

Draft Letter from Council to Potential Sponsors

Council Letterhead

Dear Potential Sponsor

Re: Sustain Our Shoalhaven (SOS) Project

Timbercrete (South Coast) Pty Ltd is launching an innovative project with the support of Shoalhaven City.

The objective of the project is to design and build an affordable, sustainable, energy efficient Show Home, and to then use this facility as a venue for various workshops and seminars aimed at educating prospective home owners.

While Council will not be bearing financial or other liabilities for this project, we do see this as an opportunity for progressive local companies to come together and showcase their products and services in a way that will gain exposure to the people of the Shoalhaven.

We encourage you to give serious consideration to participating in this project through becoming a sponsor and having your products or skills on display. You can contact Max Zalakos on 4423 3398 or by email at southcoast@timbercrete.com.au for more information or to register your interest.

Yours sincerely

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General Manager

ATTACHMENT A.

Attachment MINOR EDITS

- Page 7 – 2nd last paragraph. Is the riparian corridor discussed for North Nowra at 45m in line with the DNR discussed RCOS.
- Page 8 – last two paragraphs. The last two paragraphs have been squeezed onto the bottom of the page. It appears that the font may be different or is in a different shade.
- Page 9 – 1st paragraph after table 2.2. The Department recommends that Council remove reference to planning bonuses in section 2.1.7. An alternative such as incentive based criteria is considered more appropriate.
- Page 9 – Last 4 paragraphs. Again a minor issue with the font and use of italics. There are also small dots that appear to be from a track changes or editing mode.
- Page 12 – Map 2.2 New Living Areas map. Future Living Area does not have a colour in the key of the Department's copies.
- Page 19 - Area 4 Crams Road has as a heading "*Rezoning Investigations*". However, all other living areas do not have this heading.
- Page 27 – Area 7 Worrigee. Under the heading Planning and Design reference is made to Ministerial Direction G25 Flood Liable Land made under Section 117(2) of the Environmental Planning and Assessment Act, 1979. Please note that the Ministerial Directions under 117 of the EP&A Act, 1979 were updated on 30 September 2005. In particular G25 Flood Liable Land was replaced by Direction No 15 – Flood Prone Land. Direction 15 was amended on 31 January 2007. Please refer to the Department of Planning website (www.planning.nsw.gov.au) for the latest 117 Directions. This will have particular relevance for the subsequent LEP proposed by Council.
- Page 33 – Table 3.1 Riparian Corridors: Categories and Functions. Category 1: Environment Corridor. Wording requires edit. *Functions as the key a key biodiversity.....*
- Page 37 – Map 4.1. The key does not have a symbol for the convention centre.
- Page 46 – Map 6.1. The proposed Road Network map does not have a symbol on the key for the Future Western Bypass.
- Page 47 – Last dot point. The font in this paragraph seems different from the rest of the page. This paragraph also refers to the *The link road is being undertaken as a separate project and will be assessed as a major project under Part 3A of the Environmental Planning and Assessment Act, 1979.* Is this reference to the link road the North Nowra Link road or the East Nowra Sub-Arterial.
- Page 55 – Last paragraph in section 8.2 Development of New Living Areas. Minor spelling error *Cabbage Tee Lane.*
- Page 57 – Section 8.6 last paragraph. The last sentence refers to the *state Government's proposed standard LEP template.* This section requires amendment to reflect the *Standard Instrument (Local Environmental Plans) Order 2006, under the Environmental Planning and Assessment Act, 1979.*

SF8305 STAGE 2 SUBDIVISION CONDITIONS

ATTACHMENT 'E'

General Conditions for Stage 2

1. No building shall be erected on Lots 71, 72, 73, 74, 81, 82, 83 and 84 within 150 metres of the bank of Barrengarry Creek.
2. Prior to the issue of a Construction Certificate, the submission of a revised plan for Stage 2 clearly identifying building envelopes for lots 71, 72, 73, 74, 81, 82, 83 and 84.

Staging

3. This consent is given for development in the following stages:
 - a) **Stage 1** - Lots 11, 12, 13, 14, 21, 22, 23, 24, 31, 32, 33, 34, 41, 42, 51, 52, 53, 54, 61, 62, 63, 64 as illustrated on the attached approved plan, reference number 22641 dated April 2000.
 - b) **Stage 2** - Lots 71, 72, 73, 74, 81, 82, 83 and 84 as illustrated on the attached approved plan, reference number 22641-2 dated 12 July 1999.

Stage 2 On-site Effluent Disposal

4. On-site effluent disposal shall be in accordance with the findings of the Martens Report as per their letter of 20 January and 13 March 2000; and the Martens Water Quality Report 98E236JR7, dated August 2004; and supplementary information provided with a letter dated 3 February 2006 but with the disposal areas to be in accordance with DCP 78 and have a minimum area of 1100m².
5. On-site effluent disposal must be in accordance with the provisions of Council's Development Control Plan 78 *On-site Sewage Disposal*. As Barrengarry Creek is prescribed waterway, no effluent disposal system shall be located within 150 metres of the creek bank.

Stage 2 Riparian Protection

6. A riparian protection zone of 20 metres is to be provided each side of the centreline of the drainage lines identified on the approved plan for Stage 2, and 20m from each bank of Barrengarry Creek.
7. The riparian zone 20 metres either side of the northern drainage line through lots 82-84 shall be fenced so as restrict access of grazing animals into the area of Illawarra Subtropical Rainforest.
8. Native indigenous vegetation must not be removed from the riparian zones and any rehabilitation of such must be with local provenance native vegetation.

Stage 2 Threatened Species

9. Prior to undertaking any works within an existing road reserve, the contractor must obtain the approval of Council under Section 138 of the Roads Act, 1993. The following details shall be submitted to Council for in order to obtain the s.138 approval:

SF8305 STAGE 2 SUBDIVISION CONDITIONS

- a) Any pavement design required by this consent
- b) Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the RTA's manual – "*Traffic Control at Work Sites*". Warning and protective devices shall comply with the provisions of AS 1742.3 – 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate RTA accreditation, a copy of which is to be submitted with the plan.

- c) Insurance details

Should the Traffic Management Plan require a reduction of the speed limit, a Direction to Restrict shall be obtained from the relevant road authority (Council or the RTA - Traffic Operations Unit).

- 10. All works undertaken within or adjacent to a public road shall be provided with traffic control in accordance with the Traffic Control Plan as a minimum. As a result of changing conditions, additional traffic control measures may be required to comply with the OH&S Act and Workcover requirements. Such control is to be in place and maintained to these requirements during the construction of the works
- 11. To protect native fauna on lots 71, 72, 73, 74, 81, 82, 83 and 84, 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.
- 12. To protect native fauna, the keeping of dogs on lots 71, 72, 73, 74, 81, 82, 83 and 84 for the life of the development shall be subject to the following conditions:
 - a) A maximum of 2 dogs shall be permitted on the property at any time.
 - b) Dogs shall be restrained within the dwelling curtilage during the hours between sunset and sunrise each day by fencing/caging enclosures, leashing or physical restraint.
 - c) Dogs shall not be permitted to enter areas of indigenous vegetation on the property unless restrained.
- 13. So as not to inhibit native fauna movement any boundary fences to be erected on lots 71, 72, 73, 74, 81 and 82 shall comply with the following conditions:
 - a) Fences shall be constructed of wire, with the top wire and the bottom two wires consisting of non-electrified plain wire.
 - b) The bottom fence wire shall be no closer than 40 cm to the ground at any point.
 - c) Canopy trees shall not be removed for fence construction.

Stage 2 Engineering Conditions

- 14. All works are to be in accordance with the requirements of Councils Subdivision Code DCP100 unless otherwise specified in this consent.

SF8305 STAGE 2 SUBDIVISION CONDITONS

15. Detailed engineering plans and specifications for road and drainage works referred to in this Consent shall be prepared by a practising engineer or surveyor with designs for the following works being certified by an NPER-III registered practising engineer:
 - a) Bridges;
 - b) Culverts across intermittent watercourses and major flow paths;
 - c) Retaining walls greater than 1 metre in height;
 - d) Erosion and sediment controls;
 - e) The section of the access right-of-way above the possible house sites and effluent disposal areas.
16. The developer or his agent must check that the proposed works are not affected by any Council, Integral Energy, telecommunications, gas service or other services. Any required alterations to services will be at the developer's expense.
17. The submission of necessary engineering design plans and specifications for the work referred to in this consent for examination and approval by the Subdivision Manager or his nominee. Specifications for road and drainage works shall be as specified under Council's Subdivision Code DCP 100 Part 2 Engineering Design Specifications and Part 3 Development Construction Specifications and this will be the standard for construction works required unless otherwise specified in this consent.
18. The works are to be supervised by a qualified, experienced person. **Prior to the commencement of works**, Council shall be advised in writing of the name of a designated person/company nominated by the applicant to be responsible for construction of all engineering works including erosion and sediment control measures and their maintenance.
19. Pavement design for the right-of-way shall be supported by test results for the in-situ subgrade material and approved by Council. These tests shall be carried out by a NATA approved laboratory, or may be carried out by Council at the applicant's expense.
20. Work-as executed plans certified by a consulting surveyor shall be submitted to Council for its records upon completion of works and prior to the release of the plan of survey for the following:
 - a) Location, invert levels, finished surface levels and sizes of bridges and culverts;
 - b) Dimensions of scour protection works;
 - c) Cross-section dimensions, finished levels and crossfalls the right-of-way where longitudinal grades are less than 1 percent or where there is more than 1 metre of cut or fill;

SF8305 STAGE 2 SUBDIVISION CONDITIONS

- d) Invert levels and cross-sections of table drains that carry flows in excess of 1 in 5 year flood event.
21. A cash bond or irrevocable bank guarantee, to repair any deficiencies in the works or to repair or mulch areas where grass seeding or turfing did not establish, shall be lodged with Council if a Subdivision Certificate is sought prior to the end of the 6 month maintenance period for the works. The amount shall be 5% of the cost of the civil works.
22. Landscaping shall include turfing or grass seeding with perennial species or mulching of all disturbed areas. Seeded grass must be established prior to the issue of a Subdivision Certificate. Other plantings shall take place prior to the completion of the subdivision and in accordance with the approved landscaping plan. All landscaping shall be maintained until the end of the maintenance period of the works.
23. A landscape plan shall be prepared by a suitably qualified person. The landscape plan shall be generally consistent with engineering plans and lodged in conjunction with an application for a Construction Certificate. The landscape plan shall include, but not be limited to, the following information :
 - a) All existing and proposed infrastructure;
 - b) Existing site conditions (contours, vegetation, drainage, etc);
 - c) Vegetation to be retained including isolated trees or habitat of ecological significance;
 - d) Protective fencing;
 - e) Type of grass seed or turf to be used;
 - f) Botanic and common names of plantings (and cultivar name if applicable);
24. A Fauna Management Procedure shall be approved by Council prior to the removal of any vegetation. The Procedure shall include the following details :
 - a) Existing vegetation to be removed and ground to be disturbed;
 - b) Likely fauna to be affected;
 - c) Surveys to be undertaken to identify and catch affected fauna;
 - d) Proposed measures of fauna protection prior to, during and after any vegetation removal;
 - e) Methods of euthanasia of injured fauna;
 - f) Prior to any vegetation removal, the submission to Council of the names of individuals and their qualifications and experience, to undertake the fauna spotting and rescue.
25. No sound healthy trees exceeding 3m in height are to be removed from any proposed lot except where they are affected by earthworks required for right-of-way, drainage or utility service construction or filling covered by approved engineering plans, unless such trees have been inspected by a Council Officer and written approval has been given for their removal.

SF8305 STAGE 2 SUBDIVISION CONDITIONS

26. All vegetation, trees, stumps etc that are to be removed shall be either mulched on site or transported to a green waste receiving station or other approved location. Vegetation or other material shall not be burnt on site.
27. A Soil and Water Management Plan (SWMP) and accompanying specifications for the construction phase of the works, prepared by a suitably qualified/experienced person and based on the Landcom manual - *"Soils and Construction, Managing Urban Stormwater, Vol 1 4th Edition, March 2004"*, shall be lodged for approval with the application for a construction certificate. The SWMP controls shall be implemented, inspected and approved prior to the commencement of any site works and maintained for the life of the construction period and until revegetation measures have taken hold. The SWMP shall include, but not be limited to:
- a) Existing and final contours;
 - b) Identification of existing vegetation and current site drainage patterns;
 - c) Nature and extent of proposed clearing, excavation and filling;
 - d) Provision for the diversion of runoff around disturbed areas;
 - e) Location and type of proposed erosion and sediment control measures;
 - f) Location of vegetated buffer strips, unstable slopes, boggy areas, and restricted "no access" areas;
 - g) Approximate location and proposed treatment of haul roads, borrow pits, site sheds and stockpiles;
 - h) Location of and proposed means of stabilisation of site access;
 - i) Proposed staging of construction and SWMP measures;
 - j) Proposed site rehabilitation measures, including seeding of all bare un-grassed areas, turfing where erosion or scouring is likely to occur, and frequency of watering;
 - k) Maintenance program for all soil and water management measures;
 - l) Disposal site for silt removed from sediment traps;
 - m) All design criteria and calculations used to size erosion and sediment control measures;
 - n) Standard construction drawings for proposed soil and water management measures.
28. Any damage to the existing road pavements or any other public infrastructure from Moss Vale Road to the site, that occurs during development works shall be repaired by the applicant. Trench restoration shall be in accordance with DCP100 and to the satisfaction of Council. The developer or his agent must undertake a site inspection and document any evidence of damage to the public assets prior to commencement of work. Failure to adequately identify existing damage will result in all damage detected by Council after completion of the work being repaired at the applicant's expense.

SF8305 STAGE 2 SUBDIVISION CONDITONS

29. The right-of-way serving lots 71, 72, 73, 74, 81, 82, 83 and 84 shall be constructed to a 5 metre wide all-weather standard with 0.5 metre wide shoulders from Bunkers Hill Road in the south-western corner of Stage 1, to lot 84, including associated drainage. Grades 12% or over are to be bitumen sealed. The maximum grade is 15% as specified in the Martens Bushfire Risk Assessment Report, 98G236JR3, dated May 1999. Where bitumen sealed sections are discontinuous, gravel sections less than 200 metres in length shall also be sealed. The pavement shall have a minimum compacted pavement thickness of 200mm subject to subgrade CBR testing for a design traffic of 2×10^4 . The pavement shall be compacted to the densities specified in the pavement design. All works shall be in accordance with Council's Subdivision Code, unless otherwise specified in this consent.
30. The right-of-way serving lots 71, 72, 73, 74, 81, 82, 83 and 84 shall intersect Bunkers Hill Road in the south-western corner of Stage 1 at an angle of between 70 and 110 degrees and be situated to achieve sight distance in accordance with Austroads guidelines.
31. The alignment of the right-of-way shall not be coincident with any part of any unformed Crown road. That is, as far as practical, access to the proposed lots shall be via a right-of-way, not a public road. The design of the right-of-way shall ensure that no culverts, retaining walls or cuts or fills in excess of 1 metre high are within any sections to be dedicated to Council. Council will not maintain these isolated sections along the right-of-way.
32. The constructed level of the right-of-way within the vicinity of Barrengarry Creek shall be a minimum of 500mm above the 5% (1 in 20 year flood event) design flows in the creek.
33. The entire length of the right-of-way shall be designed in accordance with the recommendation of the submitted Bushfire Risk Assessment Report, 98G236JR6, dated May 1999.
34. The design of the right-of-way shall demonstrate the feasibility of constructing, for each possible house site, a loop bushfire trail or a single bushfire trail with turning head, including grade, crossfall and turning radius.
35. **Prior to the issue of a Construction Certificate**, submission and approval of a plan and supporting analysis showing the extent of the lots affected by 1 in 100 year stormwater runoff flows, from Barrengarry Creek and the escarpment to the east including the changes resulting from the right of way design and construction. Building envelopes and effluent disposal areas must be relocated if necessary to be 500mm above the 100 year flooding. The plan is to show surveyed contours over the lower portions of lots 71, 72, 73, 74, 81 and 82 where contours are missing from plan number 22641-2 by Allen Price & Associates dated 12th July 1999.
36. The design of the right-of-way above the possible house sites and effluent disposal areas shall not concentrate stormwater runoff from the escarpment to the east towards any possible building envelopes or effluent disposal areas.

SF8305 STAGE 2 SUBDIVISION CONDITIONS

37. Culverts at intermittent watercourses shall include flood depth markers and warning signs not to cross if under water.
38. A geotechnical Engineer shall certify those sections of the right-of-way in fill that cause ponding on the upstream side of culverts or that convey longitudinal table drain flows in excess of 1 in 5 year flood event.
39. Culverts under roads and table drains are to be designed for a minimum 1 in 5 year flood frequency and in accordance with DCP100. Scour protection shall be provided for major flow paths adjacent to the right of way and at locations where the major flow paths cross the right-of-way.
40. All rights of way shall be sign posted at their commencement stating the road is private. The right of way shall be sign posted with advisory traffic sign and guide posted in accordance with MR253 (metric).
41. The construction of a reinforced concrete bridge over Barrengarry Creek which is to at least cater for a 15 tonne bushfire tanker and to be in accordance with NASSRA Bridge Design Code. The bridge and its approaches shall be designed for a 5% (1 in 20 year) design flows including bed and impact loads. A Part 3A permit is required from the Department of Environment & Climate Change for the bridge works and must be obtained **prior to the commencement of works**. The bridge shall include flood depth markers and warning signs not to cross if under water.
42. All table drains constructed shall be rehabilitated to at least the following standard and as recommended by a geotechnical engineer:
 - a) Table drains with grades less than 5% shall be shaped to a uniform dish cross section placed with 75-100mm of topsoil, track machine rolled, fertilised and seeded.
 - b) Table drains with grades 5 to 10% shall be treated similarly to those having less than 5% grade but with the addition of a layer of *Jutemaster TM* or *Fire Mulch* over the topsoil.
 - c) Table drains with grades greater than 10% shall be uniformly shaped and lined with either concrete, rock and cement grout or shotcrete. The road bitumen seal for those sections is to be widened to the edge of the lining.
43. Only minimal tree clearing shall be carried out for the construction of the right-of-way.
44. The legal right of way shall be of sufficient width to include all cut and fill embankments, culverts, erosion control measures, etc and include additional width for maintenance activities.
45. A geotechnical report for each building envelope shall be submitted and approved prior to the issue of a subdivision certificate, that addresses all relevant geotechnical issues including location, stability, structural requirements and building constraints which shall include potential erosion from drainage lines and overland flows.

SF8305 STAGE 2 SUBDIVISION CONDITIONS

Restrictions

46. The following shall be created as restrictions-as-to-user under Section 88B of the Conveyancing Act, 1919.
- a) No temporary or permanent obstruction to vehicle access roads, rights-of-carriageway or bushfire tracks.
 - b) No driveway shall be constructed to the lots from the right-of-way unless it complies with Council's DCP100.
 - c) No erection of buildings on proposed Lots 71-74 and 81-84 unless they have a minimum floor level 500mm above the 1 in 100 year flood level of Barrengarry Creek and the intermittent drainage lines and major flow paths traversing the lots.
 - d) No erection of buildings on the proposed lots unless in accordance with the approved geotechnical report.
 - e) No native vegetation shall be removed from or any works carried out within the riparian protection zones 20 metres to each side, or to boundary, of the drainage lines identified on the approved plan for Stage 2 of the development and Barrengarry Creek, without the written consent of the Director of Development and Environmental Services Group or his nominee, or other than in accordance with this consent.
 - f) No riparian zone 20 metres to each side of the drainage lines of Lots 71, 72, 73, 74, 81, 82, 83 and 84 and Barrengarry Creek.
 - g) No part of the riparian zones 20 metres either side of the northern drainage line through Lots 82, 83 and 84 shall be without fencing to restrict access of grazing animals into the area of Illawarra Subtropical Rainforest.
 - h) No building shall be erected on Lots 71, 72, 73, 74, 81, 82, 83 and 84 within 150 metres of the bank of Barrengarry Creek.
 - i) No effluent shall be disposed of any lots that does not comply with the provisions of Council's Development Control Plan 78 *On-site Sewage Disposal*.
 - j) No effluent shall be disposed on Lots 71, 72, 73, 74, 81, 82 83 and 84 except in accordance with the Martens Report as per their letter of 20 January and 13 March 2000; and the Martens Water Quality Report 98E236JR7, dated August 2004; and supplementary information provided with a letter dated 3 February 2006 but with the disposal areas to have a minimum area of 1100m².
 - Sheet 10 - Reference No. 22641- 2 dated 12 July 1999.
 - k) No dwelling shall be constructed on the lots 71, 72, 73, 74, 81, 82, 83, and 84 that does not address the issues of threatened species and in accordance with current legislative requirements.

SF8305 STAGE 2 SUBDIVISION CONDITIONS

- l) No habitable building shall be constructed on lots 71, 72, 73, 74, 81, 82, 83, and 84 without the submission of a geotechnical report addressing the potential impact of migrating drainage lines, slope and soil stability.
- m) To protect native fauna, no cats may be kept on Lots 71, 72, 73, 74, 81, 82, 83 and 84 other than completely within the dwelling or in a cattery within the dwelling curtilage at all times (day and night) for the life of the development.
- n) To protect native fauna, no dogs shall be kept on Lots 71, 72, 73, 74, 81, 82, 83 and 84, for the life of the development, other than in accordance with the following conditions:
 - A maximum of 2 dogs shall be permitted on the property at any time.
 - Dogs shall be restrained within the dwelling curtilage during the hours between sunset and sunrise each day by fencing/caging enclosures, leashing or physical restraint.
 - Dogs shall not be permitted to enter areas of indigenous vegetation on the
- o) So as not to inhibit native fauna movement no boundary fences shall be erected on or between Lots 71, 72, 73, 74, 81, 82, 83 and 84, other than in accordance with the following conditions:
 - Fences shall be constructed of wire, with the top wire and the bottom two wires consisting of non-electrified plain wire.
 - The bottom fence wire shall be no closer than 40 cm to the ground at any point.
 - Canopy trees shall not be removed for fence construction.
- p) The planting of plant species listed on the Weeds Australia NSW weeds list (www.weeds.org.au) is prohibited for the life of the development.
- q) 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*, shall be sown within the outer protection area or the asset protection zone for the life of the development. Native grasses must be sown in these areas, as this is the interface between disturbed areas and the remaining native vegetation for the life of the development.

SF8305 STAGE 2 SUBDIVISION CONDITONS

Contributions for Additional Services and/or Facilities

47. This development will generate a need for additional services and/or facilities as described in Council's Contributions Plan 1993, as itemised in the following table.

STAGE 2				
Project	Description	Rate	Qty	Total
01 AREC 0001	Tennis, Football, Cricket (Area 1)	\$2,015.83	4	\$8,063.32
01 AREC 0002	Basketball & Netball (Areas 1 & 2)	\$403.79	4	\$1,615.16
01 CFAC 0003	S94 CP AMENDMENT No.67: Nowra District Community Centre	\$278.57	4	\$1,114.28
01 FIRE 0005	Kangaroo Valley - fire control	\$289.73	4	\$1,158.92
01 FIRE 0009	City Wide - fire control/state emergency services	\$32.38	4	\$129.52
01 ROAD 0070	Amend.No.46-BUNKERS HILL ROAD: Upgrade pavement & culvert	\$27,365.88	4	\$109,463.52
CW AREC 0003	Hockey Facilities	\$260.48	4	\$1,041.92
CW MGMT 0001	Project Management Costs	\$198.80	4	\$795.20
TOTAL				\$123,381.84