

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No: 2023/550

Development: Construction of five residential flat buildings
with basement parking, associated
landscaping, construction of roundabout and
internal roads

Site: 27 Railway Street, Corrimal NSW 2518

The above development application has been determined by the granting of consent
subject to the conditions specified in this consent.

Date of determination: 16 April 2025

Date from which consent takes effect: Date of determination.

TERMINOLOGY

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the “applicant” means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the “site”, means the land known as [insert details].

The conditions of consent are as follows:

GENERAL CONDITIONS

Conditions				
1. Approved Plans and Supporting Documentation				
Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.				
Plan No	Revision No	Plan Title	Drawn By	Dated
S1.1000	E	Cover Page	DKO Architecture	12 February 2025
S1.1000	E	Drawing Registry	DKO Architecture	12 February 2025
S1.1020	E	Masterplan Site 1:2000	DKO Architecture	12 February 2025
S1.1021	E	Masterplan Staging 1:2000	DKO Architecture	12 February 2025
S1.1022	E	Masterplan Stage 1 DA 1:2000	DKO Architecture	12 February 2025
S1.1400	E	Existing Site Survey - 1:500	DKO Architecture	12 February 2025
S1.1501	E	Site Plan 1:500	DKO Architecture	12 February 2025
S1.2001	E	Overall Basement Plan 1:300	DKO Architecture	12 February 2025
S1.2002	E	Overall Level 1 Plan 1:300	DKO Architecture	12 February 2025
S1.2003	E	Overall Level 2 Plan 1:300	DKO Architecture	12 February 2025
S1.2004	E	Overall Level 3 Plan 1:300	DKO Architecture	12 February 2025
S1.2005	E	Overall Level 4 Plan 1:300	DKO Architecture	12 February 2025
S1.2006	E	Overall Level 5 Plan – Roof Plan	DKO Architecture	12 February 2025
S1.2007	E	Overall Roof Plan	DKO Architecture	12 February 2025
S1.2101	E	B1.1 Level 1 Plan 1:100	DKO Architecture	12 February 2025
S1.2102	E	B1.1 Level 2 Plan 1:100	DKO Architecture	12 February 2025
S1.2103	E	B1.1 Level 3 Plan 1:100	DKO Architecture	12 February 2025

S1.2104	E	B1.1 Level 4 Plan 1:100	DKO Architecture	12 February 2025
S1.2105	E	B1.1 Roof Plan 1:100	DKO Architecture	12 February 2025
S1.2201	E	B1.2 Level 1 Plan	DKO Architecture	12 February 2025
S1.2202	E	B1.2 Level 2 Plan	DKO Architecture	12 February 2025
S1.2203	E	B1.2 Level 3 Plan	DKO Architecture	12 February 2025
S1.2204	E	B1.2 Level 4 Plan	DKO Architecture	12 February 2025
S1.2205	E	B1.2 Roof Plan	DKO Architecture	12 February 2025
S1.2301	E	B1.3 Level 1 Plan	DKO Architecture	12 February 2025
S1.2302	E	B1.3 Level 2 Plan	DKO Architecture	12 February 2025
S1.2303	E	B1.3 Level 3 Plan	DKO Architecture	12 February 2025
S1.2304	E	B1.4 Level 4 Plan	DKO Architecture	12 February 2025
S1.2305	E	B1.3 Roof Plan	DKO Architecture	12 February 2025
S1.2401	E	B1.4 Level 1 Plan	DKO Architecture	12 February 2025
S1.2402	E	B1.4 Level 2 Plan	DKO Architecture	12 February 2025
S1.2403	E	B1.4 Level 3 Plan	DKO Architecture	12 February 2025
S1.2404	E	B1.4 Level 4 Plan	DKO Architecture	12 February 2025
S1.2405	E	B1.4 Roof Plan	DKO Architecture	12 February 2025
S1.2500	E	B1.5 Basement Plan 1	DKO Architecture	12 February 2025
S1.2501	E	B1.5 Level 1 Plan	DKO Architecture	12 February 2025
S1.2502	E	B1.5 Level 2 Plan	DKO Architecture	12 February 2025
S1.2503	E	B1.5 Level 3 Plan	DKO Architecture	12 February 2025
S1.2504	E	B1.5 Level 4 Plan	DKO Architecture	12 February 2025
S1.2505	E	B1.5 Level 5 Plan	DKO Architecture	12 February 2025

S1.2506	E	B1.5 Roof Plan	DKO Architecture	12 February 2025
S1.3001	E	Elevation Overall North	DKO Architecture	12 February 2025
S1.3101	E	B.1.1 Elevations North	DKO Architecture	12 February 2025
S1.3102	E	B.1.1 Elevations South	DKO Architecture	12 February 2025
S1.3201	E	B.1.2 Elevation North-West	DKO Architecture	12 February 2025
S1.3202	E	B.1.2 Elevation South-East	DKO Architecture	12 February 2025
S1.3301	E	B.1.3 Elevation North-West	DKO Architecture	12 February 2025
S1.3302	E	B.1.3 Elevation South-East	DKO Architecture	12 February 2025
S1.3401	E	B1.4 Elevation North-West	DKO Architecture	12 February 2025
S1.3402	E	B1.4 Elevation South-East	DKO Architecture	12 February 2025
S1.3501	E	B1.5 Elevation North-West	DKO Architecture	12 February 2025
S1.3502	E	B1.5 Elevation South-East	DKO Architecture	12 February 2025
S1.4001	E	Overall Sections	DKO Architecture	12 February 2025
S1.4100.1	E	Building 1.1 Section	DKO Architecture	12 February 2025
S1.4200.1	E	Building 1.2 Section	DKO Architecture	12 February 2025
S1.4300.1	E	Building 1.3 Section	DKO Architecture	12 February 2025
S1.4400.1	E	Building 1.4 Section	DKO Architecture	12 February 2025
S1.4500.1	E	Building 1.3 Section	DKO Architecture	12 February 2025
S1.4500.2	E	Building 1.5 Section	DKO Architecture	12 February 2025
S1.5501	E	Adaptable & Liveable Level 1	DKO Architecture	12 February 2025
S1.5502	E	Adaptable & Liveable Level 2	DKO Architecture	12 February 2025
S1.5503	E	Adaptable & Liveable Level 3	DKO Architecture	12 February 2025
S1.5504	E	Adaptable & Liveable Level 4	DKO Architecture	12 February 2025

S1.5505	E	Adaptable & Liveable Summary	DKO Architecture	12 February 2025
S1.5509	E	Adaptable & Liveable Unit Layouts 4	DKO Architecture	12 February 2025
S1.5510	E	Adaptable & Liveable Unit Layouts 5	DKO Architecture	12 February 2025
S1.5511	E	Adaptable & Liveable Unit Layouts 13	DKO Architecture	12 February 2025
S1.5511	E	Adaptable & Liveable Unit Layouts 6	DKO Architecture	12 February 2025
S1.5512	E	Adaptable & Liveable Unit Layouts 7	DKO Architecture	12 February 2025
S1.5513	E	Adaptable & Liveable Unit Layouts 8	DKO Architecture	12 February 2025
S1.5514	E	Adaptable & Liveable Unit Layouts 9	DKO Architecture	12 February 2025
S1.5515	E	Adaptable & Liveable Unit Layouts 10	DKO Architecture	12 February 2025
S1.5516	E	Adaptable & Liveable Unit Layouts 11	DKO Architecture	12 February 2025
S1.5517	E	Adaptable & Liveable Unit Layouts 12	DKO Architecture	12 February 2025
S1.5601	E	Typical Apartment Storage Level 1	DKO Architecture	12 February 2025
S1.5602	E	Typical Apartment Storage Level 2	DKO Architecture	12 February 2025
S1.5603	E	Typical Apartment Storage Level 3	DKO Architecture	12 February 2025
S1.5604	E	Typical Apartment Storage Level 4	DKO Architecture	12 February 2025
S1.5605	E	Typical Apartment Storage Level 5	DKO Architecture	12 February 2025
S1.6103	E	Façade Type Plan Building 1	DKO Architecture	12 February 2025
S1.6104	E	Façade Type Plan Building 1	DKO Architecture	12 February 2025
S1.6105	E	Façade Type Plan Building 1	DKO Architecture	12 February 2025
S1.6200	E	Façade Type 1.1 Building 1.1	DKO Architecture	12 February 2025
S1.6201	E	Façade Type 1.2 Building 1.1	DKO Architecture	12 February 2025
S1.6203	E	Façade Type 1.2 Building 1.1	DKO Architecture	12 February 2025
S1.6204	E	Façade Type 1.2 Building 1.1	DKO Architecture	12 February 2025

S1.6205	E	Façade Type 1.2 Building 1.1	DKO Architecture	12 February 2025
S1.6206	E	Façade Type 4.1 Building 1.4	DKO Architecture	12 February 2025
S1.6207	E	Façade Type 4.2 Building 1.4	DKO Architecture	12 February 2025
S1.6209	E	Façade Type 5.1 Building 1.5	DKO Architecture	12 February 2025
S1.6210	E	Façade Type 5.2 Building 1.5	DKO Architecture	12 February 2025
S1.6211	E	Façade Type 5.3 Building 1.5	DKO Architecture	12 February 2025
S1.6301	E	Materials Palette – Stage 01	DKO Architecture	12 February 2025
	2	Site Survey Plan	Maker Engineering	1 December 2022
MKR00452 – 10-C0000	8	Cover Sheet and Drawing Schedule	Maker engineering	9 February 2024
MKR00452 – 10-C0010	6	General Notes	Maker engineering	9 February 2024
MKR00452 – 10-C0030	10	Zoning Layout Plan	Maker engineering	14 February 2025
MKR00452 – 10-C0040	9	Civil Key Plan	Maker engineering	20 September 2024
MKR00452 – 10-C0050 1 of 2	9	Future Lot Layout Plan	Maker engineering	14 February 2025
MKR00452- 10-C0051 2 of 2	7	Future Lot Layout Plan	Maker engineering	14 February 2025
MKR00452- 10-C0100 1 of 2	10	Civil Works Layout Plan	Maker engineering	14 February 2025
MKR00452- 10-C0101 2 of 2	8	Civil Works Layout Plan	Maker engineering	14 February 2025
MKR00452 – 10-C0300	10	Typical Road Layout Plan	Maker engineering	14 February 2025
MKR00452 – 10-C0310 1 of 3	6	Typical Road Section Plan	Maker engineering	9 February 2024
MKR00452 – 10-C0311 2 of 3	6	Typical Road Section Plan	Maker engineering	9 February 2024

MKR00452-10-C0312 3 of 3	3	Typical Road Section Plan	Maker engineering	14 February 2025
MKR00452-10-C0350	6	Civil Details	Maker engineering	9 February 2024
MKR00452-10-C0500 1 of 2	6	Longitudinal Section Road 01	Maker engineering	9 February 2024
MKR00452-10-C0501 2 of 2	6	Longitudinal Section Road 02	Maker engineering	9 February 2024
MKR00452-10-C1100 1 of 2	10	Concept Stormwater Layout Plan	Maker engineering	14 February 2025
MKR00452-10-C1101 2 of 2	8	Concept Stormwater Layout Plan	Maker engineering	14 February 2025
MKR00452-10-C1700 1 of 2	10	Conceptual Service Allocation Layout Plan	Maker engineering	14 February 2025
MKR00452-10-C1701 2 of 2	8	Conceptual Service Allocation Layout Plan	Maker engineering	14 February 2025
MKR00452-10-C1850	6	Erosion And Sediment Control Notes And Details	Maker engineering	9 February 2024
MKR00452-10-C1860	10	Erosion And Sediment Control Layout Plan	Maker engineering	14 February 2025
MKR00452-10-C2100	9	Swept Path Layout Plan Design Vehicles	Maker engineering	4 October 2024
MKR00452-10-C2101	9	Swept Path Layout Plan Check Vehicles	Maker engineering	4 October 2024
MKR00452-10-C2102	1	Swept Path Layout Plan Driveway Entrances	Maker Engineering	17 December 2024
PPN DP1305522	F	Plan of Subdivision of Lot 1 in PPN 1313981	SDG Pty Ltd	20 February 2025
MKR00452-10-C2200	8	Signs And Lines Layout Plan	Maker engineering	16 January 2025
LA_DA100	F	Stage 01 Site Plan	Flame Tree Landscape Design	12 February 2025
LA_DA101 – 1.1 – 1.4	F	GF Plan 01	Flame Tree Landscape Design	12 February 2025
LA_DA102 – 1.1 – 1.4	F	GF Plan 02	Flame Tree Landscape Design	12 February 2025

LA_DA103 – 1.1 – 1.4	F	GF Plan 03	Flame Tree Landscape Design	12 February 2025
LA_DA104 – 1.1 – 1.4	F	GF Plan 04	Flame Tree Landscape Design	12 February 2025
LA_DA105 – 1.1 – 1.4	F	GF Plan 05	Flame Tree Landscape Design	12 February 2025
LA_DA106 – 1.1 – 1.4	F	GF Plan 06	Flame Tree Landscape Design	12 February 2025
LA_DA107 – 1.5	F	GF Plan 01	Flame Tree Landscape Design	12 February 2025
LA_DA108 – 1.5	F	GF Plan 02	Flame Tree Landscape Design	12 February 2025
LA_DA109 – 1.5	F	Level 05 CoS Detail Plan	Flame Tree Landscape Design	12 February 2025
LA_DA110 – 1.5	F	Level 05 PoS Plan 01	Flame Tree Landscape Design	12 February 2025
LA_DA111 – 1.5	F	Level 05 PoS Plan 02	Flame Tree Landscape Design	12 February 2025
LA_DA112	F	Tree Removal/Retention Plan 01	Flame Tree Landscape Design	12 February 2025
LA_DA113	F	Tree Removal/Retention Plan 02	Flame Tree Landscape Design	12 February 2025
LA_DA114	F	Tree Removal/Retention Plan 04	Flame Tree Landscape Design	12 February 2025
LA_CC- 115– 1.1 – 1.4	F	Fence Plan 01	Flame Tree Landscape Design	12 February 2025
LA_CC- 116– 1.1 – 1.4	F	Fence Plan 02	Flame Tree Landscape Design	12 February 2025
LA_CC- 117– 1.1 – 1.4	F	Fence Plan 03	Flame Tree Landscape Design	12 February 2025
LA_CC- 118– 1.1 – 1.4	F	Fence Plan 04	Flame Tree Landscape Design	12 February 2025
LA_CC- 119– 1.1 – 1.4	F	Fence Plan 05	Flame Tree Landscape Design	12 February 2025
LA_CC- 120– 1.1 – 1.4	F	Fence Plan 06	Flame Tree Landscape Design	12 February 2025
LA_CC-12- 21 – 1.5	F	Fence Plan 01	Flame Tree Landscape Design	12 February 2025

LA_CC-12-22 – 1.5	F	Fence Plan 02	Flame Tree Landscape Design	12 February 2025
LA_DA200	F	Landscape Sections 01	Flame Tree Landscape Design	12 February 2025
LA_DA201	F	Landscape Sections 02	Flame Tree Landscape Design	12 February 2025
LA_DA202	F	Landscape Sections 03	Flame Tree Landscape Design	12 February 2025
LA_DA203	F	Landscape Sections 04	Flame Tree Landscape Design	12 February 2025
LA_DA204	F	Landscape Sections 05	Flame Tree Landscape Design	12 February 2025
LA_DA205	F	Landscape Sections 06	Flame Tree Landscape Design	12 February 2025
Document Title		Version No	Prepared By	Dated
BASIX Certificate		1360683M_04		4 October 2024
Landscape Report, prepared by Flame Tree Landscape Designs				February 2025
Arboricultural Impact Assessment		D5350 Final	Allied Tree Consultancy	October 2024
Access Assessment Report		Project Number: 117175 Revision 5	Jensen Hughes	4 October 2024
Acoustic and Vibration Assessment		TK577-02F02DA acoustic and vibration assessment (r6)	Renzo Tonin & Associates	4 October 2024
Traffic Impact Assessment		Project: P5885 Version: 013	Bitzios Consulting	4 October 2024
CPTED Report Amendment Letter		-	Urbis	10 October 2024
Biodiversity Development Assessment Report		23STD-5060 Version 5	Ecological Australia	2 November 2023
Biodiversity Impact Statement		23SYD-5060	Ecological Australia	4 October 2024
Microbat Call Assessment Report			RA Environmental Consultants	May 2023
Microbat Ultrasonic Call Report		Project Reference Number 22SYD-2750	RA Environmental Consultants	undated
Microbat Habitat Assessment Letter		18WOL - 10492	Ecological Australia	22 July 2019

Grey-headed Flying Fox Management Plan	22SYD-2750 Version 7	Ecological Australia	24 September 2024
Green and Golden Bell Frog Expert Report	23NEW 5019 v1	Ecological Australia	6 April 2023
Construction Management Plan	Revision 5	Harrison Morgan	4 October 2024
Operational Waste Management Plan	Report No. 4467 Revision P	Elephants Foot Consulting	4 October 2024
Water Cycle Management Strategy	Ref: MKR00452	Maker Engineering	October 2024
Street Trees and Public Domain Report	S18-0070 Issue G	Clouston Associates	4 October 2024
Proposed Subdivision & Development Staging	MKR00452 – Corrimal Cokeworks	Maker Engineering	undated
Legacy Property letter	Item 4 – E-mail correspondence Friday 30 August 2024: Re Resumed s34 Thursday – Legacy Stage 1 DA - Corrimal	Legacy Property	31 January 2025

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

2. Construction sequencing

The approvals required for construction and completion of the works under this consent are to be obtained by the applicant generally in accordance with the below sequencing;

No.	Approval Pathway
1	S138 Application/Frontage works application
2	Subdivision Works Certificate and Construction Certificate
3	Subdivision Certificate
4	Occupation Certificate

Reason:

To allow for the coordination of subdivision works with building works. To allow for the practical implementation of final inspections and dedication of public assets to Wollongong Council.

3. Integrated Development – General Terms of Approval

- a. Pursuant to s91 of the Water Management Act the General Terms of Approval issued by DPE- Water dated 2 December 2024 as attached to this consent shall form part of this Notice of Determination.
- b. Pursuant to s57 of the Heritage Act 1977 the General Terms of Approval issued by Heritage NSW dated 21 February 2025 as attached to this consent shall form part of this Notice of Determination.

Reason:

To satisfy the requirements of the legislation.

4. Protection and Separation of Subdivision Works

To ensure the delivery of proposed public infrastructure is constructed as per the requirements of Wollongong City Council's technical specifications, policies, and engineering best practice building works approved under the Building Construction Certificate cannot commence until the following subdivision works have been undertaken:

- a. Internal Road construction including pavement and kerb up to and including base course and first layer of asphalt (with the 50mm AC being able to be constructed in two layers subject to the design of the appointed geotechnical engineer).
- b. All stormwater infrastructure and required design and construction cover. Any constructed WSUD Tree Pits must be protected to ensure delivery of trees, verge works, and footpaths can be undertaken.
- c. All service crossings in roadway to be installed (or approved service conduits), to ensure future road opening is avoided.
- d. An interim Works as Executed Plan (WAE plan) of the road pavement, and stormwater infrastructure. The works as executed plans are to be provided to both the Principal Certifier for the Subdivision and the Principal Certifier for the building works.
- e. The appointed Principal Certifier for building works must ensure that any Construction Certificate Plans issued are consistent with (or updated to be consistent with) the WAE levels of the roads / kerb levels, and stormwater infrastructure in the road.

Any remaining subdivision works approved in the Subdivision Works Certificate including all road / frontage works in Railway Street (roundabout and frontage works), including final AC14 - 50mm seal, footpaths, street trees, verge turf, traffic facilities, landscape and paths must be completed prior to the issue of any Subdivision Certificate. To facilitate the building and subdivision construction program, those works can be deferred to such a point as the building construction works are nearing completion, but must be completed prior to the issue of the Subdivision Certificate.

Reason:

To protect public assets and avoid damage during building works

5. Planning Agreement

The applicant must demonstrate compliance with the requirements and delivery of items relevant to Stage 1 under the Planning Agreement between 'LegPro 70 Pty Ltd as trustee for LegPro 70 Unit Trust' and 'Illawarra Coke Company Pty Limited' and Wollongong City Council executed on 13 December 2022, including any other iterations as amended.

Reason:

To satisfy the requirements of the legislation.

6. Subdivision and Building Works

The construction works proposed under this development consent involve two separate construction programs, one, being the construction of public roads, traffic facilities, streets trees, and stormwater infrastructure, and two, being buildings and associated works on future lots. Separate construction approval is required for the two different aspects of the project being:

- a. A Subdivision Works Certificate and appointment of Principle Certifier for the Subdivision Works, being all subdivision works associated with the delivery of roads, footpaths, cycleways, traffic facilities, street trees, and stormwater infrastructure as detailed in the conditions of the development consent and the Maker Engineering Plans "Stage 1 Built Form Civil Drawings Development Application, Plan Numbers MKR00452-10-C0000, C0010, C0030, C0040, C0050, C0051, C0100, C0101, C0200, C0250, C0251, C0252, C0300, C0310, C0311, C0312, C0350, C0500, C0501, C1100, C1101, C1700, C1701, C1850, C1860, C2100, C2101, C2200",
- b. A Construction Certificate for Buildings and appointment of Principal Certifier for the building works, being all building works proposed on future private lands.

Reason:

To comply with the legislation

7. Separate Approval from Water NSW

- a. Separate approval from Water NSW is required for basement dewatering and aquifer interference under the Water Management Act 2000 and any other applicable legislation, regulations, acts and/or guidelines.
- b. Where approval under the Water Management Act 2000 is required, the development consent holder must obtain the necessary approval/s from Water NSW before the issue of a Construction Certificate.
- c. WaterNSW and DCCEEW assessment, review and recommendation is required in relation to aquifer interference. Tanked vs Drained Basement (assessment needs to account for Towradgi Creek and Lagoon as it is listed as Sensitive Estuary in the Illawarra Shoalhaven Regional Plan 2041 (2021). Council is to be provided with a copy of all documents supplied to Water NSW (including correspondence between to and from Water NSW) and is entitled to review and comment upon them.
- d. Where Water NSW issues approval for a tanked basement the following requirements apply:
 - i. Aquifer interference (tanked) System Monitoring and Maintenance Plan w/ predicted costs are to be provided to Council.
 - ii. Contingency/Safeguards Plan are to be provided to Council.
- e. Where Water NSW issues approval for a drained basement the following requirements apply:
 - i. Aquifer interference (drained) System Monitoring and Maintenance Plan w/ predicted costs of maintenance, monitoring, administration and regulation are to be provided to Council.
 - ii. Contingency/Safeguards Plan are to be provided to Council.
- f. The development shall be implemented at all times in accordance with the terms of any water approval issued under the Water Management Act 2000. In carrying out the development, any dewatering of the site during construction must be carried out so as to cause no adverse impact on neighbouring buildings, infrastructure and environment.

Reason:

To comply with the legislation

8. Restricted Vegetation Removal

This consent permits the removal of trees and other vegetation from the site within three (3) metres of the approved buildings. This consent also permits the pruning of trees within three (3) metres of approved buildings in accordance with AS 4373:2007 Pruning of Amenity Trees. No other trees or vegetation shall be removed or pruned, without the prior written approval of Council.

Reason:

To protect the amenity of the environment and the neighbourhood.

9. Tree Retention/Removal

This consent permits the removal of additional trees numbered 17,20,23,28,31,36,39,55,56,57,58, 111,126,130,268,270,285,286 as numbered and described in Arboricultural Impact Assessment Report by Allied Trees dated October 2024. No other trees shall be removed without prior written approval of Council.

Any branch pruning, which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS 4373:2007.

All tree protection measures are to be installed in accordance with Australian standard AS 4970:2009 Protection of Trees on development sites.

All recommendations in the Arboricultural Impact Assessment by Allied Trees dated October 2024. page nos 25-31 are to be implemented including and not restricted to: remedial tree pruning, dead wood removal, fencing and signage, sediment buffer, stem protection, establishing tree protection zones and watering.

Reason:

To protect the amenity of the environment and the neighbourhood.

10. Compliance with the Nation Construction Code (NCC)

Building work must be carried out in accordance with the requirements of the NCC.

Reason:

To ensure the development is built in accordance with the Building Code of Australia.

11. Maintenance of Access to Adjoining Properties

Access to all properties not the subject of this approval must be maintained at all times and any alteration to access to such properties, temporary or permanent, must not be commenced until such time as written evidence is submitted to Council or the Principal Certifier indicating agreement by the affected property owners.

Reason:

To ensure that access is maintained.

12. Occupation Certificate

An Occupation Certificate must be issued by the Principal Certifier prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifier must be satisfied that the requirements of Section 6.9 of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

Reason:

To satisfy the requirements of the legislation.

13. General Conditions - Contamination Material

No contamination material is to be located on/under land to be transferred to Council.

Reason: To comply with Council's requirements. And so as not to burden Council and Community in perpetuity.

14. Construction Certificate - Building Works

A Construction Certificate must be obtained from Council or a Registered Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Part 3 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The Certifier must cause notice of its determination to be given to the consent authority, and to the Council, by forwarding to it, within two (2) days after the date of the determination, the plans and documentation referred to in Section 13 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Reason:

To satisfy the requirements of the legislation.

15. Disability Discrimination Act 1992 - Building Works

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS 1428.1:2009: Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

Reason:

To satisfy the requirements of the legislation.

16. Mailboxes – Building Works

The developer must install mailboxes in accordance with Australia Post Guidelines. Prominent house numbers are to be displayed, with a minimum number size of 150mm in height for each number and letter in the alphabet.

Reason:

To identify the property.

17. Compliance with Previous Consent

The Subdivision Works Certificate and Construction Certificate must not be issued until Development Consent DA-2023/166 for the enabling bulk earthworks has been fully complied with.

Reason:

To satisfy the requirements of the legislation.

18. TfNSW (Sydney Trains) Requirements

Sydney Trains requirements as included as Attachment 2 form part of this determination notice.

Reason:

To comply with the requirements of TfNSW (Sydney Trains)

19. General Conditions - Contamination Cells

No contamination cells are to be located on/under land to be transferred to Council.

Reason: To comply with Council's requirements. And so as not to burden Council and Community in perpetuity.

20. Threatened Species Licence

Prior to the Commencement of any works on site, the applicant shall obtain a valid Threatened Species Licence under Part 2 of the *Biodiversity Conservation Act 2016* from DPIE for potential impact to Grey-headed Flying-foxes at the site. The licence shall be valid for the entire duration of the works and all conditions of the licence must be adhered to.

A copy of the licence shall be provided to Council for their records, and to assist with responding to any community enquiries or concerns.

<p><u>Reason:</u> To satisfy the requirements of legislation and protect threatened species.</p>
<p>21. General Conditions - Threatened Species Licence</p> <p>All works are to be undertaken in accordance with the Threatened Species Licence obtained for the proposed works, and any additional advice or conditions imposed by the Department of Planning and Environment.</p> <p><u>Reason:</u> To satisfy the requirements of legislation and protect threatened species.</p>
<p>22. General Conditions - Dust and Air Quality Management Plan</p> <p>A detailed Dust and Air Quality Management Plan shall be submitted to the Principal Certifier for approval for both Subdivision and Building Works separately, prior to the commencement of any earthworks works. The plan shall include provisions for real-time dust and air quality monitoring.</p> <p><u>Reason:</u> To ensure protection of the environment and neighbourhood amenity.</p>
<p>23. Geotechnical requirements</p> <p>a. The proposed development must be designed to incorporate the recommendations of the works-as-executed geotechnical report for DA-2023/166 (as modified).</p> <p>b. The structural designs must be confirmed or amended by the structural engineer referencing the works-as-executed geotechnical report specified above in point 'a'.</p> <p><u>Reason:</u> To ensure the geotechnical requirements are met.</p>
<p>24. CCTV at Handover</p> <p>All stormwater pipes within road reserves and within drainage easements intended to be dedicated to Council must be inspected by CCTV prior to the issue of the handover certificate from Council. A copy of the CCTV inspection must be submitted to and be to the satisfaction of the Principal Certifier prior to the asset being handed over to Council. Below standard work must either be replaced or repaired to the Principal Certifier's satisfaction prior to the issuing of a Subdivision Certificate.</p> <p><u>Reason:</u> To ensure council receives a serviceable asset.</p>
<p>25. CPTED</p> <p>The recommendations of the CPTED Report prepared by Urbis dated 10 October 2024 as referenced in Condition 1 of this consent must be adopted and implemented as part of the development, unless otherwise modified by conditions of this consent.</p> <p><u>Reason:</u> To maximise safety and security for residents, visitors and the public.</p>
<p>26. Permanent and Temporary Anchors</p> <p>Permanent and temporary anchors are not permitted under any existing or proposed roads. All basement excavation, shoring and support strategies must be managed wholly within the building areas on the proposed lots.</p> <p><u>Reason:</u> To protect public assets</p>

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Conditions

27. Design Amendments

Before the issue of a construction certificate, the certifier must ensure the approved construction certificate plans (and specifications) detail the following required amendments to the approved plans and supporting documentation:

- a. A chamfer to Units 2103, 2203, 2303 and 2403 is required to achieve a minimum of 12m separation distance to be provided between habitable rooms and balconies between Buildings 1.2 and 1.3. This 12m separation distance must be clearly indicated on the plans at all levels between Buildings 1.2 and 1.3.
- b. Evergreen trees must be specified in the schedule of trees for the trees shown in the ground level at the southern end between Buildings 1.2 and 1.3.
- c. Vertical fins perpendicular to the external face of the southern edge of the bedroom windows on each level for units 4109, 4210, 4310 and 4410 4404 and 4405 and respective units below (stacked) must be provided to address privacy issues. Fin treatments must be the same as those shown 241004_07 Corrimal Coke Works Stage 01 Facade and Materials _Rev D Dwg No. S1.6200 (Typical Façade 1) unless otherwise approved by Council in writing.
- d. 1000mm tall palisade fencing above 800mm high planter beds are required outside bedroom windows to address privacy issues outside the habitable rooms facing directly onto communal areas e.g the southern eastern windows of Units 2103 and 2104, Unit 2104, and Unit 4108. Garden beds within the fence line will be maintained by strata and must be 1m metre minimum in width for access and maintenance
- e. Raised planters on podium must be separated from the building façades to ensure adequate waterproofing. The setback between the building footprint and planter bed must be provided with drainage points and will not be visible from POS or COS areas. Leaf litter removal must be specified as part of the on-going management to clear build-up in these areas over time twice a year either manually or with a blower.
- f. The fence outside the bedroom window to Unit 5503 must be deleted from all relevant plans.
- g. Frosted glass up to the height of 1.5m must be provided to the Aalto or hood window to the unit 5503 to the left-hand side of the communal open space.
- h. Skylights of minimum size 100mm x 100mm above units 1401, 1405, 2404, 4401 and 4402 are required to further reduce the overall number of units that receive no solar access or that do not receive a total of 2 hours of direct solar access in mid-winter.
- i. Additional areas of brick (finish EF-07) must be introduced to the northern elevation of Building 1.5 to the walls and bays immediately adjacent to the building entrance to reduce the reliance of rendered and painted finishes over continuous segments of the elevation. Details reflecting this requirement must be coordinated across all drawings.
- j. Hot water tanks must be removed from the roof tops of all buildings B1.1-B1.5 and replaced with instantaneous hot water systems. The location of the hot water systems must not impact on the compliant volume of storage within the units.
- k. AC condenser units must be relocated and well concealed behind the taller parapets at the southern ends of the buildings B1.2, B1.3 (east and west) and the western end of B1.1 and eastern end of B1.4. AC condensers on the western wing (level 5 roof) of Building 1.5 must not be visible from any point of the public domain or any of the neighbouring 4-storey built forms.
- l. Photo-voltaic (PV) panels must be installed flat on the surface of the roof for all Buildings B1.1 – B1.5. Any installation of PV panels that involves a minimal degree of inclination must be approved by Council in writing where documentation can be provided demonstrating that the panels will not have an adverse visual impact.
- m. Units 3107, 3208, 3308 and 3406 (all stacked) must be made liveable to address the lack of adaptable or liveable units in Building B1.3.

- n. Clothes lines must be provided within each unit of a folding type, located as far away from the balustrade edge as possible (i.e.: close to the internal wall) at a height approximately 1.6-1.7m AFFL to minimise the ability to view washing on clothes lines from the public domain.
- o. A window fin/hood similar to the detail provide in Page 01 Facade and Materials _Rev D Dwg No. S1.6200 (Typical Façade 1) must be used to provide solar protection if required by BASIX on the glazing of windows that have long western sun exposure for all buildings.
- p. Long wearing acrylic finishes must be specified for Buildings B1.2 and B1.3 including the "EF-18 Beige Finish" referenced on Dwg S1.6301 Rev E.
- q. The introduction of a drip edge as an integral construction detail to the façade segments of all buildings (B1.1-B1.5) must be adopted to reduce the potential ongoing maintenance costs associated with the extensive use of render and paint.
- r. Adequate enclosers for SCV boosters must be provided to mitigate visual impacts to the public domain
- s. Adequate enclosure including sacrificial landscaping like decorative plantings and shrubbery to surround the substation must be introduced pending approval from Endeavour Energy
- t. Studies as enclosable undersized habitable rooms are to include in-built storage or cabinetry on at least two sides of the room.
- u. Accessible toilet facilities must be provided to service the various communal areas.

Reason:

To require minor amendments and/or further detail to the plans endorsed by the consent authority following assessment of the development.

28. Payment of Building and Construction Industry Long Service Levy

Before the issue of a construction certificate and Subdivision Works Certificate, the applicant is to ensure that the person liable pays the long service levy to the Long Service Corporation or Council under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Reason:

To ensure the long service levy is paid.

29. Crime Prevention Through Environmental Design (CPTED) - Landscaping

In order to reduce the opportunities for "hiding places" the proposed landscaping must:

- a. Provide ongoing maintenance of shrubs/plants to ensure height is kept to no higher than one (1) metre.
- b. The type of trees proposed must have a sufficiently high canopy, when fully grown, so that pedestrian vision is not impeded.

This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of Australian Standards.

30. Final Landscape Plan Requirements

The submission of a final Landscape Plan to the Principal Certifier is required, prior to the issue of the Construction Certificate. The final Landscape Plan shall address the following requirements:

- a. a schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;

- b. To ensure that the proposed development does not impact any proposed street trees, no services (placed longitudinally along the road verge) are permitted within 1.5m from the back of the kerb.
- c. any proposed hard surface under the canopy of existing trees shall be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer's recommendations.
- d. the final landscape plan must reflect the Design Amendments outlined in Condition 27, including but not limited to the requirement for a 1000mm high palisade fence above an 800mm high planter box for all units that have bedroom or habitable room windows opening onto communal open spaces.
- e. the final landscape requirements must reflect the changes to the Railway Street landscaped setback as outlined in Condition 65.

The completion of the landscaping works as per the final approved Landscape Plan is required, prior to the issue of an Occupation Certificate.

Reason:

To comply with Council's Development Control Plan.

31. Certification for Landscape and Drainage

The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifier prior to the issue of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.

Reason:

To ensure development does not impact services.

32. Landscape Maintenance Plan

The implementation of a landscape maintenance program in accordance with the approved Landscape Plan for a minimum period of 12 months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Landscape Plan to the Principal Certifier prior to issue of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

33. Tree Protection and Management

The existing trees required to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during works. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:

- a. Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings. Details and location of protective fencing must be indicated on the architectural and engineering plans to be submitted to the Principal Certifier prior to release of the Construction Certificate.
- b. Mulch Tree Protection Zone: Areas within a Tree Protection Zone are to be mulched with minimum 75mm thick 100% recycled hardwood chip/leaf litter mulch.

Reason:

To comply with Council's Development Control Plan.

34. Maintenance Program Streetscape Landscape Works – Subdivision Works

The implementation of a landscape maintenance program shall be required in accordance with the approved Landscape Plan for a minimum period of 12 months (being the latter of registration or Landscape Practical Completion) to ensure that all streetscape landscape work becomes well established by regular maintenance.

Details of the program must be submitted with the Landscape Plan to Council for approval prior to issue of the Subdivision Works Certificate.

Reason:

To comply with Council's Development Control Plan.

35. Street Trees Subdivision Works

The developer must address the street frontage by installing street tree planting with a root barrier, staking, mulching and brick edging surround. The number and species for this subdivision as shown on Landscape Plan by prepared Clouston Associates by 200 litre container size in accordance with AS 2303:2015: Tree stock for landscape use. *Toona ciliata*, *Eucalyptus eugeniodies*, *Eucalyptus bosistoana* are not suitable street tree species and must be substituted for an alternative species such as *Waterhousia floribunda* or *Elaeocarpus eumundii*.

To ensure that the proposed development does not impact any proposed street trees, no services (placed longitudinally along the road verge) are permitted within 1.5m from the back of the kerb. Evidence that this requirement has been met must form part of the subdivision works certificate and must be detailed on a services plan which identifies all service location.

The verge must be prepared by preparing a trench of 1.2m x 3m for each street tree. Cultivate each trench and break by the trench base and walls. Trench to be backfilled with imported topsoil for both 300mm depth of topsoil equal to Soilco Gold Blend and 450mm depth imported soil with no compost. Tree trench preparation to be inspected by Arborist. Brick edging is to consist of 110mm wide paver on 100mm thick by 150mm wide reinforced concrete footing.

Root control barrier to kerb side of trench 600mm deep and extended along three metres along footpath. Installation of root barrier to be inspected by Arborist who must make a photographic record of the installation of all street trees.

Location of street tree plantings to be sited to ensure no conflict occurs with streetlight poles

The developer must supply certification in the form of a report, including photographic evidence, from an AQF Level 5 Arborist has verified that Tree pits must be adequately prepared, root barriers installed, staked correctly and mulched.

These requirements shall be reflected on the Subdivision Works Certificate plans and any supporting documentation.

Reason:

To comply with Council's Development Control Plan and Australian Standards.

36. Present Plans to Sydney Water

Approved plans must be submitted online using Sydney Water Tap In, available through www.sydneywater.com.au to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

The Principal Certifier must ensure that Sydney Water has issued an approval receipt prior to the issue of a Construction Certificate and for the Subdivision Works Certificate.

Visit www.sydneywater.com.au or telephone 13 20 92 for further information.

Reason:

To satisfy the requirements of the legislation.

37. Utilities and Services

Before the issue of the relevant Construction Certificate and Subdivision Works Certificate, the applicant must submit the following written evidence of service provider requirements to the certifier:

- a. a letter from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity.

- b. a response from Sydney Water as to whether the plans proposed to accompany the application for a construction certificate / Subdivision Works Certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met.
- c. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are required to make the development satisfactory to them.

Reason:

To ensure relevant utility and service providers' requirements are provided to the certifier.

38. Glass Reflectivity Index

The reflectivity index of the glass used in the external façade of the building shall not exceed 20 per cent. The details and samples of the glass to be used are to be submitted with the Construction Certificate together with written evidence that the reflectivity of the glass is 20 per cent or less.

Reason:

To comply with Council's Development Control Plan.

39. Site Management, Pedestrian and Traffic Management Plan (Where Works are Proposed in a Public Road Reserve)

The submission of a Site Management, Pedestrian and Traffic Management Plan to the Principal Certifier and Council (in the event that Council is not the Principal Certifier) for approval of both the Principal Certifier and Council is required, prior to the issue of the Construction Certificate (Building Works), and the Subdivision Works Certificate (Subdivision Works). This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS 1742: Traffic Control Devices for Works on Roads and the TfNSW Traffic Control at Worksites Manual.

This plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic within this locality and to protect services, during demolition, excavation and construction phases of the development. This plan shall include the following aspects:

- a. Proposed ingress and egress points for vehicles to/from the construction site;
- b. proposed protection of pedestrians, adjacent to the construction site;
- c. proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- d. proposed measures to be implemented for the protection of all roads and footpath areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- e. proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- f. proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- g. proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed where works are in progress in any road reserve and shall be in accordance the latest versions of the TfNSW Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS 1742: "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81);
- h. proposed method of support of any excavation, adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by a Registered Certifier in Civil Engineering; and

- i. proposed measures to be implemented, in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the roadway.

The traffic control plan endorsed by Council shall be implemented, prior to the commencement of any works upon the construction site.

Note: Any proposed works or placement of plant and equipment and/or materials within any road reserve will require the separate approval of Council, prior to the commencement of such works, pursuant to the provisions of the Roads Act 1993.

Reason:

To ensure compliance with Australian Standards.

40. Change in Driveway Paving – Building Works

A change in driveway paving is required at the entrance threshold within the property boundary to clearly show motorists they are crossing a pedestrian area. Between the property boundary and the kerb, the developer must construct the driveway pavement in accordance with the conditions, technical specifications and levels of Wollongong City Council Standards. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

Reason:

To ensure compliance with Council's Technical Specifications.

41. Depth and Location of Services

The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) must be ascertained and reflected on the Construction Certificate plans and Subdivision Works Certificate Plans and supporting documentation.

Reason:

To ensure development does not impact services.

42. Engineering Plans and Specifications - Retaining Wall Structures Greater than One (1) Metre

The submission of engineering plans and supporting documentation of all proposed retaining walls greater than one (1) metre to the Principal Certifier for approval prior to the issue of the Construction Certificate. The retaining walls shall be designed by a suitably qualified and experienced civil and/or structural engineer. The required engineering plans and supporting documentation shall include the following:

- a. a plan of the wall showing location and proximity to property boundaries;
- b. an elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
- c. details of fencing or handrails to be erected on top of the wall;
- d. sections of the wall showing wall and footing design, property boundaries, subsoil drainage and backfill material. Sections shall be provided at sufficient intervals to determine the impact of the wall on existing ground levels. The developer shall note that the retaining wall, subsoil drainage and footing structure must be contained wholly within the subject property;
- e. the proposed method of subsurface and surface drainage, including water disposal. This is to include subsoil drainage connections to an inter-allotment drainage line or junction pit that discharges to the appropriate receiving system;
- f. the assumed loading used by the engineer for the wall design; and
- g. flows from adjoining properties shall be accepted and catered for within the site. Finished ground and top of retaining wall levels on the boundary shall be no higher than the existing upslope adjacent ground levels.

Reason:

To comply with Council's Development Control Plan.

43. Property Addressing Policy Compliance

Prior to the issue of any Occupation Certificate, the developer must ensure that any site addressing complies with Council's Property Addressing Policy (as amended). Where appropriate, the developer must also lodge a *General Property Addressing Request* through Online Services on Council's Website (<https://www.wollongong.nsw.gov.au/book-and-apply/online-services>), for the site addressing prior to the issue of the Construction Certificate. Please allow up to 5 business days for a reply. Enquiries regarding property addressing may be made by calling (02) 4227 8660.

Reason:

To comply with Council Policy.

44. Dilapidation Report

Before the issue of a Construction Certificate (Building works) and Subdivision Works Certificate (Subdivision Works), a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.

Reason:

To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and Council are provided with the dilapidation report.

45. Construction Site Management Plan

Before the issue of a Construction Certificate (Building works) and Subdivision Works Certificate (Subdivision Works), the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:

- location and materials for protective fencing and hoardings to the perimeter of the site
- provisions for public safety
- pedestrian and vehicular site access points and construction activity zones
- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

Reason:

To require details of measures that will protect the public, and the surrounding environment, during site works and construction.

46. Erosion and Sediment Control Plan

Before the issue of a Construction Certificate (Building works) and Subdivision Works Certificate (Subdivision Works), the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- Council's development control plan,
- the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction' (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept on-site at all times during site works and construction.

Reason:

To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

47. Adaptable units

Before the issue of a relevant Construction Certificate, the applicant must ensure a report from a suitably qualified person is prepared and demonstrates, to the certifier's satisfaction, that any adaptable dwellings specified in the approved plans or supporting documentation comply with the provisions of *AS 4299-1995 Adaptable Housing Standards*.

Reason:

To ensure adaptable units are designed in accordance with the Australian Standard.

48. Requirements of the Department of Planning and Environment (DPE) - Part 3 s.91 of the Water Management Act 2000

The submission of documentary evidence to the Principal Certifier, confirming that the required Part 3 Approval under the Water Management Act 2000 has been issued by the Department of Planning and Environment for the development, prior to the issue of the Construction Certificate (Building works) and Subdivision Works Certificate (Subdivision Works).

Reason:

To satisfy the requirements of the legislation.

49. Sydney Water Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation prior to building occupation. Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Builders and Developers" section of the web site www.sydneywater.com.au then search to "Find a Water Servicing Coordinator". Alternatively, telephone 13 20 92 for assistance.

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

The Notice of Requirements must be submitted to the Principal Certifier prior to issue of the Construction Certificate (Building works) and Subdivision Works Certificate (Subdivision Works).

Reason:

To satisfy the requirements of the legislation.

50. Crime Prevention Through Environmental Design (CPTED) - Light Spillage Mitigation

The development shall provide suitable light spillage mitigation measures within the development to mitigate against any adverse light spillage impacts upon surrounding properties or between buildings within the site. This requirement shall be reflected on the Construction Certificate plans. The implementation of the approved light spillage mitigation measures is required prior to the use or occupation of the development.

Reason:

To protect neighbourhood amenity.

51. Rail Noise

Any dwelling erected upon this site shall be designed and constructed in accordance with the recommendations and requirements of NSW Department of Planning (2008) Development near Rail Corridors and Busy Roads – Interim Guideline. This requirement shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To ensure compliance with Australian Standards.

52. Provision of a Fire Hydrant

The provision of a fire hydrant in accordance with AS 2419.1:2005: Fire Hydrant Installations and any requirements of the NSW Rural Fire Service and/or NSW Fire Brigades. The final details of the location of the fire hydrant shall be reflected on the Construction Certificate plans prior to the issue of the Construction Certificate.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

53. Road Naming

All roads must be named in accordance with Wollongong City Council's Road Naming Policy. The developer must lodge a road naming application with Wollongong City Council for the proposed roads, in accordance with Wollongong City Council's Road Naming Policy and appropriate fees paid prior to issue of the Subdivision Works Certificate.

Reason:

To comply with Council Policy.

54. Construction Noise and Vibration Management

Prior to the issue of the Construction Certificate and Subdivision Works Certificate, the Proponent shall undertake a noise and vibration assessment to identify all sensitive receivers where the construction noise and vibration levels may exceed the ICNG construction noise goals for that receiver. Parameters of the assessment are to consider:

- i. The nature of the proposed works. The report must provide separate reports and recommendations for the Subdivision Works and Building Works
- ii. Levels recommended by a registered Geotechnical/Structural Engineer with regards to structural damage buildings;
- ii. German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
- iii. For human exposure to vibration, the evaluation criteria presented in British Standard BS 6472 - Guide to Evaluate
- iv. Human Exposure to Vibration in Buildings (1Hz to 80Hz) for low probability of adverse comment.

The findings, recommendations and management controls from the assessment, including complaints resolution procedures, shall be documented in a Construction Noise and Vibration Management Plan prepared by a suitably qualified and experienced acoustic engineer (who is a member of either the Australian Acoustical Society or the Association of Australasian

Acoustical Consultants) and submitted to Council or Certifying Authority. For the duration of the site works noise and vibration must be managed in accordance with the submitted Construction Noise and Vibration Management Plan.

Reason:

To protect neighbourhood amenity.

55. Car Parking and Access

The development shall make provision for the following:

Buildings 1.1-1.4

- 180 residential car parking spaces (including 12 car parking spaces capable of adaption for people with disabilities)
- 24 visitor car parking spaces
- 9 motorcycle parking spaces
- 40 secure (Security Class B) residential bicycle spaces
- 12 visitor bicycle spaces (Security Class C)

Building 1.5

- 66 residential car parking spaces (including 6 car parking spaces capable of adaption for people with disabilities)
- 12 visitor car parking spaces
- 4 motorcycle parking spaces
- 20 secure (Security Class B) residential bicycle spaces
- 8 visitor bicycle spaces at ground level (Security Class C)

This requirement shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

56. Parking Dimensions

The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS 2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

57. Vehicular Flow Signage

Suitable barriers, line-marking and painted signage delineating vehicular flow movements must be provided within the car parking areas. These details shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

58. Structures Adjacent to Driveway

Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS 2890.1 (figure 3.2 and 3.3) to provide for adequate pedestrian and vehicle sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

59. Bicycle Parking Facilities

Bicycle parking facilities must have adequate weather protection and provide the appropriate level of security as required by the current relevant Australian Standard AS2890.3 - Bicycle Parking Facilities. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of Australian Standards.

60. Railway Street/Harbinger Street/Road 01 – Roundabout Detailed Civil Engineering Design

A detailed civil engineering design shall be provided for the proposed roundabout works within the road reserve and/or Council Land. The detailed civil engineering design shall be prepared by a suitably qualified practicing civil engineer in accordance with the relevant Council engineering standards. The design plans shall be generally in accordance with the Stage 1 Built Form Civil Works Layout Plan by Maker Engineering, MKR00452-10-C0100, 8, dated 26/9/2024 and shall include:

- a. Levels and details of all existing and proposed infrastructure/services such as kerb and gutter, public utility, pits, poles, fencing, stormwater drainage, adjacent road carriageway crown, street signs (clearly identifying the type of sign) and footpath levels, and shall extend a minimum of 5 metres beyond the limit of works.
- b. The Railway Street and Entry Boulevard legs must provide solid concrete splitter islands with 2 metre wide pedestrian refuges which must be aligned with pram ramps on both sides of the roads.
- c. Footpath longitudinal sections, and cross-sections at 5 metre intervals as well as including building entrance points and transitions to existing at the property boundary demonstrating compliance with the latest versions of AS 1428.1, AS/NZS 2890.1, the Disability Discrimination Act and the AUSTROAD road design standards Guide to Road Design Part 4B Roundabouts.
- d. Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- e. All construction must be in accordance with the requirements of Council's Subdivision Policy. Evidence that this requirement has been met must be detailed on the engineering drawings.
- f. Details are to be provided regarding the type of materials used for construction. They should conform to the adjacent road reserves.
- g. Detailed pavement design report prepared by a suitably qualified and experienced Geotechnical Engineer based on the design ESAs of the roundabout and the insitu ground conditions. This must include tie in details as well as re-sheet requirements for the full extent of the proposed works.

The detailed civil engineering design and supporting documentation shall be submitted to and approved by Wollongong City Council's Development Engineering Manager (via a frontage works application) prior to the issue of a Construction Certificate and Subdivision Works Certificate.

Reason:

To comply with Council's Development Control Plan and Australian Standards and to ensure the design coordination between the public road reserve and internal subdivision works interface.

61. Signs and Linemarking

A sign and line marking diagrams for all roads and the roundabout at Railway Street/Road 01 and 02 must be endorsed by the Local Traffic Committee and approved by Council prior to works commencing.

The application to the local traffic committee cannot be made until Council's Development Engineering team has assessed and approved the frontage works in Railway Street and the associated Roundabout construction details in Railway Street

Reason:

To comply with Council Policy.

62. Stacked Car Parking Spaces - Building Works

The stacked parking spaces must comply with the requirements of Chapter E3 of Wollongong Development Control Plan 2009. Each stacked parking arrangement must be allocated to the same units within the development and cannot be allocated to disabled users.

Reason:

To comply with Council's Development Control Plan.

63. Site Specific Unexpected Finds Protocol

A site-specific Contamination Unexpected Finds Protocol must be submitted to the Principal Certifier for approval, prior to the issue of the Subdivision Works Certificate and Construction Certificate. The Plan must incorporate a *site-specific* Unexpected Finds Protocol in the event that any previously unidentified contaminated materials are uncovered during works.

Any finds must be notified to Wollongong City Council within 48 hours of the find. Additionally, besides any emergency works required, any changes that are required to be made to the site remediation works, requires written approval from Councils Environment Scientist.

Reason:

To ensure the health and safety of the persons undertaking the works and the surrounding environment.

64. Revision of Acoustic and Vibration Assessment – Building Works

A revised Acoustic and Vibration Assessment is to be submitted for Council review and approval to capture the full scope of noise impacts associated with the increasing rail traffic. It is to incorporate:

- a. Additional sampling and assessment to the north of V2 between V2 sampling location and Railway St. This is closer to the proposed development and will capture incoming and outgoing noise from the rail line.
- b. additional noise considerations associated with the level crossing on Railway St and additional noise sampling must be accounted for in the assessment.
- c. Any additional recommendations following from these assessments.

This shall be submitted to Council for endorsement prior to the issue of the Construction Certificate. All requirements must be shown on the Construction Certificate Plans where applicable. Where the recommendations of the revised report necessitate design changes that are not anticipated by this consent, separate approval will be required to modify the application under s4.56 of the EP&A Act 1979.

Reason:

To protect neighbourhood amenity.

65. Illawarra Lowlands Grassy Woodland - Revision of Landscape Plans

A revised and detailed Landscape Plan is to be submitted to Councils Environmental Officer for review and approval, prior to the issue of the Subdivision Works Certificate and Construction Certificate. This area is to provide for the protection and enhancement of the Illawarra Lowlands Grassy Woodland and native vegetation within the front setback area along Railway Street, whilst also allowing for some paths and passive surveillance. This shall be clearly reflected in the landscape plans. To achieve this, the plans are to remove any formal garden beds from within the setback area and to clearly provide for and detail an open, grassy Illawarra Lowlands Grassy Woodland. This should be prepared with input from the project ecologists to ensure suitable species selection. This will be required prior to issue of a Subdivision Works Certificate and Construction Certificate.

Reason:

To satisfy the requirements of legislation and protect threatened species and meet the requirements of Councils DCP.

66. NCC Section J Report

A NCC Volume 1, Section J compliance report shall be prepared to demonstrate compliance with the relevant requirements outlined in Table 1 below. This shall be submitted to the Principal Certifier prior to the issue of the Construction Certificate. All requirements must be shown on the Construction Certificate Plans where applicable.

Table 1

NSW Application of Section J

(1) For a Class 3 and 5 to 9 building, Performance Requirement NSW J1P1 is satisfied by complying with—

- (a) Part J4, for the building fabric; and
- (b) Part J5, for building sealing; and
- (c) Part J6, for air-conditioning and ventilation; and
- (d) Part J7, for artificial lighting and power; and
- (e) Part J8, for heated water supply and swimming pool and spa pool plant; and

(f) J9D3, for facilities for energy monitoring.

(2) For a sole-occupancy unit of a Class 2 building or a Class 4 part of a building, Performance Requirement NSW J1P5 is satisfied by complying with—

- (a) J3D5 and J3D6, for thermal breaks; and
- (b) J4D3, for general thermal construction; and
- (c) J3D10(3), J3D10(5) and J3D10(6), for floor edge insulation.

(3) For a Class 2 building or a Class 4 part of a building, Performance Requirement NSW J1P6 is satisfied by complying with Part J5 for building sealing.

(4) For a Class 2 building or a Class 4 part of a building, Performance Requirement NSW J1P7 is satisfied by complying with—

- (a) Part J6, for air-conditioning and ventilation; and
- (b) J8D2, for heated water supply; and
- (c) J9D3, for facilities for energy monitoring.

(5) For a Class 2 to 9 building, Performance Requirement NSW J1P4 is satisfied by complying with J9D4 and J9D5.

Reason:

To satisfy the requirements of the legislation

67. Electric Vehicle Charging Infrastructure

Electric Vehicle Infrastructure is to be shown on the Construction Certificate Plans demonstrating compliance with the National Construction Code requirements.

Reason:

To meet the requirements of Councils DCP and improve amenity.

68. Ceiling Fans

To achieve design excellence, improve ventilation and reduce cooling costs, ceiling fans are to be installed within the primary living area of each apartment. This requirement shall be reflected on the Construction Certificate plans and supporting documentation for the endorsement by the Principal Certifier, prior to the issue of the Construction Certificate.

Reason:

To meet the requirements of Councils DCP and improve amenity.

69. Environmental Management Plan

The submission of a detailed Environmental Management Plan which addresses but is not limited to, the following issues:

- a. Introduction.
- b. Project Description.
This section should include:
 - i. Timing and duration of works.
 - ii. location of work sites offices, compounds, stockpiles and refuelling areas.
 - iii. a description of the site and surrounds and location of environmentally sensitive areas.
- c. Objectives of the CEMP.
This section should state what the CEMP is trying to achieve.
- d. Context of the CEMP.
This section should specify how the CEMP fits into the planning process of the project.
- e. Planning Project Environmental Actions.
- f. Environmental Impact Assessment (EIA) Obligations.
This section should identify all EIA documentation related to this project.
- g. Environmental Aspects.
This section should reference or describe the aspects and impacts associated with the construction activities. Each impact should be assigned a risk ranking of low, medium or high. Control measures should be selected for all impacts ranked as medium or high. Low risk impacts should be monitored to ensure that they do not increase.
- h. Legal and Other Requirements.
This section should detail the legislative requirements of the work, and all other specifications.
- i. Supplementary Environmental Plans.
These include:
 - i. Erosion and Sediment Control Plan (ESCP) or Soil and Water Management Plan (SWMP).

- ii. Note: Requirements for ESCPs and SWMPs are provided in "Managing Urban Stormwater: Soils and Construction" Landcom, 2004.
- iii. Noise and Vibration Management Plan.
- iv. Landscaping and Revegetation Plan.
- v. Flora and Fauna Management Plan.
- vi. Traffic Management Plan/Traffic Control Plan (TCP).
- vii. Air Quality Management Plan.
- viii. Waste Management Plan.
- ix. Acid Sulfate Soil Management Plan (ASSMP).
- x. Indigenous and European Heritage Plan.
- xi. Contaminated Soil Management Plan.
- xii. Tanked Basement Management Plan or Groundwater Re-use Management Plan and Dewatering Management Plan dependant on Water NSW approval for tanked or drained basement.
- j. Implementation.
- k. On-site Structure and Responsibility.

This section should state the duties and responsibilities of all contractors and sub-contractors working on site and the relationship between these parties.
- l. Training, Awareness and Competence.

This section should detail the environmental training that all site personnel are required to undertake. Environmental training should include:

 - i. Knowledge and understanding of the CEMP.
 - ii. Site induction, and may include:
 - Emergency response training.
 - Familiarisation with site environmental controls.
 - Erosion and sediment control training.
- m. Communication.

This section should include how the contractor plans to keep affected residents informed as to the nature and scope of works, the type of consultation and frequency. This section should identify and list details for relevant external stakeholders such as:

 - i. EPA.
 - ii. NPWS.
 - iii. NSW Fisheries.
 - iv. DPE.
 - v. Aboriginal Groups.
 - vi. Council.

This section should also detail the procedures for the notification of complaints and identify the person responsible for its maintenance and follow up action.
- n. Emergency Planning and Response.

This section should detail the procedure to be followed in the event of an environmental emergency. An environmental emergency is any event that causes or has the potential to cause environmental damage. The procedure needs to include:

 - i. The names of key emergency response personnel.

- ii. Personnel responsibilities and contact details.
- iii. Contact details for emergency services (ambulance, fire brigade, spill clean up services).
- iv. The location of on-site information on hazardous materials, including SDSs and spill containment material.
- v. The procedure to follow to minimise/control the emergency.
- vi. Procedures for notifying the Superintendent, the public and/or EPA.

Emergency Response Contacts should be listed in table form.

- o. Auditing and Monitoring.

- p. Environmental Action Monitoring.

This section should detail how all environmental actions identified in Section 2 are going to be monitored and verified. This section should also detail or refer to a procedure to ensure that all monitoring results that exceed set criteria are acted on quickly and that the appropriate regulatory authorities are notified.

- q. Auditing.

This section should detail audit criteria, frequency and scope.

- r. Non-Conformance and Corrective and Preventive Action.

This section should state how these items should be addressed.

- s. Review of CEMP.

This section should detail the procedure and frequency of reviewing the CEMP and how those using it will be aware of changes.

- t. Appendix 1 - Environmental Action Table.

The Environmental Action Table should provide sufficient information to ensure effective and efficient on-site environmental management. The Environmental Actions Table should include all environmental actions that were identified in Section 2.0 of the CEMP. The Environmental Actions Table must clearly convey what action is required, when it needs to be done and who is supposed to do it.

- u. Appendix 2 - Environmental Action Monitoring Table.

This section should detail how all of the environmental actions listed in Appendix 1 are going to be monitored and verified. The monitoring must clearly convey what monitoring is required, when the monitoring is to take place and who is to do it.

A separate plan must be provided for the Subdivision Works Certificate and Construction Certificate

Reason:

To protect the environment.

70. Interpretation Implementation Plan

Prior to the release of the Construction Certificate an Interpretation Implementation Plan to be prepared and provided to and approved by Council. The Interpretation Implementation Plan should provide details on the planned implementation of the Corrimal Coke Works Heritage Interpretation Plan and Public Art Strategy prepared by Aileen Sage and Urbis and dated 20 October 2023. The plan should detail the proposed interpretation material, signs and devices located within the footprint of the Stage 1 Built Form project area. These details must include clear plans of the three interpretive signs identified within the Heritage Interpretation Plan, and the interpretive paving details indicating the location of the former Coke Ovens.

Any interpretive features located within areas proposed to be dedicated as public land to be managed by Wollongong City Council, including interpretive pavement treatments, signage, or

other interpretive devices are to be specified in accordance with Council's Public Domain Manual. Final details including paving specifications, signage construction details, and any proposed text and/or artwork are to be agreed to in writing by Council prior to the release of the Construction Certificate. Any artwork/files, text/copy and specifications related to these interpretive materials must be provided to Council in a format that will allow for reproduction should the need arise. These agreed details should be appended to the Interpretation Implementation Plan.

The pavement details for any interpretive paving treatment for the C1 Coke ovens alignment must be in accordance with the following requirements:

- Technical construction detail to be as per Wollongong City Council standard drawing No. 7000 Shet No. C21 Issue A; and
- The paving treatment must be in accordance with any commitments made in the endorsed heritage documents attached to this consent

Details of the paving treatment for the C1 Coke ovens alignment must be submitted to, and approved in writing by Council prior to issue of the Construction Certificate and Subdivision Works Certificate, whichever occurs first.

Reason:

To provide for the delivery of the agreed Heritage Interpretation Outcomes.

71. Schedule of Conservation Works

Prior to the release of the Construction Certificate a Schedule of Conservation Works for the significant heritage features within the heritage plaza, as identified within the Corrimal Coke Works Heritage Interpretation Plan and Public Art Strategy prepared by Aileen Sage and Urbis and dated 20 October 2023, is to be prepared by an experienced Heritage professional and provided to Council.

The Schedule of Conservation Works must be included with any application for Construction Certificate, whichever occurs first.

Reason:

To ensure the completion of agreed Heritage Conservation outcomes of the development are progressed.

72. Road Design

The road design must be designed in accordance with Wollongong City Council's Subdivision Policy and must comply with the following:

- a. The grading and layout of all roads and lots must not allow for trapped low points and in addition ensure that overland flow is passed safely over public land.
- b. The road pavement must be designed with one layer of asphalt having a minimum 50 mm ARRB gap graded AC 14.
- c. The pavement design for the proposed roads must be carried out by a qualified Geotechnical/Civil Engineer in accordance with AUSTROADS Guide to Pavement Technology and Wollongong Subdivision Policy. The pavement design report must form part of the Subdivision Works Certificate Application detailing compliance with AUSTROADS and WCC Standards
- d. All vertical and horizontal alignment of all streets and all street intersections within the development must have adequate sight distance provided in accordance AUSTROADS requirements.

- e. The geometric design of all roads, traffic facilities, intersection treatments, mid-block devices and entry features must be such as to permit a 12.5 m HRV Heavy Rigid Vehicle to manoeuvre in order to enter and leave each road travelling in a forward direction and without leaving the carriageway and crossing centre lines.
- f. The relevant drawings must be annotated and properly referenced, showing compliance with this condition and comply with Council's Subdivision Policy.

The drawings and pavement design must be submitted with application for the Subdivision Works Certificate for approval by the Certifying Authority.

Reason:

To comply with Council's Development Control Plan.

73. Subdivision Works

All subdivision works as identified in this consent, must obtain a Subdivision Works Certificate prior to any commencement of works on site. Details of all subdivision engineering works are to be submitted to the appointed Principal Certifier for the subdivision works for approval.

The Principal Certifier must ensure that engineering plans are consistent with the stamped approved plans and that all subdivision works have been designed in accordance with conditions of this consent, Wollongong City Council's Subdivision Policy, AUSTRAD Guidelines and best engineering practice.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

74. Street Lighting

Street lighting is to be provided for all new and existing streets within the proposed subdivision to Wollongong City Council's standards.

The developer must submit a Public Lighting Design Brief to and approved by Wollongong Council for the provision of street lighting on all new public roads dedicated to Council. A street lighting design plan must be prepared by an accredited service provider for contestable works in NSW and submitted to the Energy provider for approval prior to the issue of the Subdivision Works Certificate. All street lighting must comply with the electricity service provider Street Lighting Policy and illumination requirements. All costs associated with the installation of street lighting must be borne by the developer.

Evidence that this requirement has been met must form part of the Subdivision Works Certificate Application

Reason:

To satisfy the requirements of the legislation and Australian Standards.

75. Soil and Water Management Plan (SWMP) - Greater than 2500m2 Disburbance

A SWMP must be prepared by a suitably qualified person in strict accordance with the requirements set out in "Managing Urban Stormwater: Soils and Construction" NSW Dept of Housing, 4th Edition. The plan must be submitted to the Principal Certifier for approval prior to the issue of the Subdivision Works Certificate and Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

76. Sydney Water Requirements -Building Plan Approval (including Tree Planting Guidelines)

- a. The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to [Sydney Water Tap in®](#) to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

b. Tree Planting

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's Technical guidelines – Building over and adjacent to pipe assets.

Reason:

To meet Sydney Water's requirements

77. Station Plaza Public Access

Prior to issue of a Construction Certificate, further information is required to be submitted to Council for their written approval, which outlines the physical material form of the Station Plaza Public Access in the event that works under the separate heritage plaza development application are not completed prior to issue of an Occupation Certificate of the Stage 1 Built form (DA-2023/550). The further information must include the ground surface treatment, separation from any ongoing construction works, directional signage and any other relevant detail.

Reason:

To ensure the requirements of the executed Planning Agreement are met.

78. Accessibility requirements

a. All recommendations of the Access Report (Project number 117175 and prepared by Matthew Kemp dated 4 October 2024) are to be incorporated into the design of the development, unless otherwise modified by conditions of this consent.

b. Prior to issue of a Construction Certificate, details demonstrating compliance with the following requirements must be submitted to the Principal Certifier's satisfaction:

- i. Continuous accessible paths of travel are to be provided to the areas that are required to be accessible, including communal areas and private open space of any of the adaptable or liveable units. Concrete steppers, stepping stones, crazy pave, aggregate exposed concrete and crushed granite are not accessible pathway treatments as they pose several hazards to people with disability, including wheelchair users and other mobility aide users.
- ii. All communal facilities such as BBQs, picnic benches and the like, must be of an accessible design.
- iii. An Access Consultant must certify that all communal areas are provided with accessible toilet facilities on Proposed Lot 1, including compliant paths of travel and any secure access arrangements into and between buildings.

Reason:

To meet the required accessibility standards.

79. Controlled Activity Approval

Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment—Water, and obtained, for a controlled activity approval under the *Water Management Act 2000*.

Reason:

To satisfy the requirements of the legislation.

80. Security Roller Shutters for Basement Car Parking Areas

The installation of any security roller shutter for the basement car parking area shall not restrict access to any designated visitor car parking space. In the event that the approved visitor car parking spaces are located behind any proposed security roller shutter, an intercom system is required to be installed to enable visitor access into the basement car parking area. This requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Principal Certifier prior to the release of the Construction Certificate.

Reason:

To comply with Council's Development Control Plan.

81. Integration of Rooftop Structures in Approved Building Envelope

All rooftop or exposed structures including lift rooms, plant rooms together with air conditioning units, ventilation and exhaust systems are to be integrated in accordance with the approved plans and as amended to ensure that rooftop plant is not visible from the public domain or surrounding buildings. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

82. Mechanical Ventilation of the Car Park

The car park shall be mechanically ventilated, to be ducted to the roof. Details demonstrating compliance shall be provided with the Construction Certificate.

Reason:

To comply with Australian Standards.

83. Placement of Air Conditioning Units

Air conditioning systems are not to be located where they are visible from the public streets abutting the site. Plans submitted to the Principal Certifier prior to issue of the Construction Certificate are to identify any external components of air conditioning systems to ensure they meet the requirements of this condition.

Reason:

To protect neighbourhood amenity.

84. External Finishes - Building

The building shall be constructed and finished in accordance with the approved schedule of finishing materials and colours except where amended by conditions of this consent. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

85. Boardwalk through Lot 126

The boardwalk proposed through Lot 126 DP 598190 must be provided as part of this consent. The design and location of the boardwalk must be generally in accordance with the 'Shared Boardwalk plan prepared by Clouston Associates (S18-0070 Issue G dated 4 October 2024) and the following requirements:

- a. the positioning of the boardwalk must facilitate the most direct link between Proposed Lot 203 (future Heritage Plaza) and Railway Street to ensure clear lines of sight as far as practicable; and
- b. the location and design must be informed by Arboricultural advice to ensure no removal or adverse impacts on trees within Lot 126;

- c. lighting plan and report detailing lighting along the full length of the boardwalk must be provided to ensure the area is illuminated at night without adverse light spill impacts on surrounding properties or for motorists.

Detailed plans demonstrating the above requirements must form part of the Subdivision Works Certificate application and must be approved, in writing, by Wollongong Council's Landscape Architect prior to the issue of the Subdivision Works Certificate.

Reason:

To ensure the boardwalk meets Council's requirements.

86. Water Entering Road Reserve - Building Works

Provision shall be made for a minimum 200mm wide grated box drain along the boundary of the property at the vehicular crossing/s to prevent surface water entering the road reserve. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Council Technical Specifications.

87. Pier and Beam Footings Adjacent to any Drainage Easement

Buildings and structures (including brick fences) adjacent to easements shall be supported on pier and beam footings outside the easement. The base of the piers shall be a minimum 900mm below ground level and shall extend below the invert level of the drainage pipelines within the easement. Structural Engineers details are required detailing the size and levels of the existing drainage pipelines and the design levels for the base of the piers adjacent to the easement.

Reason:

To satisfy the requirements of Australian Standards.

88. Stormwater Drainage Design - Building Works

A detailed drainage design for the buildings must be submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate. The detailed drainage design must satisfy the following requirements:

- a. Be prepared by a suitably qualified Chartered Civil Engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the concept plan/s lodged for development approval.
- b. Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing / proposed stormwater drainage system.
- c. Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a Chartered Professional engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d. Stormwater connections must be in accordance with the limiting flow rates detailed in Wollongong DCP Chapter E14. Where kerb connections are proposed they must not exceed more than 2 connections per building / building frontage, and cannot exceed a flow rate of 55L/s for any storm event.
- e. All ramped entrances to basements must demonstrate that all basements are protected from stormwater runoff from all areas (including overland flow paths) to the 1% AEP design storm plus 200mm freeboard.
- f. Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage / Water Sensitive Urban Design Devices on the land. Blocked pipe situations with 1% AEP events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry

of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.

- g. Provide details of the Water Sensitive Urban Design Devices recommended for each building consistent with the water quality strategy detailed in the Maker Eng Document "Corrimal Coke Works Stage 1 Water Cycle Management Strategy Ref:MK00452 Dated October 2024.
- h. The WSUD strategy for the buildings must be able to operate independently and must demonstrate each building can meet the necessary water quality targets in accordance with Wollongong DCP Chapter E15.
- i. The stormwater design for each building must be certified by a Chartered Professional Engineer certifying that the stormwater design is in accordance with the objectives and controls of Wollongong DCP 2009 Chapter E14 and that the Water Sensitive Urban Design Facilities for each building satisfies the requirements of Wollongong DCP Chapter E15 and the Maker Eng report referenced in point (g) above.

Reason:

To comply with Council's Development Control Plan.

89. No Adverse Runoff Impacts on Adjoining Properties - Building Works

The design of the development shall ensure there are no adverse effects to adjoining properties or upon the land as a result of flood or stormwater runoff.

Reason:

To protect neighbourhood amenity.

90. Provision of Hob or Dish Drain

The edge of the driveway must be provided with a hob or dish drain to prevent surface water flows from entering the adjoining property. This requirement shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate.

Reason:

To ensure compliance with Council Technical Specifications.

BEFORE THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

Conditions

91. Before the Issue of a Subdivision Works Certificate - Stormwater

A detailed drainage design for the subdivision (roads) must be submitted to and approved by the Principal Certifier prior to the release of the Subdivision Works Certificate. The detailed drainage design must satisfy the following requirements:

- a. Be prepared by a suitably qualified Chartered Professional Engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the concept plan/s lodged for development approval being the Stage 1 Civil Works Drawings prepared by Maker Engineering. Any adjustment of the stormwater drainage layout to suit existing and/or proposed utilities, varying from the Approved Plans and Supporting Documentation, to be completed in accordance with Wollongong City Council DCP and Subdivision Policy.'
- b. Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage system.
- c. Identify all drainage works outside of the road reserve as temporary or permanent based on the proposed future works that may impact them such as future stages, bulk earthworks, riparian works.

- d. Detail the location of all drainage easements outside of the road over both permanent and temporary infrastructure
- e. Engineering plans and supporting calculations (VIA A DRAINS Model) for the proposed stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- f. All pipes to be RCP and minimum class 4.
- g. Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land. Blocked pipe situations with 1% AEP events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.
- h. Provide details of the Water Sensitive Urban Design Devices in the road, consistent with the water quality strategy detailed in the Maker Eng Document "Corrimal Coke Works Stage 1 Water Cycle Management Strategy Ref:MK00452 Dated October 2024.
- i. The WSUD strategy for the public road must be able to operate independently and must demonstrate the subdivision can meet the necessary water quality targets in accordance with Wollongong DCP Chapter E15. Certification must be provided from a Chartered practicing engineer in support of the WSUD Tree bays that certifies the performance targets that will be achieved
- j. Provide draft maintenance methodology requirements for the WSUD Tree bays demonstrating that the bays can operate with minimal / infrequent inspections and replacement / repair of any filter media can occur without impacting the function of the road.
- k. The Tree Bay WSUD system must be certified by a Chartered Professional Engineer certifying that the stormwater design is in accordance with the objectives and controls of Wollongong DCP 2009 Chapter E15 and the Maker Eng report referenced in point (h) above.

Reason:

To comply with the Development Control Plan

92. Before the Issue of a Subdivision Works Certificate - Bus Stop Design

A detailed civil engineering design shall be provided for the bus stop on Road 02

- a. The Bus Stop on Road 02 to be a 'concrete pad with tactile surface indicators in accordance with TfNSW Standard Functional Spaces, Part 4: Bus Stops TS 04951.4:1.0 and detailed on the civil design plans.
- b. Details of bus stop bench and shelter details must be included in the plans.

Details of the design must be included in the Subdivision Works Certificate application

Reason:

To comply with Council's Development Control plan

93. Before the Issue of a Subdivision Works Certificate - Road Reserve Draft Subdivision Plan

Prior to the issue of the Subdivision Works Certificate, a draft Stage 1 Built Form Future Lot Layout Plan and draft Subdivision Plan, must be provided consistent with the Maker Eng Dwg No. MKR00452-10-C0050 sheet 1 and 2 of 2 Rev 9 and with the following amendment:

a) The eastern edge of proposed Road 02 (adjacent to the future heritage plaza allotment) must be widened to the outside (eastern edge) of the proposed pavement treatment

b) the widening must only cover the area shown as orange in Maker Eng Dwg No. MKR00452-10-C0100 Sheet 1 of 2 Rev 8, noted as "Pavement Treatment for Coke Oven (Stage 1)" and a minor, perpendicular extension to the eastern edge of the area shown as "Pavement Treatment for Coke Oven (Future)" being a rectangular section covering a portion of the path only.

c) The area must also include an analysis and site investigation of the adjoining retained C1 Coke Ovens (for the full extent of the structure below and above ground) and must demonstrate that no part of the structure and any supporting ancillary systems encroaches into the proposed road reserve. Certification must accompany this report from a qualified and Chartered Structural Engineer that this requirement has been satisfied.

Evidence that this requirement has been met must form part of the Subdivision Works Certificate and must be approved by Council prior to the issue of the Subdivision Works Certificate.

Reason:

To ensure appropriate delineation of public and private assets

94. Before the Issue of a Subdivision Works Certificate - Drainage of Excavated Areas

All excavated areas shown in the Maker Engineering Stage 1 Civil Drawings near or adjacent to the roads must be able to be drained to avoid unnecessary saturation of any soils adjacent to the proposed roads. A detailed report must be prepared by Chartered Professional Civil Engineer (supported by a geotechnical investigation that considers the remediation action strategy for the site) that details the maximum allowable ponded depth to ensure no impact on road construction, pavement, services, tree vaults within the road reserve. The report must be validated by the appointed geotechnical engineer and must detail:

- a. Maximum allowable ponding depth to ensure no impact on adjacent construction areas
- b. Method of draining the excavated areas and measures to monitor and trigger draining of these areas when required.
- c. Method of testing all water to be drained as recommended by a qualified environmental scientist including sampling requirements and testing by NATA accredited laboratory.
- d. Detail responsibilities of site supervisor, including requirement that all pumped out water (including designed sediment basins) can only be discharged with authority of a qualified environmental scientist
- e. Detail of safety fencing, benching (if required), to ensure no safety risk to workers on site working near, or adjacent to, areas holding ponded water. Similar recommendations must be included for any proposed sediment basins that form part of the Soil and Water Management Strategy for the site.

Evidence that this requirement has been met must form part of the Subdivision Works Certificate Application

Reason:

To comply with Council's Development Control Plan

95. Before the Issue of a Subdivision Works Certificate - Pavement Design Road 01 and 02

Prior to the release of the Subdivision Works Certificate, a detailed pavement design for Road 01 and 02, that references any relevant requirements of the remediation action plan and details the recommended pavement based on the proposed remediation strategy must be provided to Council. The pavement design must detail:

- a. Materials to be removed as part of the RAP and how the area will be reinstated to meet necessary CBR requirements
- b. What geotechnical hold points must be satisfied to ensure required CBRs achieved

- c. Pavement design based on the Design ESA's noting the future commercial uses, and bus routes
- d. Tie in and construction details for pavement design requirements for the Railway Street Roundabout

Reason:

To satisfy Council's Subdivision Policy

BEFORE BUILDING AND SUBDIVISION WORKS COMMENCES

Conditions

96. Completion of Bulk Earthworks consent under DA-2023/166

A Certificate of Practical Completion must be issued in relation to the enabling Stage 1 Bulk Earthworks consent granted under DA-2023/166 (as modified) prior to commencing works on the current consent for the Stage 1 Built Form.

Reason:

To ensure the sequencing of development is in accordance with the intended staging of construction works and to promote the orderly development of land.

97. Supervising Arborist - Tree Inspection and Installation of Tree Protection Measures

Prior to the commencement of any demolition, excavation or construction works, the supervising Arborist must certify in writing that tree protection measures have been inspected and installed in accordance with the Arborist's recommendations and relevant conditions of this consent.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

98. Certification from Arborist - Adequate Protection of Trees to be Retained

A qualified Arborist is required to be engaged for the supervision of all on-site excavation or land clearing works. The submission of appropriate certification from the appointed Arborist to the Principal Certifier is required which confirms that all trees and other vegetation to be retained are protected by fencing and other measures, prior to the commencement of any such excavation or land clearing works.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

99. Appointment of Principal Certifier

Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:

- a. appoint a Principal Certifier and notify Council in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and
- b. notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

The Principal Certifier must determine when inspections and compliance certificates are required.

Reason:

To satisfy the requirements of the legislation.

100. Signs On Site

A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:

- a. showing the name, address and telephone number of the Principal Certifier for the work, and
- b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c. stating that unauthorised entry to the worksite is prohibited.

Any such sign is to be maintained while the building work or demolition work is being carried out but must be removed when the work has been completed.

Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Reason:

To satisfy the requirements of the legislation.

101. Temporary Toilet/Closet Facilities

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- a. a standard flushing toilet, and
- b. connected to either:
 - i. the Sydney Water Corporation Ltd sewerage system or
 - ii. an accredited sewage management facility or
 - iii. an approved chemical closet.

The toilet facilities shall be provided on-site, prior to the commencement of any works.

Reason:

To satisfy the requirements of the legislation.

102. Structural Engineer's Details

Structural Engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the Principal Certifier, prior to the commencement of any works on the site.

Reason:

To ensure structural integrity.

103. Enclosure of the Site

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifier. Where full enclosure of the site is not practical during intersection works, the site is to be managed to prohibit unauthorised access and safety at all times. No building work is to commence until the fence is erected.

Reason:

To ensure safety.

104. Waste Management

The developer must provide an adequate receptacle to store all waste generated by the development pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and reusable materials.

Reason:

To protect neighbourhood amenity.

105. Site Management Program - Sediment and Erosion Control Measures

A site management program incorporating all sediment and erosion control measures (eg. cleaning of sediment traps, fences, basins and maintenance of vegetative cover) is to be initiated prior to the commencement of any demolition, excavation or construction works and maintained throughout the demolition, excavation and construction phases of the development.

Reason:

To protect neighbourhood amenity.

106. Sediment Control Measures

The developer must ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures must be maintained at all times and checked for adequacy at the conclusion of each day's work.

Reason:

To protect neighbourhood amenity.

107. Tree Protection and Management

The existing trees required to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the development. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:

- a. installation of Tree Protection Fencing - protective fencing shall be 1.8m cyclone chainmesh fence, with posts and portable concrete footings;
- b. mulch Tree Protection Zone: areas within a Tree Protection Zone are to be mulched with minimum 75mm thick 100% recycled hardwood chip/leaf litter mulch;
- c. irrigate: areas within the Tree Protection Zone are to be regularly watered in accordance with the Arborist's recommendations.

The tree protection fencing shall be installed prior to the commencement of any demolition, excavation or construction works and shall be maintained throughout the entire construction phases of the development.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation

108. Notification to Council of any Damage to Council's Infrastructure

Council must be notified in the event of any existing damage to any of Council's infrastructure including, but not limited to the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development prior to the commencement of work. Adequate protection must be provided to Council infrastructure prior to work commencing and during the construction period. Any damage to Council's assets shall be restored in a satisfactory manner prior to the issue of the Occupation Certificate.

Reason:

To ensure services are not impacted.

109. Geotechnical Requirements During Construction

All works must be carried out in accordance with reports submitted in support of the development application and construction certificate application.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

110. Compliance with Home Building Act

In the case of residential building work for which the *Home Building Act 1989* required there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

Reason:

To satisfy the requirements of the legislation.

111. Notice Regarding Dilapidation Report

Before the commencement of any site or building work, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the Principal Certifier.

Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the Principal Certifier, that all reasonable steps were taken to obtain access to the adjoining properties.

No less than seven (7) days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where Council is not the Principal Certifier) at the same time.

Reason:

To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and Council are provided with the dilapidation report.

112. Hoardings (within any Public Road Reserve)

The site, aside from the construction of the roundabout must be enclosed with a suitable hoarding (type A or B) or security fence of a type in accordance with the Works and Services Division Design Standard, and must satisfy the requirements of the Occupational Health and Safety Act, the Occupational Health and Safety Regulations and Australian Standard AS 2601. This application must be submitted to Council's Works and Services Division, and a permit obtained, before the erection of any such hoarding or fence.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

113. Public Liability Insurance

All contractors working in Council's road reserve and/or public reserve areas shall take out public liability insurance for a minimum amount of \$20 Million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be supplied to the Principal Certifier and Council (in the event that Council is not the Principal Certifier) prior to the commencement of any such works in any road reserve or public reserve area.

Reason:

To satisfy Council's Policy.

114. Temporary Sediment Fences

Temporary sediment fences (eg. haybales or geotextile fabric) must be installed on the site, prior to the commencement of any excavation, demolition or construction works in accordance with Council's guidelines. Upon completion of the development, sediment fencing is to remain until the site is grassed or alternatively, a two (2) metre strip of turf is provided along the perimeter of the site, particularly lower boundary areas.

Reason:

To protect neighbourhood amenity.

115. All-weather Access

An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

<p><u>Reason:</u> To protect neighbourhood amenity.</p>
<p>116. Erosion controls - Vehicular Entry/Exit Points</p> <p>The vehicular entry/exits to the site must be protected from erosion and laid with a surface material which will not wash into the street drainage system or watercourse.</p> <p><u>Reason:</u> To protect neighbourhood amenity.</p>
<p>117. Shaker Pads</p> <p>Shaker pads are to be installed at the entry/exit points to the site up until completion of roads, to prevent soil material leaving the site on the wheels of vehicles and other plant and equipment.</p> <p><u>Reason:</u> To protect neighbourhood amenity.</p>
<p>118. Tree Retention Exclusion Fence</p> <p>The erection of a suitable fence around the tree dripline areas is required for all trees required to be retained within the site, prior to the commencement of any works, in order to preclude vehicular/pedestrian access impacts on such trees. Alternatively, the developer may implement one of the following options:</p> <ol style="list-style-type: none"> Ensure that a minimum 350mm layer of mulch is placed and maintained along the access route under the canopy of the tree for the entire period of construction; or provide wooden slats to be secured over the mulch where the gradient or frequency of access prevents maintenance of the 350mm depth of mulch. <p>Certification from an Arborist that the above conditions have been complied with shall be submitted to the Principal Certifier prior to the commencement of construction.</p> <p><u>Reason:</u> To comply with Council Policy.</p>
<p>119. Site Management, Pedestrian and Traffic Management (Where Works are Proposed in or from a Public Road Reserve)</p> <p>The submission, as part of an application for a permit under Section 138 of the Roads Act 1993, of a Site Management, Pedestrian and Traffic Management Plan to Council's Manager Regulation and Enforcement for approval is required, prior to works commencing on the site. This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS 1742: Traffic Control Devices for Works on Roads and the TfNSW Traffic Control at Worksites Manual.</p> <p>This plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic within this locality and to protect services, during demolition, excavation and construction phases of the development. This plan shall include the following aspects:</p> <ol style="list-style-type: none"> proposed ingress and egress points for vehicles to/from the construction site; proposed protection of pedestrians, adjacent to the construction site; proposed pedestrian management whilst vehicles are entering/exiting the construction site; proposed measures to be implemented for the protection of all roads and footpath areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like; proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;

- f. proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- g. proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed where works are in progress in any road reserve and shall be in accordance the latest versions of the TfNSW Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS 1742: "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81);
- h. proposed method of support of any excavation, adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by a Registered Certifier in Civil Engineering; and
- i. proposed measures to be implemented, in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the roadway.

The approved plan shall be implemented, prior to the commencement of any works upon the construction site.

Note: Any proposed works or placement of plant and equipment and/or materials within any road reserve will require the separate approval of Council, prior to the commencement of such works, pursuant to the provisions of the Roads Act 1993.

Reason:

To satisfy the requirements of the legislation.

120. Adjustment to Public Utility Service

The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifier which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required prior to any works commencing on site.

Reason:

To ensure services are not impacted.

121. Works in Road Reserve - Major Works

Any occupation, use, disturbance or work on the footpath or road reserve for construction purposes, which is likely to cause an interruption to existing pedestrian and/or vehicular traffic flows requires Council consent under Section 138 of the Roads Act 1993.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the Roads Act. It is advised that all applications are submitted and fees paid, five (5) days prior to the works within the road reserve are intended to commence. An application must be submitted must be obtained from Wollongong City Council's Development Engineering Team prior to any works commencing where it is proposed to carry out activities such as, but not limited to, the following:

- a. Digging or disruption to footpath/road reserve surface;
- b. Loading or unloading machinery/equipment/deliveries;
- c. Installation of a fence or hoarding;
- d. Stand mobile crane/plant/concrete pump/materials/waste storage containers;
- e. Pumping stormwater from the site to Council's stormwater drains;
- f. Installation of services, including water, sewer, gas, stormwater, telecommunications and power;
- g. Construction of new vehicular crossings or footpaths;

- h. Removal of street trees;
- i. Carrying out demolition works.

Restoration must be in accordance with the following requirements:

- j. All restorations are at the cost of the Applicant and must be undertaken in accordance with Council's standard document, "Specification for work within Council's Road Reserve".
- k. Any existing damage within the immediate work area or caused as a result of the work/occupation, must also be restored with the final works.

Reason:

To satisfy the requirements of the legislation.

122. Temporary Road Closure

If a road closure is required, an approval must be obtained from City of Wollongong Traffic Committee and Wollongong City Council.

Note: It may take up to eight (8) weeks for approval. An application for approval must include a Traffic Control Plan (TCP) prepared by a suitably qualified person, which is to include the date and times of closure and any other relevant information. The TCP shall satisfy the requirements of the latest versions of Australian Standard AS 1742-Traffic Control Devices for Works on Roads and the Transport for NSW Traffic Control at Worksites Manual.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

123. Signs regarding contact details for site works concerns

Prior to the commencement of works, signs are to be placed at key point on all site boundaries displaying the name and contact details of the Responsible Person(s) accountable for the following areas:

- General contact
- Noise
- Dust and air quality
- Water quality and site runoff
- Grey-headed Flying-foxes
- Other fauna

This information is to also be provided to all residents within a 300m radius by mail.

Reason:

To ensure the community can contact the responsible person whilst construction activities are underway.

124. Heritage – Protection of Heritage Features

Prior to the commencement of works under this consent, the proponent must ensure protective measures, including fencing or other appropriate measures that will ensure surrounding Heritage features that are proposed for retention under the adopted Conservation Management Strategy and/or Heritage Interpretation Strategy are appropriately protected. These protective measures are to be signed off by the Project Heritage Consultant/Archaeologist in writing prior to the commencement of works. A copy of this signed endorsement of protective measures is to be provided to Council.

Reason:

To ensure the protection of significant fabric.

125. Implementation of Dust and Air Quality Management Plan

The Dust and Air Quality Management Plan required and approved as part of this consent must be implemented in full.

Reason:

To ensure protection of the environment and neighbourhood amenity.

126. Installation of Dust Deposition Gauges

The developer must install a network of dust deposition gauges at locations around the perimeter of the site determined in consultation with their air quality consultant. The gauges must be monitored daily with results submitted to Council on a monthly basis and as requested by Council along with wind roses for each weekly monitoring period based on data from the nearest Bureau of Meteorology weather station.

Reason:

To ensure protection of the environment and neighbourhood amenity.

127. Water Supply works - Aquifer Interference approval

Before the commencement of work, evidence that the appropriate licences and approvals have been obtained from Water NSW must be provided to the Principal Certifier.

Reason:

To comply with the Water Management Act 2000 and the NSW Aquifer Interference Policy.

128. Dilapidation Report

The developer shall submit a Dilapidation Report recording the condition of the existing streetscape, street trees and adjoining reserve prior to work commencing and include a detailed description of elements and photographic record.

Reason:

To ensure public assets are not impacted.

129. Subdivision Requirements

Prior to the commencement of work, the person having the benefit of the Development Consent and the Subdivision Works Certificate must:

- a. Notify Council in writing of their intention to commence works, (at least two [2] days notice is required.).
- b. Appoint a Principal Certifier
- c. All works must be approved by way of issue of a Subdivision Works Certificate and constructed in accordance with the version of the Wollongong City Council Subdivision Policy current at the time of this consent. These documents including Development Consent, Subdivision Works Certificate approved drawings and other management plans outlined in this consent are to be kept on site at all times.
- d. A suitably qualified and experienced Civil Engineer, or experienced Civil Engineering Foreman must be appointed by the developer before any work commences on site.

Reason:

To satisfy the requirements of the legislation.

130. Vibratory Rollers

No use of the vibratory function on vibratory rollers are to be used during the construction of the subdivision without the prior written approval of the Principal Certifier. The Principal Certifier shall not issue this approval unless the geotechnical consultant has confirmed in writing that the use of vibratory rollers will not affect existing adjacent dwellings.

Reason:

To ensure geotechnical considerations are met.

DURING BUILDING WORK

Conditions
131. Provision of Taps/Irrigation System <p>The provision of common taps and/or an irrigation system is required to guarantee that all landscape works are adequately watered. The location of common taps and/or irrigation system must be implemented in accordance with the approved Landscape Plan.</p> <p><u>Reason:</u> To comply with Council's Development Control Plan.</p>
132. Podium Planting <p>All podium planting areas are to have a waterproofing membrane that can provide a minimum 10 year warranty on product. Protective boarding is to be installed to protect membrane from damage.</p> <p>All podium planting areas to be provided with an adequate drainage system connected to the stormwater drainage system. The planter box is to be backfilled with free draining planter box soil mix.</p> <p>If selected mulch is decorative pebbles/gravel, the maximum gravel pebble size is 10mm diameter.</p> <p><u>Reason:</u> To comply with Council's Development Control Plan.</p>
133. Copy of Consent in the Possession of Person carrying out Tree Removal <p>The Developer/Applicant must ensure that any person carrying out tree removal is in possession of this development consent and/or the approved landscape plan, in respect to the tree(s) which has/have been given approval to be removed in accordance with this consent.</p> <p><u>Reason:</u> To ensure all parties are aware of the approved plans and supporting documentation.</p>
134. Restricted Washing of Equipment or Disposal of Materials on any Tree Dripline Area <p>No washing of equipment and or the disposal of building materials such as cement slurry must occur within the drip line of any tree which has been nominated for retention of the site and adjacent property.</p> <p><u>Reason:</u> To ensure all parties are aware of the approved plans and supporting documentation.</p>
135. Treatment of any Tree Damage by a Supervised Arborist <p>Any damage inflicted on a tree during the construction phase which has been nominated for retention shall be treated by an approved arborist at the developer's expense.</p> <p><u>Reason:</u> To ensure all parties are aware of the approved plans and supporting documentation.</p>
136. Responsibility for Changes to Public Infrastructure <p>While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerbs and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).</p> <p><u>Reason:</u> To ensure payment of approved changes to public infrastructure.</p>
137. Demolition and Construction Noise and Vibration Management

The findings, recommendations and management controls from the Demolition Construction Noise and Vibration Management Plan must be adhered to in full for the duration of the works subject of the plan.

Where the duration or excavation methods of the demolition and excavation vary from those prescribed in the Demolition Construction Noise and Vibration Management Plan, Council may require an updated management plan be prepared to incorporate the changes in excavation methods and/or duration.

Once reviewed by Council, the updated Management Plan is to be adhered to at all times.

Where all such control measures have been implemented and the noise and/or vibration levels at any receiver still exceed the applicable noise levels as identified in the Demolition Construction and Vibration Management Plan (including updated plan) and are resulting in substantial complaints, the applicant must provide regular, appropriate and sustained periods of respite from such works as specified by Council's Development and Environment Compliance Team.

Reason:

To ensure protection of the environment and neighbourhood amenity. To mitigate adverse amenity impacts in the locality.

138. No Adverse Run-off Impacts on Adjoining Properties

The design and construction of the development shall ensure there are no adverse effects to adjoining properties, as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.

Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.

Reason:

To comply with Council's Development Control Plan.

139. Protection of Public Places

If the work involved in the erection or demolition of a building involves the enclosure of a public place or is likely to cause pedestrian/vehicular traffic in a public place to be obstructed or rendered inconvenient, or have the potential for conflict between pedestrians and vehicles:

- a. A hoarding or fence must be erected between the work site and the public place;
- b. an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place;
- c. the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in a public place;
- d. safe pedestrian access must be maintained at all times;
- e. any such hoarding, fence or awning is to be removed when the work has been completed.

Reason:

To comply with Council's requirements.

140. Restricted Hours of Construction Work

The developer must not carry out any work, other than emergency procedures, to control dust or sediment laden runoff outside the normal working hours, namely 7.00 am to 5.00 pm, Monday to Saturday, without the prior written consent of the Principal Certifier and Council. No work is permitted on public holidays or Sundays.

Any request to vary these hours shall be submitted to the **Council** in writing prior to works being undertaken and shall detail:

- a. The variation in hours required (length of duration);
- b. the reason for that variation (scope of works);

- c. the type of work and machinery to be used;
- d. method of neighbour notification;
- e. supervisor contact number;
- f. any proposed measures required to mitigate the impacts of the works.

Note: Other legislation, such as the Noise Guide for Local Government January 2023, may control the activities for which Council has granted consent, including but not limited to, the *Protection of the Environment Operations Act 1997*.

Reason:

To ensure protection of the environment and neighbourhood amenity. To mitigate adverse amenity impacts in the locality.

141. Lighting not to cause Nuisance

The lighting of the premises must be directed so as not to cause nuisance to the owners or occupiers of adjoining premises or to motorists on adjoining or nearby roads.

Reason:

To protect neighbourhood amenity.

142. Building Operations Not to Discharge Pollutants

Building operations such as brick cutting, the washing of tools or paint brushes, or other equipment and the mixing of mortar must not be carried out on the roadway or public footpath or any other locations which could lead to the discharge of materials into the stormwater drainage system or natural watercourse.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

143. Dust Suppression Measures

Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

144. Cut and Fill Retained

All proposed cut and filling works must be adequately retained and must be approved by a geotechnical engineer. Evidence of approval from the geotechnical engineer is to be provided to the appointed Principal Certifier.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

145. Safe Excavations and Backfilling

All excavations and backfilling associated with the erection of a building must be executed safely and in accordance with appropriate professional standards.

Reason:

To ensure compliance with relevant Standards.

146. Implementation of BASIX Commitments

While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.

Reason:

To satisfy the requirements of the legislation.

147. Rock Breaking, Rock Hammering, Rock Sawing, Blasting, Sheet Piling, Pile Driving

The operation of high noise emission appliances, plant and/or machinery such as rock breaking, rock hammering, rock sawing, blasting, sheet piling, pile driving may only be carried out between the following hours:

- 9:00am to 12:00pm Monday to Friday;
- 2:00pm to 5:00pm Monday to Friday; and
- 9:00am to 1:00pm Saturday.

Any request to vary these hours shall be submitted to the **Council** in writing prior to works being undertaken and shall detail:

- a. The variation in hours required (length of duration);
- b. the reason for that variation (scope of works);
- c. the type of work and machinery to be used;
- d. method of neighbour notification;
- e. supervisor contact number;
- f. any proposed measures required to mitigate the impacts of the works.

Note: Blasting for excavation works is only permitted where it has been identified within a submitted and approved Demolition, Construction, Noise and Vibration Management Plan and must be undertaken observing all the requirements of SafeWork NSW.

Reason:

To ensure protection of the environment and neighbourhood amenity. To mitigate adverse amenity impacts in the locality.

148. Procedure for Critical Stage Inspections

While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant Construction Certificate.

Reason:

To require approval to proceed with building work following each critical stage inspection.

149. Surveys by a Registered Surveyor

While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier:

- a. All footings/foundations.
- b. At other stages of construction - any marks that are required by the principal certifier.

Reason:

To ensure buildings are sited and positioned in the approved location.

150. Construction noise

While building work is being carried out, and where a noise and vibration management plan is approved under this consent, the applicant must ensure that any noise generated from the site is controlled in accordance with the requirements of that plan.

Reason:

To protect the amenity of the neighbourhood during construction.

151. Cut and Fill

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- 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 principal certifier.

- b. All fill material, other than those used for trench backfilling and drainage layers, imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to resource recover exemption by the NSW EPA. Material used for trench backfilling and drainage layers must be in accordance with the Wollongong City Council's Subdivision Policy and relevant technical standards

Reason:

To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.

152. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contract details of the person(s) who removed the waste;
- The waste carrier vehicle registration;
- The date and time of waste collection;
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill;
- The address of the disposal location(s) where the waste was taken;
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, notifying date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to the Order or Exemption and provide the records to the principal certifier and Council.

Reason:

To require records to be provided, during site work, documenting the lawful disposal of waste.

153. Survey Certificate

The submission of a Survey Certificate to the Principal Certifier at footings and/or formwork stage (whichever occurs first) confirming:

- a. the set out of the boundaries of the site,
- b. actual siting of the buildings and
- c. siting levels comply with the approved plans.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

154. Supervision of Engineering Works

All engineering works associated with the development are to be carried out under the supervision of a practicing engineer and/or registered surveyor.

Reason:

To ensure compliance with relevant Standards.

155. Spillage of Material

Should during construction any waste material or construction material be accidentally or otherwise spilled, tracked or placed on the road or footpath area without the prior approval of Council's Works Division this shall be removed immediately. Evidence that any approval to place material on the road or road reserve shall be available for inspection by Council officers on site at any time.

Reason:

To comply with Council's Development Control Plan.

156. Drains Maintained Free of Sediment

Drains, gutters, access ways and roadways must be maintained free of sediment and any other material. Gutters and roadways must be swept/scraped regularly to maintain them in a clean state.

Reason:

To comply with Council's Development Control Plan.

157. Trucks to be Covered

Trucks which are entering and leaving the premises and carrying loads must be sealed or covered at all times, except during loading and unloading.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

158. Provision of Waste Receptacle

The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.

Reason:

To comply with Council's Development Control Plan.

159. Building Site to be Kept Free of Rubbish

The building site must be kept free of rubbish at all times. All refuse capable of being wind-blown must be kept in a suitable waste container.

Reason:

To comply with Council's Development Control Plan.

160. Railway Street to Remain Free of Construction Vehicles at all Times

Railway Street shall not be used for the purposes of parking or loading of construction vehicles at any time. All construction vehicles are to be parked/contained within the site with the exception of section 138 works within the road reserve.

Reason:

To minimise impacts on public car parking.

161. Tree protection

While site or building work is being carried out, the applicant must maintain all required tree protection measures in good condition in accordance with the construction site management plan required under this consent, the relevant requirements of AS 4970-2009 Protection of trees on development sites and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

Reason:

To protect and retain trees.

162. Implementation of the site management plans

While vegetation removal, demolition, earthworks and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan/CEMP and the erosion and sediment control plan are implemented at all times.

The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

Reason: To ensure site management measures are implemented during the carrying out of site work.

163. Erosion and Sediment Control Measures

All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as the ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as source of sediment.

Reason:

To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

164. Record of dust complaints and incidents

A register is to be kept of all dust complaints and incidents for the duration of approved DA works. The register shall include, as a minimum:

- Date and time
- Details of the complaint or incident
- identify cause(s),
- record the measures taken to resolve the issue.

The register is to be made available to Council and the NSW EPA if requested.

Reason:

To ensure protection of the environment and neighbourhood amenity.

165. Discharge of Accumulated Water

Any water accumulating in excavations on-site or in the settlement ponds shall not be discharged to Council's stormwater system, unless a Section 68 approval issued under the Local Government Act 1993 has been obtained and all the following criteria are met:

- a. The concentration of suspended solids in the water to be discharged does not exceed 50 mg/L; and
- b. The turbidity of the water to be discharged does not exceed 50 NTUs/FTUs; and
- c. The pH of the water to be discharged is between 6.5 and 8.5; and
- d. The water to be discharged contains no visible oil or grease; and
- e. If alum has been used to reduce suspended solids, the concentration of aluminium in the water to be discharged does not exceed 0.055 mg/L; and
- f. The water to be discharged does not contain any substances known to be toxic to aquatic life; and
- g. The flow rate of discharged water does not exceed 55 litres per second in dry weather conditions, or is less than the capacity of the receiving stormwater drain; and
- h. A copy from a NATA accredited laboratory of sample test results for suspended solids and pH (and aluminium if applicable) confirming the water to be discharged meets criteria 1 and 2 (and criteria 4 if applicable) as stated above is submitted to Council's Environment Planning Team (phone 4227 7111; fax 4227 7277; email

records@wollongong.nsw.gov.au, attention Environment Planning Team Manager);
and

- i. Written permission is obtained from Council's Environment Planning Team or Certified Environmental Practitioner prior to any discharge. All discharge dates, times, period of discharge, volumes and associated testing results need to be logged into a register and submitted to Wollongong City Council on the first business day of the month every month until works are completed. Alternatively, such waters are to be removed by tanker for disposal at a NSW Environment Protection Authority licensed waste facility.

Reason:

To satisfy the requirements of the legislation.

166. Waste Classification and Disposal of Contaminated Soil and Material(s), Solid and Liquid

- a. All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and experienced environmental consultant, in accordance with the *Protection of the Environment (Waste) Regulation 2014* and related guidelines, in particular NSW EPA *Waste Classification Guidelines* (2014), prior to off-site disposal.
- b. The waste classification report, including the results of testing, must be compiled, or reviewed and approved by an appropriately qualified and certified consultant, and must be submitted to Council before off-site disposal. The front cover of the report must include the details of the consultant's certification. A certified contaminated land consultant is a contaminated land consultant certified under either:
 - o the Environment Institute of Australia and New Zealand's (EIANZ) Certified Environmental Practitioner (Site Contamination) (CEnvP(SC)) scheme; or
 - o the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.
- c. All waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste.
- d. Receipts for the disposal of the waste must be submitted to council within 14 days of the waste being disposed.
- e. All waste must be transported by a contractor licenced to transport the specific waste, and in vehicles capable of carting the waste without spillage, and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.

Reason:

To satisfy the requirements of the legislation and protect the environment

167. No off-site effects of dust

There shall be no noxious, dangerous, objectionable or offensive dust to the extent that it causes an adverse effect at or beyond the boundary of the site.

Reason:

To ensure protection of the environment and neighbourhood amenity.

168. Notification and management of excessive dust

In the event that daily dust monitoring identifies any exceedances of previously approved targets levels identified in the *Dust and Air Quality Management Plan*, the Principal Certifier and Council (in the event that Council is not the Principal Certifier) must be notified in writing within 48 hours of the incident. This is to be accompanied by a report that assesses the reasons for the exceedance and details the corrective action(s) undertaken. Along with this, the approved *Dust and Air Quality Management Plan* approved under this consent will be updated and resubmitted

to identify all required management measures that will be required to be undertaken in future to prevent such exceedances.

Reason:

To ensure protection of the environment and neighbourhood amenity.

169. Implementation of Construction Noise & Vibration Management Plan

The Acoustic & Vibration Assessment (R6) prepared by Renzo Tonin and Associates and dated 4 October 2024 must be implemented in full.

Reason:

To ensure protection of the environment and neighbourhood amenity.

170. New Information/Unexpected Finds

In the event that demolition and/or construction works cause the generation of odours or the uncovering of previously unidentified contaminants, hazardous materials or acid sulfate soils, works must immediately cease. The Principal Certifier and Council (in the event that Council is not the Principal Certifier) must be notified in writing within two (2) days of the incident. An assessment of the potential contaminant and works required to make the site safe from potential human health and environmental harm must be undertaken by an appropriately qualified environmental consultant as soon as possible. This assessment will necessitate a report to be prepared outlining the required remediation measures for the sign off by Council and the Principal Certifier.

Reason:

To ensure protection of the environment and comply with legislation.

171. Works in Accordance with Council Documents

All works, inspection hold points and testing requirements are to be in accordance with Council's Subdivision Policy and Standard Drawings.

Reason:

To ensure construction Standards are met.

172. Control of Access to Prevent Tracking of Sediment

Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.

Reason:

To comply with Council's Development Control Plan.

173. Guarding of Excavations and Backfilling

All excavations and backfilling associated with the erection of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

Reason:

To ensure compliance with relevant Standards.

174. Imported Fill Material

Any imported fill material brought onto the site shall be virgin excavated natural material or excavated natural material as defined by the NSW Environment Protection Authority, that is natural material such as clay, gravel, sand, soil or rock fines that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities, and that does not contain sulfidic ores or soils, or any other waste including fragments or filaments of asbestos. A certificate from a suitably qualified environmental consultant confirming the fill material is not contaminated shall be submitted to Council for its records.

Reason: To ensure protection of the environment and comply with legislation.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Conditions

175. Redundant Crossings – Railway Street

All redundant vehicular crossings and laybacks rendered unnecessary by this development must be reconstructed to normal kerb and gutter or existing edge of carriageway treatment to match the existing. The verge from the back of kerb to the boundary must be restored and the area appropriately graded, topsoiled 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.

All new driveway laybacks and driveway crossings must be designed in accordance with Wollongong City Council Standards. Any redundant linemarking such as 'marked parking bays' are adjusted/removed at the developer's expense by a Council recognised contractor with the relevant insurances. Details and locations are to be shown on the Subdivision Works Certificate Plans.

Reason:

To comply with Council's Development Control Plan.

176. Section 68 Approval required before connection to Watercourse

An approval under section 68 of the Local Government Act 1993 is required before any water originating from a drained basement can be connected, directed or disposed of to or via the watercourse on the Site (which connects further to Council waters).

In that regard, the following will need to be supplied to Council for its review and approval prior to any connection, direction or disposal and as part of any such section 68 application:

- a. Water treatment system monitoring and maintenance plan
- b. Water Quality targets and monitoring for reuse plan/report Water Quality targets and monitoring for reuse
- c. Water Quality targets and monitoring plan/report for discharge referencing Towradgi Creek and Lagoon

The required section 68 approval will need to be obtained prior to the grant of any Occupation Certificate.

Reason:

To ensure the relevant approvals are in place.

177. Compensatory Planting

The developer must make compensatory provision for the trees required to be removed as a result of the development. In this regard, fifteen (15) x 100 litre container mature plant stock shall be placed in appropriate locations within the deep soil zone on the Railway frontage.

Reason:

To comply with Council's Development Control Plan.

178. Arborist Verification – Street Tree Installation

Prior to the issue of subdivision Certificate, the developer must supply certification in the form of a report, including photographic evidence, from an AQF Level 5 Arborist to the Principal Certifier and Wollongong City Council to verify:

- a. The tree stock complies with AS 2203:2018 Tree Stock for Landscape Use.

- b. The tree pits have been prepared and constructed and the trees installed in accordance with arboricultural best practice.

Reason:

To comply with the Australian Standards.

179. BASIX

An Occupation Certificate must not be issued unless accompanied by the BASIX Certificate applicable to the development. The Principal Certifier must not issue the Occupation Certificate unless satisfied that selected commitments have been complied with as specified in the relevant BASIX Certificate.

NOTE: Clause 44 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 provides for independent verification of compliance in relation to certain BASIX commitments.

Reason:

To satisfy the requirements of the legislation.

180. Completion of Landscape and Tree Works

Before the issue of an Occupation Certificate, the Principal Certifier must be satisfied that all relevant landscape and tree works, including pruning in accordance with *AS 4373-2007 Pruning of amenity trees* and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Reason:

To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).

181. Completion of Landscape Works on Council Owned or Controlled Land

The developer must complete all landscape works required within Council's road reserve, or other Council owned or controlled land, in accordance with the conditions of this consent. The total cost of all such landscape works shall be fully borne by the developer and any damage to Council's assets shall be the subject of restoration works sufficient to restore the asset to its previous state and configuration previous to the commencement of works. Evidence that this requirement has been met must be satisfied prior to the issue of the relevant Occupation Certificate.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

182. Repair of Infrastructure

Before the issue of an Occupation Certificate:

- a. any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council, or
- b. if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.

Reason:

To ensure any damage to public infrastructure is rectified.

183. Completion of public utility services

Before the issue of the relevant Occupation Certificate, the Principal Certifier must ensure 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, is completed to the satisfaction of the relevant authority.

Before the issue of the Occupation Certificate, the certifier must require written confirmation from the relevant authority that the relevant services have been completed.

Reason:

To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

184. Preservation of survey marks

Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:

- a. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or
- b. the applicant has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 - Preservation of Survey Infrastructure.

Reason:

To protect the State's survey infrastructure.

185. Removal of waste upon completion

Before the issue of an Occupation Certificate, the Principal Certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the Principal Certifier.

Before the issue of a partial Occupation Certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the Principal Certifier's satisfaction.

Reason:

To ensure waste material is appropriately disposed or satisfactorily stored.

186. Retaining Wall Certification

The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer to the Principal Certifier is required, prior to the issue of the Occupation Certificate or commencement of the use. This certification is required to verify the structural adequacy of the retaining walls and that the retaining walls have been constructed in accordance with plans approved by the Principal Certifier.

Reason:

To comply with the relevant Standards.

187. Acoustic Design Compliance Report

A final acoustic design compliance report confirming full compliance with the approved *Acoustic and Vibration Assessment* prepared by Renzo Tonin & Associates and dated 4 October 2024, and as amended by this consent must shall be prepared by a suitably qualified and experienced acoustic engineer (who is a member of either the Australian Acoustical Society or the Association of Australasian Acoustical Consultants) and submitted to the Certifying Authority for approval prior to the release of the Occupation Certificate.

Reason:

To ensure protection of the environment and neighbourhood amenity.

188. Signage/ Waste education

Signage / waste education material must be provided in all waste storage rooms and waste disposal points and be in place prior to issue of an Occupation Certificate.

Reason:

To provide education for residents that maximises waste recovery and minimises waste going to landfill.

189. Site Contamination Validation Report and Site Contamination Audit Statement

The submission of a site contamination validation report to the Principal Certifier and Council (in the event that Council is not the Principal Certifier for its records) is required, prior to the issue of an Occupation Certificate and any Subdivision Certificate. This validation report shall verify that:

- all site contamination remediation works have been satisfactorily completed;
- the site is not affected by any soil strata and/or groundwater table contamination, above NSW EPA threshold limit criteria; and
- the site is rendered suitable for the proposed development.

The submission of a Site Audit Statement and Site Audit Report is also required from an accredited auditor pursuant to the provisions of Part 4 of the *Contaminated Land Management Act 1997* confirming that the site has been satisfactorily remediated and is suitable for the proposed development.

Reason:

To satisfy the requirements of the legislation.

190. Interpretation Works

Prior to the release of the final Occupation Certificate, all interpretation measures identified within the Stage 1 Built form project area are to be installed and completed as agreed through the Interpretation Implementation Plan (prepared under separate condition).

Reason:

To provide for the delivery of the agreed Heritage Interpretation Outcomes.

191. Completion of Conservation Works

Prior to the issue of the final Occupation Certificate, all works identified within the Schedule of Conservation Works prepared for the retained Heritage features within the heritage plaza are to be completed. The works must be certified as complete by a suitably qualified Heritage professional prior to the release of the final Occupation Certificate under this consent.

Reason:

To ensure the completion of agreed Heritage Conservation outcomes of the development are progressed.

192. Costed Maintenance Plan

Prior to the release of the Occupation Certificate, a costed maintenance plan for the conserved/retained significant heritage features that are identified within the Conservation Works Schedule is to be prepared by a suitably qualified and experienced Heritage professional and submitted to Council for written approval.

Reason:

To provide for the ongoing conservation of the retained Heritage features on site.

193. Drainage Certification and WAE (building works)

The following information shall be submitted to the Principal Certifier prior to the issue of the final Occupation Certificate:

- a. Certification from a suitably qualified Chartered Civil Engineer, stating that all stormwater drainage and related work has been constructed in accordance with the

approved Construction Certificate plans and Chapter E14 of the Wollongong DCP2009.

- b. A certificate of Hydraulic Compliance from a suitably qualified Chartered Civil Engineer, certifying that all WSUD systems have been constructed in accordance with the approved plans.
- c. Full works-as-executed plans, prepared and signed by a Registered Surveyor, including levels and location for all drainage structures and works, buildings (including floor levels), and finished ground and pavement surface levels, and satisfying the requirements stated in Chapter E14 of the Wollongong DCP2009.

Reason:

To comply with Council's Development Control Plan.

194. Restriction on Use - Water Sensitive Urban Design System (WSUD)

The applicant must create a restriction on use under the Conveyancing Act 1919 over the WSUD systems. The following terms must be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:

"The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any WSUD system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'Water Sensitive Urban Design system' shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to treat stormwater to improve water quality.

Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council."

The registered instrument, showing the restriction, must be submitted to the Principal Certifier for endorsement prior to the issue of the Occupation Certificate and the use of the development.

Reason:

To comply with Council's Development Control Plan.

195. Positive Covenant - Water Sensitive Urban Design system Maintenance Schedule

A positive covenant shall be created and registered under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved Water Sensitive Urban Design system and manufacturers requirements.

The registered instrument, showing the positive covenant must be submitted to the Principal Certifier for endorsement prior to the issue of the Occupation Certificate and the use of the development.

Reason:

To comply with Council's Development Control Plan.

196. Water Sensitive Urban Design - Structural Certification

The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifier is required prior to the issue of the Occupation Certificate. This certification is required to verify the structural adequacy of the WSUD facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

OCCUPATION AND ONGOING USE

Conditions

197. Storage of Waste Bins and Waste

All waste and bins associated with the development shall be stored within the waste storage rooms at all times. No waste shall be allowed to accumulate or shall be stored on or adjacent to the street frontage of the site at any time.

Reason:

To ensure protection of the environment and neighbourhood amenity.

198. Strata Plan Requirements

Should a Strata Plan be prepared for this development in the future, the following matters must be addressed:

- a. Garbage and recycling rooms must be contained within the common area;
- b. Motorbike and bicycle storage areas and visitor car parking must be contained within the common area; and
- c. Appropriate allocation of carparking and storage areas to the dwellings.

Reason:

To ensure protection of the environment and neighbourhood amenity.

199. Residential Storage

Residential storage is to be provided in accordance with the Apartment Design Guide. The residential storage area shall be appropriately secured and fitted with CCTV surveillance. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure protection of the environment and neighbourhood amenity.

200. Release of Securities

When Council receives an Occupation Certificate from the Principal Certifier, an application may be lodged to release the securities held in accordance with Council's Policy.

Reason:

To allow release of securities where the terms and conditions for the securities have been met to Council's satisfaction.

201. Operational waste management

The ongoing management of waste must be in accordance with the Operational Waste Management Plan prepared by Elephant's Foot (Report No. 44767, Revision P, dated 4 October 2024) unless otherwise approved by Council or modified by other conditions of this consent.

Reason:

To ensure the ongoing effective and efficient management of waste.

202. Waste Collection Location

All waste collection must be carried out from within the site. Waste collection from the street is not permitted at any time with the exception of Food Organics Garden Organics ('FOGO') which is collected from the kerbside.

Reason:

To protect residential amenity.

203. Maintenance of Wastewater and Stormwater Treatment Device

During occupation and ongoing use of the building, all wastewater, stormwater and any groundwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are to be regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).

Reason:

To protect sewerage and stormwater systems.

204. Deep soil zone

<p>The deep soil areas approved by this consent are to be maintained for that purpose in perpetuity as part of the development.</p> <p><u>Reason:</u></p> <p>To ensure the deep soil zone is not removed at a later date.</p>
<p>205. Occupation and Ongoing Use - Maintenance of Groundwater systems for Basement</p> <p>During occupation and ongoing use of the building, all systems and elements related to the treatment of groundwater associated with the basement must be regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).</p> <p><u>Reason:</u></p> <p>To protect building, infrastructure, stormwater systems and the environment.</p>
<p>206. Location of Mechanical Ventilation</p> <p>During occupation and ongoing use of the building, the applicant must ensure all subsequently installed noise generating mechanical ventilation system(s) or other plant and equipment that generates noise are in an appropriate location on the site (including a soundproofed area where necessary) to ensure the noise generated does not exceed 5dBa at the boundary adjacent to any habitable room of an adjoining residential premises.</p> <p><u>Reason:</u></p> <p>To protect the residential amenity of neighbouring properties.</p>

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

Conditions
<p>207. Bond - Heritage Conservation</p> <p>Prior to the issue of a Subdivision Certificate the proponent is to enter into a bond arrangement with Council, with the arrangement to include terms with the following objectives:</p> <ol style="list-style-type: none"> The bond arrangement should financially guarantee the maintenance of the significant items in the heritage plaza (Proposed Lot 203) until an occupation certificate is issued in relation to the future commercial development located on the Stage 4 commercial/retail lot. Prior to the release of the bond it must be demonstrated that: <ol style="list-style-type: none"> The Stage 4 commercial building/Lot is legally tied to the Heritage Plaza Lot The Lot will generate sufficient funds to facilitate the ongoing maintenance work detailed in the Costed Maintenance Plan (see separate condition). The bond is to be registered on the title of Lot 203 until the terms of the bond are met. <p>The bond amount, terms and agreement must be coordinated with and approved by Council's Heritage Officer prior to issue of the Subdivision Certificate.</p> <p><u>Reason:</u></p> <p>To provide for the ongoing conservation of the retained Heritage features on site.</p>
<p>208. Handover of Subdivision Works (Handover Package)</p> <p>All Subdivision Works proposed to be handed over to Council as part of this application (being the roads only) must be done so in strict accordance with Wollongong City Council's Management of Assets Policy.</p> <p>A draft handover must be prepared prior to the issue of Practical Completion (required for issue of a Subdivision Certificate).</p> <p>The transfer of proposed public assets such as, but not limited to, civil infrastructure, public parks and reserves, and water sensitive urban design facilities must occur via a formal handover</p>

process between the developer and Council. The final handover inspections must be arranged by the developer and must be in accordance with the following requirements:

- a. A handover package must be provided to Wollongong City Council prior to the final inspection and must include:
 - i. A paper copy of the Works-as-Executed Drawings (in accordance with the conditions of this consent), for Civil and Landscaping works and any associated AutoCAD files;
 - ii. A copy of the required infrastructure spreadsheet;
 - iii. A copy of any approved landscape plans, maintenance plans, vegetation management plans and relevant documentation to assist in the on-going management of Gross Pollutant Traps (GPT's), wetlands ponds and basins, as well as parks and reserves;
 - iv. Where require by the development consent, performance monitoring data of Water Sensitive Urban Design Facilities and GPT's and,
 - v. CCTV of the stormwater drainage system at the end of the damage liability period.
- b. As part of the handover process, any transfers of ownership can only occur at the conclusion of the required maintenance/defect liability periods as conditioned in the development consent, are completed;
- c. Final handover and defect liability periods are not completed until agreed to in writing by Council.

Reason:

To comply with Council's requirements.

209. Maintenance of Road and Drainage Works

The developer must maintain the road and drainage works for a defects and damage liability period of 12 months from the date of registration of the final plan of subdivision.

The developer must ensure that any defective works and or damage from building works must be rectified and/or replaced during the maintenance period in accordance with the approved Subdivision Works Certificate plans. All costs arising during the maintenance period must be borne by the developer. The developer must notify Council for a re-inspection at the end of the maintenance period.

Reason:

To comply with Council's requirements.

210. Works-As-Executed (WAE) Plans

The submission of two (2) sets (minimum) of WAE plans to the Principal Certifier, prior to the release of the Subdivision Certificate. The WAE plans may be issued digitally and shall be certified by a registered surveyor indicating that the survey is a true and accurate record of the works that have been constructed. The WAE dimensions and levels must also be shown in red on a copy of the approved Construction Certificate plans. The WAE plans must include:

- a. Final locations and levels for all works associated with the subdivision which also indicates subsoil drainage locations.
- b. a separate conduit plan showing the location of all conduits laid beneath the constructed road system for all services.
- c. a separate fill plan showing extent and depth of filling.
- d. a separate plan which indicates the extent of flood inundation for 1% AEP, Flood Planning Level (1% AEP + freeboard) and PMF storm event superimposed on the WAE ground levels. Where the WAE ground levels differ to the ground levels approved under the Development Consent, the extent of flood inundation for the 1% AEP, Flood Planning Level (1% AEP + freeboard) and PMF event shall be based on a re-run of the original flood model. Certification shall also be provided by a suitably qualified

consulting engineer confirming that the extents of flood affectation are based on the WAE ground levels.

- e. the plan(s) must include but not be limited to the requirements stated in Chapter E14 of the Wollongong DCP 2009.

An electronic copy in CAD format is required to be submitted at the time of lodgement.

Reason:

To comply with Council's Development Control Plan.

211. Practical Completion

Upon completion of all works stipulated in the Subdivision Works Certificate, the developer must obtain a satisfactory final inspection (in writing) from Wollongong City Council.

In order to attain a satisfactory final inspection, the following items must be lodged with Wollongong City Council as part of the Subdivision Certificate application:

- a. Works-As-Executed drawings as conditioned in this consent.
- b. CCTV as conditioned in this consent.
- c. Final Certifications as conditioned in this consent.
- d. Final Reports as conditioned in this consent.
- e. All pipelines compaction data (all layers) and road density testing data (all courses) as per Wollongong City Council subdivision code requirements.
- f. Asset Management report as conditioned in this consent.

As part of the final inspection, a draft Handover Package is to be provided to Wollongong City Council, with written confirmation that Council confirms practical completion has been reached and assets are to Council's satisfaction for future handover.

Reason:

To comply with Council's requirements.

212. Fire Hydrant

A fire hydrant must be provided to the subdivision in accordance with the Fire Hydrants for Minor Residential Development, Version 2 dated 1 September 2016 produced by NSW Fire & Rescue. Documentary evidence of compliance with these guidelines is required to be submitted to the Principal Certifier prior to the issue of the Subdivision Certificate. A plumber's certificate showing that the fire hydrant has been provided must be submitted to the Principal Certifier prior to the issue of the Subdivision Certificate. The location of the fire hydrant must be shown on the Works-As-Executed drawings.

Reason:

To comply with NSW Fire & Rescue's guidelines.

213. Existing Easements

All existing easements must be acknowledged on the final subdivision plan.

Reason:

To comply with Council's Development Control Plan.

214. Existing Restriction as to Use

All existing restriction on the use of land must be acknowledged on the final subdivision plan.

Reason:

To comply with Council's Development Control Plan.

215. Encroaching Pipes

A minimum one (1) metre wide easement to drain water shall be created over any encroaching drainage pipes.

For all drainage easements proposed over the subject lots, a Works-As-Executed/survey plan of all stormwater drainage within the site is to be submitted with the Subdivision Certificate Application to confirm this.

Reason:

To comply with Council's Development Control Plan.

216. Encroaching Services

A minimum one (1) metre wide easement for services must be created over any encroaching utility service.

Reason:

To comply with Council's Development Control Plan.

217. Section 88B Instrument

The submission of a Final Section 88B Instrument to Council/Principal Certifier, which incorporates the necessary restrictions, easements and covenants, where applicable.

Reason:

To comply with Council's Development Control Plan.

218. 88B Instrument Easements/Restrictions

Any easements or restrictions required by this consent must nominate Wollongong City Council as the authority to vary, modify or release/extinguish the easements or restrictions. The form of the easement(s) or restriction(s) created as a result of this consent must be in accordance with the standard format for easements and restrictions as accepted by NSW Land Registry Services.

Reason:

To satisfy the requirements of the legislation.

219. Certification Retaining Wall

The submission of a Certificate of Structural Sufficiency from a suitably qualified civil and/or structural engineer for all retaining walls constructed.

Reason:

To comply with Council's Development Control Plan.

220. Final Documentation Required Prior to Issue of Subdivision Certificate

The submission of the following information/documentation to the Principal Certifier, prior to the issue of a Subdivision Certificate:

- a. Completed Subdivision Certificate application form and fees in accordance with Council's fees and charges.
- b. Certificate of Practical completion from Wollongong City Council or a Principal Certifier (if applicable).
- c. Administration sheet prepared by a registered surveyor.
- d. Section 88B Instrument covering all necessary easements and restrictions on the use of any lot within the subdivision.
- e. Final plan of subdivision prepared by a registered surveyor.
- f. Original Subdivider/Developer Compliance Certificate pursuant to Section 73 of the Water Board (Corporatisation) Act 1994 from Sydney Water confirming that water and sewer services are available.
- g. Original Notification of Arrangement from an Endeavour Energy regarding the supply of underground electricity to the proposed allotments. This documentation requirement is

replaced by a Compliance Certificate from Endeavour Energy where a Strata Subdivision is proposed.

- h. Original letter of approval (also known as a Council letter) from NBN or similar from another Telecommunications Service Provider which confirms that the developer has consulted with the Provider with regard to the provision of telecommunication services, confirming that telecommunications are available for the development.
- i. Payment of Development Contribution fees (Pro rata) (if applicable).

Reason:

To satisfy the requirements of the legislation.

221. CCTV

All stormwater pipes within road reserves and within drainage easements intended to be dedicated to Council must be inspected by CCTV. A copy of the CCTV inspection must be submitted to the Principal Certifier prior to the issue of the Subdivision Certificate. Below standard work must either be replaced or repaired to the Principal Certifier's satisfaction prior to the issuing of a Subdivision Certificate.

Reason:

To satisfy the requirements of the legislation.

222. Benkelman Beam

Prior to issue of the Subdivision Certificate, Benkelman beam testing must be undertaken on all roads proposed for dedication as road reserve. Testing must be carried out in accordance with the current version of the Wollongong City Council Subdivision Code at the time of issue of this consent. The acceptance criteria is based on the tolerable deflections as specified by the Australian Road Research Board and AUSTROADS at the time of issue of this consent.

Reason:

To comply with Council's requirements and relevant Standards.

223. Street Signs

All proposed street signs must be approved by Wollongong City Council and installed prior to the issue of the Subdivision Certificate.

Reason:

To comply with Council's requirements and relevant Standards.

224. Registered Surveyors Certificate

A Registered Surveyor must certify in writing that all stormwater pits and pipelines, services and vehicular accessways are located wholly in an appropriate easement on the final plan of subdivision. This certification must be submitted with the Subdivision Certificate application.

Reason:

To satisfy the requirements of the legislation.

225. Asset Management - Roads, Drainage and Landscaping

Prior to issue of the Subdivision Certificate the following documentation must be submitted to the Principal Certifier for approval:

- a. The length, square meterage and cost of constructed roadworks and other civil assets to be dedicated as public infrastructure. Road structure (Thickness survey data), including the material used in each layer of road, during construction is to be provided.
- b. An itemised and costed list of the dimensions material and structural grade of pipes, type and dimension of associated pits and water quality features in the proposed drainage system to be handed over to Council (not including common drainage lines or inter-allotment drainage). Details and dimensions shall include:
 - i. Pipes - length between pits, diameter, invert levels;

- ii. Pits - depths, width, length and lintel length;
 - iii. Open channels (lined or natural) - length, width and depth;
 - iv. Wetland - area;
 - v. Gross pollutant traps - depths, width, length, type (proprietary supplier, type);
 - vi. Detention basins - area;
 - vii. Headwalls - depth, width, pipe diameter;
 - viii. Riparian - length, width, depth and materials.
- c. An operations and maintenance manual for proposed riparian and water quality features including gross pollutant traps and wetlands. This manual shall include but not be limited to proposed type and frequency of establishment and maintenance intervention requirements.
 - d. Itemised list of street signs and street furniture including their current cost.
 - e. Itemised list of plantings in public areas. Cost of plantings must be provided (to be based on current Landscape Contractors' Association figures).
 - f. Maintenance schedule of landscape works and civil works and costs to Council associated with the ongoing maintenance of the work.
 - g. Risk assessment of carrying out maintenance of landscape works and drainage/water quality systems. Appropriate traffic control plans (prepared in accordance with Transport for NSW guidelines) will need to be submitted for approval where maintenance work takes place in a proposed road reserve. Current costs will need to be provided in implementing the Traffic Control Plan.

Reason:

To comply with Council's requirements.

226. Water Cycle/Stormwater Quality Management

It is the developer's responsibility to maintain the water cycle management infrastructure and undertake regular servicing of gross pollutant traps and WSUD devices for a minimum of three (3) years from the date of issue of the Subdivision Certificate or until 80% of all building works are completed whichever is sooner.

Any WSUD device must be protected from ingress of sedimentation until 80% of all building construction is completed.

Details of how this is to be achieved and monitored by the developer, must form part of the subdivision certificate application.

Water quality targets outlined in this consent must be achieved. At the completion of the 3 year mark (or when 80% of the building works are completed whichever is sooner), the developer must provide written evidence of all maintenance activities, including subcontractor invoices and activities. Additionally at the handover stage written certification must be provided from a Chartered Qualified Engineer that certifies "At the handover of the WSUD assets, all assets have been inspected, cleaned and maintained to the manufacturers specifications and at the time of handover it is certified that the WSUD system functions as intended and will achieve the Water Quality Targets as detailed in the Maker Eng report "Corrimal Coke Works Stage 1 Water Cycle Management Strategy Ref:MK00452 Dated October 2024.

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Reason:

To ensure protection of the environment and neighbourhood amenity.

Attachments

1. General Terms of Approval from DPE -Water
2. Sydney Trains conditions

3. General Terms of Approval - Heritage NSW

Attachment 1 – General Terms of Approval – DPE – Water

Department of Planning and Environment



Contact: Department of Planning and Environment-Water
Phone: 1300081047
Email: waterlicensing.servicedesk@dpie.nsw.gov.au

Our ref: IDAS-2024-10842
Your ref: DA-2023/550

2 December 2024

The General Manager
WOLLONGONG CITY COUNCIL
41 Burrelli Street, Wollongong New South Wales 2500

Attention: Rebecca Welsh

Uploaded to the ePlanning Portal

Dear Sir/Madam

Re: IDAS-2024-10842 - Integrated Development Referral – General Terms of Approval
Dev Ref: DA-2023/550
Description: The DA seeks development consent for medium density residential development on land referred to as "Stage 1" of the former Corrimal Coke Works.
Location: Lot 126, DP598190, RAILWAY STREET CORRIMAL 2518
Lot 1, DP795791, RAILWAY STREET CORRIMAL 2518
Lot 5, DP749492, RAILWAY STREET CORRIMAL 2518
Lot 11, DP749492, RAILWAY STREET CORRIMAL 2518

I refer to your recent referral regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Department of Planning and Environment-Water's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.46 of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the department requests these GTA be included (in their entirety) in Council's development consent. Please also note the department requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

The Department of Planning and Environment-Water will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- if Council receives an application under s4.46 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, the department recommends the following condition be included in the development consent:

The attached GTA issued by the Department of Planning and Environment-Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to the department for a Controlled Activity approval after consent has been issued by Council and before the commencement of any work or activity.

A completed application must be submitted to the department together with any required plans, documents, application fee and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Applications for controlled activity approval should be made to the department, by lodgement of a Controlled Activity Approval – New approval application on the NSW Planning Portal at:
<https://www.planningportal.nsw.gov.au/>

The Department of Planning and Environment-Water requests that Council provide a copy of this letter to the development consent holder.

The Department of Planning and Environment-Water also requests a copy of the determination for this development application be provided by Council as required under section 4.47(6) the EPA Act.

Yours Sincerely



For
Patrick Pahlow
Team Leader
Licensing and Approvals
Department of Planning and Environment-Water



General Terms of Approval

for proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000

Reference Number: IDAS-2024-10842
Issue date of GTA: 2 December 2024
Type of Approval: Controlled Activity
Location of work/activity: Lot 126, DP598190, RAILWAY STREET CORRIMAL 2518
Lot 1, DP795791, RAILWAY STREET CORRIMAL 2518
Lot 5, DP749492, RAILWAY STREET CORRIMAL 2518
Lot 11, DP749492, RAILWAY STREET CORRIMAL 2518
Waterfront Land: unnamed 1st order stream
DA Number: DA-2023/550
LGA: WOLLONGONG

The GTA issued by Department of Planning and Environment-Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to the Department of Planning and Environment-Water for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
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- | | |
|---------|---|
| TC-G001 | Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment-Water, and obtained, for a controlled activity approval under the Water Management Act 2000. |
| TC-G002 | A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents relating to Development Application DA-2023/550 provided by Council to Department of Planning and Environment-Water.

B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Department of Planning and Environment-Water, must be notified in writing to determine if any variations to the GTA will be required. |
| TC-G003 | A. The application for a controlled activity approval must include the following plan(s): Stormwater Outlet Design Plan.

B. The plan(s) must be prepared in accordance with Department of Planning and Environment-Water's guidelines located on the website
https://www.dpie.nsw.gov.au/water/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines |

Attachment 2 – Sydney Trains concurrence and conditions

Attachment 2

Conditions of Consent from TfNSW (Sydney Trains) for DA- 2023/550 (as amended)

General Conditions

1. Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.

Reason

To comply with the requirements of TfNSW (Sydney Trains)

2. Prior to the commencement of any works a Registered Surveyor shall peg-out the common property boundary between the development site and TAHE (Transport Asset Holding Entity) land and easements. A copy of the survey report indicating the location of pegs must be provided to Sydney Trains prior to the commencement of works.

Reason

To comply with the requirements of TfNSW (Sydney Trains)

3. Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.

Reason

To comply the requirements of TfNSW (Sydney Trains)

4. Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is Illawarra Interface, and they can be contacted via email on Illawarra_Interface@transport.nsw.gov.au.

Reason

To comply the requirements of TfNSW (Sydney Trains)

5. If required by Sydney Trains, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains.

Reason

To comply with the requirements of TfNSW (Sydney Trains)

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6. Prior to the commencement of works, the Applicant shall provide certification from a qualified Geotechnical and Structural Engineer stating that the proposed works are to have no negative impact on the rail corridor and associated rail infrastructure.

Reason

To comply with the requirements of TfNSW (Sydney Trains)

7. Prior to the commencement of any works appropriate fencing must be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction works. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

Reason

To comply with the requirements of TfNSW (Sydney Trains)

8. The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
- oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - acts as the authorised representative of the Applicant; and
 - is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.

Reason

To comply with the requirements of TfNSW (Sydney Trains)

9. Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAM (Transport Asset Management) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.

Reason

To comply the requirements of TfNSW (Sydney Trains)

10. No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.

Reason

To comply the requirements of TfNSW (Sydney Trains)

11. During all stages of the development the Applicant must take extreme care to prevent any form of pollution (including dust) entering the rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

Reason

To comply the requirements of TfNSW (Sydney Trains)

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12. Excess soil is not allowed to enter, be spread, or stockpiled within the rail corridor (and its easements) and must be adequately managed/disposed of.

Reason

To comply the requirements of TfNSW (Sydney Trains)

13. The Applicant must ensure that all drainage from the development is adequately disposed of and managed and not allowed to be discharged into the rail corridor unless prior written approval has been obtained from Sydney Trains.

Reason

To comply the requirements of TfNSW (Sydney Trains)

14. There is a need to ensure that the roots and foliage of trees being planted beside the rail corridor do not have an impact on the rail corridor or rail operations. A final landscaping and planting plan demonstrating measures to ensure compliance with this condition must be prepared to the satisfaction of Sydney Trains. No construction certificate can be issued until written confirmation has been received from Sydney Trains confirming that this condition has been complied with.

Reason

To comply the requirements of TfNSW (Sydney Trains)

15. The Applicant/Developer shall not at any stage block any nearby corridor access gate and should make provision for easy and ongoing 24/7 access by rail vehicles, plant, and equipment to support maintenance and emergency activities.

Reason

To comply the requirements of TfNSW (Sydney Trains)

Prior to the Issue of any Construction Certificates

16. The Applicant is required to enter into a Planning Agreement with TfNSW in accordance with its letter of offer dated 10 February 2025 to make a monetary contribution in the amount of \$100,000.00 to be used by TfNSW for an assessment of the level crossing at Railway St, Corrimal.

Reason:

To comply with the requirements of TfNSW (Sydney Trains)

17. The Applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains' representative.

Reason:

To comply with the requirements of TfNSW (Sydney Trains)

18. The Applicant shall prepare an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". The Applicant must incorporate in the development all the measures recommended in the report. A copy of the report is to be provided to the Principal Certifying Authority and Council prior to the issuing of a Construction Certificate. The Principal Certifying Authority must ensure that the

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recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.

Reason

To comply the requirements of TfNSW (Sydney Trains)

19. The Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.

Reason

To comply the requirements of TfNSW (Sydney Trains)

20. If required by Sydney Trains, prior to the issue of a Construction Certificate or commencement of work (whichever is earlier) a Risk Assessment and/or Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Reason

To comply the requirements of TfNSW (Sydney Trains)

21. The Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains' requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains' requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.

Reason

To comply the requirements of TfNSW (Sydney Trains)

22. The following rail specific items are to be submitted to Sydney Trains for review and endorsement:

- Machinery to be used during excavation/construction.
- Demolition, excavation and construction methodology and staging

The Principal Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

Reason

To comply the requirements of TfNSW (Sydney Trains)

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Prior to the Issue of any Occupation Certificates

23. The Applicant, in consultation with Council's Traffic Management team is to implement all mitigation measures identified in the deficiency log (Table 4.4) of report titled 'Railway Crossing (LXM ID 349) located on Railway Street in Corrimal NSW – Stage 5 (Existing Road) Road Safety Audit', prepared by Traffic Engineering Centre, dated January 2025 to the satisfaction of Council's Traffic Management team and Sydney Trains.

The Private Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Reason

To comply the requirements of TfNSW (Sydney Trains)

24. If required by Sydney Trains, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Reason

To comply the requirements of TfNSW (Sydney Trains)

25. The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary or design and construction of new fencing. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

Reason

To comply the requirements of TfNSW (Sydney Trains)

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Attachment 3 - General Terms of Approval from Heritage NSW

**Department of Climate Change, Energy, the Environment and
Water**



HMS ID: 7627

Ms Rebecca Welsh
Local Council
Wollongong City Council
LOCKED BAG 8821
WOLLONGONG DC NSW 2500
RWELSH@wollongong.nsw.gov.au

Letter uploaded to the NSW Planning Portal

Address: 27 Railway Street CORRIMAL NSW 2518

SHR ITEM: Corrimal Coke Works Site, SHR no. 02061

Proposal: The DA seeks development consent for medium density residential development on land referred to as "Stage 1" of the former Corrimal Coke Works.

Development Application no: DA-2023/550, CNR-58124, A-69241

Received: 24 October 2024

Subject: Heritage Council of NSW – General Terms of Approval – Integrated Development Application

Dear Ms Welsh

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above integrated development application. In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following general terms of approval are granted:

Approved development

1. Development must be in accordance with:

a) Engineering drawings, prepared by Maker Engineers

Project Name: Corrimal Coke Works Stage 1 Built Form

Dwg No	Dwg Title	Date	Rev
C0000	Cover Sheet and Drawing Schedule	-	-

C0010	General Notes	9/02/2024	6
C0030	Zoning Layout Plan	4/10/2024	9
C0050	Future Lot Layout Plan Sheet 1 of 2	23/05/2024	8
C0051	Future Lot Layout Plan Sheet 2 of 2	9/02/2024	6
C0100	Civil Works Layout Plan Sheet 1 of 2	4/10/2024	8
C0101	Civil Works Layout Plan Sheet 2 of 2	4/10/2024	7
C0200	Bulk Earthworks Layout Plan	4/10/2024	8
C0250	Bulk Earthworks Section Plan 1 of 2	23/05/2024	8
C0251	Bulk Earthworks Section Plan 2 of 2	23/05/2024	8
C0252	Bulk Earthworks Section Plan 3 of 3	4/10/2024	8
C0300	Typical Road Layout Plan	4/10/2024	8
C0310	Typical Road Section Plan 1 of 3	9/02/2024	6
C0311	Typical Road Section Plan 2 of 3	9/02/2024	6
C0312	Typical Road Section Plan 3 of 3	4/10/2024	1

b) Architectural drawings, prepared by DKO Architecture

Project Name: Corrimal Coke Works Stage 1 Built Form

Dwg No	Dwg Title	Date	Rev
S1.3001	Elevation Overall North/West	2/10/2024	D
S1.3002	Elevation Overall South/East	2/10/2024	D
S1.3102	B1.1 Elevation South/East	2/10/2024	D
S1.3402	B1.4 Elevation South/East	2/10/2024	D
S1.3501	B1.5 Elevation North/West	2/10/2024	D
S1.3502	B1.5 Elevation South/East	2/10/2024	D
S1.3501	B1.5 Elevation North/West	2/10/2024	D
S1.4001	Overall sections	2/10/2024	D
S1.4400.1	Building 1.4 Section	2/10/2024	D
S1.4500.1	Building 1.5 Section	2/10/2024	D
S1.4500.2	Building 1.5 Section	2/10/2024	D

c) Plan of proposed subdivision, prepared by SDG P/L, as listed below:

Dwg No	Dwg Title
PPN DP1305522	PLAN OF SUBDIVISION OF LOT 1 IN PPN DP1313981

- d) Architectural Plans View Analysis prepared by DKO Architects Rev D
- e) Landscape drawings, prepared by Flame Tree Landscape Design dated October 2024 Rev 5
- f) Section 60 Application: Heritage Impact Statement – Stage 1 Built Form – Corrimal Coke Works, prepared by Urbis, dated 10 February 2025.
- g) Corrimal Coke Works Statement of Environmental Effects – Stage 1 Built Form –, prepared by Urbis, dated 4 October 2024.
- h) Heritage Advice on the Draft Costed Maintenance Plan prepared by Urbis, dated 14 August 2024
- i) Correspondence on the maintenance of heritage structures prepared by Legacy Property titled 'Item 4 - Email correspondence Friday 30 August 2024: Re Resumed s34 Thursday – Legacy Stage 1 DA – Corrimal', dated 4 September 2024.

EXCEPT AS AMENDED by the General Terms of approval:

Details to be submitted for approval

1. The following information is to be submitted with the s60 application for approval by the Heritage Council of NSW (or delegate):
 - a) A Schedule of Conservation Works prepared by a suitably qualified heritage consultant for all significant heritage building elements which identifies the short and long-term maintenance works to built elements in perpetuity, supported by architectural drawings, together with a detailed scope of the proposed works.

The Schedule must include work priorities within the short and longer term works. An informed order of costs needs to be developed to ensure adequate funding is provided for the immediate works and for ongoing maintenance works. This work needs to be separate from any refurbishment and fitout works to ensure the conservation aspects are well provisioned and quarantined for that purpose.
 - b) A DRAFT S88B Instrument is to be prepared and submitted to the Heritage Council of NSW (or delegate) including Terms of Positive Covenant as follows:
 - i. The owner/s of the Heritage Plaza lot and retail lot must comply with the approved Schedule of Conservation Works.

- ii. Any variations, modifications, deletions or additions to the Schedule of Conservation Works must be endorsed by the Heritage Council of NSW.
 - iii. That the Schedule of Conservation Works must be updated and endorsed within 5 years of the date of endorsement.
 - iv. The Heritage Council of NSW (or delegate) is the prescribed authority empowered to release, vary or modify this covenant.
- c) A *Plan of Subdivision* in accordance with the approved plans prepared by a registered surveyor, showing the exact configuration and dimensions of existing significant elements and proposed lots.
- d) The DRAFT Deposited Plan Administration Sheet.

Reason: The details requested were not supplied during the assessment. The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

Site protection

2. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

Heritage Interpretation Plan

3. An interpretation plan must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate/ Government certification.
4. The interpretation plan must detail how information on the history and significance of the *Former Corrimal Coke Works* will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
5. The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate

Reason: Interpretation is an important part of every proposal for works at heritage places.

Photographic Archival Recording

6. A photographic archival recording of all significant built elements within the subject site and their setting must be prepared prior to the commencement of works, during works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

Unexpected finds

7. The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics or any other buried fabric are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

Aboriginal objects

8. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the National Parks and Wildlife Act 1974. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

Compliance

9. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

Section 60 application

10. An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

Advice

All future subdivision must keep each of the associated significant elements on one title, in accordance with the *HNSW Policy and procedure for Subdivision and NSW State Heritage Register Items (2019)*

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of appeal

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

If you have any questions about this correspondence, please contact Tempe Beaven, A/Strategic Manager at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely

Rochelle Johnston

Rochelle Johnston
Senior Manager, Heritage Referrals
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As delegate of the Heritage Council of NSW

21 February 2025