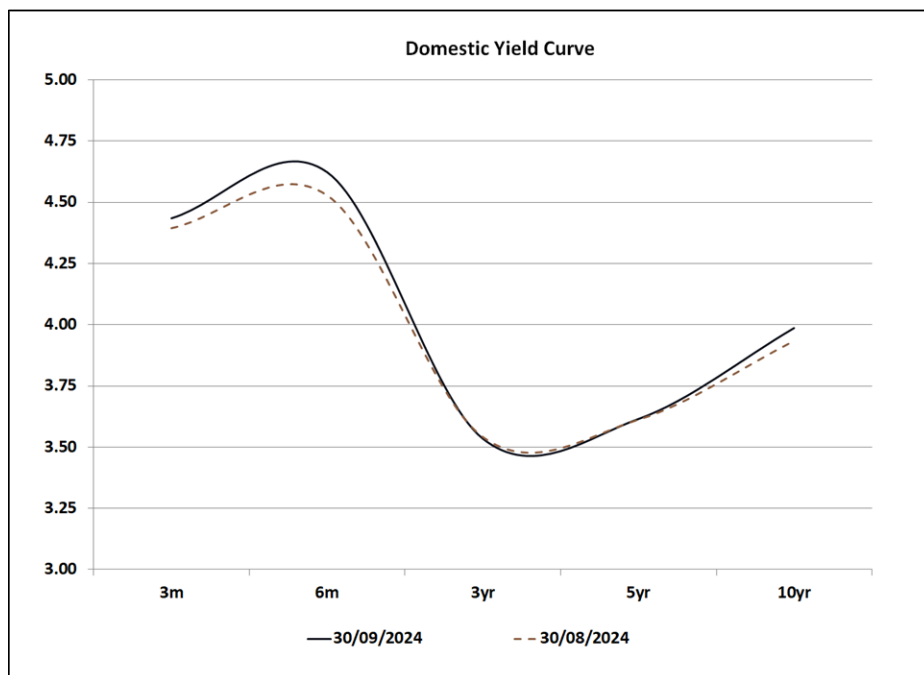


## Fixed Interest Outlook

The updated US Fed dot plot shows a median rate of 4.375% by the end of 2024, implying a further 50bp of cuts out of the remaining two meetings of the year. For 2025, the median dot is for a further 100bp of cuts (to 3.375%), then a further 50bp in 2026 (to 2.875%) in 2026. This 2.875% level is also now the new Fed estimate of the 'long run' or neutral rate.

The RBA continues to push back on any immediate talks of rate cuts. Governor Bullock reiterated that official rates are not as restrictive in Australia as offshore: *"Most of those countries had official interest rates up around five or over 5% so in our judgment, we look at how restrictive some of those countries are relative to us...we're restrictive, but we think they're more restrictive than us"*.

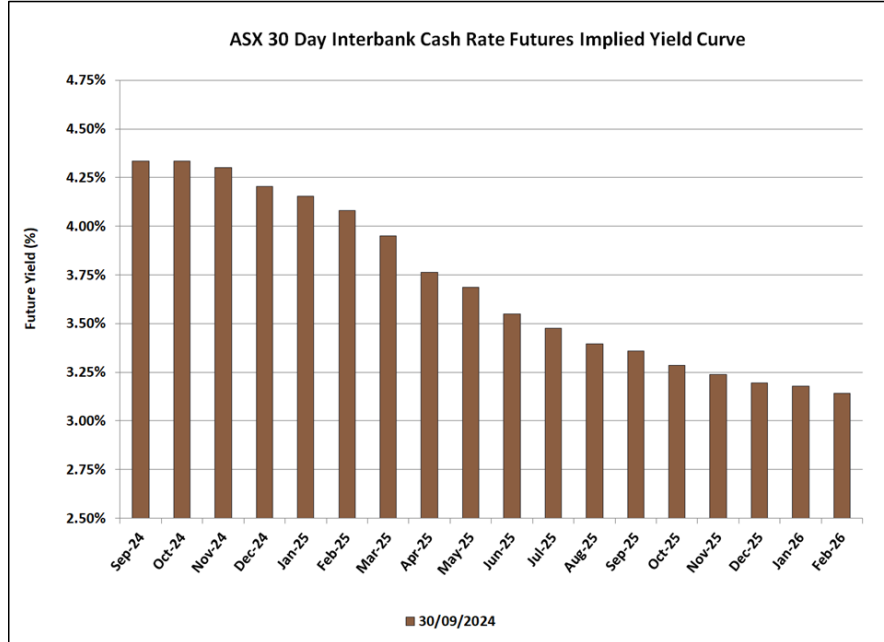
Over the month, longer-term yields remained relatively flat at the very long end of the curve (but remains an inverse yield curve):



Source: ASX, RBA



Financial markets have pushed forward their expectations of rate cuts, with the first cut pencilled in by Q1 2025, with 100–125bp of cuts priced by the end of 2025.



Source: ASX

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# Investment Policy

<b>Adoption Date:</b>	19/06/2001
<b>Reaffirmed:</b>	28/09/2004, 18/12/2018
<b>Amendment Date:</b>	26/09/2006, 7/10/2008, 1/02/2011, 23/04/2013, 14/10/2014, 24/05/2016, 15/08/2017, 23/02/2018, 26/11/2019, 10/12/2019, 1/12/2020, 25/05/2021, 01/08/2022
<b>Minute Number:</b>	MIN01.788, MIN04.1165, MIN06.1217, MIN08.1339, MIN11.55, MIN13.368, D14/268858, MIN16.380, MIN17.221, MIN17.701, MIN18.20, MIN18.1023, MIN19.877, MIN19.933, MIN21.332, MIN22.497
<b>Review Date:</b>	18/05/2023
<b>Directorate:</b>	City Performance
<b>Record Number:</b>	POL23/2

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## Investment Policy

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### 1. Objectives

The purpose of this policy is to provide a framework for making decisions concerning the appropriate investment of Council's funds, at the most favourable rate of interest available to it at the time to maximise returns, whilst having due consideration of risk, liquidity and security for its investments.

Council may pursue other objectives that maximise community benefits, including more restrictive rules to qualify for concessional debt funding.

The policy establishes a series of limits within which Council officers must operate in the planning and process of investing Council monies. In setting these limits Council is determining the general level of risk that is acceptable for monies managed on trust for the community of Shoalhaven.

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity, and the return of investment. Council, therefore, has several key objectives for its investment portfolio:

- Compliance with legislation, regulations, the prudent person tests of the Trustee Act and best practice guidelines;
- Preservation of the amount invested for defensive fixed interest investments. Some NSW Tcorp Funds are highly volatile, and Council understands it should take a long-term view when placing surplus assets into any of their managed funds;
- To ensure there is sufficient liquid funds to meet all reasonably anticipated cash flow requirements.
- Adherence to debt covenants.
- To generate income from the investment that exceeds the performance benchmarks mentioned later in this document.

### 2. Legislative Requirements

All investments are to comply with the following:

- *Local Government Act 1993*;
- *Local Government (General) Regulation 2021*;
- Ministerial Investment Order;
- *The Trustee Amendment (Discretionary Investments) Act 1997 – Section 14*;
- *Local Government Code of Accounting Practice and Financial Reporting*;
- Australian Accounting Standards;
- Office of Local Government *Investment Policy Guidelines*; and
- Office of Local Government Circulars.

### 3. Authority

Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the *Local Government Act 1993*.

The CEO may in turn delegate the day-to-day management of Council's investment portfolio to the Responsible Accounting Officer and/or other Finance staff who must ensure adequate skill, support and oversight is exercised in the investment of Council funds.

#### Investment Policy

Officers' delegated authority to manage Council's investments shall be recorded and they will be required to acknowledge they have received a copy of this policy and understand their obligations in this role.

#### 4. Risk Management

Investments obtained are to be considered in light of the following key criteria:

- *Preservation of capital* – the requirement for preventing losses in an investment portfolio's total value (considering the time value of money);
- *Diversification* – the requirement to place investments in a broad range of products so as not to be overexposed to a particular sector of the investment market;
- *Credit risk* – the risk that a party or guarantor to a transaction will fail to fulfil its obligations. In the context of this document it relates to the risk of loss due to the failure of an institution/entity with which an investment is held to pay the interest and/or repay the principal of an investment;
- *Fidelity, legal and documentary risk* – the risks of suffering loss from staff or counterparty fraud, theft, failure to document transactions and title with enforceable documents or compensation to third parties for these failures;
- *Market risk* – the risk that the fair value or future cash flows of an investment will fluctuate due to changes in market prices or benchmark returns will unexpectedly overtake the investment's return.
- *Covenant risks* – the risk of breaching debt covenants and bearing additional costs.
- *Liquidity Risk* – the risk an institution runs out of cash, is unable to redeem investments at a fair price within a timely period, and thereby Council incurs additional costs (or in the worst case is unable to execute its spending plans).
- *Maturity Risk* – the risk relating to the length of term to maturity of the investment. The larger the term, the greater the length of exposure and risk to market volatilities; and
- *Rollover Risk* - the risk that income will not meet expectations or budgeted requirement because interest rates are lower than expected in future

The following indicates the limitations to be applied so as to avoid these risks:

##### a) Authorised Investments

All investments must be denominated in Australian Dollars. Authorised Investments are limited to those allowed by the Ministerial Investment Order and include:

- Commonwealth / State / Territory Government securities, e.g. bonds;
- Interest bearing deposits / senior securities issued by an eligible authorised deposit-taking institution (ADI);
- Bills of Exchange (< 200 days duration) guaranteed by an ADI;
- Debentures issued by a NSW Council under *Local Government Act 1993*;
- Deposits with TCorp &/or Investments in TCorpIM Funds; and
- Existing investments grandfathered under the Ministerial Investment Order, or under the terms of any debt covenants.

## Investment Policy

### b) Prohibited Investments

This Investment Policy prohibits the following types of new investment:

- Derivative based instruments<sup>1</sup>;
- Principal only investments or securities that provide potentially nil or negative cash flow;
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind;
- Mortgage of land;
- Investment trusts, even where the trusts adhere to the Minister's Order fully with the exception of T-CorpIM Funds; and
- Any other investment written out of the Minister's Order.

This policy also prohibits the use of leveraging (borrowing to invest) an investment. However, nothing in the policy shall prohibit the short-term investment of loan proceeds where the loan is raised for non-investment purposes and there is a delay prior to the expenditure of loan funds.

### c) Liquidity and Maturity

Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment. Therefore, the maturity dates of each investment must be carefully chosen and reviewed to ensure that cash levels are sufficient to fulfil these estimated requirements.

### d) Credit Quality Limits

The portfolio credit guidelines to be adopted will reference the Standard & Poor's (S&P) ratings system format, with Moody's also used – the lower of these ratings (stated in this format) is to be used.

However, the primary control of credit quality is the prudential supervision and government support and implicit and explicit guarantees of the ADI sector, not ratings.

The maximum holding limit in each rating category for Council's portfolio shall be:

Long-Term Rating Range	Maximum % of Portfolio
AAA category	100%
AA category or Major Banks	100%
A+ to A	100%
A-	40%
BBB+ to BBB*	35%
BBB- and below category	0%
TCorp Investments **	15%

<sup>1</sup> Prohibited investments are not limited to the list above and extend to any investment carried out for speculative purposes.

## Investment Policy

\* Of this 35%, the Borrower is permitted to invest a maximum of 15% in investments with a Long-Term credit rating of BBB such investments constituting a 15% sub limit of the permitted 35% portfolio limit.

\*\* Council should refer to the TCorpIM Funds Offer Document dated 1 February 2020 and, section 4 (Risks of Investing) and, if appropriate, seek independent financial advice prior to making any investment in TCorp Investments. Investments are not guaranteed.

### e) Counterparty Limits

Exposure to individual counterparties/financial institutions will be restricted by their rating so that single entity exposure is limited, as detailed in the table below. No further investment will be made with Unrated institutions beyond their government guaranteed level, except for local ADIs concentrating in the Illawarra or South Coast regions.

Individual Institution or Counterparty Limits		
Long-Term Rating Range	Not exceed the smaller of:	
	Maximum % of Portfolio	% of Institution or Counterparty's Net Assets
AAA	100%	n/a
AA + to AA-	100%	n/a
A+ to A	100%	n/a
A-	20%	n/a
BBB+	10%	2%
BBB	5%	2%
BBB- and below: Local ADIs (Authorised Deposit Taking Institutions)	-	2%
TCorp Investments	15%	n/a

### f) Term to Maturity Limits

Council's investment portfolio shall be structured around the horizon of investment to ensure that liquidity and income requirements are met, as well as restricting the tenor of individual investments.

Once the primary aim of liquidity is met, Council will ordinarily diversify its maturity profile as this will ordinarily be a low-risk method of obtaining additional return as well as reducing the risks to Council's income. However, Council always retains the flexibility to invest as short as required by internal requirements or the economic outlook. Judgment of the state of domestic and global economic circumstances should also be carefully taken into account when making decisions on the terms of an investment.

The factors and/or information used by Council to determine minimum allocations to the shorter durations include:

- Council's liquidity requirements to cover both regular payments as well as sufficient buffer to cover reasonably foreseeable contingencies;
- Medium term financial plans and major capital expenditure forecasts;
- Known grants, asset sales or similar one-off inflows; and

#### Investment Policy

- Seasonal patterns to Council's investment balances.

Investment Horizon Description	Horizon	Maximum % of Portfolio
Working Capital Funds	0-3 months	100%
Short-Term Funds	3-12 months	100%
Short-Medium Term Funds	1-2 years	70%
Medium-Term Funds	2-5 years	50%
Long-Term Funds	5-10 years	25%

Within these broad ranges, Council relies upon assumptions of expected investment returns and market conditions that have been examined with its investment advisor.

On advice, Council shall designate an appropriate horizon to investment in managed funds, which have no maturity date. In addition, Council may allocate a horizon to eligible tradeable or callable securities which have an anticipated holding period shorter than the legal maturity.

The following tenor limitation applies:

Long-Term Ratings	Maximum Tenor
AAA	Not applicable
AA range or A+	5 years
A or A-	3 years
BBB+	3 years
BBB and below	12 months
TCorp Investments	Not applicable

Note: Council has requested an exception from TCorp regarding the tenor limits for Investments in A+ rated companies which includes the major banks.

Management noted that other Councils have received waivers to continue long-standing investment programmes that include liquid assets, hence, Council requested for amendment of the A+ category from 3-year tenor limit to 5 years.

TCorp will provide a response to address this query during the next credit committee meeting and respond to Council's request.

#### 5. Third Party Suppliers and Dealers

Council will structure its affairs in order to be economical in its investment management costs, favouring dealing direct in its fixed interest, where possible (or, where intermediated, arrangements that result in a rebate of brokerage).

At times, it will be advantageous to deal with third parties that are remunerated on a transaction, rather than retainer basis. Council will use such suppliers where it is to its advantage and apply a "best execution" test. Specifically, Council will have regard to:

- Administrative cost savings;
- Ability to access higher (retail) rates where exceeding the direct transaction costs;



#### Investment Policy

- Access to ADIs that would not normally have an institutional direct channel;
- Limited access or initial offering deals, or other secondary market opportunities that are only available from specific sources; and
- The costs of other distribution channels that do not involve transaction remuneration.

Council will take steps to ensure that:

- Any suppliers used are appropriately licensed, reputable and capable;
- Funds and identification data are sufficiently secured;
- Third party arrangements do not materially worsen Council's credit risks by creating exposure to the dealer as counterparty;
- Council maintains ownership of investments facilitated by a third party at all times; and
- Remuneration arrangements are reasonable and transparent, whether paid by Council or by the issuer directly.

#### 6. Investment Advisor

Council's investment advisor is appointed by the Council and must be licensed by the Australian Securities and Investment Commission (ASIC). The advisor must be independent and must confirm in writing that they have no actual or potential conflict of interest in relation to investment products being recommended and are free to choose the most appropriate product within the terms and conditions of the Investment Policy. This includes receiving no commissions or other benefits in relation to the investments being recommended or reviewed unless such remuneration is rebated 100% to Council.

#### 7. Accounting

Council will comply with appropriate accounting standards in valuing its investments and quantifying its investment returns.

In addition to recording investment income according to accounting standards, published reports may show a break-down of its duly calculated investment returns into realised and unrealised capital gains and losses, and interest.

Other relevant issues will be considered in line with relevant Australian Accounting Standards, such as discount or premium, designation as held-to-maturity or on a fair value basis and impairment.

#### 8. Safe Custody Arrangements

Where necessary, investments may be held in safe custody on Council's behalf, as long as the following criteria are met:

- Council must retain beneficial ownership of all investments;
- Adequate documentation is provided, verifying the existence of the investments at inception, in regular statements and for audit;
- The Custodian conducts regular reconciliation of records with relevant registries and/or clearing systems; and
- The Institution or Custodian recording and holding the assets will be:
  - The Custodian nominated by TCorpIM for its Funds;

#### Investment Policy

- Austraclear;
- An investment-grade institution by Standard and Poor's, Moody's, or Fitch rating; or
- An institution with adequate insurance, including professional indemnity insurance and other insurances considered prudent and appropriate to cover its liabilities under any agreement.

### 9. Performance Benchmark

The performance of each investment will be assessed against the benchmarks listed in the table below. It is Council's expectation that the performance of each investment will be greater than or equal to the applicable benchmark by sufficient margin to justify the investment considering its risks, liquidity, and other benefits of the investment, and executed at the best pricing reasonably possible.

Investment	Performance Benchmark	Time Horizon
11am accounts, short dated bills, ADI deposits of appropriate term, TCorpIM Cash.	AusBond Bank Bill Index (Net of Fees and Expenses)	3 months or less
Term Deposits or FRNs of appropriate remaining term.		3 months to 12 months
Term Deposits with a maturity date between 1 and 2 Years, FRNs, TCorpIM Short Term Income.		1 to 2 yrs.
FRNs, Bonds, Term deposits with a maturity date between 2 and 5 Years.		2 to 5 yrs.
TCorpIM Managed Funds (outside fixed interest sectors)	Fund's Internal Benchmark (Net of Fees and Expenses)	3 yrs. (M/T Growth) 5+ yrs. (L/T Growth)

The decision on when to exit such investments are based on a range of criteria specific to the investments – including but not limited to factors such as:

- Returns expected over the remaining term
- Fair values
- Competing investment opportunities
- Costs of holding
- Liquidity and transaction costs
- Outlook for future investment values

In general, it is expected that professional advice will be sought before transacting in "grandfathered" investments. This policy does not presume disposal; however, the removal of an asset from the Minister's Order would warrant a review of its suitability for retention.

### 10. Reporting and Reviewing of Investments

Documentary evidence must be held for each investment and details thereof maintained in an investment register.

The documentary evidence must provide Council legal title to the investment.

#### Investment Policy

For audit purposes, certificates must be obtained from the banks/fund managers/custodian confirming the amounts of investment held on Council's behalf at 30 June each year and reconciled to the investment register.

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis. The report will detail the investment portfolio in terms of holdings and impact of changes in market value since the previous report and the investment performance against the applicable benchmark. Council may also nominate additional content for reporting.

A monthly report will be provided to Council detailing the money invested as required by clause 212 of the *Local Government (General) Regulations 2005*.

### 11. Duties and Responsibilities of Council Officers

The *Trustee Act 1925* requires trustees to “*exercise the care, diligence and skill that a prudent person of business would exercise*” in investing beneficiary funds, and this test is adopted by the Guidelines, which also state “*A prudent person is expected to act with considerable duty of care, not as an average person would act, but as a wise, cautious and judicious person would.*”

As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy and not for speculative purposes.

When exercising the power of investment, the council officer should consider the following issues:

- The risk of capital or income loss as well as other risks referenced in this Policy.
- The likely income return and the timing of income return;
- The length of term of the proposed investment;
- The liquidity and marketability of the proposed investment;
- The likelihood of inflation affecting the value of the proposed investment; and
- The costs (such as commissions, fees, charges and duties) of making the proposed investment.

### 12. Ethics and Conflict of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

Independent advisors are also to declare that they have no actual or perceived conflicts of interest and receive no inducements in relation to Council's investments, as outlined more fully in the Investment Advisor section.

### 13. Implementation

The Finance Section within the City Performance Directorate has responsibility for implementation of this policy.

### 14. Review

This policy shall be reviewed annually and as required in the event of legislative change or as a result of significantly changed economic/market conditions. Any proposed amendments to the Investment Policy must be approved by a resolution of Council.



# State of our City.

*Shoalhaven 2024*

Council Term Report 2021-2024





## Acknowledgement of Country

Walawaani (welcome),

Shoalhaven City Council recognises the First Peoples of the Shoalhaven and their ongoing connection to culture and country. We acknowledge Aboriginal people as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past, present and emerging.

Walawaani njindiwan (safe journey to you all)

*This acknowledgment includes Dhurga language. We recognise and understand that there are many diverse languages spoken within the Shoalhaven.*

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## Our Councillors



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### Ward 1



Serena Copley  
*Councillor*



Tonia Gray  
*Councillor*



Matthew Norris  
*Deputy Mayor*



John Wells  
*Councillor*

### Ward 2



Amanda Findley  
*Mayor*



Evan Christen  
*Councillor*



Paul Ell  
*Councillor*



John Kotlash  
*Councillor*



Greg Watson  
*Councillor*

### Ward 3



Moo D'Ath  
*Councillor*



Mark Kitchener  
*Councillor*



Patricia White  
*Councillor*



Gillian Boyd  
*Councillor*

\*From 17 July 2023



Liza Butler  
*Councillor*

\*Resigned 1 June 2023

“

Our values guide our behaviour and help us live in balance with our unique environment and each other to fulfill our goals. We are committed to behaving and acting in ways that reflect our values.

”

**OUR VALUES**

ADAPTABILITY COLLABORATION  
INTEGRITY RESPECT

## Our values

<p><b>Respect</b></p> <p>We are mindful of and care about the feelings, wishes and rights of others</p>	<p><b>Integrity</b></p> <p>We are committed to maintain high ethics and standards</p>	<p><b>Adaptability</b></p> <p>We are ready for change and willing to embrace a new situation</p>	<p><b>Collaboration</b></p> <p>We enjoy working together to deliver for our community</p>
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# Introduction



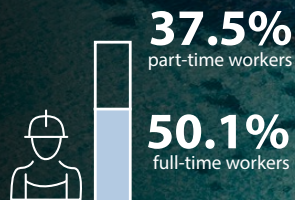
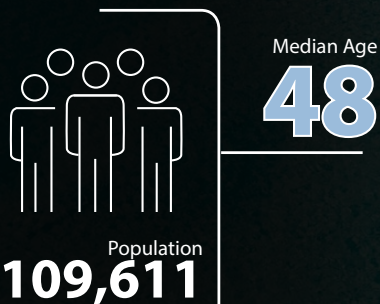
The State of our City Report 2024 provides a snapshot in time for the City of Shoalhaven. It reports our key achievements over the past 3 years of the Council term and identifies current and emerging issues for our City.

This report documents how Council has responded to the key priorities identified in the Community Strategic Plan and provides the community, Councillors and customers with insight into the operation of Council during its term.

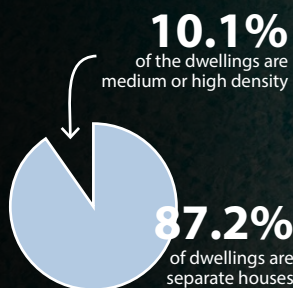
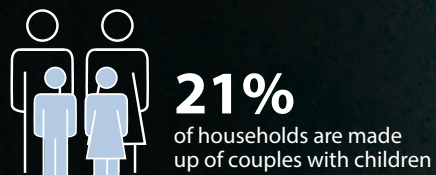
As custodians of the Community Strategic Plan, Council is required by the Office of Local Government to develop a community vision for the City in consultation with our community. The Community Strategic Plan must also include ways of monitoring whether we are making progress towards achieving that vision. This report gathers information that will assist future decision-making and provide insight for the review and update of the Community Strategic Plan 2035.



## Our Community Snapshot



**44,477**  
Labour Force



## Community Vision Statement

*We will work together to foster a safe & attractive community for people to live, work, stay & play; where sustainable growth, development & environmental protection are managed to provide a unique & relaxed Shoalhaven lifestyle.*





## Progress in implementing the Community Strategic Plan



This report is organised by the 4 themes and 11 key priorities as set out in the [Community Strategic Plan – Shoalhaven 2032](#).

### How we measure progress

The Community Strategic Plan outlines several indicators used to track progress towards achievement of intended outcomes across each key priority. By measuring our progress, we can assess whether we are moving towards the achievement of our aspirations for resilient and safe communities with thriving local economies, environmental sustainability, and ultimately improved quality of life for our residents.

### Resilient, Safe, Accessible & Inclusive Communities

- 1.1** Support inclusive, safe and connected communities
- 1.2** Preserve, support and develop cultural and creative vitality across our communities
- 1.3** Support community wellbeing through fostering active and healthy communities

### Sustainable, Liveable Environments

- 2.1** Manage our infrastructure for long term sustainability to meet community need
- 2.2** Manage growth and development with respect for environmental and community values
- 2.3** Protect the natural environment and enhance sustainability

### Thriving Local Economies that meet Community Needs

- 3.1** Strengthen and diversify the economy
- 3.2** Deliver safe, vibrant and attractive public spaces

### Effective, Responsible and Authentic Leadership

- 4.1** Deliver reliable, high quality services
- 4.2** Provide transparent leadership through effective government and administration
- 4.3** Inform and engage with the community about the decisions that affect their lives



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CL24.292 - Attachment 1

## 1.1 Support inclusive, safe and connected communities



### Why is this priority important?

The health of our community members is reliant on and affected by how safe, included and connected they feel within their community. Being connected and feeling included in the lives of others has been proven to increase overall happiness and wellbeing.

### Outcomes we are seeking:

- Communities are more prepared and more resilient following disruptive events
- Equitable access to opportunities to participate
- Improvement in socioeconomic status
- Improvements to transport services and connectivity
- A variety of affordable housing options
- Improved community safety

### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Council resilience and readiness capability in emergency management	Disaster response in the Shoalhaven (rating out of 5 – community survey)	↑	3.9	3.7	—	=
People's feeling of connection to their community	Feeling part of your community (rating out of 5 – community survey)	↑	4.1	3.7	—	×
Socio-economic indicators	SEIFA (Socio Economic Indexes for Areas)	↑	964	980	New data not available	✓
Use of public transport or active transport	Trips to work using public transport or active transport (walking or cycling) for residents (%)	↑	5.2%	4.2%	3.6%	×
Households in need of affordable housing in Shoalhaven	Percentage of households in housing stress	↓	11.10%	9%	New data not available	✓
Community safety	Recorded major offences against persons and property (number – decreasing, 2021 baseline) NSW Bureau of Crime Statistics and Research	↓	7,255	7,681	8,558	×
People's feeling of safety in their neighbourhood	How safe you feel (rating out of 5 – community survey)	↑	4.3	4.2	—	×

 Increase
  Decrease
  Maintain
  Meeting target
  Not meeting target
  No survey scheduled
  No statistically significant change\*

\* Significance testing at 95% confidence level through independent community satisfaction survey.





## Council Highlights 2021-24

- Rangers investigated 1,637 illegal dumping incidents in 2023-24, the highest number of any NSW Council. Rangers also hosted pop up stalls which included: microchipping of dogs; checks of animal details; and shorebird education, including information on migratory and threatened shorebirds around dog off-leash areas.
- In 2023-24, Over 700 young people and 150 adults participated in Teen Mental Health, Youth Mental Health and Resilience Building Workshops and Training across the Shoalhaven.
- Council prioritised an update of the Affordable Housing Strategy and investigated the potential to establish an Affordable Housing Development Contribution Scheme with funding of \$200,000 from the NSW Government.
- Delivery of grant funded Local Information Hubs through the Recovery into Resilience project at 26 halls and community centres with solar panels, batteries and information screens which can display trusted information during emergencies.
- Following numerous natural disasters, provided social recovery support through the Outreach team promoting community connectedness through community events, gatherings, Recovery HUB programs and outreach call program.
- Supported and coordinated community capacity building events including the Thrive Together Fair, Disability Expo, NAIDOC Awards, Family Fun Day, Sorry Day, Sanctuary Point Skate Park Youth Festival and the Night is Young Festival.
- Partnership Affordable Housing Project at Coomea Street, Bomaderry – Council transferred the site to Southern Cross Housing and Development Approval issued in mid-2022 for an affordable housing development of 39 dwellings units.
- Landcom Build to Rent Project, Bomaderry – Council assisted in identifying potential sites for the 60 dwellings units. The Development Approval was efficiently processed by Council and a consent issued in late July 2024 after consideration by the Regional Planning Panel.

THRIVING  
AS ONE  
Please only  
1x family  
per family  
Thankyou

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## 1.2 Preserve, support and develop cultural and creative vitality across our communities

### Why is this priority important?

Culture binds a community to past, present and future collective experiences of the physical surroundings and interactions with others. Creative pursuits play a major role in creating those experiences and events enable communities to interact and have fun.

### Outcomes we are seeking:

- Active participation in an inclusive arts community
- Provision of cultural facilities
- Greater awareness, understanding and respect of local Aboriginal and Torres Strait Islander culture, heritage and histories

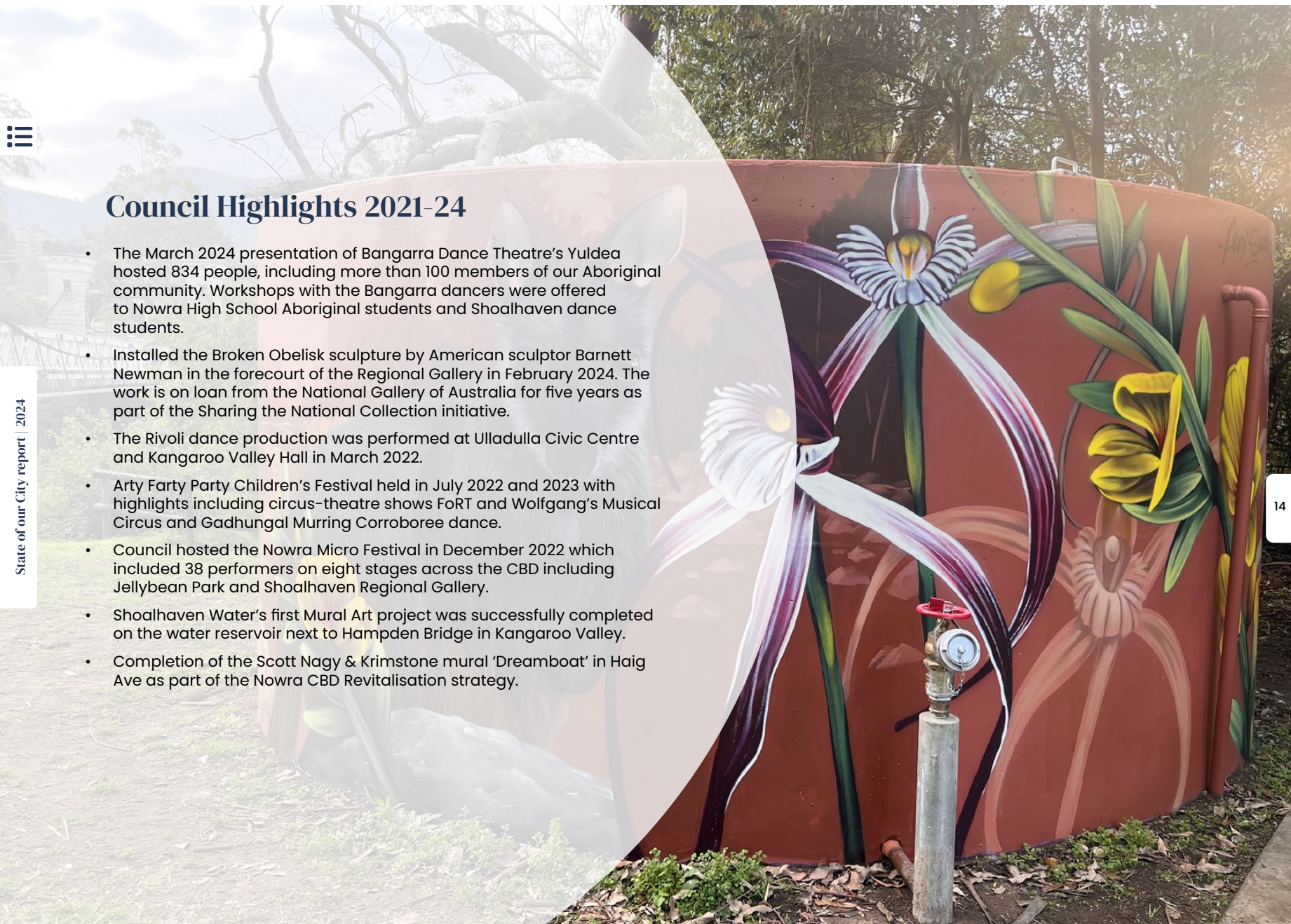
### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Number and / or variety of cultural activities/events	Type of events & council support of events (rating out of 5 – community survey)	↑	3.6	3.5	—	==
Community satisfaction with Shoalhaven arts and culture	Culture & Arts Improving – Shoalhaven Regional Gallery & Shoalhaven Entertainment Centre (rating out of 5 – community survey)	↑	4.1	4	—	==
Council engagement with the Aboriginal community	Level of engagement with the Aboriginal community on Council's projects and programs including development of the Reconciliation Action Plan	↑	New	30	28	==

 Increase
  Decrease
  Maintain
  Meeting target
  Not meeting target
  No survey scheduled
  No statistically significant change\*

\* Significance testing at 95% confidence level through independent community satisfaction survey.





## Council Highlights 2021-24

- The March 2024 presentation of Bangarra Dance Theatre's Yuldea hosted 834 people, including more than 100 members of our Aboriginal community. Workshops with the Bangarra dancers were offered to Nowra High School Aboriginal students and Shoalhaven dance students.
- Installed the Broken Obelisk sculpture by American sculptor Barnett Newman in the forecourt of the Regional Gallery in February 2024. The work is on loan from the National Gallery of Australia for five years as part of the Sharing the National Collection initiative.
- The Rivoli dance production was performed at Ulladulla Civic Centre and Kangaroo Valley Hall in March 2022.
- Arty Farty Party Children's Festival held in July 2022 and 2023 with highlights including circus-theatre shows FoRT and Wolfgang's Musical Circus and Gadhungal Murring Corroboree dance.
- Council hosted the Nowra Micro Festival in December 2022 which included 38 performers on eight stages across the CBD including Jellybean Park and Shoalhaven Regional Gallery.
- Shoalhaven Water's first Mural Art project was successfully completed on the water reservoir next to Hampden Bridge in Kangaroo Valley.
- Completion of the Scott Nagy & Krimstone mural 'Dreamboat' in Haig Ave as part of the Nowra CBD Revitalisation strategy.



## 1.3 Support community wellbeing through fostering active and healthy communities

### Why is this priority important?

Health is a key component to life expectancy and quality of life for our community. A community that is built to allow for activity to occur daily as part of everyday life, increases health outcomes. A more liveable city attracts populations, tourists, businesses and improves economic outcomes.

### Outcomes we are seeking:

- Improved access to opportunities for lifelong learning and to help others
- Provision of recreation and leisure facilities
- Increased opportunities to be healthy and active
- Improved access to places and activities for people with disability

### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Level of volunteerism	Percentage of the Shoalhaven population doing some form of voluntary work (Baseline 2021 Census)	↑	15.4%	15.4%	New data not available	=
Community satisfaction with parks, playgrounds, sporting venues, aquatic centres, public halls	Satisfaction with parks, playgrounds, sporting venues, aquatic centres & public halls (rating out of 5 – community survey – average)	↑	3.85	3.5	—	×
Australian Unity Personal Wellbeing Index (Aust. Ave 75.9)	Happiness Index (rating out of 5 – community survey) %	↑	84.6%	81.80%	—	=
Community satisfaction with facilities and services for people living with a disability	Community satisfaction of facilities and services for people living with a disability (rating out of 5 – community survey)	↑	3.5	3.2	—	×

 Increase
  Decrease
  Maintain
  Meeting target
  Not meeting target
  No survey scheduled
  No statistically significant change\*

\* Significance testing at 95% confidence level through independent community satisfaction survey.





## Council Highlights 2021-24

- In 2023-24 achieved the highest annual visitation ever recorded across Council's Aquatic and Leisure Centres of 924,201.
- Completion of the \$4.8M upgrade of the Park Road Netball Courts in South Nowra.
- Developed and promoted the innovative "Hello Summer" holiday program across Destination Parks and Council facilities. Programs included Yoga / Pilates in the Park, Pop-up Library, Dive-in Movie Nights, NYE Pool Party and Beach Volleyball.
- Boongaree Nature Play Park completion of Youth, Early Childhood, Exercise Zone, Learn to Ride Area, Car Park and Public Amenity Building in January 2022. Skate Park and Pump Track opened to the public in April 2023. Further stages of Boongaree are on-hold until funding is secured.
- Major preparation works completed at Rugby Park in time to successfully host the 2022 NSW Koori Rugby League Knockout Carnival.
- Completed Playground upgrades at Kioloa - Kioloa Sportsground, Bawley Point Reserve, North Nowra - Joe Hyam Reserve, Hyams Beach Reserve, Bomaderry - Sampson Crescent Reserve and Sheraton Reserve, St Georges Basin - Blacket Park, Erowal Bay - Fire Brigade Park, Culburra Beach - Tilbury Reserve, Sussex Inlet - Ellmoos Reserve, Basin View - Boat Ramp Reserve, Bomaderry - John Berry Reserve.

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# Sustainable, Liveable *Environments*



## 2.1 Manage our infrastructure for long term sustainability to meet community need

### Why is this priority important?

Delivering essential public infrastructure and assets is important to the liveability of our communities. Improving connectivity between our settlements allows for safe and efficient travel within and beyond our region.

### Outcomes we are seeking:

- Public infrastructure is maintained for its current purpose and for future generations

### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Community satisfaction with roads	Community satisfaction maintenance of sealed & unsealed local roads (rating out of 5 – community survey)	↑	2.6	1.9	—	×
Length of footpaths and cycleways	Total length of footpaths and cycleways in kms	↑	246.82	314.16	314.16	✓
Community satisfaction with provision of cycleways	Community satisfaction with provision of cycleways (rating out of 5 – community survey)	↑	3	2.6	—	×
Backlog of repair and renewal of community assets	Infrastructure backlog as a percentage of total infrastructure assets (audited results)	↓	2.6	4.4	TBC	TBC

Increase
 Decrease
 Maintain
 Meeting target
 Not meeting target
 No survey scheduled
 No statistically significant change\*

\* Significance testing at 95% confidence level through independent community satisfaction survey.





## Council Highlights 2021-24

### Road Program

- Completed construction of the \$32.8M Far North Collector Road to be called “Bannada Way” which links the new urban release areas with Illaroo Road.
- Following the extreme weather and extensive damage in 2022, delivered the \$23M road construction contract to repair 38 landslips across 15 roads through the dedicated Natural Disasters Office.
- Major local road repair programs complete include Browns Road, Brinawarr Street, Orient Point Road (Flora to Raglan Street) rehabilitation, Riversdale Road reconstruction, Matron Porter Drive and Tallwood Avenue Milton, Worrigee Road, Main Road – Cambewarra, Shoalhaven Heads Road, Callala Beach Road, Tannery and Beach Road, Croobyar Road and Mayfield Road.
- Completion of a \$2.3M upgrade to section of Coonemia Road, Wollumboola.
- Roads to Recovery \$1.9M rehabilitation to section of BTU Road Nowra Hill.
- In August 2022, cameras were deployed on Council’s garbage collection trucks to analyse road defects. Footage from the cameras is scoured by artificial intelligence to identify potholes, road cracks or damage. The data is then triaged and sent on to the Council’s asset management solution so work orders can be created and actioned.





#### Shared User Paths

- Completion of new Shared User Path along section of River Road Shoalhaven Heads
- Opening of stage 1 of the Murramarang Road Shared User Path
- Completed the Springs Road Shared User Path Bridge in Cudmirrah

#### Other Infrastructure

- Finalised urgent roofing repairs across community facilities including the Nowra Library.
- Opened a new public toilet at Jerry Bailey Oval, Shoalhaven Heads.
- Refurbishment of Comerong Island Ferry and renewal of landings and moorings.
- Refurbished Crookhaven Heads amenities.
- Construction of new 2-lane boat ramp and pontoon at Havilland Street, Conjola Park.
- Carters Corner Jetty refurbishment at Shoalhaven Heads.

#### Shoalhaven Water

- Bendeela and Cambewarra reservoirs completed providing additional storage and redundancy in the water supply system.
- Projects to mitigate risk to critical water supply and wastewater assets completed including the Erowal Bay Sewer Relocation project and Wrights Beach Water Main Replacement Project.
- Shoalhaven Water's Reclaimed Water Management Scheme (REMS) Stage 1B awarded Winner in the 2022 LGNSW - Excellence in the Environment Awards, under the Water Management category.
- Shoalhaven's drinking water judged as the best tasting in NSW/ ACT at the 2022 Water Industry Operators Association of Australia conference.



## 2.2 Manage growth and development with respect for environmental & community values

### Why is this priority important?

As the Shoalhaven grows it is important that any development that occurs is sustainable for the future. We need to all work together to plan for a future that will meet the needs of generations to come.

### Outcomes we are seeking:

- Improved collaborative strategic planning with the community
- Development contributes to and enhances neighbourhood character

### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Community satisfaction with the strategic planning process	Community satisfaction with strategic planning within Shoalhaven (rating out of 5 - community survey)	↑	2.8	2.6	—	×

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↑ Increase	↓ Decrease	↔ Maintain	✓ Meeting target	✗ Not meeting target	— No survey scheduled	== No statistically significant change*
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\* Significance testing at 95% confidence level through independent community satisfaction survey.





## Council Highlights 2021-24

- Finalised the update of the Ulladulla Town Centre DCP Amendment.
- Local Environmental Plan amendment for the Moss Vale Road North Urban Release Area finalised and notified in late 2023 – this updated and revised the land use zones for this regionally significant release area that will accommodate 2000+ additional homes in the area now known as Badagarang.
- Council endorsed and commenced the preparation of revised land use planning strategies and Local Environmental Plan, Development Control Plan and Developer Contributions Plan (collectively a Planning scheme) for the City, including work on the inclusion of local character considerations. Draft DCP and Local Infrastructure Contributions Framework adopted in July 2024 for exhibition.
- Moss Vale Road Urban Release Areas water supply work by Shoalhaven Water currently being finalised with 99% of pipework installed and wastewater works 98% complete.



## 2.3 Protect the natural environment and enhance sustainability

### Why is this priority important?

Shoalhaven is blessed with a beautiful natural environment, distinct and unique ecosystems, 165km of coastline, forests, woodlands and mountains. The environment attracts visitors to our City and is one of the key attractors for residents. The environment aids our economy, provides opportunities for the community to enjoy a wide range of recreational activities and helps to improve the wellbeing of the community.

### Outcomes we are seeking:

- Greenhouse gas reduction targets for Council and community are met
- Natural environment is improved
- Community involvement in environmental enhancement programs is increased
- Resource consumption is reduced and waste minimised
- Biodiversity and urban green cover are enhanced

### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Urban canopy cover on public land	Urban canopy cover on public land (%)	↑	New	To be developed	To be developed	Data not available
Community satisfaction with management of natural environment	Community satisfaction with management of natural environment (rating out of 5 – community survey)	↑	3.2	3.2	—	==

↑ Increase	↓ Decrease	↔ Maintain	✓ Meeting target	✗ Not meeting target	— No survey scheduled	== No statistically significant change*
------------	------------	------------	------------------	----------------------	-----------------------	---

\* Significance testing at 95% confidence level through independent community satisfaction survey.



What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Community satisfaction with environmental protection and enforcement (e.g. building site inspections, illegal dumping, tree vandalism or clearing)	Community satisfaction with environmental protection and enforcement (rating out of 5 – community survey)	↑	3.1	2.9	—	=
Waterway environmental health	Percentage of water samples that meet the AS/NZ water quality guidelines as captured by Aqua Data	↑	75%	73.5%	76%	✓
Council's greenhouse gas emissions	Greenhouse gas emissions (tonnes CO <sub>2</sub> e-) baseline 2020-21	↓	77,567	73,250	66,890	✓
Community's greenhouse gas emissions	Greenhouse gas emissions (tonnes CO <sub>2</sub> e-) (baseline to be established)	↓	New	To be developed	To be developed	Data not available
Participation in environmental programs	Number of participants in environmental events and projects	↑	New	262	204	✗
Participation in environmental programs	Number of active bushcare groups on Council managed land	↑	60	61	59	=
Diversion of waste from landfill	Percentage of waste diverted from landfill	↑	36%	40%	40%	✓

↑ Increase	↓ Decrease	↔ Maintain	✓ Meeting target	✗ Not meeting target	— No survey scheduled	= No statistically significant change*
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\* Significance testing at 95% confidence level through independent community satisfaction survey.





## Council Highlights 2021-24

### Flood, Coastal and Natural Areas

- Millards Creek and Currarong Creek Flood Studies have been completed and adopted by Council.
- Commenced detailed design phase for the South Mollymook coastal protection works with input from the local community.
- Lower Shoalhaven River and St Georges Basin Flood Studies and associated Flood Planning Level Policies were adopted by Council in January 2023.
- Shoalhaven LGA Floor Level Survey for Flood Planning completed.
- Adopted the Coastal management Program for the Shoalhaven Open Coast and Jervis Bay.
- Beach access upgrades completed at Cunjurong Point, Currarong Beach and Shark Net Beach.
- Continued natural areas works which include bush regeneration weed control and revegetation works throughout Council managed reserves with prioritisation of improving ecological resilience of endangered ecological communities.

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### Waste and Recycling

- Commenced construction of Council's new Materials Recovery Facility.
- Commissioned a new landfill cell at the West Nowra Waste Depot.
- Council won the 'Transitioning to a Circular Economy Award' at the 2022 Local Government NSW Excellence in Environment Awards for its integrated approach to resource recovery, prioritising reuse over recycling.
- Design completed for the new Resource Recovery Learning Centre at West Nowra Depot with the development application lodged.

### Climate Action

- Established Sustainable Living Program and delivered Sustainability webpage including Sustainable Living Guide, Energy Saving Kits, SunSpot tool and workshops to assist residents better understand solar PV and battery installations.
- Sustainable Energy Strategy initiatives include finalising the 100% LED street lighting upgrade with Endeavor Energy, installation of solar PV and fleet EV chargers at the Flinders Shoalwater Depot and switching Council's 570 Small Sites to 100% accredited GreenPower from 1 July 2024.
- New 100 kW solar PV installation on the roof of the Ulladulla Civic Centre, capital funded by Council's internal Revolving Energy Fund.

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# Thriving local economies that meet community *needs*

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CL24.292 - Attachment 1





## 3.1 Strengthen and diversify the economy

### Why is this priority important?

An important economic opportunity is to continue to attract employers to set up in the Shoalhaven. By growing new and emerging industries we can provide diverse employment options for our residents. Realising these opportunities will improve our city's prosperity and provide jobs close to home.

### Outcomes we are seeking:

- Increased investment and new businesses
- Provision of employment for people of all ages and abilities
- Enhanced opportunities for a diverse sustainable visitor economy

### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Shoalhaven economic indicators	Gross regional product \$M	↑	6,040	7,247	7,905	✓
Shoalhaven economic indicators	Total number of people employed in the Shoalhaven (id profile)	↑	38,909 (46.7%)	44,477 (48.8%)	New data not available	✓
Shoalhaven economic indicators	Total value of construction and complying development certificates issues (\$M)	↑	\$462.7M	\$710M	\$704M	=
Shoalhaven economic indicators	Number of new businesses that employ one or more people	↑	New	8,085	8,115	✓
Shoalhaven economic indicators	Percentage of total jobs across the top 10 employing industries (%)	↔	83%	88%	88%	✓

 Increase
  Decrease
  Maintain
  Meeting target
  Not meeting target
  No survey scheduled
  No statistically significant change\*

\* Significance testing at 95% confidence level through independent community satisfaction survey.



## Council Highlights 2021-24

- Council continues to subdivide industrial land holdings with subdivisions underway at Flinders stage 11, Woollamia stage 5a, and Albatross Aviation Technology Park stage 5.
- Economic Development Office coordinated a series of training sessions specifically aimed at assisting businesses following the natural disaster setbacks and COVID impacts.
- Assisting Aboriginal Cultural business operators to grow their business plans through marketing support, photography and advice to grow international ready.
- Campaigns such as the 100 Beach Challenge and Conscious Traveller helped disperse and educate visitors during summer. In 2023/24 the Autumn Wellness Tourism Campaign successfully reached 5 million people with over 210,000 engagements.
- Events were delivered in partnership with community organisations and Chambers, including Vibe in the Village at Sussex Inlet, Burradise Live Sunset Session at Culburra Beach, Viking Festival and the Berry Better Business Forum.
- Customer service enquiries for Shoalhaven Visitor Centres averaged over 33,000 per year or 90 per day across phone, counter, emails and livechat.
- Demonstrated success of the 2023 Advocacy Guide with an additional \$157M in funding towards projects such as the Nowra Bypass and the East Nowra sub-arterial road linkage.
- Completed upgrade projects at Holiday Haven Tourist Parks including cabin refurbishments, four new accessible cabins, Lake Tabourie amenities block and a new pool at Bandalong. Holiday Haven Currarong awarded the Gold Winner of the NSW Commercial Pool up to \$500,000 Award by the SPASA Australia.







## 3.2 Deliver safe, vibrant & attractive public spaces

### Why is this priority important?

Busy and vibrant towns and villages encourages businesses to invest, job opportunities to be created, new activities and interests for residents and visitors to be enjoyed. It is important that we enhance our community spaces with public art, place-making and place activation – places people come together and celebrate.

### Outcomes we are seeking:

- Strong commercial centres and active CBDs
- Neighbourhoods, streets and public spaces provide quality places and facilities
- Increased participation in the civic and cultural life of the City

### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
People's perception of Shoalhaven as liveable city	People's perception of Shoalhaven as liveable city (% community survey)	↑	81%	72%	—	×
Community satisfaction with Shoalhaven's CBDs	Community satisfaction with Shoalhaven's CBD (rating out of 5 – community survey)	↑	3.1	2.9	—	×
People's perception that the Shoalhaven is a vibrant place to live and work	Shoalhaven is a vibrant city (rating out of 5 – community survey)	↑	3.4	3.28	—	=

↑ Increase	↓ Decrease	↔ Maintain	✓ Meeting target	✗ Not meeting target	— No survey scheduled	= No statistically significant change*
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\* Significance testing at 95% confidence level through independent community satisfaction survey.



## Council Highlights 2021-24

- Completed upgrade to Junction Court in Nowra with funding assistance from the NSW Government.
- Redevelopment of Vincentia's Burton Street Mall completed by a local contractor.
- Engagement undertaken with community on the Nowra Riverfront Activation Plan to produce a potential community vision for a refreshed, activated and engaging riverfront precinct.





## Effective, Responsible & Authentic *Leadership*

CL24.292 - Attachment 1



## 4.1 Deliver reliable, high-quality services

### Why is this priority important?

Council supports the community in many ways such as the provision of sportfields, swimming pools, libraries, waste services, roads, water services, development assessment, ranger services and much more. Our community expects that these services will meet their daily needs provided by Council and other government agencies into the future.

### Outcomes we are seeking:

- Our community continues to have access to high quality public services

### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Community satisfaction with Council services	Overall satisfaction with Shoalhaven City Council (rating out of 5 – community survey)	↑	3.34	3.04	—	×
Community expectations about customer service	Overall performance of council in dealing with your request (rating out of 5 – community survey)	↑	3.6	3.32	—	×
Community expectations about customer service	Timeliness of council responding to community requests (rating out of 5 – community survey)	↑	3.5	3.44	—	=
Development Applications assessment times	Percentage of Development Applications determined within 40 days (council records – %) Target 65%	↑	62%	46%	46%	×

 Increase
  Decrease
  Maintain
  Meeting target
  Not meeting target
  No survey scheduled
  No statistically significant change\*

\* Significance testing at 95% confidence level through independent community satisfaction survey.





**Council Highlights 2021-24**

- Shoalhaven Water awarded the Sam Samra Award for excellence in water management at the 2023 Local Government Water Management Conference.
- Council's new Contact Centre launched in July 2021 with the first contact customer resolution rate rising to 81% by June 2023.
- New customer request management system launched with a large number of requests available online for the public to lodge 24-7 with around 30% of requests lodged online by June 2024.
- New online website Bookable now takes 75% of community facility bookings.
- Established Council's Business Improvement and Service Review Programs.



## 4.2 Provide transparent leadership through effective government and administration

### Why is this priority important?

All levels of government must provide strong leadership and advocacy for and on behalf of their communities. The community expects government to provide the direction for the future, to act with integrity, manage budgets appropriately, be ethical and responsible within requirements of legislation. Government is expected to employ sound decision-making processes and continue to seek ways to support the community's needs.

### Outcomes we are seeking:

- Decision-makers lead, govern and regulate in an ethical, equitable, transparent and accountable way
- Provide equity of access to employment opportunities to improve the diversity of Council's workforce

### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Identified positions within Council	Number of identified positions within Council	↑	6	8	8	✓
Council's financial benchmarks	Number of financial benchmarks that meet the six target ratios (baseline 2020-21)	↑	5	4	TBC	TBC
Community's satisfaction with Council's leadership	Community satisfaction with Council's leadership (new survey question rating out of 5)	↑	New	2.6	—	Baseline (new indicator)

↑ Increase	↓ Decrease	↔ Maintain	✓ Meeting target	✗ Not meeting target	— No survey scheduled	= No statistically significant change*
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\* Significance testing at 95% confidence level through independent community satisfaction survey.



## Council Highlights 2021-24

- 550 Council staff and community members attended the inaugural Health and Wellbeing Expo at the Shoalhaven Indoor Sports Centre in June 2022.
- Successfully implemented new WHS initiatives including the online injury/incident and hazard reporting system and the Fair and Just Culture Procedure.
- Council maintained it's 'low risk' rating in the external self-insurance case management audit.
- Embarked on a joint venture with Kiama, Shellharbour and Wollongong councils to develop and implement a Cyber Security Shared Service model.





## 4.3 Inform and engage with the community about the decisions that affect their lives

### Why is this priority important?

All levels of government must engage with and inform community about the decisions that are being made. It is an essential component of most Council projects and enables our community to provide us with their needs and wants, so that Council can better meet community expectations. Clear communication to the community is essential, especially in times of emergency response.

### Outcomes we are seeking:

- All community members have the opportunity to shape our future
- Increased awareness of the key issues impacting our community

### Are we making a difference?

What	Measure	Target	Baseline	2022-23	2023-24	Meeting Target
Community's awareness of initiatives that affect their lives	Community's awareness of community engagement projects and initiatives (percentage – community survey)	↑	34%	39%	—	✓
Community's participation in decisions that affect their lives	Active participation in community engagement projects/initiatives (percentage – community survey)	↑	26%	37%	—	✓

↑ Increase	↓ Decrease	↔ Maintain	✓ Meeting target	✗ Not meeting target	— No survey scheduled	= No statistically significant change*
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\* Significance testing at 95% confidence level through independent community satisfaction survey.



## Council Highlights 2021-24

- Launched a new Shoalhaven Libraries website in April 2022 and revamped Shoalhaven Water, Shoalhaven Entertainment Centre, Swim Sport Fitness and Council websites in 2023-24.
- Council's Get Involved engagement platform continues to provide conduit for residents to view projects, undertake surveys or polls and have a voice in Council programs. Registered users grew over the Council term by 706 to 3,844.
- Over 2023-24, Council's social media posts grew by 30% with the focus on promotion of the wide array of Council's activities and services.

Shoalhaven City  
Council Bushcare

Shoalhaven  
City Council  
Connecting with our community

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## Financial performance



Council is taking a number of actions to address the significant financial challenges it currently faces. An independent review of Council's financial position in 2023 identified that Council needed to increase revenue and decrease costs through a number of measures to be able to sustain and continue its program of works and services needed now and into the future to meet community needs.

In January 2024, Councillors resolved not to proceed with an application to the Independent Pricing and Regulatory Tribunal (IPART) for a proposed Special Rate Variation and to focus on maintaining strict budgeting measures, improving asset management planning practices and increasing revenue through immediate sales of underperforming property and assets.

Many factors have contributed to making Council's financial position unsustainable:

- the impacts of the COVID pandemic and 15 consecutive natural disasters during the last five years has significantly depleted revenue and increased operational costs.
- community expectations are that maintenance and replacement of assets like roads, bridges and community facilities should be improved above current levels, requiring greater investment
- rising cost of materials, labour and contractors
- increase in interest expense due to increase in loan borrowings
- sustained lower-than-average residential and business rates (in comparison to comparable local government areas)
- rate pegging – the IPART restricts how much councils can typically increase rates by, and in recent years rate rises haven't kept up with inflation
- cost shifting by NSW Government and Australian Government forcing Council to assume responsibility for infrastructure, services and regulatory functions without providing sufficient supporting funding
- Statutory fee caps inhibit Council's ability to fully cost recover statutory functions required to be performed under legislative requirements

### Actions we are taking

There's a number of actions being taken to address the forecast annual structural deficit of \$25 million to \$35 million, this includes ongoing advocacy to State and Federal Governments on cost shifting and funding models, as well as participation in the parliamentary Inquiries. Operationally Council has paused the construction of 13 major projects such as further stages of Boongaree Park, skate parks, showground upgrades and planning works for the refurbishment of Bay and Basin Leisure Centre. Operational budgets have been critically reviewed with savings identified and implemented including changes to operating hours across 20 facilities resulting in over \$500,000 in savings per annum.

A review of Council-owned property has identified land for immediate sale and those to be further investigated for potential sale. Council has budgeted to receive \$17M in land sales in 2024/25 with proceeds to be partially used to repay loan borrowings.

Council has also established an Enterprise Project Management Office, undertaking improvements to Asset Management planning and implementing service reviews to improve efficiency to address financial sustainability.

Updates on the financial sustainability program can be accessed through Council's website

<https://www.shoalhaven.nsw.gov.au/Council/What-guides-us/Plans-for-the-future/Financial-sustainability>



## Informing the next Community Strategic Plan

As we move into the review and update of the Community Strategic Plan, it is important to understand the challenges across our Shoalhaven community and to reflect on the areas of focus which will make a difference.

### Australian Liveability Census

The Australian Liveability Census (Census) was facilitated by Placescore and supported by the NSW Government with over 700 responses collected from across the Shoalhaven LGA between March and June 2023.

Liveability is defined 'as an assessment of what it is like to live in a place'. The Census gathered information on people's experience of living in their neighbourhoods. The results reveal what really matters to local communities and their priorities for making their neighbourhood better for them.

The Census asked people to rank what they value across 50 place attributes in their ideal neighbourhood. They were then asked to rate the performance of the same 50 attributes between 'perfect' and 'fail'. The results can be used to understand the attributes that are contributing most to liveability, and which are detracting from community satisfaction.

### Liveability Recommendations

For the next iteration of the Community Strategic Plan, the Census results show that focusing on the following areas will make a difference to liveability in the community.

**Resilient, Safe, Accessible and Inclusive Communities** – Build on strong community connections to enhance neighbourhood safety. The metric with the highest overall priority and therefore the most opportunity for improved liveability outcomes is 'General condition of public open space' (street trees, footpaths, parks etc.)

**Sustainable, Liveable Environments** – Protect nature and invest in local walking and cycling paths, connecting them to the wider network and neighbourhood amenity.

**Thriving Local Economies that meet community needs** – Ensure streetscapes and public spaces are safe and well maintained, and that housing is co-located with retail and amenity.

The full results in the Liveability Strategic Performance Report will assist Council in the review and update of the key priorities in the next Community Strategic Plan.



## Key Considerations

The following list of outlines some of the challenges which are felt across our communities and should be considered in framing priorities in the revised Community Strategic Plan.

### Cost of living pressures and housing affordability

- Australia is in the grip of a cost-of-living crisis with utilities, groceries and everyday essentials rising disproportionately to wage growth.
- Limited crisis and short-term housing options to accommodate people in immediate need of housing and shelter.
- Ever increasing price of housing and lack of affordable stock and housing options, particularly for people on low incomes, people with a disability and young people.
- According to the 2021 Census there are 4,100 Shoalhaven households in housing stress with 2,100 in need of affordable housing.
- Compared to the rest of the State, the Shoalhaven has a lower proportion of people under 18 and a much higher proportion of people over 60, with one in five of our property owners being pensioners.

### Resilience, wellbeing and inclusion

- Risk of social isolation particularly affecting older people and people living with a disability in the community.
- Equitable access to health, family and aged care services across the Shoalhaven.
- Developing sense of community and social cohesion in growing communities
- Impacts of drug and alcohol intake on our public health and wellbeing, including safety risks in public places.
- Increased prevalence of mental health issues amongst the community.
- Lack of community knowledge and awareness on how to support the inclusion of people with a disability, people with dementia and other vulnerable population groups in community life .

### Climate change, natural disasters and environmental sustainability

- Increase in frequency and severity of extreme storm events, bushfires and droughts with associated risks to life and property.
- Between 2019 and 2024 the Shoalhaven has endured 15 natural disaster declarations, the highest number alongside four other regional NSW councils.
- Impacts of sea level rise on local flooding and coastal management.
- Potential impacts of heatwaves on the health and wellbeing of people vulnerable to extreme temperatures.
- Decline in biodiversity caused by threats such as extreme temperatures, pest plants and feral animals.
- Erosion and associated risks to property, infrastructure and natural areas.
- Impacts of more regular droughts on community, agriculture and industry.

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## Key Considerations

### Traffic, transport and connectivity

- Distance between settlements presents challenges in connecting communities, including single road access during emergencies.
- Limited public transport connectivity in several areas.
- Ensuring continued investment in transport infrastructure to improve regional connections such as the Milton-Ulladulla bypass and Nowra bypass.
- Peak summer tourism visitation results in increased traffic and pressure on road network.
- Facilitating delivery of sustainable transport options including provision of footpath and cycleway networks.

### The natural environment

- Cumulative impacts of urban development on our beaches, creeks and lagoons including impacts of pollution, sedimentation and habitat loss.
- Impacts of erosion and landslips on public and private places and property.
- Balancing the impacts of hazard reduction measures on environmental values with the need for property protection (i.e. managing back burning, flood mitigation and seawalls in an environmentally sensitive way).
- Opposition from property owners to the implementation of hazard mitigation development controls (e.g. risk mapping and planning).
- Pressures on bushland and biodiversity through loss of core areas of vegetation because of development and illegal land clearing.

### Community involvement in decision making

- Everyone should have an opportunity to participate in shaping the future of our City, and the aim of community engagement is to promote dialogue and genuine discussion.
- Although engagement may not lead to agreement or consensus; it can support better understanding of issues and foster mutual respect for different views.
- With the diversity of values and perspectives, it is important that community engagement processes are accessible to all the community.
- Council has developed an updated Community Engagement Strategy and Framework which will be put out to public exhibition prior to the end of 2024.



## Key Considerations

### Recognition of and support for Traditional Owners

- Council commits to continually building mutually respectful and collaborative relationships with Aboriginal and Torres Strait Islander communities of the Shoalhaven.
- Council has adopted new Aboriginal Protocol Guide to assist staff with guidance on local Aboriginal practices and protocols.
- Council has commenced development of the Reconciliation Action Plan, due for completion by June 2024.

### Sustainable Tourism

- The Shoalhaven attracts a lot of investors and visitors with approximately one-third of people who own property within the Shoalhaven living outside of our area. Some of our suburbs have extremely low permanent occupancy rates.
- Shoalhaven population doubles in summer and places a great deal of strain on community infrastructure and beautifully scenic tourist destinations.

### Renewal and maintenance of infrastructure

- An ongoing challenge for Council is maintaining our infrastructure to an adequate condition, especially road, transport and stormwater assets.
- As of 30 June 2023, Council's asset ratings continued to decline with:
  - 51.3% in category 1 (excellent) and 2 (good)
  - 48.7% of in categories 3 (satisfactory) to 5 (very poor).
- Council is responsible for over 1,800 kms of road network which equates to 30 metres of road for every single rateable property (60,000 properties).
- High inflation is impacting on the cost to undertake all infrastructure projects with an estimated 6% inflation over the 12 months to June 2024.





## What Next?

Council will commence engaging with the community to conduct a review of the Community Strategic Plan to ensure it continues to represent the vision and aspirations of the City of Shoalhaven community. In reviewing the Community Strategic Plan, Council will strive to ensure that the social, environmental, economic, and civic leadership needs of our community are addressed. Council will also aim to align its strategic objectives to relevant Federal and NSW Government plans in order to manage growth and change across the Shoalhaven. The new Community Strategic Plan, Shoalhaven 2035, is due to be adopted by 30 June 2025.



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Summary of Compliance Activities - Quarterly Review - City Development  
April to June 2024  
Attachment to Report – D24/270483 - 60029E - Ordinary Meeting 28/10/2024

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## Penalty Notices and Warnings

A combined total of 2,280 penalty notices were issued by the compliance disciplines during the reporting period (Table 1). These penalties have a face value of \$548,816 and based on historical figures, it is anticipated that Council will receive approximately 70% of this ticketed figure.

A total of 49 warnings were issued during the period.

**Table 1:- Penalties and warnings issued for the reporting period 2023/24**

Compliance discipline	Number Issued	Total Amount	% of total amount	Warnings Issued
Compliance	19	\$36,450	6.62%	4
Fire Safety	0	0	0.00%	0
Swimming Pools	6	\$3,300	0.60%	0
Environmental Health	12	\$64,330	11.72%	1
Rangers – Animal management	188	\$92,865	16.92%	20
Rangers – Environmental	20	\$10,110	1.84%	4
Rangers – Parking	2,035	\$341,761	62.30%	20
<b>Total</b>	<b>2,280</b>	<b>\$548,816</b>	<b>100%</b>	<b>49</b>

#### Penalties Issued by Team and Offence Code

Offence Code by Team	Number Issued	Offence Value	Total Amount
<b>Compliance</b>	<b>19</b>		<b>\$36,450</b>
Carry out building work without required certificate-class 1a or 10 building - Individual	2	1,500	3,000
Development without development consent - class 1a or 10 building - Individual	6	1,500	9,000
Occupy or use building without required certificate-not class 1a/10 building - Corporation	1	6,000	6,000
Carry out building work without required certificate-not class 1a/10 building - Corporation	2	6,000	12,000
Not provide work plan to plumbing regulator - sanitary drainage system	1	550	550
Fail to provide copy of certificate of compliance as prescribed	1	550	550
Fail to provide certificate of compliance within required period	1	550	550
Not present and ensure work accessible for inspection	1	1,100	1100
Not provide work plan to owner - sanitary drainage system	1	550	550
Not notify plumbing regulator when work ready for inspection	1	1,100	1,100
Not provide notice of work to plumbing regulator	1	550	550
Occupy or use building without required certificate-class 1a/10 building - Individual	1	1,500	1,500
<b>Compliance Fire Safety</b>	<b>0</b>		<b>0</b>
	0	0	0
<b>Compliance Pools</b>	<b>6</b>		<b>\$3,300</b>
Not comply with written direction - Owner	5	550	2,750
Fail to maintain child-resistant barrier effective and safe	1	550	550
<b>Environmental Health</b>	<b>12</b>		<b>\$64,330</b>
Development without development consent - any other case - Corporation	10	6,000	60,000
Fail to comply with order number 21 (safety/health of land/premises)	1	330	330
Pollute waters - class 1 officer - Individual	1	4,000	4,000

<b>Ranger Animal</b>	<b>188</b>		<b>\$92,865</b>
Companion animal (other) not registered as prescribed - first offence	77	330	25,410
Companion animal (other) not registered as prescribed - second or subsequent offence	10	330	3,300
Dog not wear collar and name tag - not dangerous/menacing/restricted dog	4	180	720
Fail to comply with menacing dog control requirements	2	1,760	3,520
Fail to prevent dog from escaping - not dangerous/menacing/restricted dog	28	220	6,160
Former owner not notify change of ownership	2	180	360
In charge of dog not under control in public place	1	330	330
In charge of dog which rushes at/attacks/bites/harasses/chases any person/animal	14	1,320	18,480
Not comply notice to register companion animal - first offence	12	305	3,660
Owner of dog in prohibited public place	3	330	990
Owner of dog not under control in public place	9	330	2,970
Owner of dog which rushes at/attacks/bites/harasses/chases any person/animal	18	1,320	23,760
Not comply notice to register companion animal - prior offence	5	305	1,525
Not comply notice re registration (restricted dog) - first offence	1	1,320	1,320
Not notify change in registration/identification information - not dangerous/menacing/restricted dog	2	180	360
<b>Ranger Environment</b>	<b>20</b>		<b>\$10,110</b>
Deposit litter from vehicle no exclusions - Individual	1	500	500
Fail to comply with section 28 notice for class 3 item - Individual	2	1,320	2,640
Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	11	110	1,210
Unlawfully remove plant/animal/rock/soil from public place	1	220	220
Leave class 3 item interfere with public amenity-transportation device - Individual	1	660	660
Fail to collect class 3 item as required under notice - Individual	1	660	660
Fail to comply with order number 27 (prevent deposit of/remove matter/article/object - public place	1	220	220
Owner transport waste to place not a lawful facility for waste - individual	2	2,000	4,000
<b>Ranger Parking</b>	<b>2035</b>		<b>\$341,761</b>
Disobey motor bike parking sign	44	129	5,676
Disobey no parking sign	29	129	3,741
Disobey no parking sign (in school zone)	5	215	1,075
Disobey no stopping sign	181	302	54,662
Disobey no stopping sign (in school zone)	67	387	25,929
Double park	3	302	906
Double park in school zone	16	387	6192
Not parallel park in direction of travel	53	302	16,006
Not parallel park in direction of travel (road related area)	5	129	645
Not parallel park near left	3	129	387
Not park wholly within parking bay	2	92	184
Not position front/rear of vehicle correctly - 90 degree angle parking	84	92	7,728
Not position rear of vehicle correctly - 45 degree angle parking	258	92	23,736
Not stand vehicle in marked parking space	88	92	8,096



Parallel park close to dividing line/strip	2	302	604
Park continuously for longer than indicated	457	92	42,044
Park so as to obstruct vehicles/pedestrians	4	129	516
Park vehicle for longer than maximum period allowed	466	92	42,872
Stand unregistered registrable Class A motor vehicle on road	2	302	604
Stop at side of road with continuous yellow edge line	51	302	15,402
Stop heavy/long vehicle longer than 1 hour	1	129	129
Stop in bus zone (in school zone)	39	387	15,093
Stop in bus zone (not clearway or transit/bus lane)	27	302	8154
Stop in disabled parking area without current permit displayed	59	644	37,996
Stop in loading zone	17	215	3,655
Stop in loading zone longer than 30 minutes	4	215	860
Stop in taxi zone	21	215	4515
Stop on path/strip in built-up area	16	302	4,832
Stop on path/strip in built-up area (in school zone)	5	387	1,935
Stop on/across driveway/other access to/from land	15	302	4,530
Stop within 10 metres of an intersection (no traffic lights)	4	387	1,548
Disobey bicycle parking sign	1	129	129
Not parallel park in direction of travel in school zone	1	387	387
Stop on/hear childrens crossing (in school zone)	1	514	514
Not face direction of travel (road related area no traffic)	2	129	258
Use more parking bays than necessary	1	92	92
Parallel park close to front/back of vehicle	1	129	129
<b>Grand Total</b>	<b>2,280</b>		<b>548,816</b>

#### Warnings Issued by Team and Offence Code

<b>Compliance</b>	<b>4</b>
Carry out building work without required certificate-class 1a or 10 building - Individual	2
Carry out development forbidden on land - any other case - Individual	1
Development without development consent - class 1a or 10 building - Individual	1
<b>Compliance Pools</b>	<b>0</b>
<b>Enviro Health</b>	<b>1</b>
Development not accord consent - class 1a or 10 building - Corporation	1
<b>Ranger Animal</b>	<b>20</b>
Fail to prevent dog from escaping - not dangerous/menacing/restricted dog	11
In charge of dog not under control in public place	2
Owner of dog in prohibited public place	3

Owner of dog not under control in public place	4
<b>Ranger Environment</b>	<b>4</b>
Designated etc development no consent - by council etc - not 1a/10 building - Individual	1
Fail to comply with terms of notice erected by council (driving/parking/use of vehicle)	1
Fail to obtain prior approval for activity under s68 part D	1
Unlawfully remove plant/animal/rock/soil from public place	1
<b>Ranger Parking</b>	<b>20</b>
Disobey no stopping sign	1
Not position rear of vehicle correctly - 45 degree angle parking	2
Park so as to obstruct vehicles/pedestrians	1
Stop heavy/long vehicle longer than 1 hour	1
Stop on path/strip in built-up area	15
<b>Grand Total</b>	<b>49</b>

## Compliance

Nineteen (19) Compliance penalty notices were issued during the reporting period:

- (a) Nowra Hill (\$3,000): Two penalty notices were issued to a licensed builder for a dwelling extension with attached decks on bushfire prone land.
- (b) Nowra Hill (\$4,500): Three penalty notices were issued to a property owner for dwelling extension with attached decks and a prohibited secondary dwelling on bushfire prone land.
- (c) Nowra Hill (\$4,950): Seven penalty notices were issued to a licensed plumber for breaches of the Plumbing and Drainage Act relating to a dwelling extension and secondary dwelling with new on-site sewage management systems.
- (d) Greenwell Point (\$1,500): One penalty was issued to a contractor for the demolition and re-build of a jetty.
- (e) North Nowra (\$12,000): Two penalty notices were issued to a commercial building owner for the construction of a new retail building and alterations to an existing building.
- (f) North Nowra (\$6,000): One penalty notice was issued to a licensed builder for the construction of a new retail building and alterations to an existing building.
- (g) Basin View (\$1,500): One penalty notice was issued to the owner of a premises for the construction of a carport without consent.
- (h) Sanctuary Point (\$1,500): One penalty Notice issued to a contractor for the installation of a swimming pool and deck without development consent.
- (i) South Nowra (\$1,500): One penalty Notice issued to the owner of a property for the installation of a swimming pool without consent.

## Swimming Pools

Six (6) penalty notices were issued in relation to swimming pools during the reporting period:

- (j) Shoalhaven Heads (\$550): One penalty notice was issued to the owner of a property for failing to maintain a compliant swimming pool barrier.



- (k) Comberton (\$550): One penalty notice was issued to a property owner for failing to comply with a written direction to fix a swimming pool barrier.
- (l) North Nowra (\$550): One penalty notice was issued to a property owner for failing to comply with a written direction to fix a swimming pool barrier.
- (m) Croobyar: (\$1,100): Two penalty notices were issued to a property owner for failing to comply with a written direction to fix a swimming pool barrier.
- (n) Greenwell Point (\$550): One penalty notice was issued to a property owner for failing to comply with a written direction to fix a swimming pool barrier.

	
Unauthorised Pool	Prohibited Secondary Dwelling

### Environmental Health

Twelve (12) penalty notices and one warning were issued by Environmental Health during the reporting period:

- (a) Ulladulla (\$60,000): - Ten penalty notices issued to a Caravan Park Owner for development not in accordance with development consent for the installation of ten Relocatable Homes and associated structures without Development Approval.
- (b) Upper Kangaroo River (\$4,000): - One penalty notice issued to a property tenant for Pollute Waters. During earthworks the sediment laden water from a dam was emptied in a manner that resulted in the pollution of Kangaroo River.

	
Kangaroo River, upstream of pollution incident	Kangaroo River, immediately downstream of pollution incident

- (c) Lake Tabourie (\$330): - One penalty notice issued to a property owner for failing to comply with an Order the clean up a property.
- (d) Sanctuary Point (\$0): - One warning notice was issued to a building company for development not in accordance with development consent class 1a or 10 building for sediment and erosion concerns. Which would have equated to \$3,000 if issued as penalty notice.

Three (3) Food Premises remain listed on the NSW Food Authority's 'Name and Shame' register for six (6) penalty notices issued in the previous 12 month period.

140 development sites were proactively inspected during May for Blitz Month. The adequacy of sediment and erosion controls were targeted and a 10% improvement was observed across the Shoalhaven, compared to the last Blitz Week in October 2023.

#### Compliance and Environmental Services Court Elected Penalties

The following matter has been court elected during the reporting period.

At Nowra local Court, a company entered a plea of guilty for four Court elected penalty notices. These environmental offences included Pollute waters, Fail to comply with clean-up notice, Fail to pay clean up notice fee, and Development not in accordance with development consent. The Court sentenced the company to pay \$18,000 for all offences.

#### Ranger Services

##### Rangers - Animal Management

There was a total of 79 dog related penalty notices issued for the period (not including registration offences). Figure 1 provides information on the penalty notices issued by town for the period.

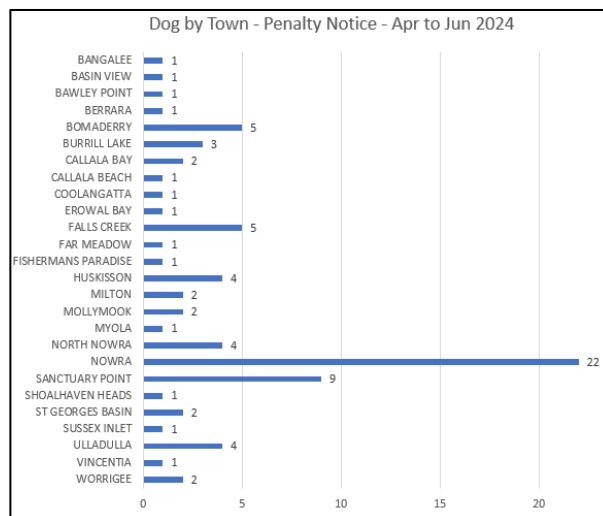


Figure 1:- Dog related penalty notices by town for the period

**Dog attacks:** Rangers received and attended 66 reports of dogs attacking during the reporting period. Of these reports, 32 investigations have been completed with 32 penalty notices issued (i.e., 32 x \$1,320 = \$42,240). A further 34 matters remain under investigation.

Although the penalty is high, dog attacks remain a major risk. Whilst there is more awareness in the community, there may still be several unreported dog attacks. Rangers continue to apply Council's resolution of 21 April 2020 (MIN20.264) for zero tolerance and issue penalty notices for all substantiated dog attacks.

An Inquest for the fatal dog attack at Collingwood beach was held in July 2023. The Coroner's findings were handed down on 14 June 2024 which included recommendations for both Shoalhaven City Council and the Office of Local Government. An Action Plan will be developed in July 2024 to address and prioritise the recommendations.

**Registration non-compliance:** 109 penalty notices were issued for non-compliance with the requirements for lifetime registration, microchipping and keeping details up to date on the Companion Animals Register.

### Rangers – Environmental

A total of 20 penalty notices were issued for Rangers - Environmental, this includes camping, littering, unattended vehicles and fail to comply penalties.

### Rangers - Parking

A total of 2,035 parking tickets were issued in the period with a value of \$341,761. The breakdown of the tickets issued by town is provided in Figure 2.

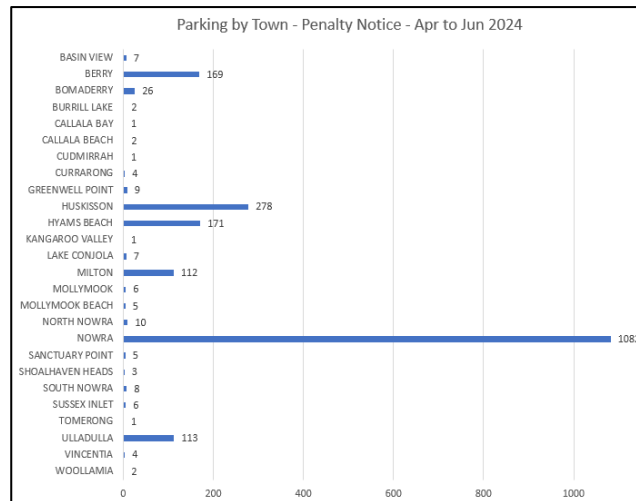


Figure 2: - Parking penalty notices issued by town.





No Stopping – Nowra – Fine issued	No Stopping - Nowra – Fine issued
	
Shopping trolleys left in public areas is ongoing. An enforcement project is underway under new Public Spaces Unattended Property (PSUP) Act.	Dog off leash in prohibited area – Myola – Fine issued.

#### Selected examples of Ranger Services' issued penalty notices

### Customer Requests

#### Compliance

The Compliance Unit received 154 Customer Requests in the reporting period (Table 2).

**Table 2: - Customer requests by type received.**

Type of customer requests received	Number Received	Percentage of total (%)
Development Concern	78	51
Stormwater	54	35
Swimming Pool Inspection	22	14
<b>TOTALS</b>	154	100

The following additional comments are made:

(a) Development concerns: This represents the highest percentage of customer requests and includes development without consent, development not in accordance with consent and land safety issues such as landslides and fire damaged dwellings.

The requests received were from all areas of the Shoalhaven LGA, with the Basin area representing the highest total with 26 or 34.21% of the total requests received.

(b) Stormwater: Compliance receives a high number of complaints following extreme weather events. These complaints are often in towns without street drainage infrastructure and require officers to liaise with the customers to acknowledge their concern but often to advise that Council is not able to implement actions.

The requests received were from all areas of the Shoalhaven LGA, with the Basin and Southern Shoalhaven both contributing to 19 requests or 35.19% for each area.

(c) Swimming pool compliance: This includes concerns raised by members of the public, referrals from private certifiers and Council's proactive inspection obligations. Council's Compliance Unit continue to enforce swimming pool legislation in accordance with the Council

resolution (MIN22.946) to take a zero-tolerance approach to swimming pool breaches and have attended a high volume of unauthorised pools during the quarter.

No warnings were issued for swimming pool offences in the reporting period.

Compliance has also been streamlining processes internally with the intent to reduce office-based time and increase the number of pools being inspected each quarter. For the reporting period Council conducted 119 separate inspections.

### Environmental Health

Environmental Health received 238 Customer Requests in the reporting period (Table 3).

**Table 3:- Environmental Health customer requests by type**

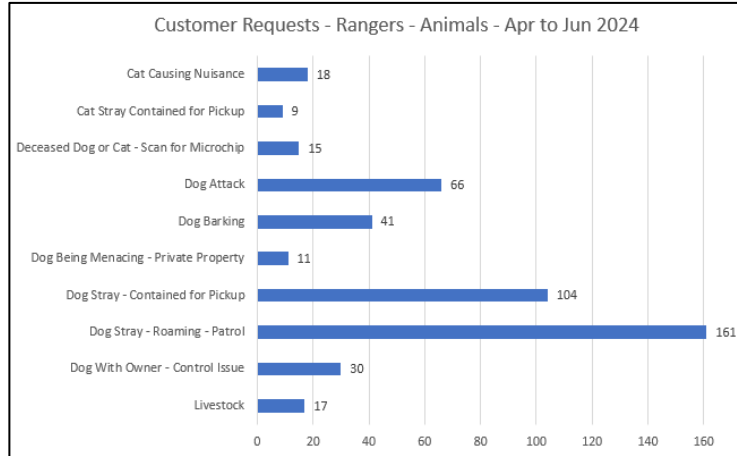
Category of customer requests	Number Received	% of total requests
Air, Land & Water Pollution (inc. Sediment & Erosion)	115	48.3
Contaminated land enquiries	3	1.26
Noise Pollution	13	5.46
Public Health	100	42.03
Short Term Rental Accommodation (STRA)	7	2.95
<b>TOTAL</b>	<b>238</b>	<b>100</b>

The following provides a breakdown of the aspects of the customer requests that Environmental Health received:

- Air, Land and Water Pollution (inc. Sediment & Erosion): This category represents one of the highest percentages of customer requests received by Environmental Health and includes backyard burning, odour and smoke; pollution to waters and sediment and erosion pollution from building sites.
- Contaminated Land enquiries: Environmental Health administers the Potentially Contaminated Land (PCL) layer in GIS and provides advice internally and guidance to members of the public.
- Noise Pollution: Noise disturbances from prescribed articles such as air conditioners and pool pumps as well as musical instruments, poultry, and licensed establishments.
- Public Health enquiries: This category includes food premises, on-site septic systems, overgrown properties and hoarding and squalor. Complaints about overgrown properties take up a lot of resources at this time of the year.
- Short Term Rental Accommodation (STRA): While STRA's are administered by NSW Fair Trading, Environmental Health will respond to complaints with letters outlining responsibility of owners and provide advice to customers.

## Ranger Services - Animal Management

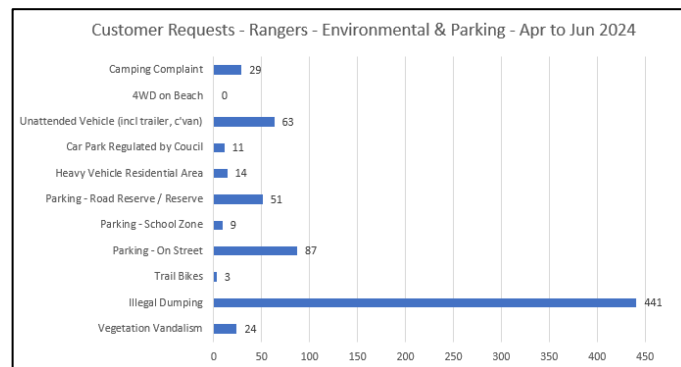
A total of 472 animal management complaints were received for the quarter (Figure 3).



**Figure 3: – Customer requests for animal management issues**

## Ranger Services - Environmental and Parking

Rangers attended 732 environmental and parking complaints (Figure 4).



**Figure 4: – Customer requests for environmental and parking issues**

The following provides a breakdown of the aspects of the customer requests that Ranger Services received:

- (a) **Vegetation Vandalism:** Ranger Services received 24 reports of vegetation vandalism and three are still under investigation. Rangers continue surveillance of these vandalised areas in accordance with Council's Vegetation Vandalism Prevention Policy.
- (b) **Proactive Beach Patrols:** Ranger Services completed 937 beach patrols during this quarter. A number of dog owners were spoken to during this period with Rangers identifying 823 compliant dogs and 69 non-compliant dogs. Enforcement action and education is undertaken when offences are detected.

- (c) Proactive Patrols – Other: Ranger Services completed 1,056 patrols with categories including Asset Inspection (RID), Asset Protection, Camping, CBD Foot Patrol, Illegal Dumping, Parking, Schools, Shopping Trolley, Unauthorised Signage, Vegetation Vandalism.

### Ranger Services - Report Illegal Dumping (RID)







Illegal Dumping: - 441 incidents were reported to RID Online including 27 duplicate jobs which often are re-reported if the rubbish remains in situ for some time. Of this figure, 54 incidents remain open pending further investigation. Strategies to reduce and prevent illegal dumping includes collaboration with other public land managers and Local Aboriginal Land Councils in the Shoalhaven. Rangers conducted two deployments of covert surveillance cameras during the reporting period at illegal dumping “hot spots”.

Table 4 provides a breakdown of the waste types and the relevant weights.

The estimated cost to Council for the removal of the waste reported for the reporting period is \$44,689.74.

**Table 4: - Waste types and weight for the period (from RID online)**

Waste Types	Incidents	Incident %	Weight (tonnes)
Asbestos	5	1.21%	.28
Commercial & Industrial	28	6.76%	127.97
Construction & Demolition	20	4.83%	3,015.94
Electronic Waste	10	2.42%	.30
Household Waste	182	43.96%	25.56
Liquid Waste	2	0.48%	.01
Mulch & Green Waste	39	9.42%	166.32
Other	11	2.66%	.25
Scrap Metal	4	0.97%	.17
Soil and Excavated Material	5	1.21%	195
Tyres	53	12.80%	3.8
Vehicles & Car Parts	28	6.76%	20.34
Duplicates	27	6.52%	0.00
<b>TOTAL</b>	<b>414</b>	<b>100</b>	<b>3,555.94</b>

	
NPWS – Inquiries continuing - Parma Creek Nature Reserve	Private – Unlawful Waste Facility West Nowra – Inquiries continuing
	
Council – Orphan Waste – Bomaderry	Council – Sussex Inlet – Inquiries continuing
	
Crown – Barrigella – Stolen motor vehicle	Council – Nowra – Inquiries continuing

**Selected examples of sites where dumped waste has been identified.**

## Animal Shelter

Data on the incoming and outgoing dogs and cats to and from the Animal Shelter is presented in Table 5.

The Animal Shelter currently has over 24,211 followers on Facebook. This platform provides an effective means of advertising adoptions, lost dogs, and the promotion of responsible pet ownership.

- Income: Overall income decreased this quarter to \$36,352.00 (\$43,296.35 Q3).
- Animal desexing vouchers: The Animal Shelter collaborated with external organisations obtaining continued support for the animal desexing program. This



resulted in a total of 41 desexing vouchers being provided by RSPCA (22) and AWL (19).

- (c) Contributions to the shelter: The Animal Shelter would like to acknowledge staff at Nowra Private Hospital for their generous donation drive for the Shelter resulting in the dog treats, food, coats, bowls and toys.

**Table 5: - Data on incoming and outgoing dogs and cats.**

Cats	Number	Dogs	Number
Cats incoming M/C	14	Dogs incoming M/C	65
Cats incoming not M/C	55	Dogs incoming not M/C	22
<b>TOTAL</b>	<b>69</b>	<b>TOTAL</b>	<b>87</b>
Cats incoming - Ranger	1	Dogs incoming - Ranger	32
Cats incoming - Public	68	Dogs incoming - Public	55
Cats Surrendered	22	Dogs Surrendered	5
Shelter Offspring	5	Shelter Offspring	0
Emergency Boarding	0	Emergency Boarding	0
<b>TOTAL</b>	<b>96</b>	<b>TOTAL</b>	<b>92</b>
Cats Reclaimed by Owner	12	Dogs Reclaimed by Owner	43
Cats Adopted	76	Dogs Adopted	55
Cats Euth'd Feral	8	Dogs Euth'd aggressive	4
Cats Euth'd medical	4	Dogs Euth'd medical	0
Transferred to rescue	5	Transferred to rescue	5
<b>TOTAL</b>	<b>105</b>	<b>TOTAL</b>	<b>107</b>
Cats returned home by Ranger	5	Dogs returned home by Ranger	56

#### Companion Animals Register

On the 5 June 2024 the Office of Local Government held a webinar about the new digital NSW Pet Registry and updates on changes and opportunities for councils. This included that on the 1 July 2024 the state government will change the timeframe for lifetime registration for cats and dogs. See two bold points below.

- (a) All pet cats and dogs in NSW must be registered on the NSW Pet Registry either by 12 weeks of age or immediately upon transfer (whichever happens first). It was previously 6 months of age.

- (b) If a dog is not desexed by 6 months of age, an additional fee will apply. If a cat is not desexed by 4 months of age, an annual permit will be required. However, a vet can recommend an extension on these timelines or a permanent desexing exemption for medical reasons.

The numbers of companion animals per animal category is presented in Table 6.

**Table 6: - Companion animals in Shoalhaven LGA**

Animal category	Total animals in Shoalhaven		
	ID Only	Registered	Total
Cats	2,644	13,595	16,239
Dogs	10,663	50,350	61,013
<b>Total</b>	<b>13,307</b>	<b>63,945</b>	<b>77,252</b>

Incoming Companion Animal forms from the public are processed at the Animal Shelter. Pet owners can manage their own data via NSW Pet Registry, but the option exists to utilise Council for this service. The number of forms entered onto the NSW Companion Animals Register by the Animal Shelter staff this quarter are listed in Table 7.

**Table 7: - Companion animal forms processed by Council.**

Function	Number
Change of owner	932
Change of address or details	96
Permanent identification	187
Lifetime Registration	503
<b>Total</b>	<b>1,718</b>

A total of 508 registrations totalling \$30,582 were received via Council (Table 8).

**Table 8: - Registration income by registration type (Companion Animals Register).**

Registration Categories 1 Jan to 31 Mar 2024	Number	Total Value	\$
Assistance Animal	3	0	
Working Dog	2	0	
Cat - Registration (sold by PoundShelter)	110	0	
Dog - Registration (sold by PoundShelter)	62	0	
Cat - Desexed (Pensioner)	16	512	
Cat - Desexed (Pensioner) with Late Fee	1	53	

Cat - Desexed or Not Desexed	14	910
Cat - Desexed or Not Desexed with Late Fee	2	172
Dog - Desexed by relevant age	94	7,050
Dog - Desexed by relevant age (Pensioner)	57	1,824
Dog - Desexed by relevant age (Pensioner) with Late Fee	12	636
Dog - Desexed by relevant age with Late Fee	36	3,456
Dog - Not Desexed (Breeder)	5	375
Dog - Not Desexed - Not Recmd	26	1,950
Dog - Not Desexed - Not Recmd (Pensioner)	12	384
Dog - Not Desexed - Not Recmd with Late Fee	6	576
Dog - Not Desexed or Desexed (after relevant age)	46	11,592
Dog - Not Desexed or Desexed after relevant age with Late Fee	4	1,092
<b>Grand Total</b>	<b>508</b>	<b>\$30,582</b>

## Education

### Ranger Services

The following education was carried out by Ranger Services:

(a) Responsible dog ownership project:

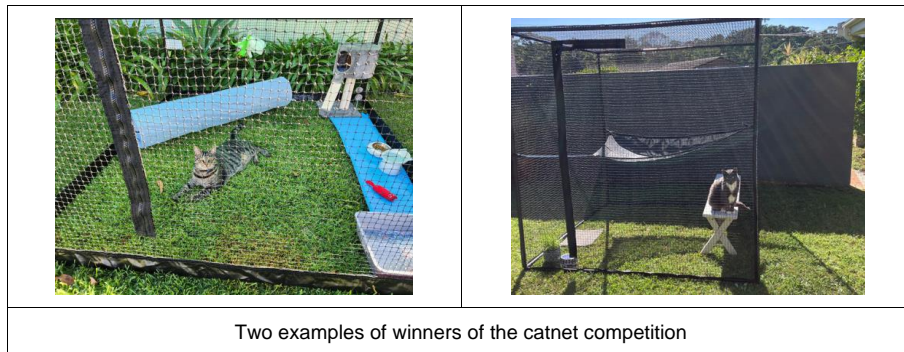
- i. Videos providing education to pet owners are available on Council's website, Facebook and Instagram. The videos will continue to be shown at Huskisson Pictures until 14 June 2025.

Council website link to [Responsible-dog-ownership](#)

(b) Keeping cats safe at home project:

- i. Information from RSPCA has been posted on the Animal Shelter's Facebook and Council's Get Involved page.
- ii. Number of cats desexed by the program this quarter, totals 22.
- iii. Social posts on Facebook and Instagram included congratulations to the winners of the 'Catnet' cat containment product on 5 April 2024 with an expectation that the enclosures will be installed by 1 September 2024 with photos provided to Council.

Link to [Keeping-Cats-Safe-at-Home](#)



Two examples of winners of the catnet competition

(c) School Safety Parking Project:

- i. On 6 June 2024 research commenced to develop a school safety project. School Safety Operation is a 12-month behaviour change and educational initiative. It aims to reduce parking offences in school zones and generate voluntary compliance by providing education to parents, children and schools about the importance of safety in school zones. Another objective of the project is to improve the perception of rangers who undertake patrols in these areas to detect and deter offences and highlight the importance of safety.

The project is a collaboration between Ranger Services, the Road Safety Officer and the Communications team.

The Shoalhaven LGA has a total of 39 schools and more than 14,000 students travelling to and from schools every day. This highlighting the need for the school safety operation as the number of schools and volume of students traveling to and from school can see road safety issues arise.

**Rangers Proactive Patrols - Dogs Beaches & Reserves**

Beach / Reserve	# Beach / Reserve	# Compliant Dogs	# Non-compliant Dogs
Basin View Boat Ramp Reserve - Off Leash 24 hrs	7	7	0
Bawley Beach	7	2	0
Bawley Point Gannet Beach	1	0	0
Bendalong Boat Harbour Beach	1	1	0
Bendalong Flat Rock Beach Prohibited	3	0	0
Bendalong Inyadda Beach	2	4	0
Berrara Beach Spit Prohibited	8	2	1
Burrill Lake Burrill Beach	3	0	0
Burrill Lake Entrance Beach	26	22	5
Callala Bay	11	6	4
Callala Bay Bicentennial Park	11	4	0
Callala Bay Wowly Creek	4	7	0
Callala Beach East End	10	4	4
Callala Beach Prohibited Area	9	1	1
Callala Beach West End	13	6	1

Culburra Beach North On Leash	6	12	0
Culburra Beach South Off Leash timed	10	24	3
Culburra Lake Wollumboola Prohibited	6	0	1
Culburra Warrain Beach	10	2	0
Cunjarong Point	3	0	5
Currarong Abrahams Bosom Beach	31	32	2
Currarong Beach Off Leash timed	21	11	3
Currarong Kinghorn Point	23	9	7
Currarong Piscator Avenue	1	0	2
Currarong Rock Pool	5	0	0
Dolphin Point	7	2	3
Greenwell Point Foreshore Reserve	31	65	0
Huskisson Beach Off Leash timed	46	344	0
Huskisson Moona Moona Beach / Creek	78	0	1
Huskisson Shark Net Beach Prohibited	68	0	0
Hyams (Seamans) Beach	19	24	0
Hyams Beach Chinamans Beach - NPWS	26	1	0
Hyams Beach Little Hyams Beach	32	4	0
Kioloa Beach	3	2	0
Lake Conjola Conjola Beach	3	5	0
Lake Conjola Cunjurong Beach Shore Birds	1	0	0
Lake Conjola Ocean Beach Spit Prohibited	3	5	0
Lake Tabourie Crampton Island Beach	1	0	1
Lake Tabourie Tabourie Beach	1	0	0
Manyana Inyadda Beach	2	4	1
Mollymook Beach North Prohibited	22	0	2
Mollymook Beach On Leash 24 hrs	16	3	5
Mollymook Beach South Prohibited	36	9	4
Mollymook Bogey Hole	6	0	0
Mollymook Colliers Beach Off Leash 24 hrs	3	7	0
Mollymook Unknown Beach nth of Collers	1	0	0
Myola Breakwall NPWS	9	0	0
Myola Spit Prohibited	25	1	4
Narrawallee Beach North Prohibited	19	0	0
Narrawallee Beach Off Leash timed	5	6	1
Narrawallee Beach South Prohibited	16	0	0
Narrawallee Spit Prohibited	1	0	0
Orient Point Foreshore Reserve Orama Crescent	7	0	0
Sanctuary Point Paradise Beach Reserve	4	12	0
Sanctuary Point Ray Brooks Rsv (BTRMP - STR) PRHB	10	4	0
Shoalhaven Heads River Road Reserve Off Leash 24hr	8	7	0
Shoalhaven Heads Seven Mile Bch Off Lsh 24hr/OnLsh	25	89	1




Shoalhaven Heads Spit Prohibited	22	0	0
St Georges Basin Kingfisher Reserve	9	13	0
Ulladulla Harbour Outer (Sea Pool)	1	1	0
Ulladulla Racecourse Beach 1	24	4	5
Ulladulla Rennies Beach	1	0	0
Vincentia Barfleur Beach	9	12	0
Vincentia Blenheim Beach Prohibited	46	0	0
Vincentia Collingwood Beach Prohibited	47	0	1
Vincentia Nelsons Beach Off Leash timed	9	42	0
Vincentia Orion Beach	3	1	1
<b>Grand Total</b>	<b>937</b>	<b>823</b>	<b>69</b>

#### Rangers Proactive Patrols - Other Categories

Patrol Type	# Patrol Type	Additional Information
Asset Inspection (RID)	2	Checking infrastructure
Asset Protection	106	
Camping	82	
CBD Foot Patrol	21	
Illegal Dumping	369	Rubbish found = 169
Parking	295	
Schools	136	
Shopping Trolley	41	
Vegetation Vandalism	4	
<b>Grand Total</b>	<b>1,056</b>	

Section 4.15 Assessment Report - SF10987

	<b>Section 4.15 Assessment Report</b> <i>Environmental Planning &amp; Assessment Act 1979</i>
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**Conflict of interest declaration**

I have considered the potential for a conflict of interest under the Code of Conduct and to the best of my knowledge no pecuniary and/or significant non-pecuniary conflict of interest exists.

*Note: If you determine that a non-pecuniary conflict of interest is less than significant and does not require further action, you must provide a written explanation of why you consider that the conflict does not require further action in the circumstances. This statement should then be countersigned by the Manager.*

Assessing Officer		
Peer Review Officer		
Delegation Level Required	Called in to Council for determination due to public interest on 5 June 2023 by a Notice of Motion (MIN23.188).	
Variations Proposed	<input type="checkbox"/> Clause 4.6 exception <input checked="" type="checkbox"/> DCP departure	
Councillor Representations	Councillor	Date
Report Recommendation	<b>Approval</b>	

DA Number	SF10987
PAN	PAN-319400
Property Address	33 Forest Rd, KIOLOA - Lot 5 DP 1280813
Proposal	Subdivision of land into 20 Torrens title lots, demolition of nominated buildings, onsite wastewater management, realignment of Merry Beach Rd and associated civil works.
Applicant(s)	Tahnee Ironside
Owner(s)	AJ Taylor, DP Tyrrell, ADY Taylor
Owner's consent provided?	Yes
Date Lodged	27-Apr-2023

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Date of site inspection	8/06/2023
Date clock stopped	27/04/2023
Date clock started	21/06/2023
Related Application in NSW Planning Portal?	<input checked="" type="checkbox"/> Concurrence and/or external agency referral <input type="checkbox"/> Section 68 <input type="checkbox"/> Section 138 <input type="checkbox"/> Construction Certificate <i>Note: s138 and CC applications will not be incorporated into the Development Consent and will be determined separately.</i>
Number of submissions	Eighteen (18) <i>Note: where submissions are received Council must give notice of the determination decision to all submitters.</i>

## 1. Detailed Proposal

The proposal includes:

- A one into twenty lot subdivision.
- Lots between 1291m<sup>2</sup> and 4079.1m<sup>2</sup>.
- Associated civil, stormwater works and internal road infrastructure
- Proposed subdivision in three stages
- Proposed subdivision in three stages, see Concept Stage Plan – Figure 7 below.
  - Stage 1: Lots 1 to 6 - Land that fronts Forest Rd, therefore avoiding Merry Beach Road realignment.
  - Stage 2: Lots 7 to 9 and Lots 18 to 20, including the realignment of Merry Beach Road.
  - Stage 3: Lots 10 to 17.
- Variation request to DCP Chapter G8 minimum lot size for subdivision of land in areas that do not have reticulated sewer infrastructure.
- Retention of the existing dwelling and demolition of outbuildings.
- Realignment of Merry Beach Rd.

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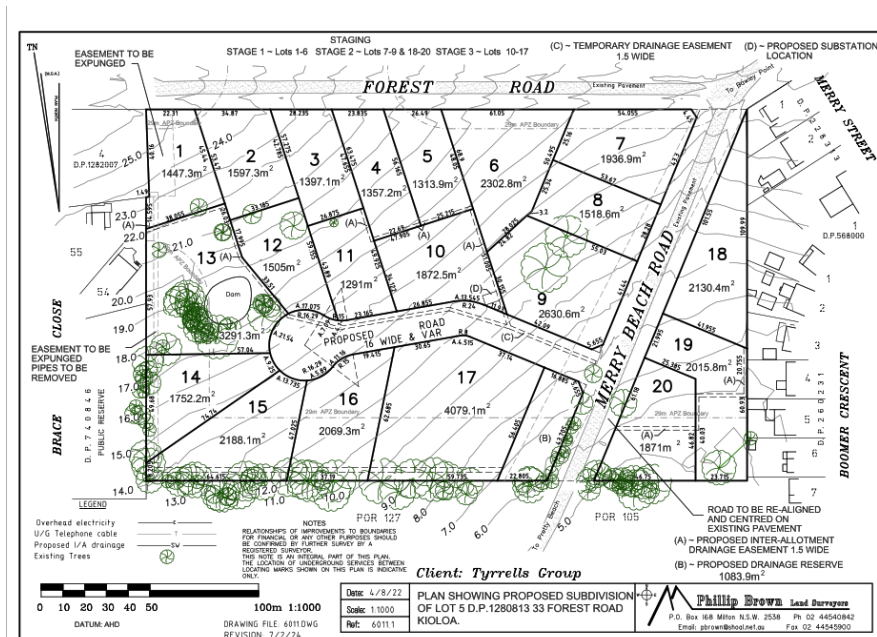
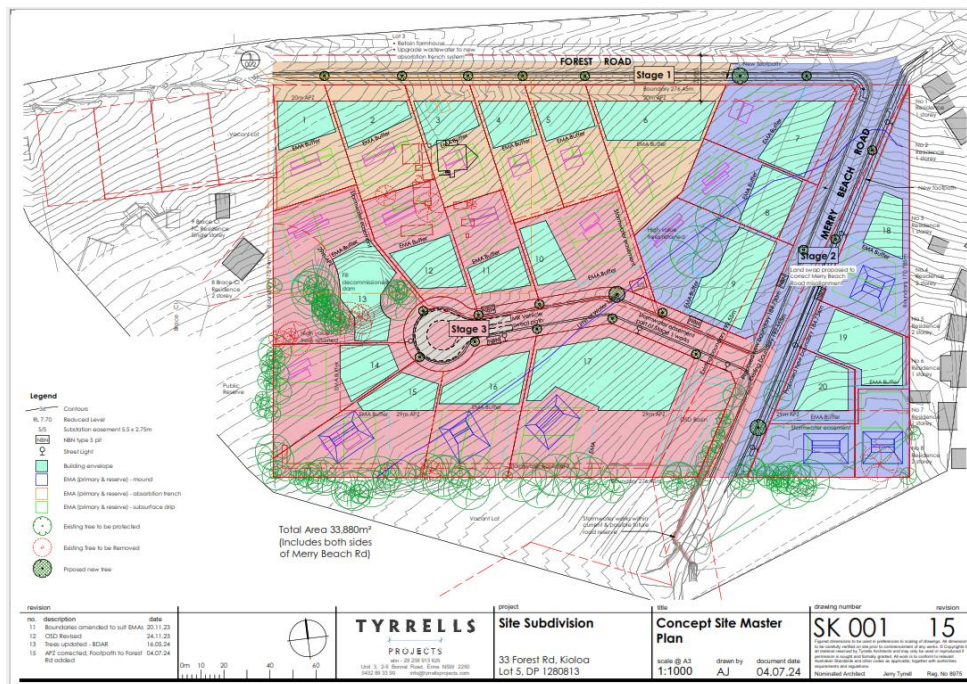


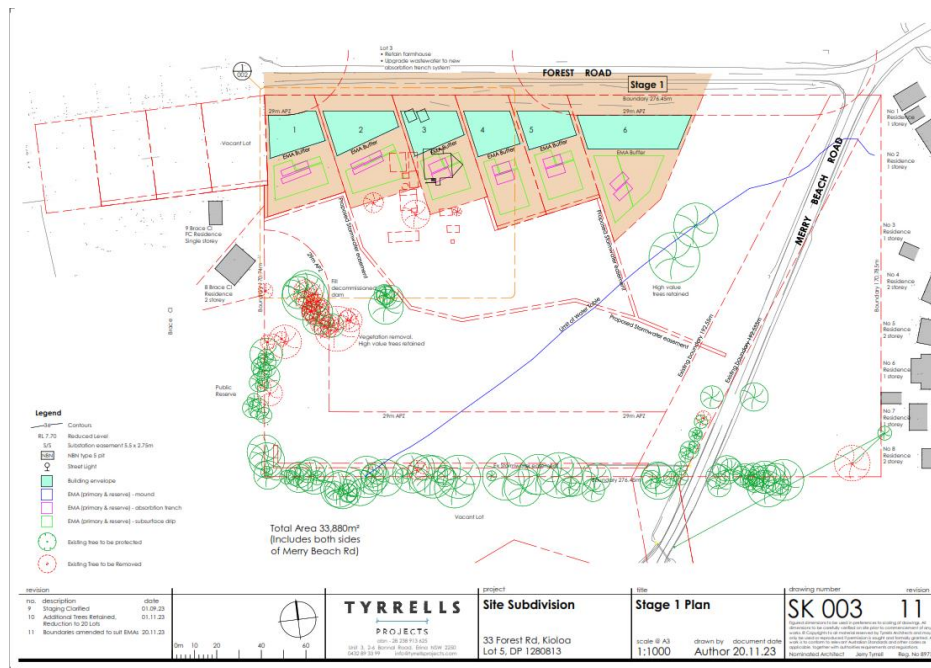
Figure 1: Proposed Subdivision Plan



Concept Staging Plan

CL24.300 - Attachment 1

## Section 4.15 Assessment Report - SF10987



## Stage 1 Plan



## Stage 2 Plan



Section 4.15 Assessment Report - SF10987



Stage 3 Plan

## 2. Subject Site and Surrounds

### Site Description

The subject site has a frontage to Forest Rd and Merry Beach Rd Kioloa. The site is 4.333ha and currently contains an old dwelling and some outbuildings.

The surrounding area is residential in character and the site is adjoined by low density residential to the east and west, a larger residential lot, and Crown land to the north which is still in its natural state. The lot also adjoins Crown land to the south beyond which is the Merry Beach Caravan Park. Murramarang National Park is situated about 270m to the west.

The lot has a corner location, and the existing road is not aligned within the surveyed map casement. The lot slopes from northwest to southeast with a cross fall of about 21m.

There is no reticulated water or sewer available to the lot or the Kioloa village.

The site is approximately 100m from Merry Beach General Store and approximately 4.6km from Bawley Point shopping village.

The site is located about 160m to the north of Merry Beach. The Kioloa area is a popular tourist destination due to its wide selection of beaches, the National Park and a selection of waterfront Caravan Parks.

Section 4.15 Assessment Report - SF10987



Figure 2: Aerial imagery of subject site

**Site Inspection Observations**



Photo 1: Looking to south residential area from lot.



Section 4.15 Assessment Report - SF10987



Photo 2: Southwest corner of lot



Photo 3: Existing garage to be demolished.

Section 4.15 Assessment Report - SF10987



Photo 4: Existing dwelling to be retained.



Photo 5: Looking to west over lot to eastern elevation of the existing dwelling.



Section 4.15 Assessment Report - SF10987



Photo 6: Existing Paddock and site of subdivision

**Deposited Plan and 88B Instrument**

There are no identified restrictions on the use of the land that would limit or prohibit the proposed development.

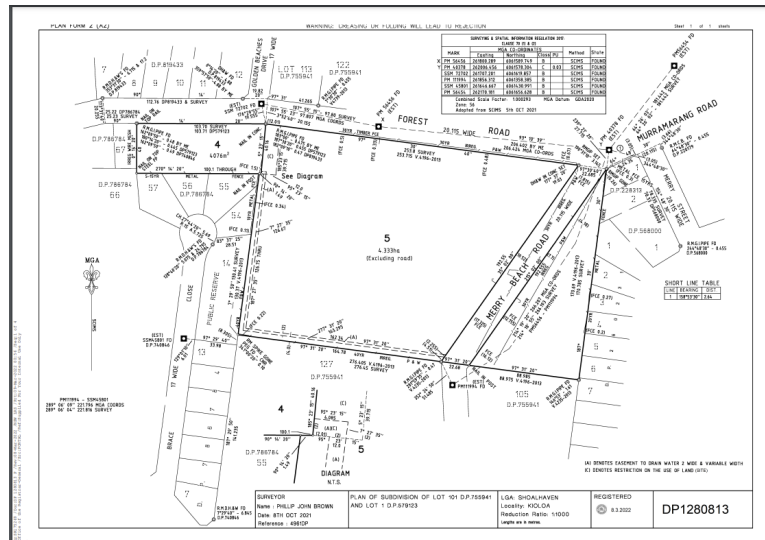


Figure 3: Deposited Plan



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© Office of the Registrar-General /Src:PORTAL /Ref:Supplied For Your Internal Use Only

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS/PROFITS A PRENDRE  
INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE  
USE OF LAND OR POSITIVE COVENANTS INTENDED TO BE CREATED  
PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919.**

(Sheet 1 of 5 sheets)

LENGTHS ARE IN METRES

Plan: **DP1280813**

Subdivision of Lot101 D.P.755941 and  
Lot 1 D.P.579123  
Council's subdivision certificate No. SC21/1099  
Dated: 20/1/2022

Full name and address of  
the Proprietors of the land.

TIMOTHY WHITE TYRRELL  
26 Tramway Road  
North Avoca 2260

Full name and address of  
the Proprietors of the land.

ANDREW JOHN TAYLOR and  
ALISON DEL YVE TAYLOR

Full name and address of  
the Proprietors of the land.

DAVID PETER TYRRELL

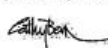
Full name and address of  
the mortgagee

COMMONWEALTH BANK OF AUSTRALIA  
48 Martin Place, Sydney NSW 2000

**PART 1 (Creation)**

Number of item shown in the intention panel on the plan	Identity of easement, profit a prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Easement to drain water 2 wide & variable width	5	4
2	Restriction on the use of land	4 & 5	Shoalhaven City Council

Approved by the Council of the City of Shoalhaven



Digitally signed by Cathy  
Bern  
Date: 2022.01.20 08:39:36  
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date.



CL24.300 - Attachment 1

Section 4.15 Assessment Report - SF10987

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**INSTRUMENT SETTING OUT TERMS OF EASEMENTS/PROFITS A PRENDRE  
INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE  
USE OF LAND OR POSITIVE COVENANTS INTENDED TO BE CREATED  
PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919.**

(Sheet 2 of 5 sheets)

LENGTHS ARE IN METRES

Plan: **DP1280813**

Subdivision of Lot101 D.P.755941 and  
Lot 1 D.P.579123  
Council's subdivision certificate No.: SC21/1099  
Dated: 20/1/2022

**PART 2 (Terms)**

1. Terms of Easement to drain water 2 wide and variable width Firstly referred to in the abovementioned plan.

Easement to drain water shall adopt the terms as contained in Schedule 8 Part 3 of the Conveyancing Act 1919 and:

The maintenance of the pipes, pits and grass swale shall be the responsibility of the Owners of Lot 4 or the Owners of any lots created hereafter receiving the benefit of the easement. The pipes, pits and grass swale shall be maintained in a manner that does not impede water flows and the pipes, pits and grass swale shall remain in good working order for the duration of the subdivision.

Name of Persons empowered to release, vary or modify the Easement Firstly referred to in the abovementioned plan.

The Owners of Lot 4 and 5 jointly.

2. Terms of Restriction on the Use of Land Secondly referred to in the abovementioned plan.

Lot 4 shall be maintained and managed as an Inner Protection Area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.

That no building shall be constructed on lot 4 unless the temporary Asset Protection Area denoted (C) on lot 5 as shown on the plan is maintained as an asset protection zone / inner protection area as defined in Appendix 4 of Planning for Bushfire Protection 2019.

This restriction may be extinguished upon commencement of future development over lot 5 providing the hazard is removed as part of that development.

Name of Authority empowered to release, vary or modify the Restriction Secondly referred to in the abovementioned plan.

The Council of the City of Shoalhaven

Approved by the Council of the City of Shoalhaven

 Digitally signed by Cathy  
Bern  
Date: 2022.01.20 08:40:05  
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### 3. Background

#### **Pre-Lodgement Information**

Refer to pre-lodgement notes D21/553459.

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**Post-Lodgement Information**

Reference number	Milestone	Date
1	Application submitted	31/03/2023
2	Additional Information was requested	18/04/2023
3	Additional Information was provided	19/04/2023
4	Additional Information was requested	24/04/2023
5	Additional Information was provided	26/04/2023
6	Application lodged	27/04/2023
7	Additional Information was requested	27/04/2023
8	Concurrence and Referral requested	27/04/2023
9	Additional Information was requested	19/05/2023
10	Additional Information was provided	19/05/2023
11	Additional Information was requested	13/06/2023
12	Additional Information was provided	20/06/2023
13	Additional Information was requested	23/06/2023

CL24.300 - Attachment 1

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14	Additional Information was requested	05/07/2023
15	Additional Information was provided	05/07/2023
16	Additional Information was requested	25/08/2023
17	Additional Information was provided	06/09/2023
18	Additional Information was requested	06/09/2023
19	Additional Information was provided	06/09/2023
20	Additional Information was provided	04/10/2023
21	Additional Information was requested	29/01/2024
22	Additional Information was requested	14/02/2024
23	Additional Information was provided	18/03/2024
24	Additional Information was provided	29/05/2024
25	Additional Information was requested	20/06/2024
26	Additional Information was requested	01/10/2024

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##### Site History and Previous Approvals

Darts - since 1st July 2005

Application	Appl. Date	Application Type	Proposal	Status	Completed	
<a href="#">SF10987</a>	27/04/2023	Subdivision Application	Residential	Incomplete		<a href="#">Show Properties</a>
<a href="#">DR18/1188</a>	26/02/2018	SMF Application	Septic Tank Application - Upgrade Septic Tank System	Withdrawn	07/11/2019	<a href="#">Show Properties</a>

Old Applications prior to 2nd Sept 1996

Application	Proposal	Decision	Owner	
BA76/0367	Dwelling Additions	Approved	Cockburn EA&L	<a href="#">Show Properties</a>
BA80/0981	Dwelling Additions	Approved	Paterson P&M	<a href="#">Show Properties</a>
BA80/1033	Timber Garage	Approved	Cockburn EA&L	<a href="#">Show Properties</a>

BA data prior to the 2nd Sept 1996 (bamast)

Application	Appl. Date	Proposal	Status	Status Date
<a href="#">BA83/1546</a>	08/08/1983	Approved	Approved	08/09/1983

#### 4. Consultation and Referrals

Internal Referrals	
Referral	Comments
Development Engineer	<p>The Development Engineer is generally satisfied with the proposal subject to the following matters being addressed through conditions of consent.</p> <ul style="list-style-type: none"> <li>Revised stormwater plans with all relevant details and design of the detention basin.</li> <li>Pursuance of an easement for drainage of water under the 88K pathway.</li> <li>Revised civil plans for Road 01 that will comply with the RFS General Terms of Approval.</li> <li>Revised subdivision plans with APZ's reflecting the revised Bushfire Hazard Assessment Report &amp; Supplementary letter prepared by Blackash Bushfire Consultants.</li> </ul>
Environmental Assessment Officer	The revised BDAR is accepted, and no further information is requested. Recommended consent conditions are provided.
Environmental Health Officer	<p>Environmental Services has reviewed the following documents in relation to SF10987:</p> <p>- Draft Stage 1 Preliminary Site Investigation – Proposed Residential Development – 33 Forest Rd, Kioloa NSW – Report No. 610.17627-R02 – 31<sup>st</sup> October 2017 – prepared by SLR Global Solutions("the contamination report"). Additionally the Stage 2 Limited Soil Investigation Report – Proposed Residential Development – 33 Forest</p>



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	<p><i>Rd, Kioloa NSW – 19<sup>th</sup> December 2022 Ref 603.30492.00000-Ro0-vo.1</i> – prepared by SLR Global (“the Soil Report”) was also reviewed.</p> <p>The subject site is not identified on Council’s Potentially Contaminated Land (PCL) layer. The site has been utilised as a rural residential property from approximately the 1960’s (photographic evidence).</p> <p>The Soil Report identified a small area of zinc affected soils likely attributed to surface water runoff post contact with the zinc galvanised metal roofing. No other sites were affected. Recommendations have been made in the Soil Report for further asbestos assessment of structures on site prior to demolition. It appears from the Soil Report that only one soil sample was analysed for ACM, although the COC shows asbestos listed as one of the parameters to be tested. Given the age of the structures on the site and the areas of concern showing demolished structures, asbestos has the potential to be present in soil and structures. Conditions to be added for prior to commencement of works.</p> <p>Decommissioning of the existing septic tank/s as per NSW Health will also be conditioned.</p>
OSSM Facility Unit	<p>I have reviewed the amended onsite wastewater report Ref P1806757JR05V03 dated 1/12/2023 that has been submitted to address previous comments.</p> <p>The report has addressed the matters raised in previously raised.</p> <p>Additional assessment has been undertaken by the applicant’s consultant to demonstrate that onsite effluent disposal can be achieved across the amended lot layout. Each property will require a detailed design at application stage that should be generally consistent with this report.</p> <p>Environmental Health is satisfied that the report has demonstrated that onsite effluent disposal can be achieved within the amended lot layout and the objectives and performance requirements of Shoalhaven Chapter G8 have been met.</p> <p>The following conditions are recommended and should be worded appropriately for the determination:</p> <ul style="list-style-type: none"> <li>○ A restrictive covenant shall be created on the land identified for primary and reserve effluent management areas on each lot that prohibits the building of any structures in that area.</li> </ul> <p>Reason: To prevent future construction of sheds, pools or outbuildings that will restrict onsite effluent disposal in the future.</p> <ul style="list-style-type: none"> <li>○ There shall be no surface water drainage connections into the stormwater drainage system servicing the properties.</li> </ul>

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	<p>Reason: Inter-allotment stormwater drainage is indicated on the plans. Any surface water inlets to the system will be within 40m of the effluent disposal areas.</p> <ul style="list-style-type: none"> <li>Each property will be required to lodge an onsite wastewater report with their development application that includes the detailed design of the proposed wastewater system.</li> </ul>
Drainage Engineer	Major issues of concern have been discussed with the Development engineer and are detailed within that referral.
Property Officer	<ol style="list-style-type: none"> <li>The proposed adjustment to the road reserve boundary of Merry Beach Road between the south and north boundaries of Lot 5 DP1280813 to contain the constructed road carriageway within dedicated public road reserve needs to be corrected and can take place with subdivision development of the land proposed with SF10987.</li> <li>The applicant has provided a road status report with SF10987 which determines the road to be Council public road.</li> <li>The alteration of the road reserve boundary (to align with constructed road) can occur under s44 of the Roads Act 1993 – land forming part of a former public road given in compensation for other land acquired as road.</li> <li>A development consent condition needs to be included for the developer to prepare and register with LRS NSW a Plan of Subdivision giving effect to the s44 of the Roads Act. The consent condition needs to be imposed in Stage 1 and prior to the release of the Construction certificate for subdivision works. The road reserve identified in the new Plan of Subdivision is to be dedicated as Council public road.</li> <li>To ensure legal public road access along Merry Beach Road (to the south of Lot 5), provision will need to be made for the section of the public road in 1-4 above to align with the remainder of the public road reserve for continuation of legal road access for the public. Currently, the constructed section of Merry Beach Road beyond Lot 5 occupies Crown land approximately 15-20m, before occupying the Merry Beach Road public road reserve again. This is the prevailing circumstance, and the DA does not alter the current road alignment at any point.</li> <li>To achieve the continued legal public access by way of dedicated road reserve, it may be possible to create the eastern part of proposed Lot 17 as temporary public road. Under the Roads Act a temporary public road can be closed by gazette notice and vests with the subdivider or successor on title later. My major concern with the proposed new road public road boundary in 1-4 above is that, in the current form proposed, will discontinue legal public road access to the south.</li> </ol> <p>DAO comment: A condition will be included in the consent that to Merry Beach Road dedication takes place prior to the issue of a Subdivision Works Certificate for Stage 2.</p>

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Roads & Asset Manager	<p>Major issues of concern have been discussed with the Development engineer and are detailed within that referral.</p> <p>The proposal to re-align the road reserve of Merry Beach Rd via a “land-swap” is generally supported by Road Assets provided the appropriate process to do so are followed (as identified as detailed within the Property referral (D23/249822)).</p> <p>Regarding the proposed Asset Protection Zone as shown in the bushfire assessment report, the proposed lot containing the Bioretention Basin is not supported to be used as part of the APZ given that ownership of this lot will be transferred to Council. As such the APZ should be extended further into the surrounding lot.</p>
Principal Transport Engineer	No objections, comments provided to assist with Development Engineering conditions.

External Referrals	
Referral	Comments
NSW Rural Fire Service	No objection subject to recommended conditions.
Endeavour Energy	No objections subject to conditions. Recommended that they should investigate the siting of a padmount station as it will be needed to service the subdivision.

## 5. Other Approvals

Integrated Development	
Agency	Recommendation
NSW Rural Fire Service	General Terms of Approval and a Bush Fire Safety Authority has been issued by NSW RFS (see <a href="#">D24/366769</a> )

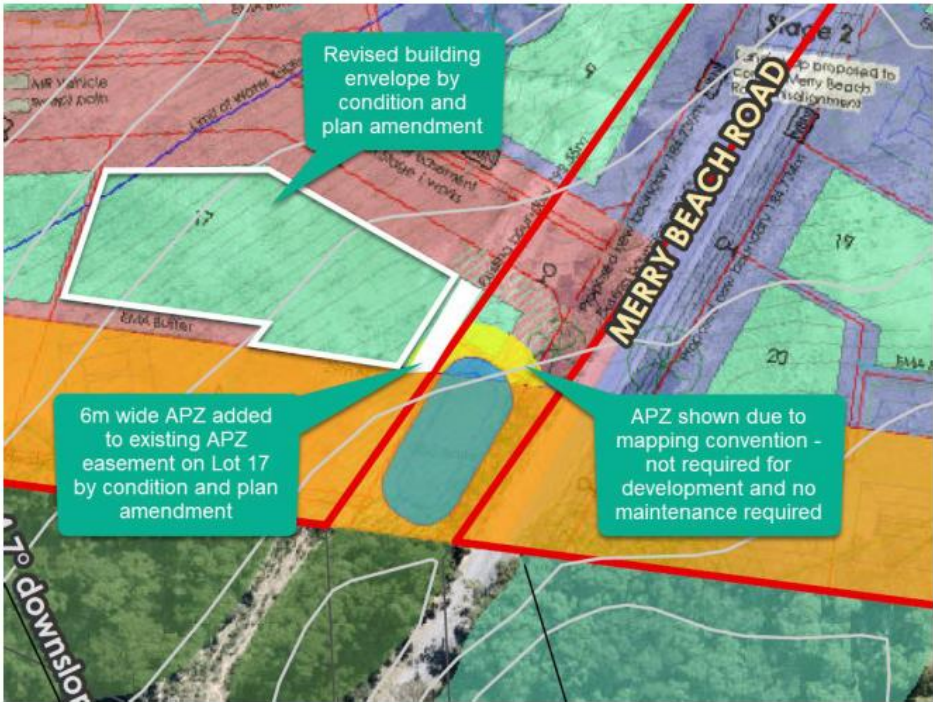
## 6. Statutory Considerations

### Environmental Planning and Assessment Act 1979

#### Section 4.14 Consultation and development consent – certain bush fire prone land

Is the development site mapped as bush fire prone land?	Yes - Complete below table and assessment against Planning for Bush Fire Protection
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<p><i>Is there vegetation within 140m of the proposed development that would form a bush fire hazard as identified in Planning for Bush Fire Protection?</i></p> <p><i>Note: The bush fire mapping cannot be relied upon solely for identifying bush fire hazards.</i></p>	<p>Yes - Complete below table and assessment against Planning for Bush Fire Protection</p>
<p>General Terms of Approval and a Bush Fire Safety Authority have been issued by NSW RFS. Recommended conditions of consent will require compliance with the GTAs.</p> <p>The applicant has provided a Bushfire Assessment Supplementary Letter prepared by Blackash Bushfire Consultants that recommends revision of the proposed building envelope on Lot 17 so that there is a 6m APZ on the eastern portion of the lot which shares a boundary with the stormwater basin. In addition, the report has stated that no APZ is required to be over the stormwater detention basin. A deferred condition of consent will require revised plans be provided to Council that reflect this.</p>  <p>Figure 2: Proposed plan amendment to building envelope and APZ easement shown for clarity</p> <p>Figure 2 from Bushfire Consultants Supplementary Letter</p>	

**Biodiversity Conservation Act 1979**

<p><i>Does the application include works or vegetation removal within the <a href="#">Biodiversity Values mapped area</a>?</i></p>	<p>Yes</p>
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<p><b>Does the application involve clearing of native vegetation above the area clearing threshold?</b></p> <div> <p><b>Area clearing threshold</b></p> <p>The area threshold varies depending on the minimum lot size (shown in the Lot Size Maps made under the relevant Local Environmental Plan (LEP)), or actual lot size (where there is no minimum lot size provided for the relevant land under the LEP).</p> <table> <tr> <th>Minimum lot size associated with the property</th><th>Threshold for clearing, above which the BAM and offsets scheme apply</th></tr> <tr> <td>Less than 1 ha</td><td>0.25 ha or more</td></tr> <tr> <td>1 ha to less than 40 ha</td><td>0.5 ha or more</td></tr> <tr> <td>40 ha to less than 1000 ha</td><td>1 ha or more</td></tr> <tr> <td>1000 ha or more</td><td>2 ha or more</td></tr> </table> <p>The area threshold applies to all proposed native vegetation clearing associated with a proposal, regardless of whether this clearing is across multiple lots. In the case of a subdivision, the proposed clearing must include all future clearing likely to be required for the intended use of the land after it is subdivided.</p> <p>If the land on which the proposed development is located has different minimum lot sizes the smaller or smallest of those minimum lot sizes is used to determine the area clearing threshold.</p> </div>	Minimum lot size associated with the property	Threshold for clearing, above which the BAM and offsets scheme apply	Less than 1 ha	0.25 ha or more	1 ha to less than 40 ha	0.5 ha or more	40 ha to less than 1000 ha	1 ha or more	1000 ha or more	2 ha or more	No
Minimum lot size associated with the property	Threshold for clearing, above which the BAM and offsets scheme apply										
Less than 1 ha	0.25 ha or more										
1 ha to less than 40 ha	0.5 ha or more										
40 ha to less than 1000 ha	1 ha or more										
1000 ha or more	2 ha or more										
<p><b>Will the proposed development have a significant impact on threatened species or ecological communities, or their habitats, according to the test in <a href="#">section 7.3</a> of the Biodiversity Conservation Act 2016 (i.e. 'test of significance')?</b></p> <p><i>Note: Consideration should be given to the site's proximity to NPWS land (see <a href="#">guidelines</a>) and other natural areas, as well as any area that may contain threatened species, vulnerable or endangered ecological communities or other vulnerable habitats.</i></p>	No										
<p><b>If the application exceeds the Biodiversity Offsets Scheme Threshold (i.e. if yes to <b>any</b> of the above), has the application been supported by a Biodiversity Development Assessment Report (BDAR)?</b></p>	No										
<p><i>The application is supported with a Biodiversity Assessment Report and an Arboricultural Impact Assessment Report. The application has been referred to the Environmental Assessment Officer.</i></p>											

**Local Government Act 1993**

<p><b>Do the proposed works require approval under Section 68 of the Local Government Act 1993?</b></p>	No
<p><b>Delete below table if s68 approval is not required for the development</b></p>	
<p><b>Does the application include an application under <a href="#">Section 68</a> of the Local Government Act 1993 for water supply, sewerage and stormwater drainage work?</b></p> <p><i>Note: Section 68 applications are shown as a related case to the PAN in the NSW Planning Portal.</i></p>	No



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Does the application include an application under <a href="#">Section 68</a> of the Local Government Act 1993 to operate a system of sewage management (i.e. on-site sewage management system)?	No
Does the application include an application under <a href="#">Section 68</a> of the Local Government Act 1993 to install a domestic oil or solid fuel heating appliance, other than a portable appliance (i.e. a fire place)?	No

## 7. Statement of Compliance/Assessment

The following provides an assessment of the submitted application against the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

### (a) Any planning instrument, draft instrument, DCP and regulations that apply to the land

#### i) Environmental Planning Instrument

This report assesses the proposed development/use against relevant State, Regional and Local Environmental Planning Instruments and policies in accordance with Section 4.15 (1) of the *Environmental Planning and Assessment Act 1979*. The following planning instruments and controls apply to the proposed development:

Environmental Planning Instrument
Shoalhaven Local Environmental Plan 2014
State Environmental Planning Policy (Biodiversity and Conservation) 2021
State Environmental Planning Policy (Resilience and Hazards) 2021
State Environmental Planning Policy (Transport and Infrastructure) 2021

#### State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 3 Koala Habitat Protection 2020

Question	Yes		No	
1. Does the subject site have a site area >1ha or does the site form part of a landholding >1ha in area?	<input checked="" type="checkbox"/>	Proceed to Question 2	<input type="checkbox"/>	Assessment under SEPP not required.
2. Is the land 'potential koala habitat'? <i>Note: 'potential koala habitat' are areas of native vegetation where trees of the types listed in Schedule 2 of the SEPP (feed tree species) constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.</i>	<input type="checkbox"/>	Proceed to Question 3	<input checked="" type="checkbox"/>	Proposal satisfactory under SEPP.

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Question	Yes		No	
<b>3. Is the land 'core koala habitat'?</b>  <i>Note: 'core koala habitat' is an area of land with a resident population of koalas, evidenced by attributes such as breeding females, being females with young, and recent sightings of and historical records of a population.</i>	<input type="checkbox"/>	Proceed to Question 4	<input type="checkbox"/>	Proposal satisfactory under SEPP.
<b>4. Has the application been supported by a plan of management prepared in accordance with Part 3 of the SEPP?</b>	<input type="checkbox"/>	Plan of management must be referred to EAOs and Planning Secretary for approval.	<input type="checkbox"/>	Application cannot be supported

Chapter 4 Koala Habitat Protection 2021

Question	Yes		No	
<b>1. Is there an approved koala plan of management for the subject land?</b>	<input type="checkbox"/>	Proceed to Question 2	<input checked="" type="checkbox"/>	Proceed to Question 3
<b>2. Is the proposed development consistent with the approved koala plan of management that applies to the land?</b>	<input type="checkbox"/>	Proposal satisfactory under SEPP.	<input type="checkbox"/>	Application cannot be supported.
<b>3. Has information been provided to Council by a suitably qualified consultant that demonstrates that the land the subject of the development application:</b>  <b>a)</b> Does not include any trees belonging to the koala use tree species listed in Schedule 2 of the SEPP for the relevant koala management area, or  <b>b)</b> Is not core koala habitat, or  <b>c)</b> There are no trees with a diameter at breast height over bark of more than 10cm, or  <b>d)</b> The land only includes horticultural or agricultural plantations	<input checked="" type="checkbox"/>	Proposal satisfactory under SEPP as (a), (b), (c) or (d) is satisfied.	<input type="checkbox"/>	Proceed to Question 4
<b>4. Is the proposed development likely to have an impact on koalas or koala habitat?</b>	<input type="checkbox"/>	Proceed to Question 5	<input checked="" type="checkbox"/>	Proposal satisfactory under SEPP.

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Question	Yes	No
<p>5. Has the application been supported by a koala assessment report?</p> <p><i>Note: 'koala assessment report' under the SEPP means a report prepared by a suitably qualified and experienced person about the likely and potential impacts of the development on koalas or koala habitat and the proposed management of those impacts.</i></p>	<p><input type="checkbox"/></p> <p>The koala assessment report has been reviewed and the proposed development is considered suitable.</p> <p>Proposal satisfactory under SEPP.</p>	<p><input type="checkbox"/></p> <p>Application cannot be supported</p>

**State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

A valid BASIX certificate has been submitted as part of the application. The certificate demonstrates compliance with the provisions of the SEPP and is consistent with commitments identified in the application documentation.

**State Environmental Planning Policy (Resilience and Hazards) 2021**

**Chapter 2 Coastal Management**

The subject land is mapped as **“coastal use area”** under the SEPP.

It is considered that the proposed development does not unduly impact upon the coastal environment. The proposed development is acceptable with regard to SEPP.



**Chapter 4 Remediation of Land**

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Question	Yes		No	
1. Does the proposal result in a new land use being a residential, educational, recreational, hospital, childcare or other use that may result in exposure to contaminated land?	<input checked="" type="checkbox"/>	Proceed to Question 2	<input type="checkbox"/>	Assessment under SEPP 55 and DCP not required.
2. Are there any previous investigations about contamination on the land?	<input type="checkbox"/>	Detailed investigation required.	<input checked="" type="checkbox"/>	Proceed to Question 3
3. Was the site previously used or is the site currently used for an activity listed in Table 1 of the Managing Land Contamination Planning Guidelines?	<input type="checkbox"/>	Detailed investigation required.	<input checked="" type="checkbox"/>	Proceed to Question 4
4. Are there any land use restrictions on the land relating to possible contamination (e.g. notices issued by EPA or other regulatory authority)?	<input type="checkbox"/>	Detailed investigation required.	<input checked="" type="checkbox"/>	Proceed to Question 5
5. Did the site inspection suggest that the site may have been associated with any activities listed in Table 1 of the Managing Land Contamination Planning Guidelines or were any potential sources of contamination observed on site?	<input type="checkbox"/>	Detailed investigation required.	<input checked="" type="checkbox"/>	Proceed to Question 6
6. Are there any identified sources of contamination on land immediately adjoining the subject site which could affect the subject land?	<input type="checkbox"/>	Detailed investigation required.	<input checked="" type="checkbox"/>	Proceed to Question 7
7. Does Council have sufficient information to be satisfied that the proposed land use will not expose contaminants that might be present in soil or groundwater?	<input checked="" type="checkbox"/>	Proposal satisfactory with regard to SEPP55 and DCP requirements	<input type="checkbox"/>	Detailed investigation required.

The applicant has submitted a Preliminary Site Investigation for the property which has concluded that it is suitable for the proposed development. The EHO has reviewed the document and is satisfied subject to the inclusion of conditions.

They provided the following overall comment:

*'Draft Stage 1 Preliminary Site Investigation – Proposed Residential Development – 33 Forest Rd, Kioloa NSW – Report No. 610.17627-R02 – 31<sup>st</sup> October 2017 – prepared by SLR Global Solutions ("the contamination report"). Additionally the Stage 2 Limited Soil Investigation Report – Proposed Residential Development – 33 Forest Rd, Kioloa NSW – 19<sup>th</sup> December 2022 Ref 603.30492.00000-R00-vo.1 – prepared by SLR Global ("the Soil Report") was also reviewed.*

#### Section 4.15 Assessment Report - SF10987

The subject site is not identified on Council's Potentially Contaminated Land (PCL) layer. The site has been utilised as a rural residential property from approximately the 1960's (photographic evidence).

The Soil Report identified a small area of zinc affected soils likely attributed to surface water runoff post contact with the zinc galvanised metal roofing. No other sites were affected. Recommendations have been made in the Soil Report for further asbestos assessment of structures on site prior to demolition. It appears from the Soil Report that only one soil sample was analysed for ACM, although the COC shows asbestos listed as one of the parameters to be tested. Given the age of the structures on the site and the areas of concern showing demolished structures, asbestos has the potential to be present in soil and structures. Conditions to be added for prior to commencement of works.

Decommissioning of the existing septic tank/s as per NSW Health will also be conditioned.'

### **State Environmental Planning Policy (Transport and Infrastructure) 2021**

#### **Chapter 2 Infrastructure**

Considerations	Comments
<b>Electricity Transmission or Distribution network</b>	
<i>Part 2.3 Division 5 Subdivision 2 – Development likely to affect an electricity transmission or distribution network</i>	The proposal involves work that will increase the demand for electricity. The application was referred to Endeavour Energy for comment with no objection being raised subject to advice. Referral comments have been taken into consideration.

### **Shoalhaven Local Environmental Plan Local Environmental Plan 2014**

#### **Land Zoning**

The land is zoned RU5 Village under the *Shoalhaven Local Environmental Plan 2014*.



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Zoning Map

**Characterisation and Permissibility**

The proposal is best characterised as subdivision under *Shoalhaven Local Environmental Plan 2014*. The proposal is permitted within the zone with the consent of Council.


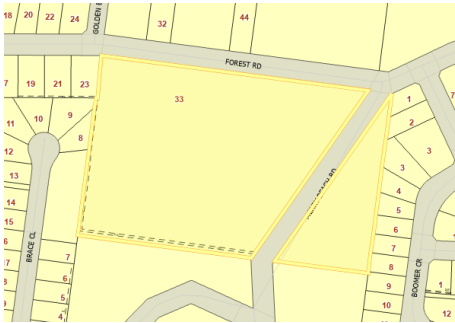
**Zone Objectives**

Objective	Comment
To provide for a range of land uses, services and facilities that are associated with a rural village	The proposal is consistent with the objective of the zone.

**Applicable Clauses**

Clause	Comments	Complies/ Consistent
<b>Part 2 Permitted or prohibited development</b>		
<b>2.6</b> Subdivision – Consent requirements	The application is seeking consent for a 20 Torrens title lot subdivision	Complies
<b>2.7</b> Demolition requires development consent	The application included demolition of the outbuildings on the site. Appropriate conditions for their safe removal will be included in the consent.	Complies

## Section 4.15 Assessment Report - SF10987

Part 4 Principal development standards		
<b>4.1</b> Minimum subdivision lot size	 <p>The mapped minimum lot size is 500m<sup>2</sup>. The proposal is for 20 lots ranging in size from 1291m<sup>2</sup> to 4079m<sup>2</sup>.</p>	Complies
Part 5 Miscellaneous provisions		
Part 7 Additional local provisions		
<b>7.1</b> Acid sulfate soils	 <p>The lot is mapped as Class 5 Acid Sulfate Soils and is not proposing any works within 500m of any other ASS Class that is below 5m AHD and by which the watertable is likely to be lowered below 1 metre AHD on a lower ASS Class of land.</p>	Complies
<b>7.2</b> Earthworks	<p>Earthworks proposed as part of the civil works associated with the subdivision.</p> <p>The applicant has provided civil works plans which have been reviewed by the Development Engineer as being acceptable subject to conditions of consent.</p> <p>Condition will be included in the consent to ensure that the proposed earthworks do not have an adverse impact on the surrounding environment.</p>	Complies
<b>7.11</b> Essential services	<p>There is electricity available to the site. Endeavour Energy have reviewed the plans and have advised that a padmount station is required for the development.</p>	Complies

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	<p>There is no reticulated water or sewer available to the site or the Kioloa area. The applicant has submitted a report prepared by Mertens Engineering in relation to providing onsite wastewater systems to future developments. This has been assessed by Councils Environmental Health Officer who have no objections subject to conditions of consent.</p> <p>It is proposed that potable water will be harvested on site by rainwater tanks.</p>	
--	---	--

**ii) Draft Environmental Planning Instrument**

The proposal is not inconsistent with any [Draft Environmental Planning Instruments](#).

**iii) Any Development Control Plan**

**Shoalhaven Development Control Plan 2014**

Chapter 2 General and Environmental Considerations	
<b>Potentially Contaminated Land</b>	The subject site is not identified as potentially contaminated land
<b>European Heritage</b>	The subject site is not identified as containing any items of historical significance and is not located within a Conservation Area.
<b>Aboriginal Cultural Heritage</b>	The subject site is not identified as containing any items of Aboriginal heritage and is not identified as Cultural Lands. There are no aboriginal places declared in or near the site.
<b>Crime Prevention Through Environmental Design</b>	<p>The proposed development is not considered to create a risk or increase risk of crime within the locale.</p> <p>The proposed development does not trigger a formal crime risk assessment or referral to NSW Police Local Area Command.</p>

Generic DCP Chapter	
<b><u>G1: Site Analysis, Sustainable Design and Building Materials</u></b>	
A suitable site analysis plan and schedule of proposed materials has been submitted as part of the application and is deemed acceptable.	
<b><u>G2: Sustainable Stormwater Management and Erosion/Sediment Control</u></b>	
Has the application been supported by appropriate erosion and sediment control details?	Yes

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Has the application been supported appropriate stormwater drainage details?	Yes - Complete table below
<p>It is proposed that stormwater runoff will be captured via onsite detention, utilising rainwater tanks on the lots and a water quality basin downstream. The stormwater will go through a treatment train consisting of rainwater tanks, swales and bioretention basin to manage the stormwater quality. The proposal meets Councils stormwater management DCP requirements. In addition, to further protect water quality a restrictive covenant will be conditioned to ensure that overland surface water drainage connections into the stormwater drainage system servicing the properties.</p> <p>Council's Development Engineer has reviewed the stormwater management plans and has no objection subject to conditions of consent.</p>	
<b>G3: Landscaping Design Guidelines</b>	
Existing/proposed landscaping is appropriate.	
<b>G4: Tree and Vegetation Management</b>	
<p>Have any trees proposed to be removed been clearly shown on the site plan (where required)?</p> <p>The applicant has provided a Biodiversity Assessment and an Arboricultural Assessment Report.</p>	Yes
<b>G5: Biodiversity Impact Assessment</b>	
Is the proposal biodiversity compliant development?	Yes
Has the application been supported by a Biodiversity Development Assessment Report (where required)?	Yes
<b>G7: Waste Minimisation and Management Controls</b>	
Has the application been supported by an appropriate waste minimisation and management plan?	Yes
<b>G8: Onsite Sewage Management</b>	
<p>Has the application been supported by an appropriate on-site sewage management report (where required)?</p> <p>The application has been supported by an Onsite Wastewater Management Strategy which has been reviewed by the EHOs and found to be inadequate. The EHO has requested additional information throughout the assessment of the application and is now satisfied that the proposal will meet the DCP objectives and performance criteria.</p> <p>The applicant has requested a variation to Acceptable Solution A8.2, whereby the minimum lot size for any allotment created through subdivision is 2500m<sup>2</sup>. See performance-based solution proposed at Appendix B.</p>	Yes - See referral comments from SMF (major development) or Plumbing and Drainage (minor development).
<b>G11: Subdivision of Land</b>	

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Please see Appendix A for a full assessment against Chapter G11.

**iiia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4**

There are no planning agreements applying to this application.

**iv) Environmental Planning and Assessment Regulation 2000**

The proposal ensures compliance with the applicable requirements within the Regulations subject to recommended conditions of consent.

**Illawarra Shoalhaven Regional Plan 2041**

The proposed development is consistent with the Illawarra Shoalhaven Regional Plan 2041.

**Other Shoalhaven Council Policies**

**Shoalhaven Contribution Plan 2019 & Section 64 Contributions**

Is the development site an “ <a href="#">old subdivision property</a> ” identified in Shoalhaven Contributions Plan 2019?	No
Is the proposed development considered to increase the demand for community facilities in accordance with the <a href="#">Shoalhaven Contributions Plan 2019</a> ?	Yes - s7.11 contributions are applicable.
Is the proposed development considered to increase the demand for on water and sewer services (i.e. s64 Contributions)	No

The development is most aptly characterised as a ‘Subdivision’ development for the purpose of calculating contributions under the Plan.

**Stage 1 (Lots 1 to 6)**



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Developer Contributions - Work - Microsoft Edge
https://darts/Section94/Section94CalcET\_New.aspx

### Section 7.11 ET Calculations - SF10987 (UPN: 1002483)

Close
Reset
Print
Return Calc

☒ Residential
☐ Non-Residential

**Calculation Type:**  
Subdivision

**Subdivision**

	Existing	Proposed
Lots	1	6
<b>Total ET</b>		5
		0

**NOTE:**  
Prior to the issue of development consent which requires contributions in accordance with this Plan, credit of the respective ETs or m2 is given to recognise the original approved land use of the development site (i.e. dwelling / building / subdivision).

Calculation Financial Year: 2024 Rates
Stage: 1
20000
Apportion Cap

Project	Description	Benefit Area	Contribution Amt	Cap Adjustment	Qty	Contribution Total	ADD
05AREC0005	Planning Area 5 - Active recreation facility upgrades various locations	01 - ET	1226.19	0.00	5.00	6130.95	✗
05CFAC2010	Southern Shoalhaven Branch Library	01 - ET	617.01	0.00	5.00	3085.05	✗
05ROAD2048	Murrumbidgee Road - Kioloa Bridge	01 - ET	1646.21	0.00	5.00	8231.05	✗
CWAREC5005	Shoalhaven Community and Recreational Precinct ScaRP Cambewarra Road Bomaderry	05 - ET	1284.19	0.00	5.00	6420.95	✗
CWCFAC5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	05 - ET	970.59	0.00	5.00	4852.95	✗
CWCFAC5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	01 - ET	1502.37	0.00	5.00	7511.85	✗
CWCFAC5007	Shoalhaven Regional Gallery	01 - ET	82.48	0.00	5.00	412.40	✗
CWFIRE2001	Citywide Fire & Emergency services	01 - ET	162.05	0.00	5.00	810.25	✗
CWFIRE2002	Shoalhaven Fire Control Centre	01 - ET	237.08	0.00	5.00	1185.40	✗
CWWMGT3001	Contributions Management & Administration	01 - ET	673.90	0.00	5.00	3369.50	✗
<b>Label</b>			<b>\$8,402.07</b>	<b>\$0.00</b>		<b>\$42,010.35</b>	

Stage 2 (Lot 7 to 9 and Lots 18 to 20)

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[https://darts/Section94/Section94CalcET\\_New.aspx](https://darts/Section94/Section94CalcET_New.aspx)

### Section 7.11 ET Calculations - SF10987 (UPN: 1002483)

Close
Reset
Print
Return Calc

☒ Residential
☐ Non-Residential

**Calculation Type:**  
Subdivision

**Subdivision**

	Existing	Proposed
Lots	0	6
<b>Total ET</b>		<b>6</b>
		<b>0</b>

**NOTE:**  
Prior to the issue of development consent which requires contributions in accordance with this Plan, credit of the respective ETs or m2 is given to recognise the original approved land use of the development site (i.e. dwelling / building / subdivision).

Calculation Financial Year: 2024 Rates
Stage: 2
20000
Apportion Cap

Project	Description	Benefit Area	Contribution Amt	Cap Adjustment	Qty	Contribution Total	ADD
05AREC0005	Planning Area 5 - Active recreation facility upgrades various locations	01 - ET	1226.19	0.00	6.00	7357.14	X
05CFAC2010	Southern Shoalhaven Branch Library	01 - ET	617.01	0.00	6.00	3702.06	X
05ROAD2048	Murramarang Road - Kioloa Bridge	01 - ET	1646.21	0.00	6.00	9877.26	X
05AREC5005	Shoalhaven Community and Recreational Precinct ScaRP Cambewarra Road Bomaderry	05 - ET	1284.19	0.00	6.00	7705.14	X
05CFAC5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	05 - ET	970.59	0.00	6.00	5823.54	X
05CFAC5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	01 - ET	1502.37	0.00	6.00	9014.22	X
05CFAC5007	Shoalhaven Regional Gallery	01 - ET	82.48	0.00	6.00	494.88	X
05FIRE2001	Citywide Fire & Emergency services	01 - ET	162.05	0.00	6.00	972.30	X
05FIRE2002	Shoalhaven Fire Control Centre	01 - ET	237.08	0.00	6.00	1422.48	X
05MGMT3001	Contributions Management & Administration	01 - ET	673.90	0.00	6.00	4043.40	X
<b>Label</b>			<b>\$8,402.07</b>	<b>\$0.00</b>		<b>\$50,412.42</b>	

## Section 4.15 Assessment Report - SF10987

## Stage 3 (Lots 10 to 17)

[https://darts/Section94/Section94CalcET\\_New.aspx](https://darts/Section94/Section94CalcET_New.aspx)

## Section 7.11 ET Calculations - SF10987 (UPN: 1002483)

   ☒ Residential ☐ Non-Residential

## Calculation Type:

Subdivision

## Subdivision

	Existing	Proposed
Lots	0	8
Total ET		8
		0

## NOTE:

Prior to the issue of development consent which requires contributions in accordance with this Plan, credit of the respective ETs or m2 is given to recognise the original approved land use of the development site (i.e. dwelling / building / subdivision).

Calculation Financial Year: 2024 Rates

Stage: 3

20000

Apportion Cap

Project	Description	Benefit Area	Contribution Amt	Cap Adjustment	Qty	Contribution Total	ADD
05AREC0005	Planning Area 5 - Active recreation facility upgrades various locations	01 - ET	1226.19	0.00	8.00	9809.52	×
05CFAC2010	Southern Shoalhaven Branch Library	01 - ET	617.01	0.00	8.00	4936.08	×
05ROAD2048	Murramarang Road - Kioloa Bridge	01 - ET	1646.21	0.00	8.00	13169.68	×
05AREC5005	Shoalhaven Community and Recreational Precinct ScaRP Cambewarra Road Bomaderry	05 - ET	1284.19	0.00	8.00	10273.52	×
05CFAC5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	05 - ET	970.59	0.00	8.00	7764.72	×
05CFAC5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	01 - ET	1502.37	0.00	8.00	12018.96	×
05CFAC5007	Shoalhaven Regional Gallery	01 - ET	82.48	0.00	8.00	659.84	×
05FIRE2001	Citywide Fire & Emergency services	01 - ET	162.05	0.00	8.00	1296.40	×
05FIRE2002	Shoalhaven Fire Control Centre	01 - ET	237.08	0.00	8.00	1896.64	×
05MGMT3001	Contributions Management & Administration	01 - ET	673.90	0.00	8.00	5391.20	×
Label			\$8,402.07	\$0.00		\$67,216.56	

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**(b) The Likely impacts of that development, including environmental impacts on the natural and built environments, and social and economic impacts in the locality**

Head of Consideration	Comment
Natural Environment	The proposed development will not have a significant adverse impact on the natural environment. The application has demonstrated that onsite wastewater systems can be supported on each of the proposed lots without having an adverse impact on the surrounding environment. Conditions of consent will be imposed to ensure that future development of the lots will comply. In addition, appropriate measures are proposed for stormwater runoff.
Built Environment	The proposed development will not have a significant adverse impact on the built environment. The lots will have designated building envelopes and effluent disposal areas that will be indicated on the deposited plan, along with easements and restrictions that will ensure that the recommendations of the Onsite Wastewater Report are complied with.
Social Impacts	The proposal to provide additional residential lots will have a positive impact on housing supply in the region.
Economic Impacts	The proposed development will have a positive impact on the local economy during the construction phase, and on local businesses and services in the area.

**(c) Suitability of the site for the development**

The site is suitable for the proposed development.

- The development is permissible with Council consent within the zone.
- The proposal supports the local zoning objectives.
- The proposal is consistent with the objectives and requirements of the *Shoalhaven Local Environmental Plan 2014*.
- The proposal is consistent with the objectives and requirements of the *Shoalhaven Development Control Plan 2014*.
- The intended use is compatible with surrounding/adjoining land uses

**(d) Submissions made in accordance with the Act or the regulations**

The DA was notified from the 27 April 2023 to 25 May 2023 and extended until the 1.6.2023 in accordance with Council's Community Consultation Policy for Development Applications. Eighteen (18) submissions were received by Council objecting to the proposal. The concerns raised are outlined below:

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Summary of Public Submissions	
Objection Raised	Comment
Lack of Infrastructure	<p>The lot is zoned RU5 with a minimum lot size of 500m<sup>2</sup> on which subdivision and residential development is permitted with consent. The proposal is for 20 lots ranging in size from 1291m<sup>2</sup> to 4079m<sup>2</sup> which are at a minimum double the minimum lot size. The larger size is to accommodate onsite wastewater systems. It is a small increase in the population of the area and the existing infrastructure is considered adequate to support the proposal.</p> <p>The applicant has had an electrical engineer assess the power supply which they have deemed to be acceptable for the proposed future residential use. The application was also referred to Endeavour Energy who have advised that a padmount substation is required to service the subdivision.</p>
State of existing roads	<p>The condition of the existing roads is not a planning consideration for the proposed development. The maintenance of the roads is one of maintenance and Council's capital works program.</p>
Onsite wastewater concerns for impact on ground water quality	<p>The applicant has provided an Onsite Wastewater Report prepared by Martens Engineering who undertook site investigation and effluent modelling to demonstrate that the proposed onsite systems can be accommodated on the individual lots, without causing adverse impacts to the surrounding environment including local groundwater, infrastructure and residential land. It has been reviewed by Councils Environmental Health Officer who is satisfied that the report has demonstrated that onsite effluent disposal can be achieved within the proposed lots on the amended lot layout, and the objectives and performance requirements of Shoalhaven Development Control Plan have been met.</p>
Lot sizes	<p>The lot sizes range from 1291m<sup>2</sup> to 4079m<sup>2</sup> and comply with the LEP minimum lot size of 500m<sup>2</sup>. However, they do not comply with Chapter G8 DCP requirement of 2500m<sup>2</sup> minimum for lots for subdivision of lots that require onsite wastewater systems. The applicant has provided an Onsite Wastewater Assessment Report that assesses the suitability of the land and the installation of onsite systems on smaller lots, and the impact on the environment. Each property will require a detailed design at application stage that should be generally consistent with the approved Onsite Wastewater Report. Council is satisfied that the report has demonstrated that onsite effluent disposal can be achieved within the amended lot layout and the objectives and performance requirements of Shoalhaven Development Control Plan have been met.</p>



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Wildlife corridor	The lot is a grassland/pasture lot used for animal grazing in the past. A biodiversity assessment report has been provided that confirms that the vegetation on the lot is not significant, nor does it recommend that a wildlife corridor is required.
Future tourist uses as an 'air bnb'	The application is for subdivision and not for dwelling construction or tourist and visitor accommodation. Air bnbs can be conducted in dwellings without Council consent and are regulated by the Department of Fair Trading.
Lack of provision of green space	The relatively small size (22 lots) of the subdivision does not require public open space to be provided. The proposed subdivision is within walking distance to Merry Beach and in close proximity to the Murramarang National Park.
Additional traffic	The existing road network is considered to be adequate for the proposed development and the additional traffic that will be generated.
Affordable housing	The proposal is for subdivision of land and not affordable housing. There is no planning requirement for a developer to provide affordable housing
Stormwater runoff	It is proposed that stormwater runoff will be captured in onsite detention, utilising rainwater tanks on the lots and a water quality basin downstream. The stormwater will go through a treatment train consisting of rainwater tanks swale and bioretention basin to manage the stormwater quality. The proposal meets Councils stormwater management DCP requirements.
Notification	The application was notified in accordance with Council's Community Consultation Policy.
View loss	There will be no view loss as a result of the subdivision. Future development applications for dwellings will take view loss into consideration as part of the assessment process.
Coastal character	The proposed lot sizes are generally larger than surrounding development and will not be inconsistent with the coastal character of the area. The land is a large parcel that is zoned RU5 Village in the current LEP and 2E residential under the previous LEP 1985 with a minimum lot size of 500m <sup>2</sup> . Future development application for residences on the lots will be required to comply with Council's Development Controls which includes controls pertaining to local character and context.
Bushfire	The application is integrated development with the NSW RFS who have no objections and have issued General Terms of Approval for the development in accordance with Planning for Bushfire Protection 2019.

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Community contributions	The subdivision will be subject to s7.11 developer contributions as outlined in Councils Contributions Plan. The plan also details how the funds are allocated to community projects.
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A further submission was received on 25.1.2024 from an objector raising concerns about the Onsite Wastewater Report and the impacts on water quality to the surrounding residential and Merry Beach ecosystem. These concerns are similar to other objections and are addressed above.

**Applicants Response**

The applicant has provided a response to the submissions which are summarised as follows:

Minimum lot size	<i>Given the DCP minimum lot size requirement is inconsistent and incompatible with the provision of the LEP, the DCP minimum lot size requirement has no effect. Council cannot refuse the DA on the grounds of minimum lot size given the application provides lots well in excess of the LEP requirement. To do so would be a breach of the Act.</i>
Inadequate infrastructure/power/amenities/shops	<i>The DA has been reviewed by Raymond Romanos (Electrical Engineer) who has confirmed that the power infrastructure is sufficient. A plan marked up by Mr Romanos will be submitted to Council through the Planning Portal.</i>  <i>The concern regarding insufficient amenities is not reasonable and has no merit.</i>
Inadequate Block Size	<i>The minimum lot size pursuant to the Shoalhaven LEP is 500m2. The proposed lots range from 1,180m2 (lot 5) to 4,370.7m2 (lot 19).</i>  <i>The variation to the DCP lot size requirement has been addressed by Dr Daniel Martens in his report submitted with the DA, and the subsequent response to the engineering referral dated 9 June 2023. The science supports the proposed lot sizes and effluent management systems. As does the precedent set by Council in approving our clients previous DA at 17 Forest Road, for four lots, all 1,000m2 with identical effluent management systems proposed.</i>  <i>The proposed lots will be bigger than all lots adjoining the subject site, which are generally 600m2. We are genuinely surprised that the submissions would raise lot size as a concern.</i>
Wildlife corridor	<i>In response to these concerns, we provide the following extracts from the BDAR prepared by South East Environmental submitted with the DA: -</i>  <i>Part 1.3: "The disturbance from many years of livestock grazing and grass mowing is apparent throughout the cleared areas where minimal native vegetation occurs and exotic grasses dominate the vegetation class."</i>  <i>Part 7: "The subject property has a history of disturbance from the use as a livestock grazing property and lifestyle</i>

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	<p><i>living. The vegetation within the study area is significantly disturbed which is reflected in the Vegetation Integrity Score achieved via the BAM survey data....</i></p> <p><i>Due to the poor condition of the vegetation subject to removal and its position within the landscape, it is highly unlikely that a Serious And Irreversible Impact will occur to either of the Endangered Ecological Communities or the threatened fauna species which may occur onsite...</i></p> <p><i>The proposed development of a new subdivision will not significantly impact upon any threatened species, threatened population or threatened ecological community as listed on the schedule of the NSW BC Act. No other potential habitat for any threatened fauna species or populations will be directly affected should the development be approved providing recommendations within this report are adopted."</i></p> <p><i>The concerns raised have been considered and addressed by South East Environmental.</i></p>
Stormwater drainage/quality of runoff	<p><i>In response to these concerns, we provide the below extract from the Statement of Environmental Effects prepared by Smith &amp; Tzannes, submitted with the DA: -</i></p> <p><i>Part 3.7: "At present, the stormwater catchment associated with the site falls from Forest Road and collects to the south and south-east of the property. Stormwater from future development will be captured for occupant use. Excess and surface runoff will be diverted away from the wastewater treatment area and along a 2m wide easement, as shown on the concept drawing.</i></p> <p><i>Disposal will be via existing infrastructure on Merry Beach Road. Refer accompanying Civil Engineer documentation. The proposed stormwater catchment is generally consistent with the existing catchment in that it falls from Forest Road to the rear boundary."</i></p> <p><i>With reference to the plans prepared by MAKER Engineers, all stormwater that is not captured and reused onsite, will be filtered in the proposed bioretention basin before being disposed of. This is a better outcome than that currently in place.</i></p>
Parking	<p><i>The proposed large lots will accommodate an overflow of parking for future residents and visitors. This concern is not reasonable and has no merit.</i></p>
Roads	<p><i>The addition of 22 lots will not have any discernible impact on the local road network.</i></p> <p><i>The quality of the local road network is a matter that the residents should raise with Council.</i></p>
Bushfire	<p><i>Given the RFS has issued GTA's for the proposed development, this concern is addressed.</i></p>

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Aboriginal objects	<i>On 28 June 2023 we carried out a search on the Aboriginal Heritage Information Management System (AHIMS). The search confirmed that there are not any "Aboriginal sites recorded in or near the above location" and there are not any "Aboriginal places declared in or near the above location". The search terms require the search to "not be made available to the public." However, the Council and any interested residents can carry out the search as they please. This resolves this concern.</i>
Coastal character	<p><i>In response to these concerns, we provide the below extract from the Statement of Environmental Effects prepared by Smith &amp; Tzannes, submitted with the DA: -</i></p> <p><i>Part 4.5: "The subdivision follows the pattern of subdivision in the surrounding residential neighbourhood. Each lot has a frontage from a road or access road. The lots resulting are well over the minimum lot size at required and this ensures ability to comply with DCP spatial and setback requirements to ensure minimal impact on the amenity of adjoining properties.</i></p> <p><i>The dwelling type anticipated by the controls of the DCP are able to fit easily on the subdivided lots and (though dependent on design) have the ability to comply with all controls."</i></p> <p><i>Part 5.4: "The development is consistent with the local, regional and state planning objectives and provides a sustainable development outcome that will contribute to the benefit of the existing Stage 1 residents and broader community.</i></p> <p><i>As detailed throughout report, the proposed development will not result in any adverse environmental impacts and it is therefore considered that the site is suitable to accommodate the proposed subdivision."</i></p> <p><i>This concern is therefore addressed, given the proposed lots are larger than adjoining lots, will provide large, landscaped areas, and will not create unreasonable impacts on the existing environment.</i></p>
Pollution	<i>Addressed in the response to "inadequate block size" and "stormwater".</i>
Transport – only 2 daily buses	<i>This concern has no merit.</i>
Air bnb	<i>The proposed DA seeks consent for subdivision of the land into 22 lots. The alleged future use of dwellings that have not been approved or constructed on lots that have not been approved is not a matter that Council can take into consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979.</i>
View loss	<i>The proposed DA seeks consent for subdivision of the land into 22 lots. The alleged view loss caused by dwellings that have not been approved or constructed on lots that have not been approved is not a matter that</i>

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	<i>Council can take into consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979. In any event, there are not any legitimate view loss issues caused by the proposed development.</i>
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### (e) The Public Interest

The public interest has been taken into consideration, including assessment of the application with consideration of relevant policies and process. The proposal is considered to be in the public interest.

### Delegations

Are any clause 4.6 exceptions proposed?		No
Are any DCP performance-based solutions proposed?		Yes
Acceptable Solution	Numerical Extent of Departure	Percentage (%) Extent of Departure
A8.2 in Chapter G8 – Lot size for onsite wastewater to be 2500m <sup>2</sup>	Ranges from 197m <sup>2</sup> to 1209m <sup>2</sup>	Ranges from 8% to 48%.

### Guidelines for use of Delegated Authority

The application was called in for determination by the council due to the public interest Notice of Motion MIN23.188

### Recommendation

This application has been assessed having regard for Section 4.15 (Matters for consideration) under the *Environmental Planning and Assessment Act 1979*. As such, it is recommended that SF10987 be approved as deferred commencement subject to appropriate conditions of consent.



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**Appendix A – Assessment Checklist: G11 – Subdivision of Land**

**4 Objectives**

The objectives are to:

- i. Encourage high quality urban design and residential amenity.
- ii. Set appropriate environmental criteria for subdivision development.
- iii. Provide a comprehensive design approach for residential, rural, industrial and commercial subdivision.
- iv. Provide for the ecologically sustainable subdivision of land.

Additional specific objectives are also set out in the controls contained in Section 5 of this Chapter.

**5 Controls**

**5.1 Residential Neighbourhood Design**

The specific objectives are to:

- i. Provide a wide variety of safe, interesting and quality housing opportunities to meet the diverse and changing needs of the community.
- ii. Provide good internal and external vehicular access for residents and minimise through traffic.
- iii. Provide good quality public assets requiring minimum maintenance cost.
- iv. Encourage walking and cycling.

Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<b>P1</b> To ensure the subdivision layout responds to site characteristics, setting, landmarks and views through street and open space areas.	<b>A1.1</b> No recommended acceptable solution. Each situation requires an individual approach.	Street layout is appropriate	<b>Complies</b>
<b>P2</b> To reinforce neighbourhood identity and focus on community facilities within convenient walking distances for residents.	<b>A2.1</b> No recommended acceptable solution. Each situation requires an individual approach.  <b>A2.2</b> Where pedestrian access pathways are provided in a sub-division, the minimum	The location is within walking distance to Merry Beach. Pedestrian footpaths are being provided in the subdivision.  The Civil Plans have been referred to the Development Engineer.	<b>Complies</b>

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	width of these passage ways is to be 15m to improve accessibility to the community or access to public transport or other community facilities, addressing safer by design guidelines.		
<b>P3</b> To provide a high level of internal access and external connections for local vehicular traffic, pedestrian and cycle movement, whilst deterring through traffic and creating safe road conditions for all users.	<b>A3.1</b> No recommended acceptable solution. Each situation requires an individual approach.	There is only one internal cul de sac road proposed and appropriate for the proposal	<b>Complies</b>
<b>P4</b> To design street layouts and lot density to minimise fuel consumption, reduce travel distances, maximise public transport effectiveness and encourage walking and cycling.	<b>A4.1</b> No recommended acceptable solution. Each situation requires an individual approach.		<b>Complies</b>
<b>P5</b> To ensure street and lot layout enable efficient provision of physical services.	<b>A5.1</b> No recommended acceptable solution. Each situation requires an individual approach.	Street layout will enable the efficient provision of services that are available to the area. Reticulated water and sewer are not available to the area.	<b>Complies</b>
<b>P6</b> To provide a range of lot sizes to permit a variety of housing types and compatible land uses that are consistent with Council's Housing Strategy.	<b>A6.1</b> No recommended acceptable solution. Each situation requires an individual approach.	It is providing a range of lot sizes which are larger than normal however the lot areas will be consumed by setbacks, onsite wastewater facilities and rainwater tanks and therefore private open space will be limited.	<b>Complies</b>
<b>P7</b>	<b>A7.1</b>	It is in the Rural Village zone and the proposal is consistent with the zone. The lots are within	<b>Complies</b>

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To provide for higher densities in areas close to the CBD, services, public transport, open space that are consistent with the zone objectives.	Development is in accordance with Council's Housing Strategy and any relevant site specific chapters of this DCP.	walking distance to beaches and a neighbourhood shop. The Bawley Point shopping centre is only 4.6km away	
<b>P8</b> To distribute and locate public open space appropriately that contributes to a range of uses, stormwater management, environmental care and low maintenance costs.	<b>A8.1</b> No recommended acceptable solution. Each situation requires an individual approach.	The subdivision isn't a large subdivision and the lots are within walking distance of the Beach and the National Park	<b>Complies</b>
<b>P9</b> To ensure lot layout retains significant vegetation and natural areas, incorporates cultural and natural features, minimises soil erosion and avoids flood prone land.	<b>A9.1</b> No recommended acceptable solution. Each situation requires an individual approach.	They have provided an arboricultural assessment of the trees and BDAR has been reviewed by Council's Biodiversity Team who are satisfied that the proposal meets the Biodiversity Act requirements subject to conditions of consent. Condition for appropriate erosion and sediment control plans will be included in any consent.	<b>Complies</b>
<b>P10</b> To ensure integration of lot layout with the surrounding urban environment that complements existing desirable streetscapes and landscapes and promotes shared use of public facilities by adjoining communities.	<b>A10.1</b> No recommended acceptable solution. Each situation requires an individual approach.	The lot layout is appropriate and fits in with the surrounding area.	<b>Complies</b>
<b>5.2 Major Street Networks</b>			
The specific objective is to: i. Provide an integrated and cost effective major street network for vehicles, public transport, pedestrians and cyclists that minimises traffic impacts.			

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Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<b>P11</b> To design a street network that can accommodate the traffic volumes, including public transport, pedestrian and cyclist needs.	<b>A11.1</b> A traffic study is provided as required by the relevant SEPP or in accordance with RMS guidelines.		N/A
	<b>A11.2</b> A traffic statement is provided where the application falls outside SEPP requirements or where requested by Council.	A traffic statement has been provided and referred to Engineers for review. No objection subject to recommended conditions.	Complies
	<b>A11.3</b> A traffic study or statement is provided that has been prepared in accordance with RMS and AUSTRROADS guidelines to the satisfaction of Council.  <i>Note: Refer to Chapter G21: Car Parking and Traffic for additional traffic study requirements.</i>		Complies
<b>P12</b> To design arterial road networks to accommodate projected traffic movements and public transport services.	<b>A12.1</b> Arterial corridors are provided at regular intervals.		N/A
<b>P13</b> To facilitate efficient traffic movement via the design of the street networks.	<b>A13.1</b> Connectivity between the street network and the traffic route network is maximised and is consistent with the role of each traffic route in the hierarchy.		Complies
<b>P14</b>	<b>A14.1</b>	Only one cul de sac street proposed within the subdivision the other roads are existing, with a proposal to undertake civil works.	Complies

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To ensure neighbourhood streets do not unnecessarily operate as through traffic routes for externally generated traffic, other than for pedestrians, cyclists and public transport.	Demonstrate that projected through traffic volumes conform to the AADT in Table 1.		
<b>P15</b> To provide safe and efficient connections between transport corridors and residential neighbourhoods.	<b>A15.1</b> Provide emergency and/or footpath connections to residential areas of 30 or more allotments with only one road access.	Only 20 lots	<b>N/A</b>
	<b>A15.2</b> Connections between residential streets and arterial roads are to conform to the specifications of Table 2 in Section 5.3		<b>N/A</b>
<b>P16</b> To protect the performance of road corridors and preserve the quality of street networks in precincts or neighbourhoods.	<b>A16.1</b> Locate junctions between external roads and internal road networks to minimise restriction of movements on roads. Avoid traffic volumes in excess of 3000 vpd on local collector roads.		<b>Complies</b>
<b>P17</b> Ensure access arrangements for housing and other forms of development along arterial roads does not impede the road traffic.	<b>A17.1</b> No direct vehicular access to an arterial road is provided from housing fronting or adjacent to the road. Where this cannot be achieved access to and from the road must be in a forward direction.		<b>N/A</b>
	<b>A17.2</b> Within new residential or other forms of subdivision, access is to be prevented to existing or main arterial roads. The		<b>N/A</b>



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	preferred option shall be via a service road. See Figure 1.		
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**Table 1: Classification of streets**

	Speed km/h <sup>1</sup>	AADT <sup>2</sup>	Carriageway Widths <sup>3</sup>
<b>Access Street (Minor)<sup>4</sup></b> Access streets generally are streets where the residential environment is dominant, traffic is subservient, speed and volume are low and pedestrian and cycle movements are facilitated.	30	<500	6.0 min
<b>Laneways</b>	15	<15	3.5 to 5.0 <sup>5</sup>
<b>Local Street</b> The collector streets collect traffic from Access Streets and connects to a major road.	40	<2000	7.0 to 9.0 max
<b>Collector Street</b>	50	<3000	7.0 to 9.0 <sup>6</sup>
<b>Local Distributor Road</b>	60	3000 to 6000	7.0 to 9.0

<sup>1</sup> Streets shall be designed to achieve the target street speed and sight distances to accord with design speed.

<sup>2</sup> For single dwellings apply a traffic generation rate of 10 vehicles per day per dwelling. For multi-unit dwellings apply a rate of 6 vehicles per day per dwelling unless a different rate can be demonstrated.

<sup>3</sup> The carriageway width is measured from kerb invert or outer edge of edge strip. Widening required at bends to allow for wider vehicle paths using *AUSTROADS Turning Templates*.

<sup>4</sup> Includes traditional cul-de-sac type streets.

<sup>5</sup> Laneways are generally used when smaller lot layouts justify access to garages at the rear, and where alternative vehicle access is needed for lots fronting major streets or parklands.

<sup>6</sup> Collector roads may require indented bus bays.

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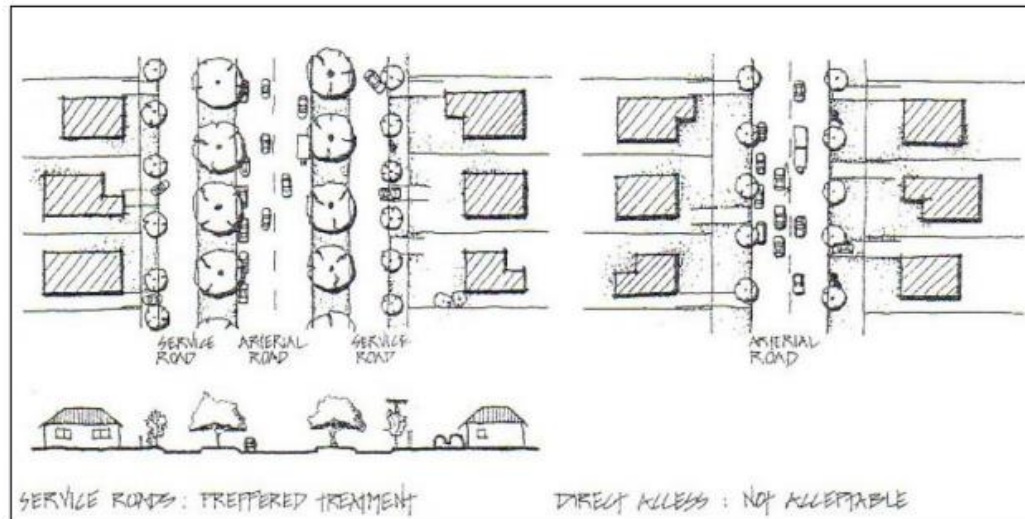


Figure 1: No direct access to existing main or arterial roads

### 5.3 Local Street Networks

The specific objective is to:

- i. Create street networks that clearly define the function of each street, provide acceptable levels of access, safety and convenience for all users, and minimise environmental impact.

Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
Function and structure			
<b>P18</b> The street network has clear function and each street conforms to its function in the network.	<b>A18.1</b> Streets link with other streets that are no more than two levels higher or lower in the hierarchy.		N/A

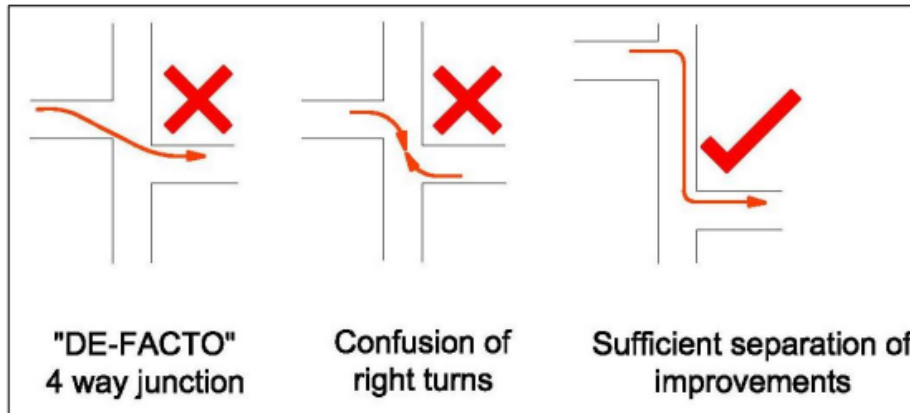
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<b>P19</b> There are clear physical distinctions between each type of street. Distinctions are based on function, legibility, convenience, traffic volumes, vehicle speeds, public safety and amenity.	<b>A19.1</b> The street network reflects the characteristics specified in Table 1.	Only 20 lot subdivision with one new dead end road proposed	<b>N/A</b>
<b>P20</b> Design features of each type of residential street encourage driver behaviour appropriate to the primary function of the street.	<b>A20.1</b> The street network reflects the characteristics specified in Table 1.		<b>Complies</b>

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**Table 2: Location of Intersections**

<b>Access Street</b>	Only to access street, or local street
<b>Local Street</b>	Only to local street or access street
<b>Collector Street</b>	Only to collector street, access street or trunk collector
<b>Local Distributor Road</b>	Only to collector street or external road



**Figure 2: Location of Intersections**

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**Table 2A: Desirable Minimum Spacing of Intersections/roundabouts/turning movements (centreline to centreline)**

	Access Street and Collector Street	Trunk Collector Street	Distributor Road
On same side of through street	60m	100m	-
On opposite sides of through streets	40m	60m	-
3 or more consecutive roundabouts	70m	70m	-
Turning movements between address and the nearest collector street or distributor road.	3	3	3

*Safety, access and convenience*

<b>P21</b> Junctions along residential streets are spaced to create safe and convenient vehicle movements.	<b>A21.1</b> Intersections are spaced as set out in Table 2 of this section. Provide wheelchair/pram ramps at intersections and crossing points where footpaths are constructed or likely to be constructed in accordance with Council's Pedestrian Access and Mobility Plan.	Pram ramps could be conditioned in the consent	<b>Complies</b>
<b>P22</b> Movement of residents between their homes and	<b>A22.1</b> Driving distance from any dwelling to the nearest collector or higher order road is no more than 700m.		<b>Complies</b>



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higher order roads is convenient.	<b>A22.2</b> No more than three turning movements at intersections are required in order to travel from any home to the most convenient collector street or higher order road.		<b>Complies</b>
<i>Mode choice</i>			
<b>P23</b> Bus routes are to be efficient, direct and safely accessible by foot from all dwellings and activity centres.	<b>A23.1</b> Public transport routes and stops are provided as set out in Section 5.5.	There is a bus service once a day that goes past the lot. Kioloa is a small coastal village located about 35 km south of Ulladulla which is the nearest large centre. The bus services the Kioloa area in the morning and afternoon by Ulladulla Buslines via Forest Road to Golden Beached Drive, which passes the development.	<b>Complies</b>
<b>P24</b> Bus routes between development areas and major activity centres must permit high traffic speeds and/or require complicated turning manoeuvres.	<b>A24.1</b> Public transport routes and stops are provided as set out in Section 5.5.		<b>N/A</b>
<b>P25</b> The street network facilitates walking and cycling within the neighbourhood and to local activity centres.	<b>A25.1</b> Provide a safe, convenient and identifiable network for pedestrians and cyclists, as set out in Section 5.4 – Pedestrian and Cycle Facilities.	Footpath 1.2m is proposed along Merry beach Road to link up with existing footpaths	<b>Complies</b>
<i>Urban design and character</i>			
<b>P26</b> The topography and vegetation of the site are considered in the street network. Advantages of existing or potential site	<b>A26.1</b> Provide for the establishment of streetscapes that incorporate the provisions of Section 5.12 – Residential Streetscapes.	An appropriate Landscape Plan has been provided.	<b>Complies</b>

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assets and view opportunities are considered/incorporated in the street network.			
<b>P27</b> Street network considers the existing and future desired streetscape.	<b>A27.1</b> Provide for the establishment of streetscapes that incorporate the provisions of Section 5.12 – Residential Streetscapes.	Merry Beach Rd will be aligned and one small cul de sac street proposed central to the site.	<b>Complies</b>
<b>P28</b> Orientate the street network to promote efficient solar access for dwellings.	<b>A28.1</b> Align streets in either east-west or north-south direction wherever possible.	Internal street is east west alignment, Forest Road and Merry Beach Road are existing.	<b>Complies</b>
<b>P29</b> Incorporate/accommodate natural drainage and open space systems into the street network.	<b>A29.1</b> Provide drainage and open space networks as set out in Section (cross reference to be inserted prior to exhibition).  <i>Note: Refer also to Section 5.6 Public Open Space and 5.10 Stormwater Drainage.</i>	Drainage proposed in the civil plans and reviewed by the Development Engineer and are acceptable.	<b>Complies</b>
<i>Safety and amenity</i>			
<b>P30</b> Traffic generated by the development is within the acceptable capacity of the roads.  AND Streets do not operate as through routes for externally generated traffic. Minimise the time length of time local drivers	<b>A30.1</b> Intersections are T-junctions or roundabouts designed to AUSTROADS guidelines and are referred to Council's Traffic Committee where necessary. Design of roundabouts consider: <ul style="list-style-type: none"><li>• use as slow points;</li><li>• site specific measures;</li></ul>		<b>N/A</b>

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need to spend in a low speed environment.	<ul style="list-style-type: none"> <li>Car use with the occasional truck or bus being allowed to mount the centre island.</li> </ul>		
<b>P31</b> Restraint measures for traffic speed and/or volume must consider other street users and residents of adjoining dwelling by avoiding: <ul style="list-style-type: none"> <li>stop start conditions;</li> <li>increased traffic emissions;</li> <li>unacceptable traffic noise;</li> <li>devices that reduce convenience or safety for cyclists and public transport</li> </ul>	<b>A31.1</b> Locate most dwellings to front streets with low traffic volumes.		<b>Complies</b>
	<b>A31.2</b> Restrain traffic speeds and volumes by such means as: <ul style="list-style-type: none"> <li>limiting street length;</li> <li>introducing bends;</li> <li>introducing slow points as set out in Section 5.7 - Street Design.</li> </ul>		<b>N/A</b>
	<b>A31.3</b> All engineering design detail to be in accordance with Council's Engineering Design Specification, Chapter D2.		<b>Complies</b>
<i>Cost effectiveness</i>			
<b>P32</b> Street/carriageway widths and lengths optimise the cost effectiveness of the street network.	<b>A32.1</b> Major collectors less than 1200m long, except where topography or location of major traffic routes make longer distances unavoidable		<b>Complies</b>
<b>P33</b> The street network provides for the cost effective provision of public utilities.	<b>A33.1</b> Provide for water, sewer, electricity, telecommunications and gas in the street network.		<b>Complies</b>
<b>5.4 Pedestrian and Cyclist Facilities</b>			
The specific objectives are to:			

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<p>i. Provide all residents with the opportunity to walk or cycle to the nearest community facilities.</p> <p>ii. Ensure safe and convenient links to major destinations external to the neighbourhood.</p> <p>iii. Reduce the need for separate cycle and pedestrian linkages by encouraging shared walking and cycling routes along quieter local streets.</p>			
Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<i>Planning</i>			
<b>P34</b> All new residential areas are to provide a network of pedestrian and cycle routes that connect to adjoining streets, open spaces and activity centres.	<b>A34.1</b> Footpaths and/or cycleways are provided as identified in site specific DCP chapters, the Council's Bicycle Strategy, PAMP, Shoalhaven Integrated Transport Strategy or to connect existing/ planned facilities.	Footpath requirements will be conditioned in the consent.	<b>Complies</b>
	<b>A34.1</b> Footpaths and cycle ways are to provide appropriate connections to external path networks and that appropriate pedestrian crossings are provided to ensure the safety of users of these facilities. Pedestrian crossings may be required external to the development where required to mitigate any adverse safety issues arising from pedestrian/cyclist desire lines generated by the development.	To be conditioned in the consent	<b>Complies</b>
<b>P35</b> The network of footpaths and cycle routes optimise: <ul style="list-style-type: none"> <li>walking and cycling;</li> <li>anticipation of likely users, e.g. school children, parents with prams, the aged and disabled,</li> </ul>	<b>A35.1</b> Wheelchair/pram ramps are provided at intersections and crossing points where footpaths are constructed or likely to be constructed.	Conditions to be included in the consent.	<b>Complies</b>

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<p>commuter and recreational cyclists;</p> <ul style="list-style-type: none"> <li>links to open space networks and community facilities such as schools, public transport and local activity centres;</li> <li>consideration of the site topography; and</li> <li>cyclist and pedestrian safety.</li> </ul>			
<i>Location and design</i>			
<p><b>P36</b></p> <p>Location of footpaths and cycleways are determined via the consideration of:</p> <ul style="list-style-type: none"> <li>Low vehicle speeds and volume.</li> <li>The comfort and safety of pedestrians is not adversely affected by cyclists.</li> <li>The protection of pedestrians and cyclists from parked vehicles and vehicles moving on the street and driveways.</li> <li>That postal deliveries must not inconvenienced.</li> <li>The location of physical services.</li> <li>Cross falls.</li> <li>Landscaping.</li> </ul>	<p><b>A36.1</b></p> <p>Footpaths and cycleways are provided in accordance with Table 3 Residential Streets and Road Types (Section 5.7).</p> <p>OR</p> <p><b>A36.2</b></p> <p>Footpaths are provided on one side of streets with traffic volumes over 2000vpd.</p> <p><i>Note: No footpaths are required on streets with a traffic volume of &lt;2000vpd as pedestrians can share with vehicles in a low speed environment.</i></p>	<p>Footpath designed to be on the eastern side of Merry Beach Rd to meet up with footpath and plans to show it along Forest Rd. Conditions to be included in the consent.</p>	<p><b>Complies</b></p>

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<ul style="list-style-type: none"> <li>The presence of development fronting the street.</li> <li>The safety of pedestrians and cyclists.</li> <li>The cost effectiveness of construction.</li> </ul>			
<b>P37</b> Alignment of paths allows safe, interesting and convenient use by pedestrians.	<b>A37.1</b> The design of footpaths is varied to preserve trees and other significant features.		<b>Complies</b>
	<b>A37.2</b> Footpaths are located to add visual interest by focusing on vistas and landmarks, where possible.		<b>Complies</b>
	<b>A37.3</b> Footpaths and cycleways are well lit and exposed to casual surveillance.		<b>Complies</b>
	<b>A37.4</b> Seats are shown to have been considered, planned for and/ or provided in appropriate locations.		<b>N/A</b>
<b>P38</b> Footpaths or shared paths are designed and constructed of appropriate width, longitudinal gradient and sight distances to cater for the number of projected pedestrians and cyclists and user types (e.g. the aged, the very young,	<b>A38.1</b> Where collector streets provide access to lots or there is a planned pedestrian or cycle path, a separate path is provided to each side of the street clear of the carriageway pavement.		<b>N/A</b>
	<b>A38.2</b>		



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people with prams and people with a disability).	A pedestrian footpath, where required, is 1.2m wide and has a maximum grade of 15%.		
	<b>A38.3</b> Footpaths are widened to a minimum of 1.4m in the vicinity of meeting points, schools, shops and other activity centres.		<b>N/A</b>
	<b>A38.4</b> Cycle paths and shared paths have widths and are designed in accordance with Council's Engineering Design Specifications.	To be conditioned to comply.	<b>Complies</b>
	<b>A38.5</b> Maximum longitudinal gradient of cycle paths to be no greater than any adjacent street pavement.		
<b>P39</b> In access streets and collector roads street design is to accommodate pedestrian and cyclist use of the street pavement. <i>Note: An access street is a street providing local residential access with shared traffic, pedestrian and recreation use with local traffic priority.</i>	<b>A39.1</b> Dedicated cycle paths are shown to have been considered and planned for where traffic volumes reach 5000vpd.		<b>N/A</b>
<b>P40</b> Adequate provision for passing is accommodated at potential	<b>A40.1</b> Paths are sufficiently widened at potential conflict points or areas of high use, such as school, corner shops etc.		<b>N/A</b>

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conflict points, junctions or on high use facilities paths.			
<i>Safe Crossings</i>			
<b>P41</b> Adequate provision is made for safe street crossings for all street users with safe sight distances and adequate pavement markings, warning signs and safety rails (where appropriate for cyclists).	<b>A41.1</b> Safe crossings are created with pedestrian refuges, slow points, thresholds or other appropriate mechanisms, where: <ul style="list-style-type: none"> <li>• traffic volumes exceed 3000vpd; or</li> <li>• Speeds exceed 50kph.</li> </ul>		<b>Complies</b>
	<b>A41.2</b> Pram and wheelchair crossings are located at all kerbs and are designed to also assist sight impaired people.	Conditioned to comply.	<b>Complies</b>
<i>Construction</i>			
<b>P42</b> Easily maintained pedestrian and cyclist paths are built with stable surfaces suited to the projected use.	<b>A42.1</b> Construct footpath and cycle paths from concrete or pavers in accordance with Council's Construction Specification C271.	Conditioned to comply.	<b>Complies</b>
<b>5.5 Public Transport</b>			
The specific objective is to increase opportunities for choice in mode of transport, whilst providing cost effective, efficient, accessible and convenient public transport to the community			
<b>Performance Criteria</b>	<b>Acceptable Solutions</b>	<b>Proposed Development</b>	<b>Compliance</b>
<i>Planning</i>			
<b>P43</b>	<b>A43.1</b> Where a site specific DCP chapter, planning strategy or other guideline exists,		<b>N/A</b>

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Provide neighbourhood densities that support regular public transport services.	the subdivision densities conform to that plan.		
	<b>A43.2</b> Bus routes are provided in all new housing development areas in accordance with the Shoalhaven Integrated Transport Strategy.		<b>N/A</b>
<b>P44</b> Within walking distance of public transport stops, encourage residential densities that: <ul style="list-style-type: none"> <li>take advantage of existing/proposed infrastructure; and</li> <li>Support the economic operation of the services.</li> </ul>	<b>A43.1</b> Clearly identify existing and proposed bus routes on subdivision plans.	There is a twice (morning and afternoon) daily bus service to the area from Ulladulla which services Forest Rd adjacent to the subdivision.	<b>Complies</b>
<b>P45</b> Provide a network of public transport routes that addresses: <ul style="list-style-type: none"> <li>projected travel demand;</li> <li>distribution, scale and time of demand;</li> <li>characteristics of travellers;</li> <li>travel time;</li> <li>operating characteristics;</li> <li>cost of providing the service;</li> <li>Route design and location.</li> </ul>	<b>A44.1</b> Where stages of development are applied for, a master plan must be submitted to identify the overall proposed public transport route which must be resolved up front prior to any individual stages being lodged, and appropriate turnaround facilities at each stage.		<b>N/A</b>
	<b>A45.1</b> At least 85% of dwellings are within 500m safe walking distance from an existing or potential bus route.		<b>Complies</b>

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<i>Route Location and Design</i>			
<b>P46</b> Provide for: <ul style="list-style-type: none"> <li>convenient connections to adjoining area and other existing/future public transport routes;</li> <li>safe bus movements;</li> <li>bus movements between neighbourhoods;</li> <li>Links between activity centres within and external to the development.</li> </ul>	<b>A46.1</b> Bus routes link residential areas across roads that carry more than 6000vpd to enable a left turn into the road, followed by a right turn into the adjoining residential area.		N/A
	<b>A47.1</b> Design regular bus routes with a minimum pavement width of 9.0 metres.		N/A
	<b>A47.2</b> Bus routes adequately cater for the operational requirements of large 14.5m rigid buses.	Forest Rd is existing	N/A
<b>P47</b> The alignment and geometry of the streets forming bus routes allow efficient and unimpeded movement of buses without facilitating high traffic speeds.	<b>A47.3</b> All roads on a bus routes is to be of barrier kerb to meet the Disability Discrimination Act requirements for ease of access to bus services. If layback kerb is provided then indented bus bays must be provided every 400m with upright barrier kerb.	Forest Rd is existing	N/A
<i>Bus Stop Location and Design</i>			

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<b>P48</b> Public transport stops provide for pedestrian safety, security, comfort and convenience.	<b>A47.1</b> Where the route serves residential development bus stops are, or are planned to be, no more than 400m apart.	Only 20 lots subdivision in a coastal village with limited services given its distance from a major centre and the small resident population.	<b>N/A</b>
	<b>A48.2</b> Bus stops relates to the network of pedestrian paths.		<b>N/A</b>
	<b>A48.3</b> Bus stops are designed and located to: <ul style="list-style-type: none"> <li>prevent vehicles from overtaking stationary buses; or</li> <li>vehicle speed is reduced to ensure safe pedestrian crossing.</li> <li>provide shelter, seats, adequate lighting and time table information;</li> <li>be overlooked from nearby buildings (where they exist);</li> <li>minimise any adverse impacts on the amenity of nearby dwellings.</li> </ul>		<b>N/A</b>
<b>5.6 Public Open Space</b>			
<p><i>Note: Unless gazetted as a reserve for public recreation, undeveloped Crown land adjoining or in the vicinity of a proposed subdivision is not to be relied upon as open space to service that subdivision.</i></p> <p>The specific objectives are to provide:</p> <ol style="list-style-type: none"> <li>Appropriate public open space that meets user requirements for social outdoor recreational activities.</li> <li>Landscaping that contributes to the identity and environmental health of the community.</li> </ol>			
<b>Performance Criteria</b>	<b>Acceptable Solutions</b>	<b>Proposed Development</b>	<b>Compliance</b>

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<p><b>P49</b></p> <p>Where drainage areas have recreational value, recognise and promote the multifunctional role of public open space, its use as a community facility and for stormwater management.</p>	<p><b>A48.1</b></p> <p>Provide public reserve in accordance with an approved open space strategy, site specific DCP and Council's Contribution Plan, by way of dedication of land to Council, monetary contribution or both.</p> <p><i>Note: The land being provided may include embellishments such as equipment and features and be subject to negotiations between the applicant and Council.</i></p>	<p>No Public open space proposed. Development within walking distance of Merry Beach and the National Park.</p>	<p><b>N/A</b></p>
<p><b>P50</b></p> <p>Public reserves are to provide:</p> <ul style="list-style-type: none"> <li>• a range of recreation settings, incorporating community paths, focal points and an attractive urban environment;</li> <li>• facilities to meet the needs of the community as indicated by the population density and demographic structures;</li> <li>• accessibility for users in conjunction with existing facilities;</li> <li>• opportunities to incorporate existing trees, streams, other features of natural or cultural value; and link habitat and wild life corridors;</li> <li>• facilities that recognise the need for safety,</li> </ul>	<p><b>A49.1</b></p> <p>A plan of public open space is submitted showing:</p> <ul style="list-style-type: none"> <li>• the adjacent street reserves, carriageways, parking bays, footpaths, cycleways, street and park lighting;</li> <li>• existing vegetation, general character of the proposed tree planting and landscaping, include proposed plant species;</li> <li>• existing rare or significant vegetation, natural habitats and features (e.g. creeks) that are to be retained, enhanced or otherwise affected;</li> <li>• general arrangement of hard landscaping elements and major earth cuts, fills and mounding;</li> <li>• indicative treatment of any drainage systems, fencing, access points and furniture;</li> <li>• Proposed recreation facilities.</li> </ul>	<p>No public reserves proposed</p>	<p><b>N/A</b></p>



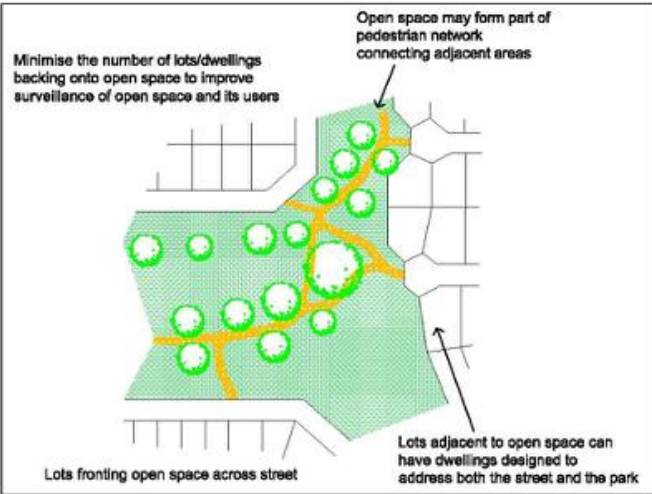
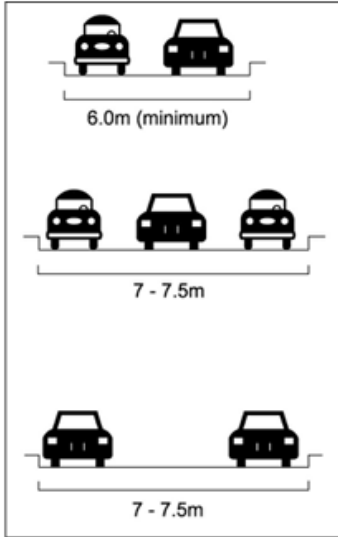
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<p>maintenance requirements and reasonable amenity for adjoining land uses;</p> <ul style="list-style-type: none"> <li>• for future maintenance requirements;</li> <li>• opportunities for regional open space to meet the neighbourhood open requirements;</li> <li>• A clear relationship between public reserve and adjoining land uses established by appropriate treatments, including alignment, fencing, landscaping and passive surveillance. <ul style="list-style-type: none"> <li>□ Ensure security, surveillance opportunity, ease of maintenance and aesthetic appeal of open space areas by avoiding continuous lengths of solid fencing along the perimeter.</li> </ul> </li> </ul>	<p><b>A50.2</b></p> <p>Park lighting is provided in accordance with AS1158.1 (1986).</p>		N/A
	<p><b>A50.3</b></p> <p>Parks are located where there is adequate direct frontage to a public road.</p>		N/A
	<p><b>A50.4</b></p> <p>Laneways providing for pedestrian and cyclist access:</p> <ul style="list-style-type: none"> <li>• have a minimum width of 4m;</li> <li>• Where bounded on both sides by a fence, be no more than 60m long before widening to 6m.</li> </ul>		N/A
	<p><b>A50.5</b></p> <p>In all subdivisions adjoining foreshores a reserve is provided. The reserve is to extend for a minimum of 30m from the high tide mark and for the full length of the foreshore in the subdivision.</p>		N/A
<p><b>P51</b></p> <p>Public reserves should:</p> <ul style="list-style-type: none"> <li>• be provided in a condition that is capable of regular and efficient ongoing maintenance;</li> <li>• not be used for vehicular access to</li> </ul>	<p><b>A50.1</b></p> <p>All dedicated public reserves are provided free from weeds and in a grassed state, except for those areas covered in remnant vegetation.</p>		N/A
	<p><b>A51.2</b></p> <p>The subdivision plan shows the number of trees within the reserve to be removed.</p>		N/A

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<p>adjoining properties or roads;</p> <ul style="list-style-type: none"> <li>• Be suitable for their stated purpose.</li> </ul>	<p><b>A51.3</b></p> <p>The public reserve is provided with a water service, a dedicated vehicular access point via a concrete crossing and a locked gate that can be opened.</p>		N/A
	<p><b>A51.4</b></p> <p>All road frontages have timber vehicle barriers.</p>		N/A
	<p><b>A51.5</b></p> <p>Land identified as passive recreational local open space is unacceptable if it:</p> <ul style="list-style-type: none"> <li>• has an area less than 3000m<sup>2</sup>, unless it adjoins an existing or identified future open space;</li> <li>• has an irregular shape &lt;30m width at the widest point;</li> <li>• has a slope &gt;20%, frontage to a public road &lt;50m, and is subject to inundation of &gt; 10% AEP;</li> <li>• is substantially covered with native vegetation or predominantly ecologically endangered community;</li> <li>• has drainage areas and stormwater easements of no recreational value but exists as a part of a natural watercourse as drainage control or stormwater management;</li> <li>• is land upon which utilities such as water, sewerage, pump stations, electricity substations,</li> </ul>		N/A

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	<p>transmission towers or similar are located;</p> <ul style="list-style-type: none"> <li>Is required to ensure provision of riparian zones or as bushfire setback.</li> </ul>		
 <p>Figure 3: Open Space Links</p>	 <p>Figure 4: Carriage width</p>		
<b>5.7 Street Design</b>			
<p>The specific objectives are to:</p> <ol style="list-style-type: none"> <li>Provide streets that fulfil their designated functions with the street network.</li> <li>Accommodate public utilities services and drainage systems within the street.</li> <li>Create streets that provide a safe and attractive environment.</li> </ol>			
<b>Performance Criteria</b>	<b>Acceptable Solutions</b>	<b>Proposed Development</b>	<b>Compliance</b>
<i>Function and width</i>			

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<p><b>P52</b></p> <p>Design features convey the primary function of each residential street type.</p> <p>AND</p> <p>Street reserve width is sufficient to cater for all street functions, including:</p> <ul style="list-style-type: none"> <li>• Safe and efficient movement of all users;</li> <li>• Parked vehicles;</li> <li>• Landscaping;</li> <li>• Location, construction and maintenance of public utilities.</li> </ul>	<p><b>A51.1</b></p> <p>The minimum specifications for each street type complies with Austroads.</p>		<p><b>Complies</b></p>
<p><b>P53</b></p> <p>Verge width addresses special site conditions and future requirements.</p>	<p><b>A52.1</b></p> <p>Verge width is sufficiently increased to accommodate larger scale landscaping, indented parking, future carriageway widening, retaining walls, cycle paths and overland flow paths.</p>		<p><b>Complies</b></p>
<p><i>Designing for safety</i></p>			
<p><b>P54</b></p> <p>Design facilitates use by pedestrians, particularly people with disabilities, the aged, cyclists and children.</p>	<p><b>A53.1</b></p> <p>Carriageway widths allow vehicles to proceed safely at the operating speed intended for that level of street.</p>		<p><b>Complies</b></p>
	<p><b>A54.2</b></p> <p>Allowances are made for restrictions caused by on street parking.</p>		<p><b>Complies</b></p>

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	<b>A54.3</b> Horizontal and vertical alignment is not conducive to excessive speeds.		<b>Complies</b>
	<b>A54.4</b> Vehicles can enter and leave the street in a forward direction from land abutting major and minor distributor roads.		<b>N/A</b>
	<b>A54.5</b> Section 6.3.1 is adhered to.		<b>N/A</b>
<b>P55</b> 1. Desired speeds are achieved by speed reduction techniques in a design for the whole street environment. 2. Ensure traffic calming schemes do not create unacceptable driver behaviour or create adverse traffic or safety outcomes.	<b>A54.1</b> Slow points using horizontal deflection slow traffic to design speed.		<b>N/A</b>
	<b>A55.2</b> Slow points and carriageway narrowing accommodate the needs of cyclists by ensuring speed compatibility and adequate space for concurrent passage or off street diversions.		<b>N/A</b>
	<b>A55.3</b> Landscape design and on-street parking complement speed restriction measures.		<b>N/A</b>
	<b>A55.4</b> A winding road alignment and use of narrow road widths will generally not be accepted in isolation as suitable means of traffic calming. Traffic calming devices are to be installed in accordance with AS1742.13 and roundabouts should be considered as preferred means of slowing traffic and managing traffic conflicts.		<b>N/A</b>

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	<b>A55.5</b> Any traffic calming scheme to be supported by swept path analysis to demonstrate a traffic calming scheme will not adversely impact the operation of the network.		<b>N/A</b>
	<b>A55.6</b> Speed restriction techniques and devices are not used in isolation.		<b>Complies</b>
	<b>A55.7</b> The verge provides safe sight distances, taking into account expected vehicle speeds; and pedestrian and cyclist movements.		<b>Complies</b>
	<b>A55.8</b> To be consistent with Table 6 in Section 6.3.		<b>Complies</b>
<b>P56</b> Safe sight distances are provided at property access points; pedestrian and cyclist crossings; and at junctions and intersections	<b>A55.1</b> Sight distances at pedestrian crossings, junctions and intersections conform to Street Design and Visibility.		<b>N/A</b>
<i>Driveway access</i>			
<b>P57</b> Carriageway and verge width allows for unobstructed access to individual lots, even when a car is parked on the opposite side of the street.	<b>A56.1</b> Lot design enables driveways on major collector streets and streets carrying more than 3000vpd to be designed and built to promote forward movement of vehicles across the verge.		<b>N/A</b>



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<b>AND</b> Driveway egress movements do not create a safety hazard.	<b>A57.2</b> Vehicles can enter or reverse from a lot in a single movement.		<b>Complies</b>
	<b>A57.3</b> To be consistent with Tables 7 and 8 in Section 6.3.		<b>N/A</b>
<i>Geometric design</i>			
<b>P58</b> Bus routes have a carriageway width that: <ul style="list-style-type: none"> <li>allows for bus movements unimpeded by parked cars;</li> <li>safely accommodates cyclists;</li> <li>Avoids cars overtaking parked buses.</li> </ul>	<b>A57.1</b> The geometry of streets identified as bus routes provides suitable turning, stopping sight distances, grade and parking for buses. Maximum carriageway widths are within the ranges specified in Tables 1 and 3.		<b>N/A</b>
<b>P59</b> Horizontal and vertical alignments satisfy safety criteria and reflect physical land characteristics and major drainage functions.	<b>A58.1</b> Horizontal and vertical alignment criteria is satisfied via compliance with the following: <ul style="list-style-type: none"> <li>longitudinal gradients do not exceed 10% on distributor roads or bus routes and 16% on other roads</li> <li>curve super elevation does not exceed 6%</li> <li>For downgrades of 5–10% street design should be based on an increase of the maximum speed of 5 km/h. For downgrades &gt; 10%, this maximum speed should be increased by 10 km/h.</li> </ul>	Conditioned appropriately.	<b>Complies</b>

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	<b>A59.2</b> Crossfall on street pavement is generally 3%, otherwise 2.5 – 5% or horizontal and vertical alignment is consistent with Council's Engineering Design Specifications Chapter D1	Conditioned to comply.	<b>Complies</b>
<b>P60</b> Geometric design for intersections, roundabouts and slow points is consistent with the vehicle speed intended for each street.	<b>A59.1</b> Design complies with Council's Engineering Design Specifications, Chapter D1. AND <b>A60.2</b> To accommodate garbage trucks, cul-de-sac have a sufficient area for either single movement or a three point turn. See Council's Engineering Design Specifications, Figure D1.3 Geometry of a Cul-deSac.		<b>Complies</b>
<b>P61</b> Kerb radii at intersections and junctions are kept to a minimum, subject to: <ul style="list-style-type: none"> <li>• satisfying required turning manoeuvres;</li> <li>• minimising pedestrian crossing distances;</li> <li>• Controlling vehicular speed.</li> </ul>	<b>A60.1</b> Kerb radii to comply with Table 3.		<b>Complies</b>
<i>On-street parking</i>			

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<b>P62</b> Car parking provisions are determined by projected needs, as follows: <ul style="list-style-type: none"> <li>the number and size of probable future dwellings;</li> <li>the car parking requirements of likely future residents;</li> <li>availability of public transport;</li> <li>likely future on-site parking provisions;</li> <li>locations of non-residential uses, such as schools and shops;</li> <li>The occasional need for overflow parking.</li> </ul>	<b>A61.1</b> For allotments having frontages of 12m or more, one on-street parking space is provided for every two dwellings. Parking bays are located within 60m of the allotment; and against the kerb or in parking bays constructed with the verge.		<b>Complies</b>
	<b>A62.2</b> Special parking and vehicle access design is provided for allotments with frontages of less than 12m.		<b>N/A</b>
	<b>A62.3</b> Allotments accessed by single lane carriageways are provided with off street parking: <ul style="list-style-type: none"> <li>at a rate of one space for every two dwellings; and</li> <li>within 25m of the lot; and</li> <li>Which is constructed within the verge.</li> </ul>		<b>N/A</b>

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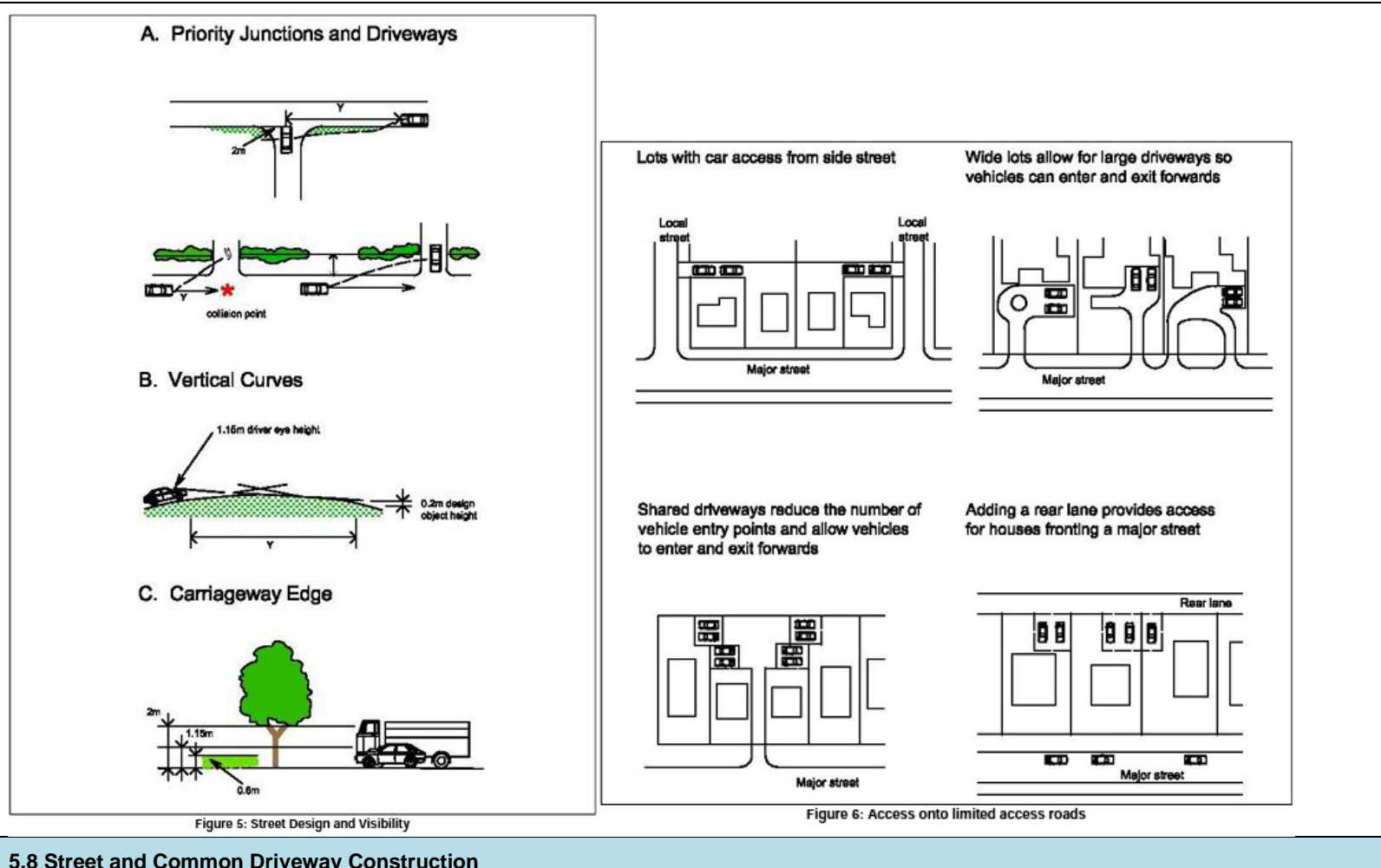
Table 3: Residential Streets and Road Types

Street Type	Verge Width	Street Reserve Width Avge	Kerb Type	Street Longitudinal Grade Max	Pavement Treatment	Footpath Requirement	Parking Provision within Street Reserve	Entrance Kerb Return Radium
Access Street	4.0 min	16	Layback	16%	AC, paving block or stamped or patterned concrete	No	Carriageway	6
Local Street	4.5 min	18	Layback	16%	AC	1.2m	Carriageway	6
Laneway	1 min	7	Barrier or concrete V-drain	16%	AC or concrete	No	No	5
Collector Street	4.5 min	20	Barrier	16%	AC	1.2m	Carriageway	8
Local Distributor		22	Barrier	16%	AC	1.2m or 2m cyclepath	No Parking	8

Table 3 (Part 2): Large Residential Development

Allotment Size	Gutter	Drainage	<b>Table 3 and Table 3 (Part 2) Notes:</b> a. Each verge must be of sufficient width to accommodate relevant services, plantings. b. The minimum street reserve widths apply after satisfying the other criteria within this table and possible future pavement widening to 5m. c. An integrated design of street and building layout is necessary for speed control and to achieve the optimum result. Appropriate considerations are required for the collection of waste. d. A minimum kerb radius is desirable for pedestrian safety and control of vehicle speeds. A threshold treatment or driveway crossing may be used at the intersection entry. e. Grades greater than 12% require special design considerations for pedestrians, cyclists, waste collection vehicles and road layout eg. Grade on curves, grade for turning vehicles at the street turning head. f. Barrier kerb may be considered for drainage purposes without reducing the carriageway width. g. Standards will be increased for medium density residential development. h. Pathway reserve width 4 metres. i. Cycleway reserve width 6 metres.
2000 square metres	Layback kerb and gutter	Underground	
4000 square metres	Grassed table drain conc. Edge strip Grade 10% plus layback kerb	Underground	

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5.8 Street and Common Driveway Construction

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The specific objective is to construct streets that support design intentions, without undertaking unnecessary works and creating avoidable whole of life cycle costs.			
Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<b>P63</b> Footpath/verge edging and landscaping support the specified functions and amenity of the street.	<b>A62.1</b> Footpath/verge and landscaping materials are used to distinguish different street functions. Acceptable road pavements are: <ul style="list-style-type: none"> <li>unbound/bound flexible pavement;</li> <li>Rigid pavement (concrete).</li> </ul>		Complies
	<b>A63.2</b> Complies with Section 6.3.3		N/A
<b>P64</b> Pavement edge: <ul style="list-style-type: none"> <li>Controls vehicle movements by delineating the carriageway for all users;</li> <li>Assists in controlling stormwater runoff;</li> <li>Provides for people with disabilities.</li> </ul>	<b>A63.1</b> To ensure wheelchair and pram access; and assist sight-impaired people, pavement edges at pedestrian crossings are constructed in accordance with AS1428 Pt1 and Pt 14.	Conditioned to comply	Complies
	<b>A64.2</b> Devices must comply with RTAD 96/6- Use of Traffic Calming Devices at Pedestrian Crossings		N/A
<b>P65</b> Street and access handle pavement surfaces are well	<b>A64.1</b> Flexible pavement is constructed in accordance with Council's Engineering Design Specifications Chapter D2.	Conditioned to comply	Complies



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<div>designed and durable enough to:</div> <div><ul style="list-style-type: none"><li>• carry wheel loads of travelling and parked vehicles;</li><li>• ensure safe passage of vehicles, pedestrians and cyclists;</li><li>• discharge rainfall and preserve all-weather access; and</li><li>• Allow for reasonable travel comfort.</li></ul></div>	<div><b>A65.2</b></div> <div>Improvements are made to streets providing access to the subdivision and to lots within the subdivision in accordance with Engineering Design Specifications Appendix A: Street Improvements for site specific requirements for infill or two lot subdivision</div>	<div>Conditioned to comply</div>	<div>Complies</div>										
	<div><b>A65.3</b></div> <div>All newly created public roads having flexible pavements are surfaced with an approved base designed in accordance with APRG Report No. 21 for pavements with a traffic volume up to 5 x 105 ESA or AUSTROADS, A Guide to the Structural Design of Road Pavements where Traffic Volumes Exceed 5 x 105 ESA. Pavements must be as follows:</div> <table><tr><td><b>Arterial roads</b></td><td>AC</td></tr><tr><td><b>local distributor roads</b> including industrial roads</td><td>AC</td></tr><tr><td><b>local access roads</b> serving allotments of up to 2000m<sup>2</sup></td><td>AC or concrete</td></tr><tr><td><b>car parks</b></td><td>AC or patterned concrete</td></tr><tr><td><b>accessways</b></td><td>AC or patterned concrete</td></tr></table>	<b>Arterial roads</b>	AC	<b>local distributor roads</b> including industrial roads	AC	<b>local access roads</b> serving allotments of up to 2000m <sup>2</sup>	AC or concrete	<b>car parks</b>	AC or patterned concrete	<b>accessways</b>	AC or patterned concrete	<div>Conditioned to comply</div>	<div>Complies</div>
	<b>Arterial roads</b>	AC											
	<b>local distributor roads</b> including industrial roads	AC											
<b>local access roads</b> serving allotments of up to 2000m <sup>2</sup>	AC or concrete												
<b>car parks</b>	AC or patterned concrete												
<b>accessways</b>	AC or patterned concrete												
<div><b>A65.4</b></div> <div>Concrete kerb and gutter, together with a concrete layback and footpath crossing, is to be provided to Council's specification for the full frontage of the development.</div>	<div>Conditioned to comply</div>	<div>Complies</div>											

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	Profiles are to comply with the requirements of Table 3.		
<b>A65.5</b>	Where subdivision of dual occupancy utilises kerb and gutter it is to be provided in accordance with Section 5.24.		N/A
<b>A65.6</b>	Vehicular kerb crossings connect to battleaxe driveways.	No battle axe lots	N/A
<b>A65.7</b>	Driveway access to battleaxe lots be constructed to the rear of the front lots.		N/A
<b>A65.8</b>	Access handles are constructed to the kerb line or to the bitumen seal the road fronting the subdivision.		N/A
<b>A65.9</b>	Construction of driveway to: <ul style="list-style-type: none"> <li>a single battleaxe lot - two reinforced concrete strips centrally placed each 0.8m wide, 125mm thick on 75mm FCR, AS72 fabric, 25MPa with full width footpath concrete cross over.</li> <li>two battleaxe lots - reinforced concrete pavement 3m wide 125mm thick on 75mm FCR, AS72 Fabric with 35mm topcover 20MPa concrete; or</li> </ul>		N/A

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	<ul style="list-style-type: none"> <li>3m wide hotmix sealed pavement minimum 25mm thick on 200mm of compacted road base including a subsoil drain on the high side.</li> </ul>		
<b>P66</b> Access handles are to accommodate services.	<b>A65.1</b> Access handle is of sufficient width to permit the provision of services beside the constructed access.		N/A

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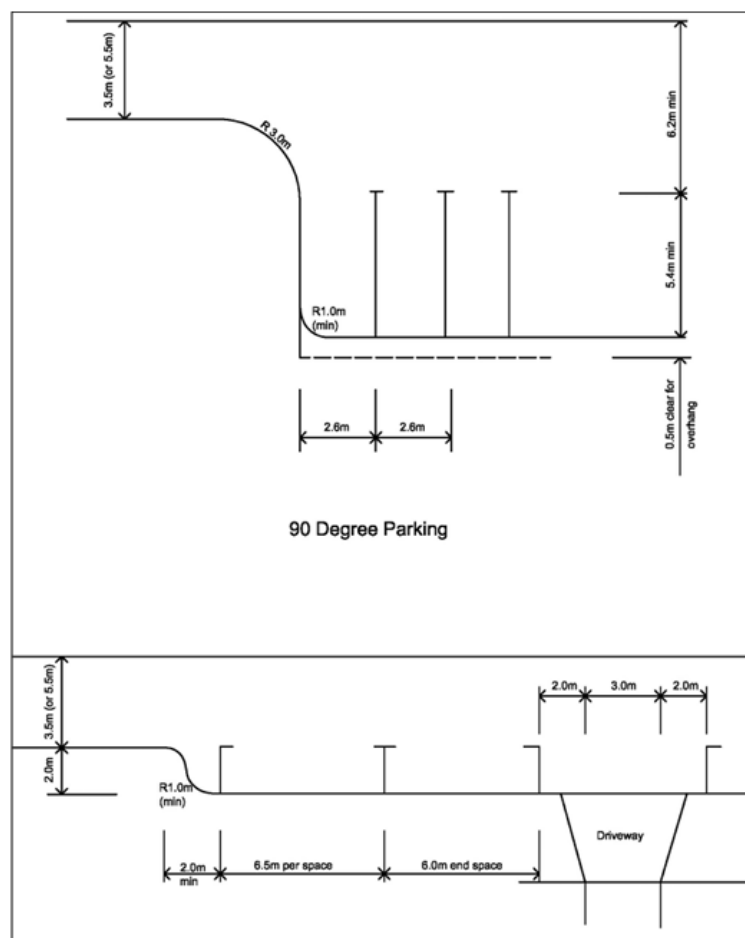


Figure 7: Street and common driveway construction

### 5.9 Utility Services

The specific objectives are to:

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<p>i. Ensure that residential areas are adequately serviced with sewerage, water, gas (where available) fire fighting, electricity, street lighting and telecommunications, including broadband.</p> <p>ii. Deliver services in a timely, cost effective, coordinated and efficient manner.</p> <p>iii. Deliver services using sustainable development practices.</p>			
Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<p><b>P67</b></p> <p>Design and provide utility services that:</p> <ul style="list-style-type: none"> <li>are cost effective over their life cycle; and</li> <li>Minimise short and long term adverse environmental and visual impacts.</li> </ul>	<p><b>A66.1</b></p> <p>Design and provision of utility services, including broadband, conforms to the requirements of the relevant service authorities.</p>	No reticulated water and sewer. The application was referred to Endeavour Energy who have advised that a padmount station is required. The location of the padmount station is on the revised site plan.	<b>Complies</b>
	<p><b>A67.2</b></p> <p>Compatible services are located in common trenching.</p>	Only electricity and NBN will available to lots	<b>Complies</b>
	<p><b>A67.3</b></p> <p>Subdivisions are located where there is adequate water for domestic and fire-fighting purposes.</p>	Referred to the RFS for assessment and GTAs issued.	<b>Complies</b>
	<p><b>A67.4</b></p> <p>Subdivision is staged to ensure that each stage is fully serviced before a new area is released.</p>	They are proposing three stages to the development. The lots facing Forest Rd are proposed in Stage one. Stage 2 & 3 will follow once Marry Beach Road has been realigned.	<b>Complies</b>
	<p><b>A67.5</b></p> <p>Water supply and sewerage networks are accessible, easy to maintain and cost effective based on life cycle costs.</p>	Proposing rainwater tanks and onsite wastewater systems. A review of the proposed onsite wastewater systems is being undertaken by Councils EHOs. Further information has been requested.	<b>Complies</b>
	<p><b>A67.6</b></p>		<b>Complies</b>

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	Adequate buffers between utilities and houses are provided, to protect residential amenity and health provide.		
	<b>A67.7</b> Underground electricity supply is provided to residential areas, except where major technical difficulties are encountered, such as the presence of significant rock.	<b>This will be conditioned in the consent along with the Endeavour Energy requirements.</b>	<b>Complies</b>
	<b>A67.8</b> Provision of reticulated gas is subject to requirements of the service provider.	<b>Reticulated gas is not available to the area. Underground NBN will be required as a consent condition.</b>	<b>N/A</b>
	<b>A67.9</b> Underground telecommunications service, including NBN, is to be installed where underground electricity is to be provided.	<b>Conditioned.</b>	<b>Complies</b>
<b>P68</b> Services are to be available and accessible	<b>A67.1</b> Where required, the subdivider is to provide, at no cost to Council: <ul style="list-style-type: none"> <li>• Suitable easements for water and sewer rising main;</li> <li>• An agreed area of land for pumping stations;</li> <li>• Easements or land for access to pumping stations;</li> <li>• Easements for power to pumping stations</li> </ul>	<b>Reticulated sewer not available.</b>	<b>N/A</b>
<b>5.10 Stormwater Drainage</b>			
<p>The specific objectives for major drainage systems are to:</p> <ol style="list-style-type: none"> <li>Provide stormwater management that adequately protects the natural and built environment at an acceptable level of risk.</li> <li>Provide systems that take into account the whole of life-cycle costs.</li> </ol>			



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<ul style="list-style-type: none"> <li>iii. Control flooding and maintain road access in accordance with accepted levels of service.</li> <li>iv. Minimise the potential for traffic accidents on flooded roads in accordance with accepted level of risk.</li> <li>v. Have regard to the principals of water sensitive urban design.</li> </ul> <p>The specific objectives in minor drainage systems are to:</p> <ul style="list-style-type: none"> <li>i. Limit stormwater damage to property such as house and gardens.</li> <li>ii. Minimise nuisance flooding.</li> <li>iii. Provide stormwater management that takes into account the whole of life-cycle costs.</li> <li>iv. Reduce localised flooding to adequately protect the community.</li> <li>v. Minimise the risk of traffic accidents on roads flooded in minor storm events.</li> <li>vi. Have regard to the principals of water sensitive urban design.</li> </ul> <p><i>Note: The AEP is the annual exceedance probability.</i></p>			
Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<i>Major systems (Engineering Design Specifications - D5.11 Major System Criteria)</i>			
<b>P69</b> To have sufficient capacity to safely stormwater flows resulting from the relevant design storm under normal operating conditions, taking into account a partial minor system blockage.	<b>A68.1</b> Design and construction of systems is in accordance with the requirements of this Section and Council's Engineering Design Specifications - D5 Stormwater Drainage Design.	A stormwater plan has been provided and has been reviewed by the Development Engineer to be satisfactory subject to conditions.	Complies
	<b>A69.2</b> Detention basins may be considered/required where downstream systems are inadequate. Design is to be based on the 1% AEP storm event.	Detention system proposed and has been assessed by the Development Engineer. Subject to revisions as a condition of consent.	Complies
<b>P70</b> To have capacity to safely convey stormwater flows from events more extreme that the design storm, but with the	<b>A69.1</b> Provide an overland flow path capable of containing the 1% AEP rainfall event and/or provide adequate detention storage.		N/A

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possibility of significant property damage.	<b>A70.2</b> Connection of a new system to an existing system with capacity less than 1% AEP: <ul style="list-style-type: none"> <li>satisfies the requirement of the 1% AEP event; and</li> <li>Provides a suitable transition between the systems.</li> </ul>		
<b>P71</b> Ground/floor levels of all buildings are able to be located above the design flood level to provide protection to property in accordance with the accepted level of risk.	<b>A70.1</b> Habitable floor levels are consistent with the requirement in Chapter G9: Development on Flood Prone Land of this DCP.	<b>Not flood affected</b>	<b>N/A</b>
	<b>A71.2</b> Subdivision and engineering plans show minimum floor levels adjacent to drainage paths, including roads where they are used as overland flow paths in the design concept.	<b>Not flood affected</b>	<b>N/A</b>
<b>P72</b> Community benefit is maximised through retention of natural streams and vegetation wherever practicable and safe.	<b>A71.1</b> Waterways and riparian/wetland vegetation, where they exist, are incorporated into the drainage design, with respect to threatened species and their habitats.	No waterway or wetland on the site	<b>N/A</b>
	<b>A72.2</b> Sports grounds and other less flood sensitive land uses are incorporated into the local drainage corridor.		<b>N/A</b>
	<b>A72.3</b> Detention basins, where necessary, are located to control stormwater subject to	<b>Proposing a detention basin- to be assessed by DE</b>	

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	preserving and/or enhancing the natural integrity of the stream.		
	<b>A72.4</b> System design ensures there are no flow paths that increase the risk to public safety and property.  <i>Note: You may be required to demonstrate a neutral or beneficial effect (NorBE) on water quality resulting from your development.</i>		<b>Complies</b>
<i>Minor systems (Engineering Design Specifications D5.08 Minor System Criteria)</i>			
<b>P73</b> Design systems with the capacity to control stormwater flows under normal operating conditions for the relevant design storm.	<b>A72.1</b> Design and construction of minor storm drainage systems is in accordance with this Section and Engineering Design Specifications Section D5 Stormwater Drainage Design.		<b>Complies</b>
	<b>A73.2</b> Drainage networks are well defined to ensure there are no hidden flow paths that could reduce their capacity to convey design flows.		<b>Complies</b>
	<b>A73.3</b> Design of minor systems takes full account of existing downstream systems.		<b>Complies</b>
<b>P74</b> The system is designed to allow for safe passage of	<b>A73.1</b> Minor road drainage systems are designed for the 20% AEP event.	<b>Conditioned to comply</b>	<b>Complies</b>

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vehicles at reduced speed on streets that are affected by runoff from the relevant design storm.	<b>A74.2</b> Low flow pipes within public reserves contain 25% of the 10% AEP flow.		<b>Complies</b>
<b>P75</b> The system is accessible and easily maintained.	<b>A74.1</b> Design and construction of minor storm drainage systems is in accordance with this Section and Engineering Design Specifications Section D5 Stormwater Drainage Design.	Conditions included in consent requiring compliance with Council requirements.	<b>Complies</b>
	<b>A75.2</b> Access for maintenance is available where a portion of the minor system lies within a site.		<b>Complies</b>
	<b>A75.3</b> Selection of materials is based on their suitability, durability, maintainability and cost effectiveness.		<b>Complies</b>
<i>Bridges</i>			
<b>P76</b> All bridges are to be designed for the 1% AEP storm event.	<b>A75.1</b> The design must address the effects of the Probable Maximum Flood event. Where the approach road, excluding the bridge approaches, is less than the 1% AEP flood level a lower standard level may be considered.		<b>N/A</b>
	<b>A76.2</b> Designs are to be in accordance with Engineering Design Specifications - D3 Bridge/Structure Design and waterway design is to be in accordance with AUSTROADS - A guide to the Hydraulic		<b>N/A</b>

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	Design of Bridges, Culverts and Floodways.		
<i>Site Drainage</i>			
<b>P77</b> Subdivision design and layout provides for adequate site drainage.	<b>A76.1</b> Where site topography prevents the discharge of stormwater directly to the street gutter or a Council controlled piped system, inter-allotment drainage is provided to accept runoff from all existing or future impervious areas that are likely to be directly connected.	<i>Plans provided and referred to Councils Engineer for review</i>	
	<b>A77.2</b> Easements favouring the benefiting allotments are created over inter-allotment drainage.  <i>Note: Council is not responsible for the maintenance and control of inter-allotment drainage lines.</i>	To modify the interallotment drainage easement which services the existing residential properties to the west, the applicant must provide owners consent from all owners of the previous Lot 4 DP1280813 which is now Lots 1-4 of DP1282007.  The applicant has only provided consent from the owner of Lot 4 DP1282007. Alternatively, the owner can proceed under 88K as prescribed under the Conveyancing Act 1919 and obtain approval from the Court. This has been included as a deferred commencement condition in the consent.	<b>Complies</b>
	<b>A77.3</b> Stormwater discharge from a development site, including inter-allotment drainage, is in accordance with Engineering Design Specifications Section D5 Stormwater Drainage Design.	Conditions included in the consent.	<b>Complies</b>

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5.11 Stormwater Quality Management			
<p>The specific objectives are to:</p> <ol style="list-style-type: none"> <li>Ensure that existing downstream systems are not adversely affected and that there is no increase in pollution levels discharging from the development.</li> <li>Intercept and treat pollutants through the use of appropriate water quality control measures prior to discharge into receiving waters, including wetlands lakes and ponds.</li> <li>Optimise drainage system control of silt accumulation and minimise debris blockages of inlet structures and pipes.</li> <li>Have regard for the principles of water sensitive urban design.</li> </ol> <p><i>Note: Your subdivision application must comply with the requirements of Chapter G2: Sustainable Stormwater Management &amp; Erosion Sediment Control.</i></p>			
<b>Comments:</b>			
5.12 Residential Streetscape			
<p>The specific objectives is to provide attractive streetscapes that:</p> <ol style="list-style-type: none"> <li>Reinforce the functions of the street.</li> <li>Enhance the amenity of buildings.</li> <li>Are sensitive to the built form, landscape and environmental conditions of the locality.</li> </ol>			
Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<p><b>P78</b></p> <p>Street and landscape design:</p> <ul style="list-style-type: none"> <li>creates attractive residential environments with distinct character and identity;</li> <li>respects existing attractive streetscapes in established areas;</li> <li>complements streetscapes in areas where desired future urban character has been defined;</li> </ul>	<p><b>A77.1</b></p> <p>A landscape plan showing the following is submitted:</p> <ul style="list-style-type: none"> <li>street reserves and indicative locations of the carriageway, parking bays, footpaths, cycleway systems, speed control devices, bus stops, street lighting and substations;</li> <li>location of existing vegetation to be removed and/or conserve;</li> <li>footpath trees with a maximum spacing of 10 metres, minimum of two trees per lot, minimum distance from</li> </ul>	<p>The applicant has provided a landscape plan and lighting is shown on the subdivision concept plan.</p>	<p><b>Complies</b></p>



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<ul style="list-style-type: none"> <li>defines, where appropriate, a street theme for new streets and integrates with new developments;</li> <li>is sensitive to site attributes;</li> <li>Complements the functions of the street.</li> </ul>	<ul style="list-style-type: none"> <li>intersection 10 metres, provide a six month maintenance period;</li> <li>the proposed general character of landscape treatment;</li> <li>location, species and general character of tree planting, hard and soft landscape treatment;</li> <li>indicative building locations;</li> <li>boundaries and areas of communal open space including sites for specific recreational uses;</li> <li>General arrangement of hard landscaping elements and major earth cuts, fills and mounding.</li> </ul>		
	<p><b>A78.2</b></p> <p>Tree planting that considers the natural landscape, the image and role of the street; solar access requirements, soils, suitability of species; and services is provided.</p>	Street trees have been considered and discussed with Councils Public Tree officer who requested some changes that have been updated.	<b>Complies</b>
	<p><b>A78.3</b></p> <p>Opportunities provided by views, vistas, existing vegetation and landmarks are documented and optimised in the subdivision design.</p>		<b>Complies</b>
	<p><b>A78.4</b></p> <p>Where appropriate, the landscape plan demonstrates:</p> <ul style="list-style-type: none"> <li>A common design theme that aids street identity, lighting, signs, tree guards, bus shelters. Street signs to</li> </ul>		<b>Complies</b>

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	<p>be placed at all intersections in accordance with AS1743 Road Signs;</p> <ul style="list-style-type: none"> <li>• provision of attractive and coordinated street furniture and facilities to meet user needs;</li> <li>• that maintenance and utility requirements are satisfied and the visual impact of above ground utilities is minimised;</li> <li>• that landscaped areas are maximised</li> <li>• appropriate consideration for streetscapes and landscapes of heritage significance;</li> <li>• integration and formation of linkages with parks, reserves and transport corridors;</li> <li>• promotion of the planting of native vegetation in environmentally sensitive areas;</li> <li>• incorporation of existing vegetation where possible and desirable;</li> <li>• a contribution to microclimate management;</li> <li>• an appropriate scale relative to both the street reserve width and existing or expected future building bulk;</li> <li>• improved privacy and minimisation of unwanted overlooking;</li> <li>• landscaping of floodways, drainage lines, type of fencing, threshold treatment entrance statement;</li> <li>• design that reinforces desired traffic speed and behaviour;</li> <li>• safety and opportunity for casual street surveillance;</li> <li>• satisfactory lines of sight for pedestrians, cyclists and vehicles</li> </ul>		
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	<ul style="list-style-type: none"> <li>adequate lighting for pedestrian and vehicle safety;</li> <li>Enhanced opportunities for pedestrian comfort.</li> </ul>		
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### 5.13 Residential Allotment Layout

*Note: This section is mostly aimed at lots with one dwelling house or vacant land. The section could apply to dual occupancy if the minimum lot size is met. Refer to Section 5.24 for Dual Occupancy subdivision provisions and Chapter G13: Dual Occupancy Development.*

The specific objectives are to:

- Provide a range and mix of lot sizes to suit a variety of dwellings and household types, with areas and dimensions to meet user requirements.
- Provide lots that are oriented to enable the application of energy conservation principles.
- Provide lots of sufficient size to protect environmental features and take into account site constraint.
- Provide smaller lots in locations adjacent to neighbourhood centres, public transport stops and adjacent to higher amenity areas.

Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<i>General</i>			
<b>P79</b> Lots have the appropriate area and dimensions for the siting and construction of a dwelling and ancillary outbuildings, the provision of outdoor space, convenient vehicle access and parking.	<b>A78.1</b> Minimum standard residential lot size in any residential subdivision is 500m2.	The lots are all larger than the minimum lot size in order to accommodate the onsite wastewater systems as well as dwellings, private open space, parking and outbuildings. The applicant has demonstrated that the lot sizes are adequate for onsite wastewater systems and associated residential development.	<b>Complies</b>

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	<b>A79.2</b> Lot shape and dimension: <table><tr><td><b>Rectangular non-corner lots</b></td><td>16m square width minimum 30m minimum depth</td></tr><tr><td><b>Rectangular corner lots</b></td><td>Square width 20 metres Depth 30 metres</td></tr><tr><td><b>Irregular shaped lots</b></td><td>Square width 12m Width at building line 16m Mean width 18 m Depth 30m</td></tr><tr><td><b>Corner Splays</b></td><td>4m minimum</td></tr></table>		<b>Rectangular non-corner lots</b>	16m square width minimum 30m minimum depth	<b>Rectangular corner lots</b>	Square width 20 metres Depth 30 metres	<b>Irregular shaped lots</b>	Square width 12m Width at building line 16m Mean width 18 m Depth 30m	<b>Corner Splays</b>	4m minimum	All lots are an irregular shape and meet the minimum dimension requirements. However, it is a unique subdivision as the lots rely on onsite wastewater and rainwater tanks.	<b>Complies</b>
	<b>Rectangular non-corner lots</b>	16m square width minimum 30m minimum depth										
<b>Rectangular corner lots</b>	Square width 20 metres Depth 30 metres											
<b>Irregular shaped lots</b>	Square width 12m Width at building line 16m Mean width 18 m Depth 30m											
<b>Corner Splays</b>	4m minimum											
	<b>A79.3</b> Small scale infill subdivision on flood prone land – For small scale infill subdivisions a nominal building envelope of approximately 15m wide and 21m deep, sited in accordance with the requirements of Chapter G12: Dwelling Houses, Rural Worker’s Dwellings, Additions and Ancillary Structures be provided above the 1% flood level on each proposed lot in the subdivision.		Not flood prone	<b>N/A</b>								
<b>P80</b> Lot areas and dimensions take into account the site natural opportunities and constraints.	<b>A79.1</b> The subdivision lot design positively responds to: <ul style="list-style-type: none"><li>• Slope and desirability of minimising earthworks/retaining walls associated with dwelling construction.</li><li>• natural or cultural features;</li><li>• soil erosion and bushfire risk;</li><li>• Special features such as trees and views, including identification of mature stands of trees to be retained and supplementary planting.</li></ul>	Lot is largely cleared with some trees adjacent to the southern boundary that adjoins Crown Land and scattered throughout the site. They have provided a Biodiversity Development Assessment Report and an Arboricultural Report as they are proposing some tree removal. The reports have been reviewed by Councils Environmental Assessment Section who are satisfied with the proposal subject to conditions of consent.	<b>Complies</b>									
<b>P81</b>	<b>A80.1</b>		<b>Complies</b>									

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Provide coincidental legal and practical access.	Each lot is to have coincidental legal and practical access in a rural and/or residential subdivision.											
Battle-axe lots												
<b>P82</b> Lots ensure dimensions for the siting and construction of residential development and ancillary outbuildings or facilities.	<b>A81.1</b> Battle-axe lots to have a minimum lot size of 650m2, excluding access handle.	No battle axe allotments proposed	N/A									
<b>P83</b> Lots design makes adequate provision for access to the property.	<b>A82.1</b> Multiple use access corridor as follows: <table><tr><th>Access Minimum</th><th>No. of Lots</th><th>Pavement Width</th></tr><tr><td>4.0m</td><td>1 to 2</td><td>3.0m</td></tr><tr><td>6.0m</td><td>3 to 6</td><td>5.0m</td></tr></table>	Access Minimum	No. of Lots	Pavement Width	4.0m	1 to 2	3.0m	6.0m	3 to 6	5.0m		N/A
	Access Minimum	No. of Lots	Pavement Width									
4.0m	1 to 2	3.0m										
6.0m	3 to 6	5.0m										
	<b>A83.2</b> The right of way pavement to be of reinforced concrete for 3 or more lots as detailed in Council's Engineering Design Specification, chapter D1.		N/A									
<b>P84</b> Lots design ensures that a suitable building area of relatively flat land is available.	<b>A83.1</b> Rectangular building envelope with minimum dimensions of 15m x 15m is available.	Building envelopes are shown on the Concept Site Master and Staging Plans.	Complies									
<b>P85</b> Minimise overshadowing and privacy impacts on adjoining residents.	<b>A84.1</b> Side boundary building setbacks of 5m to adjoining property boundaries, except where a lesser dimension is provided.		N/A									

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<i>Small lot subdivision</i>			
<b>P86</b> Lot sizes are consistent with Council's adopted strategic planning documents, including Shoalhaven LEP 2014.	<b>A85.1</b> Small lot subdivision (lots sizes less than described in General above) are located in accordance with Council's adopted strategies or within a locality clearly identified in this document as suitable for such development.  AND <b>A86.2</b> Lot areas conform to minimum requirements set out in the relevant Shoalhaven LEP 2014.		N/A
<b>P87</b> Lot design considerations: <ul style="list-style-type: none"> <li>• Building envelope – setbacks, building to boundary, height, floor levels, and northern boundary setback for solar access.</li> <li>• Building details - frontage orientation, privacy, street surveillance and window location, screening, style elements, roof form, colours and materials.</li> <li>• Parking - number of spaces, locations, access.</li> </ul>	<b>A86.1</b> Small residential lots: <ul style="list-style-type: none"> <li>• minimum lot size 350m2;</li> <li>• minimum frontage 15m;</li> <li>• Battle-axe lots to be 25% greater in area than adjoining lots including access handles.</li> </ul>		N/A



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<ul style="list-style-type: none"> <li>• Private open space - location, dimensions, qualities.</li> <li>• Fence - heights, materials, detailing, retaining walls.</li> <li>• Services - easements, stormwater, air conditioners.</li> <li>• Landscaping - protection of existing streets, space for shade trees.</li> <li>• Noise buffering - dwelling design and layout to protect from external noise, provision of noise buffering walls.</li> <li>• Storage space - potential location and size.</li> <li>• Energy efficiency – window location, shading, shared boundary walls.</li> <li>• Setting on lot in relation to shape – retaining walls, cut and fill.</li> <li>• Encroachments - porches and verandas, utilities, reciprocal right-of-way, party walls.</li> </ul>	<p><b>A87.2</b></p> <p>Detailed area plans (DAP) for small lots are to include:</p> <ul style="list-style-type: none"> <li>• Parking &amp; access:</li> <li>• provide two spaces per dwelling within the lot, one of which may be in tandem;</li> <li>• Specify vehicle access points to optimise on-street parking, parking must be accessed from a laneway where available.</li> <li>• Specify the garage location and size and ensure it is set back behind the frontage of the dwelling.</li> <li>• Building envelope &amp; windows:</li> <li>• specify the minimum frontage setback and maximum building height, building to boundary locations and wall heights, and other side and rear setbacks, e.g. relating to solar access, tree protection easements;</li> <li>• Specify any critical window locations and treatment, eg for solar access, shading, frontage outlook or limit overlooking or noise intrusions.</li> <li>• Private open space &amp; fencing:</li> <li>• ensure a minimum private outdoor area of 60m<sup>2</sup> with minimum dimension of 5m, located at the side or rear of the dwellings;</li> <li>• Limit front fence height to a maximum of 1m if solid and to 1.5m if more than 50% transparent.</li> </ul>		
<b>P88</b>	<b>A87.1</b>		<b>N/A</b>

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Integrated small lot subdivision or multi dwelling lots must only be located in multi dwelling zones as defined in Shoalhaven LEP 2014.	Development is to comply with Chapter G13: Dual Occupancy Development of this DCP.												
Large lot residential subdivision													
<p><b>P89</b></p> <p>Large lot residential subdivision is to contribute to the variety of lots sizes available for low density development.</p>	<p><b>A88.1</b></p> <p>Minimum dimensions for low density residential lots 2000m2 to 4000m2:</p> <table><tr><td><b>Rectangular corner lots</b></td><td><ul style="list-style-type: none"><li>• 35m square width;</li><li>• 55m depth;</li><li>• 2000m<sup>2</sup> area.</li></ul></td></tr><tr><td><b>Rectangular non-corner lots</b></td><td><ul style="list-style-type: none"><li>• 30m square width;</li><li>• 55m depth;</li><li>• 2000m<sup>2</sup> area.</li></ul></td></tr><tr><td><b>Irregular shaped lots</b></td><td><ul style="list-style-type: none"><li>• 30m mean width or battle-axe lots;</li><li>• 55m mean depth;</li><li>• 2000m2 area, excluding access handle.</li></ul></td></tr><tr><td><b>Access corridors to battle-axe lots</b></td><td><ul style="list-style-type: none"><li>• Single access width 6m;</li><li>• Multiple use right of way as detailed for battle-axe lots A83.1.</li></ul></td></tr><tr><td><b>Building line</b></td><td><ul style="list-style-type: none"><li>• 12.5m from front boundary;</li><li>• 5m from side boundary;</li><li>• 6.3m side boundary <b>setback</b> to street.</li></ul></td></tr></table>	<b>Rectangular corner lots</b>	<ul style="list-style-type: none"><li>• 35m square width;</li><li>• 55m depth;</li><li>• 2000m<sup>2</sup> area.</li></ul>	<b>Rectangular non-corner lots</b>	<ul style="list-style-type: none"><li>• 30m square width;</li><li>• 55m depth;</li><li>• 2000m<sup>2</sup> area.</li></ul>	<b>Irregular shaped lots</b>	<ul style="list-style-type: none"><li>• 30m mean width or battle-axe lots;</li><li>• 55m mean depth;</li><li>• 2000m2 area, excluding access handle.</li></ul>	<b>Access corridors to battle-axe lots</b>	<ul style="list-style-type: none"><li>• Single access width 6m;</li><li>• Multiple use right of way as detailed for battle-axe lots A83.1.</li></ul>	<b>Building line</b>	<ul style="list-style-type: none"><li>• 12.5m from front boundary;</li><li>• 5m from side boundary;</li><li>• 6.3m side boundary <b>setback</b> to street.</li></ul>		<p><b>N/A</b></p>
<b>Rectangular corner lots</b>	<ul style="list-style-type: none"><li>• 35m square width;</li><li>• 55m depth;</li><li>• 2000m<sup>2</sup> area.</li></ul>												
<b>Rectangular non-corner lots</b>	<ul style="list-style-type: none"><li>• 30m square width;</li><li>• 55m depth;</li><li>• 2000m<sup>2</sup> area.</li></ul>												
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<b>Building line</b>	<ul style="list-style-type: none"><li>• 12.5m from front boundary;</li><li>• 5m from side boundary;</li><li>• 6.3m side boundary <b>setback</b> to street.</li></ul>												

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	<p><b>A89.2</b></p> <p>Minimum dimensions for low density residential lots 4000m<sup>2</sup> to 10,000m<sup>2</sup>:</p> <hr/> <p><b>Rectangular corner lots</b></p> <ul style="list-style-type: none"> <li>• 40m square width;</li> <li>• 65m depth;</li> <li>• 4000m<sup>2</sup> area.</li> </ul> <hr/> <p><b>Irregular shaped or battle-axe lots</b></p> <ul style="list-style-type: none"> <li>• 40m mean width;</li> <li>• 65m mean depth;</li> <li>• 4000m<sup>2</sup> area, excluding access handle.</li> </ul> <hr/> <p><b>Access corridors to battle-axe lots</b></p> <ul style="list-style-type: none"> <li>• Single access width 6m;</li> <li>• Multiple use right of way as detailed for battle-axe lots A83.1.</li> </ul> <hr/> <p><b>Building line</b></p> <ul style="list-style-type: none"> <li>• 20m from front boundary;</li> <li>• 7.5m from side boundary;</li> <li>• 10m side boundary setback to street.</li> </ul> <hr/>		
<p><b>P90</b></p> <p>Ensure that the overall development is as energy efficient as possible and ensure that reasonable solar access is achievable for each lot. Subdivision design must maximise and protect solar access for each dwelling. The design is to define lot size,</p>	<p><b>A89.1</b></p> <p>80% of lots in a new subdivision have 5 star solar access, and the remainder either 4 or 3 stars.</p>	All lots will have good solar access due to their generous size	<b>Complies</b>
	<p><b>A90.2</b></p> <p>Lot sizes reflect reasonable consideration of the impact of topography and expect to maximise solar access.</p>		<b>Complies</b>

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<p>shape, orientation, the solar setback line and possibly a building height envelope. For any given lot these factors will determine the ideal locations of northern walls and the solar access time of north facing windows.</p>	<p><b>A90.3</b> Lots are of a suitable shape to permit the location of a dwelling with suitable solar access and private open space.</p>		N/A
	<p><b>A90.4</b> Lots should be orientated so that one axis is within 300 east and 200 west of true solar north (see Figure 11).</p>		N/A
	<p><b>A90.5</b> North-facing slopes improve opportunities for solar access. Small lots are best suited to north-facing slopes with gradient of less than 15% (or 1:9). Southfacing slopes impose a penalty on solar access, large lots/lowest densities are therefore best suited to south facing lots.</p>		N/A
	<p><b>A90.6</b> Sloping sites are suitable for medium to large lots only.</p>		N/A
	<p><b>A90.7</b> Subdivision design to consider the variation in the sun path during the year.</p>		N/A
	<p><b>A90.8</b> Locate 350m<sup>2</sup> – 450m<sup>2</sup> lots on land with less than 15% (1:9) slope across the frontage.</p>		N/A
	<p><b>A90.9</b> Lots &gt; 450m<sup>2</sup> are capable of containing a building platform rectangle 10m x 15m.</p>	<p>They have provided a building envelope plan for each lot indicate a rectangle greater than 10m x 15m.</p>	Complies

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	<b>A90.10</b> Variable setbacks and zero building lines are a means of maximising solar opportunity, especially with small or narrow lots. Setbacks are manipulated to maximise solar access for all lots4 .		<b>N/A</b>
<b>5.14 Geotechnical</b>			
The specific objective is to:			
i. Ensure efficient and economical subdivision design that will have minimal geotechnical impact on adjoining properties and provide safe building conditions for development.			
<b>Performance Criteria</b>	<b>Acceptable Solutions</b>	<b>Proposed Development</b>	<b>Compliance</b>
<b>P91</b> Subdivision is prevented in high risk slip areas.	<b>A90.1</b> Subdivision designs exclude locating lots in areas with slope stability problems; or provide suitable advice from a practising certified geotechnical engineer.	Not a high risk landslip area	<b>N/A</b>
<b>P92</b> Subdivision is designed to provide for controlled filling and for the free flow of surface water.	<b>A91.1</b> Subdivisions are NATA Laboratory tested and subdivision design creates: <ul style="list-style-type: none"> <li>all lots above flood level;</li> <li>minimum surface grade of 1% falling to the road or drainage system</li> <li>approved fill material placed in 150mm consolidated layers;</li> <li>minimum density 95% Standard Proctor Compaction Test AS1289 ;</li> <li>Where depth of fill exceeds 300mm, an 88B Restriction is imposed on the requiring foundation design in accordance with AS2870 1986</li> </ul>	Proposing cut and fill around the internal road and on some of the sites.  Soil reports and plans referred to Development Engineer who is satisfied subject to conditions of consent.	<b>Complies</b>

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5.19 Natural Environment			
<p>The specific objectives are to:</p> <ul style="list-style-type: none"> <li>i. Minimise the impact of subdivision on the natural environment.</li> <li>ii. Enhance development by screening and providing colour, texture and spatial definition</li> <li>iii. Provide linkages between natural and developed areas</li> </ul>			
Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<b>P99</b> Lot locations are to provide house sites that consider: <ul style="list-style-type: none"> <li>views and visual impact;</li> <li>landscape potential and building suitability; and</li> <li>Wind and fire protection.</li> </ul>	<b>A98.1</b> Designation of building envelopes and landscaping where deemed necessary by Council.	They have provided a Concept Site Master Plan that shows building envelopes.	<b>Complies</b>
	<b>A99.2</b> The use of Section 88B restrictions to define appropriate building materials, colours and regulate height of buildings in sensitive locations.	S88B restriction required for building envelopes, onsite wastewater systems, and stormwater.	<b>N/A</b>
<b>P100</b> The subdivision considers active dune systems and other unstable areas.	<b>A99.1</b> No further subdivision on active dune systems or other unstable areas will be permitted.		<b>N/A</b>
5.25 Views			
Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<b>P116</b> Consider the significance of headlands and other prominent coastal features.	<b>A115.1</b> Subdivisions will not be permitted on headlands or other prominent coastal features – other than those zoned for urban purposes.	<b>No significant views available from the site</b>	
5.26 Public Natural Areas			
The objectives are to:			



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<p>i. Maintain the pre-development ecosystem functions of the land.</p> <p>ii. Locate development outside environmentally sensitive areas.</p> <p>iii. Allow for development of land without diminishing its conservation values.</p> <p>iv. Enhance the appearance and amenity of the development through integrating retained natural areas with the landscape design.</p>			
Performance Criteria	Acceptable Solutions	Proposed Development	Compliance
<p><b>P117</b></p> <p>Subdivisions are to be designed so that any proposed public Natural Area:</p> <ul style="list-style-type: none"> <li>Includes buffers to retained natural watercourses in accordance with the Water Management Act.</li> <li>Is provided with a water service.</li> <li>Is located with public road frontage.</li> <li>Considers public safety and reasonable amenity of adjoining land users.</li> </ul>	<p><b>A116.1</b></p> <p>A vegetation management plan (VMP) for any proposed public natural area &gt;1000m<sup>2</sup> is to be submitted in accordance with Text Box 1 below.</p>	<p><b>Not proposing a public natural area</b></p>	<p><b>N/A</b></p>

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## Appendix B – Justification for Performance-Based Solution/s

The proposed development involves a departure from the acceptable solution/s set out in Shoalhaven DCP 2014. Consideration of the performance-based solution is provided below:

Performance-based Solution to Acceptable Solution A8.2 in Chapter G8 of Shoalhaven DCP 2014				
<b>Control being “varied”</b> <i>Insert “snip” of acceptable solution being varied and copy and paste development control from DCP.</i>				
<p>A8.2 In the case of allotments created through subdivision, the minimum size for an allotment is 2500m<sup>2</sup>.</p> <div> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>The minimum lot size has been determined after considering areas required for elements such as buildings, outbuildings, set-back distances and unimpeded open space for private recreation.</li> <li>Allotments located in Sydney's drinking water catchment area that are proposed to be subdivided, are to be referred to Water NSW.</li> </ul> </div>				
<b>Extent of proposed departure from acceptable solution</b> <i>Identify the extent of departure. If the application seeks a departure from a numerical standard specify the numerical departure (e.g. metres, m<sup>2</sup> etc.) and also the percentage (%) departure from the acceptable solution.</i>				
Acceptable Solution	Numerical Standard	Proposed Solution	Numerical Departure	% Departure

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<p>A8.2 In the case of allotments created through subdivision, the minimum size for an allotment is 2500m<sup>2</sup>.</p> <p><b>Note:</b></p> <ul style="list-style-type: none"><li>The minimum lot size has been determined after considering areas required for elements such as buildings, outbuildings, set-back distances and unimpeded open space for private recreation.</li><li>Allotments located in Sydney's drinking water catchment area that are proposed to be subdivided, are to be referred to Water NSW.</li></ul>	2500m2	Lot 1 – 1447.3m2	Lot 1 – 1052.7m2	Lot 1 – 42 %
		Lot 2 – 1597.3m2	Lot 2 – 902.7m2	Lot 2 – 36%
		Lot 3 – 1397.1m2	Lot 3 – 1102.9m2	Lot 3 – 44%
		Lot 4 – 1357.2m2	Lot 4 – 1142.8m2	Lot 4 – 46%
		Lot 5 – 1313.9m2	Lot 5 – 1186.1m2	Lot 5 – 47%
		Lot 6 – 2302.8m2	Lot 6 – 197.2m2	Lot 6 – 8%
		Lot 7 – 1936.9m2	Lot 7 – 563.1m2	Lot 7 – 23%
		Lot 8 – 1518m2	Lot 8 – 982m2	Lot 8 – 39%
		Lot 10 – 1872.5m2	Lot 10 – 627.5m2	Lot 10 – 25%
		Lot 11 – 1291m2	Lot 11 – 1209m2	Lot 11 – 48%
		Lot 14 – 1752.2m2	Lot 14 – 747.8m2	Lot 14 – 30%
		Lot 15 – 2188.1m2	Lot 15 – 312m2	Lot 15 – 15%
		Lot 16 – 2069.3m2	Lot 16 – 430.7m2	Lot 16 – 17%
		Lot 18 – 2130.4m2	Lot 18 – 369.6m2	Lot 18 – 15%
		Lot 19 – 2015.8m2	Lot 19 – 484.2m2	Lot 19 – 19%
		Lot 20 – 1871m2	Lot 20 – 629m2	Lot 20 – 34%
Unique circumstances as to why a departure from the acceptable solutions is being sought				
Describe the unique circumstances why the acceptable solution cannot be complied with and why a performance-based solution is being sought instead.				
Applicants Justification for the Variation:				

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Each of the required matters are addressed as follows: -

a) The control being varied

Performance Criteria P8 – Acceptable Solution A8.2 in Chapter G8 of Shoalhaven Development Control Plan 2014 (the DCP) for the lot size requirement of 2,500m<sup>2</sup>.

b) The extent of the proposed variation and the unique circumstances as to why the variation is being sought

The proposed subdivision seeks approval for lots that range from 1,180m<sup>2</sup> – 2,720m<sup>2</sup>. There are 22 lots proposed and it is expected that each lot would be the subject of future applications for dwelling houses. It is important to note that the minimum lot size for the subject site pursuant to the Shoalhaven Local Environmental Plan 2014 (RU5 zone) is 500m<sup>2</sup>.

On 12 January 2021 Council granted consent to development application No. SF10812 for the subdivision of the adjoining land at 17 Forest Road, Kioloa into four lots, with each of the lots being 1,000m<sup>2</sup>. The LEP and DCP controls that apply to 17 Forest Road, Kioloa are identical to those applicable to the subject land at 33 Forest Road, Kioloa.

The subject application relies on identical science and effluent management systems as those approved in SF10812. The On-Site Wastewater Management Assessment prepared by Martens and Associates demonstrates how the EMA will treat and dispose of effluent within, therefore wholly contained within each proposed lot. Martens and Associates prepared the documentation and EMA design for both applications.

This variation is being sought to allow for more availability of lots of similar size to existing neighbourhood properties, "Existing homes are generally on blocks between 500-700sqm" (Planning report).

The lots have been subdivided to ensure that there is the capability that dwellings are generally oriented north and south. Compliant setbacks are such that there is privacy for the proposed dwellings and their neighbours. Lots are large enough to accommodate living areas and private open spaces.

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The EMA will be contained within the area identified on the plans submitted with the application. It is worth noting that the areas are large enough to contain 2 options of disposal as described below.

c) Demonstrate how the relevant objectives and performance criteria (as appropriate) are being met with the proposed variations

Wastewater treatment and dispersal options have been designed using conservative estimates as outlined in the accompanying On-Site Wastewater Management Assessment prepared by Martens and Associates. In summary, wastewater from a future dwelling of 8 persons/dwelling generated at 960 L/dwelling/day will be treated by an accredited (NSW Heath) domestic aerated wastewater treatment system (AWTS). Treated water will then be dispersed on-site by one of 3 options available to the future purchaser, those being via a Wisconsin Mound, absorption trench solution or subsurface drip. A reserve area of 100% will also be allowed for and will be separated from neighbouring properties with appropriate buffer zones.

The future lots are proposed to contain restrictive covenants on title which will restrict the number of bedrooms of dwellings that may be approved. This will ensure that the area designated to the effluent management system is sufficient to properly treat and dispose of effluent. These covenants will only be able to be released, varied, or modified by Council: Part 3.2 of Planning Report prepared by Smith & Tzannes.

d) Demonstrate that the development will not have any additional adverse impacts as a result of the variation

All new wastewater treatment and transfer systems and EMAs are to be installed, inspected and certified by a person acceptable to Council prior to system commissioning. The sewage treatment system and EMA will be serviced routinely in accordance with manufacturers specifications and Council's Section 68 approval obligations. In providing for passive nutrient assimilation, no material downslope migration of nutrients or pathogens is expected from any effluent disposal field.

**Conclusion**

The proposed development is supported by comprehensive testing and reporting by Martens and Associates which demonstrates that the proposed lots are provided with sufficient area to treat and dispose of effluent. The objectives of Chapter 8 of the DCP are achieved and the proposed development will not have any additional adverse impacts on the environment or neighbouring properties. It is considered that the proposed development will provide high quality land for future housing the locality, without creating adverse impacts, and avoiding an increase on existing septic pump out service providers.

In these circumstances, variation of the control should be supported by Council.

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<p>Comment:</p> <p>The revised Onsite Wastewater Report prepared by Martens and Associates has been reviewed by Council's EHO who is satisfied that the proposed onsite systems are appropriate to the size of the lot and will not cause any adverse impacts on water quality, or cause deterioration of surrounding land.</p> <p>Referral comment:</p> <p><i>The applicant's consultant has demonstrated that onsite effluent disposal can be achieved across the amended lot layout. Each property will require a detailed design at application stage that should be generally consistent with this report.</i></p> <p><i>Environmental Health is satisfied that the report has demonstrated that onsite effluent disposal can be achieved within the amended lot layout and the objectives and performance requirements of Shoalhaven Chapter G8 have been met.</i></p>	
<p><b>Demonstrate how the relevant objectives and performance criteria are being met with the performance-based solution</b></p>	
Objective	Commentary
<p>Insert snip of relevant objective from DCP</p>	
<p>The objectives are to:</p> <ul style="list-style-type: none"> <li>i. Minimise the <b>risk</b> to public health. Contact with <b>effluent</b>, particularly by children, the elderly and immune-compromised members of our <b>community</b>, is to be minimised or eliminated. The application of <b>effluent</b> and its by-products is to be managed carefully.</li> <li>ii. Prevent the deterioration of land and decline in <b>tree</b> and <b>vegetation</b> quality through soil structure degradation, salinisation, waterlogging, chemical contamination or soil erosion.</li> <li>iii. Protect surface waters from contamination from any flow from treatment systems and land application areas.</li> <li>iv. Protect <b>ground water</b> from contamination from any flow from treatment systems and land application areas.</li> <li>v. Conserve water resources and reuse domestic wastewater (including nutrients, organic matter and water) where possible and within the constraints of other performance objectives.</li> <li>vi. Protect <b>community</b> amenity by not unreasonably interfering with quality of life and by giving consideration to aesthetics, odours, dust, vectors and excessive noise which may impact on the local amenity.</li> </ul>	<p>The proposed performance-based solution is consistent with the objectives of the development controls.</p>
Performance Criteria	Commentary



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Insert snip of relevant performance criteria from DCP	Detail how the proposed departure from the acceptable solution will still comply with the relevant performance criteria.
P8 Effluent is wholly contained within the boundaries of the site and the application area is designed to ensure that ponding of effluent or waterlogging of the soil profile does not occur.	As discussed above the Onsite Wastewater Report has demonstrated that the proposed onsite effluent disposal can be achieved on the lot layout and that the objectives and performance criteria can be met.
<b>Demonstrate how the development will not have any adverse impacts as a result of the performance-based solution</b> <i>Provide commentary demonstrating how the proposed departure from the acceptable solution will not result in an adverse impact.</i>	
<p>The Onsite Wastewater Report prepared by Martens and Associates has demonstrated that the proposed onsite systems can be accommodated on the individual lots, without causing adverse impacts to the surrounding environment including local groundwater, infrastructure and residential land. Therefore, the request to vary the development control of 2500m<sup>2</sup> lot size is supported.</p> <p>The proposed lots will be required to have restrictive covenants placed on title, requiring that they comply the approved Onsite Wastewater Report, Building Envelopes, Effluent Disposal Areas and Stormwater design. Each property will require a detailed design at application stage that should be generally consistent with the report. This will ensure that any future development of the lot will comply with the objectives and performance criteria of Chapter G8.</p>	



Address all correspondence to: The Chief Executive Officer,  
PO Box 42, Nowra NSW 2541 Australia  
[shoalhaven.nsw.gov.au/contact](https://shoalhaven.nsw.gov.au/contact) | 1300 293 111  
[shoalhaven.nsw.gov.au](https://shoalhaven.nsw.gov.au)     

#### DRAFT NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	SF10987
Applicant	Tahnee Ironside
Description of development	Twenty lot residential subdivision in three stages
Property	33 Forest Rd, KIOLOA - Lot 5 DP 1280813
Determination	Approval by Deferred Commencement
Date of determination	TBA
Date from which the consent operates	The date of satisfaction of deferred commencement conditions
Date on which the consent lapses	Five (5) years after the date of satisfaction of deferred commencement conditions

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

#### Reasons for Grant of Consent

- a) The development proposal, subject to the recommended conditions is consistent with:
  - i. the objects of the Environmental Planning and Assessment Act, 1979.
  - ii. the aims, objectives and provisions of the applicable environmental planning instruments,
  - iii. the aims, objectives and provisions of applicable development control plans
  - iv. the aims, objectives and provisions of relevant Council policies.
- b) The likely impacts of the proposed development are considered acceptable.
- c) The site is suitable for the proposed development.
- d) Any submissions received during the public notification period have been considered and issues and concerns raised by the community in submissions have been addressed in the assessment.
- e) The proposed development does not conflict with the public interest.

#### Right of appeal / review of determination

If you are dissatisfied with this determination:

#### Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the

date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

**Rights to appeal**

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

**Dictionary**

The Dictionary at the end of this consent defines words and expressions for the purposes of this consent.

Person on behalf of the consent authority

### Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

#### DEFERRED COMMENCEMENT

Pursuant to s 4.16(3) of the *Environmental Planning and Assessment Act 1979*, the applicant must satisfy the following deferred commencement condition of consent prior to this development consent becoming operation.

#### Drainage Easement to be Extinguished

- a) Provide Council with consent from all of the benefitting owners of the drainage easement, which is to the west of the subject property, or proceed under the 88K as prescribed under the Conveyancing Act 1919.

Reason: Under DP1280813 the 'Owners of Lot 4 DP1280813' are required to give their consent to release, vary or modify the drainage easement. Under DP1282007 these rights have been passed on to all owners of the previous Lot 4 DP1280813 which is now Lots 1-4 of DP1282007.

#### Revised Subdivision Plans

In accordance with the Supplementary Bushfire Hazard Assessment Letter prepared by Blackash dated 10.10.2024, the Subdivision Plans must be revised:

- a) to reduce the size of the building envelope and indicate the revised APZ on Lot 17
- b) remove any notation of an APZ over the detention basin

Reason: To ensure satisfactory subdivision plans that comply with the Bushfire Hazard Assessment are provided.

Evidence that will sufficiently enable Council to be satisfied as to the compliance of these matters must be submitted to Council within **12 months** of the date of determination of this deferred commencement consent, failing which, this deferred development consent will lapse pursuant to s4.53(6) of the *Environmental Planning and Assessment Act 1979*.

This development consent will not become operative until such time that the Council notifies the applicant in writing that the requirements of deferred commencement have been satisfied.

GENERAL CONDITIONS

CONDITIONS					REASON	
1.	<b>Approved plans and supporting documentation</b>				To ensure compliance with the approved plans and documents.	
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.					
	Approved Plans					
	Plan Number	Revision Number	Plan Title	Drawn by		Date of Plan
	SK 001	15	Site Subdivision (Marked Up)	Tyrrells Projects		4.07.24
	6011.1		Proposed Subdivision	Phillip Brown		7/2/24
	MKR00446-10-C010 to MKR00446-10-C012	9	Civil Strategy Layout Plans	Maker Eng		10.10.24
	MKR00446-10-C020	8	Bulk Earthworks Plan	Maker Eng		10.10.24
	MKR00446-10-C030	9	Typical Road Sections	Maker Eng		10.10.24
	MKR00446-10-C040	9	Pavement Plan	Maker Eng		10.10.24
	MKR00446-10-C050 to MKR00446-10-C051	9	Long Sections	Maker Eng		10.10.24
	MKR00446-10-C150	9	Basin Layout	Maker Eng		10.10.24
	MKR00446-10-C180	9	Demolition Plan	Maker Eng		10.10.24
	MKR00446-10-C186	9	Erosion & Sediment Control Plan	Maker Eng		10.10.24
MKR00446-10-C186	9	Signage and Linemarking Layout Plan	Maker Eng	10.10.24		

	Approved Documents			
	Document title	Version number	Prepared by	Date of document
	Water Cycle Management Strategy	2	Maker Eng	October 2024
	Stage 2 Limited Soil Investigation Report	-v0.1	SLR	December 2022
	Bushfire Hazard Assessment Report	V1.3	Blackash	3 July 2024
	Bushfire Hazard Assessment Supplementary Advice Letter		Blackash	10.10.2024
	On-Site Wastewater Management Strategy	P1806757JR05V03	Martens	December 2023
	Biodiversity Development Assessment Report	June 2024 V.3	South East Environmental	26 June 2024
	Stage 1 Preliminary Site Investigation	Report Number 610.17627-R02	SLR	31.10.2017
	In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.			
2.	<b>Concurrence and Referral NSW RFS</b> The General Terms of Approval issued by the NSW RFS, Reference No: CNR-54615, are included as conditions of this consent and must be complied with.			To ensure compliance with external concurrence and referral advice.



3.	<p><b>Concurrence and Referral – Endeavour Energy</b></p> <p>The advice issued by the Endeavour Energy, CNR - 54615, dated 1 May 2023 are included as conditions of this consent and must be complied with.</p>	To ensure compliance with external concurrence and referral advice.																																																																													
4.	<p><b>Existing Infrastructure</b></p> <p>Any required alterations or damage to infrastructure will be at the developer's expense.</p> <p><i>Note: It is recommended prior to the issue of a Construction Certificate, all infrastructure, existing and proposed, is to be shown accurately on construction plans with clearances clearly labelled confirming that the proposed works do not affect any existing infrastructure. This will reduce the potential for unexpected costs and expenses.</i></p>	To ensure existing infrastructure is accounted for and any damage to infrastructure is suitably repaired.																																																																													
5.	<p><b>Local Infrastructure Contribution</b></p> <p>This development will generate a need for the additional services and/or facilities described in Shoalhaven Contributions Plan 2019 and itemised in the following table(s):</p> <p>Stage 1</p> <table><tr><th>Project</th><th>Description</th><th>Rate</th><th>Qty</th><th>Total</th><th>GST</th><th>GST Incl</th></tr><tr><td>05AREC0005</td><td>Planning Area 5 - Active recreation facility upgrades various locations</td><td>\$1,226.19</td><td>5.00</td><td>\$6,130.95</td><td>\$0.00</td><td><b>\$6,130.95</b></td></tr><tr><td>05CFAC2010</td><td>Southern Shoalhaven Branch Library</td><td>\$617.01</td><td>5.00</td><td>\$3,085.05</td><td>\$0.00</td><td><b>\$3,085.05</b></td></tr><tr><td>05ROAD2048</td><td>Murramarang Road - Kioloa Bridge</td><td>\$1,646.21</td><td>5.00</td><td>\$8,231.05</td><td>\$0.00</td><td><b>\$8,231.05</b></td></tr><tr><td>CWAREC5005</td><td>Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry</td><td>\$1,284.19</td><td>5.00</td><td>\$6,420.95</td><td>\$0.00</td><td><b>\$6,420.95</b></td></tr><tr><td>CWCFAC5002</td><td>Shoalhaven Entertainment Centre (Bridge Road Nowra)</td><td>\$970.59</td><td>5.00</td><td>\$4,852.95</td><td>\$0.00</td><td><b>\$4,852.95</b></td></tr><tr><td>CWCFAC5006</td><td>Shoalhaven City Library Extensions (Berry Street, Nowra)</td><td>\$1,502.37</td><td>5.00</td><td>\$7,511.85</td><td>\$0.00</td><td><b>\$7,511.85</b></td></tr><tr><td>CWCFAC5007</td><td>Shoalhaven Regional Gallery</td><td>\$82.48</td><td>5.00</td><td>\$412.40</td><td>\$0.00</td><td><b>\$412.40</b></td></tr><tr><td>CWFIRE2001</td><td>Citywide Fire &amp; Emergency services</td><td>\$162.05</td><td>5.00</td><td>\$810.25</td><td>\$0.00</td><td><b>\$810.25</b></td></tr><tr><td>CWFIRE2002</td><td>Shoalhaven Fire Control Centre</td><td>\$237.08</td><td>5.00</td><td>\$1,185.40</td><td>\$0.00</td><td><b>\$1,185.40</b></td></tr><tr><td>CWWMGMT3001</td><td>Contributions Management &amp; Administration</td><td>\$673.90</td><td>5.00</td><td>\$3,369.50</td><td>\$0.00</td><td><b>\$3,369.50</b></td></tr></table>	Project	Description	Rate	Qty	Total	GST	GST Incl	05AREC0005	Planning Area 5 - Active recreation facility upgrades various locations	\$1,226.19	5.00	\$6,130.95	\$0.00	<b>\$6,130.95</b>	05CFAC2010	Southern Shoalhaven Branch Library	\$617.01	5.00	\$3,085.05	\$0.00	<b>\$3,085.05</b>	05ROAD2048	Murramarang Road - Kioloa Bridge	\$1,646.21	5.00	\$8,231.05	\$0.00	<b>\$8,231.05</b>	CWAREC5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	\$1,284.19	5.00	\$6,420.95	\$0.00	<b>\$6,420.95</b>	CWCFAC5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	\$970.59	5.00	\$4,852.95	\$0.00	<b>\$4,852.95</b>	CWCFAC5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,502.37	5.00	\$7,511.85	\$0.00	<b>\$7,511.85</b>	CWCFAC5007	Shoalhaven Regional Gallery	\$82.48	5.00	\$412.40	\$0.00	<b>\$412.40</b>	CWFIRE2001	Citywide Fire & Emergency services	\$162.05	5.00	\$810.25	\$0.00	<b>\$810.25</b>	CWFIRE2002	Shoalhaven Fire Control Centre	\$237.08	5.00	\$1,185.40	\$0.00	<b>\$1,185.40</b>	CWWMGMT3001	Contributions Management & Administration	\$673.90	5.00	\$3,369.50	\$0.00	<b>\$3,369.50</b>	To ensure applicable local infrastructure contributions are collected.
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CWFIRE2002	Shoalhaven Fire Control Centre	\$237.08	5.00	\$1,185.40	\$0.00	<b>\$1,185.40</b>																																																																									
CWWMGMT3001	Contributions Management & Administration	\$673.90	5.00	\$3,369.50	\$0.00	<b>\$3,369.50</b>																																																																									

<div> <div>Sub Total: \$42,010.35</div> <div>GST Total: \$0.00</div> <div>Estimate Total: \$42,010.35</div> </div>						
Stage 2						
Project	Description	Rate	Qty	Total	GST	GST Incl
05AREC0005	Planning Area 5 - Active recreation facility upgrades various locations	\$1,226.19	6.00	\$7,357.14	\$0.00	\$7,357.14
05CFAC2010	Southern Shoalhaven Branch Library	\$617.01	6.00	\$3,702.06	\$0.00	\$3,702.06
05ROAD2048	Murramarang Road - Kioloa Bridge	\$1,646.21	6.00	\$9,877.26	\$0.00	\$9,877.26
CWAREC5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	\$1,284.19	6.00	\$7,705.14	\$0.00	\$7,705.14
CWCFAC5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	\$970.59	6.00	\$5,823.54	\$0.00	\$5,823.54
CWCFAC5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,502.37	6.00	\$9,014.22	\$0.00	\$9,014.22
CWCFAC5007	Shoalhaven Regional Gallery	\$82.48	6.00	\$494.88	\$0.00	\$494.88
CWFIRE2001	Citywide Fire & Emergency services	\$162.05	6.00	\$972.30	\$0.00	\$972.30
CWFIRE2002	Shoalhaven Fire Control Centre	\$237.08	6.00	\$1,422.48	\$0.00	\$1,422.48
CWWMGMT3001	Contributions Management & Administration	\$673.90	6.00	\$4,043.40	\$0.00	\$4,043.40
<div> <div>Sub Total: \$50,412.42</div> <div>GST Total: \$0.00</div> <div>Estimate Total: \$50,412.42</div> </div>						
Stage 3						
Project	Description	Rate	Qty	Total	GST	GST Incl
05AREC0005	Planning Area 5 - Active recreation facility upgrades various locations	\$1,226.19	8.00	\$9,809.52	\$0.00	\$9,809.52
05CFAC2010	Southern Shoalhaven Branch Library	\$617.01	8.00	\$4,936.08	\$0.00	\$4,936.08
05ROAD2048	Murramarang Road - Kioloa Bridge	\$1,646.21	8.00	\$13,169.68	\$0.00	\$13,169.68
CWAREC5005	Shoalhaven Community and Recreational Precinct SCaRP Cambewarra Road Bomaderry	\$1,284.19	8.00	\$10,273.52	\$0.00	\$10,273.52

	<table><tr><td>CWCFAC5002</td><td>Shoalhaven Entertainment Centre (Bridge Road Nowra)</td><td>\$970.59</td><td>8.00</td><td>\$7,764.72</td><td>\$0.00</td><td><b>\$7,764.72</b></td></tr><tr><td>CWCFAC5006</td><td>Shoalhaven City Library Extensions (Berry Street, Nowra)</td><td>\$1,502.37</td><td>8.00</td><td>\$12,018.96</td><td>\$0.00</td><td><b>\$12,018.96</b></td></tr><tr><td>CWCFAC5007</td><td>Shoalhaven Regional Gallery</td><td>\$82.48</td><td>8.00</td><td>\$659.84</td><td>\$0.00</td><td><b>\$659.84</b></td></tr><tr><td>CWFIRE2001</td><td>Citywide Fire &amp; Emergency services</td><td>\$162.05</td><td>8.00</td><td>\$1,296.40</td><td>\$0.00</td><td><b>\$1,296.40</b></td></tr><tr><td>CWFIRE2002</td><td>Shoalhaven Fire Control Centre</td><td>\$237.08</td><td>8.00</td><td>\$1,896.64</td><td>\$0.00</td><td><b>\$1,896.64</b></td></tr><tr><td>CWMGMT3001</td><td>Contributions Management &amp; Administration</td><td>\$673.90</td><td>8.00</td><td>\$5,391.20</td><td>\$0.00</td><td><b>\$5,391.20</b></td></tr><tr><td colspan="5"></td><td><b>Sub Total:</b></td><td><b>\$67,216.56</b></td></tr><tr><td colspan="5"></td><td><b>GST Total:</b></td><td><b>\$0.00</b></td></tr><tr><td colspan="5"></td><td><b>Estimate Total:</b></td><td><b>\$67,216.56</b></td></tr></table> <p>The total contribution, identified in the above table(s) or as indexed in future years, must be paid to Council prior to the issue of a Construction Certificate. Evidence of payment must be provided to the Certifying Authority.</p> <p>The Contributions Plan 2019 can be accessed on Councils website <a href="http://www.shoalhaven.nsw.gov.au">www.shoalhaven.nsw.gov.au</a> or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.</p> <p><i>Note: There are also provisions that may apply with respect to the timing of payments. See: Environmental Planning and Assessment (Local Infrastructure Contributions - Timing of Payments) Direction 2020 (nsw.gov.au)</i></p>	CWCFAC5002	Shoalhaven Entertainment Centre (Bridge Road Nowra)	\$970.59	8.00	\$7,764.72	\$0.00	<b>\$7,764.72</b>	CWCFAC5006	Shoalhaven City Library Extensions (Berry Street, Nowra)	\$1,502.37	8.00	\$12,018.96	\$0.00	<b>\$12,018.96</b>	CWCFAC5007	Shoalhaven Regional Gallery	\$82.48	8.00	\$659.84	\$0.00	<b>\$659.84</b>	CWFIRE2001	Citywide Fire & Emergency services	\$162.05	8.00	\$1,296.40	\$0.00	<b>\$1,296.40</b>	CWFIRE2002	Shoalhaven Fire Control Centre	\$237.08	8.00	\$1,896.64	\$0.00	<b>\$1,896.64</b>	CWMGMT3001	Contributions Management & Administration	\$673.90	8.00	\$5,391.20	\$0.00	<b>\$5,391.20</b>						<b>Sub Total:</b>	<b>\$67,216.56</b>						<b>GST Total:</b>	<b>\$0.00</b>						<b>Estimate Total:</b>	<b>\$67,216.56</b>	
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6.	<p><b>Prescribed Conditions</b></p> <p>The development must comply with Part 4, Division 2, Subdivision 1, of the <i>Environmental Planning and Assessment Regulation 2021</i>, as applicable.</p>	To ensure compliance with prescribed conditions.																																																															
7.	<p><b>Preliminary Site Investigation Report</b></p> <p>Recommendations from the <i>Draft Stage 1 Preliminary Site Investigation – Proposed Residential Development – 33 Forest Rd, Kioloa NSW – Report No. 610.17627-R02 – 31<sup>st</sup> October 2017</i> – prepared by SLR Global Solutions and the <i>Stage 2 Limited Soil Investigation Report – Proposed Residential Development – 33 Forest Rd, Kioloa NSW – 19<sup>th</sup> December 2022 Ref 603.30492.00000-Ro0-vo.1</i> – prepared by SLR Global must be implemented for the development.</p>	To ensure appropriate measures are i																																																															

8.	<p><b>Staging of Development</b></p> <p>Consent is given for the development in accordance with the approved staging plan.</p> <ul style="list-style-type: none"> <li>a) Stage 1: Lots 1 to 6 and associated civil works</li> <li>b) Stage 2: Lots 7 to 9 and Lots 18 to 20 and associated civil works (including realignment of Merry Beach Road)</li> <li>c) Stage 3: Lots 10 to 17 and associated civil works</li> </ul> <p>The conditions in this consent apply to all stages unless otherwise specified.</p>	To ensure development is carried out in appropriate stages.
9.	<p><b>Plan of Subdivision for Stage 1</b></p> <p>Prior to the issue of a Subdivision Works Certificate for Stage 2, the registered plan of subdivision for Stage 1 must be provided to Council's Property Section.</p>	To enable the Property Section to carry out administrative tasks related to road realignment
<p><b>DEMOLITION WORK</b></p> <p><b>Before Demolition Work Commences</b></p>		
<p>CONDITIONS</p> <p>10.</p> <p><b>Asbestos demolition</b></p> <p>Prior to demolition of onsite structures, an assessment must be undertaken to ascertain if any structures have asbestos containing material (ACM).</p> <p>If ACM is detected in structures an Asbestos Management Plan (AMP) must be prepared by an appropriately qualified and experienced environmental consultant to manage the removal of asbestos containing material from the site. This plan must be submitted to Council's Environmental Health Unit for review prior to the commencement of works.</p> <p>This Plan shall be prepared in accordance, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>a) Code of Practice, How to Safely Remove Asbestos WorkCover NSW, December 2019;</li> <li>b) Managing Asbestos in or on Soil, NSW Government, March 2014;</li> <li>c) All relevant SafeWork NSW guidelines;</li> <li>d) All relevant NSW EPA guidelines.</li> </ul>		<p>REASON</p> <p>To ensure demolition works are carried out appropriately.</p>

	<p><b>Note:</b> An appropriately qualified and experienced environmental consultant shall be certified by one of the following certification schemes; or equivalent:</p> <ul style="list-style-type: none"> <li>• Environment Institute of Australia &amp; New Zealand (EIANZ) 'Certified Environmental Practitioner (CEnvP) Scheme.</li> <li>• Site Contamination Practitioners Australia (SCPA)</li> <li>• Australian Institute of Occupational Hygienists – Certified Occupational Hygienist (COH).</li> </ul>	
11.	<p><b>Demolition - Asbestos Removal</b></p> <p>Asbestos removal must be carried out in accordance with AS2601-2 <a href="#">SafeWork NSW – Code of Practice, Demolition Work [ISBN 978-0-642-78415-5]</a> and as applicable, by a person holding the relevant licence issued by SafeWork NSW.</p> <ol style="list-style-type: none"> <li>A licence is not required to remove less than 10m<sup>2</sup> of non-friable asbestos, provided that the total amount of non-friable asbestos removed from the lot does not exceed 10m<sup>2</sup>.</li> <li>Asbestos must be taken for disposal to the licensed Waste Management Facility identified in the approved Waste Management Plan.</li> <li>Seven days before the commencement of any demolition works involving asbestos, all immediate neighbours must be notified in writing of the intention to carry out asbestos demolition works. Copies of these written notifications should be retained and submitted to Council</li> <li>Post asbestos removal and before further work on the site, the following must be submitted to the Certifier: <ol style="list-style-type: none"> <li>A clearance certificate issued by a licensed asbestos assessor or competent person as required by the Work, Health and Safety Regulation 2017 for the specific type of asbestos removal work confirming that the area has been cleaned satisfactorily and is safe to be re-occupied for normal use.</li> <li>A clearance certificate is required if the removal work involved any quantity of friable asbestos, or if it involved removal of more than a total of 10 square metres of non-friable asbestos from the lot.</li> <li>Documentary evidence of the legitimate disposal of all asbestos in the form of tip receipts from an approved waste management facility.</li> </ol> </li> </ol>	To ensure demolition works are carried out appropriately.
12.	<p><b>Erosion and Sediment Controls – Implementation</b></p>	To ensure appropriate erosion and sediment

	Before any site work commences, the 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 disturbed areas have been restabilised in accordance with Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) and approved plans (as amended from time to time).	control measures are in place.
<b>DEMOLITION WORK</b> <b>During Demolition Work</b>		
CONDITIONS		REASON
13.	<b>Demolition - Completion of Works</b> Demolition work, once commenced, must be completed within three (3) months.	To ensure demolition works are completed within an acceptable timeframe.
14.	<b>Demolition - Standards</b> Demolition work must be carried out in accordance with all applicable Australian Standards and SafeWork Code of Practice.	To ensure demolition works are carried out appropriately.
<b>SUBDIVISION WORK</b> <b>Before Issue of a Subdivision Works Certificate</b>		
CONDITIONS		REASON
15.	<b>Subdivision - Details to be Shown on Subdivision Works Certificate</b> Before issue of a Subdivision Works Certificate for each stage, details of approved signs, fencing, and landscaping must be shown on the Subdivision Works Certificate plans and approved by the Certifier.	To ensure appropriate designs are prepared Before works commence.
16.	<b>Council Approvals - Evidence</b> A Construction Certificate / Subdivision Works Certificate must not be issued until the Certifier has received notification from, or evidence of, any Council approval that is required before the commencement of building works.	To ensure all required approvals are obtained.



17.	<p><b>Erosion and Sediment Controls - Soil and Water Management Plans</b></p> <p>Before the issue of a Subdivision Works Certificate for each stage, a Soil and Water Management Plan and specifications must be prepared in accordance with Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) by a Professional Engineer, (as defined in the National Construction Code) to the satisfaction of the Certifier.</p> <p>All plans must include:</p> <ul style="list-style-type: none"> <li>a) Area proposed to be exposed to the possibility of erosion as used in calculations;</li> <li>b) Site access locations and stabilisation details and restrictions;</li> <li>c) Erosion and sediment control locations and types;</li> <li>d) Soil, water and drainage patterns and management plans;</li> <li>e) Location of vegetated buffer strips, unstable slopes, boggy areas, and restricted "no access" areas;</li> <li>f) Nature and extent of proposed clearing, excavation and filling;</li> <li>g) Approximate location and proposed treatment of haul roads, borrow pits, site sheds and stockpiles;</li> <li>h) Proposed staging of construction and SWMP measures;</li> <li>i) Inspection and maintenance program for all soil and water management measures;</li> <li>j) Disposal site for silt removed from sediment traps;</li> <li>k) All design criteria and calculations used to size erosion and sediment control measures;</li> <li>l) Site rehabilitation details including frequency of watering;</li> <li>m) Identification of existing vegetation and site revegetation to have 70% cover established before plan is decommissioned;</li> <li>n) Existing and final contours (clearly distinguished and adequately annotated);</li> <li>o) Standard construction drawings for proposed soil, water and drainage management measures.</li> <li>p) All implemented measures must ensure that a <i>pollution incident</i> must not occur as defined by the Protection of the Environment Operations Act (POEO).</li> </ul> <p>All implemented measures must:</p>	<p>To ensure an appropriate Erosion and Sediment Control Plan has been prepared.</p>
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	<ul style="list-style-type: none"> <li>a) not cause water pollution as defined by the <a href="#">Protection of the Environment Operations Act</a> (POEO).</li> <li>b) be maintained at all times.</li> <li>d) not be decommissioned until at least 70% revegetation cover has been established. Before the issue of a Construction Certificate, a Soil and Water Management Plan must be prepared by a Professional Engineer, (as defined in the National Construction Code) to the satisfaction of the Certifier.</li> </ul>	
18.	<p><b>Road - Design Standards (Greenfield Subdivision) – Stage 2</b></p> <p>Before issue of a Subdivision Works Certificate for Stage 2, certified road design engineering plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The road design for Merry Beach Road must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Council's Engineering Design Specifications sections D1 – Geometric Road Design and D2 – Flexible Pavement Design.</li> <li>b) AUSTROADS Design Requirements and Specifications.</li> <li>c) The Concept Stage 2 Civil Strategy Layout Plan, Ref. No: MKR00446-10-C011, Rev 9., Dated 10/10/2024 except that: <ul style="list-style-type: none"> <li>i. the design and construction of Merry Beach Road is to continue for the full frontage of the development and include kerb returns for Stage 3 (Road 01), and</li> <li>ii. the kerb on the eastern side of Merry Beach Road is to continue through to the existing footpath at the Murramarang Road / Merry Street intersection.</li> </ul> </li> <li>d) The pavement should taper back to the existing pavement at a minimum 1:10 taper.</li> <li>e) Avoid trapped low points and ensure that overland flow is passed safely over public land.</li> <li>f) Design Vehicle to be a 8.8m long service vehicle and Checking Vehicle to be a Medium Rigid Vehicle (MRV) per AS2890.2.</li> <li>g) Integral kerb and gutter in accordance with Council's Standard Drawings.</li> <li>h) Subsoil drainage behind the kerb line on the high side of the road or both side if the cross fall is neutral or the road is in cut.</li> </ul>	To ensure road and pavement infrastructure is appropriately designed.

19.	<p><b>Road - Design Standards (Greenfield Subdivision) – Stage 3</b></p> <p>Before issue of a Subdivision Works Certificate for Stage 3, certified road design engineering plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The road design for Road 01 must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Council's Engineering Design Specifications sections D1 – Geometric Road Design and D2 – Flexible Pavement Design.</li> <li>b) AUSTROADS Design Requirements and Specifications.</li> <li>c) The Concept Stage 3 Civil Strategy Layout Plan, Ref. No: MKR00446-10-C012, Rev 9., Dated 10/10/2024 except where noted below.</li> <li>d) Avoid trapped low points and ensure that overland flow is passed safely over public land.</li> <li>e) Design Vehicle to be a 8.8m long service vehicle and Checking Vehicle to be a Medium Rigid Vehicle (MRV) per AS2890.2.</li> <li>f) Integral kerb and gutter in accordance with Council's Standard Drawings.</li> <li>g) Additional parking bays are to be provided along the full frontage of lots fronting the southern side of Road 01 excluding the cul-de-sac. Parking bays are to be continuous where practicable and comply with AS2890.5.</li> </ul> <p>Subsoil drainage behind the kerb line on the high side of the road or both side if the cross fall is neutral or the road is in cut.</p>	To ensure road and pavement infrastructure is appropriately designed.
20.	<p><b>Road - Design Standards (Urban)- Stage 1</b></p> <p>Before the issue of a Subdivision Works Certificate for Stage 1, certified road design engineering plans must be prepared by a suitably qualified engineer or surveyor and approved by Council. The road design for Forest Road must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Councils Engineering Design Specifications Sections D1 – Geometric Road Design and D2 – Flexible Pavement Design.</li> <li>b) AUSTROADS Design Requirements and Specifications.</li> <li>c) Integral upright kerb and gutter in accordance with Council's Standard Drawings with alignment as shown on the Concept Stage 1 Civil Strategy Layout Plan, Ref. No: MKR00446-10-C010, Rev 9., Dated 10/10/2024.</li> <li>d) A road shoulder pavement constructed from the gutter crossing to 300mm beyond the edge of existing bitumen</li> </ul>	To ensure road and pavement infrastructure is appropriately designed.

	<p>seal on a pavement having a minimum compacted thickness of 300mm and either:</p> <ul style="list-style-type: none"> <li>v. a minimum 30mm AC10 on a primer seal.</li> </ul> <ul style="list-style-type: none"> <li>e) The pavement should taper back to the existing pavement at a minimum 1:10 taper.</li> <li>f) The kerb and gutter must have a minimum grade of 0.5% and the longitudinal design must extend a minimum of 30 metres each end of the development and at least 60m if the grade is &lt;0.5% or ≥ 0.3%.</li> <li>g) The road table drain either side of the proposed development is to be reconstructed as required to match the kerb and gutter and to prevent ponding of water, including any adjustment or reconstruction of nearby driveways.</li> </ul> <p>Subsoil drainage is to be provided behind the kerb line where an outlet to existing underground drainage (or other alternative suitable to Council) is available. Subsoil drainage is to be placed on the high side of the road or both sides if the cross-fall is neutral.</p>	
<p>21.</p>	<p><b>Road - Design Standards (Urban) – Stage 2</b></p> <p>Before the issue of a Subdivision Works Certificate for Stage 2, certified road design engineering plans must be prepared by a suitably qualified engineer or surveyor and approved by Council. The road design for Forest Road must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Councils Engineering Design Specifications Sections D1 – Geometric Road Design and D2 – Flexible Pavement Design.</li> <li>b) AUSTROADS Design Requirements and Specifications.</li> <li>c) Integral upright kerb and gutter in accordance with Council's Standard Drawings with alignment as shown on the Concept Stage 2 Civil Strategy Layout Plan, Ref. No: MKR00446-10-C011, Rev 9., Dated 10/10/2024.</li> <li>d) A road shoulder pavement constructed from the gutter crossing to 300mm beyond the edge of existing bitumen seal on a pavement having a minimum compacted thickness of 300mm and either: <ul style="list-style-type: none"> <li>vi. a minimum 30mm AC10 on a primer seal.</li> </ul> </li> <li>e) The pavement should taper back to the existing pavement at a minimum 1:10 taper.</li> <li>f) The kerb and gutter must have a minimum grade of 0.5% and the longitudinal design must extend a minimum of 30</li> </ul>	<p>To ensure road and pavement infrastructure is appropriately designed.</p>

	<p>metres each end of the development and at least 60m if the grade is <math>&lt;0.5\%</math> or <math>\geq 0.3\%</math>.</p> <p>g) The road table drain either side of the proposed development is to be reconstructed as required to match the kerb and gutter and to prevent ponding of water, including any adjustment or reconstruction of nearby driveways.</p> <p>h) Subsoil drainage is to be provided behind the kerb line where an outlet to existing underground drainage (or other alternative suitable to Council) is available. Subsoil drainage is to be placed on the high side of the road or both sides if the cross-fall is neutral.</p>	
22.	<p><b>Long Service Levy</b></p> <p>Before the issue of the relevant Construction Certificate / Subdivision Works Certificate, the long service levy must be paid to the Long Service Corporation of Council under the Building and Construction industry <i>Long Service Payments Act 1986</i>, section 34, and evidence of the payment is to be provided to the Certifier.</p>	To ensure compliance with long service levy requirements.
23.	<p><b>Subdivision Works – Design Standards</b></p> <p>Before issue of a Subdivision Works Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor in accordance with Council's Engineering Design and Construction Specifications and approved by the Certifier. Specifications can be found on Council's website.</p>	To ensure retaining walls are appropriately designed.
24.	<p><b>Road - Lighting Design</b></p> <p>Before the issue of a Subdivision Works Certificate, the developer must request a Public Lighting Design Brief from Council as per the requirements of the authority (Endeavour Energy).</p>	To ensure public road lighting will be appropriate.
25.	<p><b>Traffic Committee</b></p> <p>Before issue of a Subdivision Works Certificate details of proposed traffic management and traffic control devices must be submitted to the satisfaction of Council for referral and endorsement of the Shoalhaven Traffic Committee.</p> <p><b>Note: This process can take six to eight weeks.</b></p>	To ensure proposed traffic management and traffic control devices are endorsed by the Shoalhaven Traffic Committee.

26.	<p><b>Shared Path - Design Standards</b></p> <p>Before the issue of a Subdivision Works Certificate, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier. The cycleway and footpath design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Councils Engineering Design Specifications Section D8 – Cycleway and Footpath Design.</li> <li>b) The locations of footpaths to generally comply with the locations and staging as shown on the Concept Stages 1 to 3 Civil Strategy Layout Plans, Ref. No: MKR00446-10-C010 to C012, Rev 9., Dated 10/10/2024 except where addressed by the following conditions.</li> <li>c) A 1.2 metre-wide concrete footpath is to be designed for the full Forest Road frontage of the development with: <ul style="list-style-type: none"> <li>i. cross section design provided from road centreline to the carpark/garage floor level at each driveway access point.</li> <li>ii. 3% cross fall from the boundary to top of kerb.</li> <li>iii. match existing footpath levels of adjoining property frontages and be a uniform grade over the length of the development site frontage, or where this cannot be achieved, a longitudinal section must be designed.</li> <li>iv. kerb ramps at intersections in accordance with Council's Engineering Design Specifications.</li> <li>v. An additional kerb ramp is to be provided immediately to the west of the intersection with Merry Beach Road to facilitate a connection to a future path on the northern side of Forest Road.</li> </ul> </li> <li>d) A 2.0 metre-wide concrete footpath is to be designed for the full Merry Beach Road frontage of the development along the eastern side of the road with: <ul style="list-style-type: none"> <li>vi. cross section design provided from road centreline to the carpark/garage floor level at each driveway access point.</li> <li>vii. 3% cross fall from the boundary to top of kerb.</li> <li>viii. match existing footpath levels of adjoining property frontages and be a uniform grade over the length of the development site frontage, or where this cannot be achieved, a longitudinal section must be designed.</li> </ul> </li> </ul>	<p>To ensure road and pavement infrastructure is appropriately designed.</p>
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	<ul style="list-style-type: none"> <li>ix. kerb ramps at intersections in accordance with Council's Engineering Design Specifications.</li> <li>x. connect through to the existing footpath at the Murramarang Road / Merry Street intersection.</li> </ul>	
27.	<p><b>Stormwater – Major Development Design Standards (Urban)</b></p> <p>Before the issue of a Construction Certificate / Subdivision Works Certificate, certified engineering design plans, specifications, and DRAINS model (or approved alternative) must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The stormwater drainage design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Major and minor drainage systems in accordance with Council's Engineering Design Specifications - Section D5 - Stormwater Drainage Design and utilising Australian Rainfall and Runoff (ARR, 2019) Guidelines.</li> <li>b) The minor and major systems must be designed for a 18.13% AEP and 1% Annual Exceedance Probability (AEP) rainfall events, respectively.</li> <li>c) Generally comply with the locations and staging as shown on the Concept Stages 1 to 3 Civil Strategy Layout Plans, Ref. No: MKR00446-10-C010 to C012, Rev 9., Dated 10/10/2024.</li> <li>d) Where a pipe drains a public road through land adjoining the road, the pipe is to be designed to cater for the 1% AEP event with an overland flow path to provide for bypass/surcharge in the event of the pipe or pit inlet being 50% blocked.</li> <li>e) The existing stormwater drainage system is to be adjusted to suit the new works. In this regard the following is required: <ul style="list-style-type: none"> <li>vii. existing drainage systems through lots draining public roads are to be upgraded where necessary to contain flows in accordance with Council's Engineering Design Specifications - Section D5.04.</li> <li>viii. all relevant calculations are to be noted on the drainage plans to confirm the adequacy of the existing system, or the upgraded design.</li> </ul> </li> <li>f) Design of stormwater drainage is to include piping, swales and easements to facilitate future development of the site.</li> </ul>	To ensure stormwater infrastructure is designed appropriately.
28.	<p><b>Water Sensitive Urban Design - Water Quality, Retention and Reuse</b></p>	To ensure stormwater

	<p>Before issue of a Subdivision Works Certificate, a detailed design of permanent water quality, retention and reuse devices must be certified by a professional engineer, (as defined in the National Construction Code) who can demonstrate the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and is to be approved by Council. Specifications can be found on Council's website.</p> <p>The stormwater treatment, retention and reuse design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) The devices proposed must generally comply with the Water Cycle Management Strategy, Ref. No: MKR000446, Dated October 2024.</li> <li>b) The staging of the stormwater quality infrastructure is to comply with the Concept Stages 1 to 3 Civil Strategy Layout Plans, Ref. No: MKR00446-10-C010 to C012, Rev 9. Dated 10/10/2024.</li> <li>c) No stormwater infrastructure is permitted in land zoned as Environmental Conservation without Council approval.</li> <li>d) Rainwater tanks in accordance with BASIX requirements.</li> <li>e) The WSUD strategy must be able to remove 80% of Total Suspended Solids (TSS), 45% of Total Nitrogen (TN) and 45% of Total Phosphorus (TP) for the total site area as demonstrated using MUSIC software. The detailed MUSIC model must be provided to Council for acceptance.</li> <li>f) Any variations to the above requirements or design generally are to be approved by Council.</li> </ul>	<p>infrastructure is designed appropriately.</p>
29.	<p><b>Water Sensitive Urban Design – Bioretention Basins</b></p> <p>Before issue of a Subdivision Works Certificate, a detailed design of bioretention basin stormwater quality improvement devices must be certified by a professional engineer, (as defined in the National Construction Code) who can demonstrate the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and is to be approved by Council. Specification can be found on Council's website.</p> <ul style="list-style-type: none"> <li>a) The bioretention basin design must comply with the following:</li> <li>b) The bioretention basin must be located in a treatment train configuration immediately downstream of a trash rack / GPT and sediment basin / forebay.</li> </ul>	<p>To ensure stormwater infrastructure is designed appropriately.</p>

	<ul style="list-style-type: none"> <li>c) A graduated trash rack configuration is required to prevent litter overtopping the trash rack if it becomes fully blocked. The trash rack must be designed to retain litter greater than 40mm for flows up to the 4 EY event. The invert of the trash rack must be located above the permanent water level of the sediment basin.</li> <li>d) The sediment basin / forebay must be designed to capture "coarse" sediment before entering the bioretention basin.</li> <li>e) The bioretention basin must have a 300mm maximum extended detention depth (EDD). The saturated hydraulic conductivity must be between 100 and 300mm/hour, with a 100mm/hour value adopted for design in MUSIC.</li> <li>f) Erosion protection must be provided in the sediment forebay and bioretention basin inlet and outlets locations, in accordance with Council's Engineering Design Specification, to prevent scour and re-suspension of stored sediment.</li> <li>g) The high level outlet for the bioretention basin is to be replaced by a high level pit to address concerns relating to erosion and public risk within the downstream road reserve.</li> <li>h) The bioretention basin must be designed in accordance with the latest version of the Adoption Guidelines for Stormwater Biofiltration Systems (CRC for Water Sensitive Cities) and Facility for Advancing Water Biofiltration (FAWB) Guidelines or a demonstrated equivalent approved by Council.</li> <li>i) The bioretention basin must be established offline from inflows until it is fully established.</li> <li>j) Land must be retained around the stormwater system to allow Council to access stormwater infrastructure and conduct maintenance activities. A minimum 3m average width buffer around the stormwater devices (measured from the top of batter) are required for access, landscaping and safety requirements unless an alternative setback is approved by Council. All surfaces with a grade steeper than 1V:4H must be planted.</li> <li>k) Batter slopes for the sediment basin / forebay and bioretention basin that are steeper than 1V:4H, including vertical retaining walls, are not permitted unless approved by Council. Where retaining walls are permitted, they are to be a gravity type wall with durable materials such as sandstone logs, mass block walls or similar.</li> <li>l) A vehicle access ramp must be provided to all trash rack, sediment forebay and bioretention basin treatment</li> </ul>	
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	<p>devices for maintenance and operation requirements, such as debris, litter and sediment removal and vegetation reinstatement. Access slopes for maintenance vehicles should not exceed 1V:12H for trucks and 1V:5H for excavators and other maintenance vehicles. Access turnings paths must be demonstrated to comply with AS2890.2 for a medium rigid vehicle (MRV).</p> <p>m) Landscape details for the bioretention basin and surrounds are to be included on the Landscape Plan and submitted to Council for approval. Adequate screening of the bioretention basin from Merry Beach Road is to be provided on the Landscape Plan.</p> <p>n) Stormwater detention is to be provided above the bioretention basin footprint. The maximum permitted depth of stormwater detention above the treatment EDD is 500mm. Stormwater bypass flows above the 1 EY event can only enter the OSD storage after the treatment EDD has been filled but the bioretention device must be able to fully drain within 24 hours. The DRAINS model (or approved alternative software accepted by Council) must be provided to Council for acceptance of the OSD modelling.</p> <p>o) Councils Engineering Design Specification where relevant.</p> <p>Any variations to the above requirements or design generally are to be approved by Council.</p>	
30.	<p><b>Water Sensitive Urban Design – Vegetated Swale</b></p> <p>Before issue of a Subdivision Works Certificate, a detailed design of vegetated swale stormwater quality improvement devices must be certified by a professional engineer, (as defined in the National Construction Code) who can demonstrate the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and is to be approved by Council. Specification can be found on Council's website.</p> <p>The vegetated swale design are to be constructed upfront with the subdivision works and must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Side slopes of 1:8 are recommended with a 1:5 maximum side slope permitted.</li> <li>b) Minimum longitudinal grade of 1%.</li> <li>c) Maximum longitudinal grade of 5% unless a steeper grade is approved by Council.</li> </ul>	<p>To ensure stormwater infrastructure is designed appropriately.</p>

	<p>d) Maximum Velocity x Depth product of 0.3 m<sup>2</sup>/s. Calculations are to be provided to Council.</p> <p>e) Councils Engineering Design Specification where relevant.</p> <p>f) Where vegetated swales are designed as infiltration swales; the in-situ soil profile, depth to groundwater, measured infiltration rate (in device location) and details of any potentially contaminated soil and/or groundwater must be submitted.</p> <p>g) Any variations to the above requirements or design generally are to be approved by Council.</p>	
31.	<p><b>Water Sensitive Urban Design - Operation and Maintenance Manual</b></p> <p>Adopted WSUD Management, Operation, Maintenance and Monitoring Manual/s for the permanent water quality facilities must be submitted to Council before the issue of the Subdivision Works Certificate. The manuals must be prepared by a suitably qualified professional in accordance with the objectives and criteria identified in the approved Integrated Water Cycle Management Plan.</p>	To ensure stormwater infrastructure is designed appropriately.
32.	<p><b>Water Sensitive Urban Design – Compliance Checklists</b></p> <p>Compliance checklists are to be prepared by the WSUD Designers and submitted to Council before the issue of the relevant Subdivision Works Certificate. The checklists must incorporate all checks and certifications that are required to be carried out during the civil construction phase, asset protection phase, landscape practical completion phase and final compliance inspection before final handover.</p>	To ensure stormwater infrastructure is designed appropriately.
33.	<p><b>Stormwater - On-Site Detention Design Standards (Greenfield Subdivision)</b></p> <p>Before issue of a Subdivision Works Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approve by the Certifier.</p> <p>The on-site stormwater detention (OSD) design must comply with the following:</p> <p>a) Provided wholly above the 18.13% AEP storm event inundation level of the natural watercourse or water body.</p> <p>b) Designed such that stormwater runoff from the development for design storm events up to and including</p>	To ensure stormwater infrastructure is designed appropriately.

<p>34.</p>	<p>the 1% AEP does not exceed the pre-developed conditions.</p> <ul style="list-style-type: none"> <li>c) All flow discharging from on-site detention is to be via gravity flow to an approved discharge location. Automatic pump out systems from on-site detention will not be permitted.</li> <li>d) Adequate scour protection at the inlet and outlet of the on-site detention basin, in accordance with Council's Engineering Design Specification.</li> <li>e) Where proposed as part of the detention strategy, include typical details of a rainwater tank to be provided within each lot to fulfil the detention requirements of the development.</li> </ul> <p><b>Structural Design – Major Structures</b></p> <p>Before the issue of a Subdivision Works Certificate, a detailed structural design for the following works must be certified professional engineer, (as defined in the National Construction Code) and approved by Council.</p> <ul style="list-style-type: none"> <li>a) Bridges and other major drainage structures, including pre-cast concrete culverts, headwalls, wing walls and stormwater pits / structures that require steel reinforcement.</li> </ul> <p>The structural design must comply with the Council's Engineering Design Specification – Chapter 3 – Structures/Bridge Design and relevant Australian Standards.</p>	<p>To ensure the development is accompanied by an appropriate engineered structural design.</p>
<p>35.</p>	<p><b>Earthworks - Site Filling Design Standards</b></p> <p>Before the issue of a Subdivision Works Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The site filling design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) The site must be re-graded in accordance with the Concept Bulk Earthworks Layout Plan, Ref. No: MKR00446-10-C020, Rev 9., Dated 10/10/2024 having an absolute minimum grade of 0.5%.</li> <li>b) The filling specification must be approved by Council's Development Manager and require all allotment filling to be placed in accordance with AS 3798 Guidelines on earthworks for commercial and residential developments and compacted at least to the minimum relative</li> </ul>	<p>To ensure site filling is designed appropriately.</p>



	compaction listed in the standard applicable to the type of development / subdivision.	
36.	<p><b>Retaining Walls - Design Standards</b></p> <p>Before the issue of a Subdivision Works Certificate for approved retaining walls exceeding 600mm in height above ground level (existing) and/or within 1m of a property boundary, detailed design plans must be prepared and submitted to the Certifier for approval. The retaining walls must satisfy the following:</p> <ul style="list-style-type: none"> <li>a) For retaining walls exceeding 600mm in height above natural ground level (existing) a professional engineer has certified the retaining walls as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load; and</li> <li>b) For retaining walls less than 600mm in height above natural ground level (existing) the Certifier must be satisfied that the retaining walls are structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load.</li> <li>c) Retaining walls, footings and drainage must be contained wholly within the development site.</li> <li>d) Construction within a registered easement is prohibited.</li> </ul> <p>Retaining walls not shown on the approved plan must meet the criteria for Exempt retaining walls and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>, or be approved by way of Complying Development before construction and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	To ensure retaining walls are appropriately designed.
37.	<p><b>Revised Landscape Plan</b></p> <p>Before the issue of a Subdivision Works Certificate, a revised Landscape Plan must be submitted to the Director – City Development (or delegate) of Shoalhaven City Council for approval in writing.</p> <p>The Landscape Plan must include the following:</p> <ul style="list-style-type: none"> <li>a) Show planting within a minimum 5m buffer along the Merry Beach Road frontage of the subdivision. Excluding any pathways or driveways.</li> <li>b) Only use 'local' species identified on Shoalhaven City Council's Native Planting List for Kioloa. Trees must be included in the planting list.</li> </ul>	To protect biodiversity values

	<div><div>c) Show the species, planting location and identify planting densities within the buffer.</div><div>d) Planting is not required within the buffer, where there is existing regenerating or mature native vegetation to be retained.</div></div>											
38.	<div><div><b>Biodiversity - Retirement of Biodiversity Credits</b></div><div>Before the issue of a Subdivision Works Certificate, the Director – City Development (or delegate) of Shoalhaven City Council must confirm in writing that any biodiversity credits required to offset the development have been retired.</div><div><b>Note: A Certifier cannot assume the role of the consent authority in confirming compliance with offset conditions.</b></div></div>	<div><div>The NSW <i>Biodiversity Conservation Act 2016</i> requires that a condition to retire credits is to be complied with before any development that would impact on biodiversity values is carried out (BC Act s7.13(5)).</div></div>										
39.	<div><div><b>Biodiversity – Retirement of Ecosystem Credits</b></div><div>Before issue of a Subdivision Works Certificate, the class and number of ecosystem credits in in the below table must be retired to offset the residual biodiversity impacts of the development. The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits as determined by the Biodiversity Conservation Trust.</div><table><tr><td>Impacted plant community type</td><td>Number of ecosystem credits</td><td>Hollow-bearing trees present</td><td>Offset trading group (like-for-like credit retirement options)</td><td>IBRA sub-region</td></tr><tr><td>PCT 4019- Coastal Alluvial Bangalay Forest</td><td>1</td><td>Yes</td><td>Swamp Sclerophyl Forest of Coastal Floodplains of the New South Wales, Sydney Basin and South East Corner Bioregions</td><td>Jervis, Bateman, Ettrema and Illawarra OR From a location within 100km of the impact site</td></tr></table></div>	Impacted plant community type	Number of ecosystem credits	Hollow-bearing trees present	Offset trading group (like-for-like credit retirement options)	IBRA sub-region	PCT 4019- Coastal Alluvial Bangalay Forest	1	Yes	Swamp Sclerophyl Forest of Coastal Floodplains of the New South Wales, Sydney Basin and South East Corner Bioregions	Jervis, Bateman, Ettrema and Illawarra OR From a location within 100km of the impact site	<div><div>To ensure biodiversity/species credits are appropriately retired.</div></div>
Impacted plant community type	Number of ecosystem credits	Hollow-bearing trees present	Offset trading group (like-for-like credit retirement options)	IBRA sub-region								
PCT 4019- Coastal Alluvial Bangalay Forest	1	Yes	Swamp Sclerophyl Forest of Coastal Floodplains of the New South Wales, Sydney Basin and South East Corner Bioregions	Jervis, Bateman, Ettrema and Illawarra OR From a location within 100km of the impact site								

	<table><tr><td>PCT 4009-Shoalhaven Lowlands Flats Wet Swamp Forest</td><td>1</td><td>No</td><td>Swamp Sclerophyll Forest of Coastal Floodplains of the New South Wales, Sydney Basin and South East Corner Bioregions</td><td>Jervis, Bateman, Ettrema and Illawarra OR From a location within 100km of the impact site</td></tr></table>	PCT 4009-Shoalhaven Lowlands Flats Wet Swamp Forest	1	No	Swamp Sclerophyll Forest of Coastal Floodplains of the New South Wales, Sydney Basin and South East Corner Bioregions	Jervis, Bateman, Ettrema and Illawarra OR From a location within 100km of the impact site	
PCT 4009-Shoalhaven Lowlands Flats Wet Swamp Forest	1	No	Swamp Sclerophyll Forest of Coastal Floodplains of the New South Wales, Sydney Basin and South East Corner Bioregions	Jervis, Bateman, Ettrema and Illawarra OR From a location within 100km of the impact site			
	Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of this condition must be provided to the Shoalhaven City Council for review and approval. Before the issue of the Subdivision Works Certificate, approval must be obtained in writing from the Director – City Development of Shoalhaven City Council that this condition has been satisfied.						
40.	<b>Biodiversity – Site Preparation and Stockpiling</b> Before the issue of a Subdivision Works Certificate, there must be no vegetation clearing or disturbance, site preparation or stockpiling clearing within areas of native vegetation identified on Figure 7 of the approved Biodiversity Development Assessment Report prepared by South East Environmental and dated 26/06/24. <b>Note: Native vegetation includes groundcover, shrubs and trees.</b>				To protect biodiversity values.		
41.	<b>Biodiversity- Revised Civil Works Plans</b> Before the issue of a subdivision works certificate, a revised civil works plan must be provided that demonstrates reduced fill around the two large trees to be retained on lot 9. The plan must be approved in writing by a qualified arborist ensuring that impacts are minimised to an acceptable level that ensures the retention of the trees. The plan and arborist approval must be provided to Shoalhaven City Council- City Development before the issue of a subdivision works certificate.				To ensure compliance with approved plans.		
<b>SUBDIVISION WORK</b> <b>Before Subdivision Work Commences</b>							

CONDITIONS		REASON
42.	<b>Appointment of Principal Certifier</b> Before building/subdivision work commences a Principal Certifier must be appointed.	To ensure a Principal Certifier is appointed where required.
43.	<b>Dilapidation Report (Minor)</b> Before the commencement of work, the developer must engage a competent person to prepare a dilapidation report in respect of the neighbouring premises and adjacent public infrastructure, including adjacent kerbs, gutters, footpaths (formed or unformed), driveways (formed or unformed), carriageway, reserves and the like to document evidence of any existing damage.  The dilapidation report must consider the impact of any excavation work that extends below the level of the base of the footings of any structure within 900mm of the shared boundary.  Before works commence, a copy of the dilapidation report must be provided to the Certifier and Council. The dilapidation report will be the benchmark for necessary repairs to damage caused during the development works. All repairs must be completed by the developer at the developer's cost.  Not less than seven (7) days before works commence, the developer must notify the owner of any affected property of the intention to carry out approved works. The developer must also furnish the owner with details of the approved work.  However, if the occupier or owner of any neighbouring dwelling does not permit reasonable access for the purposes for the preparation of the dilapidation report, written evidence of the efforts taken to secure access may be submitted to the Principal Certifier and the Principal Certifier may waive the requirement in relation to the relevant property.  <i>Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.</i>	To ensure a suitable dilapidation report is prepared and the status of existing infrastructure and adjoining structures is recorded prior to the commencement of work.
44.	<b>Erosion and Sediment Controls – Implementation</b> Before any site work commences, the 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 disturbed areas have been restabilised in accordance with Landcom's publication Managing Urban Stormwater - Soils	To ensure appropriate erosion and sediment control measures are in place.

45.	<p>and Construction (2004) and approved plans (as amended from time to time).</p> <p><b>Notice of Commencement</b></p> <p>Notice must be given to Council at least two (2) days before the commencement of building or subdivision work by completing and returning the form <a href="#">‘Commencement Notice for Building or Subdivision Work and Appointment of Principal Certifying Authority’</a>.</p>	To ensure appropriate notice is given to Council.
46.	<p><b>Subdivision Works Certificate</b></p> <p>A Subdivision Works Certificate must be obtained from either Council or a certifier before any subdivision work can commence.</p>	To ensure appropriate building and subdivision certificates are obtained.
47.	<p><b>Realignment of Merry Beach Road</b></p> <p>Prior to the issue of a Subdivision Works Certificate for Stage 2, Merry Beach Road must be realigned:</p> <ol style="list-style-type: none"> <li>The developer must prepare and register with the Land Registry Service (LRS) NSW a Plan of Subdivision giving effect to s44 of the Roads Act 1993.</li> <li>The road reserve identified in the new Plan of Subdivision is to be dedicated as a Council public road.</li> </ol>	To ensure that the road realignment takes place prior to the commencement of Stage 2 of the subdivision
48.	<p><b>Toilet Facilities – Temporary</b></p> <p>Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:</p> <ol style="list-style-type: none"> <li>be a standard flushing toilet connected to a public sewer, or</li> <li>have an on-site effluent disposal system approved under the <i>Local Government Act 1993</i>, or</li> <li>be a temporary chemical closet approved under the <i>Local Government Act 1993</i>.</li> </ol>	To ensure suitable toilet facilities are provided.
49.	<p><b>Biodiversity – Engagement of Ecologist</b></p> <p>Before the commencement of clearing work, a suitably qualified ecologist must be engaged to guide and supervise the clearing work and protection of environmental features on the site.</p>	To minimise biodiversity impacts.

<p><b>50.</b></p>	<p>Evidence of engagement must be submitted to Council prior to the commencement of work.</p> <p><b>Biodiversity – Engagement of Arborist</b></p> <p>Before the commencement of clearing work, a suitably qualified arborist (AQF 5 or higher) must be engaged to guide and supervise the protection of retained trees at the site. Evidence of engagement must be submitted to Council prior to the commencement of work.</p>	<p>To minimise impacts to trees.</p>
<p><b>51.</b></p>	<p><b>Biodiversity - Tree and Vegetation Protection</b></p> <p>Before the commencement of any clearing works the following requirements must be met to the satisfaction of the Council:</p> <ul style="list-style-type: none"> <li>a) The developer must identify the extent of clearing work as shown on the approved plans.</li> <li>b) A temporary protective barrier or similar visible material must be installed around all native vegetation to be retained as shown on the approved plans. The barrier must be retained until all work are complete.</li> <li>c) The dripline of trees to be retained must be clearly identified and protected with temporary barrier fencing in accordance with AS 4970: Protection of trees on development sites.</li> <li>d) Prior to the commencement of clearing works the site ecologist and a suitably qualified ecologist must identify and mark any vegetation that is required to be thinned to establish the approved Asset Protection Zone. Trees and vegetation must be retained within the APZ where it complies with the prescriptions for Planning for Bushfire Protection APZ requirements. Hollow bearing trees must be retained.</li> </ul> <p>Before the commencement of any site work, the project ecologist and arborist must confirm in writing to the Director – City Development (or delegate) of Shoalhaven City Council that all required tree/environmental protection measures detailed in this consent and approved plans and documents are in place.</p> <p>Site works must not commence until the Director – City Development (or delegate) of Shoalhaven City Council has confirmed in writing that the above have been satisfied.</p> <p>Where a Council inspection is considered necessary by Shoalhaven City Council to verify the installation of tree/environmental protection measures, an inspection fee may apply.</p>	<p>To minimise biodiversity impacts.</p>



52.	<p><b>Works within the Road Reserve – Submissions to Council</b></p> <p>Before undertaking any works within an existing road reserve, the developer must obtain the consent of Council under section 138 of the <i>Roads Act 1993</i>.</p> <p>The following details must be submitted to Council as part of the application:</p> <ul style="list-style-type: none"> <li>a) Any civil works design required by this consent.</li> <li>b) Evidence of the contractor's Public Liability Insurance to an amount of \$20 million.</li> <li>c) Name and contact information of the person responsible for all relevant works.</li> <li>d) A Traffic Control Plan prepared, signed, and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation.</li> <li>e) Where the Traffic Control Plan requires a reduction of the speed limit, a 'Application for Speed Zone Authorisation' must be obtained from the relevant road authority.</li> </ul>	To ensure relevant approvals are obtained.
53.	<p><b>Construction Traffic Management Plan</b></p> <p>Before the commencement of works, a Construction Traffic Management Plan detailing the proposed method of dealing with construction traffic and parking must be approved by Council.</p> <p>Details must include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a) Stabilised site construction access location</li> <li>b) Proposed haulage routes for delivery of materials to the site</li> <li>c) Proposed haulage routes for spoil disposal from the site</li> <li>d) Traffic control planning for each of the various phases of construction and/or vehicle movements associated with construction</li> <li>e) Parking arrangements for construction employees and contractors</li> <li>f) Proposed maintenance of the haulage routes and access locations</li> <li>g) Name of the person responsible for such maintenance</li> <li>h) Loading / unloading areas</li> <li>i) Requirements for construction or work zones</li> <li>j) Pedestrian and cyclist safety</li> <li>k) Speed zone restrictions.</li> </ul>	To ensure construction traffic is managed in a safe and appropriate manner.

54.	<b>Dam Decommissioning – Engineering Report</b> Before work commences a detailed report outlining a suitable method of compaction must be prepared by a professional engineer, (as defined in the National Construction Code). Engineering Certification is required on completion of the works demonstrating that the existing dam has been decommissioned and filled in accordance with the report and this consent.	To ensure dams are appropriately decommissioned and filled.
<b>SUBDIVISION WORK</b> <b>During Subdivision Work</b>  CONDITIONS <span style="float: right;">REASON</span>		
55.	<b>Acid Sulfate Soils - Unexpected Finds</b> If acid sulfate soils are encountered during excavation and/or construction works, all work must cease, and Shoalhaven City Council notified immediately. The extent of acid sulfate soil must be evaluated by a qualified environmental consultant with experience in the assessment of acid sulfate soils and a preliminary assessment provided to Council. Council will determine an appropriate response, including if an Acid Sulfate Soils Management Plan is required to be prepared and implemented, before works can recommence.	To ensure acid sulfate soils are appropriately managed.
56.	<b>Biodiversity – Fauna Rescue and Vegetation Removal</b> The removal and/or disturbance of native vegetation and habitat on the property, including canopy trees, understorey, and groundcover vegetation must be undertaken strictly in accordance with the approved plans. Vegetation removal must be undertaken in accordance with the following: <ul style="list-style-type: none"> <li>a) All vegetation to be removed must be inspected for wildlife prior to removal.</li> <li>b) The dam must be inspected by the site ecologist for wildlife prior to filling. Any native fauna present must be rescued and relocated, by the site ecologist, to a suitable nearby location.</li> <li>c) All trenches must be inspected for wildlife prior to backfilling.</li> <li>d) Before starting each morning, all vehicles and mechanical plant must be inspected for wildlife prior to operation.</li> </ul>	To protect biodiversity values.

	<ul style="list-style-type: none"> <li>e) Trees approved for removal must be felled into the development area carefully so as not to damage trees to be retained in or beyond the development footprint.</li> <li>f) Any hollow-bearing trees approved for removal must be felled carefully in sections utilising handheld tools to allow the rescue of native fauna. Hollow-bearing sections must be carefully lowered to the ground so as not to injure native fauna.</li> <li>g) Pruning or trimming of any trees to be retained must be undertaken in accordance with AS 4373 Pruning of amenity trees.</li> <li>h) Trees and vegetation must be retained within the Asset Protection Zone (APZ) where it complies with the prescriptions for Planning for Bushfire Protection APZ requirements. Hollow bearing trees must be retained within the APZ.</li> <li>i) If any wildlife is discovered during site works and is disoriented or injured, works must stop immediately. A suitably qualified wildlife handler is to be contacted to responsibly rescue and relocate the animal(s).</li> <li>j) If any Threatened wildlife is identified as breeding on site, clearing works must stop immediately and must not recommence until the Director – City Development (or delegate) of Shoalhaven City Council has confirmed in writing that clearing works may recommence.</li> <li>m) Within 10 days of completing clearing work, the engaged ecologist must provide to Council written evidence of any fauna detected during clearing.</li> </ul>	
57.	<b>Biodiversity- Timing of Works</b> During subdivision works, to protect adjoining bushland and riparian habitats, works involving soil disturbance must not take place during heavy rainfall periods, other than work necessary to stabilise the site.	To protect adjoining bushland.
58.	<b>Biodiversity- Parking and Storing of Building Equipment and Materials</b> During subdivision works, the parking of machinery and vehicles or the storing of building or landscaping materials, soil, spoil, or rubbish, within the fenced area around trees and vegetation to be retained is prohibited.	To ensure compliance with the approved documents.
59.	<b>Biodiversity- Arborist Supervision</b>	To ensure compliance with the

	During subdivision works, any mitigation measures recommended by the project arborist to protect retained trees must be implemented in full. Any earthworks within the Tree Protection Zones (TPZ) of trees to be retained must be guided and supervised by the project arborist.	approved documents.
<b>60.</b>	<b>Landscape Plan – During Works</b> During subdivision works, landscaping must be undertaken in accordance with the approved Landscape Plan.	To ensure compliance with approved Landscape Plan.
<b>61.</b>	<b>Discovery of relics and Aboriginal objects</b> While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered: <ul style="list-style-type: none"> <li>a) the work in the area of the discovery must cease immediately.</li> <li>b) the following must be notified for a relic – the Heritage Council; or</li> <li>c) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</li> </ul> Site work may recommence at a time confirmed in writing by: <ul style="list-style-type: none"> <li>d) for a relic – the Heritage Council; or for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</li> </ul>	To ensure the protection of objects of potential significance during works.
<b>62.</b>	<b>Earthworks - Cut, Fill and Grading</b> The maximum grading of cut or fill must be 2H:1V where there is no retaining wall or no other method of stabilising cut or fill during construction. Earthworks and retaining walls must be constructed as per the approved plans.	To ensure earthworks are appropriately retained.
<b>63.</b>	<b>Potentially Contaminated Land - Unexpected Finds</b> If unexpected, contaminated soil and/or groundwater is encountered during any works: <ul style="list-style-type: none"> <li>a) all work must cease, and the situation must be promptly evaluated by an appropriately qualified environmental consultant.</li> </ul>	To ensure any detected contaminants are appropriately managed.

	<p>b) the contaminated soil and/or groundwater must be managed under the supervision of the environmental consultant, in accordance with relevant NSW Environment Protection Authority (EPA) Guidelines.</p> <p>If unexpected, contaminated soil, or groundwater is treated and/or managed on-site an appropriately qualified environmental consultant must verify that the situation was appropriately managed in accordance with relevant NSW EPA guidelines before recommencement of works. The verification documentation must be provided to the satisfaction of the Certifier and Shoalhaven City Council before the recommencement of any works.</p> <p>If contaminated soil or groundwater is to be removed from the site, it must be transported to an appropriately licensed waste facility by an NSW EPA licensed waste contractor in accordance with relevant NSW EPA guidelines including the Waste Classification Guidelines (2014).</p> <p><i>Note: An appropriately qualified environmental consultant will have qualifications equivalent to CEnvP "Site Contamination" (SC) Specialist - by Certified Environmental Practitioner or 'Certified Professional Soil Scientist' (CPSS CSAM) by Soil Science Australia (SSA).</i></p>	
64.	<p><b>Site Management - Hours for Construction</b></p> <p>Construction may only be carried out between 7.00am and 5.00pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday. Proposed changes to hours of construction must be approved by Council in writing.</p>	To ensure site work occurs within appropriate construction hours.
65.	<p><b>Site Management - Maintenance of Site and Surrounds</b></p> <p>During works, the following maintenance requirements must be complied with:</p> <ul style="list-style-type: none"> <li>a) All materials and equipment must be stored and delivered wholly within the work site unless an approval to store them elsewhere is held.</li> <li>b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.</li> <li>c) Where tree or vegetation protection measures are in place, the protected area must be kept clear of materials and / or machinery.</li> <li>d) The developer must maintain the approved soil water management / erosion and sediment control measures to the satisfaction of the Certifier for the life of the</li> </ul>	To ensure the site is maintained in a safe and secure manner.

	<p>construction period and until runoff catchments are stabilised.</p> <p>e) During construction:</p> <ul style="list-style-type: none"> <li>i. all vehicles entering or leaving the site must have their loads covered, and</li> <li>ii. all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.</li> </ul> <p>f) At the completion of the works, the work site must be left clear of waste and debris.</p>	
66.	<p><b>Site Management - Noise</b></p> <p>The noise from all site work, demolition and construction activities associated with the approved development must comply with the work practices as outlined in the NSW Department of Environment &amp; Climate Change Interim Construction Noise Guideline. The LA10 level measured over a period of not less than 15 minutes during works must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.</p>	To protect the amenity of neighbouring properties.
67.	<p><b>Stormwater - Overland Flow, Redirecting and/or Concentrating Stormwater</b></p> <p>All excavation, backfilling and landscaping works must not result in:</p> <ul style="list-style-type: none"> <li>a) any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff must be collected and directed to a legal point of discharge.</li> <li>b) the redirection and/or concentration of stormwater flows onto neighbouring properties.</li> </ul>	To ensure stormwater is appropriately managed.
68.	<p><b>Stormwater - Connections in Road Reserve</b></p> <p>Before the completion of works, the site supervisor must ensure that stormwater connections between the property boundary and the new kerb and gutter are inspected and approved by Council and backfilled as soon as possible. Kerb connections are only to be made using adaptors/convertors approved by Council.</p> <p><i>Note: A section 138 approval under the Roads Act 1993 will be required for any works within the road reserve.</i></p>	To ensure stormwater connections are appropriately installed.
69.	<p><b>Soil Management</b></p>	To ensure excavated material



	<p>While site work is being carried out, the Certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the Certifier</li> <li>b) All fill material imported to the site must be: <ul style="list-style-type: none"> <li>i. Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997, or</li> <li>ii. a material identified as being subject to a resource recovery exemption by the NSW EPA, or</li> <li>iii. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 and a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ul> </li> </ul>	<p>is appropriately disposed of and all fill material is appropriate for usage on site.</p>
70.	<p><b>Subdivision - Street Signs</b></p> <p>Before the completion of works, the developer must ensure that street name signs and posts are erected at all street intersections in accordance with Council approved street names as detailed in <a href="#">Council's standard drawings</a> and the requirements of Council's <a href="#">Development Construction Specifications C262 Signposting</a>.</p>	<p>To ensure consistency street name signs and posts.</p>
71.	<p><b>Stormwater - CCTV Inspection of Stormwater Pipes</b></p> <p>Before the completion of works, all stormwater pipes within road reserves and within drainage easements intended to be dedicated to Council must be inspected by CCTV and submitted to the Certifier for approval. The CCTV must be carried out in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia Version 3.1 after all earthworks and adjacent road pavement works have been completed.</p> <p>Damaged pipes must either be replaced or repaired to the satisfaction of the Certifier before the issue of a Subdivision Certificate.</p>	<p>To ensure stormwater infrastructure is inspected and repaired if necessary.</p>
72.	<p><b>Stormwater - Overland Flow, Redirecting and/or Concentrating Stormwater</b></p>	<p>To ensure stormwater is</p>

	<p>During subdivision works, all excavation, backfilling and landscaping works must not result in:</p> <ul style="list-style-type: none"> <li>a) any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff must be collected and directed to a legal point of discharge.</li> <li>b) the redirection and/or concentration of stormwater flows onto neighbouring properties</li> </ul>	appropriately managed.
73.	<p><b>Dam Decommissioning - Engineering and Compaction</b></p> <p>The existing dam located within proposed lots 13 must be decommissioned and filled to meet the following requirements:</p> <ul style="list-style-type: none"> <li>a) Soil must be compatible with the surrounding insitu soils identified in the report conditioned under this consent and be suitable for the disposal of effluent.</li> <li>b) Soil must be compacted in accordance with the submitted professional engineer's report.</li> <li>c) Soil must be compacted in accordance with AS 1289 Methods of testing soils for engineering purposes - Definitions and general requirements.</li> <li>d) At any location, where fill is not flush with the adjoining ground, the maximum batter must be 25% (1V:4H).</li> <li>e) Temporary erosion controls must be retained in place until permanent control measures are stabilized.</li> <li>f) A lot classification, in accordance with AS 2870 Residential slabs and footings must be obtained to a standard not less than 'H'.</li> </ul>	To ensure dams are appropriately decommissioned and filled.
74.	<p><b>Earthworks - Cut, Fill and Grading</b></p> <p>The maximum grading of cut or fill must be 2H:1V where there is no retaining wall or no other method of stabilising cut or fill during construction. Earthworks and retaining walls must be constructed as per the approved plans.</p>	To ensure earthworks are appropriately retained.
75.	<p><b>Earthworks - Filling</b></p> <p>Before the completion of works, the developer must ensure that the following requirements are met in relation to lot filling:</p>	To ensure earthworks are

	<ul style="list-style-type: none"> <li>a) The site supervisor must ensure that all fill outside the allotment areas must be placed in accordance with Council's Engineering Construction Specification.</li> <li>b) Fill within the allotment areas must be performed under Level 1 supervision by a professional engineer, (as defined in the National Construction Code).</li> <li>c) A Level 1 Supervision Report is to be approved by Council before the release of the Subdivision Certificate.</li> <li>d) Obtain a lot classification, in accordance with AS 2870 Residential slabs and footings, of no worse than 'H'; a lot classification must be submitted to Council before the release of the Subdivision Certificate.</li> <li>e) Any fill must: <ul style="list-style-type: none"> <li>f) have a maximum batter of 25% (1v:4h) at any location.</li> <li>g) not encroach onto adjoining land.</li> <li>h) not cause the diversion or concentration of natural overland stormwater runoff onto adjoining property.</li> <li>i) be protected against erosion, with measures incorporated in the erosion and sediment control plan.</li> <li>j) Include adjustment of services (manholes, inter-allotment drainage, etc.) in the scope of works.</li> </ul> </li> </ul>	<p>carried out appropriately.</p>
76.	<p><b>Landscaping – Street Trees</b></p> <p>Provide street trees in accordance with the approved Landscape Plan as follows:</p> <ul style="list-style-type: none"> <li>a) planted at least 2m from the driveway and street light poles and 2m from services, stormwater outlets and signage.</li> <li>b) set back a minimum 900mm from the back of the kerb or midway between the footpath and kerb. Where the tree is less than 900mm from the footpath, root barriers must be installed.</li> <li>c) 1m x 1.5m timber edging installed at the base of the tree constructed from the back of the kerb (edit, if required).</li> <li>d) two hardwood stakes with 50mm hessian ties, fixed in a figure 8, to support each tree.</li> <li>e) minimum 75mm depth of organic mulch applied a minimum 600mm diameter surrounding the base of the trunk.at the rate of one tree of minimum 60 litre pot size located centrally to each lot, or two trees of minimum 35 litre pot size evenly spaced per allotment where:</li> <li>f) each tree is to be protected by a braced structure comprising 4 timber posts with 75mm x 75mm minimum dimensions and bordered by 100mm x 25mm treated pine edging.</li> <li>k) root barriers are to be placed between the trees and above or below ground civil infrastructure to a minimum depth of 1.0 metre, at least twice the pot size away from the tree</li> </ul>	<p>To ensure street trees are appropriately installed.</p>

	and extend along the service for a minimum length of half the mature drip line.	
<b>SUBDIVISION WORK</b> <b>Before the Issue of a Subdivision Certificate</b>		
CONDITIONS	REASON	
77.	<b>Completion of Public Utility Services</b> Before the issue of the relevant Occupation Certificate / Subdivision Certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.	To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.
78.	<b>Dilapidation Report (Minor) – Evidence of Completion</b> Before the issue of an Occupation Certificate, the developer must provide the Certifier and Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer to the satisfaction of Council.	To ensure any damage not previously identified in the Dilapidation Report is suitably repaired.
79.	<b>Subdivision / Strata Certificate</b> A Subdivision Certificate must be obtained from Council or an accredited certifier prior to lodgement of the Final Plan of Survey with NSW Land Registry Services.	To ensure appropriate building and Subdivision Certificates are obtained.
80.	<b>Subdivision - Schedule of Compliance</b> The Subdivision Certificate must not be issued until all relevant conditions of development consent have been met or other satisfactory arrangements have been made with Council (i.e. a security). A schedule of compliance in table format must be submitted with the application for a Subdivision / Strata Certificate. The schedule must provide evidence of how all relevant conditions of development consent have been fulfilled.	To ensure conditions of consent have been satisfied or other satisfactory arrangements made.
81.	<b>Subdivision – Provision of Utility Services</b> Before the issue of a Subdivision / Strata Certificate, utility services must be provided in accordance with the following:	To ensure utilities and services are appropriately provided.

	<ul style="list-style-type: none"> <li>a) The provision of electricity to service allotments and street lighting in the subdivision must be in accordance with the requirements of Endeavour Energy who are to confirm in writing that conditions of supply have been met.</li> <li>b) The submission of a Telecommunications Infrastructure Provisioning Confirmation from an approved telecommunications carrier to the Certifier or Council (as applicable) confirming that satisfactory arrangements have been made for the provision of telecommunication services to all individual lots.</li> <li>c) If development is to be completed in approved stages or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.</li> </ul>	
82.	<p><b>Subdivision - Works as Executed</b></p> <p>Before the issue of the Subdivision / Strata Certificate, Works as Executed Plans must be prepared by a registered surveyor / professional engineer, (as defined in the National Construction Code) and be submitted to council and the Certifier demonstrating compliance with the approved design plans.</p> <p>The Works as Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans and comply with the following requirements:</p> <ul style="list-style-type: none"> <li>a) Council's Development Engineering Construction Specification.</li> <li>b) Show compliance with the approved design plans of all road and drainage works.</li> <li>c) Certify that all storm water pipes, and other services are wholly within an appropriate easement.</li> <li>d) Show the extent, depth and final levels of filling.</li> <li>e) Show any retaining walls including footings and agricultural drainage lines.</li> <li>f) Show the location of all underground service conduits.</li> <li>g) Include all deviations from the approved Civil Engineering Plans.</li> <li>h)</li> </ul>	To ensure works as executed plans are prepared and provided.
83.	<p><b>Restrictions - Existing Easements and Restrictions on Use of Land</b></p> <p>Before the issue of the Subdivision / Strata Certificate</p>	To ensure easements and restrictions are noted on subdivision plans.

	<ul style="list-style-type: none"> <li>a) all existing easements must be acknowledged on the final subdivision plan.</li> <li>b) all existing restriction on the use of land must be acknowledged on the final subdivision plan.</li> </ul>	
84.	<p><b>Restrictions – Easements and Restrictions on Use of Land</b></p> <p>An Instrument must be prepared under section 88B of the Conveyancing Act 1919 which will provide for the following Restrictions on the land when the subdivision is registered:</p> <ul style="list-style-type: none"> <li>a) Easements must be provided where and as required for inter-allotment services, drainage and sewerage.</li> <li>b) A minimum 1m wide easement to drain water must be created over any encroaching drainage pipes.</li> <li>c) A minimum 1m wide easement for services must be created over any encroaching utility service.</li> <li>d) where there is shared infrastructure, landscaping, structures, and the like, arrangements must be made for access and maintenance.</li> <li>e) Asset protection zones (APZ) as specified in the general terms of approval issued by NSW Rural Fire Service.</li> <li>f) Landscaping maintenance must comply with the relevant requirements of Appendix 4 – Asset Protection Zone Standards of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service Standards for Asset Protection Zones.</li> <li>g) Alterations to any stormwater treatment measures/ water sensitive urban design (WSUD) elements, including raingardens are not permitted except without the prior consent in writing of Shoalhaven City Council.</li> <li>h) The building of any structures on the land identified for primary and reserve effluent management is prohibited.</li> <li>i) There shall be no surface water drainage connections into the stormwater drainage system servicing the properties.</li> <li>j) Each lot must submit an onsite wastewater report with a development application for a dwelling that includes the detailed design of the proposed onsite wastewater system.</li> <li>k) All buildings must be contained within the approved building envelopes as identified on the deposited plan.</li> </ul> <p>The Instrument must contain a provision that it cannot be varied, modified or released without the consent of the relevant parties</p>	<p>To ensure restrictions and easements are registered on the title of the land where required.</p>

	<p>as appropriate and without the consent of the Shoalhaven City Council.</p> <p>The Instrument must not contain any restriction that prohibits development on the site allowed under the relevant environmental planning instruments.</p> <p>A draft 88B Instrument must be submitted to the Certifier for approval before a Subdivision Certificate is issued.</p>	
85.	<p><b>Restrictions - Existing Easements and Restrictions on Use of Land</b></p> <p>Before the issue of the Subdivision Certificate:</p> <ul style="list-style-type: none"> <li>a) all existing easements must be acknowledged on the final subdivision plan.</li> <li>b) all existing restriction on the use of land must be acknowledged on the final subdivision plan.</li> </ul>	<p>To ensure easements and restrictions are noted on subdivision plans.</p>
86.	<p><b>Subdivision - Works as Executed</b></p> <p>Before the issue of the Subdivision Certificate, Works as Executed Plans must be prepared by a registered surveyor / professional engineer, (as defined in the National Construction Code) and be submitted to council and the Certifier demonstrating compliance with the approved design plans.</p> <ul style="list-style-type: none"> <li>a) The Works as Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans and comply with the following requirements:</li> <li>b) Council's Development Engineering Construction Specification.</li> <li>c) Show compliance with the approved design plans of all road and drainage works.</li> <li>d) Certify that all storm water pipes, and other services are wholly within an appropriate easement.</li> <li>e) Show the extent, depth and final levels of filling.</li> <li>f) Show any retaining walls including footings and agricultural drainage lines.</li> <li>g) Show the location of all underground service conduits.</li> <li>h) Include all deviations from the approved Civil Engineering Plans.</li> </ul>	<p>To ensure works as executed plans are prepared and provided.</p>
87.	<p><b>Subdivision - Maintenance Bond for Civil Works</b></p>	<p>To ensure any damage or</p>



	Before the issue of the Subdivision Certificate, the developer must submit a cash bond or irrevocable bank guarantee equal to 5% of the cost of the civil works (excluding water supply and sewerage) to Council to provide security and assurance that the developer will repair any defective works or re-establish ground cover where this has not been maintained, for a minimum period of 12 months.	defective work is suitably repaired.
<b>88.</b>	<p><b>Subdivision - Verification of Works</b></p> <p>Before the issue of the Subdivision Certificate, the developer is to provide the following documentation to the Certifier for approval:</p> <ul style="list-style-type: none"> <li>a) Notification from the developer verifying that all subdivisions works have been constructed in accordance with the approved plans and construction specifications.</li> <li>b) Written evidence from a suitably qualified landscape professional that all landscape works have been completed in accordance with the approved landscape plans.</li> <li>c) Completion of Works within the Road Reserve notification letter from Council.</li> <li>d) Certification from Council or an accredited certifier to verify that all inspections required by the Certifier have been completed in accordance with the approved plans and construction specifications.</li> <li>e) A structural certificate from a professional engineer, (as defined in the National Construction Code) submitted to Council to certify that all structural elements have been constructed in accordance with the approved plans and relevant Australian Standards.</li> <li>f) Level 1 Supervision Report and Lot Classification Report.</li> <li>g) Final pavement tests to confirm material depth and compaction complies with the pavement design.</li> </ul>	To ensure that required works have been appropriately carried out.
<b>89.</b>	<p><b>Subdivision - Geotechnical Report</b></p> <p>Before the issue of the Subdivision Certificate, a final geotechnical report prepared by a Professional Engineer - Geotechnical (as defined in the National Construction Code) must be submitted to the Certifier.</p> <p>The report must include, but is not limited to:</p> <ul style="list-style-type: none"> <li>a) the classification of the proposed lot(s) in accordance with AS2870 Residential slabs and footings.</li> </ul>	To ensure appropriate geotechnical information is obtained.

	<ul style="list-style-type: none"> <li>b) the classification of the lot in relation to risk of slope instability.</li> <li>c) the exact extent of any restricted building zones or any other restrictions affecting any of the allotments.</li> <li>d) any required site preparation and construction constraints appropriate to the assessed risk.</li> <li>e) all earthwork operations.</li> <li>f) a fill plan showing extent and depth of fill.</li> <li>g) certification that all earthworks within the site have complied with the Subdivision Design Code including appropriate test results, test location diagram and date of testing.</li> </ul>	
<b>90.</b>	<p><b>Works in the Road Reserve - Evidence of Completion</b></p> <p>Before the issue of a Subdivision Certificate, the developer must provide the Certifier with a construction inspection ticket / completion of works in road reserve letter provided by Council, confirming compliance with the requirements of section 138 of the Roads Act 1993.</p>	To ensure works in the road reserve are completed appropriately.
<b>91.</b>	<p><b>Existing onsite wastewater system – Stage 2</b></p> <p>Prior to the issue of a Subdivision Certificate for Stage 2,</p> <ul style="list-style-type: none"> <li>a) A section 68 approval must be submitted for the relocation of the onsite wastewater system that services the existing dwelling.</li> <li>b) Is in accordance with the approved On-Site Wastewater Management Strategy prepared by Martens and Associates.</li> <li>c) The onsite wastewater system must be installed to the satisfaction of Council.</li> </ul>	To ensure that the existing dwelling is connected to an appropriate onsite wastewater system
<b>92.</b>	<p><b>Biodiversity- Arborist reporting</b></p> <p>Before the issue of a subdivision certificate the project arborist must inspect all retained trees onsite and provide a report on the health and condition of the trees to ensure that they are the same a pre-construction. The report must also include advice on any mitigation measures required to improve the health of the retained trees and a new tree planting. The report must be submitted to Shoalhaven City Council- City Development Directorate before the issue to a subdivision certificate.</p>	To ensure compliance with the approved documents.

93.	<b>Landscape Plan – Evidence</b> Before the issue of a subdivision certificate, Shoalhaven City Council must be provided, and approve in writing, evidence that works required to be completed by the approved Landscape Plan, relating to each stage, have been completed.	To ensure compliance with approved Landscape Plan.
94.	<b>Retaining Walls – Certification</b> Before the issue of a Subdivision Certificate, certification must be provided to the Certifier prepared by a professional engineer, (as defined in the National Construction Code), certifying that retaining walls within 1m of the property boundary or exceeding 1m in height above ground level (existing) are constructed in accordance with the approved engineering design plans.  The Certifier must be satisfied that all retaining walls have been constructed in accordance with the relevant retaining wall plans and specifications, and in accordance with the requirements of any other conditions of this consent.	To ensure retaining walls have been constructed appropriately
<b>SUBDIVISION WORKS</b> <b>Ongoing use for subdivision work</b>		
95.	<b>Biodiversity – Protection of Native Fauna</b> To protect native fauna in the locality: <ul style="list-style-type: none"> <li>a) cats must be kept completely within the dwelling or in a cattery within the dwelling curtilage at all times (day and night) for the life of the development.</li> <li>b) To protect native gliding and flying mammals the use of barbed-wire for fences is prohibited.</li> </ul>	To protect biodiversity values.
96.	<b>Biodiversity – Exotic Grasses Adjoining Bushland Areas</b> In order to maintain the interface between disturbed areas and the remaining native vegetation, the property where it directly adjoins bushland areas it must be managed for the life of the development as follows: <ul style="list-style-type: none"> <li>a) no exotic perennial grasses listed on the Final Determination of the NSW Scientific Committee for the key threatening process Invasion of native plant communities by exotic perennial grasses, must be sown.</li> <li>b) where new grass is provided it must be native grasses or include a barrier to prevent spreading to bushland.</li> </ul>	To protect biodiversity values.

97.	<p><b>Landscaping</b></p> <p>During the ongoing use of the development/subdivision:</p> <ul style="list-style-type: none"> <li>a) Landscaping must be maintained in accordance with the approved Landscape Plan.</li> <li>b) The planting of plant species identified in the links provided on the Shoalhaven City Council's Weed Management &amp; Biosecurity webpage (<a href="https://shoalhaven.nsw.gov.au/Environment/Weed-management">https://shoalhaven.nsw.gov.au/Environment/Weed-management</a>) is prohibited.</li> </ul>	To ensure ongoing compliance with Biosecurity Act 2015.
98.	<p><b>Biodiversity- Habitat Modification, Removal and Management</b></p> <p>During the ongoing use of the subdivision:</p> <ul style="list-style-type: none"> <li>a) There must be no removal or disturbance of indigenous vegetation on the property, including canopy trees, understorey, and groundcover vegetation, without the prior written consent of the Council or as specified in an approved consent.</li> <li>b) Trees and other vegetation must be retained within the Asset Protection Zone (APZ) where it complies with the prescriptions for <i>Planning for Bushfire Protection 2019</i> guidelines.</li> </ul>	To ensure compliance with approved plans.
99.	<p><b>Stormwater – Maintenance of Stormwater Infrastructure</b></p> <p>The approved stormwater design and any associated on-site detention must be maintained for the life of the development in accordance with the approved documents and maintenance programs.</p>	To ensure stormwater infrastructure is maintained for the life of the development.
100.	<p><b>Maintenance Period of WSUD Devices</b></p> <p>The developer is responsible for all maintenance of the stormwater infrastructure; including trash racks, GPT devices, sediment basins / forebays, constructed wetlands, bioretention basins, water quality ponds, infiltration basins, swales etc for a period of 3 years up until Council's acceptance that the WSUD devices and associated stormwater assets are of a satisfactory condition at the end of the 3 year maintenance period.</p> <p>Approaching hand over at the conclusion of the 3-year maintenance period, a site meeting with Council must be arranged by the developer. The objective of the meeting will be to identify any outstanding actions that require rectification by the developer before asset hand over. Annual reports documenting implementation measures and containing all monitoring results are to be submitted to Council during this phase.</p>	To ensure stormwater infrastructure will be maintained appropriately.

101.	<p><b>Handover of WSUD Assets to Council</b></p> <p>The following conditions are required to be met for WSUD devices to be handed over to Council.</p> <ul style="list-style-type: none"> <li>a) The WSUD infrastructure has been designed and constructed in accordance with Council guidelines, the approved design drawings, and specifications.</li> <li>b) All WSUD infrastructure has been maintained in accordance with the approved WSUD Operation and Maintenance Manual. This includes but is not limited to, the removal of all sediment and litter from trash racks / GPT devices, removal of any weeds and reinstatement of any dead or unhealthy plants.</li> <li>c) Any accumulated sediment has been removed to the as-built invert levels of sediment basins/forebays, constructed wetlands / water quality ponds and lakes.</li> <li>d) For bioretention and infiltration basins, an infiltration test has been undertaken to validate the saturated hydraulic conductivity is in accordance with the approved design. The infiltration test must be observed by Council's Development Engineering Coordinator or delegate.</li> <li>e) Any identified defects have been rectified to the satisfaction of Council at the developers cost.</li> <li>f) Work as executed (WAE) drawings have been provided to and accepted by Council.</li> </ul>	<p>To ensure any WSUD infrastructure to be handed over to Council has been designed and installed appropriately.</p>
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**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 consent (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 Shoalhaven City Council.

**Court** means the NSW Land and Environment Court.

**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.

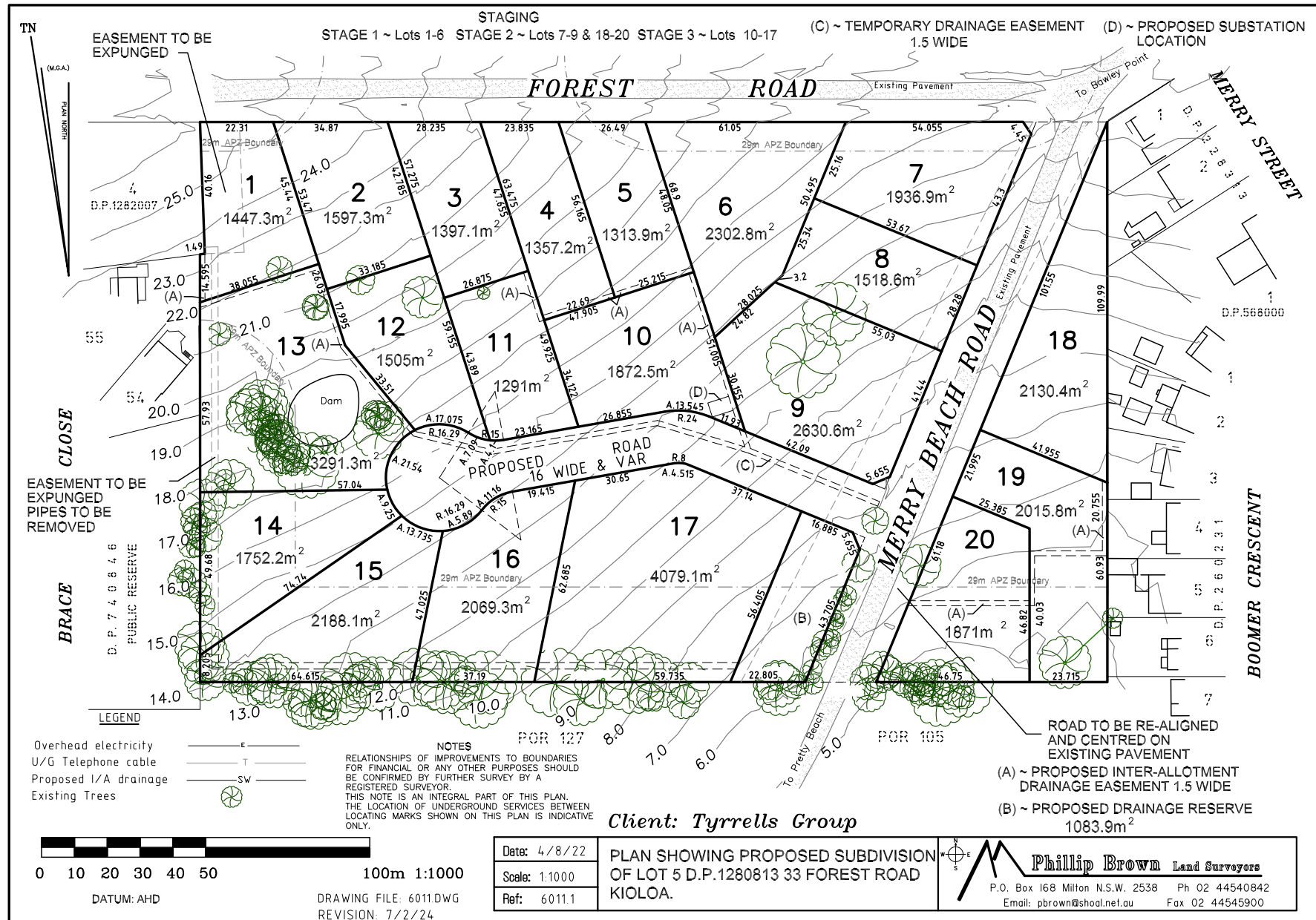
**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

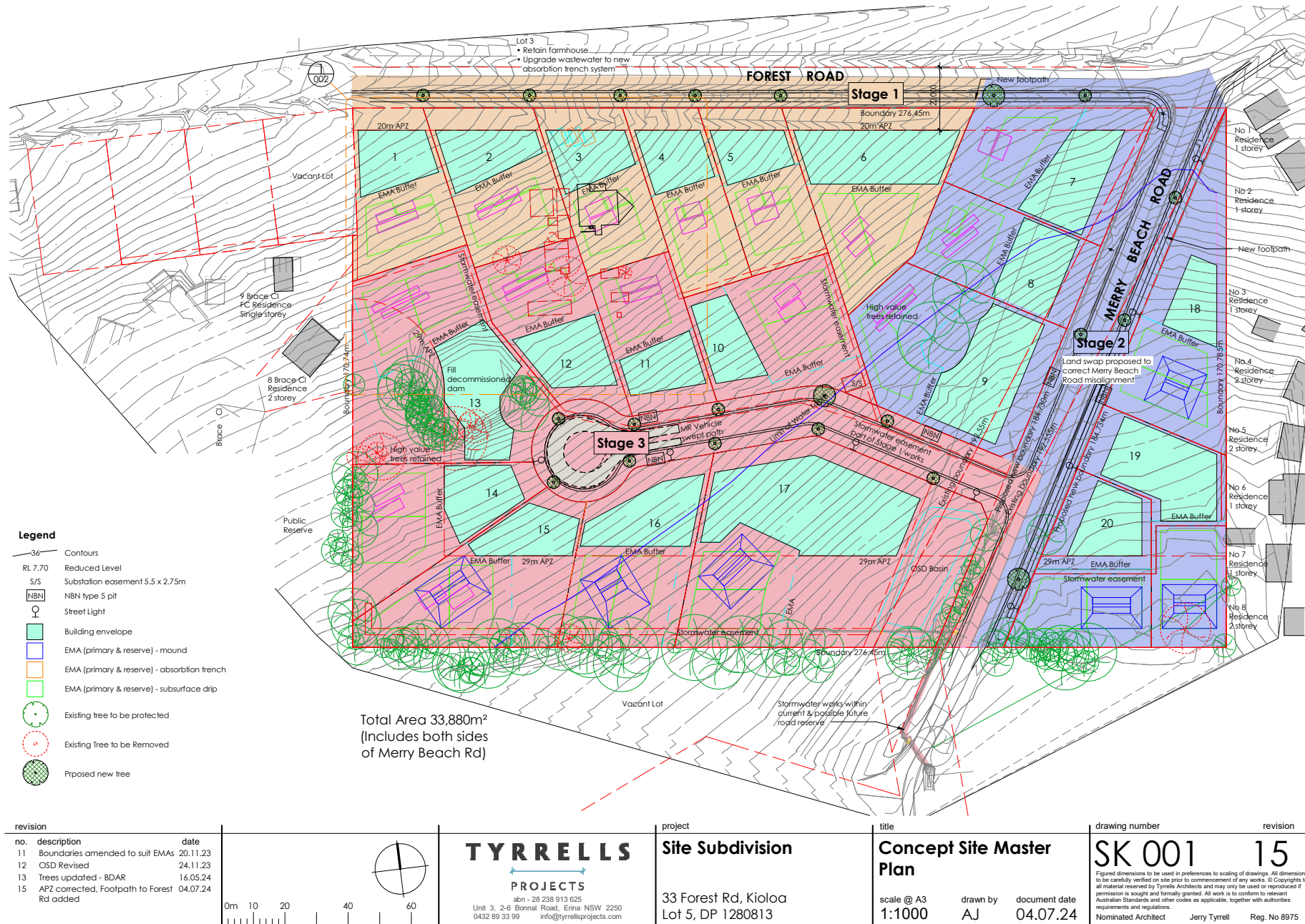
**Stormwater drainage system** means all works and facilities relating to:

- 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.

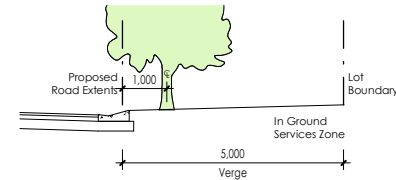
**Strata Certificate** means a certificate in the approved form issued under Part 4 of the Strata Schemes Development Act 2015 that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.



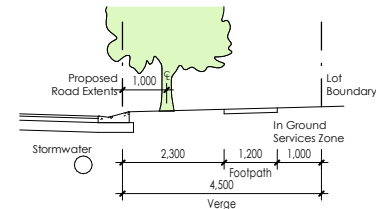




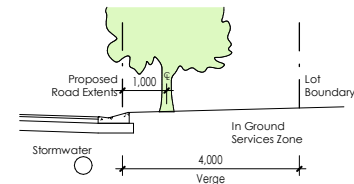




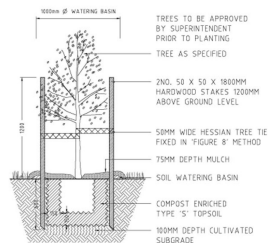
**Forest Rd Section**  
1 : 100



**Merry Beach Rd Section**  
1 : 100



**Proposed Cul-de-sac**  
1 : 100



**Tree Planting Detail**

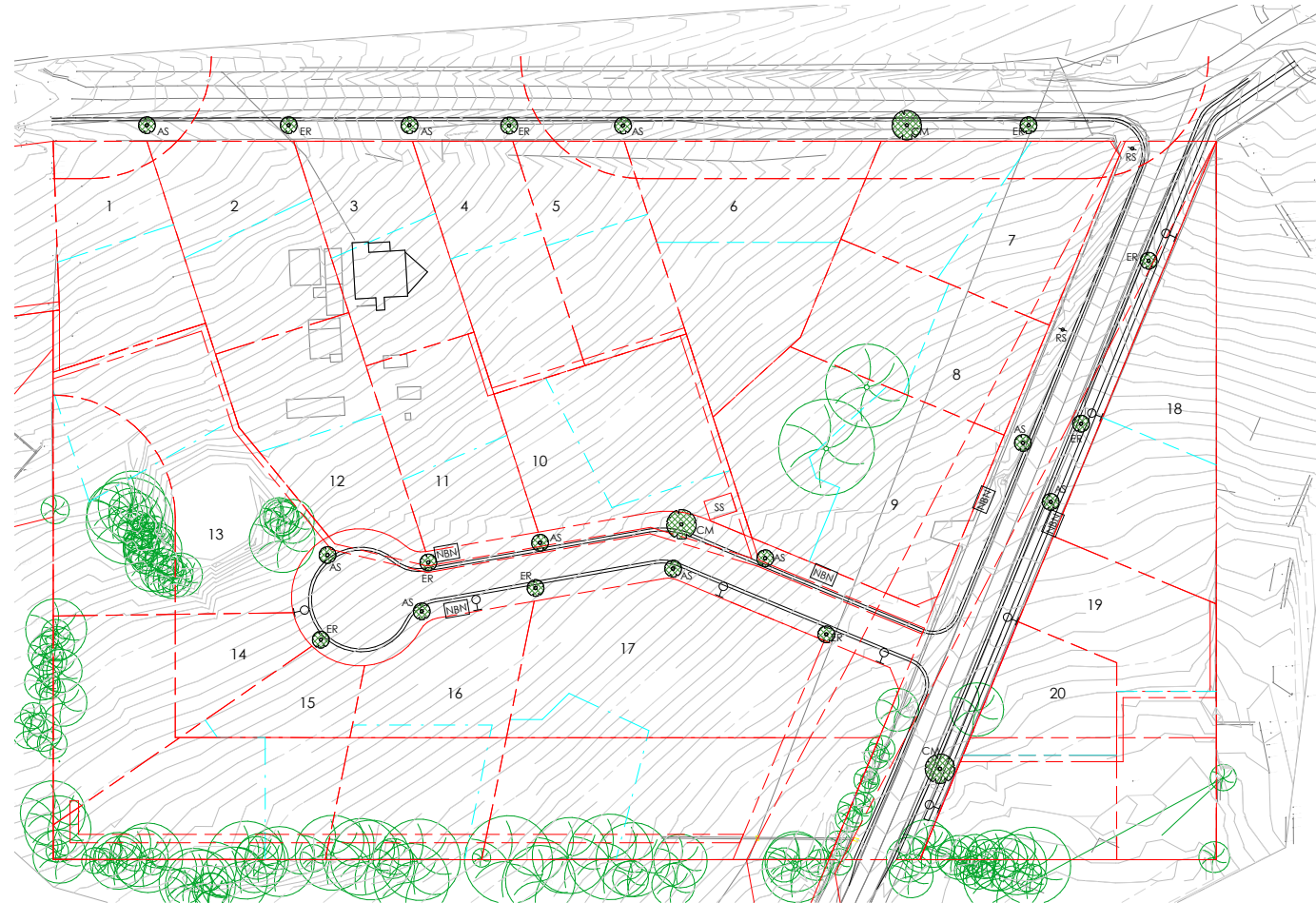
**legend**

- NBN NBN Pit
- RS Road Sign
- SS Substation
- HO Street Light
- Existing Tree, refer to Arbiist Report for species & condition
- Proposed Tree, refer code for species & expected mature scale

**Planting Schedule**

	AS	CM	ER	Lilly Pilly	Spotted Gum	Blueberry Ash	Height	Width	Pot size	Quantity
							10m	4m	45L	10
							20m	7m	45L	3
							9m	4m	45L	9

Planting to be maintained for 12 months



revision	no.	description	date
	13	Trees updated - BDAR	16.05.24
	14	Tree species updated	28.05.24



**TYRRELLS**

PROJECTS

abn - 28 238 913 625  
Unit 3, 2-6 Bonnal Road, Erina NSW 2250  
0432 89 33 99 info@tyrrellsprojects.com

project  
**Site Subdivision**

33 Forest Rd, Kioloa  
Lot 5, DP 1280813

title  
**Landscape Plan**

scale @ A3  
1:1000  
drawn by  
AJ  
document date  
28.05.24

drawing number  
**SK 006**  
revision  
**14**

Figured dimensions to be used in preferences to scaling of drawings. All dimensions to be carefully verified on site prior to commencement of any works. © Copyrights to all material reserved by Tyrrells Architects and may only be used or reproduced if permission is sought and formally granted. All work is to conform to relevant Australian Standards and other codes as applicable, together with authorities requirements and regulations.  
Nominated Architect Jerry Tyrrell Reg. No 8975

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**Planning  
Panels**



**COUNCIL ASSESSMENT REPORT**  
SOUTHERN REGIONAL PLANNING PANEL

<b>PANEL REFERENCE &amp; DA NUMBER</b>	PPSSTH-415 – DA2024/1457
<b>PROPOSAL</b>	Construction and occupation of new single storey building for health services facility including landscaping, carparking and consolidation of two lots
<b>ADDRESS</b>	102 & 106 Hillcrest Avenue SOUTH NOWRA – Lot 72 DP31078 & Lot 4 DP561605
<b>APPLICANT</b>	Papesch Architecture
<b>OWNER</b>	Waminda South Coast Women's Health & Wellbeing Aboriginal Corp
<b>DA LODGEMENT DATE</b>	21/6/24
<b>APPLICATION TYPE</b>	DA
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Clause 5, Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 202: Private infrastructure and community facilities over \$5 million</i>
<b>CIV</b>	\$21,598,000 (excluding GST)
<b>CLAUSE 4.6 REQUESTS</b>	N/A
<b>KEY SEPP/LEP</b>	<ul style="list-style-type: none"> <li>Shoalhaven Local Environmental Plan 2014</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> </ul>
<b>TOTAL &amp; UNIQUE SUBMISSIONS KEY ISSUES IN SUBMISSIONS</b>	<p>The application was publicly exhibited in accordance with the requirements of the Environmental Planning and Assessment Regulations 2021 from 17 July 2024 to 14 August 2024.</p> <p>Five (5) submissions were received including the following:</p> <p>3 in objection and 2 submissions wanting clarification on the development contributions and consideration of an existing childcare facility during construction</p>

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	<p>The key issues raised in submissions were:</p> <ul style="list-style-type: none"> <li>Noise</li> <li>Incompatible use</li> <li>Traffic &amp; infrastructure</li> <li>Impact on native wildlife</li> <li>Potential reduced amenity &amp; privacy</li> </ul>
<b>DOCUMENTS SUBMITTED FOR CONSIDERATION</b>	<p>Architectural plans</p> <p>Landscape Concept Design</p> <p>Acoustic Report</p> <p>DCCEEW Concurrence</p>
<b>SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)</b>	N/A
<b>RECOMMENDATION</b>	Approval
<b>DRAFT CONDITIONS TO APPLICANT</b>	YES
<b>SCHEDULED MEETING DATE</b>	22 October 2024
<b>PREPARED BY</b>	Bryan Netzler
<b>DATE OF REPORT</b>	11 October 2024

**EXECUTIVE SUMMARY**

The subject site relates to 2 allotments located on the south side of Hillcrest Avenue in South Nowra. The land is known as 102 & 106 Hillcrest Avenue and legally identified as Lots 72 DP31078 & Lot 4 DP561605.

The application is described as Construction and occupation of new single storey building for health services facility includes landscaping, carparking and consolidation of two lots.

The land is zoned R1 General Residential under Shoalhaven Local Environmental Plan 2014 (SLEP 2014). The proposal is best characterised as Health Services Facility under *Shoalhaven Local Environmental Plan 2014*. The proposal is prohibited within the zone.

Health services facility (Birthing centre) is not permissible within the R1 zone under SLEP 2014, however is permissible under section 2.60 of SEPP (Transport and Infrastructure) 2021.

The subject DA was lodged by Papesch Architecture on the 21 June 2024.

As the development has a capital investment value (CIV) of more than \$5 million, the application constitutes regionally significant development, and the Southern Regional Planning Panel is the determining authority for the application in accordance with Section 2.19 and Schedule 6(5b) of the State Environmental Planning Policy (Planning Systems) 2021.

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The application was publicly exhibited in accordance with the requirements of the Environmental Planning and Assessment Regulations 17 July 2024 to 14 August 2024. Five (5) submissions were received. The issues outlined in the submissions related to noise, incompatible use, traffic & infrastructure, impact on native wildlife & potential reduced amenity & privacy.

An assessment of the development has been undertaken against the following Acts and environmental planning instruments:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Planning Systems) 2021;
- State Environmental Planning Policy (Resilience and Hazard) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Shoalhaven Local Environmental Plan 2014; and
- Shoalhaven Development Control Plan 2014.

The proposed development has been assessed against the relevant matters for consideration pursuant to Section 4.15 of the *Environmental Planning and Assessment Act, 1979*, including likely impacts, the suitability of the site for the development, and the public interest.

The likely impacts of the proposed development on the natural and built environment have been considered as well as the social and economic impact. The site is considered to be suitable for the proposed development and the development is considered to be in the public interest.

This report recommends that the application be approved subject to recommended conditions of consent.

## 1. THE SITE AND LOCALITY

### 1.1 The Site

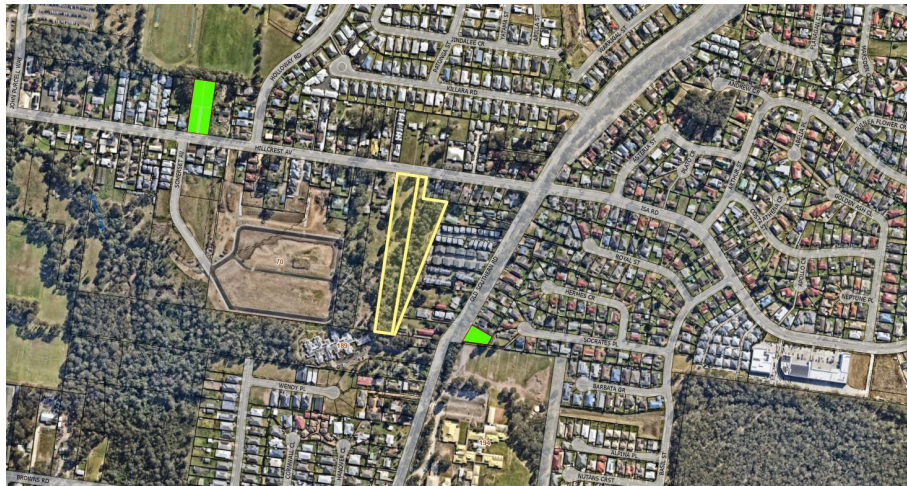
- The site is located on the southern side of Hillcrest Avenue approximately 177 metres west of Old Southern Road in South Nowra.
- The site consists of two lots and legally identified as Lot 72 in DP31078 (#102) and Lot 4 in DP 561605 (#106) Hillcrest Avenue South Nowra NSW.
- The site comprises two (2) separate lots, is irregular in shape, has an area of approximately 20,116m<sup>2</sup>, and a combined frontage of 56 metres to Hillcrest Avenue. Vehicular access to the site is directly from Hillcrest Avenue.
- Topographically, the land is gently to moderately sloping with undulating slopes across the site falling to the west.
- The land is generally cleared, grassed with stands of mature trees and remnant native vegetation



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Figure 1: Location Map



*Figure 2: Aerial Photo*

## 1.2 The Locality

- The surrounding land-use is typically low to medium density residential to the north, east and south (community facility – aged care), with some remnant rural-residential lots adjoining to the western boundary and cleared land for future residential subdivision further to the west.
- A 63-lot subdivision has been approved at 70 Hillcrest Ave, South Nowra.

## 2. THE PROPOSAL AND BACKGROUND



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## 2.1 The Proposal

- The proposal for the construction and occupation of a new single storey building for the 'Gudjaga Gunyahlamai Birth Centre' including carparking and landscaping.
  - The proposal includes the consolidation of two lots into one new single Torrens Title lot.
  - The 'Gudjaga Gunyahlamai Birth Centre' is a purpose-designed space for Aboriginal women for 'Birthing on Country' and the provision of maternity care, health consulting rooms and ancillary administration functions.
  - The Birth Centre complements the wider activities of Waminda's vision to provide well-being and support services to the local Aboriginal community.
  - As detailed in the submitted SEE, the operation of the proposal is detailed as follows:
    - *The proposed Birth Centre will accommodate a maximum of four (4) Aboriginal women at any one time, with the ancillary spaces designed to allow for their support partners and children.*
    - *Clients attending associated health care consulting services vary from day to day but expected to be approximately thirty (30) at any one time.*
    - *The Birth Centre daytime operation is predominantly staffed by local Aboriginal women with appropriate community health qualifications and qualified medical practitioners:*
      - 28 x medical professionals.
      - 16 x Nabu staff.
      - **Total = 44 staff.**
- Additional local contractors will supply ongoing maintenance and servicing functions, using appropriately qualified Aboriginal persons where possible to do so.*
- *The Birthing Centre is staffed on a 24/7 basis – 365 days per year. The medical operational hours reflect the medical use of the Birth Centre, that is typically available on a 24/7 basis.*
  - *The Nabu support clinic and administrative functions are staffed during the hours of 8am – 6pm Monday to Friday.*

**Table 1: Development Data**

Control	Proposal
Site area	20116m <sup>2</sup>
GFA	2007m <sup>2</sup>
Class 5 Portion Class 9A Portion	1015m <sup>2</sup> 990m <sup>2</sup>
Clause 4.6 Requests	No
Max Height	4.5m
Car Parking spaces	66 including 2 accessible spaces

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## 2.2 Background

A pre-lodgement meeting was held prior to the lodgement of the applicant on 5 December 2023 to discuss the merits of the development.

The development application was lodged on **21 June 2024**. A chronology of the development application since lodgement is outlined below including the Panel's involvement (briefings, deferrals etc) with the application:

**Table 2: Chronology of the DA**

Date	Event
<b>21 June 2024</b>	DA lodged
<b>17 July 2024</b>	Start of exhibition period
<b>14 August 2024</b>	End of exhibition period
<b>11 September 2024</b>	Panel briefing

## 2.3 Site Visit

A site visit was carried out on 9 July 2024.

Photos of the site and surrounding area are provided below.



**Photo 1: View looking south to frontage of subject site**

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Photo 2: View looking south-east to frontage of subject site



Photo 3: View looking to eastern boundary of subject site





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Photo 4: View looking to south



Photo 5: View looking southern portion of subject site



Photo 6: View looking east to existing residential development on eastern boundary



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**Photo 7: View looking southeast to existing residential development on eastern boundary**



**Photo 8: View looking north-west boundary**



**Photo 9: View looking east along frontage of subject site**

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Photo 10: View looking west along frontage of subject site

#### 2.4 Site History

- There is no directly relevant history or background for this application.
- It is noted that a 63-lot subdivision has been approved at 70 Hillcrest Avenue (southwest of the subject site) and works have already been undertaken for the development of the site for the subdivision.
- There is also medium density development potentially proposed at 98 Hillcrest Avenue but is yet to be lodged at Council.

### 3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
  - (i) *any environmental planning instrument, and*
  - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
  - (iii) *any development control plan, and*
  - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
  - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- (b) *that apply to the land to which the development application relates,*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*



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- (d) any submissions made in accordance with this Act or the regulations,  
(e) the public interest.

These matters are further considered below.

It is noted that the proposal is considered to be:

- Integrated Development (s4.46)
- Requiring concurrence/referral (s4.13)

**3.1 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations**

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

**(a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments**

The following Environmental Planning Instruments are relevant to this application:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Shoalhaven Local Environmental Plan 2014;

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 3** and considered in more detail below.

**Table 3: Summary of Applicable Environmental Planning Instruments**

EPI	Matters for Consideration	Comply (Y/N)
State Environmental Planning Policy (Biodiversity & Conservation) 2021	Chapter 2: Vegetation in non-rural areas	Y
State Environmental Planning Policy (Planning Systems) 2021	Chapter 2: State and Regional Development <ul style="list-style-type: none"> <li>• Section 2.19(1) declares the proposal regionally significant development pursuant to Clause 5 of Schedule 6 as it comprises private community facilities over \$5 million</li> </ul>	Y
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 4: Remediation of Land <ul style="list-style-type: none"> <li>• Section 4.6 - Contamination and remediation has been considered in the Contamination Report and the proposal is satisfactory subject to conditions.</li> </ul>	Y



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State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2: Infrastructure <ul style="list-style-type: none"> <li>Division 10 Health Services Facilities <ul style="list-style-type: none"> <li>Clause 2.6 Development permitted with consent</li> </ul> </li> <li>Division 17 Roads &amp; Traffic</li> </ul>	Y
Proposed Instruments	No compliance issues identified.	Yes
Shoalhaven LEP 2014	Clause 2.3 – Permissibility and zone objectives Clause 4.3 – Height of buildings Clause 5.10 – Heritage Conservation Clause 7.1 – Acid sulfate soils Clause 7.2 – Earthworks Clause 7.6 – Riparian land and water courses Clause 7.11 – Essential Services	Y
Shoalhaven DCP 2014	Chapter G1 – Site Analysis, Site Design, and Building Materials Chapter G2 – Sustainable Stormwater Management & Erosion / Sediment Control Chapter G3 – Landscaping Design Guidelines Chapter G4 – Tree and Vegetation Management Chapter G5 – Biodiversity Impact Assessment Chapter G7 – Waste Minimisation and Management Chapter G11 – Subdivision Chapter G21 – Car Parking and Traffic Chapter G26 – Acid Sulphate Soils & Geotechnical (Site Stability) Guidelines	Y

Consideration of the relevant SEPPs is outlined below

**State Environmental Planning Policy (Biodiversity and Conservation) 2021**

Chapter 2 Vegetation in non-rural areas

- The objective of the SEPP is to protect the biodiversity values of trees and other vegetation and to preserve the amenity of the area through the preservation of trees and other vegetation. It is considered that the proposed development does not unduly impact upon any existing biodiversity or trees or vegetation on the site.

The proposal triggers entry into the Biodiversity Offset Scheme (BOS) as the area clearing threshold of 0.25 hectares (for minimum lot size of less than 1 ha) is exceeded.

The applicant is also seeking a 100% reduced credit obligation for the proposal.

This is based on the community gain from the ongoing use of the property as a cultural birthing centre as well as managing the property to manage and enhance biodiversity values.

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In accordance with the requirements for applying for a reduced credit obligation, a letter prepared by Claron Consulting Pty Ltd describing the community gain from the proposal has been submitted to Council with the development application

Council has reviewed the submission and is in support of the reduced credit obligation.

Council have reviewed and accepted the Biodiversity Development Assessment Report (BDAR) prepared by Narla Environmental. In summary the offset obligation includes 11 ecosystem credits and 0 species credits.

Council is satisfied with the long-term community gain from supporting the development far outweighs the net loss of biodiversity and will benefit the Shoalhaven indigenous community.

Further the application was referred to the Department of Climate Change, Energy, The Environment and Water (DCCEEW) who have provided concurrence for a full credit obligation reduction.

**State Environmental Planning Policy (Planning Systems) 2021**Chapter 2: State and Regional Development

- The proposal is *regionally significant development* pursuant to Section 2.19(1) as it satisfies the criteria in Clause 5 of Schedule 6 of the Planning Systems SEPP as the proposal is development for private community facilities over \$5 Million. Accordingly, the Southern Regional Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

**State Environmental Planning Policy (Resilience and Hazards) 2021**Chapter 4: Remediation of Land

- The application has been supported by a Preliminary Site Investigation (PSI) prepared to investigate the potential for site contamination and the suitability of the site for the proposed use.

The report prepared by Reditus Consulting Pty Ltd Ref 23300 9 November 2023 has been prepared in accordance with the NSW EPA Guidelines for consultants reporting on contaminated sites.

The report concludes that the site is suitable for the proposed commercial use but recommends further investigation of suspected fill areas and gully at development phase and the development of an unexpected finds protocol. These requirements will be included as conditions of consent.

Subject to implementation of these conditions of consent, Council are satisfied that the requirements of this Chapter have been addressed.

**State Environmental Planning Policy (Transport and Infrastructure) 2021**Division 10 Health services facilities

- Clause 2.6 permits health services facilities in prescribed zones which includes R1 General Residential Zone.

Division 17 Roads & Traffic

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- The development site has a frontage to a classified road. Council is satisfied that access to the site is safe and appropriate.

The proposed development is not considered to adversely affect the safety, efficiency or ongoing operation of the classified road.

The proposed development has been appropriately designed and located so as to minimise and/or ameliorate potential impacts from traffic noise or vehicle emissions arising from the adjacent classified road.

**Shoalhaven Local Environmental Plan 2014**

Zoning

The land is zoned R1 General Residential under the *Shoalhaven Local Environmental Plan 2014*.

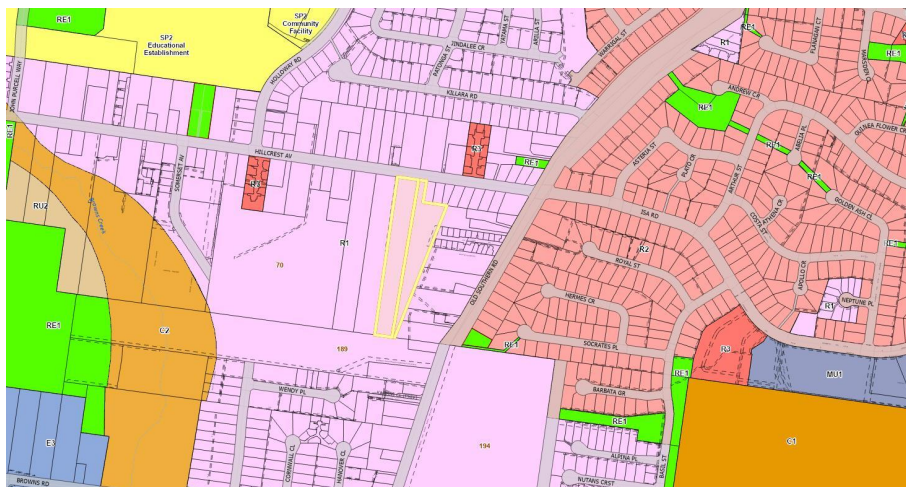


Figure 3 Zoning Map

Characterisation and Permissibility

The proposal is best characterised as Health Services Facility under *Shoalhaven Local Environmental Plan 2014*. The proposal is prohibited within the zone.

Health services facility (Birthing centre) is not permissible within the R1 zone under SLEP 2014, however is permissible under section 2.60 of SEPP (Transport and Infrastructure) 2021.

Zone Objectives

The zone objectives include the following:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To identify land suitable for future urban expansion.

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The proposal is consistent with these zone objectives for the following reason:

- The proposal enables a land use that provides facilities or services to meet the needs of the community

*General Controls and Development Standards (Part 2, 4, 5 and 6)*

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 4** below

**Table 4: Consideration of the LEP Controls**

Chapter 2 General and Environmental Considerations	
<b>Potentially Contaminated Land</b>	The subject site is not identified as potentially contaminated land
<b>European Heritage</b>	The subject site is not identified as containing any items of historical significance and is not located within a Conservation Area.
<b>Aboriginal Cultural Heritage</b>	The subject site is not identified as containing any items of Aboriginal heritage and is not identified as Cultural Lands.
<b>Crime Prevention Through Environmental Design</b>	<p>The proposed development is not considered to create a risk or increase risk of crime within the locale.</p> <p>The proposed development does not trigger a formal crime risk assessment or referral to NSW Police Local Area Command.</p>

Clause	Comments	Complies/ Consistent
<b>Part 4 Principal development standards</b>		
<b>4.3</b> Height of buildings	The property is situated within an area where there is no maximum building height specified hence 4.3 (2A) is applicable where there is no maximum height for any land, the height of a building on the land is not to exceed 11 metres. The proposal has a maximum height of 4.5m and as such is consistent with the 11m height limit.	Complies
<b>Part 5 Miscellaneous provisions</b>		
<b>5.10</b> Heritage conservation	The site is not an identified heritage item, is not situated in the immediate vicinity of an item, or is situated in a heritage conservation area and as such the provisions of cl.5.10 do not apply to the proposal.	N/A
<b>Part 7 Additional local provisions</b>		
<b>7.1</b> Acid sulfate soils	The site is mapped as being Class 5 meaning that development consent is required for any works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5	Complies

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	metres AHD. The proposal is satisfactory with regard for the objectives and provisions of cl.7.1	
<b>7.2</b> Earthworks	The proposed building has been appropriately sited to minimise cut and fill with site disturbance being limited to the amount required to accommodate footings and services. The proposal is satisfactory in regard the objectives and provisions of cl.7.2	Complies
<b>7.6</b> Riparian land and watercourses	The site is mapped as containing a category 2 watercourse. The proposed development area has been intentionally sited to provide sufficient separation. The proposed development will not result in any detrimental impacts upon this mapped watercourse.	Complies
<b>7.11</b> Essential services	All essential services are available or can be made available to the proposed development.	Complies

The proposal is considered to be generally consistent with the LEP.

**(b) Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments**

There are no draft environmental planning instruments that are on exhibition or have been exhibited but not yet gazetted that apply to the site or that relate to the proposed works.

**(c) Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan**

The following Development Control Plan is relevant to this application:

- *Shoalhaven Development Control Plan 2014* ('the DCP')

<b>Generic DCP Chapter</b>
<b><u>G1:</u> Site Analysis, Sustainable Design and Building Materials</b>
A suitable site analysis plan and schedule of proposed materials has been submitted as part of the application and is deemed acceptable.
<b><u>G2:</u> Sustainable Stormwater Management and Erosion/Sediment Control</b>
Chapter G2 gives applicants guidance about how to implement sustainable stormwater management in the development application process, provide design principles for stormwater management that assist development and outline controls for the management of stormwater (including water quality, waterway stability, detention, erosion and sediment control). In this regard, Council's Development Engineer has reviewed the plans of the proposed development and provided conditions accordingly.  Standard conditions regarding erosion and sediment control are to be included in any consent issued.
<b><u>G3:</u> Landscaping Design Guidelines</b>
The development is supported by a comprehensive landscape concept plan. The proposed landscaping is consistent with the local character and the DCP.

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<p>The application proposes to retain as many as possible of the native trees currently upon the site, except where directly impacted by the works or otherwise unviable.</p>
<p><b><u>G4: Tree and Vegetation Management</u></b></p>
<p>A total of 65 trees are proposed for retention and 128 trees for removal.</p> <p>Tree protection plans have been provided and must be implemented via conditions of consent.</p>
<p><b><u>G5: Biodiversity Impact Assessment</u></b></p>
<p>The threshold for clearing has been triggered and a 'Biodiversity Impact Assessment Report' (BDAR) has been undertaken by Narla Environmental or details.</p> <p>A Biodiversity Impact Assessment report has been submitted in support of the application.</p> <p>The BDAR identifies the primary vegetation category being 'Illawarra Lowlands Grassy Woodland in the Sydney Basin Bioregion' as being impacted by the development, with 11 offset credits @ \$29,400 = \$323,400.</p> <p>A separate merit-based submission has been made by the proponent to waive this monetary contribution on the basis of 'public interest' as discussed further in the Report above.</p> <p>Nearby threatened species records include a concentration of Green and Golden Bell Frog over many years, associated with the dispersal habitat along Browns Creek and breeding habitat within Worrigee Nature Reserve.</p> <p>The dam associated with the drainage line is colonised throughout by <i>Eleocharis sphacelata</i> which is known preferred habitat for Green and Golden Bell Frog. There are no proposed impacts to this habitat. The landscape plan does propose midstorey and ground layer plantings adjacent to the dam. Recommended conditions will include protocols including, restrictions on herbicide use and slashing as well as retention of native habitat within this area.</p>
<p><b><u>G7: Waste Minimisation and Management Controls</u></b></p>
<p>A Waste Management Plan has been submitted as part of the application. Issue have been raised regarding access for clients/patients whilst a waste removal vehicle is in the loading area. A condition will require that waste is relocated to an area where vehicles will not be impacted by a waste removal vehicle.</p>
<p><b><u>G11: Subdivision</u></b></p>
<p>Consolidation of the lots is proposed into a new single torrens title lot.</p> <p>A condition of consent will require that retention of the future roads and drainage infrastructure remains untouched as per the Development Contributions Plan</p>
<p><b><u>G21: Car Parking and Traffic</u></b></p>
<p><i>NOTE: Council resolved on 30/10/18 to waive additional carparking requirements for a change of use in a shopping centre area. Assess the parking that would otherwise be required and enter the data into the spreadsheet (D18/394992) for later reporting to Council.</i></p>
<p>In accordance with the submitted Traffic Impact Assessment, car parking has been provided by the applicant at the following rates:</p>



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Land Use Type	Proposed GFA	DCP Car Parking Rate	Minimum Car Parking Requirement	Proposed Car Parking Provision
Medical Centre / Health Consult Rooms	306m <sup>2</sup>	4 car parking spaces per professional staff member, or 4 car parking spaces per 100m <sup>2</sup> , whichever is greater	20 <sup>1</sup>	37
Office (for staff)	435m <sup>2</sup>	1 car parking space per 40m <sup>2</sup>	11	
Land Use Type	Proposed GFA	Parking Evaluation	Minimum Car Parking Requirement	Proposed Car Parking Provision
Birthing Classes		In use by 12 couples and 2 staff	14	14
Elders / Cultural Mentor Space		4 rooms	4	4
Additional site visitors		General visitors to the site	11	11
Subtotal			29	29
TOTAL			60	66

The Development Engineer notes in their referral response that:

*The parking quantities proposed typically comply with the DCP parking rates and have adopted further quantities for other uses of the site which are not covered by the DCP, which I consider to be appropriate.*

It is agreed that the quantity of car parking provided on site is consistent with the requirements of SDCP 2014, Chapter G11 and Council finds that the proposed parking amount adequately responds to the needs of the site.

The remainder of provisions of this chapter have been considered by Council's Development Engineer, who has found the development to be compliant with these requirements, subject to imposition of conditions within any development consent.

**G26: Acid Sulphate Soils and Geotechnical (Site Stability) Guidelines**

The site is mapped as being Class 5 meaning that development consent is required for any works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres AHD.

A condition would be included in any consent identifying the procedure in the event of any unexpected finds.

**Area Specific DCP Chapter**

**N10:** Worrigeer Residential Area

**Commentary**

The proposal is consistent with the objectives of the DCP by identifying community facilities to meet the needs of the local community and ensure residential amenity is maintained at a high level.

Further the development footprint has been located specifically to retain as many of the existing trees upon the site as possible and incorporate these into a comprehensive landscaping scheme.

The front setback of 7.5 m allows for the retention of the majority of the existing stand of trees currently occupying the front boundary to Hillcrest Avenue, except where the driveway crossing is to be located.

The works have avoided any interference with the watercourse and maintained the associated riparian corridor intact.

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Significant landscaping proposed to soften the appearance of the building and also to provide privacy for occupants of the site.

**Shoalhaven Contribution Plan 2019**

The following contributions plans are relevant pursuant to Section 7.18 of the EP&A Act and have been considered in the recommended conditions (notwithstanding Contributions plans are not DCPs they are required to be considered):

- Shoalhaven S7.11 Development Contributions Plan 2019

The development is most aptly characterised as a 'Commercial Office' development for the purpose of calculating contributions under the Plan.

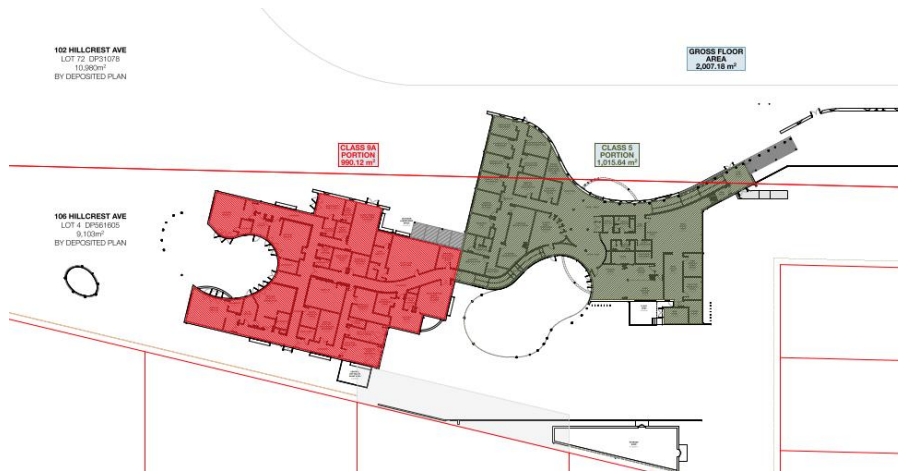
In accordance with the Shoalhaven Contributions Plan 2019, 10.09 ETs are considered to apply to the subject site.

**Non Residential**

Note: enter area in m2 and calculator will convert area to ETs.

	Existing	Proposed
Retail (Gross Floor Area m2)	<input type="text" value="0"/>	<input type="text" value="0"/>
Commercial Office (Gross Floor Area m2)	<input type="text" value="0"/>	<input type="text" value="2017"/>
Hotel / Restaurant(Gross Floor Area m2)	<input type="text" value="0"/>	<input type="text" value="0"/>
Bulky Goods (Gross Floor Area m2)	<input type="text" value="0"/>	<input type="text" value="0"/>
Industrial (Gross m2, include parking/landscape)	<input type="text" value="0"/>	<input type="text" value="0"/>
<b>Total ET</b>		<b>20.17</b>
<b>Management Project ETs</b>		<b>10.09</b>

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Project	Description	Rate	Qty	Total	GST	GST Incl
CWFIRE2001	Citywide Fire & Emergency services	\$162.05	10.09	\$1,635.08	\$0.00	<b>\$1,635.08</b>
CWFIRE2002	Shoalhaven Fire Control Centre	\$237.08	10.09	\$2,392.14	\$0.00	<b>\$2,392.14</b>
CWMGMT3001	Contributions Management & Administration	\$402.72	1.00	\$402.72	\$0.00	<b>\$402.72</b>

Sub Total: **\$4,429.94**

GST Total: **\$0.00**

Estimate Total: **\$4,429.94**

## Housing and Productivity Contribution

State Contributions		
<p>Does the proposed development trigger the <a href="#">Housing and Productivity Contribution</a> (HPC)?</p> <p>Note: if the development triggers an HPC, then a corresponding Contribution (CON) case is created as a related case in the Portal. The calculation needs to be reviewed and confirmed in the Portal.</p>		<p>Yes - Commercial Development</p> <p>Note: only the office (1015m2) component is required to be considered for the HPC.</p>
Class of Development	Trigger for demand	Units of demand
Residential development	Subdivision of land for dwellings	New dwelling lot
	Strata subdivision of land or building for dwellings	New strata dwelling lot
	Build to Rent or Seniors Independent Living Units	New non strata dwelling
	Manufactured Home Estate	New dwelling site
Commercial development	Development for business, office or retail premises or specified commercial purposes	Square metre of new GFA
Industrial development	Development for industry or specified industrial purposes	Square metre of new GFA

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<p><b>5 Development for which a contribution is required</b></p> <p>(1) A housing and productivity contribution is required for development for which development consent is granted if it involves development of any of the following classes—</p> <ul style="list-style-type: none"> <li>(a) residential development,</li> <li>(b) commercial development,</li> <li>(c) industrial development.</li> </ul> <p>(2) In this Order, <b>residential development</b> means any of the following—</p> <ul style="list-style-type: none"> <li>(a) subdivision of land (other than strata subdivision) on which development for the purposes of residential accommodation is permitted with development consent by an environmental planning instrument applying to the land (<b>residential subdivision</b>),</li> <li>(b) strata subdivision of residential accommodation (other than strata subdivision of high-density dwellings) (<b>residential strata subdivision</b>),</li> <li>(c) high-density residential development,</li> <li>(d) development for the purposes of a manufactured home estate.</li> </ul> <p>(3) For the purposes of subclause (2)(a), development for the purposes of residential accommodation is not permitted with development consent by an environmental planning instrument if the only kinds of residential accommodation permitted with development consent are any of the following—</p> <ul style="list-style-type: none"> <li>(a) build-to-rent housing,</li> <li>(b) a manufactured home estate,</li> <li>(c) seniors living.</li> </ul> <p>(4) Schedule 2 sets out exemptions from the housing and productivity contribution. Development identified in Schedule 2 is not to be included in the determination of a housing and productivity contribution.</p> <p>(5) For the purposes of this Order, each class of development referred to in subclauses (1) and (2) is a <b>HPC class of development</b> and any development involving development within a HPC class of development is <b>HPC development</b>.</p>	
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#### (d) Section 4.15(1)(a)(iii) – Planning agreements under Section 7.4 of the EP&A Act

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

#### (e) Section 4.15(1)(a)(iv) - Provisions of Regulations

These provisions of the 2021 EP&A Regulation have been considered and are addressed in the recommended draft conditions (where necessary).

#### 3.2 Section 4.15(1)(b) - Likely Impacts of Development

The proposed development will not cause any unacceptable amenity impacts to neighbouring properties or visual impacts to the streetscape. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

#### Bushfire

The site has been previously mapped as bushfire prone due to the historic vegetation connection of a forest that was located to the west of the development site; this land has since been cleared as part of the subdivision works.

The land is no longer mapped as bushfire prone and existing vegetation is now considered to be 'low threat vegetation as described under A1.10 of the Planning for Bushfire Protection 2019. Accordingly, a bushfire assessment of the proposal is not required.

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Head of Consideration	Comment
Natural Environment	<p>Impacts on the natural environment have been assessed as part of the development application. It was found that the proposal is unlikely to have a detrimental impact on the natural environment surrounding the subject site, or to any endangered and non-endangered species of flora and fauna.</p> <p>The proposal triggers entry into the Biodiversity Offset Scheme (BOS) as the area clearing threshold of 0.25 hectares, for minimum lot size of less than 1 ha is exceeded.</p> <p>The applicant is also seeking a 100% reduced credit obligation for the proposal.</p> <p>DCEEW have reviewed the proposal and support the reduction of the credit obligation to zero. As such, conditions of development consent would reflect that there is no credit obligation as agreed by DCEEW.</p> <p>On the basis of the above, Council is satisfied that the development would not have an adverse impact upon the natural environment.</p>
Built Environment	<p>The proposed development is considered to be of an appropriate scale and unlikely to create any detrimental impacts on the adjoining properties or the locality as a whole. The proposal will facilitate development consistent with the surrounding built form and the desired future built character of the locality.</p>
Social Impacts	<p>The proposal is to construct a new building and external landscaped spaces to accommodate a Birth Centre offering maternity accommodation and health care to Aboriginal women.</p> <p>The proponent, Waminda, is an experienced and active provider to the local Aboriginal women's community, and well positioned to understand the considerable demand for locally accessible health care and maternity services. The site has been specifically chosen due to its position relative to the local demand for such services.</p> <p>No adverse social impacts are envisaged to occur as a result of the proposal.</p>
Economic Impacts	<p>As previously stated, under normal operating conditions forty-four (44) full and part time employees are required to staff the Birth Centre, excluding contractors. It is likely that these employees and contractors will shop locally, thereby directly benefitting the local businesses.</p> <p>In its operations, Waminda prefers to source goods and services from local suppliers and contractors wherever possible.</p> <p>The proposal would result in a positive economic impact in the locality through the capital investment value of the development and is unlikely to generate any adverse economic impacts.</p>

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

**3.3 Section 4.15(1)(c) - Suitability of the site**

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The proposal is deemed to be a suitable development of the site and is not considered to give rise to any adverse amenity impacts to the adjoining properties or visual impacts to the streetscape.

- The development is permissible with Council consent within the zone.
- The proposal supports the local zoning objectives.
- The proposal is consistent with the objectives and requirements of the *Shoalhaven Local Environmental Plan 2014*.
- The proposal is consistent with the objectives and requirements of the *Shoalhaven Development Control Plan 2014*.
- The intended use is compatible with surrounding/adjoining land uses

#### 3.4 Section 4.15(1)(d) - Public Submissions

These submissions are considered in Section 5 of this report.

#### 3.5 Section 4.15(1)(e) - Public interest

The proposed health services facility is permitted in the R1 General Residential Zone as a 'prescribed zone' and complies with the objectives and provisions of environmental planning instruments that apply to the site. The proposal also complies with the provisions of Shoalhaven DCP 2014.

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

### 4. REFERRALS AND SUBMISSIONS

#### 4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in Table 5.

There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent being imposed.

**Table 5: Concurrence and Referrals to agencies**

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
<b>Concurrence Requirements (s4.13 of EP&amp;A Act)</b>			
N/A			N/A
<b>Referral/Consultation Agencies</b>			
Department of Climate Change, Energy, the	The applicant is seeking a 100% reduced credit obligation for the proposal.		Y



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Environment and Water			
<b>Integrated Development (S 4.46 of the EP&amp;A Act)</b>			
Water NSW	Dewatering	Water NSW has reviewed the information submitted with the application, no further investigation is required by Water NSW and advised that as part of this application, the applicant may need to provide a Dewatering Management Plan, Authority to Discharge groundwater as well as an updated Geotechnical Report that states volume of water to be taken, time frame of dewatering and basement construction (if relevant).	Y

#### 4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 6**.

**Table 6: Consideration of Council Referrals**

Officer	Comments	Resolved
Engineering	Council's Engineering Officer reviewed the submitted stormwater concept plan and reviewed the parking and access and considered that there were no objections subject to compliance with imposition of conditions.	Y
Building	No objection subject to compliance with conditions of consent	Y
Environmental Health Officer	Noise A revised acoustic report will be required via condition of consent to demonstrate that with the addition of building plant and equipment noise (e.g. air handling, heating and cooling equipment), the proposed backup generator and the potential noise from the birthing suites that the development will not generate noise levels above the project specific criteria.	Y
Biodiversity	Narla Environmental have prepared a BDAR for the proposed development at 102 and 106 Hillcrest Avenue South Nowra.  A brief desktop review of the Subject Property; <ul style="list-style-type: none"> <li>Zoned R1 residential, with a 500m2 minimum lot size.</li> </ul>	

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	<ul style="list-style-type: none"> <li>• LEP Terrestrial Biodiversity mapping does not apply</li> <li>• No SEPP's apply</li> <li>• The NSW Vegetation Type Mapping shows the native vegetation onsite is mapped as PCT 3273 Southern Lowland Wet Sclerophyll Forests.</li> <li>• There is a Category 2 stream and core riparian zone of 20 m either side + 10m buffer intersecting the site. Note this stream is also classified a 1<sup>st</sup> order stream under the WM Act. Under this classification a 10m riparian buffer either side of the creek would be required.</li> </ul> <p>More generally the vegetation onsite forms part of a local corridor of connected native vegetation interspersed with surrounding urban development, that connects with the Browns Creek corridor approximately 250m to the west and a large area of bushland within Worrigee Nature Reserve, 500m to the east.</p> <p>Nearby threatened species records include a concentration of Green and Golden Bell Frog over many years, associated with the dispersal habitat along Browns Creek and breeding habitat within Worrigee Nature Reserve.</p> <p>The proposal includes the removal of native vegetation, the construction of health facilities, hardstand, and essential services. Comprehensive landscaping is proposed throughout including adjacent to the riparian corridor and an associated dam. The areas of direct impact are referred to as the subject site.</p> <p>Documents reviewed for this biodiversity referral advice include;</p> <ul style="list-style-type: none"> <li>• Site Plan (Papesch 2024a);</li> <li>• Demolition Plan (Papesch 2024b);</li> <li>• Proposed Ground Floor Plan (Papesch 2024c);</li> <li>• Waste Management Plan (Papesch 2024d);</li> <li>• Arboricultural Impact Assessment (Arbor Express 2024); and</li> <li>• Landscape General Arrangement Plan (Cola Sudio 2024).</li> </ul> <p>The proposal triggers entry into the Biodiversity Offset Scheme (BOS) as the area clearing threshold of 0.25 hectares, for minimum lot size of &lt; 1 ha is exceeded.</p> <p>Narla Environmental (NE) have prepared a streamlined BDAR as the proposal aligns with the small area module as &gt;1 ha of native vegetation will be impacted as detailed in Appendix C of the BAM 2020. NE have assessed the subject site in accordance with the SEPP (Biodiversity and Conservation) 2021 – Koala habitat</p>	
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	<p>protection, and determined the subject site does not constitute core Koala habitat.</p> <p>The BDAR states the subject site covers 0.78 ha. This is predominately mapped as native vegetation, 0.66 ha, as well as exotic dominated grassland.</p> <p>NE have mapped the native vegetation within the subject site as PCT 3269 Shoalhaven Lowland Spotted Gum-Paperbark Forest and cleared areas as non native vegetation being exotic dominated grassland. NE have determined the PCT 3269 equates to the BC Act listed Threatened Ecological Community TEC Illawarra Lowlands Grassy Woodland (ILGW). An assessment against the thresholds for the EPBC listed TEC South Coast Forest and Woodland has determined the native vegetation onsite doesn't equate to this classification due to the dominant species onsite being <i>Corymbia maculata</i> which does not align with the dominant canopy species for the EPBC listed TEC.</p> <p>As the Exotic Grassland is not classified as native vegetation NE state this does not require further survey to determine VI scores. NE have determined all the PCT 3269 to be one condition class, moderate, and have mapped 1 vegetation zone for assessment.</p> <p>The BDAR documents the establishment of site context and assessment of native vegetation, TEC's and VI score in accordance with Sections 3 and 4 of the BAM. One BAM plot was surveyed. This is in line with the BAM for the subject site, being &lt; 2ha.</p> <p>NE determine the VI score for the 0.66 ha of PCT 3269 (moderate) to be 33.9. The whole 0.66 ha of native vegetation impacted is assessed as having a future VI score of 0 although the Demolition Plan (Papesch) does show trees to be retained within this area. NE state, a conservative approach has been taken to account for any potential indirect impacts that may compromise trees proposed for retention within close proximity to the facilities.</p> <p>With regard to candidate ecosystem credit species, all species predicted to occur by the BAM calculator are assumed present.</p> <p>Being a streamlined assessment targeted survey for species credit species is not required other than for potential SAI entities. The BAMC determined 6 potential SAI fauna and 2 flora species may occur with the subject site. These include; (fauna)</p> <ul style="list-style-type: none"> <li>• Regent Honeyeater (breeding);</li> <li>• Large-eared Pied Bat (breeding);</li> </ul>	
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	<ul style="list-style-type: none"> <li>• Swift Parrot (breeding);</li> <li>• large Bent-wing Bat (breeding);</li> <li>• Stuttering Frog; and,</li> <li>• Brush-tailed Rock-wallaby.</li> </ul> <p>Potential flora SAI species include;</p> <ul style="list-style-type: none"> <li>• <i>Pterostylis vernalis</i>; and,</li> <li>• <i>Rhodamnia rubescens</i> (Scrub Turpentine).</li> </ul> <p>Of these NE determined to subject site to provide potential habitat for Stuttering Frog and Scrub Turpentine. Targeted surveys did not record these species and determined these species unlikely to be impacted by the proposal.</p> <p>NE conducted further fauna survey including, deployment of baited motion sensor cameras and nocturnal spotlighting. No threatened species were recorded. No species credits are required to offset the proposal.</p> <p>NE determined the proposal does not constitute a prescribed impact as detailed in Section 8.3 of the BAM.</p> <p>Regarding Chapter 7 of the BAM requiring proposals to avoid and minimise impacts, NE have included measures to avoid and mitigate impacts in table 20 of the BDAR. This includes;</p> <ul style="list-style-type: none"> <li>• <i>Owing to plans for a potential future roadway in the north east of the Subject Property, complete avoidance of impacts was not possible as the remainder of the property was found to contain remnant vegetation. However, the proposed development has been located within the edge of the Subject Property, to avoid fragmenting the vegetation present by limiting vegetation removal to the edge of a large patch and to avoid the riparian corridor located within the centre of the Subject Property. The proposed development location was also chosen to retain all hollow bearing trees identified within the Subject Property (Figure 12).</i></li> </ul> <p>Further mitigation measures provided predominately minimise impacts of the construction phase of the proposed works. These measures will be incorporated into recommended conditions of consent.</p> <p>A SAI assessment is included in the BDAR for ILGW and determines the proposal will not constitute a SAI.</p> <p>NE determined the proposal will require 11 Ecosystem Credits for PCT 3269 – Shoalhaven Lowland Spotted Gum Paperbark Forest. No species credits are required.</p>	
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	<p>It is noted there is no bushfire assessment or proposed APZ. A letter by Harris Environmental (D24/259032) was submitted by the applicant stating that due to recent amendment to the RFS Bushfire Prone Land Mapping the subject site is not zoned bushfire prone and therefore no APZ is proposed.</p> <p>It is noted that the Demolition Plan by Papesch retains trees within the impact area assessed in the BDAR. This aligns with the BDAR commentary by NE stating, a conservative approach has been taken to cover the scenario where these trees are subject to indirect impacts during or post construction.</p> <p>There is a discrepancy between trees shown as being retained within the Demolition Plan and those recommended for retention within the Arboricultural Impact Assessment (Section 6). The Arboricultural Impact Assessment proposes retention and tree protection measures for trees, 101, 102,193, 189,190, 191, and 192 in addition to the tree proposed for retention in the Demolition Plan. Further assessment of the Architectural Plans and Landscape Plans show this additional tree removal is required for the proposed entry forecourt and others for onsite parking and driveway access from Hillcrest Avenue. The proposed tree removal from the Demolition Plan is accepted. The Demolition Plan will be referred to in recommended conditions.</p> <p>Recommended tree protection measures from Section 6 and 7 of the Arboricultural Impact Assessment will be incorporated into recommended conditions.</p> <p>A site visit was conducted on Friday 30<sup>th</sup> August to assess the mapping of PCT's, and vegetation zones, as well as assess the environmental features such as trees, hollows, the drainage line and any potential threatened species habitat against the BDAR, Arboricultural Impact Assessment and Architectural Plans.</p> <p>This review concurs with the classification of PCT 3269 and the TEC Illawarra Lowlands Grassy Woodland. While the canopy species is dominated by <i>Corymbia maculata</i>, the common occurrence of <i>Eucalyptus eugenioides</i>, <i>Eucalyptus longifolia</i>, and <i>Angophora floribunda</i> as well as <i>Melaleuca decora</i> in the sub canopy aligns with this PCT. The common occurrence of species characteristic of the PCT and TEC dominating the understorey further supports this classification, including shrubs; <i>Acacia falcata</i>; <i>Acacia mearnsii</i>; <i>Pulteanaea villosa</i>; and, <i>Daviesia ulicifolia</i>, as well as ground layer species; <i>Hardenbergia violacea</i>; <i>Pratia purpurascens</i>; <i>Gahnia</i></p>	
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	<p><i>radula</i>; and, grasses <i>Panicum simile</i>, <i>Entolasia stricta</i>, <i>Cymbapogon refractus</i> and <i>Microlaena stipoides</i>.</p> <p>The classification in the BDAR of the cleared areas as non native 'exotic dominated grassland' was a focus of the site visit as this vegetation zone was excluded from further assessment to determine a VI score based on this being dominated by exotic species. . The DCCEEW Guideline <i>Reviewing area clearing threshold results from the BMAT tool Guidance for proponents and local government</i> is aimed at assessing native vegetation extent for the area clearing threshold for entry into the BOS. These guidelines state; <i>if there is areas of less than 15% native vegetation the area is assessed as non-native vegetation and is not included in native vegetation extent</i>. This is a different context to assessing vegetation in a BDAR however given a plot has not been conducted for the 'exotic dominated grassland' it is reasonable to use this guideline to assess whether this zone should be considered native vegetation, and whether further survey for the BDAR is required. A 20mx 20m quadrat was surveyed during the site visit to determine approximate % cover of native species within the vegetation zone. This survey recorded the same dominant exotic species as NE included in the vegetation description in the BDAR, <i>Axonopus</i> sp (Carpet Grass), and <i>Sporobolus africanus</i> (Parramatta Grass) and calculated the % native grass cover to be well below 15% (Survey scanned and saved in the DA folder). As such this review accepts this area can reasonably be assessed as non native. No further BAM plots are required by the BDAR.</p> <p>No Hollow bearing trees were observed within the subject site during the site inspection. Trees proposed for removal are generally of an age class that has not yet formed hollows. The dam associated with the drainage line is colonised throughout by <i>Eleocharis sphacelata</i> which is known preferred habitat for Green and Golden Bell Frog. There are no proposed impacts to this habitat. The landscape plan does propose midstorey and ground layer plantings adjacent to the dam. Recommended conditions will include protocols including, restrictions on herbicide use and slashing as well as retention of native habitat within this area.</p> <p>The drainage line and riparian are, adjacent to the riparian area is dominated by exotic grasses in the ground layer and <i>Zantedeschia aethiopica</i> (Arrum Lily) within the drainage line. Being outside of the subject site no restoration of this area has been included within recommended conditions.</p>	
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	The proposed alignment of the buildings, driveway and landscaping is clearly designed to avoid tree removal wherever possible. Trees have been retained around the buildings and tree protection measures proposed to minimise impacts. The proposal avoids impacts to the riparian corridor as shown on the Site Plan (Papesch Architecture). The proposal satisfies the avoid/minimise requirements of the BAM.	
Waste	The site is better suited for an onsite private waste collection service with a suitably licenced private waste collection contractor. A condition of consent will be imposed accordingly.	Y
Strategic Planning	<p>Advice provided on the contributions plan requirements</p> <ul style="list-style-type: none"> <li>Contributions Plan project 01ROAD3144 and 01DRAI0005 directly affect the proposal. <ul style="list-style-type: none"> <li>102 Hillcrest Avenue includes the leg of the 01ROAD3144 internal access road that connects with Hillcrest Avenue.</li> <li>Both 102 and 106 Hillcrest Avenue includes drainage infrastructure to service the catchment.</li> </ul> </li> <li>In terms of drainage infrastructure, the Shoalhaven Contributions Plan 2014 requires that: <p><i>For subdivision, drainage is calculated as per the total englobo land area within the relevant drainage catchment area. For building approvals, drainage is calculated as per the total development area (building footprint and/or car park/landscaped area) within the relevant drainage catchment area. Developments that provide onsite stormwater detention to pre-development flows are not required to pay a contribution towards drainage projects.</i></p> </li> </ul> <p>Feedback from Council's Development Engineer will be required on whether the:</p> <ul style="list-style-type: none"> <li>Development has provided onsite stormwater detention to pre-development flows. If this is not the case, monetary contributions for 01DRAI0005 would be required for the total combined site area, being approximately 20,116m<sup>2</sup>.</li> <li>Proposed design adversely impacts the ability for Council to deliver the 01DRAI0005 drainage infrastructure as it relates to the two sites. Further discussion on this matter may be required.</li> </ul> <p>The development proposal leaves the proposed 01ROAD3144 internal access road corridor undeveloped, enabling construction of this asset into the future, as/if required. The proposed development includes a separate driveway through 106 Hillcrest Avenue, which does not rely on the internal access road. Monetary contributions will still be payable for the 01ROAD3144 project.</p>	Y

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	<p>Development engineering response:</p> <ul style="list-style-type: none"> <li>• Council's DCP Chapter G2 requires all developments to attenuate the peak stormwater flows back to pre-development rates through the use of detention. Currently, the development proposes no method of attenuating stormwater flows and therefore it would not be DCP compliant and would attract development contributions in relation to this project. However, this could be conditioned if Council chooses for it to be a requirement of the development. Further discussion on this matter may be required.</li> <li>• agree that the plans provided demonstrate that the land proposed as part of the subject development does not impact on the ability to deliver the projects under both 01ROAD3144 and 01DRAI0005 contribution projects.</li> </ul>	
Shoalhaven Water	No objection subject to compliance with Water Certificate	Y

The outstanding issues raised by Council officers are considered in the Key Issues section of this report.

#### 4.3 Community Consultation

The proposal was notified in accordance with the Council's Community Consultation Policy from 17 July 2024 until 14 August 2024. The notification included the following:

- An advertisement in the local newspaper;
- Notification letters sent to adjoining and adjacent properties;

The Council received a total of 5 unique submissions, comprising 3 objections and 2 submissions wanting clarification on the development contributions and consideration of an existing childcare facility during construction. The issues raised in these submissions are considered in **Table 7**.

**Table 7: Community Submissions**

Issue	No of submissions	Council Comments
<p><b>Noise</b></p> <p>Submissions raised concern the development will adversely increase within the immediate surrounds.</p>	3	<p>The application is supported by an Acoustic Assessment that uses modelling to predict the potential impact of the facility on the nearby residential premises.</p> <p>Additional information is required to demonstrate that, with the addition of building plant and equipment noise (e.g. air handling, heating and cooling equipment), the proposed backup generator and the potential noise from the birthing suites that the development will not generate noise levels above the project specific criteria.</p>

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		A condition will be applied to require an amended acoustic report to ensure noise from all sources is considered.
<b>Biodiversity Assessment</b> Loss of fauna & flora	2	The proposal has been reviewed by Council's Biodiversity section who have advised no objection to the proposal. Further the majority of the remainder of the site is to be left untouched and landscaping is proposed which is considered a significant enhancement of the site.
<b>Traffic Impact</b> Increased traffic	2	Council's development engineers have reviewed the proposal and advised no objection with regard to traffic, parking and access matters, subject to compliance with prescribed conditions.
<b>Compatibility with zone</b> Incompatible use with zone	1	The proposal is located in a prescribed zone hence is considered to be compatible with the zone. Impacts on surrounding uses have been considered and it is found that the proposed development is appropriate within the context of the locality.
<b>Loss of Amenity &amp; Privacy</b>	1	Council's assessment finds that the predominant amenity relates impact will be noise. This has been addressed per the comment provided in relation to noise above. Council has undertaken an assessment regarding impacts of the development on the privacy of the surrounding locality. In this regard, it is found that the proposal would not have an adverse impact on privacy. In particular, outdoor spaces within the development which would be frequently occupied are not located directly adjacent to adjoining property boundaries, and/or are sufficiently buffered by proposed buildings or vegetation / landscaping.

## 5. KEY ISSUES

The following key issues are relevant to the assessment of this application having considered the relevant planning controls and the proposal in detail:

### 5.1 Noise

The application is supported by an Acoustic Assessment that uses modelling to predict the potential impact of the facility on the nearby residential premises.

The acoustic report has considered noise generated from –

- The car park
- Trucks and waste collection
- Events in the ceremonial space
- Kids play area

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The acoustic report has not considered noise generated from other outdoor spaces as they are intended to be quiet places that would not significantly contribute to the overall noise level. Environmental Health agrees with this assessment.

The acoustic report has not considered noise generated from the birthing suites. It is noted that the birthing suites are shown with a significant area of opening windows and is located close to the eastern boundary.

The acoustic report notes that the selection of building plant and equipment has not been finalised to enable acoustic assessment. The report states that additional assessment is undertaken when this is complete to ensure suitable attenuation measures are utilised to achieve the project noise criteria.

The report concludes that exceedances of noise criteria will be expected at some residential receivers and recommends operational controls to minimise impact. These controls must be incorporated in the site Operational Management Plan referred to in the SEE.

A revised acoustic report will be required via a condition of consent to demonstrate that with the addition of building plant and equipment noise (eg. air handling, heating and cooling equipment), the proposed backup generator and the potential noise from the birthing suites that the development will not generate noise levels above the project specific criteria.

Resolution: The issue has been resolved through recommended conditions of consent as outlined in Attachment A.

## 5.2 Biodiversity Impacts

The applicant has sought a 100% reduced credit obligation for the proposal.

This is based on the community gain from a purpose designed space for 'Birthing on Country' and associated maternity health services for Aboriginal women and their families. As well as managing the property to manage and enhance biodiversity values.

The Birth Centre complements the broader activities of the Waminda South Coast Women's Health & Wellbeing Aboriginal Corporation's vision to provide health and wellbeing support services to the Shoalhaven and broader Aboriginal community. The Birth Centre will create spaces based on Waminda's culturally driven Model of Care, providing wrap-around services and cultural safety as a place for Birthing on Country.

In accordance with the requirements for applying for a reduced credit obligation, a letter prepared by Claron Consulting Pty Ltd describing the community gain from the proposal was submitted to Council with the development application

Council has reviewed the submission and supports the reduced credit obligation.

Council has reviewed and accepted the Biodiversity Development Assessment Report (BDAR) prepared by Narla Environmental. In summary the offset obligation is 11 ecosystem credits.

Council is satisfied with the long-term community gain from supporting the development far outweighs the net loss of biodiversity and will benefit the Shoalhaven indigenous community.

Further the application was referred to the Department of Climate Change, Energy, The Environment and Water (DCCEEW) who have yet to provide concurrence for a full credit obligation reduction.

Resolution: The issue has been resolved through support of DCEEW who have supported the reduced credit obligation.

## 6. CONCLUSION

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Subject to the conditions of consent the proposal is considered to be consistent with regard to the Matters for Consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. The proposed development is consistent with relevant SEPPs, and the provisions of *Shoalhaven LEP 2014* and *Shoalhaven DCP 2014* because the proposal will not generate any significant adverse impacts to surrounding neighbours or the environment. Accordingly, the proposal is recommended for approval.

### 7. RECOMMENDATION

That the Development Application DA2024/1457 for Construction and occupation of new single storey building for health services facility includes landscaping, carparking and consolidation of two lots at 102 & 106 Hillcrest Avenue SOUTH NOWRA– Lot 72 DP31078 & Lot 4 DP561605 be APPROVED pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report at Attachment A.

The following attachments are provided:

- Attachment A: Conditions of consent
- Attachment B: Architectural Plans

#### Attachment A – Conditions of Consent

GENERAL CONDITIONS						
CONDITIONS					REASON	
1.	<b>Approved plans and supporting documentation</b>				To ensure compliance with the approved plans and documents.	
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.					
	Approved Plans					
	Plan Number	Revision	Plan Title	Drawn by		Date of Plan
	10.05	B	Site Plan	Papesch Architecture		11/6/24
	11.10	B	Waste Management Plan	Papesch Architecture		11/6/24
	13.01	B	Demolition Plan	Papesch Architecture	11/6/24	

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13.02	B	Tree Removal Plan	Papesch Architecture	11/6/24
20.01	B	Proposed Ground Floor Plan	Papesch Architecture	11/6/24
20.02	B	Proposed Roof Plan	Papesch Architecture	11/6/24
30.01	B	Elevations	Papesch Architecture	11/6/24
31.01	B	Sections	Papesch Architecture	11/6/24
80.01	B	Materials & Finishes	Papesch Architecture	11/6/24
010	B	Planting Schedules	Cola Studio	22/5/24
100	B	General Arrangement Plan	Cola Studio	22/5/24
101	B	General Arrangement Plan	Cola Studio	22/5/24
102	B	General Arrangement Plan	Cola Studio	22/5/24
103	B	General Arrangement Plan	Cola Studio	22/5/24
104	B	General Arrangement Plan	Cola Studio	22/5/24
105	B	General Arrangement Plan	Cola Studio	22/5/24
500	B	Landscape Elevations	Cola Studio	22/5/24
501	B	Landscape Elevations	Cola Studio	22/5/24

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	502	B	Landscape Elevations	Cola Studio	22/5/24																																																
	650	B	Softworks Details	Cola Studio	22/5/24																																																
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2.	<b>Existing Infrastructure</b> Any required alterations or damage to infrastructure will be at the developer's expense.  <i>Note: It is recommended prior to the issue of a Construction Certificate, all infrastructure, existing and proposed, is to be shown accurately on construction plans with clearances clearly labelled confirming that the proposed works do not affect any existing</i>				To ensure existing infrastructure is accounted for and any damage to infrastructure is																																																

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	<i>infrastructure. This will reduce the potential for unexpected costs and expenses.</i>	suitably repaired.
<b>3.</b>	<b>Prescribed Conditions</b> The development must comply with Part 4, Division 2, Subdivision 1, of the <i>Environmental Planning and Assessment Regulation 2021</i> , as applicable.	To ensure compliance with prescribed conditions.
<b>4.</b>	<b>Shoalhaven Water – Compliance with Conditions</b> All conditions listed on the Shoalhaven Water Development Notice at each stage of work must be complied with as relevant to that stage. Written notification must be issued by Shoalhaven Water and evidence provided to the Certifier for each applicable stage.	To ensure compliance with Shoalhaven Water requirements.
<b>5.</b>	<b>Pool depths</b> The depth of the natural sand wading pool and shallow water feature in the birthing courtyard must not exceed 300mm at any point.	To ensure pool is not defined as a swimming pool under Swimming Pools Act 1992
<b>DEMOLITION WORK</b>		
<b>Before demolition work commences</b>		
CONDITIONS		REASON
<b>6.</b>	<b>Tree Protection</b> Before the commencement of any clearing works the following requirements must be met to the satisfaction of the Council:  a) A Project Arborist must be contracted to implement the recommendations and mitigation measures detailed in Section 6 and 7 of the approved Arbor Express Arboricultural Impact Assessment.  b) Project Arborist to hold pre construction site induction with principle contractor to discuss methods and importance of tree protection measures and resolve any issues in relation to feasibility of tree protection requirements that may arise.  c) Project Arborist to mark all trees approved for removal in accordance with the Demolition Plan Prepared by Papesch Architecture (Drawing 13.01).  d) A temporary protective barrier or similar visible material must be installed in accordance with the approved Tree Protection Plan by Arbor Express to protect the tree protection zones for retained trees 5-12, 14-16, 87, 90-93, 96-99, 101, 102-104, 126,	To minimise biodiversity impacts.

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	<p>127, 133, 135, 136-144, 146, 147, 156-158 and 160-177 and retained until all works are complete.</p> <p>e) Project Arborist to assess and certify that tree protection has been installed in accordance with AS 4970-2009.</p> <p>f) Mulch ground cover protection is required over the TPZ (where viable) of Trees 5-12, 14-16, 87, 90-93, 96-99, 101, 102-104, 126, 127, 133, 135, 136-144, 146, 147, 156-158 and 160-177. This is to consist of 100mm depth of clean and certified Eucalyptus mulch.</p> <p>Evidence of compliance with the above requirements must be provided to Council prior to the commencement of any clearing works.</p> <p>Site works must not commence until the Director – City Development (or delegate) of Shoalhaven City Council has confirmed in writing that the above have been satisfied.</p>	
7.	<p><b>Biodiversity Mitigation Measures</b></p> <p>Before the commencement of any clearing works, the following requirements must be met to the satisfaction of the Council:</p> <p>a) A suitably qualified ecologist must be engaged to conduct pre clearance surveys as well as guide and supervise the clearing work and protection of environmental features on the site.</p> <p>b) A site map must be submitted to Council showing the location and design specifications of temporary Green and Golden Bell Frog exclusion fencing as well as fencing to delineate exclusion zones including areas of retained native vegetation within the riparian area and southern portion of the subject property.</p> <p>c) Green and Golden Bell Frog Exclusion Fencing and any additional fencing to delineate exclusion zones must be installed.</p> <p>d) The project ecologist must complete pre-clearing surveys and inspections.</p> <p>e) Vegetation removal must not commence if any fauna are confirmed to be nesting (such as hollow inspection, collection of nesting material) or showing signs of breeding activity. Subsequent pre-clearance surveys are to be undertaken following the completion of the nesting/breeding event, until it is confirmed that the site is clear of nesting/breeding activity.</p> <p>Tree and vegetation removal must not commence until the Director – City Development (or delegate) of Shoalhaven City Council has confirmed in writing that the above have been satisfied.</p>	To minimise biodiversity impacts.
<p><b>DEMOLITION WORK</b></p> <p><b>During Demolition Work</b></p>		

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CONDITIONS		REASON
<b>8.</b>	<b>Biodiversity – Habitat Modification and Vegetation Removal</b> <p>The removal and/or disturbance of native vegetation and habitat on the property, including canopy trees, understorey, and groundcover vegetation must be undertaken strictly in accordance with the approved plans and be supervised by the project ecologist. Vegetation removal must be undertaken in accordance with the following:</p> <ul style="list-style-type: none"> <li>a) Trees approved for removal must be felled into the development area carefully so as not to damage trees to be retained in or beyond the development footprint.</li> <li>b) Any hollow-bearing trees approved for removal must be felled carefully in sections utilising handheld tools to allow the rescue of native fauna. Hollow-bearing sections must be carefully lowered to the ground so as not to injure native fauna.</li> <li>c) All vegetation to be removed must be inspected for wildlife prior to removal.</li> <li>d) Pruning or trimming of any trees to be retained must be undertaken in accordance with AS 4373 Pruning of amenity trees.</li> <li>e) The removal or disturbance of native vegetation on the property including but not limited to canopy trees, understorey and groundcover vegetation beyond that approved within this consent is not permitted.</li> <li>f) If any native wildlife is identified as breeding on site, clearing works must stop immediately and must not recommence until the Director – City Development (or delegate) of Shoalhaven City Council has confirmed in writing that clearing works may recommence.</li> <li>g) If any wildlife is discovered during site works and is disoriented or injured, works must stop immediately, and the project ecologist is to advise on rescue and relocation of the animal(s).</li> <li>h) Within 10 days of completing clearing work, the engaged ecologist must provide to Council written evidence of any fauna detected during pre-clearance surveys and clearing works.</li> </ul>	To minimise biodiversity impacts.
<b>BUILDING WORK</b> <b>Before Issue of a Construction Certificate</b>		
CONDITIONS		REASON
<b>9.</b>	<b>Council Approvals - Evidence</b>	To ensure all required

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	A Construction Certificate / Subdivision Works Certificate must not be issued until the Certifier has received notification from, or evidence of, any Council approval that is required before the commencement of building works.	approvals are obtained.
10.	<p><b>Erosion and Sediment Controls - Soil and Water Management Plans</b></p> <p>Before the issue of a Construction Certificate/ Subdivision Works Certificate, a Soil and Water Management Plan and specifications must be prepared in accordance with Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) by a Professional Engineer, (as defined in the National Construction Code) to the satisfaction of the Certifier.</p> <p>All plans must include:</p> <ul style="list-style-type: none"> <li>a) Area proposed to be exposed to the possibility of erosion as used in calculations;</li> <li>b) Site access locations and stabilisation details and restrictions;</li> <li>c) Erosion and sediment control locations and types;</li> <li>d) Soil, water and drainage patterns and management plans;</li> <li>e) Location of vegetated buffer strips, unstable slopes, boggy areas, and restricted "no access" areas;</li> <li>f) Nature and extent of proposed clearing, excavation and filling;</li> <li>g) Approximate location and proposed treatment of haul roads, borrow pits, site sheds and stockpiles;</li> <li>h) Proposed staging of construction and SWMP measures;</li> <li>i) Inspection and maintenance program for all soil and water management measures;</li> <li>j) Disposal site for silt removed from sediment traps;</li> <li>k) All design criteria and calculations used to size erosion and sediment control measures;</li> <li>l) Site rehabilitation details including frequency of watering;</li> <li>m) Identification of existing vegetation and site revegetation to have 70% cover established before plan is decommissioned;</li> <li>n) Existing and final contours (clearly distinguished and adequately annotated);</li> <li>o) Standard construction drawings for proposed soil, water and drainage management measures.</li> </ul> <p>All implemented measures must ensure that a pollution incident must not occur as defined by the Protection of the Environment Operations Act (POEO).</p> <p>All implemented measures must:</p> <ul style="list-style-type: none"> <li>a) not cause water pollution as defined by the Protection of the Environment Operations Act (POEO).</li> </ul>	To ensure an appropriate Erosion and Sediment Control Plan has been prepared.

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	<p>b) be maintained at all times.</p> <p>c) not be decommissioned until at least 70% revegetation cover has been established..</p>	
11.	<p><b>Access for People with a Disability</b></p> <p>Before the issue of a Construction Certificate, plans and specifications must be provided to the satisfaction of the Certifier, detailing how the building will comply with Access for People with a Disability in the National Construction Code (NCC) in force at the date of issue of the Construction Certificate.</p>	To ensure appropriate disabled access is provided.
12.	<p><b>Noise – Revised Acoustic Report</b></p> <p>An amended acoustic report must be prepared and submitted to the certifier in accordance with the recommendations of the Acoustic Report prepared by Northrop Consulting Engineers (Reference SY233386-00-AU-RP01 dated 8 May 2024) that demonstrates that the mechanical and building services equipment will not result in cumulative noise levels that exceed the project specific criteria.</p> <p>The amended report must also consider the potential noise generation from the birthing suites, considering scenarios with the windows opened or closed. All noise attenuation measures or controls must be shown on plans or incorporated into the Facility Operation and Management Plan as appropriate.</p>	To ensure the development does not cause offensive noise. To comply with legislation
13.	<p><b>Food</b></p> <p>An amended plan must be submitted to the certifier that includes a separate hand washing basin in the staff room/kitchen that is required in addition to the double bowl sink required for washing utensils.</p>	To protect food safety and comply with legislation.
14.	<p><b>Car Parking and Access Design Standards</b></p> <p>Prior to the issue of a Construction Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier or Council.</p> <p>a) A minimum number of 66 spaces must be provided on site (unless to address the following conditions) with the layout typically compliant with the approved plans.</p> <p>b) AS2890 where relevant for the accessway, parking spaces and manoeuvrability areas.</p> <p>c) The loading zone adjacent to the ambulance entry area is to be relocated to allow a minimum 5.8m access aisle for the accessible space. If this cannot be achieved, the accessible space in this location must be relocated to one of the adjacent spaces and the loading zone replacing the accessible space or</p>	To ensure carpark lighting is appropriately designed.



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	<p>shared space. On this basis, the number of spaces required to service the development it to be reduced by one space.</p> <p>d) The waste storage area is to be swapped with the 3 parking spaces to the north of the storage shed to the allow the waste servicing truck to service the bins without hindering the primary accessway.</p> <p>e) Constructed in accordance with the following for the areas only subject to light vehicular loading:</p> <p>i) with a flexible pavement, surfaced with 30mm of AC10 asphaltic concrete.</p> <p>ii) to a coloured, patterned or stamped concrete standard.</p> <p>f) Constructed in accordance with the following for the areas only subject to heavy vehicular loading:</p> <p>i) with a concrete or flexible pavement designed and constructed in accordance with Council's Engineering Design Specification for a minimum traffic loading of 1 x 106 ESA.</p> <p>g) Bordered in accordance with Council's Standard Drawings by:</p> <p>i) concrete kerbing, except where surface runoff is concentrated, in which case concrete integral kerb and gutter must be constructed.</p>	
<b>15.</b>	<p><b>Carparking - Lighting Design</b></p> <p>Before the issue of a Construction Certificate, lighting design plans are to be submitted to Council or the Certifier for approval. Lighting is to be provided to the internal driveway and car parking area in accordance with <i>AS/NZS 1158.3.1 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements</i>.</p>	To ensure carpark lighting is appropriately designed.
<b>16.</b>	<p><b>Earthworks - Site Filling Design Standards</b></p> <p>Before the issue of a Construction Certificate, certified engineering design plans and specifications for the proposed filling of the site must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.</p> <p>The site filling design must comply with the following:</p> <p>a) The site must be filled in accordance with the approved plans and graded to have an absolute minimum grade of 0.5%.</p> <p>b) The filling specification must be approved by Certifier and require all filling to be placed in accordance with AS 3798 Guidelines on earthworks for commercial and residential developments and compacted at least to the minimum relative compaction listed in the standard applicable to the type of development / subdivision.</p>	To ensure site filling is designed appropriately.

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17.	<p><b>Structural Design – Major Structures</b></p> <p>Before the issue of a Construction Certificate, a detailed structural design for the following works must be certified by a professional engineer, (as defined in the National Construction Code) and approved by the Certifier.</p> <ul style="list-style-type: none"> <li>a) Bridges and other major drainage structures, including pre-cast concrete culverts, headwalls, wing walls and stormwater pits / structures that require steel reinforcement.</li> <li>b) The structural design must comply with the Council's Engineering Design Specification – Chapter 3 – Structures/Bridge Design and relevant Australian Standards.</li> </ul>	To ensure the development is accompanied by an appropriate engineered structural design.
18.	<p><b>Stormwater - New Buildings Design Standards</b></p> <p>Before the issue of a Construction Certificate stormwater plans must be prepared by a Licensed Plumber or professional engineer (as defined in the National Construction Code) and submitted to the Certifier.</p> <p>Drainage must be designed and constructed in accordance with:</p> <ul style="list-style-type: none"> <li>a) Generally, in accordance with the Concept Engineering Stormwater Plan, Ref. No: 25058, Dwg. No: C101, Rev. 02, dated 22/05/2024 for the internal drainage works within the site.</li> <li>b) the National Construction Code</li> <li>c) Council's <a href="#">Engineering Design Specifications</a></li> <li>d) <a href="#">Development Control Plan G2</a></li> </ul>	To ensure stormwater infrastructure is designed appropriately.
19.	<p><b>Stormwater – Major Development Design Standards (Urban)</b></p> <p>Before the issue of a Construction Certificate / Subdivision Works Certificate, certified engineering design plans, specifications, and DRAINS model (or approved alternative) must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier or Council.</p> <p>The stormwater drainage design for the carpark and accessway and the conveyance to the point of discharge must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Major and minor drainage systems in accordance with Council's Engineering Design Specifications - Section D5 - Stormwater Drainage Design and utilising Australian Rainfall and Runoff (ARR, 2019) Guidelines.</li> <li>b) The minor and major systems must be designed for a 10% AEP and 1% Annual Exceedance Probability (AEP) rainfall events, respectively.</li> <li>c) Generally, in accordance with approved the Concept Engineering Stormwater Plan, Ref. No: 25058, Dwg. No: C101, Rev. 02, dated 22/05/2024, subject to the following:</li> </ul>	To ensure stormwater infrastructure is designed appropriately.

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	<p>d) Provide a revised stormwater design in accordance with Council Contribution Plan 01DRAI0005, to allow a future connection into the proposed stormwater infrastructure west of the property. A temporary connection and discharge point to the natural watercourse may still be required until such time that the drainage infrastructure to the west has been constructed.</p> <p>e) Design of stormwater drainage is to include piping, swales and easements to facilitate future development of the site.</p> <p>f) Address any upstream stormwater overland flows to ensure that they do not impact the development or impede the existing flow regime.</p>	
20.	<p><b>Stormwater - On-Site Detention Design Standards</b></p> <p>Before the issue of a Construction Certificate, details of on-site detention must be provided on the Construction Certificate plans and approved by the Certifier.</p> <p>On-site detention must be provided as:</p> <p>a) Per certified engineering design plans and specifications prepared by a professional engineer, (as defined in the National Construction Code) or surveyor. The on-site stormwater detention (OSD) design must be designed such that stormwater runoff from the site for design storm events up to and including the 1% AEP does not exceed the pre-developed conditions.</p>	To ensure stormwater infrastructure is designed appropriately.
21.	<p><b>Water Sensitive Urban Design - Water Quality, Retention and Reuse</b></p> <p>Before issue of a Construction Certificate, an Integrated Water Cycle Management Plan and detailed design of permanent water quality, retention and reuse devices must be certified by a professional engineer, (as defined in the National Construction Code) who can demonstrate the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and is to be approved by Council. Specifications can be found on Council's website.</p> <p>The stormwater treatment, retention and reuse design must comply with the following:</p> <p>a) The WSUD strategy must be able to remove 80% of Total Suspended Solids (TSS), 45% of Total Nitrogen (TN) and 45% of Total Phosphorus (TP) for the total site area as demonstrated using MUSIC software. The detailed MUSIC model must be provided to Council for acceptance.</p> <p>b) The WSUD strategy must have appropriate stormwater retention storage that is equal to or greater than 8mm for increases in all impervious surfaces compared to the pre-development condition. NOTE: The storage depth must be taken from Table 2 in DCP Chapter G2 for the development type.</p>	To ensure stormwater infrastructure is designed appropriately.

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	c) The design of the proposed WSUD devices and retention measures must comply with Council's DCP Chapter G2. Any variations to Council's DCP must be accepted by Council's Development Manager or delegate.																													
22.	<p><b>Water Sensitive Urban Design - Operation and Maintenance Manual</b></p> <p>Adopted WSUD Management, Operation, Maintenance and Monitoring Manual/s for the permanent water quality facilities must be submitted to Council before the issue of the Construction Certificate. The manuals must be prepared by a suitably qualified professional in accordance with the objectives and criteria identified in the Integrated Water Cycle Management Plan.</p>	To ensure stormwater infrastructure is designed appropriately.																												
23.	<p><b>Footpath - Design Standards</b></p> <p>Before the issue of a Construction Certificate, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by Council. The footpath design must comply with the following:</p> <p>a) Councils Engineering Design Specifications Section D8 – Cycleway and Footpath Design.</p> <p>b) A 1.5 metre-wide concrete designed for the full Hillcrest Avenue frontage of the development with:</p> <p>i) 3% cross fall from the boundary to top of kerb.</p> <p>ii) match existing footpath levels of adjoining property frontages and be a uniform grade over the length of the development site frontage, or where this cannot be achieved, a longitudinal section must be designed.</p>	To ensure road and pavement infrastructure is appropriately designed.																												
24.	<p><b>Local Infrastructure Contribution</b></p> <p>This development will generate a need for the additional services and/or facilities described in Shoalhaven Contributions Plan 2019 and itemised in the following table(s):</p> <table><tr><th>Project</th><th>Description</th><th>Rate</th><th>Qty</th><th>Total</th><th>GST</th><th>GST Incl</th></tr><tr><td>CWFIRE 2001</td><td>Citywide Fire &amp; Emergency services</td><td>\$162.05</td><td>10.09</td><td>\$1,635.08</td><td>\$0.00</td><td><b>\$1,635.08</b></td></tr><tr><td>CWFIRE 2002</td><td>Shoalhaven Fire Control Centre</td><td>\$237.08</td><td>10.09</td><td>\$2,392.14</td><td>\$0.00</td><td><b>\$2,392.14</b></td></tr><tr><td>CWMGM T3001</td><td>Contributions Management &amp; Administration</td><td>\$402.72</td><td>1.00</td><td>\$402.72</td><td>\$0.00</td><td><b>\$402.72</b></td></tr></table> <p style="text-align: right;"><b>Sub Total: \$4,429.94</b></p> <p style="text-align: right;"><b>GST Total: \$0.00</b></p> <p style="text-align: right;"><b>Estimate Total: \$4,429.94</b></p>	Project	Description	Rate	Qty	Total	GST	GST Incl	CWFIRE 2001	Citywide Fire & Emergency services	\$162.05	10.09	\$1,635.08	\$0.00	<b>\$1,635.08</b>	CWFIRE 2002	Shoalhaven Fire Control Centre	\$237.08	10.09	\$2,392.14	\$0.00	<b>\$2,392.14</b>	CWMGM T3001	Contributions Management & Administration	\$402.72	1.00	\$402.72	\$0.00	<b>\$402.72</b>	To ensure applicable local infrastructure contributions are collected.
Project	Description	Rate	Qty	Total	GST	GST Incl																								
CWFIRE 2001	Citywide Fire & Emergency services	\$162.05	10.09	\$1,635.08	\$0.00	<b>\$1,635.08</b>																								
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	<p>The total contribution, identified in the above table(s) or as indexed in future years, must be paid to Council prior to the issue of a Construction Certificate. Evidence of payment must be provided to the Certifying Authority.</p> <p>The Contributions Plan 2019 can be accessed on Councils website <a href="http://www.shoalhaven.nsw.gov.au">www.shoalhaven.nsw.gov.au</a> or may be inspected on the public access computers at the libraries and the Council Administrative Offices, Bridge Road, Nowra and Deering Street, Ulladulla.</p> <p><i>Note: There are also provisions that may apply with respect to the timing of payments. See: Environmental Planning and Assessment (Local Infrastructure Contributions - Timing of Payments) Direction 2020 (nsw.gov.au)</i></p>							
25.	<p><b>Housing and productivity contribution</b></p> <p>Before issue of any Construction Certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made.</p> <table><tr><td>Housing and productivity contribution</td><td>Amount</td></tr><tr><td>Housing and productivity contribution (base component)</td><td>\$32,084</td></tr><tr><td>Total housing and productivity contribution</td><td>\$32,084</td></tr></table> <p>The HPC must be paid using the NSW planning portal.</p> <p>At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).</p> <p>The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the Environmental Planning and Assessment Act 1979 agrees.</p> <p>The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution.</p> <p>Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution.</p> <p>The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.</p>	Housing and productivity contribution	Amount	Housing and productivity contribution (base component)	\$32,084	Total housing and productivity contribution	\$32,084	<p>To require contributions towards the provision of regional infrastructure</p>
Housing and productivity contribution	Amount							
Housing and productivity contribution (base component)	\$32,084							
Total housing and productivity contribution	\$32,084							
26.	<p><b>Construction Site Management Plan</b></p> <p>Before the issue of a construction certificate, a construction site management plan must be prepared, and be approved by the Certifier. The plan must include the following matters:</p>	<p>To ensure the site is maintained in a safe and secure manner</p>						

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	<p>a) The location and materials for protective fencing and hoardings on the perimeter of the site;</p> <p>b) Provisions for public safety;</p> <p>c) Pedestrian and vehicular site access points and construction activity zones;</p> <p>d) Details of construction traffic management including:</p> <ul style="list-style-type: none"> <li>i) Proposed truck movements to and from the site;</li> <li>ii) Estimated frequency of truck movements; and</li> <li>iii) Measures to ensure pedestrian safety near the site;</li> </ul> <p>e) Details of bulk earthworks to be carried out;</p> <p>f) The location of site storage areas and sheds;</p> <p>g) The equipment used to carry out works;</p> <p>h) The location of a garbage container with a tight-fitting lid;</p> <p>i) Dust, noise and vibration control measures;</p> <p>j) The location of temporary toilets;</p> <p>k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:</p> <ul style="list-style-type: none"> <li>i) AS 4970 – Protection of trees on development sites;</li> <li>ii) An arborist's report approved as part of this consent.</li> </ul> <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p>	
27.	<p><b>Long Service Levy</b></p> <p>Before the issue of the relevant Construction Certificate /, the long service levy must be paid to the Long Service Corporation of Council under the Building and Construction industry <i>Long Service Payments Act 1986</i>, section 34, and evidence of the payment is to be provided to the Certifier.</p>	To ensure compliance with long service levy requirements.
28.	<p><b>Retaining Walls – Design Standards</b></p> <p>Before the issue of a Construction Certificate for approved retaining walls exceeding 600mm in height above ground level (existing) and/or within 1m of a property boundary, detailed design plans must be prepared and submitted to the Certifier for approval.</p> <p>The retaining walls must satisfy the following:</p> <p>a) For retaining walls exceeding 600mm in height above natural ground level (existing) a professional engineer has certified the retaining walls as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load; and</p>	To ensure retaining walls are appropriately designed.

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	<p>b) For retaining walls less than 600mm in height above natural ground level (existing) the Certifier must be satisfied that the retaining walls are structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load.</p> <p>c) Retaining walls, footings and drainage must be contained wholly within the development site.</p> <p>d) Construction within a registered easement is prohibited.</p> <p>Retaining walls not shown on the approved plan must meet the criteria for Exempt retaining walls and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> or be approved by way of Complying Development before construction and comply with the relevant criteria listed in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	
29.	<p><b>Section 68 Application – Water Supply, Sewerage and Stormwater Drainage</b></p> <p>Before the issue of a Construction Certificate, an application for water supply, sewerage and stormwater drainage and/or sewage management facility must be approved under section 68 of the <i>Local Government Act 1993</i>.</p>	To ensure relevant approvals are obtained.
<p><b>BUILDING WORK</b></p> <p><b>Before Building Work Commences</b></p>		
CONDITIONS		REASON
30.	<p><b>Appointment of Principal Certifier</b></p> <p>Before building/subdivision work commences a Principal Certifier must be appointed.</p>	To ensure a Principal Certifier is appointed where required.
31.	<p><b>Construction Certificate</b></p> <p>A Construction Certificate must be obtained from either Council or a certifier before any building work can commence.</p>	To ensure a appropriate building and Subdivision Certificates are obtained.
32.	<p><b>Potentially Contaminated Land</b></p> <p>Further environmental investigation of the suspected fill and gully must be undertaken in accordance with the Conclusions and</p>	To ensure the site is suitable for the proposed development



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	<p>Recommendations of the Preliminary Site Investigation prepared by Reditus Consulting Pty Ltd Ref 23300 9 November 2023.</p> <p>Where contamination is found, the site must be managed under the supervision of the environmental consultant, in accordance with relevant NSW Environment Protection Authority (EPA) Guidelines.</p>	<p>and to implement the recommendations of the PSI</p>
33.	<p><b>Dilapidation Report (Minor)</b></p> <p>Before the commencement of work, the developer must engage a competent person to prepare a dilapidation report in respect of the neighbouring premises and adjacent public infrastructure, including adjacent kerbs, gutters, footpaths (formed or unformed), driveways (formed or unformed), carriageway, reserves and the like to document evidence of any existing damage.</p> <p>The dilapidation report must consider the impact of any excavation work that extends below the level of the base of the footings of any structure within 900mm of the shared boundary.</p> <p>Before works commence, a copy of the dilapidation report must be provided to the Certifier and Council. The dilapidation report will be the benchmark for necessary repairs to damage caused during the development works. All repairs must be completed by the developer at the developer's cost.</p> <p>Not less than seven (7) days before works commence, the developer must notify the owner of any affected property of the intention to carry out approved works. The developer must also furnish the owner with details of the approved work.</p> <p>However, if the occupier or owner of any neighbouring dwelling does not permit reasonable access for the purposes for the preparation of the dilapidation report, written evidence of the efforts taken to secure access may be submitted to the Principal Certifier and the Principal Certifier may waive the requirement in relation to the relevant property.</p> <p><i>Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.</i></p>	<p>To ensure a suitable dilapidation report is prepared and the status of existing infrastructure and adjoining structures is recorded prior to the commencement of work.</p>
34.	<p><b>Erosion and Sediment Controls – Implementation</b></p> <p>Before any site work commences, the 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 disturbed areas have been stabilised in accordance with Landcom's publication Managing Urban Stormwater - Soils and Construction (2004) and approved plans (as amended from time to time).</p>	<p>To ensure appropriate erosion and sediment control measures are in place.</p>
35.	<p><b>Notice of Commencement</b></p> <p>Notice must be given to Council at least two (2) days before the commencement of building or subdivision work by completing and</p>	<p>To ensure appropriate</p>

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	returning the form ' <a href="#">Commencement Notice for Building or Subdivision Work and Appointment of Principal Certifying Authority</a> '.	notice is given to Council.
<b>36.</b>	<p><b>Shoalhaven Water – Application for Certificate of Compliance</b></p> <p>Before commencement of works, an application for a Certificate of Compliance must be made with Shoalhaven Water and where required a Water Development Notice is to be obtained.</p> <p>Shoalhaven Water will determine if sewerage and/or water infrastructure and/or easements will be affected by any part of your development including what charges/fees apply. Please visit <a href="https://shoalwater.nsw.gov.au/planning-building/developers-consultants/water-development-notice">https://shoalwater.nsw.gov.au/planning-building/developers-consultants/water-development-notice</a> to make application for a Certificate of Compliance or call (02) 4429 3214 to learn more about applying.</p> <p>Upon the receipt of the application, Shoalhaven Water will assess the development and if required will issue a "Water Development Notice" document detailing all requirements which must be met.</p> <p><i>Note: As water and/or sewerage infrastructure may impact on part/s or all of the development such as building, provision of services, protection of water and/or sewer assets, etc., it is recommended that this application is made as early as possible during the development process.</i></p>	To ensure a Water Development Notice and Certificate of Compliance are obtained.
<b>37.</b>	<p><b>Construction Traffic Management Plan</b></p> <p>Before the commencement of works, a Construction Traffic Management Plan detailing the proposed method of dealing with construction traffic and parking must be approved by Council.</p> <p>Details must include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a) Stabilised site construction access location</li> <li>b) Haulage routes</li> <li>c) Traffic control planning for each of the various phases of construction and/or vehicle movements associated with construction</li> <li>d) Parking arrangements for construction employees and contractors</li> <li>e) Proposed maintenance of the haulage routes and access locations</li> <li>f) Name of the person responsible for such maintenance</li> <li>g) Loading / unloading areas</li> <li>h) Requirements for construction or work zones</li> <li>i) Pedestrian and cyclist safety</li> <li>j) Speed zone restrictions.</li> </ul>	To ensure construction traffic is managed in a safe and appropriate manner.

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	<p>k) Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CTMP</p>	
38.	<p><b>Works within the Road Reserve – Submissions to Council</b></p> <p>Before undertaking any works within an existing road reserve, the developer must obtain the consent of Council under <i>section 138 of the Roads Act, 1993</i>.</p> <p>The following details must be submitted to Council as part of the application:</p> <ul style="list-style-type: none"> <li>a) Any civil works design required by this consent.</li> <li>b) Evidence of the contractor's Public Liability Insurance to an amount of \$20 million.</li> <li>c) Name and contact information of the person responsible for all relevant works.</li> <li>d) A Traffic Control Plan prepared, signed, and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation.</li> <li>e) Where the Traffic Control Plan requires a reduction of the speed limit, a 'Application for Speed Zone Authorisation' must be obtained from the relevant road authority.</li> </ul>	<p>To ensure relevant approvals are obtained.</p>
39.	<p><b>Driveway – Design Standards (Urban)</b></p> <p>Prior to the commencement of works in the road reserve, engineering design plans must be prepared by a suitably qualified person and approved by Council. The layback/footpath crossing design must comply with the following:</p> <ul style="list-style-type: none"> <li>a) Council's Engineering Design Standard Drawings.</li> <li>b) Constructed using 20 MPa reinforced concrete, reinforced with SL72 mesh, on a 150mm compacted road base with centrally placed slab of minimum 6 metres width and minimum 150mm depth.</li> <li>c) Designed using turning paths for the longest vehicle expected to use the site as the check vehicle. A B99 vehicle is to be used as the design vehicle to stay within the lanes of the road carriageway.</li> <li>d) Removal of sufficient width of existing road seal and pavement to allow placing of formwork and laying/compaction of suitable pavement material for the driveway layback with a minimum 300mm offset to the kerb lip line.</li> <li>e) Removal or trimming of the required vegetation along the Hillcrest Avenue road reserve to achieve sight distance compliant with AS2890.1 for non-domestic properties.</li> </ul>	<p>To ensure road and pavement infrastructure is appropriately designed.</p>

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40.	<b>Toilet Facilities – Temporary</b> Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must: <ul style="list-style-type: none"> <li>a) be a standard flushing toilet connected to a public sewer, or</li> <li>b) have an on-site effluent disposal system approved under the <i>Local Government Act 1993</i>, or</li> <li>c) be a temporary chemical closet approved under the <i>Local Government Act 1993</i>.</li> </ul>	To ensure suitable toilet facilities are provided.
41.	<b>Waste Management Plan – an approved document of this consent</b> Before the commencement of site works a final waste management plan in accordance with the submitted WMP prepared by Low Impact Development Consulting dated 21/5/24 be modified to address the following: <ul style="list-style-type: none"> <li>i. The loading zone adjacent to the ambulance entry area is to be relocated to allow a minimum 5.8m access aisle for the accessible space. If this cannot be achieved, the accessible space in this location must be relocated to one of the adjacent spaces and the loading zone replacing the accessible space or shared space. On this basis, the number of spaces required to service the development it to be reduced by one space.</li> <li>ii. The waste storage area is to be swapped with the 3 parking spaces to the north of the storage shed to the allow the waste servicing truck to service the bins without hindering the primary accessway.</li> </ul> The Final Waste Management Plan must be provided to the Certifier for review and approval.	To ensure an appropriate waste management plan is provided.
<b>BUILDING WORK</b> <b>During Building Work</b>		
CONDITIONS		REASON
42.	<b>Acid Sulfate Soils - Unexpected Finds</b> If acid sulfate soils are encountered during excavation and/or construction works, all work must cease, and Shoalhaven City Council notified immediately. The extent of acid sulfate soil must be evaluated by a qualified environmental consultant with experience in the assessment of acid sulfate soils and a preliminary assessment provided to Council. Council will determine an	To ensure acid sulfate soils are appropriately managed.

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	appropriate response, including if an Acid Sulfate Soils Management Plan is required to be prepared and implemented, before works can recommence.	
<b>43.</b>	<p><b>Discovery of relics and Aboriginal objects</b></p> <p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ul style="list-style-type: none"> <li>a) the work in the area of the discovery must cease immediately.</li> <li>b) the following must be notified for a relic – the Heritage Council; or</li> <li>c) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</li> <li>d) Site work may recommence at a time confirmed in writing by: <ul style="list-style-type: none"> <li>i) for a relic – the Heritage Council; or for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</li> </ul> </li> </ul>	To ensure the protection of objects of potential significance during works.
<b>44.</b>	<p><b>Potentially Contaminated Land - Unexpected Finds</b></p> <p>If unexpected, contaminated soil and/or groundwater is encountered during any works:</p> <ul style="list-style-type: none"> <li>a) all work must cease, and the situation must be promptly evaluated by an appropriately qualified environmental consultant.</li> <li>b) the contaminated soil and/or groundwater must be managed under the supervision of the environmental consultant, in accordance with relevant NSW Environment Protection Authority (EPA) Guidelines.</li> </ul> <p>If unexpected, contaminated soil, or groundwater is treated and/or managed on-site an appropriately qualified environmental consultant must verify that the situation was appropriately managed in accordance with relevant NSW EPA guidelines before recommencement of works. The verification documentation must be provided to the satisfaction of the Certifier and Shoalhaven City Council before the recommencement of any works.</p> <p>If contaminated soil or groundwater is to be removed from the site, it must be transported to an appropriately licensed waste facility by an NSW EPA licensed waste contractor in accordance with relevant NSW EPA guidelines including the Waste Classification Guidelines (2014).</p> <p><i>Note: An appropriately qualified environmental consultant will have qualifications equivalent to CEnvP "Site Contamination" (SC)</i></p>	To ensure any detected contaminants are appropriately managed.

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	<i>Specialist - by Certified Environmental Practitioner or 'Certified Professional Soil Scientist' (CPSS CSAM) by Soil Science Australia (SSA).</i>	
<b>45.</b>	<b>Earthworks - Cut, Fill and Grading</b> The maximum grading of cut or fill must be 2H:1V where there is no retaining wall or no other method of stabilising cut or fill during construction. Earthworks and retaining walls must be constructed as per the approved plans.	To ensure earthworks are appropriately retained.
<b>46.</b>	<b>Site Management - Hours for Construction</b> Construction may only be carried out between 7.00am and 5.00pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday. Proposed changes to hours of construction must be approved by Council in writing.	To ensure site work occurs within appropriate construction hours.
<b>47.</b>	<b>Site Management - Maintenance of Site and Surrounds</b> During works, the following maintenance requirements must be complied with: <ul style="list-style-type: none"> <li>a) All materials and equipment must be stored and delivered wholly within the work site unless an approval to store them elsewhere is held.</li> <li>b) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.</li> <li>c) Where tree or vegetation protection measures are in place, the protected area must be kept clear of materials and / or machinery.</li> <li>d) The developer must maintain the approved soil water management / erosion and sediment control measures to the satisfaction of the Certifier for the life of the construction period and until runoff catchments are stabilised.</li> <li>e) During construction:               <ul style="list-style-type: none"> <li>i) all vehicles entering or leaving the site must have their loads covered, and</li> <li>ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.</li> </ul> </li> <li>f) At the completion of the works, the work site must be left clear of waste and debris.</li> </ul>	To ensure the site is maintained in a safe and secure manner.
<b>48.</b>	<b>Site Management – Noise</b>	To protect the amenity of

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	<p>The noise from all site work, demolition and construction activities associated with the approved development must comply with the work practices as outlined in the NSW Department of Environment &amp; Climate Change Interim Construction Noise Guideline. The LAeq noise level measured over a period of not less than 15 minutes During works must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.</p>	neighbouring properties.
49.	<p><b>Stormwater – Overland Flow, Redirecting and/or Concentrating Stormwater</b></p> <p>All excavation, backfilling and landscaping works must not result in:</p> <ul style="list-style-type: none"> <li>a) any change to the overland stormwater flow path on your property and or a neighbouring property. If any change to the overland flow path occurs on a property, the stormwater runoff must be collected and directed to a legal point of discharge.</li> <li>b) the redirection and/or concentration of stormwater flows onto neighbouring properties.</li> </ul>	To ensure stormwater is appropriately managed.
50.	<p><b>Tree Protection – During Building Works</b></p> <p>Tree protection during building works for trees to be retained as shown on the Demolition Plan Prepared by Papesch Architecture (Drawing 13.01) should be conducted in accordance with the following:</p> <ul style="list-style-type: none"> <li>a) The Project Arborist should carryout regular site inspections to ensure works are carried out in accordance with the recommendations from the Arboricultural Impact Assessment (Arbor Express).</li> <li>b) The Project Arborist to supervise all manual excavations and root pruning inside the TPZ of any tree to be retained. Project Arborist to approve all pruning of roots greater than 30mm inside TPZ. All root pruning of roots greater than 30mm in diameter must be carried out by an AQF level 5 Arborist.</li> <li>c) Project Arborist to certify that all underground services including storm water inside TPZ of any tree to be retained have been installed in accordance with AS 4970-2009.</li> <li>d) Project Arborist to approve relocation of tree protection for landscaping. All landscaping works within the TPZ of trees to be retained are to be undertaken in consultation with the Project Arborist to minimise the impact to trees.</li> </ul> <p>No over-excavation, battering, or benching shall be undertaken beyond the building footprint of any structure unless approved by the Project Arborist.</p>	To ensure protection of retained trees



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51.	<b>Biodiversity – Site Preparation and Stockpiling</b> During building works, there must be no vegetation clearing or disturbance, site preparation or stockpiling within the following exclusion areas: a) Tree protection zones for trees to be retained as shown in Section 5 of the Arboricultural Impact Assessment (Arbor Express). b) The riparian area including 10m either side of the first order stream shown on the Site Plan Prepared by Papesch Architecture (Drawing 10.05) and the area to the south of the riparian area. The dripline of all retained trees and native vegetation as shown on the Site Plan Prepared by Papesch Architecture (Drawing 10.05)	To protect biodiversity
52.	<b>Wildlife Protection Measures</b> During building/subdivision works, the following wildlife protection measures are to be followed: a) All vegetation to be removed must be inspected for wildlife prior to removal. b) Structures proposed for demolition may provide habitat for microbats and other native wildlife and must be inspected prior to removal. c) Works must cease until any wildlife present has relocated. d) All vehicles and mechanical plant must be inspected for wildlife prior to operation. e) All trenches must be inspected for wildlife prior to backfilling. If any wildlife is discovered during site works and is disoriented or injured, works must stop immediately, and the project ecologist is to advise on rescue and relocation of the animal(s).	To protect biodiversity
<b>BUILDING WORK</b> <b>Before Issue of an Occupation Certificate</b>		
<b>CONDITIONS</b>  53. <b>Completion of Public Utility Services</b> Before the issue of the relevant Occupation Certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.		<b>REASON</b>  To ensure required changes to public utility services are completed, in accordance with the relevant agency

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		requirements, before occupation.
<b>54.</b>	<b>Works in the Road Reserve – Evidence of Completion</b> Before the issue of a full Occupation Certificate, the developer must provide the Certifier with a Construction Inspection Ticket / Completion of Works in Road Reserve Letter provided by Council, confirming compliance with the requirements of section 138 of the <i>Roads Act 1993</i> .	To ensure works in the road reserve are completed appropriately.
<b>55.</b>	<b>Works in the Road Reserve – Works as Executed</b> Before the issue of an Occupation Certificate, Works as Executed Plans for works within the road reserve must be prepared by a registered surveyor / professional engineer, (as defined in the National Construction Code) and approved by Council demonstrating compliance with the approved design plans.  The Works as Executed dimensions and levels must be shown in red on a copy of the approved plans and comply with the following requirements: a) Council's Development Engineering Construction Specification. b) Show compliance with the approved design plans of all road and drainage works. c) Show any retaining walls including footings and agricultural drainage lines. d) Show the location of all underground service conduits. e) Include all deviations from the approved Civil Engineering Plans.	To ensure works as executed plans are prepared and provided.
<b>56.</b>	<b>Maintenance Bond for Civil Works</b> Before the issue of the Occupation Certificate, the developer must submit a cash bond or irrevocable bank guarantee equal to 5% of the cost of the civil works (excluding water supply and sewerage) to Council for a minimum period of 12 months to provide security and assurance that the developer will repair any defective works or re-establish ground cover where this has not been maintained.	To ensure any damage or defective work is suitably repaired.
<b>57.</b>	<b>Retaining Walls – Certification</b> Before the issue of an Occupation Certificate, certification must be provided to the Certifier prepared by a professional engineer, (as defined in the National Construction Code), certifying that retaining walls within 1m of the property boundary or exceeding 1m in height above ground level (existing) are constructed in accordance with the approved engineering design plans.	To ensure retaining walls have been constructed appropriately.

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	<p>The Certifier must be satisfied that all retaining walls have been constructed in accordance with the relevant retaining wall plans and specifications, and in accordance with the requirements of any other conditions of this consent.</p> <p><i>Note: This condition does not prevent a partial Occupation Certificate to be issued for the parts of the development that have been completed.</i></p>	
58.	<p><b>On-site Detention System</b></p> <p>Before the issue of an Occupation Certificate, the developer must:</p> <ol style="list-style-type: none"> <li>provide a certificate from a professional engineer, (as defined in the National Construction Code) to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.</li> <li>create a restriction on use under the Conveyancing Act 1919 over the on-site detention system naming the authority having the power to release, vary or modify the restriction referred to as Shoalhaven City Council and provide it to the Certifier as follows: <ol style="list-style-type: none"> <li>the property owner(s) are to undertake maintenance in accordance with the Construction Certificate approved On-Site Stormwater Detention System and Maintenance Schedule (application number to be referenced).</li> <li>the registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited.</li> <li>The expression 'on-site stormwater detention system' must include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.</li> </ol> </li> </ol>	<p>To ensure required on site detention infrastructure is provided and requirements registered on the title of the land.</p>
59.	<p><b>Stormwater – Works as Executed</b></p> <p>Before the issue of an Occupation Certificate, a Works as Executed Plans and certification must be submitted to the Certifier and Council by a registered surveyor / professional engineer (as defined in the National Construction Code) certifying compliance of all drainage works with the approved design plans and the National Construction Code.</p> <p>The Works as Executed be shown in red on a copy of the approved plans. This plan must verify fulfillment of relevant construction notes, as well as the construction locations, invert levels &amp; sizes of all pipelines.</p>	<p>To ensure works as executed plans are prepared and provided.</p>

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	Where the system includes an underground tank, a certificate of structural adequacy must be prepared and provided by a professional engineer (as defined in the National Construction Code).	
60.	<b>Driveway – Redundant Driveways and Crossings</b> Before the issue of an Occupation Certificate all redundant vehicle crossings and lay backs rendered unnecessary by this development must be reconstructed to match the existing kerb and gutter. The verge must be appropriately graded, top soiled and turfed in a manner that conforms with adjoining road reserve. The area forward of the front boundary must be kept smooth, even and free from any trip hazards. All alterations of public infrastructure where necessary are at the developer's expense.	To ensure redundant vehicle crossings and laybacks are appropriately removed.
61.	<b>Driveway – Evidence of Completion</b> Before the issue of an Occupation Certificate, all driveway works internal to the site as shown on the approved plans must be completed.	To ensure the completion of the driveway in a timely manner
62.	<b>Dilapidation Report (Minor) – Evidence of Completion</b> Before the issue of an Occupation Certificate, the developer must provide the Certifier and Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer to the satisfaction of Council.	To ensure any damage not previously identified in the Dilapidation Report is suitably repaired.
63.	<b>Waste – Private Collection Service</b> Before the issue of an Occupation Certificate, the developer/owner must provide evidence to the Certifier of a formal agreement with a licenced private waste contractor to service the development. A copy of the contract must be forwarded to Council. The agreement must ensure: <ol style="list-style-type: none"> <li>the removal of all waste from the developed property.</li> <li>the service is functional and meets the operational requirements for the developed property.</li> <li>the service minimises environmental nuisances including noise and other adverse impacts on the safety and amenity of residents and the public.</li> <li>the developer/owner indemnifies Council against claims for loss or damages, should Council take over provision of the service at some point in the future.</li> </ol>	To ensure an appropriate waste management agreement is entered into.

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<b>64.</b>	<b>Section 68 Approvals – Evidence of Completion</b> All the conditions under the approval of section 68 of the <i>Local Government Act 1993</i> are to be complied with before the issue of an Occupation Certificate.	To ensure compliance with section 68 approval.
<b>65.</b>	<b>Fire Safety – Evidence of Compliance</b> Before the issue of an Occupation Certificate the Certifier must be provided with a Final Fire Safety Certificate showing compliance with the Fire Safety Schedule.	To ensure compliance with the Fire Safety Schedule.
<b>66.</b>	<b>Shoalhaven Water – Certificate of Compliance</b> Before the issue of any Occupation Certificate, a Certificate of Compliance under section 307 of the <i>Water Management Act 2000</i> must be obtained from Shoalhaven Water to verify satisfactory compliance with all conditions for the supply of water and sewerage, as listed on the Water Development Notice.  If the development is to be completed in approved stages, or application is subsequently made for staging of the development, separate Compliance Certificates must be obtained for each stage of the development.	To ensure compliance with Shoalhaven Water requirements.
<b>67.</b>	<b>Tree Protection Certification and Reporting</b> After all demolition, construction and landscaping works are complete the Project Arborist must:  a) Assess the condition of retained trees and provide recommendations for remediation works if required. b) Provide a final project report to the certifier that demonstrates tree protection measures required by the consent have been implemented and any recommended remediation measures following final inspection.	To protect existing trees
<b>68.</b>	<b>Warm Water Supply</b> The warm water system must be notified to Council in writing in accordance with the NSW Public Health Act 2010 and Public Health Regulation 2022.	Legionella control to protect public health and comply with legislation.
<b>69.</b>	<b>Landscaping</b> Before the issue of an Occupation Certificate, the landscaping as shown on Landscape Plan General Arrangement Set (Cola Studio Drawings 100-105) must be completed. Evidence of completion must be submitted to the Director – City Development (or delegate) of Shoalhaven City Council for review and approval.	To ensure landscaping is completed in accordance with the landscape plan

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70.	<b>Land Consolidation</b> Consolidation of the land into one lot is required. Plan of consolidation to be registered with NSW Land Registry prior to issue of an Interim or Final Occupation Certificate	To ensure consolidation of lots
<b>BUILDING WORK</b> <b>Occupation and Ongoing use</b>  <div> <div>CONDITIONS</div> <div>REASON</div> </div>		
71.	<b>Occupation – Satisfaction of Conditions of Consent</b> The development must not be occupied or used before an Occupation Certificate has been issued by the Principal Certifier. If an Occupation Certificate is not required, the use must not commence until all conditions of development consent have been met or other satisfactory agreements have been made with Council (i.e., a security).	To ensure conditions of consent are complied with or other satisfactory arrangement made.
72.	<b>Site Management - Commercial/Industrial Development</b> The owner or operator must at all times be responsible for on-going site management and maintenance in accordance with the following: <ul style="list-style-type: none"> <li>a) loading and unloading in relation to the use of the premises must occur in the designated loading areas or within the road reserve under an approved traffic control plan.</li> <li>b) goods or machinery must be stored, and all activities must occur, inside the building(s) and not in the carpark or driveway areas.</li> <li>c) maintenance and replacement (if necessary) of all landscaping in accordance with the approved landscape plan.</li> <li>d) maintenance of vehicular movement areas including driveways, carparking, manoeuvring areas, line marking, pedestrian facilities, lighting, to the standard specified by this consent.</li> <li>e) ongoing waste and recycling must be managed in accordance with the approved Waste Management Plan. Waste bins are not to be stored within the loading area/space that is visible from a public place.</li> <li>f) maintenance of stormwater drainage pipes and systems to ensure efficient discharge of stormwater in accordance with the approved stormwater drainage plan.</li> <li>g) maintenance of buildings, fencing, signage/markings to the standards specified in this consent.</li> </ul>	To ensure the site is maintained and operated in a safe and appropriate manner.

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	<p>h) the removal of all graffiti within a maximum of 14 days of being notified by Council.</p> <p>i) Maintenance of noise attenuation measures from the approved Acoustic Report for the life of the development.</p>	
<b>73.</b>	<p><b>Noise</b></p> <p>The noise level from the use must not exceed the greater of the following sound pressure levels inside any habitable room between 10pm and 7am inside any habitable room of an affected residential accommodation or tourist and visitor accommodation:</p> <ul style="list-style-type: none"> <li>• <math>L_{eq,15min}</math> 40 dBA or the prevailing RBL plus 5 dB, whichever is the greater, and/or</li> <li>• <math>L_{Fmax}</math> 52 dBA or the prevailing RBL plus 15 dB, whichever is the greater.</li> </ul> <p>Should Council receive complaints regarding noise from the use of the premises. noise monitoring shall be undertaken by a suitably qualified and experienced acoustic engineer. This monitoring shall include a minimum of 4 consecutive 15 minute periods and shall be measured at the two closest residences to the development. The period shall be selected to measure sound emission from full operation of the development and all activities undertaken therein. The report shall be provided to Council and additional noise abatement measures shall be undertaken until Council is satisfied that the development complies with all noise amenity criteria.</p>	To protect acoustic amenity of surrounding properties
<b>74.</b>	<p><b>Noise – Commercial/Industrial Development</b></p> <p>The use of the approved development must not give rise to transmission of unacceptable vibration or an offensive noise to any place of different occupancy or the public in accordance with the NSW Environment Protection Authority's <i>Noise Policy for Industry</i> and <i>Noise Guide for Local Government</i> (guideline) and the <i>Protection of the Environment Operations Act (POEO Act)</i>.</p>	To protect the amenity of neighbouring properties
<b>75.</b>	<p><b>Warm Water Supply</b></p> <p>The premises shall comply with the requirements of NSW Health Policy Directive PD2015_008 Water – Requirements for the provision of cold and heated water and Part 3 Division 2 of the NSW Public Health Act 2010 – Legionella Control.</p>	Legionella control to protect public health and comply with legislation.
<b>76.</b>	<p><b>Public Swimming Pool</b></p> <p>Any swimming pool, including an interactive water feature or other recreational aquatic structure intended to be bathed in for recreational purposes must be designed and operated in accordance with the requirements of the NSW Public Health Act 2010, must be disinfected in such a way as to minimise the</p>	To protect public health and to comply with legislation



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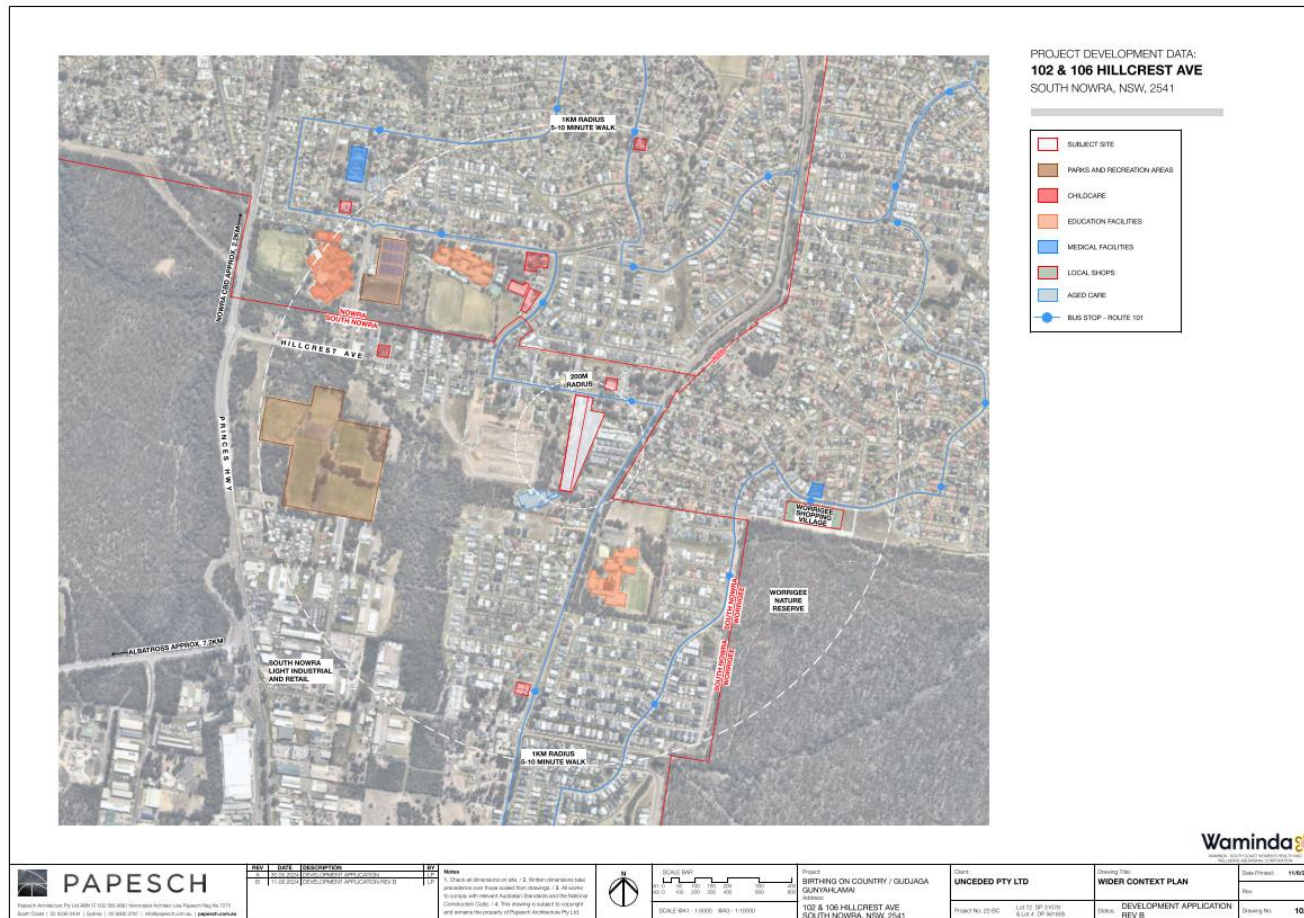
	transmission of disease and must be notified to Council before it is used. A notification form is available from Council's website.	
<b>77.</b>	<b>Stormwater – Maintenance of Stormwater Infrastructure</b> The approved stormwater design and any associated on-site detention must be maintained for the life of the development in accordance with the approved documents and maintenance programs.	To ensure stormwater infrastructure is maintained for the life of the development.
<b>78.</b>	<b>Contribution Project Corridor</b> For the life of the development and until the project is constructed or deleted, the area identified under Contribution Plan 01ROAD3144 (designed as a 20m road casement) is to be kept clear of construction or development for the existence of this approval.	To ensure that the contribution plan can be delivered by Council or a future developer.
<b>79.</b>	<b>Fire Safety – Annual Statement</b> A building owner must ensure that an annual fire safety statement prepared by a competent fire safety practitioner is issued each year and that a copy of the statement is provided to the Shoalhaven City Council and the Commissioner of Fire and Rescue NSW. An <a href="#">application form</a> is available on Council's website. <i>Note: An annual fire safety statement is a declaration by, or on behalf of a building owner that a competent fire safety practitioner (CFSP) has:</i> <ol style="list-style-type: none"> <li>assessed, inspected and verified the performance of each existing essential fire safety measure that applies to the building</li> <li>inspected the exit systems serving the building and found that the exit systems within the building do not contravene the Environmental Planning and Assessment Regulation 2021</li> </ol> <i>Failure to give Council an annual fire safety statement by the due date constitutes a separate offence for each week beyond that date for which the failure continues. Substantial penalties for non-compliance apply under the Environmental Planning and Assessment Act 1979.</i>	To ensure an annual fire safety statement is prepared.
<b>80.</b>	<b>Hours of Operation</b> The use must only operate between the following hours: <ul style="list-style-type: none"> <li>Birthing Centre – 24/7-365 days per year</li> <li>Nabu Support Clinic – Monday to Friday 8am-6pm</li> </ul>	To ensure the premises operates within the approved hours of operation

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81.	<p><b>Waste – Waste and Recycling Bin Collection Point</b></p> <p>The nominated collection point is to be utilised to facilitate the collection of waste and recycling bins for the property. The collection point is to be kept clear of obstructions at all times so not to restrict the collection of waste and recycling bins.</p>	<p>To ensure an appropriate waste collection point is dedicated.</p>
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Attachment B – Architectural Plans



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The figure consists of a central aerial site plan and eight surrounding photographs labeled View A through View H.

**Central Aerial Site Plan:**

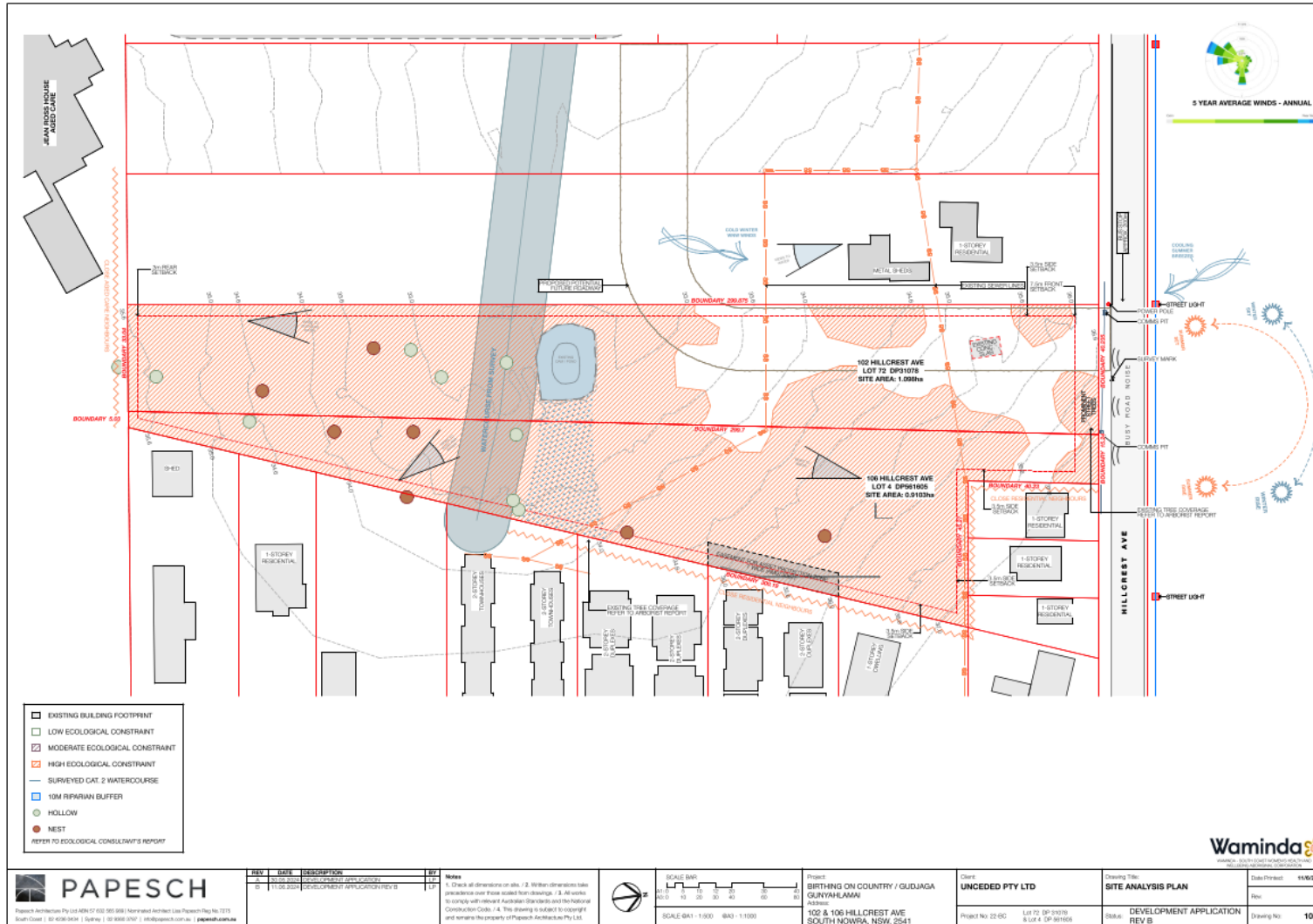
- Streets:** Hillcrest Avenue (top), Old Southern Road (right), and a road labeled 'VIEW C' (bottom right).
- Proposed Development:** A large rectangular area outlined in red, labeled 'PROPOSED' in red text.
- Lot Numbers and Details:**
  - LOT 1 DP 1208170
  - LOT 2 DP 1208170
  - LOT 3 DP 1208170
  - LOT 4 DP 1208170
  - LOT 5 DP 1208170
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**Surrounding Photographs:**

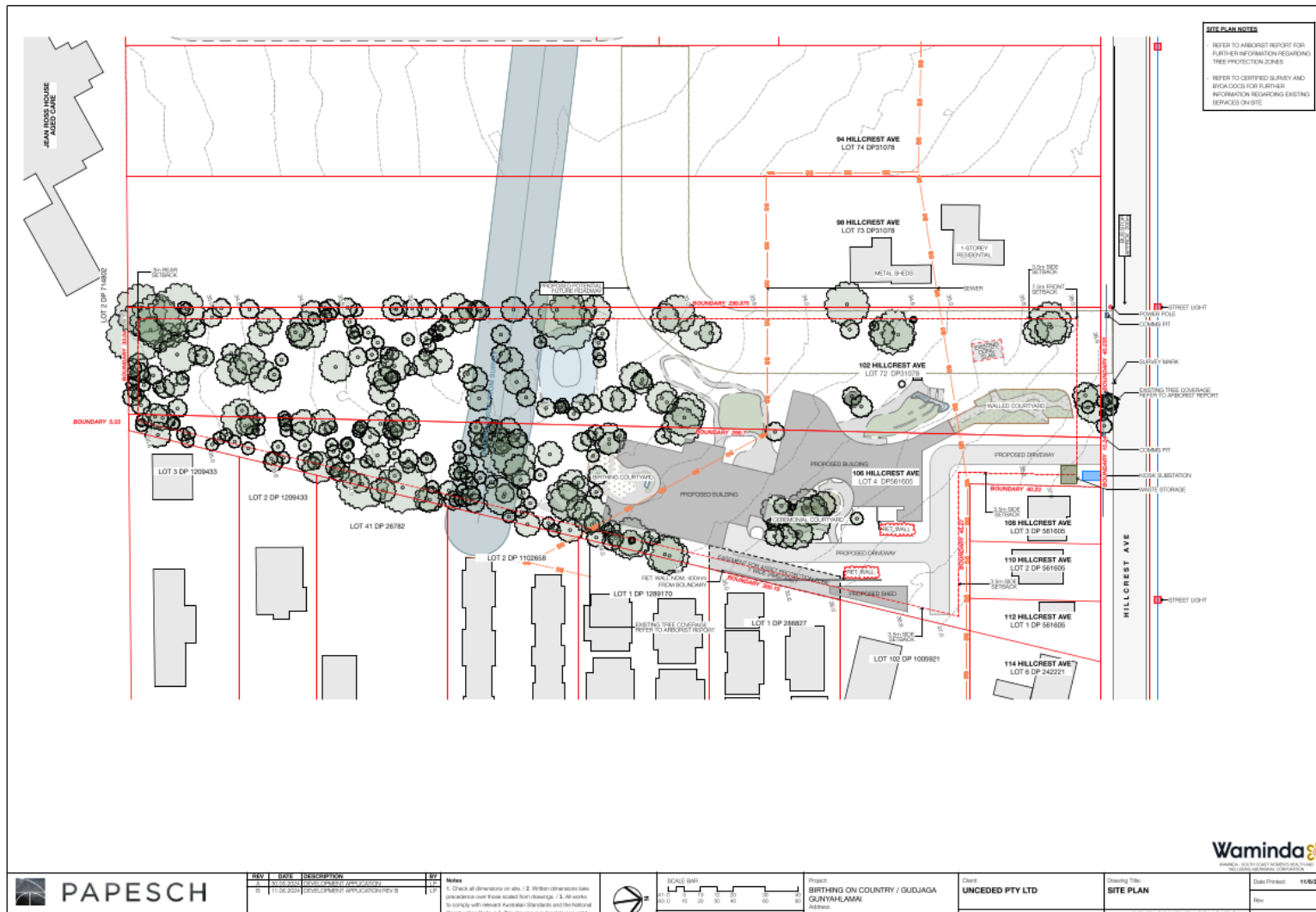
- View A:** Aerial view of the site from the north, showing Hillcrest Avenue and the proposed development area.
- View B:** Aerial view of the site from the west, showing Old Southern Road and the proposed development area.
- View C:** Aerial view of the site from the south, showing the proposed development area and surrounding residential lots.
- View D:** Aerial view of the site from the east, showing the proposed development area and surrounding residential lots.
- View E:** Ground-level view of the site from the north, showing the proposed development area and surrounding residential lots.
- View F:** Ground-level view of the site from the west, showing Old Southern Road and the proposed development area.
- View G:** Ground-level view of the site from the south, showing the proposed development area and surrounding residential lots.
- View H:** Ground-level view of the site from the east, showing the proposed development area and surrounding residential lots.



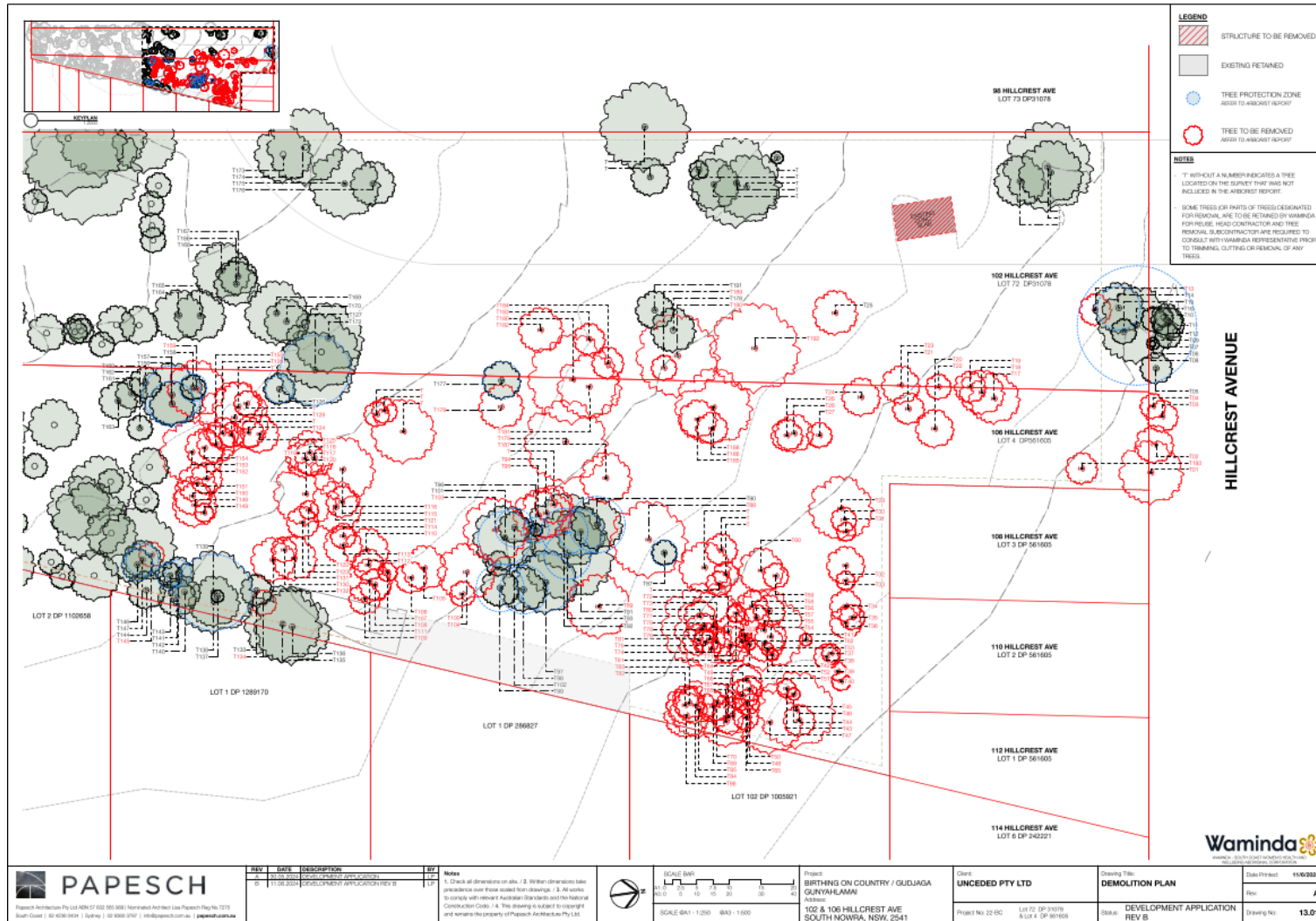
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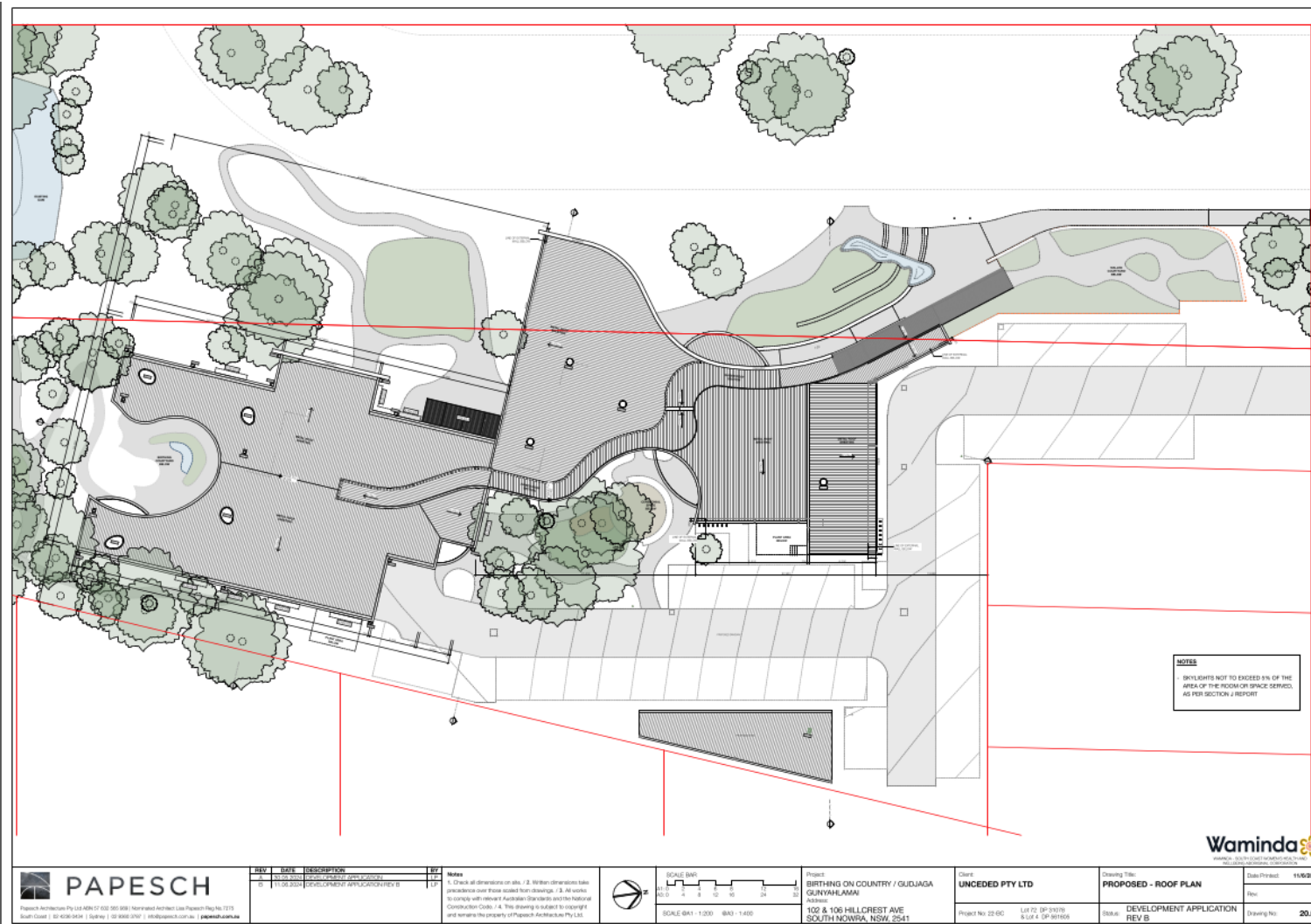




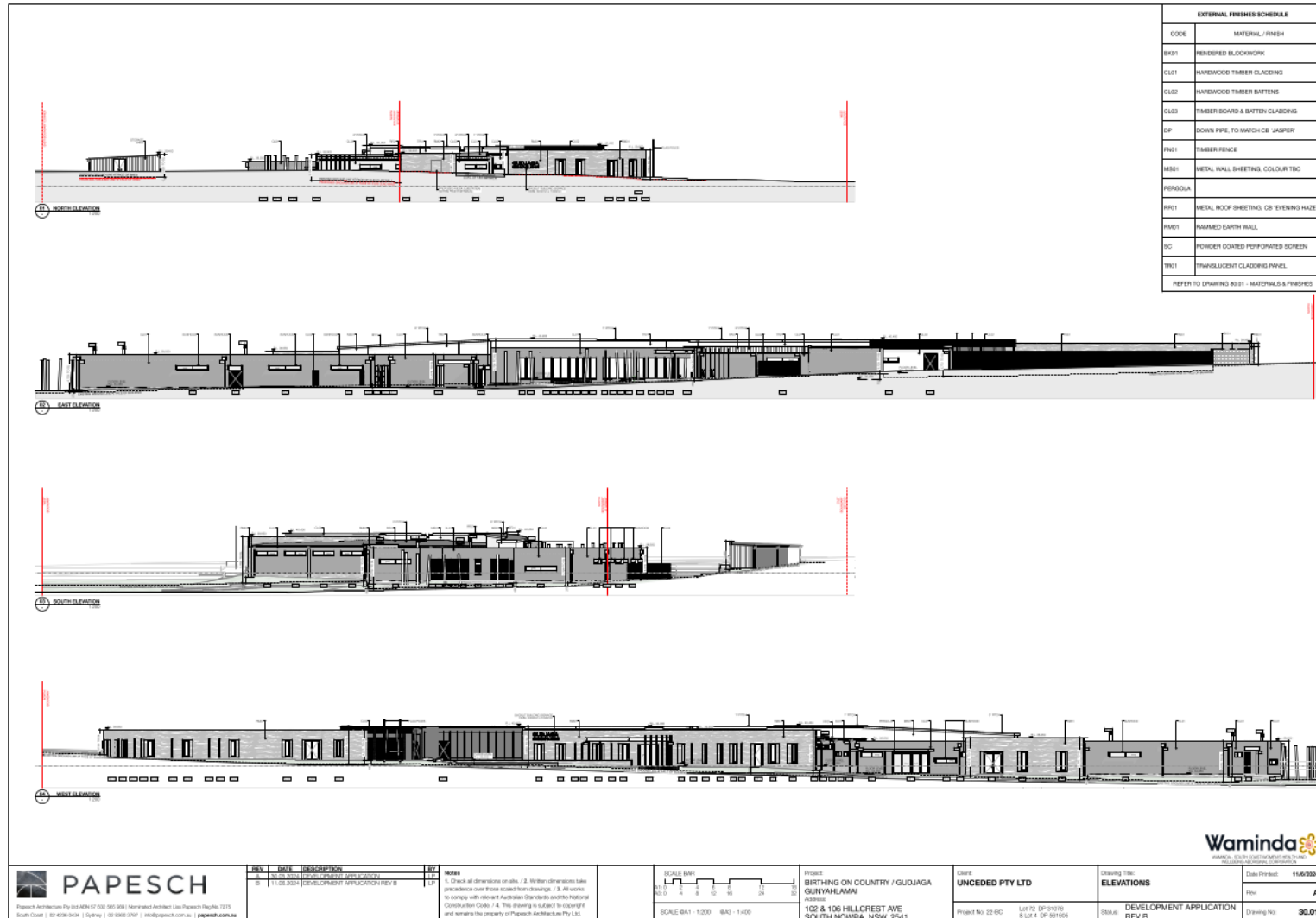
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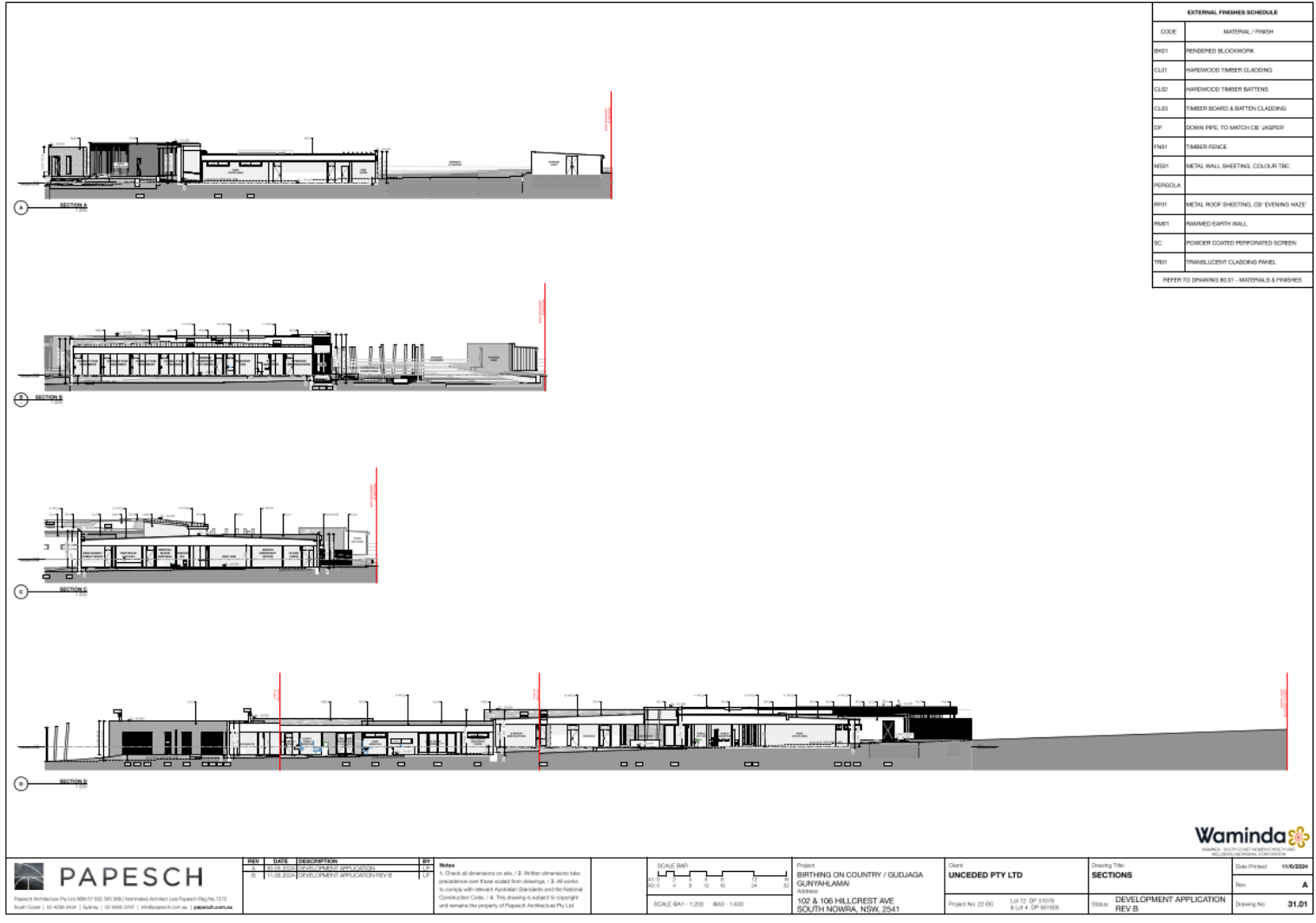
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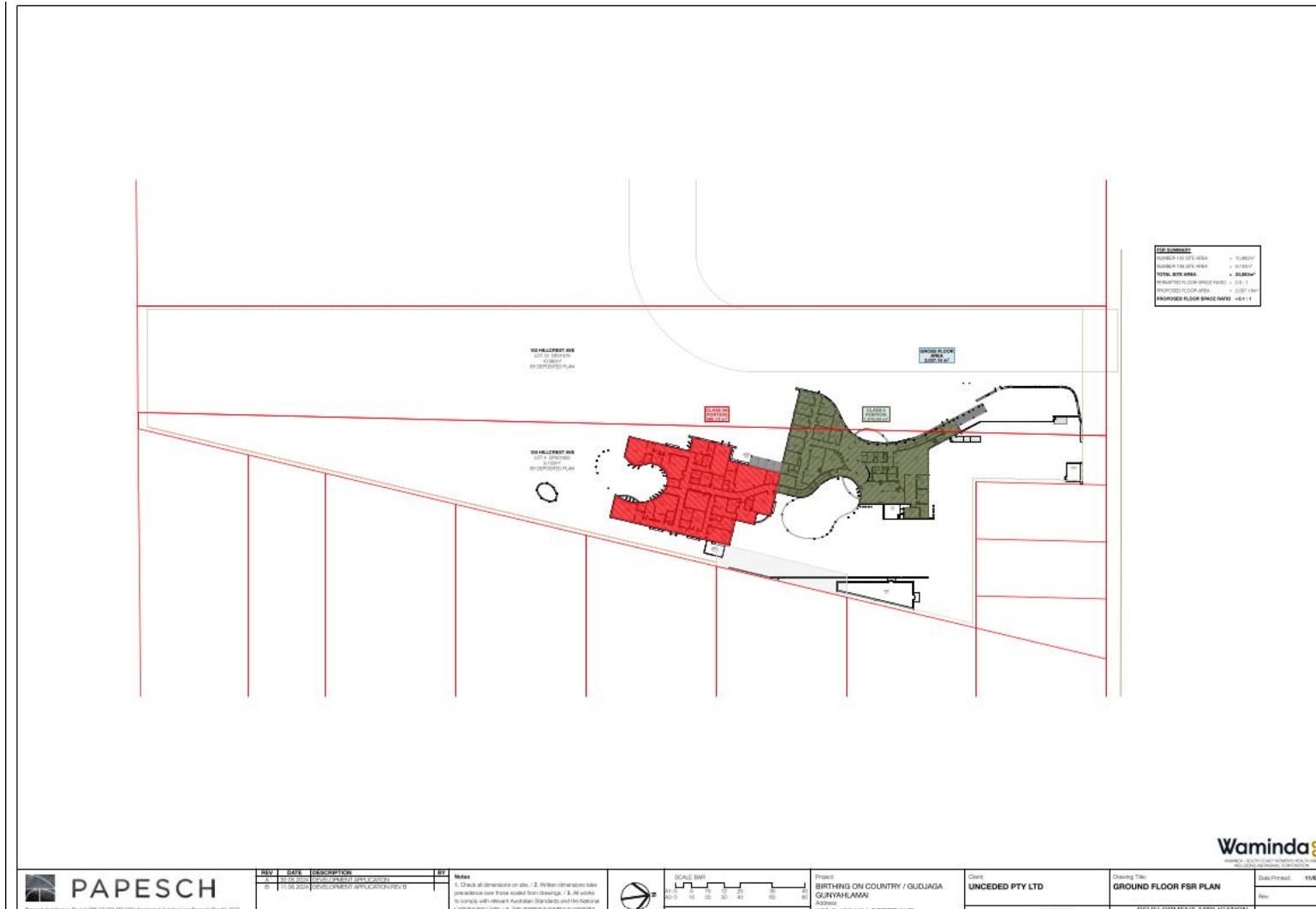
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GUTTERS AND DOWNPIPES  
JASPER



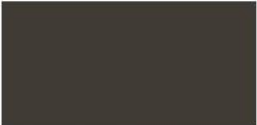
FIBRE CEMENT EAVES



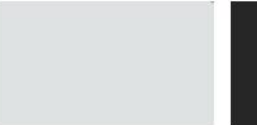
RF01 - ROOFING  
EVENING HAZE



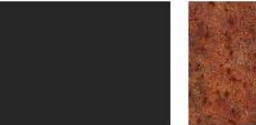
TR01 - TRANSLUCENT PANELS




WINDOW FRAMES, HOODS, DOORS & EXT. FEATURES  
INTERPON SABLE ASTEROID - POWDERCOAT




GLAZING  
LOW-E OR DOUBLE GLAZED & DOUBLE GLAZED  
AND TINT




OUT BUILDINGS  
MONUMENT




FEATURE CLADDING




RM01 - EARTH-TONED MASONRY



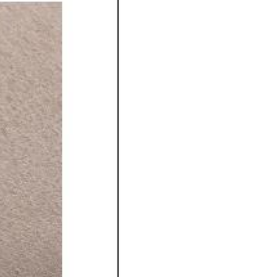
CL01 - TIMBER CLADDING  
HARDWOOD TONGUE AND GROOVE




CL02 - TIMBER SCREENING  
HARDWOOD BATTENS




CL03 - TIMBER BATTEN  
HARDWOOD BATTENS



BK01 - RENDERED MASONRY  
EARTH TONED TO MATCH





**PAPESCH**

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REV	DATE	DESCRIPTION	BY	Notes
01	01/09/2024	ISSUED FOR APPROVAL	JP	
02	11/09/2024	DEVELOPMENT APPLICATION REV B	JP	

Project:  
**BIRTHING ON COUNTRY / GUDJAGA  
GUNYAHILAMMI**  
Address:  
**102 & 106 HILLCREST AVE  
SOUTH NOWRA, NSW, 2541**

Client:  
**UNCEDED PTY LTD**  
Project No: 22-050  
Lot F2, DP 23175  
& Lot 4, DP 561105

Drawing Title:  
**MATERIALS & FINISHES**

Status:  
**DEVELOPMENT APPLICATION  
REV B**

Drawn By:  
**90.01**

Drawn By: **11/09/2024**

Rev: **A**

Drawing No: **90.01**

The image displays four architectural perspective drawings of the Gudjaga Gunyah Laman, a birthing on country facility. The drawings are arranged in a 2x2 grid, each showing a different view of the building and its surroundings. The building features a curved facade with large windows and a prominent sign that reads 'GUDJAGA GUNYAH LAMAN'. The site is landscaped with trees, grass, and a paved area. The drawings are labeled 'Perspective 01', 'Perspective 02', 'Perspective 03', and 'Perspective 04'.

**REV** | **DATE** | **DESCRIPTION** | **BY**

REV	DATE	DESCRIPTION	BY
1	11/09/2024	DEVELOPMENT APPLICATION REV B	12

**Notes**

1. Check all dimensions on site. (2. Written dimensions take precedence over those noted on drawings. (3. All work to comply with relevant Australian Standards and the National Construction Code. (4. This drawing is issued in integral and remains the property of Papesch Architects Pty Ltd.

**Project**  
BIRTHING ON COUNTRY / GUDJAGA GUNYAH LAMAN  
Address:  
102 & 106 HILLCREST AVE  
SOUTH NOWRA, NSW, 2541

**Client**  
UNCEDDED PTY LTD

**Drawing Title:**  
3D PERSPECTIVES 01

**Project No:** 23-05  
L11 02 (P-31316)  
R-004 A (P-00160)

**Status:** DEVELOPMENT APPLICATION  
REV B

**Drawn By:** 80.02

**Waminda**  
WAMINDA ARCHITECTS  
10/10/2024

**PAPESCH**  
Papesch Architects Pty Ltd ABN 57 622 585 588 | Northcote Address: Papesch Pty No 1275  
South Coast | 55-620-6200 | Sydney | 151-888-2200 | info@papesch.com.au | papesch.com.au



## Section 4.15 Assessment Report - DA2024/1457

## Gudjaga Gunyahlamai

DA Issue

For Development Application Only  
22/05/2024

102 - 106 HILLCREST AVENUE, SOUTH NOWRA  
LOT 72 DP 31078 + LOT 4 DP 561605

[illegible]

**COLA**  
studio

COUNTRY ORIENTED LANDSCAPE ARCHITECTURE PTY LTD

PHONE 05 457 188 020  
www.colastudio.co.nz

19 Station Street, Westmeath Park, NIMU, 2182  
06 457 188 020

**GENERAL NOTES**

1. Drawings to be read in conjunction with details, specifications, and notes well constructed.
2. Use metric scale of drawing. Refer to figure and dimensions only.
3. Drawings to be printed in color.
4. Dimensions to be indicated in millimeters (mm) and inches (in).
5. Locate and print all underground services prior to any excavation. Show good all damage to existing works caused by the activity of these works.

**FOR DEVELOPMENT APPLICATION ONLY**

REV	DATE	BY	DESCRIPTION
0	2/28/2024	PC	20000000
1	2/28/2024	PC	20000000

PRODUCT	2001	2002	2003
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**Gudjaga Gunyahlamai**

102 - 106 HILLCREST AVENUE, SOUTH

NOWRA

**LOT 72 DP 31078 + LOT 4 DP 561605**

WAMINDA

SHEET TITLE  
Cover Sheet

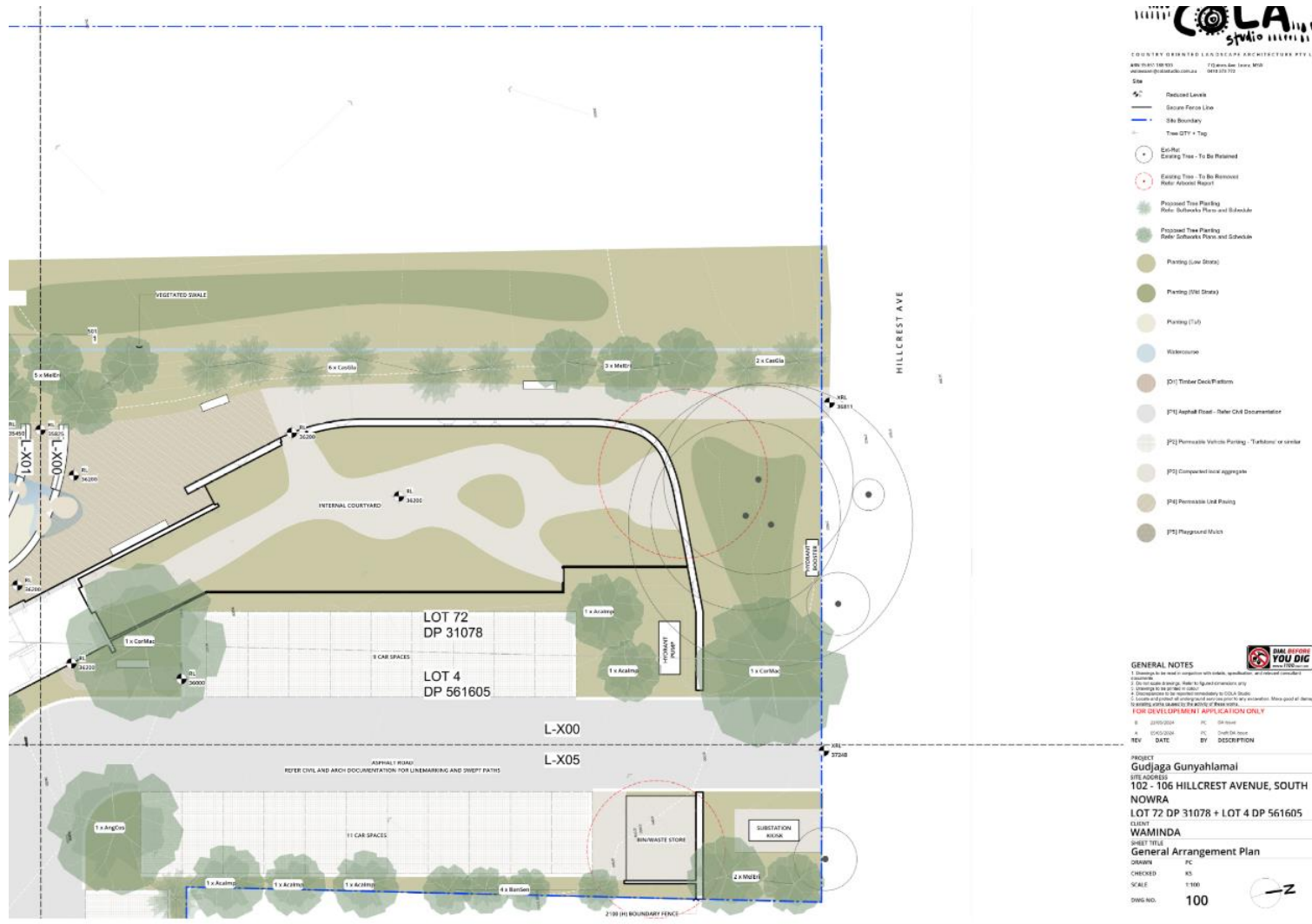
COVER SHEET	
DRAWN	PC

CHECKED 45  
SCALE 1:500

—2



Section 4.15 Assessment Report - DA2024/1457



[illegible]

[illegible]



**LOT 4 DP 561605**

**GENERAL NOTES**

1. Developments to be in accordance with the relevant planning and building codes.
2. The client is responsible for obtaining all necessary permits and approvals.
3. The client is responsible for obtaining all necessary permits and approvals.
4. The client is responsible for obtaining all necessary permits and approvals.
5. The client is responsible for obtaining all necessary permits and approvals.
6. The client is responsible for obtaining all necessary permits and approvals.
7. The client is responsible for obtaining all necessary permits and approvals.
8. The client is responsible for obtaining all necessary permits and approvals.
9. The client is responsible for obtaining all necessary permits and approvals.
10. The client is responsible for obtaining all necessary permits and approvals.

**FOR DEVELOPER/CLIENT APPLICATION ONLY**

NO.	DATE	BY	REVISION
1	20/01/2024	PC	DR Issue
2	20/01/2024	PC	DR Issue
3	20/01/2024	PC	DR Issue

**PROJECT**  
Gudjaga Gunyahlamai  
102 - 106 HILLCREST AVENUE, SOUTH  
NOWRA  
LOT 72 DP 31078 + LOT 4 DP 561605  
CLIENT  
WAMINDA  
SUBMIT TITLE  
General Arrangement Plan

**DRAWN** PC  
**CHECKED** AS  
**SCALE** 1:500  
**SHEET NO.** 103

The landscape arrangement plan for Lot 72 DP 31078 + Lot 4 DP 561605 shows a general arrangement plan. The plan includes various zones and features:

- Outdoor Gathering Space:** Located in the top left corner.
- 400m Play Area:** A large circular area in the center-left.
- Central Gathering Space:** A circular area in the center-right.
- Plant Area:** A rectangular area in the center-right.
- Car Spaces:** Multiple parking areas, including 3 car spaces, 9 car spaces, 17 car spaces, and 2 car spaces.
- Storage Shed:** A small rectangular structure near the bottom right.
- Rock/Ballast Embankment:** A long, narrow feature along the bottom edge.
- Amberance Entry:** A small structure near the bottom left.
- Plantings:** Various trees and shrubs are indicated by different symbols and codes (e.g., PL 34615, PL 34616, PL 34617, PL 34618, PL 34619, PL 34620, PL 34621, PL 34622, PL 34623, PL 34624, PL 34625, PL 34626, PL 34627, PL 34628, PL 34629, PL 34630, PL 34631, PL 34632, PL 34633, PL 34634, PL 34635, PL 34636, PL 34637, PL 34638, PL 34639, PL 34640, PL 34641, PL 34642, PL 34643, PL 34644, PL 34645, PL 34646, PL 34647, PL 34648, PL 34649, PL 34650, PL 34651, PL 34652, PL 34653, PL 34654, PL 34655, PL 34656, PL 34657, PL 34658, PL 34659, PL 34660, PL 34661, PL 34662, PL 34663, PL 34664, PL 34665, PL 34666, PL 34667, PL 34668, PL 34669, PL 34670, PL 34671, PL 34672, PL 34673, PL 34674, PL 34675, PL 34676, PL 34677, PL 34678, PL 34679, PL 34680, PL 34681, PL 34682, PL 34683, PL 34684, PL 34685, PL 34686, PL 34687, PL 34688, PL 34689, PL 34690, PL 34691, PL 34692, PL 34693, PL 34694, PL 34695, PL 34696, PL 34697, PL 34698, PL 34699, PL 34700, PL 34701, PL 34702, PL 34703, PL 34704, PL 34705, PL 34706, PL 34707, PL 34708, PL 34709, PL 34710, PL 34711, PL 34712, PL 34713, PL 34714, PL 34715, PL 34716, PL 34717, PL 34718, PL 34719, PL 34720, PL 34721, PL 34722, PL 34723, PL 34724, PL 34725, PL 34726, PL 34727, PL 34728, PL 34729, PL 34730, PL 34731, PL 34732, PL 34733, PL 34734, PL 34735, PL 34736, PL 34737, PL 34738, PL 34739, PL 34740, PL 34741, PL 34742, PL 34743, PL 34744, PL 34745, PL 34746, PL 34747, PL 34748, PL 34749, PL 34750, PL 34751, PL 34752, PL 34753, PL 34754, PL 34755, PL 34756, PL 34757, PL 34758, PL 34759, PL 34760, PL 34761, PL 34762, PL 34763, PL 34764, PL 34765, PL 34766, PL 34767, PL 34768, PL 34769, PL 34770, PL 34771, PL 34772, PL 34773, PL 34774, PL 34775, PL 34776, PL 34777, PL 34778, PL 34779, PL 34780, PL 34781, PL 34782, PL 34783, PL 34784, PL 34785, PL 34786, PL 34787, PL 34788, PL 34789, PL 34790, PL 34791, PL 34792, PL 34793, PL 34794, PL 34795, PL 34796, PL 34797, PL 34798, PL 34799, PL 34800, PL 34801, PL 34802, PL 34803, PL 34804, PL 34805, PL 34806, PL 34807, PL 34808, PL 34809, PL 34810, PL 34811, PL 34812, PL 34813, PL 34814, PL 34815, PL 34816, PL 34817, PL 34818, PL 34819, PL 34820, PL 34821, PL 34822, PL 34823, PL 34824, PL 34825, PL 34826, PL 34827, PL 34828, PL 34829, PL 34830, PL 34831, PL 34832, PL 34833, PL 34834, PL 34835, PL 34836, PL 34837, PL 34838, PL 34839, PL 34840, PL 34841, PL 34842, PL 34843, PL 34844, PL 34845, PL 34846, PL 34847, PL 34848, PL 34849, PL 34850, PL 34851, PL 34852, PL 34853, PL 34854, PL 34855, PL 34856, PL 34857, PL 34858, PL 34859, PL 34860, PL 34861, PL 34862, PL 34863, PL 34864, PL 34865, PL 34866, PL 34867, PL 34868, PL 34869, PL 34870, PL 34871, PL 34872, PL 34873, PL 34874, PL 34875, PL 34876, PL 34877, PL 34878, PL 34879, PL 34880, PL 34881, PL 34882, PL 34883, PL 34884, PL 34885, PL 34886, PL 34887, PL 34888, PL 34889, PL 34890, PL 34891, PL 34892, PL 34893, PL 34894, PL 34895, PL 34896, PL 34897, PL 34898, PL 34899, PL 34900, PL 34901, PL 34902, PL 34903, PL 34904, PL 34905, PL 34906, PL 34907, PL 34908, PL 34909, PL 34910, PL 34911, PL 34912, PL 34913, PL 34914, PL 34915, PL 34916, PL 34917, PL 34918, PL 34919, PL 34920, PL 34921, PL 34922, PL 34923, PL 34924, PL 34925, PL 34926, PL 34927, PL 34928, PL 34929, PL 34930, PL 34931, PL 34932, PL 34933, PL 34934, PL 34935, PL 34936, PL 34937, PL 34938, PL 34939, PL 34940, PL 34941, PL 34942, PL 34943, PL 34944, PL 34945, PL 34946, PL 34947, PL 34948, PL 34949, PL 34950, PL 34951, PL 34952, PL 34953, PL 34954, PL 34955, PL 34956, PL 34957, PL 34958, PL 34959, PL 34960, PL 34961, PL 34962, PL 34963, PL 34964, PL 34965, PL 34966, PL 34967, PL 34968, PL 34969, PL 34970, PL 34971, PL 34972, PL 34973, PL 34974, PL 34975, PL 34976, PL 34977, PL 34978, PL 34979, PL 34980, PL 34981, PL 34982, PL 34983, PL 34984, PL 34985, PL 34986, PL 34987, PL 34988, PL 34989, PL 34990, PL 34991, PL 34992, PL 34993, PL 34994, PL 34995, PL 34996, PL 34997, PL 34998, PL 34999, PL 35000).

**GENERAL NOTES**

1. Drawing to be read in conjunction with notes, specifications and relevant standards.
2. All dimensions are in millimeters unless otherwise stated.
3. All dimensions are to the center of the object unless otherwise stated.
4. All dimensions are to the center of the object unless otherwise stated.
5. All dimensions are to the center of the object unless otherwise stated.
6. All dimensions are to the center of the object unless otherwise stated.
7. All dimensions are to the center of the object unless otherwise stated.
8. All dimensions are to the center of the object unless otherwise stated.
9. All dimensions are to the center of the object unless otherwise stated.
10. All dimensions are to the center of the object unless otherwise stated.

**FOR SITE DEVELOPMENT APPLICATION ONLY**

REV	DATE	BY	DESCRIPTION
1	20/05/2024	PC	Site Issue
2	20/05/2024	PC	Check for issue

**PROJECT**  
Gudjaga Gunyahlamai  
**SITE ADDRESS**  
102 - 106 HILLCREST AVENUE, SOUTH  
**NOWRA**  
LOT 72 DP 31078 + LOT 4 DP 561605  
**CLIENT**  
WAMINDA  
**SHEET TITLE**  
General Arrangement Plan  
**DRAWN**  
PC  
**CHECKED**  
RS  
**SCALE**  
1:100  
**DWG. NO.**  
104

Section 4.15 Assessment Report - DA2024/1457





## Section 4.15 Assessment Report - DA2024/1457



## Section 4.15 Assessment Report - DA2024/1457



## Section 4.15 Assessment Report - DA2024/1457



## Attachment 1

### Sanctuary Point Library – Close Out and Rescoping – Status Update

(This attachment should be read in conjunction with the following report:  
*Sanctuary Point Library – Project Update 2*)

#### Close-Out

The close-out process related to the previous capital works project is approximately 80% complete. Staff are working to finalise the remaining aspects of the previous project, with the aim of achieving full close-out during the next reporting period.

#### *Completed to Date:*

- Termination of contracts related to architectural and project management services.

#### *Yet to Complete:*

- Termination of contracts related to curation and production of public art content;
- Termination of EOI process;
- Finalisation of closeout document for records.

#### Rescoping

Concurrently, rescoping work related to a new capital works project has commenced, and is approximately 20% complete. Further progression is dependent on outcomes of a Feasibility Study.

Purpose of this scope of services is to confirm that a new library can be delivered at the nominated subject site in Sanctuary Point, informed by precedent projects such as the Warilla Library and other similar contemporary examples.

The investigations are scheduled to be completed by December 2024.

#### *Completed to Date:*

- Feasibility Study - Procurement Planning;
- Site Visit to Warilla Library by Project Team;
- Feasibility Study - Scope of Services (Design Brief).
- Feasibility Study – Targeted Request for Tender (RFT);
- Feasibility Study – Targeted RFT released (fee proposal due: 15 October 2024).

#### *Yet to Complete:*

- Assessment and award of architectural design services for Feasibility Study;
- Feasibility Study – 50% complete (November 2024);
- Feasibility Study – 90% complete (November 2024);
- Feasibility Study – 100% complete (December 2024).

TRIM Ref: D24/434130	Final Approval: RS	Implemented: 28 October 2024	Page 1 of 1
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## Attachment 2

### Sanctuary Point Library – Scope-of-Works – Revised 2024

(This attachment should be read in conjunction with the following report:  
*Sanctuary Point Library – Project Update 2*)

#### Aims and Objectives

The new Sanctuary Point Library will be a vibrant and interesting community space. It will welcome people of all ages and backgrounds and be a landmark in the Sanctuary Point village centre, demonstrating Shoalhaven City Council's commitment to delivering contemporary library and information services. It will support lifelong learning, meet the needs of its community, and reflect its character.

These outcomes will be achieved utilising pragmatic design solutions, to ensure the Sanctuary Point Library can be delivered and operated within sustainable financial parameters.

The rescope Sanctuary Point Library will have a gross floor area of approximately 900m<sup>2</sup>, which is directly informed by the gross floor area of Warilla Library.

The Library will be able to meet and service a variety of community needs, including:

- Informal spaces to relax, read and study;
- Range of meeting rooms and program spaces;
- Well displayed, engaging collections;
- Accessible spaces and facilities (lower shelf height, wider aisles);
- Facilities for specific groups and collections (young adults, children, family, community languages);
- Showcase for local culture, creativity and history including local studies resources and locally created content;
- Integration of digital technology (wi-fi throughout, generous provision of power outlets (charging points), digital display, self check, PCs and catalogues);
- Group and individual study areas;
- Multifunction space for activities such as travelling exhibitions, children's storytelling and activities (this space may be dedicated), gaming and young adult activities, author talks, programs, community group meetings.

#### Feasibility Study: Scope of Services

Purpose of this Scope of Services is to deliver feasibility investigations confirming that a new library can be delivered at the nominated subject site in Sanctuary Point, informed by precedent projects such as the Warilla Library and other similar contemporary examples.

Once completed, the Feasibility Study will be presented to Council for review and approval in conjunction with Update Report 3 in early 2025.

TRIM Ref: D24/434146	Final Approval: RS	Implemented: 28 October 2024	Page 1 of 5
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**Open Space & Recreation Planning**  
Recreation Projects – Planning & Delivery

Extensive community engagement with external stakeholders was conducted from 2020 to 2023 through numerous workshops. The outcomes of the Feasibility Study will be informed by previous engagement activities. Direct community engagement or consultation will not be undertaken within this scope of services.

It is anticipated that further community engagement activities will be necessary once the feasibility studies are deemed viable. Community feedback will be invited in relation to the proposed new Sanctuary Point Library in a later phase (TBD).

Extensive community engagement and public art process expressing local Aboriginal culture was coordinated in with the previous design process, conducted from 2020 to 2023. The architectural design team is to consider the main themes and key learnings of this process within the feasibility studies and deliver a statement document within the feasibility studies report. This statement will help inform the final Feasibility Study report, which sets out the Architect's understanding of Council's design brief prior to advancing to concept design phase.

Feasibility investigations will confirm that design solutions can be developed, incorporating the following:

Vision	Inspires a building that...
<b>Identity</b>	<ul style="list-style-type: none"> <li>• is open and welcoming</li> <li>• reinforces local community identities</li> <li>• reflects a sense of the history and culture of the area</li> <li>• stimulates curiosity</li> <li>• becomes a community focal point</li> <li>• generates a sense of pride and ownership</li> <li>• reflective of its physical and cultural context</li> </ul>
<b>Ambience</b>	<ul style="list-style-type: none"> <li>• feels comfortable for long or short-term visitation</li> <li>• reflects the contemporary role of libraries as a place to build social capital within communities</li> <li>• feels spacious, with strong visual links to the outside and clear wayfinding</li> <li>• feels relaxed, welcoming and engaging</li> </ul>
<b>Functionality</b>	<ul style="list-style-type: none"> <li>• offers a diversity of settings for all users</li> <li>• accessible to all and goes beyond minimum compliance with universal access standards</li> <li>• safe and secure</li> <li>• flexible, adaptable and multifunctional</li> <li>• functionally efficient and economic</li> <li>• uses environmentally sustainable design principles in building design and operation</li> </ul>

Vision	Inspires a building that...
	<ul style="list-style-type: none"> <li>provides a variety of well thought-out and designed spaces, including exemplary acoustics for quiet conversations, casual reading and intensive study</li> <li>facilitates access to collections in all formats</li> <li>promotes and embodies sustainability</li> </ul>
Opportunities	<ul style="list-style-type: none"> <li>deliver a pragmatic design solutions</li> <li>be able to express local Aboriginal culture</li> <li>supports co-location of compatible community or commercial facilities, where suitable</li> </ul>

The following tables outlines the attributes that have informed the Scope of Services for the Feasibility Study outlined above.

Attributes	Description
<b>Collection</b>	New libraries offer the opportunity to present collections in new and appealing ways. Research shows that when visibility and display approaches improve, the number of items people borrow tends to increase accordingly. This trend has been considered when calculating the space requirements for shelving.
<b>Demand</b>	<p>The demand for library programs and services is constantly growing, and there is every reason to believe this trend will continue.</p> <p>New libraries stimulate demand and Sanctuary Point Library will be no different. The new library will need to be adaptable and flexible enough to respond to evolving community needs and growing demands for space, services and programs.</p>
<b>Facilities (programme)</b>	<p>Functions (programmes) to be accommodated include:</p> <ul style="list-style-type: none"> <li>foyer/entrance area</li> <li>information/service desk, returns and self-checking terminals</li> <li>collections, including print, non-print, electronic resources, specialist and genre collections</li> <li>display areas</li> <li>public access computers</li> <li>study desks and BYOD (bring your own device) spaces</li> <li>collaborative areas such as booths and larger tables</li> <li>lounge spaces</li> <li>meeting room/s</li> <li>printers, photocopiers and digital equipment</li> <li>local/family studies space</li> </ul>



Attributes	Description
	<ul style="list-style-type: none"> <li>• children's storytelling and activity area</li> <li>• young adult area and young adult collection</li> <li>• multifunction/flexible space that can be easily modified for games and digital media activities, travelling exhibitions/displays, children's activities and programs, training, makerspace</li> <li>• outdoor seating or multipurpose area (site dependent)</li> <li>• staff area</li> <li>• public toilets and parents' room</li> <li>• loading and utility areas</li> <li>• public parking and bicycle racks</li> </ul>
<b>Hours</b>	<p>Current library opening hours are:</p> <ul style="list-style-type: none"> <li>• Monday to Friday: 9am-5pm</li> <li>• Saturday: 9:30am – 2pm</li> <li>• Sunday: Closed</li> <li>• Public holidays: Closed</li> </ul> <p>Future library opening hours will be reviewed as part of the redesign to ensure they remain relevant to community needs.</p>
<b>Social connection</b>	<p>Libraries continue to be safe and trusted places that bring people together and contribute to strong communities. They promote social connection, a sense of belonging and cohesion, encouraging equity of access to education, cultural experiences, digital technology, and opportunities to participate in society.</p>
<b>Staffing</b>	<p>At present the staffing requirements for the new Sanctuary Point Library are projected to be: 3x full-time staff; 1x part-time staff; 1 x casual staff.</p>
<b>Technology</b>	<p>Rapidly evolving technology will continue to influence the way libraries are used and the infrastructure that is required to support them. More and more people are using public access computers or bringing their own mobile or laptop devices to the library to work and learn as well as for social and leisure activity.</p> <p>For those who do not have computers or the internet at home, or access to training and support, Sanctuary Point Library will continue to provide equipment, free internet, trained staff and resources.</p> <p>Technology is no longer a separate part of the library, it is integral to the delivery of a comprehensive and responsive library service and greatly enhances its offering.</p>
<b>Trends</b>	<p>Understanding how the demand for services and use of libraries will change and adapt over the next 10 to 20 years will be vital when planning and designing the new Sanctuary Point Library.</p>

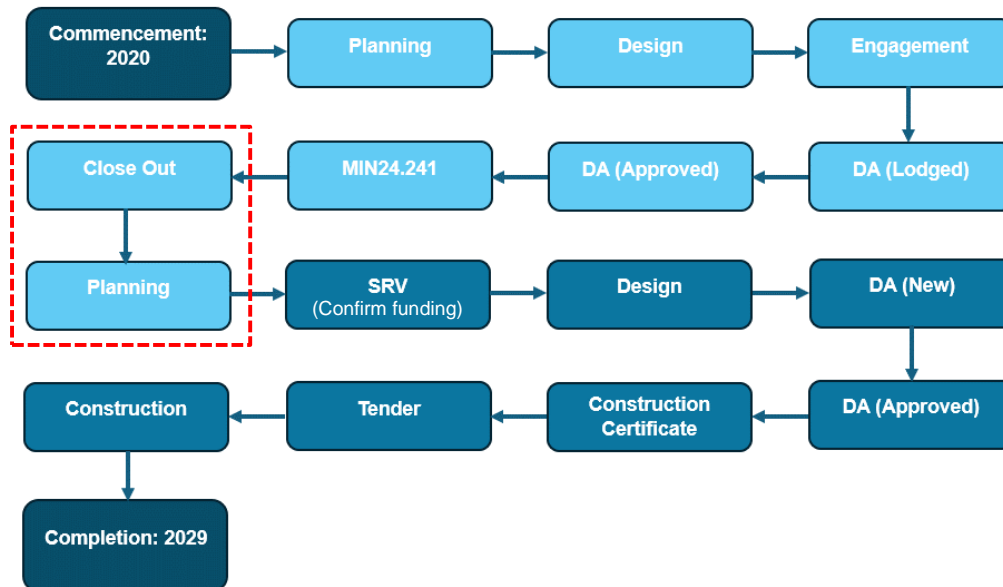
Attributes	Description
Reference Documents	Reference Documents: <a href="https://www.sl.nsw.gov.au/people-places/planning/developing-building-brief">https://www.sl.nsw.gov.au/people-places/planning/developing-building-brief</a> <a href="https://www.sl.nsw.gov.au/sites/default/files/people_places.pdf">https://www.sl.nsw.gov.au/sites/default/files/people_places.pdf</a>

### Attachment 3 Sanctuary Point Library – Project Programme

(This attachment should be read in conjunction with the following report:  
*Sanctuary Point Library – Project Update 2*)

The following figure illustrates the project programme (timeline) for the Sanctuary Point Library project, detailing all stages from the project's commencement in 2020 through to its eventual projected delivery in 2029.

Figure 1: Estimated Project Programme



Note: Current phases of work (subject of this report) are identified in red.

## Attachment 4

### Sanctuary Point Library – Preliminary Cost Estimates

(This attachment should be read in conjunction with the following report:  
*Sanctuary Point Library – Project Update 2*)

**Table 1. Preliminary Cost Estimate – Capital Works (TBC upon completion of Feasibility Study)**

Description	Cost (m)
Construction	\$7.65
Civils	\$1.34
<b>Sub Total</b>	<b>\$8.99</b>
Professional Fees - Design & Project Management (15%)	\$1.35
Contingency & Escalation (35%)	\$3.15
<b>Sub Total</b>	<b>\$13.49</b>
Expenditure to Date (discontinued scope-of-works)	\$1.41
<b>TOTAL</b>	<b>\$14.9</b>

**Table 2. Projected Annual Operating Costs (Staff Only) - New Sanctuary Point Library**

Role	FTE	Total p/a (including on-costs)
Branch Manager	1	
Library Technician	1	
Library / Customer Service Assistant	1	
Library / Customer Service Assistant	0.67	
Library / Customer Service Assistant	Casual	
<b>SUB TOTAL</b>		<b>\$398,000</b>

**Table 3. 2024/25 Budgeted Annual Operating Costs (Staff Only) – Existing Sanctuary Point Library**

Role	FTE	Total p/a (including on-costs)
Branch Manager	1	
Library / Customer Service Assistant	0.47	
Library / Customer Service Assistant	0.67	
Library / Customer Service Assistant	Casual	
<b>SUB TOTAL</b>		<b>\$229,000</b>

Note: Difference between budgeted annual staffing costs (existing library) and projected annual staffing costs (proposal library) is: **\$169,000**. This figure represents the projected *increase* in staffing costs associated with the proposed facility (in FY24/25 values).

**Table 3: Projected Annual Operating Costs (Utilities and Collection only)**

Description	Cost (m)
Utilities (water, electricity)	\$35,000
Collection (book purchases)	\$105,000
Depreciation	Excluded
<b>TOTAL</b>	<b>\$140,000</b>



# Reflect Reconciliation Action Plan

March 2025 – September 2026



## Acknowledgement of Country

Walawaani (welcome),

Shoalhaven City Council recognises the First Peoples of the Shoalhaven and their ongoing connection to culture and country. We acknowledge Aboriginal people as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past, present and emerging.

Walawaani njindiwan (safe journey to you all)

This acknowledgment includes Dhurga language. We recognise and understand that there are many diverse languages spoken within the Shoalhaven.



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## Our Vision for *reconciliation*

We walk together, building a foundation of cultural awareness and acceptance in our workplaces and community spaces.

We stand up for reconciliation in our community. Through conversations with Aboriginal and Torres Strait Islander workers and communities, we promote respect and understanding to drive positive change for a shared future.

We recognise and value Shoalhaven's profoundly rich Aboriginal history, and accept truth-telling, cultural knowledge, and education.

Through our words and actions, we shape a welcoming, inclusive environment by nurturing pride and belonging in our community. We celebrate local Aboriginal and Torres Strait Islander cultures and languages.

4

Reflect Reconciliation Action Plan March 2025 - September 2026



CL24.304 - Attachment 1





## RAP artwork

**“Woven” is a communal community painting that serves as a powerful symbol of Aboriginal identity and community connection to the Shoalhaven Region.**

Through motifs gathered from community participation, art workshops, and conversations held in diverse locations such as Vincentia, Nowra, Ulladulla and Bomaderry, the circle was identified as the most common representation of unity and marks as an accessible visual language for all.

At the heart of the painting lies a central meeting place that unifies the diverse journeys and beliefs of both Aboriginal and non-Aboriginal community members, bridging the past with the present and underscoring a shared commitment to reconciliation.

The surrounding empty space represents a pathway toward an unknown future while the rippling effect radiating from the centre reflects the artist’s intention. “It felt like a stone thrown into the water and the ripples transcend through community, multiple understandings, resilience and hopefulness move within”.

Waterways are intricately woven into the design, signifying a connection to place. As the

painting evolved, the form of a woven basket emerged, representing the interwoven histories of the community and the authentic contributions made through a collaborative art practice. A portion of the painting is left unfinished to draw attention to the ongoing “mending” required to sustain and reach full reconciliation.

Embedded into the fabric of the basket is both representation of the Aboriginal Flag and Australian Flag (Union Jack) to illustrate the Aboriginal and non-Aboriginal community that is the fabric of the Shoalhaven region. The missing elements of the painting are deliberate as it asks the audience to reflect on the perceived connotations of what they believe should be present and then ask themselves the same question about what their contribution towards reconciliation is, is something missing? What is it you will carry into the shared future?

**Jaz Corr,  
Artist**



**Jaz Corr, Woven, 2024. Rust and paint on recycled cardboard, 1m x 0.8**

### ICIP Notice

Notice of Custodial Interest of the Nowra/Bomaderry, Jerrinja/ Roseby Park, Weck Bay and Ulladulla Communities. Dealing with any part of the images for any purpose that has not been authorised by the custodians is a serious breach of the customary laws of the community and may also breach the Copyright Act 1968 (Cth). For enquiries about permitted reproduction of these images and cultural consents to use the traditional knowledge embodied in this work, contact Jasmine Caroline Corr.





## A message from the *Mayor*

As the newly elected Mayor, I'm thrilled to put my support behind council's first Reconciliation Action Plan (RAP) and work with the community to bring this framework to life.

Reconciliation is about strengthening relationships between Aboriginal and Torres Strait Islander peoples and non-Aboriginal and Torres Strait Islander peoples, for the benefit of all Australians. I believe that every voice should be heard and valued, and that active listening and understanding will help us on our path to reconciliation.

The Shoalhaven has always been a place of cultural and spiritual significance for Aboriginal people and this document will allow us to work more effectively and collaboratively with the people in our community.

There are a number of initiatives outlined in this document to guide us forward. Developed in consultation with key staff and community stakeholders, our RAP includes 49 actions that Council is committed to deliver to improve how we provide services and employ people.

Just a few of these actions include:

- Communicating our commitment to reconciliation to all staff.
- Building relationships through celebrating National Reconciliation Week (NRW).
- Promoting positive race relations through anti-discrimination strategies.

- Conducting a review of HR policies and procedures to identify existing anti-discrimination provisions, and future needs.
- Conducting a review of cultural learning needs within our organisation.
- Promoting Council's Aboriginal and Torres Strait Islander (Art) Collections to community.
- Investigating opportunities for targeted Aboriginal positions within Council teams across the organisation.
- Attending events and programs targeting Aboriginal communities to build relationships and share information.

And most importantly, that we continue our reconciliation journey by developing our next RAP.

We are proud to partner with Reconciliation Australia and together, with the community, we can inspire everyone to be part of the reconciliation journey.

On behalf of all elected councillors, I look forward to working together to deepen the relationships and mutual respect between our staff, community members and the Aboriginal and Torres Strait Islander people in the Shoalhaven.

Patricia White

*P.K. White*

Mayor, Shoalhaven





## A message from the CEO

It is with great pride that I present Shoalhaven City Council's inaugural Reconciliation Action Plan (RAP). Our reconciliation journey is particularly significant to the Shoalhaven community which has a rich Aboriginal history that dates back tens of thousands of years. This Reflect RAP signifies our long-term commitment to supporting the Aboriginal and Torres Strait Islander peoples in our community, starting with actions to be implemented over the coming 18 months.

For many years, Council has worked with Aboriginal and Torres Strait Islander peoples to build stronger relationships and forge partnerships between Elders, staff and community members. We recognise the way forward is to drive initiatives within our business to ensure our formal reconciliation journey is meaningful and sustainable.

This strategic framework outlines actions we will take to ensure equitable access to services and employment on our journey to creating a culturally safe organisation. Our goal is to provide services and employ people in a way that integrates reconciliation, through respectful race relations, understanding the impact of historical wrongs, providing equitable access to opportunities and valuing a shared national identity.

I'd like to thank our Aboriginal staff who have supported and contributed

in a very hands-on and open way. We also have incredibly passionate staff and community members who have contributed through working groups, including our Yarning Group who have provided great wisdom throughout the process. I'd also like to acknowledge the support of Reconciliation Australia as the lead body for reconciliation in Australia and reaffirm our formal commitment through this plan. Reconciliation Australia promote and facilitate reconciliation by building relationships, respect and trust between the wider Australian community and Aboriginal and Torres Strait Islander people.

Council's RAP has the full support of our senior leadership team and they will play an important role in ensuring we deliver on our commitments and achieve our objectives. This plan will help us to achieve reconciliation outcomes that benefit everyone, which is something we can be proud of.

We look forward to moving through the stages as part of our commitment to reconciliation and we are excited to be part of this journey.

Robyn Stevens

CEO, Shoalhaven City Council



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## A message from *Reconciliation Australia* CEO

Content is being provided.

Reflect Reconciliation Action Plan March 2025 - September 2026

DRAFT

8

CL24.304 - Attachment 1





## Our community

The Shoalhaven is located on the South Coast of New South Wales. Our area encompasses 4,531 square kilometres which includes, 49 towns and villages, the Shoalhaven River, an abundance of national parks, beautiful state forests, marine parks, bushlands home to numerous flora and fauna, fresh and salt waterways and over 100 amazing beaches, all of which are culturally significant to the Aboriginal people of the area. The regional centre of Nowra-Bomaderry is 160 kilometres south of Sydney and 192 kilometres east of Canberra. Most of our area's population is concentrated along 165 kilometres of coastline.

With a growing population and a robust economy, the Shoalhaven is a popular place to live, work, stay and play. The Shoalhaven welcomes over 1000 new residents every year.

Aboriginal and Torres Strait Islander people are the original inhabitants of the Shoalhaven, having lived here for many generations, they make up 6.5% of the Shoalhaven's 108,531 population (ABS 2021). This percentage is 3.1% higher than the NSW average and 3.3% higher than the national average.

The Shoalhaven Aboriginal community is diverse and complex. Aboriginal people throughout the Shoalhaven LGA may identify as: Jerrinja, Wandj, Wandian, Yuin, Bherwerri, Tomakin, Murramarang, Budawang or identify through their association with Roseby Park, the Wreck Bay Community, the Ulladulla community or connections

to all. Many Aboriginal people residing in the region have moved here for a range of reasons and may maintain their cultural identity and connections to the land and waterways of their family heritage.

Local Aboriginal people may identify their connections to the Dharawal language or Dhurga language group. In many of our communities, languages are being revived and maintained by elders, families and community members.

Because of the Shoalhaven's unique environment and close proximity to Sydney and Canberra, it is also home to an ageing population. 36.1% of our residents are aged 60 years or older. This is 13% higher than the Regional NSW average and the national average.

As well as our unique environment, the Shoalhaven is home to the HMAS Albatross naval air station, and borders the federal territory of Jervis Bay Territory which includes Booderee National Park and HMAS Creswell naval training facility.

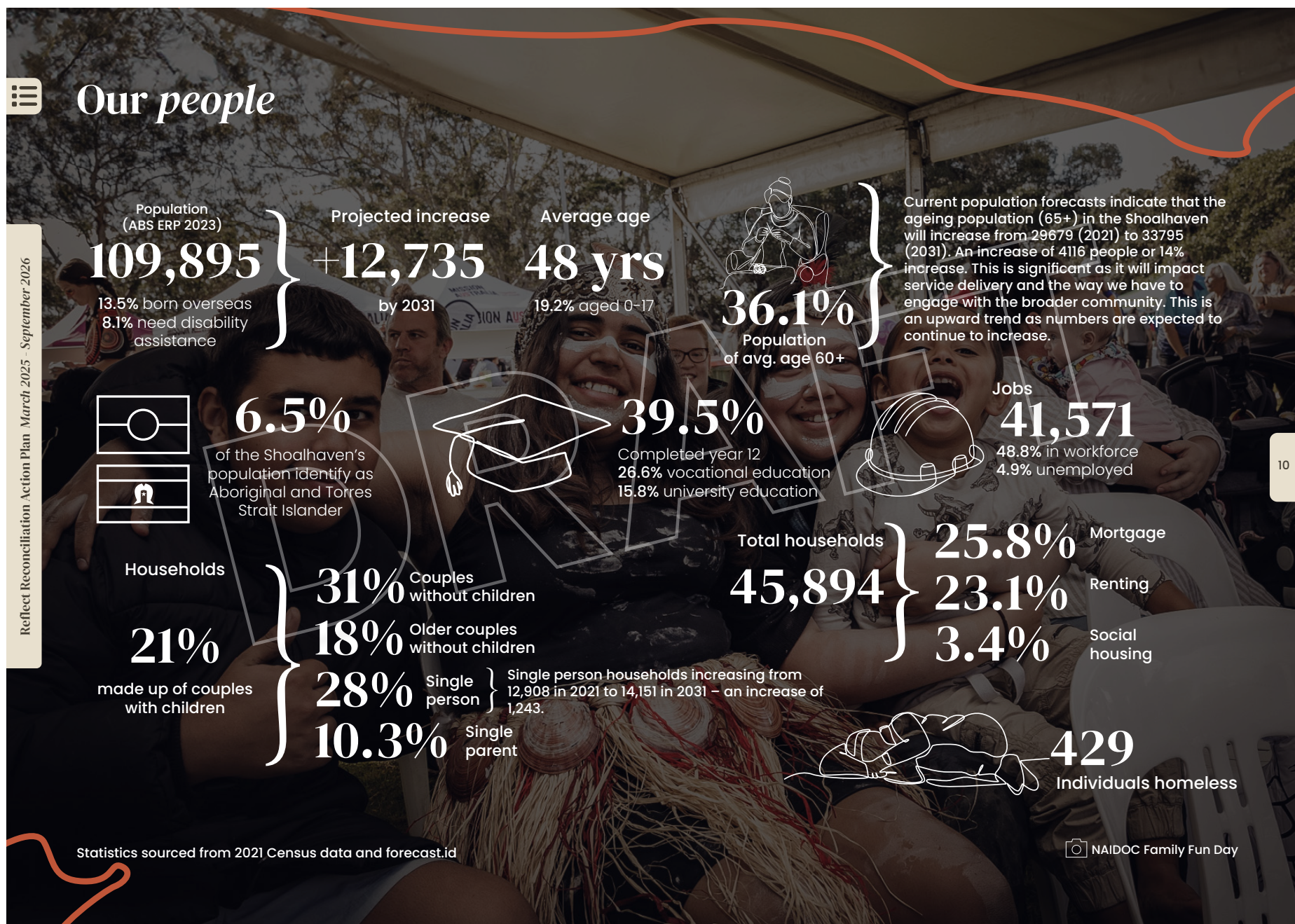
With spectacular natural environments that bring people from across the state to visit, the Shoalhaven is visited by 3 million people annually, making it one of the most popular tourist destinations in New South Wales.

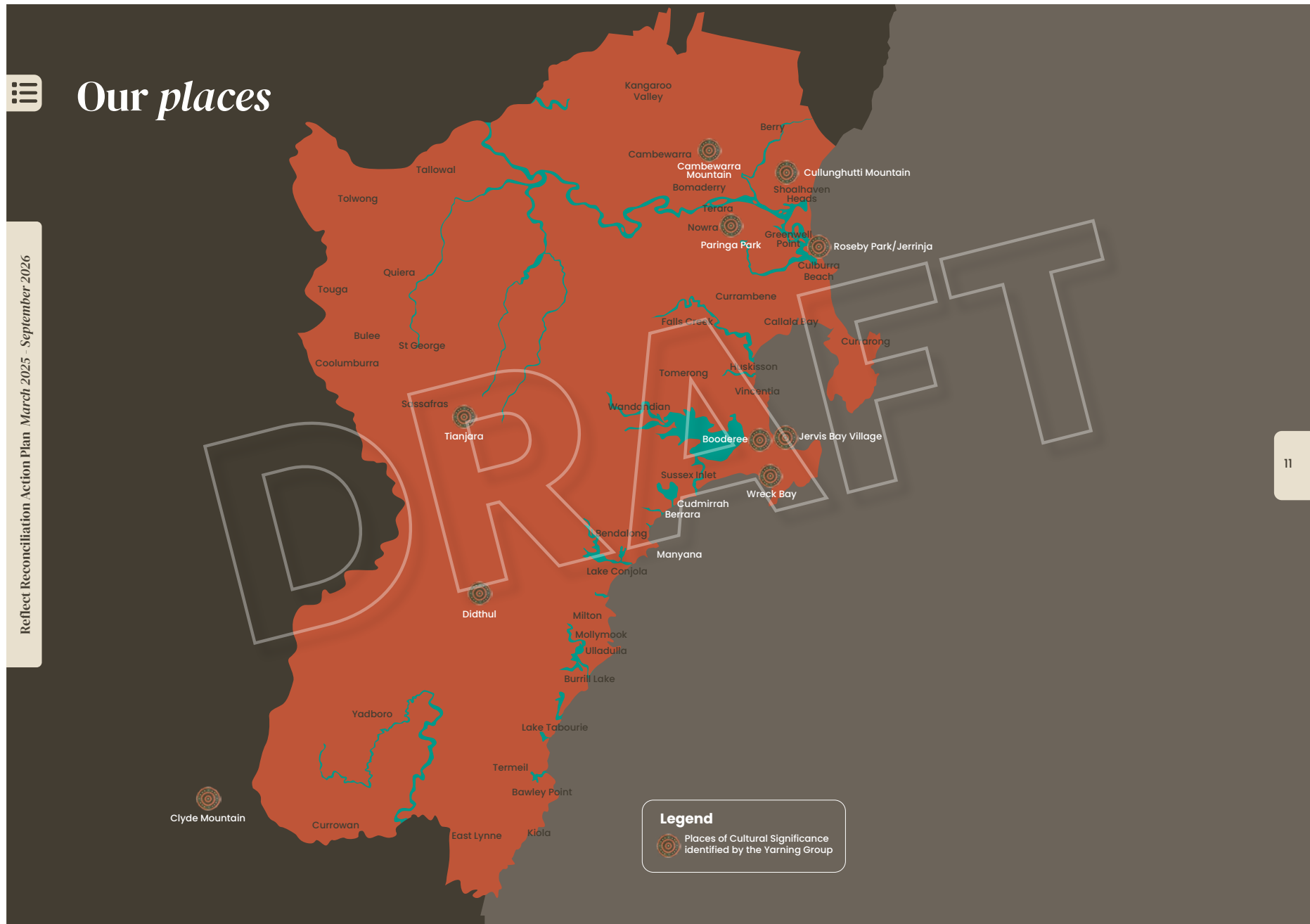


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NAIDOC Family Fun Day











## Our organisation

Our organisation's core purpose is to deliver and maintain services and infrastructure for all the people of the Shoalhaven in accordance with the Local Government Act, our code of conduct, and in alignment with our vision and values.

Our council is made up of 12 elected Councillors and our Mayor. Our elected Councillors represent three wards of the Shoalhaven. Council staff headed by our CEO, provides advice on our operations and works to support Councillors in their role.

Our organisation's current key priorities are as noted in Council's Community Strategic Plan – Shoalhaven 2032:

- Resilient, Safe, Accessible & Inclusive Communities
- Sustainable, Liveable Environments
- Thriving local economies that meet community needs
- Effective, Responsible & Authentic Leadership

In support of these priorities, we provide a vast range of services, facilities and infrastructure to our community from the footpaths you walk on, the water from your tap, the roads that you drive on and the recreational spaces you enjoy.

Our organisational structure is headed by our CEO. Reporting to the CEO are five directorates plus Shoalhaven Water.

The **City Lifestyles** directorate provides services that promote a fun, fit and healthy lifestyle. Services include our aquatic and sports centres, sporting fields, and planning and development of recreational facilities. The directorate supports the creative arts through the Shoalhaven Entertainment Centre, Regional Gallery and Shoalhaven Libraries. Community support and advocacy is provided through the Community Connections Team who work to improve social outcomes across the LGA.

Our **City Performance** directorate manages corporate finance and risk. This includes long term planning for the financial health of our organisation to continue delivering services. The directorate is also home to our People and Culture team who manage worker development, and our work health and safety team who monitor, communicate with and educate teams on work safety.

The **City Services** directorate delivers planning, design, development and maintenance of our roads and infrastructure. Our cemeteries and tourist parks are managed by this directorate, as are our waste services facilities. Our emergency management team plans for and manages responses to emergencies in our area including flood and fire.

The **City Futures** directorate strategically looks to the future for our LGA. This includes how our towns and villages develop and transform for improved community and built environment outcomes.



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Ronald Carberry, Ganger –  
Bushcare Regenerator  
Working on Country, Jerrinja  
Tribal Man



The **City Development** directorate assesses and certifies development for the Shoalhaven. This directorate also delivers services in support of community safety including ranger services and animal management, and compliance services covering food and building safety. The Natural Areas team monitors and protects our waterways, beaches and bushland.

**Shoalhaven Water**, Council's Water Utility, manages the collection, treatment and distribution of water in the Shoalhaven City. It

also collects, treats and disposes of wastewater safely back into the environment.

At the time of writing, Council employs 1555 people who deliver these services for our community. 2.82% of people working for council have told us they identify as Aboriginal or Torres Strait Islander.

Our teams work from many locations in the Shoalhaven, with a large portion of indoor workers located at council's administration building in

Nowra. Our organisation has operational depots located in Bomaderry, Woollamia and Ulladulla. Our workplaces are located throughout the Shoalhaven from the north in Kangaroo Valley to the south in North Durras.









## Why we have a *RAP*

**This Reflect Reconciliation Action Plan (RAP) sets out actions and commitments to strengthen relationships, demonstrate respect and provide opportunities for Council to work more closely and collaboratively with Aboriginal and Torres Strait Islander communities.**

Council is committed to ensuring equitable access to services and employment. As part of that commitment, this RAP has been developed as a framework for building strong relationships with Aboriginal and Torres Strait Islander communities and creating a culturally safe organisation. The Reflect RAP demonstrates Council's commitment to celebrate the culture and traditions of our local Aboriginal and Torres Strait Islander communities and provides a platform for capacity building of our staff and networks to ensure positive reconciliation outcomes across our local government area.

There are many benefits for Council in having a RAP in addition to demonstrating the organisation's commitment to reconciliation. The RAP will provide a strategic direction for Council to work with Aboriginal and non-Aboriginal staff and communities to improve reconciliation outcomes for the Shoalhaven. Other benefits include increased reputation and the strengthening of relationships with

Aboriginal and Torres Strait Islander communities across the Shoalhaven. The RAP also provides an opportunity to develop greater cultural awareness across the organisation and to embed professional development practices in our everyday work.

Council interacts with local Aboriginal and Torres Strait Islander people as Traditional Custodians, residents, ratepayers, staff, business owners, suppliers, land holders and consumers. Aboriginal and Torres Strait Islander people have a great deal to contribute to the cultural, social, and economic development of our community. Working with and involving Aboriginal and Torres Strait Islander people will provide a greater understanding of the diverse cultural dynamics within our Aboriginal and Torres Strait Islander communities.

This RAP supersedes Council's Statement of Commitment, adopted in 2009, which recognised Aboriginal people's valuable contribution made in strengthening and enriching our communities and heritage of all Australians and committed Council to several actions to improve our work with Aboriginal communities. Progress towards the implementation of the goals in the Statement of Commitment was varied as there was no reporting process in place to track progress. This RAP will be supported by a rigorous reporting

mechanism to ensure that teams across the organisation are accountable for their actions and are actively working towards delivering outcomes for reconciliation.

Key to the development of the Statement of Commitment was Shoalhaven City Council's Aboriginal Advisory Committee which was established in 1997, and is still in place in 2024. In June 2020, Councillors initiated the step to adopt the Local Government NSW Albury 2018 Conference policy on the Uluru Statement from the Heart. To build our organisational capacity, senior staff and Councillors attended cultural immersion and decolonisation training in 2022, and Council launched an Aboriginal Protocol Guide as a resource for our staff in 2024.

The development of Council's first RAP aligns with our Community Strategic Plan – Shoalhaven 2032 which sets the future direction for Shoalhaven City Council for the next ten years, with the delivery of Council's first RAP being an action in the Delivery Program, Operational Plan.

Our Chief Executive Officer is Council's nominated 'RAP Champion' and will be responsible for providing strong and supportive leadership to guide the implementation of our first RAP, as well as supporting the development of subsequent RAPs.



Shoalhaven City Council RAP Yarning Group

## Our approach to developing our RAP

Council appointed a Project Lead to co-ordinate and have oversight of the activities and groups involved in developing the RAP. A project plan was developed, guided by principles that were developed in partnership with Aboriginal project staff.

Council established an internal RAP working group in December 2023. The purpose of the Working Group has been to develop a Reconciliation Action Plan for Council that will effectively contribute to reconciliation in the Shoalhaven, within the scope of Council's role, and considering advice from the Yarning Group. From the 27 staff who submitted an Expression of Interest to join the Working Group, 14 staff were appointed as Team Representatives ensuring representation from across the organisation's five directorates as well as Shoalhaven Water and the CEO's Office. Three of the 14 Team Representatives identify as Aboriginal. In addition, two representatives of the Yarning Group attend the Working Group meetings.

The Yarning Group was established concurrently with the Working Group. The purpose of the Yarning

Group has been to guide the development of the Reconciliation Action Plan and offer advice about the effectiveness of the proposed RAP in progressing towards reconciliation in the Shoalhaven. This group comprised 10 community representatives (including service providers, community members and Elders), 6 employee representatives, and 2 representatives from Council's Aboriginal Advisory Committee. This sought to achieve membership representing diverse community perspectives and interests, and with a majority of members having a family/ community connection to the Shoalhaven. All members of the Yarning Group identify as Aboriginal and/or Torres Strait Islander.

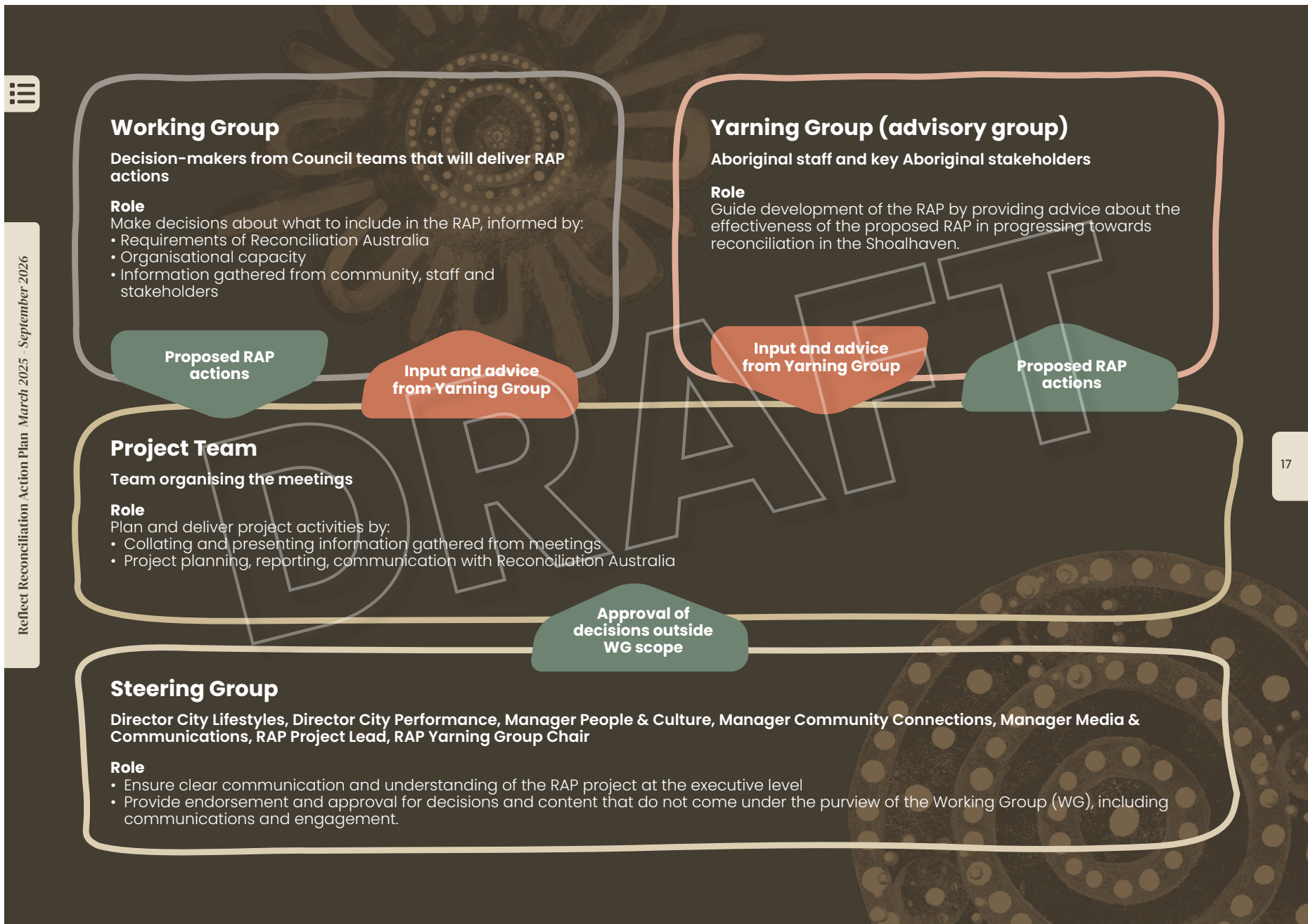
A Steering Group was also appointed in May 2024, to ensure clear communication and understanding of the RAP project at the executive level and provide endorsement and approval for decisions that do not come under the purview of the Working Group. This group was made up of two of Council's Directors, the Project Manager, the Media & Communications Manager, and the Chairs of the Yarning Group and the Working Group.

One member of the Steering Group identifies as Aboriginal.

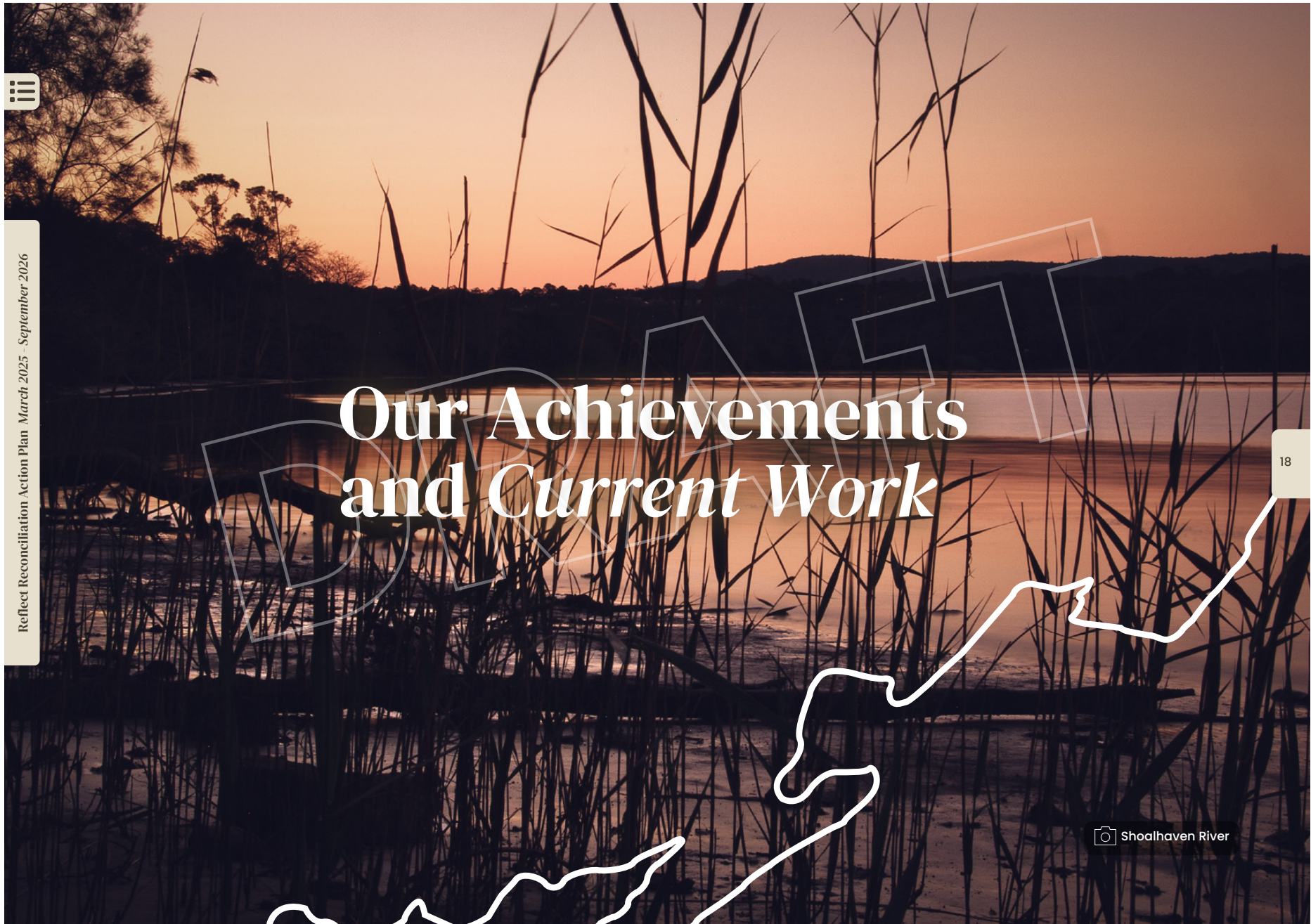
As Council moves to implementation, all three groups will continue to convene with the purpose of each group shifting. As the governing body of the RAP, the Working Group will be responsible for implementation and reporting of the RAP, including communicating and promoting the deliverables within the RAP to the teams across the organisation.

The Yarning Group will continue to provide cultural advice to Council on the effectiveness of RAP activities and implementation and will be kept informed of progress. The experience gained from the Working and Yarning Groups' meetings every 4 weeks throughout the development of this Reflect RAP provides us with the opportunity to use our learnings and a continuous improvement approach to support the effective functioning of these groups as we progress on our reconciliation journey and implement our first RAP. The Steering Group will have oversight of the RAP through its implementation.

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## Reconciliation *achievements*

### Statement of Commitment to Aboriginal Communities of the Shoalhaven

In July 2009, as recommended by Shoalhaven City Council's Aboriginal Advisory Committee, Council resolved to develop a Statement of Commitment with the Aboriginal Advisory Committee to show their recognition of the traditional custodians and culture. Council also resolved to include the Aboriginal flag in the Council Chambers alongside the existing flags, and to hold a formal handover ceremony to present the Aboriginal Flag to be raised in the Council Chambers.

Council's Aboriginal Community Development Officer and the Aboriginal Advisory Committee developed the Statement of Commitment, and Council adopted the Statement of Commitment on 21 December 2009. Aboriginal Advisory Committee assisted in planning the formal ceremony.

A civic reception was held on 26 February 2010 to celebrate the adoption of the Statement of Commitment and the raising of the Aboriginal Flag in the Council Chambers. Feedback from the Aboriginal Elders and community members who attended was very positive, including comments about experiencing feelings of pride, recognition and acceptance of Aboriginal peoples' valuable contribution to Shoalhaven City.

At the Ceremony, Shoalhaven City Mayor, Paul Green said:

"Today we honour the Aboriginal people of Shoalhaven City, a truly enduring people with a rich culture and history. I also acknowledge that much of that history has included injustices and mistreatments."

"Today we make a special commitment to Aboriginal people so that not just Council but all people of Shoalhaven City can learn more about the valuable contribution and richness that Aboriginal peoples offer to our City."

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Arty Farty Party 2024

CL24.304 - Attachment 1



## IN MEMORY Exhibition

The IN MEMORY Exhibition was a photographic and multimedia display recognising Shoalhaven's Aboriginal service men and women's contribution to Australia's defence force.

The exhibition was driven by the stories and reflections on military services, war and homecoming of Aboriginal servicemen and women and their families. Held at the Shoalhaven City Regional Art Gallery from 20 August 2014 to 11 October 2014, it shared memories and experiences, working to overcome the lack of knowledge and awareness of local Aboriginal people's military service, past and present.

Shoalhaven City Council coordinated the IN MEMORY Exhibition in collaboration with Aboriginal service men and women and their family representatives, the Australian War Memorial, museums, historians and Nowra RSL Sub-Branch.

## Walking on Country film

Beautifully filmed in the Shoalhaven, Walking on Country (August 2020) is a short film that captures the unique experience of what connection to Country means to the individual Shoalhaven Aboriginal community members.

It highlights a strong message that cultural heritage is a vital element of Aboriginal people's identity, spiritual beliefs and affinity to the cultural landscape. Walking on Country celebrates the cultural vibrancy and rich heritage of the film participants who share their 'living culture' with us. Connection to Country is who we are, past, present, and future.

The Walking on Country project was visioned and developed by Shoalhaven City Council, in partnership and collaboration with community members. It was proudly supported by the NSW Government – Heritage NSW. The film is available to view on Council's website – search Walking on Country.

## Aboriginal Protocol Guide for Council staff

The Aboriginal Protocol Guide is a resource that provides Council staff with knowledge and understanding of community protocols and encourages inclusive consultation and engagement processes with Aboriginal communities.

A guide of Aboriginal protocols and practices, it supports Council staff to provide opportunities for inclusive decision making processes and promote recognition and respect of Aboriginal heritage and cultures within the Shoalhaven. An increased awareness of Aboriginal cultural protocols assists in strengthening respectful and collaborative engagement strategies with Aboriginal communities within the Shoalhaven.

The Aboriginal Protocol Guide was developed collaboratively with Aboriginal staff and a Council staff working group to provide guidance and advice on local Aboriginal practices and protocols, released 22 March 2024.

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Local Government Regional  
**NAIDOC  
AWARDS  
2024**

Hosted by **Shoalhaven  
City Council**

In partnership with :



NAIDOC Awards -  
Gudhungal Marring  
performance







## Our current reconciliation work

### Aboriginal Advisory Committee to Shoalhaven City Council

The Shoalhaven City Council Aboriginal Advisory Committee is a mechanism for local Aboriginal people to have a stronger voice in Council's decision-making processes. The Committee supports Council to build and strengthen respectful relationships and develop

collaborative approaches with Aboriginal communities.

The purpose of the Aboriginal Advisory Committee is to provide advice to Council on all issues affecting Aboriginal and Torres Strait Islander people in the Shoalhaven, including monitoring the implementation of relevant Council plans and strategies with respect to the

needs, issues and interests of Aboriginal people and communities.

It was established in 1997 as a formal Committee of Council under Section 355 of the Local Government Act (1993). The Advisory Committee meets quarterly and continues to advocate for Aboriginal people to ensure Aboriginal people's voices are heard.



### Reconciliation Garden at Boongaree Rotary Nature Play Park

City Lifestyles has planned direct engagement with local Aboriginal groups, Elders, Aboriginal and Torres Strait Islander organisations and people, about a proposed Reconciliation Garden, in accordance with the Council endorsed Masterplan for Boongaree regional park in Berry. The Reconciliation Garden is planned for the north/eastern section of Boongaree, near Bundawallah Creek, near the site of an Aboriginal camp in the early 1900s. Concept designs were prepared following previous engagement activities.

Bushcare and Landcare restoration of endemic plants have taken place on Country at Boongaree. A Reconciliation Fig was planted by local Aboriginal children on International Tree Day, 31 July 2022. Fig trees are traditionally recognised as protective trees under which to enjoy company, with good shade and in connection with Country. People from several local Aboriginal groups attended the ceremony, along with local Councillors and Council staff. One attendee painted the Garden's concept design on the grass, incorporating paths from the Fig to a smoking circle and a yarning circle, symbolising connections with Country and people.

Our engagement seeks wide input from local Aboriginal and Torres Strait Islander communities, and aims to develop 'shovel-ready' detailed designs for future implementation when funding becomes available. Engagement activities display concept designs for discussion and development of detailed designs, and are undertaken at a gentle pace, with quiet conversations.

### Local Government Regional NAIDOC Awards

The passion of five Aboriginal community development officers from five councils across the region led to the creation of the Local Government Regional NAIDOC Awards, as an accessible platform that showcases local Aboriginal and Torres Strait Islander communities of the Illawarra and Shoalhaven. The first award ceremony was held in 2011 hosted by Shellharbour City Council and since then, the awards are organised collaboratively with four councils who take it in turns to host the event in their region.

The awards celebrate and recognise the remarkable accomplishments and contributions of Aboriginal and Torres Strait Islander people, organisations and businesses based in the Illawarra and Shoalhaven area. Shoalhaven City Council's Community Connections team partner with Wollongong, Shellharbour and Kiama Councils to plan and deliver the awards each year by committee. Shoalhaven City Council hosted the awards event in July 2024.

### Supporting the Sorry Day event in Bomaderry

National Sorry Day is a day to acknowledge the strength of Stolen Generations Survivors and reflect on how we can all play a part in the healing process for our people and nation. Council's Community Connections team provides support where needed to South Coast Medical Service Aboriginal Corporation to deliver a Sorry Day event in Nowra/Bomaderry, and coordinate Council teams for track clearing, traffic control plans, event permits, DA advice, risk assessments as well as staff to assist the community walk.

Local Aboriginal Communities, non-Aboriginal and Torres Strait Islander communities, school children from nearby schools, government, and non-government organisations, and groups

from up and down the South Coast, all unite for the three-kilometre walk across the Nowra Bridge to the Bomaderry Homes. The walk is followed by stories, dance, music, art, and complimentary food and beverages. The event serves as a tribute to the strength of Stolen Generations Survivors, encouraging contemplation on how each of us can contribute to the healing process of our people and nation, and an opportunity to connect as a community.

### Prioritisation of Aboriginal Language in Place Naming

Council has been working to prioritise the use of Aboriginal language placenames through its role in delivering Urban Release Areas. Place names connect people to a place and play a vital role in our social and cultural environment. Using Aboriginal language for place naming acknowledges and celebrates the long lasting connection of Aboriginal and Torres Strait Islander people to those places; helps to reawaken, preserve and grow Aboriginal languages; and supports the strengthening Aboriginal and Torres Strait Islander Peoples' connections with culture and identity.

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📷 Elder, Aunty Nabu Deliah Lowe





### Nowra Riverfront Designing with Country Framework

Council engaged 100% Aboriginal owned design consultancy, Yerrabingin, to prepare a Designing with Country Framework for the Nowra Riverfront Precinct. Developed in close collaboration with the local Aboriginal community, the work identifies Aboriginal design narratives and principles to guide the future design and activation of the Precinct. This approach seeks to meaningfully embed Aboriginal knowledge and culture into the Nowra Riverfront masterplan from early on, following the Connecting with Country Framework (Government Architect of NSW) principles.

Through a series of co-design sessions with local Aboriginal community members, three overarching design principles were developed – Cultural Landscapes, Accessibility and Water – with associated design elements and opportunities for interpretation allowing all users of the Precinct to interact with and appreciate local Aboriginal culture and heritage. The Nowra Riverfront project will seek to continue the Designing with Country approach throughout future design and delivery phases.

### Cultural Immersion Training

Council is rolling out a new Diversity and Inclusion training package to all staff, which is mandatory across all positions within Council. In response to community feedback Council has identified a high priority for a new Aboriginal and Torres Strait Islander cultural immersion module. Council collaborates with Aboriginal and Torres Strait Islander training companies to

develop resources, identify training content and support delivery of training modules, which may be presented by Council's People and Culture Department or by organisations engaged to deliver the training. Additionally, we engage with Aboriginal and Torres Strait Islander employees and the Yarning Group to ensure training is effective and tailored to the needs of our Council and staff.

The goal of the training is to create a safe and inclusive environment for Aboriginal and Torres Strait Islander people by enhancing cultural awareness, immersion, and safety among all staff. Implementing mandatory training through Council's People and Culture Department strengthens Council's previous Aboriginal and Torres Strait Islander awareness training modules that have been presented only to interested staff over the past 10 years by Council's Community Development Officer – Aboriginal.

### Protection of Aboriginal heritage items & Respect for culturally significant sites as part of Council projects

Requirements for the protection of Aboriginal heritage items and consultation governed by legislation (NSW National Parks and Wildlife Act 1974) but does not always cover the values and concerns of Aboriginal community members. We therefore seek to undertake consultation with relevant Aboriginal stakeholders – as well as engage Aboriginal heritage site officers to monitor works – on Council led projects occurring in areas known to be culturally significant, but where requirements beyond due diligence are not triggered under legislation. We also facilitate the return of artefacts to Country

(in accordance with the wishes of the relevant Local Aboriginal Land Council).

### Supporting Aboriginal Cultural Heritage Protection with a new Planning and Development Toolkit

Council recognises the importance of, and is committed to, ensuring its strategic planning and development processes support the protection of Aboriginal cultural heritage. As part of this commitment, Council plans to develop a new planning and development toolkit to help strengthen the consideration of Aboriginal cultural heritage in new projects and developments across the LGA. This could include things like mapping of culturally significant areas known to the community (an example of this can be seen in the Tweed Shire) and improved guidance for Council assessment staff and developers. This work will be guided by the Aboriginal community. Council is at the beginning of this process and will keep the community informed on ways to get involved and on the work as it progresses.



### Flag raising and civic reception for NAIDOC Week

Each year we celebrate NAIDOC Week with a civic reception that includes the raising of the Australian, Aboriginal and Torres Strait Islander flags by civic leaders and Aboriginal and Torres Strait Islander Elders. We strive to include cultural performances by local Aboriginal people and invite all Elders from across the region to attend, along with staff and community. A morning tea is held for Elders to attend.

### Supporting community committees to deliver NAIDOC Week events and activities

NAIDOC Week, which first began in 1975, provides an opportunity for all Australians to learn about Aboriginal and Torres Strait Islander peoples cultures and histories, and to participate in celebrations of the oldest continuous living cultures on Earth. Across the Shoalhaven, Aboriginal communities gather to plan and deliver a number of events across the week.

The Community Connections team support NAIDOC Week committees, either through financial contribution or in-kind support (staff resource, venue, equipment, other resources and materials), to deliver community led events and activities including NAIDOC Week Family Fundays and Local Government Regional NAIDOC Awards.

### Aboriginal identified employment

Council currently has 7 permanent identified positions for Aboriginal and Torres Strait Islander people.

- Library Assistant – Collection Services
- Library Assistant – Outreach Services
- Community Capacity Builder Aboriginal, Cadet
- Community Capacity Builder Aboriginal
- Ganger – Bushcare Regenerator
- Skilled Labourer – Bushcare Regenerator
- Aboriginal and Torres Strait Islander Ranger

### Skills for Life Nowra

Skills for Life is a program that provides employability skills, industry specific training and facilitates connections with local employers. It is a 3 week program tailored toward the local Aboriginal and Torres Strait Islander peoples Community and covers Cultural Engagement, Digital Skills, and Industry Exploration. Council will be attending the Industry Exploration and showcasing available jobs and career pathways with Council. We will have Aboriginal and Torres Strait Islander employees attend to discuss their careers and experiences with Council.

### Attract and retain Aboriginal and Torres Strait Islander Trainees and Apprentices

Council engages a Group Training Organisation for the provision of Trainees and Apprentices, and to provide opportunities for the local Aboriginal and Torres Strait Islander community. This initiative provides a Mentorship Program, career days, and partnerships with local Aboriginal and Torres Strait Islander service providers. Career days provide information on career pathways such as apprentice and trainee opportunities, and how best to start a career with Council. Reporting measures and regular meetings with the Group Training Organisation enable Council to monitor the Training and Apprentices program, review processes with the contractor, and actively work to increase the number of Aboriginal and Torres Strait Islander apprentices and trainees within Council.

These efforts are part of our commitment to assisting Aboriginal and Torres Strait Islander people to achieve qualifications and meaningful employment across a wide range of disciplines in the Shoalhaven.



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Arty Farty Party, 2023





### Career Pathways for School Students to Apprentices and Trainees

Council works with local high schools to educate and expose students to opportunities and career pathways within Council. This includes partnership with 5 public high schools, a community college and 3 private schools in the Shoalhaven. Between January 2023 and October 2024 Council has hosted 102 students through our work experience and work placement programs, whereby several students gained successful trainee or apprenticeships with Council.

Council's Workplace Learning Officer maintains strong relationships with Careers Advisors across the Shoalhaven. We engage with career-oriented programs such as 'Get back in the game', and support students to complete compulsory work placements for nationally accredited qualifications, alongside their HSC.

Council also partners with The Smith Family's Work Inspiration Program, which provides the

opportunity for 15 Aboriginal and Torres Strait Islander school students to obtain career exposure and interview tips from several organisations across the Shoalhaven.

### Showcase and support of local Aboriginal Artisans

Shoalhaven Visitor Centres sell merchandise in Nowra, Ulladulla and also online. Standard Operating Procedures ensure that authentic Aboriginal artisans from the local South Coast region are stocked for sale. This includes boomerangs, cards, and various other crafts. These items are authentic for visitors and they also support local Aboriginal artists.

### Business Development & Promotion of Cultural Tourism Operations

Research shows that visitors to Shoalhaven want to engage in Aboriginal Cultural experiences when in region. There are a round 3 million visitors to Shoalhaven every year. Council's Tourism & Economic Development team work

with business operators from the start of an idea all the way through to having them on sale and assisting with marketing promotion. We assist in business development and connecting them to various services that can also help grow their business.

### Shoalhaven Visitor Guide – Aboriginal Cultural Directory

The opening four pages of the annual visitor guide for Shoalhaven has an Acknowledgement of Country followed by a 2 page spread of all known Aboriginal Cultural product available for visitors to engage with. This plus rich photos and a directory in the index helps to support promotion of Aboriginal Cultural businesses.







Action	Deliverable	Responsible Team	Responsible Officer	Timeframe
<b>1.1 Establish and strengthen mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.</b>	1.1.1 Build a greater understanding of Aboriginal and Torres Strait Islander stakeholders and organisations within our local area or sphere of influence.	City Lifestyles – Community Connections	Community Capacity Builder – Aboriginal	Jun-2026
	1.1.2 Research best practice and principles that support partnerships with Aboriginal and Torres Strait Islander stakeholders and organisations.	City Lifestyles – Community Connections	Social Planner	Jun-2026
<b>1.2 Build relationships through celebrating National Reconciliation Week (NRW).</b>	1.2.1 Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff.	City Performance – People & Culture	Manager – People & Culture	May-2025 May-2026
	1.2.2 RAP Working Group members to participate in an external NRW event.	City Lifestyles – Community Connections	Manager – Community Connections	27 May – 3 June 2025, and 27 May – 3 June 2026
	1.2.3 Encourage and support staff and senior leaders to participate in at least one external event to recognise and celebrate NRW.	City Performance – People & Culture	Lead – Human Resources	Jun-2026
<b>1.3 Promote reconciliation through our sphere of influence.</b>	1.3.1 Communicate our commitment to reconciliation to all staff.	City Performance – People & Culture	Lead – Human Resources	May-2025 May 2026
	1.3.2 Identify external stakeholders that our organisation can engage with on our reconciliation journey.	City Lifestyles – Community Connections	Community Capacity Builder – Aboriginal	Sep-2026
	1.3.3 Identify RAP and other like-minded organisations that we could approach to collaborate with on our reconciliation journey.	City Lifestyles – Community Connections	Manager – Community Connections	Sep-2026
	1.3.4 Reconciliation Action Plan Working Group members to attend team briefs across the organisation, to inform teams about the RAP.	City Lifestyles – Community Connections, City Performance – People & Culture	RAP Working Group Co-Chairs: Manager – Community Connections, Manager – People and Culture	Sep-2025

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Action	Deliverable	Responsible Team	Responsible Officer	Timeframe
<b>2.1 Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning.</b>	2.1.1 Develop a business case for increasing understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights within our organisation.	City Performance - People & Culture	Lead - Human Resources	Sep-2025
	2.1.2 Conduct a review of cultural learning needs within our organisation.	City Performance - People & Culture	Lead - Human Resources	Sep-2025
	2.1.3 Provide ongoing opportunities for Council staff and Councillors to learn about Aboriginal heritage, customs and culture including in corporate inductions and cultural awareness and immersion training and attendance at cultural events.	City Performance - People & Culture	Lead - Human Resources	Jul-2026
	2.1.4 Promote Shoalhaven Libraries' Aboriginal and Torres Strait Islander Collections to local community.	City Lifestyles - Library Services	Collections & Resources Manager	Sep-2026
	2.1.5 With the assistance of Elders sharing their experiences of living in the Shoalhaven, collect and preserve the stories of the local Aboriginal community and make these accessible into the future through the Shoalhaven Libraries' Oral History project.	City Lifestyles - Library Services	Local Heritage Librarian	Sep-2026
	2.1.6 Share resources with community groups (including Community Consultative Bodies) about reconciliation, including what an Acknowledgment of Country is and why it is important, with examples.	City Lifestyles - Community Connections	Community Connections Officer	Sep-2025
<b>2.1 Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning.</b>	2.1.7 Celebrate and exhibit Aboriginal and Torres Strait Islander peoples works from Shoalhaven City Art Collection Aboriginal Art collection in customer-facing locations across Shoalhaven City Council facilities.	City Lifestyles - Arts, Culture & Entertainment	Shoalhaven Regional Gallery Director	Sep-2025
	2.1.8 Investigate alternative workwear options for teams that incorporate local Aboriginal artwork.	Shoalhaven Water - Water Operations & Maintenance	Water Operations and Maintenance Manager	Sep-2025
	2.1.9 Investigate making Customer Service areas of the Nowra and Ulladulla Administration Buildings, more culturally welcoming by incorporating suitable art, signage, stories, historical photos and information.	City Performance - Customer Experience	Manager - Customer Experience	Sep-2026

Reflect Reconciliation Action Plan March 2025 – September 2026	Action	Deliverable	Responsible Team	Responsible Officer	Timeframe
	<b>2.2 Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.</b>	2.2.1 Develop an understanding of the local Traditional Owners or Custodians of the lands and waters within our organisation's operational area.	City Lifestyles – Community Connections	Manager – Community Connections	Sep-2026
		2.2.2 Increase staff's understanding of the purpose and significance behind cultural protocols, including Acknowledgement of Country and Welcome to Country protocols.	City Lifestyles – Community Connections	Lead – Community Capacity Building	Dec-2025
		2.2.3 Include an Acknowledgment of Country on all Shoalhaven City Council staff email blocks.	City Performance – Information Services	Information Technology Manager	Jun-2025
	<b>2.3 Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.</b>	2.3.1 Raise awareness and share information amongst our staff about the meaning of NAIDOC Week.	City Lifestyles – Community Connections	Lead – Community Capacity Building	Dec-2025
		2.3.2 Introduce our staff to NAIDOC Week by promoting external events in our local area.	City Performance – People & Culture	Lead – Human Resources	Jul-2025
	<b>2.3 Build respect for Aboriginal and Torres Strait Islander cultures and histories by</b>	2.3.3 RAP Working Group to participate in an external NAIDOC Week event.	City Lifestyles – Community Connections, City Performance – People & Culture	RAP Working Group Co-Chairs: Manager – Community Connections, Manager – People and Culture	Jul-2026
	<b>2.4 Provide equitable and culturally-safe services</b>	2.4.1 Engage with staff and community to understand their experiences of reconciliation, both in the Shoalhaven and when interacting with Council, to inform how we plan and deliver our services.	City Lifestyles – Community Connections	Social Planner	Sep-2026
		2.4.2 Run programs and activities that are culturally appropriate for Aboriginal communities in libraries and outreach programs.	City Lifestyles – Community Connections	Social Planner	Sep-2026
	<b>2.5 Provide equitable and culturally safe services</b>	2.5.1 Run programs and activities that are culturally appropriate for Aboriginal communities in libraries and outreach programs.	City Lifestyles – Library Services	Outreach & Digital Resources Manager	Sep-2026







Action	Deliverable	Responsible Team	Responsible Officer	Timeframe
<b>3.1 Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development.</b>	3.1.1 Build understanding of current Aboriginal and Torres Strait Islander staffing to inform future employment and professional development opportunities.	City Performance – People & Culture	Lead – Human Resources	May-2026
	3.1.2 Investigate opportunities for targeted Aboriginal positions within Council teams across the organisation.	City Performance – People & Culture	Lead – Human Resources	Sep-2025
	3.1.3 Investigate mechanisms to acknowledge the cultural load on Council's Aboriginal staff.	City Performance – People & Culture	Lead – Human Resources	Sep-2025
	3.1.4 Attend events and programs led by Aboriginal communities to build relationships and share information.	CEO's Office – Media & Communications (Community Engagement)	Community Engagement Officer – Media & Communications	Jun-2026
<b>3.2 Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.</b>	3.2.1 Develop a business case for procurement from Aboriginal and Torres Strait Islander owned businesses.	City Performance – Finance (Procurement)	Procurement Manager	Jun-2025
	3.2.2 Investigate Supply Nation membership.	City Performance – Finance (Procurement)	Procurement Manager	Jun-2025
<b>3.2 Increase Aboriginal and Torres Strait Islander supplier diversity to support</b>	3.2.3 Improve opportunities by generating a database of Aboriginal artists interested in Council public or corporate artwork commissions.	City Lifestyles – Arts, Culture & Entertainment	Shoalhaven Regional Gallery Director	Jun-2025
<b>3.3 Improve equitable access to employment opportunities by fostering cultural safety in our workplace</b>	3.3.1 Review Council's leave policy considering impacts on Aboriginal and Torres Strait Islander people.	City Performance – People & Culture	Lead – Human Resources	Sep-2025
	3.3.2 Socialising and supporting managers to understand any policy changes.	City Performance – People & Culture	Lead – Human Resources	Sep-2025







Reflect Reconciliation Action Plan March 2025 - September 2026	Action	Deliverable	Responsible Team	Responsible Officer	Timeframe
	<b>4.1 Establish and maintain an effective RAP Working Group (RWG) to drive governance of the RAP.</b>	4.1.1 Maintain a RWG to govern RAP implementation.	City Lifestyles - Community Connections, City Performance - People & Culture	RAP Working Group Co-Chairs: Manager - Community Connections, Manager - People and Culture	Jun-2025
		4.1.2 Review a Terms of Reference for the RWG.	City Lifestyles - Community Connections, City Performance - People & Culture	RAP Working Group Co-Chairs: Manager - Community Connections, Manager - People and Culture	Jun-2025
		4.1.3 Maintain Aboriginal and Torres Strait Islander representation on the RWG.	City Lifestyles - Community Connections, City Performance - People & Culture	RAP Working Group Co-Chairs: Manager - Community Connections, Manager - People and Culture	Jun-2025
	<b>4.2 Provide appropriate support for effective implementation of RAP commitments.</b>	4.2.1 Define resource needs for next RAP development and implementation.	City Lifestyles - Community Connections, City Performance - People & Culture	RAP Working Group Co-Chairs: Manager - Community Connections, Manager - People and Culture	Sep-2026
		4.2.2 Engage senior leaders in the delivery of RAP commitments.	City Lifestyles - Community Connections, City Performance - People & Culture	RAP Working Group Co-Chairs: Manager - Community Connections, Manager - People and Culture	Sep-2026
		4.2.3 Maintain a senior leader to champion our RAP internally.	Executive Management Team	Chief Executive Officer	Jun-2026
	<b>4.2 Provide appropriate support for effective implementation of RAP commitments.</b>	4.2.4 Define appropriate systems and capability to track, measure and report on RAP commitments.	City Lifestyles - Community Connections	Social Planner	Sep-2026

Action	Deliverable	Responsible Team	Responsible Officer	Timeframe
<b>4.3 Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.</b>	4.3.1 Contact Reconciliation Australia to verify that our primary and secondary contact details are up to date, to ensure we do not miss out on important RAP correspondence.	City Lifestyles – Community Connections, City Performance – People & Culture	RAP Working Group Co-Chairs: Manager – Community Connections, Manager – People and Culture	Jun-2025, Jun-2026
	4.3.2 Contact Reconciliation Australia to request our unique link, to access the online RAP Impact Measurement Questionnaire.	City Lifestyles – Community Connections	Social Planner	Jun-2025, Jun-2026
	4.3.3 Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.	City Lifestyles – Community Connections	Social Planner	Sep-2025, Sep-2026
<b>4.4 Continue our reconciliation journey by developing our next RAP.</b>	4.4.1 Register via Reconciliation Australia's website to begin developing our next RAP.	City Lifestyles – Community Connections	Social Planner	Jun-2025





## Acknowledgement of contributors

We are grateful for the valued contributions of everyone involved in developing this RAP, including the following people.

### Yarning Group

#### Community Representatives

Charlie-Ann Rogers, Cullunghutti Aboriginal Child & Family Centre  
Troy Pease Pender / Alan Douglas, Grand Pacific Health  
Sharlene Cruickshank / Dane Walker, Illawarra Shoalhaven Local Health District  
Kerry-Ann Perry, Waminda (South Coast Women's Health & Welfare Aboriginal Corporation)  
Natalie Nye, The Sacred Murring, Community Contribution  
Uncle Tom Moore, a Respected Aboriginal Elder of our community

#### Employee Representatives

Aaron Coomb, Shoalhaven Water – Water Operations & Maintenance: Fitter Machinist  
Adam Crossley, City Development: Environmental Services – Skilled Labourer – Bushcare Regenerator  
Greg Wellington, City Services – Works & Services: Leading Hand Plant Operator  
Kristin Holt, City Services – Waste Services: Environmental Project Manager  
Scott Aldridge, City Services – Works & Services: Central Maintenance Supervisor  
Sharon Neradil, City Services – Building Services: Project Manager  
Skye Phillips, Shoalhaven Water – Water Business Services: Senior Administration Officer

#### Representatives of Council's Aboriginal Advisory Committee

Caryn Carpenter

#### Project Staff

Chair	Allen Bloxsome, Community Connections: Capacity Builder – Aboriginal
Co-Chair	Charmaine Sutton, Community Connections: Capacity Builder – Cadet Carly McWalters, Community Connections: Lead – Community Capacity Building
RAP Project Lead	Casey Holtom, Community Connections: Social Planner
Administration support	Joanne Cottell, Community Connections: Senior Administration Officer



Scott Aldridge,  
Team Supervisor  
– Central  
Maintenance

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# Acknowledgement of contributors

## Working Group

### Team Representatives

CEO Group	Rachel Di-Masi / Stuart Carless, Media & Communications: Media & Communications Officer Caitlin Lewis, Media & Communications: Manager – Media & Communications
City Development	Jesse Ailwood, Development Services: Administrative Assistant Jessica Hughes, Environmental Services: Senior Administration Officer Shane Brown, Ranger Services: Aboriginal and Torres Strait Islander Ranger
City Futures	Matthew Rose, Strategic Planning: Coordinator – Strategy Planning Team Kristy Mayhew, Tourism & Economic Development: Acting Tourism & Economic Development Manager
City Lifestyles	Karen Patterson, Arts, Culture & Entertainment: Manager – Arts, Culture & Entertainment Nicole Lonesborough, Library Services: Acting Library Services Manager Richard McGuinness, Swim Sport Fitness: Precinct Coordinator – North
City Performance	Lauren Buckingham, Customer Experience/Financial Sustainability: Project Manager – Financial Sustainability Karen Rourke, Representing the Director: Executive Assistant to the Director
City Services	Sharon Neridal, Building Services: Project Officer Julia Simpson, Technical Services: Coordinator Building & Landscape Design
Shoalhaven Water	Andrew McVey, Water Operations & Maintenance: Manager – Water Operations & Maintenance

### Yarning Group Representatives

Adam Crossley, City Development, Environmental Services: Skilled Labourer – Bushcare Regenerator
Skye Phillips, Shoalhaven Water, Water Business Services: Senior Administration Officer

### Project Staff

Co-Chair	Michael Paine, Community Connections: Manager – Community Connections
Co-Chair	Amanda Crangle, People & Culture: Manager – People & Culture
Yarning Group Chair	Allen Bloxsome, Community Connections: Capacity Builder – Aboriginal
RAP Project Lead	Casey Holtom, Community Connections: Social Planner
Administration support	Joanne Cottell, Community Connections: Senior Administration Officer



## Acknowledgement of contributors

### Steering Group

Executive representative	Jane Lewis, Director City Lifestyles
Executive representative	Kerrie Hamilton, Director City Performance
Working Group Co-Chair	Michael Paine, Manager – Community Connections
Working Group Co-Chair	Amanda Crangle, Manager – People & Culture
Media & Communications	Caitlin Lewis, Manager – Media & Communications
Yarning Group Chair	Allen Bloxsome, Capacity Builder – Aboriginal
RAP Project Lead	Casey Holtom, Social Planner

### Mentor

Di Ellis, Senior Aboriginal and Torres Strait Islander Affairs Manager, National Roads & Motorists Association

### Artist

Jaz Corr, Visual Artist, Visual Arts Teacher & Wayapa Wuurrk Practitioner

Reflect Reconciliation Action Plan March 2025 – September 2026



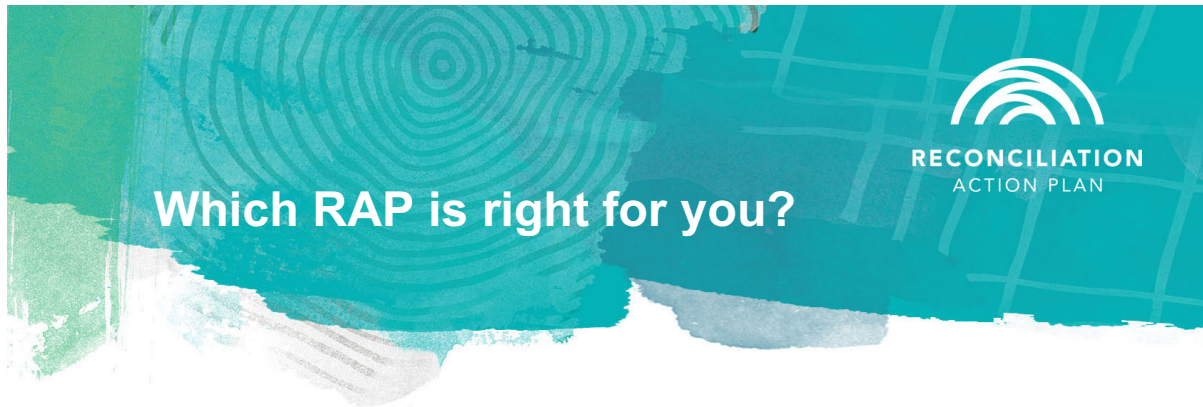
Shoalhaven City Council RAP Working Group



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## Reconciliation Action Plan (RAP) Framework

Reconciliation Australia's RAP Framework provides organisations with a structured approach to advance reconciliation. There are four different types of RAP that an organisation can develop: *Reflect*, *Innovate*, *Stretch* & *Elevate*. Each type of RAP is designed to suit an organisation at different stages of their reconciliation journey and organisations can repeat the same type of RAP if appropriate.

### Reflect RAP

#### Scoping capacity for reconciliation

A Reflect RAP clearly sets out the steps you should take to prepare your organisation for reconciliation initiatives in successive RAPs. Committing to a Reflect RAP allows your organisation to spend time scoping and developing relationships with Aboriginal and Torres Strait Islander stakeholders, deciding on your vision for reconciliation and exploring your sphere of influence, before committing to specific actions or initiatives. This process will help to produce future RAPs that are meaningful, mutually beneficial and sustainable.

Is a Reflect RAP the right fit for your organisation?	
<b>RAP objective</b>	<ul style="list-style-type: none"> <li>Prepare the organisation for future RAPs and reconciliation initiatives</li> </ul>
<b>Duration</b>	<ul style="list-style-type: none"> <li>12 months</li> </ul>
<b>Suitable for</b>	<p>Organisations that may:</p> <ul style="list-style-type: none"> <li>be new to reconciliation and are unsure of how their organisation could or should engage with reconciliation</li> <li>have limited or poor relationships with Aboriginal and Torres Strait Islander stakeholders</li> <li>need time to engage the whole of organisation in reconciliation, including gaining support from senior leaders</li> <li>don't have an existing working group and structured plan to drive reconciliation</li> <li>Organisations that are unsure who their Aboriginal and Torres Strait Islander staff and external stakeholders are</li> </ul>
<b>Key expectations of the RAP</b>	<p>Establish an effective governance structure, including RAP Working Group</p> <p>Determine your organisation's vision for reconciliation</p> <p>Scope and reflect on how the organisation can contribute to reconciliation</p> <p>Improve relationships with Aboriginal and Torres Strait Islander peoples and relevant stakeholders</p> <p>Build understanding of who, how, why and when to seek guidance and consultation</p> <p>Prepare business cases to senior leaders for future reconciliation initiatives</p> <p>Not necessarily expected to make changes to policies or internal operations</p>

## Innovate RAP

### Implementing reconciliation initiatives

An Innovate RAP outlines actions that work towards achieving your organisation's unique vision for reconciliation. Commitments within this RAP allow your organisation to be aspirational and innovative in order to help your organisation gain a deeper understanding of its sphere of influence, and establish the best approach to advance reconciliation. An Innovate RAP focuses on developing and strengthening relationships with Aboriginal and Torres Strait Islander peoples, engaging staff and stakeholders in reconciliation, developing and piloting innovative strategies to empower Aboriginal and Torres Strait Islander peoples.

Is an Innovate RAP the right fit for your organisation?	
<b>RAP objectives</b>	<ul style="list-style-type: none"> <li>Establishing the best approach for advancing reconciliation within the organisation</li> <li>Implementing reconciliation strategies and initiatives</li> </ul>
<b>Duration</b>	<ul style="list-style-type: none"> <li>2 years</li> </ul>
<b>Prerequisites</b>	<ul style="list-style-type: none"> <li>General support and goodwill throughout the organisation</li> <li>Support from senior leaders of the organisation</li> <li>Established governance structure, including RAP Working Group with Aboriginal and/or Torres Strait Islander representation</li> </ul>
<b>Suitable for</b>	<p>Organisations that:</p> <ul style="list-style-type: none"> <li>have strong relationships with their Aboriginal and Torres Strait Islander stakeholders and understand who, how, why, and when to seek guidance and consultation</li> <li>are ready to begin or continue to implement strategies, initiatives and policies that support reconciliation</li> <li>are ready to commit to additional actions tailored to their organisation</li> </ul> <p>Organisations that may have:</p> <ul style="list-style-type: none"> <li>strong engagement with reconciliation and want to consolidate this through a structured governance model and formal public commitment</li> <li>had challenges with previous efforts or are yet to embed reconciliation across the organisation</li> <li>completed a RAP previously, have learnt from this experience and wish to continue or improve their approaches and/or try new approaches</li> </ul>
<b>Key expectations of the RAP</b>	<ul style="list-style-type: none"> <li>Develop mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders</li> <li>Develop and pilot strategies for reconciliation initiatives</li> <li>Engage staff in reconciliation</li> <li>Identify the best approach for the organisation through aspirational deliverable</li> <li>Explore how the organisation can drive reconciliation through its business activities, services, programs, stakeholders and/or sphere of influence</li> <li>Report to Reconciliation Australia by September each year, through the RAP Impact measurement questionnaire</li> <li>Publically report on RAP progress to external stakeholders</li> </ul>

CL24.304 - Attachment 2



## Stretch RAP

### Embedding reconciliation

A Stretch RAP is best suited to organisations that have developed strategies, and established a very strong approach towards advancing reconciliation internally and within the organisation's sphere of influence. This type of RAP is focused on implementing longer-term strategies, and working towards defined measurable targets and goals. The Stretch RAP requires organisations to embed reconciliation initiatives into business strategies to become 'business as usual'.

Is a Stretch RAP the right fit for your organisation?	
<b>RAP objectives</b>	<ul style="list-style-type: none"> <li>Embed reconciliation initiatives into the organisation</li> <li>Utilise sphere of influence to drive reconciliation</li> </ul>
<b>Duration</b>	<ul style="list-style-type: none"> <li>2-3 years</li> </ul>
<b>Prerequisites</b>	<p>Organisations are expected to have:</p> <ul style="list-style-type: none"> <li>successfully completed a previous RAP</li> <li>strong meaningful engagement with internal and external Aboriginal and Torres Strait Islander stakeholders</li> <li>an effective governance structure, including RAP Working Group with Aboriginal and/or Torres Strait Islander representation, and senior decision makers from across the organisation</li> <li>processes and systems in place to capture information on staff cultural learning, Aboriginal and Torres Strait Islander employees, spend with Aboriginal and Torres Strait Islander businesses, and any other relevant RAP commitments</li> <li>strong support and engagement from senior leaders, including a designated RAP Champion</li> <li>an effective Aboriginal and Torres Strait Islander engagement strategy, cultural learning strategy and employment strategy</li> <li>completed the RAP Impact Measurement Questionnaire Report each year</li> </ul>
<b>Suitable for</b>	<p>Organisations that have met the above requirements and:</p> <ul style="list-style-type: none"> <li>are confident in their tried and tested approach to embedding reconciliation within their organisation</li> <li>have tailored additional commitments to their business activities, services, programs, stakeholders and/or sphere of influence</li> <li>are ready to expand on their efforts through specific and measurable longer-term commitments with an outcomes focus</li> <li>can commit to robust reporting requirements</li> <li>are willing to collaborate with other RAP organisations to advance reconciliation</li> </ul>
<b>Key expectations of the RAP</b>	<ul style="list-style-type: none"> <li>Set measurable targets and firm tangible commitments throughout the RAP</li> <li>Implement strategies to ensure staff throughout the organisation is engaged in reconciliation</li> <li>Continuous improvement of engagement, cultural learning, employment and procurement strategies</li> <li>Engage external stakeholders in reconciliation</li> <li>Consider initiatives to address the five dimensions of reconciliation</li> <li>Report to Reconciliation Australia by September each year, through the RAP Impact Measurement Questionnaire</li> <li>Publically report on RAP progress to external stakeholders</li> </ul>

## Elevate RAP

### Leadership in reconciliation

Please discuss with Reconciliation Australia if you are aspiring for an Elevate RAP as there are unique requirements, expectations and processes in order to qualify.

For more information visit  
[www.reconciliation.org.au](http://www.reconciliation.org.au)

