



Office
of Water

27 JAN 2010

The General Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG NSW 2500

Attention: Anne Wheatley

ENTERED

Contact: Jeremy Morice
Phone: 02 4224 9736
Fax: 02 4224 9740
Email: jeremy.morice@dnr.nsw.gov.au

Our ref: 10 ERM2009/1273
Our file: 9052945
Your ref: DA-2009/1583

David W

Dear Madam

20 January 2010

Re: **Integrated Development Referral – General Terms of Approval**
DA-2009/1583 - Construction and operate a pre-delivery inspection facility,
including processing building, office & amenities, storage pavements & hailmesh
Lot 301 DP 1133501, 34 Reddalls Road, Kembla Grange

I refer to your recent letter regarding an Integrated Development Application (DA) proposal for the subject property. Attached, please find the NSW Office of Water's General Terms of Approval (GTA) for 'works' requiring a Controlled Activity Approval under the *Water Management Act 2000* (WMA), as detailed in the subject DA.

Please note Council's statutory obligations under section 91A(3) of the *Environmental Planning and Assessment Act, 1979* (EPAA) which requires a consent, granted by a consent authority, to be consistent with the GTA proposed to be granted by the approval body.

If the proposed development is approved by Council, the NSW Office of Water requests that these GTA be included (in their entirety) in Council's development consent. Please also note the following:

- The NSW Office of Water should be notified if any plans or documents are amended and these amendments significantly change the proposed development or result in additional 'works' on waterfront land (ie in or within 40 metres from top of highest bank of a watercourse, foreshore, or lake). Once notified, the NSW Office of Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed 'works' are part of Council's proposed consent conditions and the 'works' do not appear in the original documentation.
- The NSW Office of Water should be notified if Council receives an application to modify the consent conditions. **Failure to notify may render the consent invalid.**
- The NSW Office of Water requests notification of any legal challenge to the consent.

Under Section 91A(6) of the EPAA, Council must provide the NSW Office of Water with a copy of any determination/s including refusals.

Department of
Environment, Climate Change and Water NSW



As a controlled activity (ie the 'works') cannot commence before the applicant obtains a Controlled Activity Approval, the NSW Office of Water recommends that the following condition be included in the development consent:

"The Construction Certificate will not be issued over any part of the site requiring a Controlled Activity Approval until a copy of the Approval has been provided to Council".

The attached GTA are not the Controlled Activity Approval. The applicant must apply (to the NSW Office of Water) for a Controlled Activity Approval after consent has been issued by Council but before the commencement of any 'works'.

Finalisation of a Controlled Activity Approval can take up to 8 weeks from the date the NSW Office of Water receives all documentation (to its satisfaction). Applicants must complete and submit (to the undersigned) an application form together with any required plans, documents, the appropriate fee and security (ie bond, if applicable) and proof of Council's development consent.

Application forms for the Controlled Activity Approval are available from the undersigned or from the NSW Office of Water's website:

<http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx>

The NSW Office of Water requests that Council provide a copy of this letter to the applicant.

Yours sincerely



Jeremy Morice
Licensing Officer
NSW Office of Water
Licensing South



Office
of Water

David W
02 DEC 2010

The General Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG NSW 2500
Attention: David Whitfield

Contact: Jeremy Morice
Phone: 02 4224 9736
Fax: 02 4224 9740
Email: Jeremy.Morice@water.nsw.gov.au

29 November 2010

Our ref: 10 ERM2009/1273
Your ref: DA-2009/1583
File: 9052945

Dear Sir

Modified Development Application No. DA-2009/1583
Lot 301 DP 1133501, 34 Reddalls Road, Kembla Grange
Construction and operate a pre-delivery inspection facility, including a processing building, office and amenities, storage pavements and hailmesh

I refer to your letter dated 19 November 2010 requesting advice from the NSW Office of Water (NOW) in relation to the abovementioned amended proposal.

The Office has reviewed the amendments provided and considers they do not affect the original General Terms of Approval (GTAs) issued on 20 January 2010.

Please direct any questions regarding this correspondence to Jeremy Morice, jeremy.morice@water.nsw.gov.au.

Please forward future correspondence to Ketj Nikolovski, Licensing Officer, NSW Office of Water, PO Box 53, Wollongong NSW 2520.

Yours sincerely

Jeremy Morice
Licensing Officer
NSW Office of Water
Licensing South