



RECEIVED 25 SEP 2007

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Australand Corp (NSW) Pty Ltd
PO Box A148
SHELLHARBOUR NSW 2529

24 SEP 2007

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION
Issued under the Environmental Planning and Assessment Act 1979 Section 81(1)(a)

Being the applicant of Development Application No. 310/2007 for consent to the following development:

THREE LOT TORRENS TITLE SUBDIVISION

LOT: 1101 DP: 1076113

SHALLOWS DRIVE, SHELL COVE

Determination date of consent..... 21 SEP 2007

In accordance with Section 80 of the Act the Development Application has been determined by the GRANTING OF CONSENT UNDER DELEGATED AUTHORITY SUBJECT TO THE CONDITIONS DESCRIBED BELOW.

PCA NOTIFICATION

1. The person having the benefit of the development consent must appoint a principal certifying authority (S81A).

DEVELOPMENT IN ACCORDANCE WITH PLANS

2. The subdivision must be carried out in strict conformity with the plans, specifications and conditions approved by Council.

Name of Plan	Prepared by	Drawing No.	Revision No.
Dimensional Site Plan	D Gerardis	CS0218 – DA05	Rev. A dated 4/4/07

UTILITIES

3. Services conduits must be placed across carriageways prior to the placing of any pavement material. In this regard, a copy of the services plans must be submitted to the Principal Certifying Authority prior to the placement of pavement material. Alternatively, the services crossings must be under bored.

ADMINISTRATION CENTRE:
Lamerton House
Lamerton Crescent
Shellharbour City Centre

COUNCIL MEETING CHAMBER:
Cnr Shellharbour & Lake Entrance Roads, Warilla

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4. Electricity must be provided to all proposed lots. In this regard, the developer must submit written advice to the Principal Certifying Authority from Integral Energy that all requirements for the supply of electricity to the proposed allotments have been satisfied. This advice must be submitted with the Subdivision Certificate application.
5. Telephone service must be provided to all proposed lots. In this regard, the developer must submit written advice to the Principal Certifying Authority from Telstra Australia that all requirements for the supply of telephone services to the proposed allotments have been satisfied. This advice must be submitted with the Subdivision Certificate application.
6. Lots affected by new or existing services must be burdened with easements and restrictions on the use of land to the satisfaction of the Principal Certifying Authority, Sydney Water and Integral Energy.
7. The developer must submit written advice to the Principal Certifying Authority from the Natural Gas Company that all requirements for the supply of gas service to the proposed allotments have been satisfied. This advice must be submitted with the Subdivision Certificate application.
8. Prior to issue of the Subdivision Certificate, a Restriction as to User must be placed on the 88B Instrument creating an interallotment drainage easement, not less than 1m wide, over all interallotment drainage pipelines.
9. Consent for this development is conditional upon satisfactory arrangements with Sydney Water (Illawarra Branch) for the provision of adequate facilities for water supply and the removal or disposal of sewage.

A section 73 compliance certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

Application must be made through an authorised water servicing coordinator. Please refer to the *Your Business* section of the web site www.sydneywater.com.au then follow the *e-Developer* icon or telephone 13 2092 for assistance.

Following application a 'Notice of Requirements' will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the Subdivision Certificate.

10. Sydney Water (Illawarra Branch) may require a contribution towards new water and sewerage services or amplification of the existing system for the development, the subject of this consent.
11. As Torrens Title Subdivision is proposed, Sydney Water should be consulted with regard to the need for separate services to be provided for each lot.

FINAL PLAN

12. Prior to the release of the final plan of subdivision it will be necessary to obtain a subdivision certificate. In this regard, it will be necessary to submit:
 - i. an application for a subdivision certificate
 - ii. a satisfactory final plan of subdivision, an electronic copy and six paper prints together with an original 88B Instrument and two paper copies for endorsement by the Principal Certifying Authority. The electronic copy must be in ISG coordinates and must be submitted in DXF, DWG or DGX format. All sections of the plan, the signatures and seals section of the plan, including the original and copies, (except for the General Manager's date and signature) must be completed prior to lodging the plan
 - iii. fees appropriate at the time of submission of the application.
13. A Work As Executed Plan must be submitted to the Principal Certifying Authority by a registered surveyor, with the Subdivision Certificate application. As a minimum, the plan must show:
 - a. the extent, depth and final levels of filling
 - b. the location of all underground service conduits
 - c. all deviations from the approved civil engineering plans
 - d. the location of interallotment drainage connections
 - e. the volume of water quality control ponds
 - f. batter slopes within dual use open space drainage reserves
 - g. approved road names
 - h. certification from a registered surveyor that all stormwater pipes and other services wholly within an appropriate easement.
14. Subdivision certificate fees must be paid by the applicant prior to the release of the final plan of subdivision. The fee payable must be that applicable at the time of final plan release.

GEOTECHNICAL

15. All lot and site filling must be performed under level 1 Geotechnical supervision in accordance with AS 3798 – 1996 or subsequent amendments.
16. A geotechnical engineer's report must be submitted to the Principal Certifying Authority with the Subdivision Certificate application. The report must be prepared by a chartered professional engineer with professionally recognised geotechnical experience and must include:
 - a. certification of compaction densities and the stability of all filling
 - b. the classification of each lot in accordance with the AS 2870 – Residential Slabs and Footings or subsequent amendments
 - c. the classification of each lot in relation to risk of slope instability

- d. the required site preparation and construction constraints within the building envelope of each lot appropriate to the assessed risk of slop instability.

BONDS & CONTRIBUTIONS

17. A contribution of \$14,273.27 must be paid to Council under Section 94 of the *Environmental Planning & Assessment Act 1979* towards the provision of community facilities and services in accordance with *Section 94 Contributions Plan 2005 Amendment 1* (Dated 28 September 2006) prior to the release of the Subdivision Certificate adjusted in accordance with the following condition.

Note: The contribution amounts quoted are the base rate indexed to the date the consent is issued.

The *Section 94 Contributions Plan 2005 Amendment 1* may be inspected at Shellharbour City Council's offices, Lamerton House, Lamerton Crescent, Shellharbour City Centre.

RURAL FIRE SERVICE

18. The development proposal is to comply with the subdivision layout identified on the drawing numbered CS0218 – DA05, Revision A dated 4 April 2007.

Note: Any further development application for Class 1, 2 & 3 buildings as identified by the *Building Code of Australia* must be subject to separate application under Section 79BA of the *Environmental Planning & Assessment Act* and address the requirements of *Planning for Bush Fire Protection 2006*.

Note: The 88B restriction on the property title requires design to 'level 1' construction as a minimum.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. To minimise any possible adverse environmental impacts of the proposed development.
2. To ensure that the amenity and character of the surrounding area is protected.
3. To ensure that the design and siting of the development complies with the provisions of Environmental Planning Instruments and Council's Codes and Policies.
4. To ensure that the development does not conflict with the public interest.

SUPPLEMENTARY ADVICE

1. This development consent is subject to the prescribed conditions under Part 6 Division 8A of the *Environmental Planning & Assessment Regulation, 2000*.
2. Failure to comply with any of the conditions of consent may result in a penalty infringement notice of \$600 being issued against the owner/applicant/builder.

NOTES:

1. In accordance with Section 95 of the *Environmental Planning & Assessment Act 1979*, the development approval lapses five years after the approval date unless building, engineering or construction work relating to the building has substantially physically commenced.

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The building must be completed, in accordance with the approved plans and specifications, within five years from the date when the building was substantially physically commenced.

2. Right of Appeal

If you are dissatisfied with this decision, Section 97 of the *Environmental Planning & Assessment Act 1979*, gives you the right to appeal to the Land & Environment Court within 12 months after the date on which you receive this notice.

Section 97 of the *Environmental Planning & Assessment Act 1979* does not apply to the determination of a development application for state significant development or local designated development that has been the subject of a Commission of Inquiry.

3. Review of determination

If you are dissatisfied with this decision, Section 82A of the *Environmental Planning & Assessment Act, 1979*, provides that you may request Council to review its determination. The request cannot be made after the time limit for making of an appeal under Section 97 expires.

Section 82A of the *Environmental Planning & Assessment Act, 1979*, does not apply to:

- a. a determination to issue or refuse to issue a complying development certificate
- b. a determination in respect of designated development
- c. a determination in respect of integrated development
- d. a determination made by the Council under Section 116E in respect of an application made by the Crown.

4. The plans and/or conditions of this consent are binding and may only be varied upon **application** to Council under Section 96 of the *Environmental Planning & Assessment Act 1979*. The appropriate fee must accompany the application and no action must be taken on the requested variation **unless and until** the **written** authorisation of Council is received by way of an amended consent.

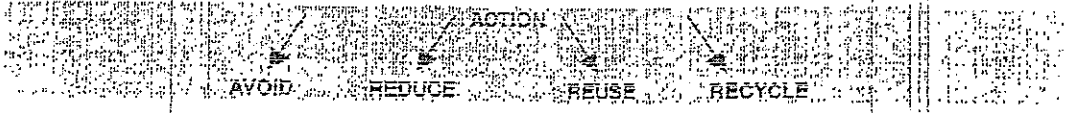
5. Prescribed Payment System Tax Obligations

You may have a taxation obligation under the Prescribed Payment System. For more information, contact the Australian Taxation Office on telephone 132866.



Graham Mitchell
Manager Development Services

On behalf of Brian A Weir, General Manager



Waste Management Plan - Demolition, Subdivision, Construction

Management of waste will be most effective when considered early in development design process.

✓ A Waste Management Plan (WMP) needs to be completed and submitted with all Development Applications.

A separate WMP is required for demolition, construction and subdivision. For example, where total or partial demolition of dwelling(s) is proposed then 2 WMPs will need to be submitted with the DA, one relating to the demolition stage and one for the construction stage of the development.

The information provided on this form, and on your plans submitted with the Development Application, will be assessed against the objectives of the Waste Minimisation and Management Development Control Plan (DCP). Details on what needs to be included on your plan drawings and the WMP can be found in the Waste Minimisation and Management DCP.

If space is insufficient in the table please provide attachments.

OUTLINE OF PROPOSAL

Circle the development this WMP relates to: subdivision/demolition/construction

Applicant's name AUSTRIAN AND CORPORATION (NSW) PTY LTD

Applicant's address PO BOX 8148, SHELLHARBOR 2529

Applicant's contact no. 42977 7364

Site address lot 1101 shallows Drive, Shell Cove

Buildings and other structures currently on site n.d.

Brief description of proposal 3 lot subdivision

The details on this form are the intentions for managing waste relating to this project

Signature of Applicant [Signature] Date 27/4/07

AVOID REDUCE REUSE RECYCLE

Type of development - subdivision/demolition/construction (please circle)

Material/waste stream	Expected amount of waste (m ³ /t)	Destination of material		
		Reuse & Recycling		Landfill
		On-site <i>specify proposed reuse/recycle methods</i>	Off-site <i>specify contractor & recycling outlet</i>	<i>specify contractor & landfill site</i>
Excavated	6 m ³	<input type="checkbox"/> Amount _____	<input type="checkbox"/> Amount _____ Name/address of recycling contractor _____	<input type="checkbox"/> Amount <u>6 m³</u> Landfill site <u>Dunmore Sad & Jai</u>
Green Waste	n.i	<input type="checkbox"/> Amount _____	<input type="checkbox"/> Amount _____ Name/address of recycling contractor _____	<input type="checkbox"/> Amount _____ Landfill site _____
Plasterboard	n.i	<input type="checkbox"/> Amount _____	<input type="checkbox"/> Amount _____ Name/address of recycling contractor _____	<input type="checkbox"/> Amount _____ Landfill site _____
Concrete	n.i	<input type="checkbox"/> Amount _____	<input type="checkbox"/> Amount _____ Name/address of recycling contractor _____	<input type="checkbox"/> Amount _____ Landfill site _____
Metals	n.i	<input type="checkbox"/> Amount _____	<input type="checkbox"/> Amount _____ Name/address of recycling contractor _____	<input type="checkbox"/> Amount _____ Landfill site _____
Timber (specify)	n.i	<input type="checkbox"/> Amount _____	<input type="checkbox"/> Amount _____ Name/address of recycling contractor _____	<input type="checkbox"/> Amount _____ Landfill site _____
Plasterboard	n.i	<input type="checkbox"/> Amount _____	<input type="checkbox"/> Amount _____ Name/address of recycling contractor _____	<input type="checkbox"/> Amount _____ Landfill site _____
Hazardous material (specify)	n.i	<input type="checkbox"/> Amount _____	<input type="checkbox"/> Amount _____ Name/address of recycling contractor _____	<input type="checkbox"/> Amount _____ Landfill site _____
Other (please specify)		<input type="checkbox"/> Amount _____	<input type="checkbox"/> Amount _____ Name/address of recycling contractor _____	<input type="checkbox"/> Amount _____ Landfill site _____

**SHELLHARBOUR CITY COUNCIL
DEVELOPMENT CONSENT**

DA No. 310/2007 Dated 21 SEP 2007

Approval has been granted to the application subject to conditions which are set out fully in the Development Consent accompanying this plan.

These plans may be modified by conditions of consent. Please refer to consent documents for details.

Work must commence until a construction certificate has been issued and a Principal Certifying Authority appointed.

(Mr) B A Weir
General Manager

Have you included the location of the waste bays on your site plan?