



DETERMINATION AND STATEMENT OF REASONS
SOUTHERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	18 September 2025
DATE OF PANEL DECISION	18 September 2025
DATE OF PANEL BRIEFING	28 August 2025
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Grant Christmas, David Brown, Marjorie Ferguson
APOLOGIES	None
DECLARATIONS OF INTEREST	None

MATTER DETERMINED

PPSSTH-311 – WOLLONGONG - DA-2023/849 at Lot 197 Bong Bong Road, Huntley - Multi-dwelling housing development comprising 236 dwellings and associated earthworks, road construction and delivery, civil and landscaping works, community facilities (Stage 1), and use of up to five (5) dwellings for temporary exhibition homes. The development upon completion is intended to operate as a Land Lease Community. It is therefore reliant upon a separate s68 Approval under the Local Government Act 1993 for a Manufactured Home Estate (as described in Schedule 1).

Council Assessment Report papers circulated electronically on 30 April 2025.

The Panel first considered this matter on 13 May 2025. The Panel had the benefit of the Council's assessment report (which recommended refusal of the development application) and several submissions from the Applicant (dated 9 & 12 May 2025) in response to the Council's recommendation. The matters raised in the Applicant's responses related primarily to permissibility, the need for separate approval under s68 of the Local Government Act 1993 Act, a response to the Council's merit-related concerns, and the need to complete additional flood-related modelling.

The Applicant sought the deferral of the matter to enable it to address the Council's concerns regarding flooding and other key merit-related issues.

At its meeting on 13 May 2025, the Panel agreed to defer the matter. In making its decision, the Panel was satisfied that the development proposal was permissible with consent, and that the Council's refusal under s68 of the *Local Government Act 1993* relating to the installation of a manufactured home estate was not an impediment to the approval of the development application (should the Panel be of the mind to approve the application).

Council's other recommended reasons for refusal related to:

- Site and internal design
- Solar access to private open space
- Sustainability and the need to maximise solar access to living areas
- The site levels proposed both internally and at the interface between the proposed development and adjoining residential development and roads, including the physical treatments proposed
- Flooding and stormwater management

The Panel acknowledged that there was a level of uncertainty regarding several issues raised in the Council's assessment report. It also noted the Applicant's view that there had been limited communication between the Council and the Applicant on these matters.

The Panel was of the view that to enable an informed decision, the Applicant should be allowed to provide additional information. Consequently, the Panel deferred its decision and requested the Applicant provide further information and justification relating to the construction of the proposed retaining walls, the ability to provide adequate solar access within and between lots, and the additional flood modelling information.

The Panel further requested that once the Council had received this information, an addendum assessment report and a without prejudice draft set of conditions should be prepared by the Council and provided to the Panel for its consideration.

The Council's addendum assessment report and without prejudice draft conditions were electronically circulated to the Panel on 20 and 22 August 2025, respectively. The Panel reconvened to discuss the revised assessment on 26 August 2025. At that meeting, the Panel requested that the Applicant provide further information as follows:

- A comprehensive and consolidated update to Table 4 of Attachment F (Wollongong LEP Objectives Clause 5.21) relating to flood management; and
- Information relating to whether the DA seeks consent for the use of the dwellings or the use and construction of all the dwellings.

The above information was provided on 3 September 2025.

PANEL CONSIDERATION AND DECISION

On 10 September 2025, the Panel reconvened and considered all relevant information, including the matters listed at item 6, the material listed at item 7, the material presented at meetings and briefings, and the matters observed at the site inspection listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*, subject to the draft conditions provided by the Council, and as amended by the Panel.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel carefully considered the matter. It acknowledged the Council's concerns that a proposed Land Lease Community would be inconsistent with what the Council envisaged for the West Dapto Release Area, particularly relating to public access and pedestrian permeability. However, the Panel was of the view that the benefits of the development proposal outweighed the disbenefits of the proposal, and should it proceed, that residual amenity and environmental issues could be managed through the imposition of conditions of consent.

In particular, the Panel was satisfied that:

- All integrated and concurrence authorities had issued their GTAs or concurrences (including TfNSW) with their respective requirements forming part of the instrument of consent as adopted.
- The objectives of c5.21 of WLEP and the relevant Chapters of WDCP relating to flood management and stormwater could be met.
- The Applicant had demonstrated that adequate solar access could be achieved for the dwellings, subject to design changes.
- The impacts of retaining walls at the interface with adjoining residential development have either been resolved or could be resolved through the imposition of conditions.
- The matters required to be considered under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*, had been addressed.
- The preconditions to the grant of consent had been satisfied.
- The proposal is unlikely to result in any unacceptable amenity, environmental, or land use safety impacts subject to the imposition of the conditions of consent; as amended; and

- The development would provide 238 dwellings in the form of a Land Lease Community, providing greater diversity of housing for a range of demographics at a relatively reasonable price point. A minimum of 10% of homes would be designed as Adaptable Housing.

Given the above, the Panel was satisfied that the development proposal was in the public interest.

CONDITIONS

The Development Application was approved subject to the conditions provided by Council and as amended by the Panel. The key changes to the conditions were as follows:

- All deferred commencement conditions were deleted or moved to the operational component of the consent. The Panel was satisfied that matters relating to TfNSW's concurrence, flood and stormwater management, solar access, and retaining walls had been addressed with reasonable certainty.
- Condition 1 was updated to include the SQ1 Revised Landscape Plan.
- Condition 2 (formerly Condition 18) was brought forward to highlight the need for the Applicant to obtain a valid s68 approval under the *Local Government Act 1993* before the installation of any manufactured homes.
- Conditions 3 and 4 were included to ensure the requirements of both the Rural Fire Service and Heritage NSW formed part of the consent.
- Condition 8 was included to ensure the requirements of Transport for NSW formed part of the consent.
- Condition 10 (formerly Condition 6) was amended to make it clear that an Occupation Certificate was required for each stage of the development, consistent with the Staging Plan in Condition 1.
- Former Condition 8 was deleted as the Panel was satisfied that the Exhibition Homes and Sales and Community Management Office were permissible with consent.
- Condition 15 (formerly Condition 12) was amended to include item i. relating to the ability to maintain coal wash reject (CWR) in situ under certain circumstances and item j. relating to the need to complete earthworks with each Stage as identified in the Staging Plan, as identified in Condition 1.
- Condition 20 (formerly Condition 17) was amended to make it clear that an Occupation Certificate was required for all earthworks and construction of infrastructure in each stage, consistent with the Staging Plan identified in Condition 1.
- Condition 18 was deleted and is now Condition 2.
- Condition 22 was amended to enable the development contributions to be paid consistent with the Staging Plan as identified in Condition 1.
- Condition 28 was amended to include the maintenance of streetscape landscaping.
- Former Condition 30 was deleted as the requirement for maintaining streetscape landscaping was included in Condition 28.
- Condition 39 (formerly Condition 40) was amended to delete item d. relating to overflow paths and excessive capacity, as it was a duplicate of the former Condition 48, and item f. relating to surface flow paths and detailed drainage design, as it was a duplicate of the former Condition 50.
- Condition 54 (formerly Condition 55) was amended to remove the reference to the need for an 88B restriction as it has been included in Condition 102.
- Condition 55 was amended to strengthen the need for increased pedestrian activity within and between the development and the broader neighbourhood. The Condition was also amended to remove the need to confirm waste servicing. This is now addressed in Condition 59.
- Condition 56 relating to motorcycle parking, which was formerly a deferred commencement condition, has been incorporated as an operational condition.
- Condition 57, which was formerly part of Condition 55, has been included to ensure the delivery of waste services to the estate.
- Condition 60 (formerly Condition 58) has been amended to incorporate, in part, the requirements of the deferred condition relating to flood and stormwater management. The condition requires the Applicant to ensure compliance with Chapters E13: Floodplain

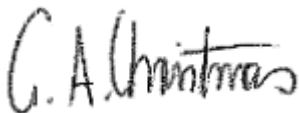
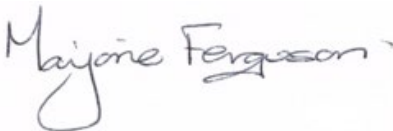
Management, E14: Stormwater Management, and D16: West Dapto Release area of the Council's DCP.

- Condition 61, which was formerly a deferred commencement condition, has been included as an operational condition to ensure that future dwellings achieve sufficient solar access.
- Condition 102 (formerly Condition 96) was amended to include the need to create a section 88B instrument which identifies the location and terms for the ongoing public access referred to in Condition 56.
- Condition 114 (formerly 108) was amended to make it clear that the Principal Certifier must issue an Occupation Certificate prior to occupation or use for each stage of the development as identified in Condition 1.
- Attachment 6, being the concurrence and requirements of TfNSW, has been included to form part of the consent.
- A range of formatting and grammatical changes that did not alter the intent of the original conditions.

The final set of conditions endorsed by the Panel, which includes the above amendments, can be found in Schedule 2.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Christopher Wilson (Chair)	 Juliet Grant
 Grant Christmas	 Marjorie Ferguson
 David Brown	

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	PPSSTH-311 – WOLLONGONG - DA-2023/849
2	PROPOSED DEVELOPMENT	Multi-dwelling housing development comprising 236 dwellings and associated earthworks, road construction and delivery, civil and landscaping works, community facilities (Stage 1) and use of up to five (5) dwellings for temporary exhibition homes. The development upon completion is intended to operate as a Land Lease Community and therefore reliant upon a separate s.68 Approval under the Local Government Act for Manufactured Home Estate.
3	STREET ADDRESS	Lot 197 Bong Bong Road Huntley
4	APPLICANT/OWNER	Stockland Development Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - Wollongong Local Environmental Plan 2009 - Draft environmental planning instruments: Nil - Development control plans: - Wollongong City Wide Development Contributions Plan (2022) - Planning agreements: Nil - Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> - Coastal zone management plan: Nil - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council Assessment Report: 30 April 2025 - Supplementary information received from the applicant on 9 May and 12 May 2025 - Council's Supplementary Report: 19 August 2025 - Attachment 1: Applicants response to SRPP Deferral Request: 19 August 2025 - Attachment 2: Retaining wall location heights and section: 19 August 2025 - Attachment 3: Retaining wall section: 19 August 2025 - Attachment 4: Rear courtyard landscape plans: 19 August 2025 - Attachment 5: Overall site interface section: 19 August 2025 - Attachment 6: Updated MC FRMSP: 19 August 2025 - Without Prejudice Draft Instrument of Consent: 22 August 2025 - Written submissions during public exhibition: 0 - Total number of unique submissions received by way of objection: 0

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Briefing: 7 February 2024 ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, David Brown ○ <u>Council assessment staff</u>: Nicole Ashton, Mark Adamson, Rod Thew, Sarah Goodman ○ <u>Applicant representatives</u>: Ken Franklin (Stockland), Matt Cooper (GLN Planning), Sam Johns (GLN Planning), Benjamin Vella (Stockland) ○ <u>DPHI</u>: Amanda Moylan, Tim Mahoney • Site inspection: 7 February 2024 ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, David Brown ○ <u>Council assessment staff</u>: Nicole Ashton, Mark Adamson, Rod Thew, Sarah Goodman ○ <u>Applicant representatives</u>: Ken Franklin (Stockland), Benjamin Vella (Stockland) • Briefing to discuss council's recommendation: 13 May 2025 ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, David Brown, Marjorie Ferguson ○ <u>Council assessment staff</u>: John Wood, Mark Adamson, Nicole Ashton, David Fitzgibbon, Darren Burke ○ <u>Applicant representatives</u>: Felicity Rourke (Partner, Allens Linklaters Lawyers), Matt Cooper (Director, GLN Planning), Kimberly Vancuylenberg (Senior Legal Counsel, Stockland), Richard Rhydderch (Stockland), Sam Johns (Senior Planner, GLN Planning), Layth Zumot (Allens Linklaters Lawyers), Spiro Prevezanos (Avid Property Group) ○ <u>DPHI</u>: Amanda Moylan, Nikita Lange • Final Panel discussion to consider Council's Addendum report: 26 August 2025 ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, David Brown, Marjorie Ferguson ○ <u>DPHI</u>: Tracey Gillett • Further Panel discussion to consider Council's Addendum report: 10 September 2025 ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, David Brown, Marjorie Ferguson ○ <u>DPHI</u>: Tracey Gillett
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the Council Assessment Report

SCHEDULE 2 – ENDORSED CONDITIONS

INSTRUMENT OF CONSENT

Application Number	DA-2023/849 PAN-384082 PPSSTH - 311
Description of Development	Multi-dwelling housing development comprising 236 dwellings and associated earthworks, road construction and delivery, civil and landscaping works, community facilities (Stage 1), and use of up to five (5) dwellings for temporary exhibition homes
Property	Lot 197 DP 1258914 Lot 197 Bong Bong Road HUNTLEY NSW 2530

Approval bodies that have given general terms of approval (as attached) shall form part of this Notice of Determination.

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
MKR00256-13-C0040	2	Key Plan	Maker Engineering	03/09/24
MKR00256-13-C0100 Sheet 1 of 4	2	Layout Plan	Maker Engineering	03/09/24
MKR00256-13-C0101 Sheet 2 of 4	2	Layout Plan	Maker Engineering	03/09/24
MKR00256-13-C0102 Sheet 3 of 4	2	Layout Plan	Maker Engineering	03/09/24
MKR00256-13-C0103 Sheet 4 of 4	2	Layout Plan	Maker Engineering	03/09/24
MKR00256-13-C0200	2	Bulk Earthworks Layout Plan	Maker Engineering	03/09/24
MKR00256-13-C0300	2	Typical Road Sections Layout Plan	Maker Engineering	03/09/24
MKR00256-04-SK040 Sheet 1 of 9	P1	Site Typical Sections – Layout Plan	Maker Engineering	12/6/25
MKR00256-04-SK041 Sheet 2 of 9	P1	Site Typical Sections – Layout Plan	Maker Engineering	12/6/25
MKR00256-04-SK042 Sheet 3 of 9	P1	Site Typical Sections – Layout Plan	Maker Engineering	12/6/25
MKR00256-04-SK043 Sheet 4 of 9	P1	Site Typical Sections – Layout Plan	Maker Engineering	12/6/25
MKR00256-04-SK044 Sheet 5 of 9	P1	Site Typical Sections – Layout Plan	Maker Engineering	12/6/25
MKR00256-04-SK045 Sheet 6 of 9	P1	Site Typical Sections – Layout Plan	Maker Engineering	12/6/25

MKR00256-04-SK046 Sheet 7 of 9	P1	Site Typical Sections – Layout Plan	Maker Engineering	12/6/25
MKR00256-04-SK047 Sheet 8 of 9	P1	Site Typical Sections – Layout Plan	Maker Engineering	12/6/25
MKR00256-04-SK048 Sheet 9 of 9	P1	Site Typical Sections – Layout Plan	Maker Engineering	12/6/25
STO131_0_DA_1-02	G	Site Type & Area Plan	DC8 Studio	26/8/24
STO131_0_DA_1-03	E	Overall Staging Plan	DC8 Studio	26/8/24
STO131_1 & 2_DA_0-00	D	Stage 1 & 2 – Dwelling Site Plan	DC8 Studio	26/8/24
STO131_3_DA_0-00	D	Stage 3 – Dwelling Site Plan	DC8 Studio	26/8/24
STO131_4_DA_0-00	D	Stage 4 – Dwelling Site Plan	DC8 Studio	26/8/24
STO131_5_DA_0-00	D	Stage 5 – Dwelling Site Plan	DC8 Studio	26/8/24
STO131_SCMO_DA_2-00	D	Sales & Community Management Office – Ground Floor Plan	DC8 Studio	20/10/23
STO131_SCMO_DA_2-01	C	Sales & Community Management Office – Roof Plan	DC8 Studio	20/10/23
STO131_SCMO_DA_3-01	C	Sales & Community Management Office – Elevations	DC8 Studio	20/10/23
STO131_SCMO_DA_3-03	B	Materials and Application	DC8 Studio	20/10/23
Landscape DA Report, Masterplan, and Chaser	C	Revised Landscape Plan	SQ1	August 24

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. Section 68 approval - installation of manufactured homes

Prior to the installation of any manufactured homes on the land, separate approvals under Section 68 of the Local Government Act 1993 must be obtained.

Reason:

To comply with the requirements of the legislation.

3. The Rural Fire Service

Requirements issued by the Rural Fire Service dated 29 February 2024 as attached (Attachment 1) form part of this Notice of Determination.

4. Heritage NSW

Requirements issued by Heritage NSW dated 19 May 2024 as attached (Attachment 2) form part of this Notice of Determination.

5. Transgrid

Requirements issued by Transgrid dated 29 October 2024 as attached (Attachment 3) form part of this Notice of Determination.

Reason:

To satisfy the requirements of the legislation.

6. Sydney Water Corporation

Requirements issued by Sydney Water Corporation dated 30 April 2024, as attached (Attachment 4), form part of this Notice of Determination.

Reason:

To satisfy the requirements of the legislation.

7. Endeavour Energy

Requirements issued by Endeavour Energy dated 19 November 2023, as attached (Attachment 5), form part of this Notice of Determination.

Reason:

To satisfy the requirements of the legislation.

8. Transport for NSW

Requirements issued by Transport for NSW dated 2 September 2025, as attached (Attachment 6), form part of this Notice of Determination.

Reason

To satisfy the requirements of the legislation

9. Construction Certificate

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.

10. Occupation Certificate

An Occupation Certificate must be issued by the Principal Certifier prior to occupation or use of each stage of the development as identified in the Staging Plan in condition 1. 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 relevant to each stage.

Reason:

To satisfy the requirements of the legislation.

11. Restricted Consent Period - Exhibition Homes

No greater than five (5) dwellings are to be utilised as exhibition homes. The exhibition homes are to cease operation at the conclusion of 4 years from the date of opening of the first exhibition home. In this respect, the submission of documentary evidence is required specifying the exact date of the opening of the first exhibition home - the evidence must be provided to Council within three months of the opening.

All sales and marketing programs related to the development are to occur within the curtilage of the exhibition homes.

Hours of Operation

The hours of operation for an exhibition home shall be restricted to between 10.00 am and 5.00 pm, seven days per week.

Reason:

To comply with Wollongong Development Control Plan 2009.

12. Site Facilities

Site facilities, such as air-conditioning units, satellite dishes and other ancillary structures are to be adequately setback from neighbouring properties, located away from the street frontage and not in a place where they are a skyline feature. The house number must be displayed in a prominent position, and the mailbox installed in accordance with Australia Post Guidelines. Site addresses shall comply with Council's Property Addressing Policy (as amended).

Reason:

To identify the property and limit the visual impact of ancillary site facilities.

13. Disability Discrimination Act 1992

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.

14. Stormwater Quality Management

The Water Sensitive Urban Design (WSUD) water cycle management treatment nodes shall be constructed to achieve the following minimum stormwater quality performance targets for removal of pollutants and nutrients: Gross Pollutants (GP) – 90%, Total Suspended Solids (TSS) – 82%, Total Phosphorus (TP) – 78%, and Total Nitrogen (TN) – 67%.

Reason:

To ensure stormwater runoff does not impact on the environment and surrounding amenity.

15. Geotechnical Requirements

- a. Further geotechnical advice will be required to support the engineering designs of the subdivision, prior to the commencement of works.
- b. Coal washery reject (CWR) encountered on site is to be engineered to comply with Council's Policy on CWR as detailed in Chapter E19 Clause 4.4 of the Wollongong DCP.
- c. An earthworks plan is to be developed by the geotechnical consultant prior to the start of bulk earthworks.
- d. All recommendations of the geotechnical consultant in their report commissioned under (a) above are to be accommodated in the earthworks plan.
- e. The earthworks plan may require modification while works are being undertaken to consider any subsequent geotechnical reports that have been commissioned to address unforeseen geotechnical conditions encountered during the bulk earthworks.

- f. Bulk earthworks must be undertaken with Level 1 geotechnical supervision as defined in Australian Standard AS3798 Guidelines for Commercial and Residential Developments.
- g. Restrictions on development due to site geotechnical constraints need to be delineated on the deposited plan in consultation with the geotechnical consultant to guide future development prior to the issue of the Occupation Certificate.
- h. At the completion of engineering works and site remediation, a works-as-executed geotechnical report is required to confirm satisfactory completion of the works, to detail any residual geotechnical constraints on development, to confirm the lot classification, and to make recommendations for the development of the created lots.
- i. CWR encountered under proposed public reserves and TransGrid Easement may remain, provided it is structurally isolated from other CWR.
- j. Earthworks to be completed in accordance with the Staging Plan identified in Condition 1.

Reason:

To ensure the development is carried out with due regard to the geotechnical constraints of the site and good engineering practice.

16. Provision for electric vehicle charging capability

For all future dwellings, the main switchboard must be provided with at least one single-phase circuit sized to support a load of 32A, with active conductors of at least 6mm² cross-sectional area, that terminates at one of the car parking spaces with:

- a. a general-purpose outlet of at least 15 A labelled to indicate that its purpose is for electric vehicle charging; or
- b. electric vehicle charging equipment.

Reason:

To ensure sustainability provisions are met.

17. Stormwater Re-Use and Harvesting

The proposed stormwater design shall make provision for stormwater re-use and harvesting within the proposed development.

Reason:

To provide for improved sustainability outcomes.

18. Crime Prevention through Environmental Design

The recommendations of the Crime Prevention through Environmental Design Report prepared by GLN Planning and dated 1 February 2024 are to be adopted within the proposed development.

Reason:

To promote the creation of safer places through environmental design.

19. Accessibility

The recommendations of the Access Report prepared by Purple Apple Access Ref PAA_23120 dated 26 September 2023 shall be adopted within the development.

Reason:

To ensure residential dwellings are constructed or can be modified to cater for occupants with existing or progressive disability.

20. Staging of development

An Occupation Certificate shall be issued for earthworks and construction of infrastructure in each stage (as identified in condition 1), prior to the construction and installation of any dwelling in each relevant stage.

Reason:

To ensure that supporting infrastructure is in place prior to any residential occupation of the development.

21. Obscure Glazing for all Bathroom and WC Windows

The bathroom and WC windows for each dwelling in the development shall be frosted or opaque glass.

Reason:

To protect neighbourhood amenity.

22. Development Contributions

In accordance with Section 4.17(1)(h) of the Environmental Planning and Assessment Act 1979 and the West Dapto Development Contributions Plan (2020), a monetary contribution of \$16,571,072.32 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any Construction Certificate.

This amount has been levied toward the following infrastructure categories as show in the table below:

Infrastructure Category	Total Contribution
Open Space and Recreation	\$ 3,705,764.96
Community Facilities	\$ 53,309.39
Transport	\$ 11,127,137.68
Stormwater Management	\$ 1,471,202.12
Administration	\$ 213,658.17
Total Contribution	\$ 16,571,072.32

The contribution amount can be staged in accordance with the staging plan in condition 1 and will be indexed quarterly until the date of payment using Consumer Price Index; All Groups, Sydney (CPI) based on the formula show in the Contributions Plan.

To request an invoice to pay the contribution go to www.wollongong.nsw.gov.au/contributions and submit a contributions enquiry. The following will be required:

- Application number and property address.
- Name and address of who the invoice and receipt should be issue to.
- Email address where the invoice should be sent.

A copy of the Contributions Plan and accompanying information is available on Council's website www.wollongong.nsw.gov.au.

Reason:

To ensure the development contributes to the provision of local infrastructure, through the payment of development contributions.

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Conditions

23. 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 the issue of the relevant occupation certificate for each stage. Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Builders and Developers" section of the website www.sydneywater.com.au, then search for "Find a Water Servicing Coordinator". Alternatively, telephone 13 20 92 for assistance.

Following the 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, as the construction of water/sewer infrastructure can be time-consuming and may impact other services, including building, driveway, or landscape design.

The Notice of Requirements must be submitted to the Principal Certifier prior to issue of the Construction Certificate.

Reason:

To satisfy the requirements of the legislation.

24. Utilities and Services

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

- a. A letter of consent 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 would affect any Sydney Water infrastructure, and whether further requirements need to be met.
- c. Other relevant utilities or services – evidence 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 that relevant utility and service providers' requirements are provided to the certifier.

25. 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.

26. Construction Environmental Management Plan

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

d. Introduction.

e. 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.

f. Objectives of the CEMP.

This section should state what the CEMP is trying to achieve.

g. Context of the CEMP.

This section should specify how the CEMP fits into the planning process of the project.

h. Planning Project Environmental Actions.

i. Environmental Impact Assessment (EIA) Obligations.

This section should identify all EIA documentation related to this project.

j. 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.

k. Legal and Other Requirements.

This section should detail the legislative requirements of the work, and all other specifications.

l. 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.

m. Implementation.

n. On-site Structure and Responsibility.

This section should state the duties and responsibilities of all contractors and subcontractors working on site and the relationship between these parties.

o. 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.

p. 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.

q. 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.

r. Auditing and Monitoring.

s. 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.

t. Auditing.

This section should detail audit criteria, frequency and scope.

u. Non-Conformance and Corrective and Preventive Action.

This section should state how these items should be addressed.

v. 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.

w. 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.

x. 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.

Reason:

To protect the environment.

27. 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:

- y. Detail of the location and extent of proposed tree vaults to be shown on civil and Landscape plans.
- z. Deletion of the following plant species as street trees, as they are unsuitable for this type of development: *Acacia decurrens*, *Corymbia citriodora*, *Corymbia maculata*, *Eucalyptus paniculata*.
- aa. 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;

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 the Council's Development Control Plan.

28. Crime Prevention Through Environmental Design (CPTED) - Landscaping in Common Areas

To reduce the opportunities for "hiding places" any proposed landscaping in common areas must:

- bb. Use shrubs/plants which are no higher than one (1) metre.
- cc. The type of trees proposed must have a sufficiently high canopy, when fully grown, so that pedestrian vision is not impeded.
- dd. Be set back 500mm from the edge of pathways.

This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of Australian Standards.

29. 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 the development does not impact services.

30. 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, including streetscape landscape, 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 the Council's Development Control Plan.

31. Tree Protection and Management

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

- ee. Installation of Tree Protection Fencing - Protective fencing shall be a 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.

Reason:

To comply with the Council's Development Control Plan.

32. 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 conform 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.

33. Disabled Person Parking Space Dimensions

Each disabled person's parking space must comply with the current relevant Australian Standard AS 2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

34. Vehicular Flow Signage

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

Reason:

To comply with the Council's Development Control Plan.

35. 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.

36. Traffic Calming to be Provided on All Roads

The development shall provide traffic calming facilities (e.g. speed bumps, signage, narrowings, chicanes etc.) on all roads at spacings of no more than 100-150 metres apart which force traffic speeds to a maximum of 10kmph. This requirement must be demonstrated on the Construction Certificate Plans to the satisfaction of the certifier.

Reason:

To slow traffic speeds to improve on-site safety.

37. Crime Prevention through Environmental Design (CPTED) - Common Areas

The proposed private roads must have lighting provided in accordance with AS 1158:1999. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of Australian Standards.

38. Access provision to the Sales and Community Management Office

The main entry point to the Sales and Community Management Office shall be in accordance with the current relevant Australian Standard AS 1428.1:2001: Design for Access and Mobility, Part 1 General Requirements for Access Buildings. The proposed pedestrian ramps within the car parking areas shall incorporate gradients (with suitable landing intervals) in accordance with the Australian Standard. The final design of the pedestrian ramps, including ramp gradients shall be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

39. Low Impact Floodlighting

The car parking areas shall incorporate 'low impact' floodlighting to ameliorate any light spillage and/or glare impacts upon surrounding properties. The final design details of the proposed floodlighting system shall be reflected on the Construction Certificate plans. The erection of the floodlighting system shall be in accordance with the approved final design.

Reason:

To protect neighbourhood amenity.

40. 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 AS 2890.3: Bicycle Parking Facilities and Austroads Guide to Traffic Management Part 11: Parking (Commentary 9: C9.2). In the absence of internal bicycle storage areas in private residential garages, the proposed external bicycle spaces are to have adequate weather protection, passive surveillance, and be secured within a lockable enclosure with access via a combination lock or communal key. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the requirements of Australian Standards.

41. Stormwater Drainage Design

A detailed drainage design for the development 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:

- ff. Be prepared by a suitably qualified 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, Prepared by Maker Engineering "Land Lease Community (LLC) Civil Works Plans Project No. MKR00256-13 (latest revision provided to Wollongong City Council).
- gg. Include details of the method of stormwater disposal.
- hh. 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.
- ii. The Stormwater Drainage Design must include all pit and pipe construction details, including:
 - i. A hydraulic grade line (HGL) analysis and longitudinal section shall be provided for all proposed stormwater pipelines extending downstream to the receiving natural watercourse. Each hydraulic grade line analysis and longitudinal section shall show

calculated flows, velocity, pipe size/class, grade, inverts and ground levels. The analysis shall demonstrate the suitable performance of the drainage system as specified in Chapter E14 of the Wollongong DCP 2009.

- ii. Must include pipe inverts, grades, pipe size, class and cover, location of anchor blocks (where required), velocities, calculated flows
- iii. Construction details for all pits and pipes in accordance with Wollongong City Council Standard Drawings and requirements of Wollongong City Council Subdivision Policy
- iv. Locations of all proposed service conduits (in plan and elevation)
- jj. Suitably designed drainage pits within the piped section of the trunk drainage line to be located both within the development site and the Public Road Reserve for dedicated access and maintenance.
- kk. The alignment of the trunk drainage system to be designed with consideration of minimising any hydraulic losses, including avoiding acute bends etc.
- ll. Provision for 'safety in design' as per Section 8 of Wollongong DCP Chapter E14.
- mm. The trunk drainage system shall be designed to have a minimum service life of 100 years.
- nn. The detailed design of the development (incl. earthworks, pavement, culvert, finished surface levels, and surface treatment) shall be generally in accordance with the Updated Water Cycle Management Strategy Outcomes following adoption of the 2023 MCFRMS, by Maker Eng, Dated 16/6/2025. This requirement shall be reflected on the Construction Certificate plans and certified by a suitably qualified civil engineer prior to the release of the Construction Certificate
- oo. The stormwater design must also consider the upstream and downstream "as-built" detention basin, all contributing catchments and also outlet structures. The stormwater design must be certified by the designing Chartered Professional Engineer, that the stormwater design for the LLC community is appropriate for the completed upstream and downstream conditions and meets engineering best practice.

Reason:

To comply with the Council's Development Control Plan.

42. On-Site Stormwater Detention (OSD) Design

The developer must provide OSD storage for stormwater runoff from the development. The design and details of the OSD system must be provided in conjunction with the detailed drainage design and approved by the Principal Certifier prior to the release of the Construction Certificate. The OSD design and details must satisfy the following requirements:

- pp. Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.
- qq. Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with Section 10.2.4 of Chapter E14 of the Wollongong DCP 2009.
- rr. The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.
- ss. The OSD facility shall incorporate access and maintenance provisions, provision for safety, debris control screen, and a suitably graded invert to the outlet to prevent ponding.
- tt. Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 10.2.6 and 10.4.4 of Chapter E14 of the Wollongong DCP 2009.
- uu. Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- vv. Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the Occupation Certificate:
 - i. The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - ii. Identification number DA-2023/849

iii. Any specialist maintenance requirements.

ww. Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP 2009.

Reason:

To comply with the Council's Development Control Plan.

43. 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 supporting documentation.

Reason:

To ensure development does not impact services.

44. Details of Proposed Pit and Pipeline

Details of the proposed connecting pipeline to the Council pit, within the existing drainage system, shall be provided in conjunction with the detailed drainage design for the site. Connection is to be made in accordance with Wollongong City Council Standard Drawings. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

Reason:

To ensure the development does not impact services.

45. No Adverse Runoff Impacts on Adjoining Properties

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.

46. 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.

47. Flood Level Requirements

The following requirements shall be reflected on the design plans for all proposed homes as well as the Sales and Community Management Office, on allotments that are adjacent to basins, overland flow paths or any area which is within the defined flood event plus 500mm, or the PMF:

- xx. Habitable floor levels must be constructed at the Defined Flood Event plus 500mm as determined by an appropriately qualified engineer.
- yy. Any portion of the building or structure below Defined Flood Event plus 500mm (as determined by an appropriately qualified engineer) should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP 2009, relevant documentation from the manufacturer shall be provided demonstrating that the materials satisfy the definition of 'flood compatible materials' as stated in Chapter E13 of the Wollongong DCP 2009.
- zz. The proposed buildings shall be designed to withstand the forces of floodwater, debris and buoyancy up to and including the Defined Flood Event plus 500mm (as determined by an appropriately qualified engineer) or the PMF, whichever is greater

Reason:

To comply with the Council's Development Control Plan.

48. Dam Safety Committee

Written evidence from the Dams Safety Committee (DSC) is required to identify that the proposed detention basins are NOT prescribed according to the DSC requirements. Evidence that this requirement has been met must be provided to the appointed Accredited Certifier prior to the issue of the construction certificate

Reason:

To satisfy the requirements of the legislation.

49. Designated Overland Flow Paths

Details of each overland flow path located on the site shall be provided with the detailed drainage design. Each overland flow path shall be capable of catering for the 1% AEP storm event flows from the contributing catchment area, and where required, direct these flows to the on-site stormwater detention facility.

The overland flow path shall be free of any vegetation and/or structures that are likely to impede natural overland flow, or make provision for such obstructions, so there will be no adverse stormwater impacts upon the subject land and adjoining properties. Full Manning's calculations shall be provided on the capacity of each overland flow path. These requirements shall be reflected on the Construction Certificate plans and supporting documentation.

Reason:

To comply with the Council's Development Control Plan.

50. On-Site Detention - 1% AEP

On-site stormwater detention storage must be designed to be wholly above the 1% AEP storm event inundation level. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To comply with the Council's Development Control Plan.

51. Scour Protection

All stormwater outlets, watercourses, and surface flow paths (including swales, channels, and other dedicated overland flow paths) must be treated with appropriate scour/erosion protection measures designed in accordance with good engineering practice based on calculated 1% AEP flow velocities.

All scour protection measures and headwall structures within the watercourse shall be designed and constructed to match existing surface levels to ensure that there will be no change in flooding behaviour. All stormwater outlets shall be oriented in the direction of the natural flow of the receiving watercourse.

The outlet scour protection is to be in accordance with Guidelines for Outlet Structures prepared by the Office of Water dated July 2012. The final details of the proposed scour protection measures shall be reflected on the Construction Certificate plans.

Reason:

To comply with the Council's Development Control Plan.

52. Flood Warning Signs

Appropriate flood warning signs shall be provided at the proposed on-site detention storage/ponds and associated flow paths. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

Reason:

To comply with the Council's Requirements

53. Junction Pits

Junction pits shall be provided at the end of each inter-allotment drainage line inside the property boundary prior to connection into the road drainage system and at each downslope boundary of any lot that benefits from the easement. Slope junctions are not permitted. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To satisfy the Council's requirements

54. Updated Water Cycle Management Strategy

The updated Water Cycle Management Strategy must include information on which catchment contributes to the flows (shown in Table 2 – OSD Results Summary). The tabulated flows must align with the pre-development catchment plan and WBNM hydrological output. Evidence that this requirement has been satisfied must form part of the Construction Certificate application.

Reason:

To satisfy the Council's requirements.

55. Stormwater Reuse and Harvesting

The proposed stormwater design shall make provision for stormwater re-use and harvesting within the proposed development.

Reason:

To comply with the Council's Development Control Plan.

56. Provision of Shared Path Access along proposed Road 01

Unrestricted public access shall be provided through the site in the form of a shared path access. The path shall be line-marked as a shared path with details of the path and line marking provided to the certifier prior to the release of the Construction Certificate.

Reason:

To ensure the provision of visual cues and public access consistent with the West Dapto Urban Release Area.

57. Increased Pedestrian Activity

The plans are to be amended prior to Construction Certificate to provide increased pedestrian connectivity to the broader neighbourhood through:

- a. Demonstrated pedestrian accessibility from the development to future bus stops along Little Forest Reach Drive and Forest Reach Drive.
- b. A southern path link and access point towards the roundabout to facilitate convenient pedestrian/cyclist access to the south.
- c. Extension of pedestrian link between Roads 02 and 05 to the western boundary with an access point provided to the Northern Precinct Spine Road.

Reason:

To ensure increased pedestrian connectivity.

58. Motorcycle Parking

Prior to Construction Certificate, the location of the sixteen (16) required motorcycle parking spaces is to be shown on the plan/plans.

Reason:

To comply with the Council's Development Control Plan.

59. Waste Services

Prior to Construction Certificate, written advice from a private waste contractor confirming that the development can be serviced for private waste, recycling and FOGO collections must be provided to the certifier.

Reason:

To comply with the Council's Development Control Plan.

60. Flood Management

Prior to obtaining a Construction Certificate and noting the proposed development relies on external drainage and civil works that are part of separate approvals, the applicant must demonstrate compliance with the Council's DCP, specifically Chapters E13: Floodplain Management, E14: Stormwater Management, and D16: West Dapto Release area.

Certification from a Chartered Professional Engineer must also be provided to the Certifier to confirm that all the relevant upstream and downstream civil drainage works that are relied upon by this development are considered operational.

Reason:

To ensure the development is consistent with the objectives of the Council's Local Environmental Plan and consistent with the requirements of the Council's Development Control Plan in relation to flood and stormwater management.

61. Solar Access for future dwellings

Prior to Construction Certificate, demonstrate compliance with Chapter B1: Residential

Development by providing detailed information (to a legible scale) which clearly shows:

- a. A minimum of 70% of dwellings will receive a minimum of three hours of direct sunlight between 9 am and 3 pm on June 21. The impacts of surrounding structures, including retaining walls and fencing, must be considered, and
- b. At least 50% of the private open space area for each dwelling in the development receives at least 3 hours of sunlight between 9 am and 3 pm on June 21. The impact of surrounding structures, including retaining walls and fencing, must be considered.

Reason:

To demonstrate the ability to comply with the Council's Development Control Plan in relation to solar access for future dwellings.

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

The submission of engineering plans and supporting documentation for 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 must be designed by a suitably qualified and experienced civil and/or structural engineer. The required engineering plans and supporting documentation shall include the following:

- aaa. A plan of the wall showing location and proximity to property boundaries;
- bbb. 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;
- ccc. Details of fencing or handrails to be erected on top of the wall;
- ddd. 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;
- eee. 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;
- fff. The assumed loading used by the engineer for the wall design; and
- ggg. 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 the Council's Development Control Plan.

63. Retaining Walls - Southern Boundary

The maximum height of any retaining wall along the southern boundary of the "Site" (as indicated by red outline on the Key Plan Drawing Number MKR00256-13-C0040 Revision 2 dated 3/9/2024 prepared by Maker Engineering) shall be one metre.

To minimise the overall height impact of retaining walls, any retaining required along the Southern boundary that exceeds one metre in height shall occur through the terracing of walls wholly within the subject site. Where terracing is required, the maximum vertical rise of the retaining wall is limited to one metre, and a minimum horizontal setback of one metre between walls shall be provided.

The combined height of a retaining wall and fence located along the southern boundary shall be not exceed 2.8 metres, with up to one metre of that height being retaining wall.

This requirement shall be reflected on the Construction Certificate plans. Reason:

To comply with the Council's Development Control Plan.

64. Fire Safety Schedule – Class 2 to 9 buildings

When issuing a Construction Certificate, a Principal Certifier must attach a Fire Safety Schedule specifying all the fire safety measures required for the building to ensure the safety of persons in the building in the event of fire.

Reason:

To satisfy the requirements of the legislation

65. Property Addressing Policy Compliance

Prior to the issue of any Occupation Certificate for each stage, the developer must ensure that the site address complies with the 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 the Council's Addressing Policy.

BEFORE BUILDING WORK COMMENCES

Conditions

66. 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.

67. Signs On Site

Signs must be erected in prominent positions around the perimeter of the 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 for any building work and a telephone number on which that person may be contacted outside working hours,
- c. Showing the name and contact details of the Responsible Person(s) accountable for any noise, dust, air quality, water quality and site runoff issues; and
- d. 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 to building work or demolition work carried out inside an existing building that does not affect the external walls of the building.

Reason:

To satisfy the requirements of the legislation, and to ensure ongoing protection of the environment and neighbourhood amenity.

68. 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 must be provided on-site, prior to the commencement of any works.

Reason:

To satisfy the requirements of the legislation.

69. 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. No building work is to commence until the fence is erected.

Reason:

To ensure public safety.

70. 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 separation, recycling and reuse of materials.

Reason:

To protect neighbourhood amenity.

71. 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.

72. Survey Report - Siting of Development within Property Boundaries

A survey report prepared by a registered surveyor is required to be submitted to the Principal Certifier to ensure that the proposed development is located on the correct allotment and at the approved distances from the boundary. This must be verified by pegging the site prior to the commencement of works.

Reason:

To ensure the correct location of the development.

73. 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 the Council's Policy.

74. Site Management Program - Sediment and Erosion Control Measures

A site management program incorporating all sediment and erosion control measures (e.g., 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.

The developer must always control sediment runoff from the site once demolition and construction begin. Sediment control measures must be well-maintained at all times and checked for adequacy at the conclusion of each day's work.

These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).

Reason:

To ensure sediment-laden runoff and site debris do not impact local stormwater systems and waterways, and to protect neighbourhood amenity.

75. 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.

76. 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.

77. Compliance with Home Building Act

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

Reason:

To satisfy the requirements of the legislation.

78. 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 seeking 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 work within the road reserve commencing.

An application must be submitted and approval 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.

DURING BUILDING WORK

Conditions

79. 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 regular 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; and
- 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 the protection of the environment and neighbourhood amenity. To mitigate potential adverse amenity impacts in the locality.

80. New Information/Unexpected Finds

If 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 (if 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 protect the environment and human health and comply with relevant legislation.

81. Uncovering relics or Aboriginal objects

While demolition or building work is being carried out, all such work must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- a. "relic" means any deposit, artefact, object or material evidence that:
 - i. relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - ii. is of State or local heritage significance; and

- b. "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, behind habitation before or concurrent with (or both) the occupation of that by persons of non-Aboriginal extraction and includes Aboriginal remains.

Reason:

To ensure the protection of objects of potential significance during work.

82. Control of Access to Prevent Tracking of Sediment

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

Reason:

To comply with the Council's Development Control Plan.

83. 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 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 recovery exemption by the NSW EPA.

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.

84. 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 without a Section 68 Approval, nor any receiving system, unless all of 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 aluminum 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 the Council's Environment Planning Team prior to any discharge.

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.

85. Where Polystyrene Waffle Pods Are Used During Construction

Management of waffle pods at the site must comply with the Industry Code of Practice - Waffle Pods (2023/2024)

https://epsa.org.au/wp-content/uploads/2023/07/Pod-Code-of-Practice-EPSA_2023.pdf

- a. Pods must be secured using the approved tie down method at time of delivery, immediately upon completion of installation and any other time not in use.
- b. Scrap pods, offcuts and beads must be collected immediately after installation and placed in approved bags provided by the supplier.
- c. Waffle pods, waffle pod offcuts or waffle pod fragments must not be permitted to lie or accumulate on the property.

Reason:

To ensure the protection of the environment.

86. Building Site to be Kept Free of Rubbish

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

Reason:

To comply with the Council's Development Control Plan.

87. Implementation of the site management plans

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

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

Reason:

To ensure that site management measures are implemented during the execution of site work.

88. 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 the ongoing protection of the environment and neighbourhood amenity.

89. Development Works Not to Discharge Pollutants

Construction works, including civil works, brick cutting, tool and paint brush washing, and mortar mixing, must not be carried out on the roadway, public footpath, or any other location that could lead to material discharge into the stormwater drainage system or natural watercourse.

Reason:

To ensure the ongoing protection of the environment and neighbourhood amenity.

90. 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:

- a. Date and time
- b. Details of the complaint or incident
- c. identify cause(s),
- d. 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 the protection of the environment and neighbourhood amenity.

91. Construction Noise Limits

Construction noise shall not exceed the background noise level [L_{A90} (15 min)] plus 10 dB(A), and a continuous equivalent sound pressure level [L_{Aeq} (15 min)] of 75 dB(A) when measured at the

residential property boundary that is most exposed to construction noise, and at a height of 1.5 m above ground level. If the property boundary is more than 30 metres from the residence, the location for measuring noise levels is at the most noise-affected point within 30 metres of the residence.

Reason:

To ensure the protection of the environment and neighbourhood amenity.

92. Site Management

Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:

- a. Does not spill onto the road pavement and
- b. is not placed in drainage lines or watercourses and cannot be washed into these areas.

Reason:

To comply with Council's Development Control Plan.

93. Spillage of Material

Should any waste material or construction material be accidentally or otherwise spilled, tracked, or placed on the road or footpath area during construction without the prior approval of Council's Works Division, it 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 the Council's Development Control Plan.

94. Trucks to be Covered

Trucks entering and leaving the premises must always be sealed or covered, except during loading and unloading.

Reason:

To ensure the ongoing protection of the environment and neighbourhood amenity.

95. Flows from Adjoining Properties

Flows from adjoining properties shall be accepted and catered for within the site. Finished ground and surface levels (including top of retaining wall levels) on and/or adjacent to the site boundary shall be no higher than the existing upslope adjacent ground levels.

Reason:

To comply with the Council's Development Control Plan.

96. 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 the Council's Development Control Plan.

97. Provision of Taps/Irrigation System

The provision of standard taps and/or an irrigation system is required to guarantee that all landscape works are adequately watered. The location of standard taps and/or irrigation systems must be implemented in accordance with the approved Landscape Plan.

Reason:

To comply with the Council's Development Control Plan.

98. Construction Site Water Pollution Sources

All potential sources of water pollution derived from the development must be managed at all times in a way that prevents them from entering a watercourse or the stormwater system. The stormwater system, which is designed only to receive or pass rainwater and floodwater, includes, but is not limited to, channels, pipes, culverts, road gutters and stormwater drains.

Potential building site-related pollution that must be prevented from entering a waterway or the stormwater system includes, but is not limited to, oil and fuels from vehicles and machinery, cement,

sand, sediment, paint, plaster, packaging, litter, waste, brick, tile, aggregates, and driveway construction run-off.

Reason:

To comply with the relevant legislation and protect the environment.

99. Construction Site Materials and Equipment Management

Building or construction related activities such as the temporary placement or storage of materials, mixing of mortar, brick cutting and the washing of tools, paint brushes, plant and equipment must not be carried out on the roadway, verge, public footpath, driveway or any other position from which matter (whether solid, liquid or gaseous) is likely to fall, descend, be washed, blown or percolate into the stormwater system or any watercourse.

Reason:

To comply with the relevant legislation and to protect the environment.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Conditions

100. Site Contamination Validation Report and Site Contamination Audit Statement

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

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

The submission of a site audit statement/final clearance certificate 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.

101. Fire Safety Certificate – Class 2 to 9 buildings

A Fire Safety Certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Fire Safety Certificate is issued, the owner of the building to which it relates:

- d. Must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades, and
- e. must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

Reason:

To satisfy the requirements of the legislation.

102. Restriction as to User (Section 88B of the Conveyancing Act 1919)

The applicant must create a restriction on use under the Conveyancing Act 1919 to include a restriction as to user or easement for the provision of:

- a. An easement of support to cover all embankments that extend into the lots if the batters are steeper than 5:1.
- b. An easement to allow the adjoining property owner/s to enter and clear hazards when appropriate.
- c. The location and terms of the ongoing public access referred to in Condition 54.

Reason:

To comply with the relevant Standards.

103. 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.

104. Bush Fire Compliance Certificate

A Compliance Certificate must accompany any Occupation Certificate for Bushfire Protection Measures that have been completed, verifying that the development has been constructed/completed in accordance with the relevant Bush Fire Attack Level (BAL) and Planning for Bushfire Protection requirements of the Development Consent and Construction Certificate.

Reason:

To satisfy the requirements of the legislation.

105. Completion of Engineering Works

The completion of all engineering works within Council's road reserve or other Council-owned or controlled land in accordance with the conditions of this consent and any necessary work to make the construction effective must be to the satisfaction of the Council's Manager Development Engineering. The total cost of all engineering works shall be fully borne by the applicant/developer, and any damage to Council's assets shall be restored in a satisfactory manner, prior to the issue of the Occupation Certificate.

Reason:

To comply with the relevant Standards.

106. 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 that any required changes to public utility services are completed in accordance with the relevant agency requirements before occupation.

107. Drainage Certification and WAE

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

- f. Certification from a suitably qualified 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.
- g. A certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified Civil Engineer, confirming that all on-site stormwater detention works have been constructed in accordance with the approved plans.
- h. 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 the Council's Development Control Plan.

108. Restriction on Use - On-Site Detention System (OSD)

The applicant must create a restriction on use under the Conveyancing Act 1919 over the OSD

system. 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 on-site detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site detention system' shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.

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 the Council's Development Control Plan.

109. Positive Covenant - On-Site Detention 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 On-Site Detention System and Maintenance Schedule

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 the Council's Development Control Plan.

110. On-Site Detention - Structural Certification

The submission of a certificate from a suitably qualified practicing 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 on-site detention facility (including earth structures) and that the facility has been constructed in accordance with the approved Construction Certificate plans.

Reason:

To comply with the Council's Development Control Plan.

111. Trunk Drainage System – Maintenance and Ownership

The proposed trunk drainage system shall be owned and maintained by the operator of the subject development in perpetuity. Provision shall be made for Wollongong City Council to be a beneficiary by way of an easement to use the drainage system for stormwater conveyance. Details of the final registered legal instrument associated with the ownership/maintenance and beneficiaries of the trunk drainage system 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 the Council's Development Control Plan.

112. Flood Affection Certification

The submission of a report from a suitably qualified and experienced civil (hydrology) engineer to the Principal Certifier is required, prior to the issue of the Occupation Certificate and commencement of use. This report is required to certify that the 'as-constructed' development will not have any detrimental effects on adjoining properties or upon the subject land with respect

to the loss of flood storage, changes in flood levels, and alteration of flood conveyance, as a result of flooding or stormwater runoff.

Reason:

To comply with the Council's Development Control Plan.

113. Private Waste Collection Contract

Prior to the issue of an Occupation Certificate for the development, documentary evidence shall be provided to the Certifying Authority demonstrating that a Waste Collection Contract is in place for the collection of general waste, recycling materials, and FOGO for both the commercial and residential components of the development.

Reason:

To ensure lawful waste collection.

114. Occupation Certificate

An Occupation Certificate must be issued by the Principal Certifier prior to occupation or use of each stage of the development in accordance with the staging plan in condition 1. 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 this Development Consent.

Reason:

To satisfy the requirements of the legislation.

115. Staging of development

The issue of the Occupation Certificate for the proposed Sales and Community Management Centre and the completion of the civil infrastructure works relevant to each stage, including roads, stormwater infrastructure, retaining wall construction and the provision of car parking (including RV and caravan parking) and landscaping must occur prior to the placement of any dwelling on the land in that stage.

Reason:

To ensure that infrastructure, services and facilities are in place to support the residential occupation of the land.

116. BASIX- Final Occupation

Prior to the occupation of each dwelling installed on the site, a BASIX Certificate applicable to the dwelling must be submitted to Council. All selected commitments must be 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 encourage sustainability within the development.

117. Construction of Community Garden

The Community Garden shall be constructed prior to the placement of any dwellings within Stages 4 and 5.

Reason:

To ensure community facilities are provided in a timely manner.

OCCUPATION AND ONGOING USE

Conditions

118. Waste Collection Location

All waste collection must be carried out from within the site/development. Waste collection from public roads is not permitted at any time.

Reason:

To protect residential amenity.

119. Fire Safety Measures – Class 2 to 9 buildings

All new and existing fire safety measures shall be maintained in working condition at all times.

Reason:

To satisfy the requirements of the legislation.

120. Loading/Unloading Operations/Activities

All loading/unloading operations must take place wholly within the site's confines or within the road reserve under an approved traffic control plan.

Reason:

To comply with legislation and Australian Standards.

121. Annual Fire Safety Certificate – Class 2 to 9 buildings

During occupation and ongoing use of the Sales and Community Management Office, the applicant must provide an annual fire safety statement to Council and the Commissioner of Fire and Rescue NSW in accordance with clause 177 of the EP&A Regulation.

Reason:

To satisfy the requirements of the legislation.



Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500

Your reference: (CNR-62681) DA-2023/849
Our reference: DA20231117005231-Original-1

ATTENTION: Kathy Nicolis

Date: Thursday 29 February 2024

Dear Sir/Madam,

Integrated Development Application
s100B - SFPP - Manufactured Home Estate
(Multi Dwelling Housing) BONG BONG ROAD HUNTLEY 2530, 197//DP1258914

I refer to your correspondence dated 09/02/2024 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

General Conditions

1. The development proposal is to generally comply with the following plans/documents except where amended by the conditions of this Bush Fire Safety Authority.

- The plan set titled "Halcyon Forest Reach Community" prepared by DC8 Studio. Project number STO 131, dated 20/10/2023.
- The bush fire assessment prepared by Blackash Bushfire Consulting dated 16 October 2023. Project no.J3313.

Asset Protection Zones

The intent of measure is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

2. At the commencement of building works the entire site must be maintained as an inner protection area in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

Construction Standards

The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

3. New construction must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel*

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au



Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

Access - Internal Roads

The intent of measure is to provide safe operational access for emergency services personnel in suppressing a bush fire while residents are accessing or egressing an area.

4. Perimeter roads must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- are two-way sealed roads;
- minimum 8m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

5. Non-perimeter roads must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- minimum 5.5m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

Water and Utility Services

The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

6. The provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419;
- hydrants are and not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419;
- all above-ground water service pipes are metal, including and up to any taps;



RFS



- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

Landscaping Assessment

The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

7. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

Emergency and Evacuation Planning Assessment

The intent of measure is to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.

8. A Bush Fire Emergency Management and Evacuation Plan must be prepared in accordance with Table 6.8d of *Planning for Bush Fire Protection 2019* and be consistent with the following:

- The NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan and include planning for the early relocation of occupants and;
- detailed plans of all emergency assembly areas, including on-site and off-site arrangements as stated in AS 3745 'Planning for emergencies in facilities', are clearly displayed.





General Advice – Consent Authority to Note

It is noted that this development application is for multi-dwelling housing and the intent of the final form is to be consistent with a Manufactured Housing Estate. This BFSA may be considered valid for both the currently proposed multi-dwelling housing development and the desired final form as a Manufactured Housing Estate. BAL 12.5 construction has been required following consultation with the bush fire consultant. The site is subject to an increased likelihood of ember impact due to the proximity of the escarpment and a known fire history.

For any queries regarding this correspondence, please contact David Webster on 1300 NSW RFS.

Yours sincerely,

Michael Gray
Manager Planning & Environment Services
Built & Natural Environment

Department of Climate Change,
Energy, the Environment and Water



Our ref: DOC24/450191

Nicole Ashton

Planner

Locked Bag 8821

Wollongong City Council

nashton@wollongong.nsw.gov.au

Letter uploaded to the NSW Planning Portal

Address: Lot 197 DP 1258914, Bong Bong Road, Huntley

Proposal: Construction of a 236 lot residential development and associated works including earthworks, road construction, civil and landscaping works.

Development Application no: DA-2023/849, CNR-62681, A-75220

Received: 19 May 2024

Subject: General Terms of Approval for Integrated Development Application, *National Parks and Wildlife Act 1974*

Dear Ms Ashton

This letter contains our general terms of approval for the above integrated development application in relation to Aboriginal Heritage Impact Permit requirements pursuant to s.90 of the *National Parks and Wildlife Act 1974*. I understand that this development application (DA) is for the Northern Precinct of the Forest Reach development (previously known as "West Dapto 2/3").

The following key documents provided with the application have been reviewed:

- Statement of Environmental Effects: Multi Dwelling Housing Development, Forest Reach Subdivision, prepared by GLN Planning Pty Ltd, dated 25 October 2023 (SEE)
- Aboriginal Heritage Impact Permit (AHIP) C0005002 issued on 8 April 2020.
- Aboriginal Cultural Heritage Assessment Report prepared by GML Heritage dated 5 March 2019.
- Heritage Overview, letter from GML Heritage to Stockland, dated 2 December 2022.

Background to the development application

- The land to which this development application applies is within the bounds of an approved AHIP (C0005002).
- AHIP C0005002 was issued to Stockland Development Pty Ltd on 8 April 2020 and is valid for ten years.
- AHIP C0005002 was issued based on the neighbourhood plan and Aboriginal cultural heritage assessment report prepared by GML Heritage (dated 5 March 2019).
- The development application area corresponds with Management Area 4 under AHIP C0005002 that has specific Aboriginal cultural heritage management requirements.
- The Salvage Excavation report prepared by GML Heritage documenting the outcomes of the salvage excavations and community collection required under AHIP C0005002 was submitted to Heritage NSW on 1 May 2023 (AHIMS report number 105345).
- Heritage NSW has provided comment on several previous development applications for the Forest Reach development, including DA-2021/1401, DA-2023/19, DA-2020/673 and DA-2023/772.

Considering the above, and in accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following general terms of approval are granted:

General terms of approval

Development must be in accordance with:

- a. Aboriginal Heritage Impact Permit (AHIP) C0005002 issued to Stockland Development Pty Ltd on 8 April 2020
- b. Statement of Environmental Effects: Multi Dwelling Housing Development, Forest Reach Subdivision, prepared by GLN Planning Pty Ltd, dated 25 October 2023.

Please note that any modification of the above development that will result in changes to Aboriginal cultural heritage impacts must be referred to Heritage NSW to determine whether changes to these general terms of approval are required.

Advice

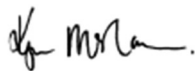
The southern boundary of this development application adjoins the riparian corridor that contains Aboriginal cultural heritage conservation areas (known as 'PAD 3'). These areas are protected under the AHIP which includes specific management measures to protect the conservation areas. Care must be taken to ensure that the conditions of the AHIP, including fencing of the boundary of the conservation areas, are adhered to at all times during construction works.

Aboriginal community consultation should be maintained

We recommend that the Registered Aboriginal Parties under AHIP C0005002 continue to be kept informed on Aboriginal cultural heritage matters relating to the land to which AHIP C0005002 applies.

If you have any questions regarding these general terms of approval, please contact Rose O'Sullivan, Principal Assessments Officer, at Heritage NSW on 4224 4177 or rose.osullivan@environment.nsw.gov.au.

Yours sincerely



Kym McNamara
Manager Assessments
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*

12 June 2024

Attachment 3: Transgrid



ABN 70 250 995 390
180 Thomas Street, Sydney
PO Box A1000 Sydney South
NSW 1235 Australia
T (02) 9284 3000
F (02) 9284 3456

Tuesday, 29 October 2024

Transgrid Reference Number: 2024-055

DA / CNR Number: DA-2023/849 | CNR-62681

Location: Bong Bong Road, Huntley NSW 2530

Proposal: Construction of a multi dwelling housing development comprising 236 dwellings and associated earthworks, road construction and delivery, civil and landscaping works, use of up to five (5) dwellings for temporary exhibition homes, and the first stage of community facilities. Previously issued a non-permitted determination to works, this is DA has been updated and referred back to Transgrid for review.

Transgrid Asset: Transmission Line 10 | Dapto 330kV to Avon 330kV | Structure Span 15-16

Supporting Documents: Revised Architectural Masterplan.pdf
Revised Dwelling Plans.pdf
2024-055 Transgrid response.pdf

Thank you for consulting with Transgrid and for requesting a review to carry out works around Transgrid's assets.

Please be advised that after reviewing your proposal carefully, Transgrid has determined the attached proposal is conditional approval, subject to the following conditions outlined below.

Please note, this report includes standard conditions that apply to any activity proposed in and around Transgrid's assets. These include the following sections: General Conditions, Earthworks Conditions and Construction Conditions.

Transgrid's Technical, Access & Maintenance Team/s Conditions sections include specific comments and findings from the internal review for these proposed works. Any conditions provided in these sections must be observed and met at all times as part of this conditional approval.

DETERMINATION: Conditional approval

1. TECHNICAL LINE & CABLE DESIGN TEAM REVIEW:

Summary of Findings:

1. This request was rejected in February 2024 due to:
 - a. Vehicle parking in the centreline exclusion zone.
 - b. Parallel roads, walking tracks, footpaths, cycleways, and fenced dog parks must be outside the transmission line's exclusion zone.
 - c. Transgrid's easement guidelines prohibit development that encourages people to congregate and spend time under the transmission lines. Facilities that encourage people to congregate or spend time in the easement, such as street furniture and picnic areas, must also be prohibited.
 - d. Transgrid prefers that the stormwater structures be located outside the centreline exclusion zone.
2. The proponent has revised the drawings, and most of the previous concerns were addressed
3. No revised Landscape plans were provided.

Conditions:

1. The conditions and additional notes stipulated in the previous assessment are still applicable if they need to be modified to meet Transgrid's requirements.
2. Trees within the easement can grow to a maximum mature height of 4m and cannot be within 30m of a Transgrid structure.

Additional Notes:

1. Transgrid prefers the stormwater structures to be outside the centreline exclusion zone.
2. Non-metallic water/stormwater pipes are preferred within the transmission line easement. If the water pipe is metallic, isolation sections are required at entry and exit to the easement, such as RCP pipe & rubber ring joint.
3. The maximum mature height of trees within the easement is 4m, and they cannot be within 30m of a Transgrid structure.
4. During the construction phase, Transgrid should not be restricted from undertaking regular maintenance & inspection activities. After the works, access to the Transmission Line and structures shall always be available for Transgrid's plant & personnel.
5. Where access by Transgrid vehicles is expected (along tracks and within 30m of a structure), batters/ground slopes shall not exceed 1 in 6 and underground services must be capable of withstanding loads of maintenance vehicles (43t). Any gates impacting the access need to be fitted with a Transgrid lock.
6. Any machinery operating within Transgrid's easement shall not exceed 4.3m in height and be at least 30m away from transmission line, structures or supporting guys.
7. An energy dissipator or level spreader should be provided to control the flow of water from the swale.

8. Transgrid shall be notified of any amendments/ modifications to the proposal which may change clearances to Transgrid structures or conductors. If any ground-level changes are proposed within the easement, Transgrid shall be provided with a georeferenced 3D DXF for ground clearance review (note: .dgn and .dwg are unacceptable)

2. ACCESS AND MAINTENANCE TEAM REVIEW:

Summary of Findings:

1. Transmission Line 5, Structure 15 access is affected by proposed development.
2. No drawing provides access to get to Structure 15 on Transmission Line 5 to carry out maintenance work.
3. Existing access is located from Bong Bong Road (according to Transgrid Spatial Services)
4. Lack of legend to confirm what they are building/landscaping is planned within easement.
5. Proposed roads and carparking are outside exclusion zones.
6. Roads along easement should provide access for vegetation maintenance along easement.

Conditions:

1. Consideration is to be given in the design works for any proposed access ways/roads to Transgrid's easement & to Structure 15 to cater for the weight and size of Transgrid's maintenance vehicles - to withstand the 43-tonne load capacity of maintenance trucks.
2. If any services are to be proposed to be situated within the easement or where travel is required by Transgrid maintenance vehicles, it must be ensured that the trench backfill can safely withstand the 43-tonne load capacity of maintenance trucks without causing damage to any pipes/conduits and services.
3. The development is to be designed so that during construction phase Transgrid is not restricted from undertaking normal maintenance & inspection activities and, at completion of works, access to transmission lines & structures shall be available at all times for Transgrid plant & personnel.
4. Any slopes for where travel is required by Transgrid's heavy maintenance vehicles must not have a grade steeper than 1:6 (1:8 or less is preferred) – to be considered for proposed batter.
5. If any future fencing is to be proposed within the easement corridor, fencing is to be installed in accordance with Transgrid Fencing Guidelines
6. If any fencing is to be proposed across the easement corridor or access track, a gate will be required to be installed to maintain continuous travel to the structure & along the easement.
7. All access to Transgrid easement should have industrial grade lay-over/Kerb crossing for access to easements turning off roadways.
8. The subsoil stability and surface drainage are not to be adversely affected in the vicinity of a structure.
9. Any water flow must be directed away from the structure or where travel is required by Transgrid maintenance vehicles.

Additional Notes:

1. No obstruction of any type shall be placed within 30M of any part of transmission line structures i.e. the 30M exclusion zone is to be observed, and no obstructions are to be placed on access tracks or within the easement area that restricts access.
2. A clear area must be maintained around structures for the safe set-up of maintenance vehicles.
3. During construction, adequate precaution shall be taken to protect structures from accidental damage, and the easement area shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction material.
4. Vehicles, plant or equipment having a height exceeding 4.3 metres when fully extended shall not be brought onto or used within the easement area without Transgrid's permission.
5. The easement shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction materials.
6. All fence and gate earthing must be installed in accordance with fencing guidelines.
7. Any fencing installed on the easement must not exceed 2.5m in height.

3. GENERAL CONDITIONS:

1. All works must be carried out as per the above-mentioned supporting documentation.
2. Transgrid shall be notified of any amendments / modifications to the proposal which may change distances to Transgrid structures or conductors.
3. All works must be carried out in accordance with NSW WorkCover 'Working near overhead powerlines' Code of Practice 2006.
4. All fencing (including temporary fencing) must comply with Transgrid's Fencing Guidelines, including earthing and/or isolation requirements.
5. If fence heights are not stipulated on the plans, then approval is based on the assumption that all fences will be no higher than 2.5 meters. If fences are planned taller than 2.5 meters, then full fence height details must be provided.
6. No metallic structures or infrastructure shall be installed unless they form part of the approved plans.
7. Any works proposed **MUST NOT** reduce clearance to conductors below that required in AS7000.
8. Where transmission lines are 132kV and below activities/development/structures must be located at least 20 meters away from any part of a transmission structure or supporting guy wire, or for metallic structures, be located at least 22 meters away from any part of a transmission structure or supporting guy wire and be located at least 10 meters from the centre of the transmission line.
9. Where transmission lines are 220kV and above activities/development/structures must be located at least 30 meters away from any part of a Transmission structure or supporting guy wire and be located at least 17 meters from the centre of the transmission line.
10. Precautions must be in place to prevent damage to transmission line structures and guys. Any damage due to construction activities to be reported immediately to Transgrid.

4. EARTHWORKS CONDITIONS:

1. No mounds of earth or other materials may be left on the easement during and after earthworks, as this creates a hazard by reducing the vertical clearances to transmission lines.
2. Excavations deeper than 2 meters such as trenches and pits need individual assessment to ensure there are no adverse impacts, particularly to Transgrid structures and earth straps.
3. Any cut operations as part of bulk earthworks are generally not a concern, provided they do not adversely impact access or encroach within 30m of a structure.
4. Any earthworks involving fill need to be assessed to determine impacts on conductor height clearances. This will require provision of a 3D DXF, or otherwise detailed survey plans with before and after RLs to enable a height clearance check to be undertaken. Minor resurfacing works which do not increase ground levels by more than 100mm can be excluded provided this is clearly stated on the plans.

5. CONSTRUCTION CONDITIONS:

1. Any construction work within the easement shall maintain safety clearances to the exposed conductors in accordance with NSW WorkCover 'Working near overhead powerlines' Code of Practice 2006 (Transgrid may provide preferred crane locations, for the purpose reducing static induction).
2. During construction phase Transgrid access is to be maintained 24/7. Transgrid to provide suitable padlock/s for any gates.
3. The works shall not impede or restrict Transgrid from undertaking normal maintenance and inspection activities and, at completion of works, access to Transmission Lines / Structures shall always be available for Transgrid plant and personnel for future Transgrid maintenance activities.
4. Dust: Works must not create excessive quantities of dust and proponent must employ dust suppression. A dust management plan is not expected to be provided to Transgrid, but provision must be made for such a plan to avoid causing damage to the transmission line such as dust pollution on insulators.
5. The easement area shall not be used for temporary storage of construction spoil, topsoil, gravel, or any other construction materials.
6. Vehicles or equipment having a height exceeding of 4.3 meters when fully extended may traverse the easement if stowed and locked for travel. Operation within the easement must be done in accordance with NSW WorkCover 'Working near overhead powerlines' Code of Practice 2006.
7. Consideration is to be given in the design works for any proposed access ways/roads over Transgrid's easement to cater for the weight and size of Transgrid's maintenance vehicles - to withstand the 40-tonne load capacity of maintenance trucks.
8. For where travel is required by Transgrid's maintenance vehicles, Batter slope is to be no steeper than 1 in 6.
9. Traffic control: During construction, traffic control measures need to be implemented to prevent vehicles colliding with Transgrid's transmission towers.
10. Where temporary vehicular access for parking during the construction period is within 17 meters of transmission line structure, adequate precautions shall be taken to protect the structure from accidental damage.

Please note, this is Transgrid's permission as easement holder only, and it does not constitute planning approval under the Environmental Planning and Assessment Act 1979.

If you have any questions, please do not hesitate to contact Transgrid's Easements & Development Team at easements&development@Transgrid.com.au

Please see link to Transgrid online guidelines: <https://www.Transgrid.com.au/being-responsible/public-safety/Living-and-working-with-electricity-transmission-lines/Pages/default.aspx>

Please see link to the PDF version: <https://www.Transgrid.com.au/being-responsible/public-safety/Living-and-working-with-electricity-transmission-lines/Documents/Easement%20Guidelines.pdf>

Yours faithfully

Easements & Development Team

Transgrid



30 April 2024

Our reference: 209878

Nicole Ashton
Wollongong City Council
nashton@wollongong.nsw.gov.au

RE: Development Application DA-2023/849 at Bong Bong Road, Huntley

Thank you for notifying Sydney Water of DA-2023/849 at Bong Bong Road, Huntley, which proposes construction of a multi dwelling housing development comprising 236 dwellings over 5 stages and associated earthworks, road construction and delivery, civil and landscaping works, use of up to five (5) dwellings for temporary exhibition homes, and the first stage of community facilities. Sydney Water has reviewed the application based on the information supplied and provides the following comments to assist in planning the servicing needs of the proposed development.

Should Council decide to progress with the subject development application, the following conditions are recommended to be included in the development consent. Further details of the conditions can be found in Attachment 1.

- **Condition 1. Section 73 Compliance Certificate**
- **Condition 2. Building Plan Approval**

Water Servicing

- The proposed development lies within the Wongawilli Water Supply Zone (WSZ).
- The Wongawilli system has capacity to service the development up to 2026.
- Beyond 2026, the Wongawilli system has deficiencies and a number of augmentations will be required for the development to maintain minimum service pressure requirements.
- Due to the system deficiencies, the Applicant should contact their Sydney Water Account Manager to understand all timing and staging of the proposed development.

Wastewater Servicing

- The proposed development has been accounted for in the interim servicing of the Stockland development plans and includes CN212009, CN211673, CN211674 & CN211675.
- The proposed development will connect to the sewer main to be delivered under CN179807 which is likely to be commissioned by **early to mid-2024**.
- Servicing of these developments is also dependent on the upgrade of emergency storage for downstream SP1012, which is likely to be commissioned by **late 2024**.

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application. More information about the Section 73 application process is available on our web page in the [Land Development Manual](#).

Further advice and requirements for this proposal are in Attachment 1. Should Council require any further information, please contact the Growth Planning Team via urbangrowth@sydneywater.com.au. The Applicant should contact their Sydney Water Account Manager, Pamela Derijk, at pamela.derijk@sydneywater.com.au if they require further information.

Yours sincerely,

Kristine Leitch
Commercial Growth Manager
City Growth and Development, Business Development Group
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Attachment 1 – Recommended Development Conditions

Prior to the issue of an Occupation/Subdivision Certificate:

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extension, adjustment or connection to our mains. Make early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an occupation or subdivision certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Prior to the issue of a Construction Certificate/Complying Development Certificate:

Building Plan Approval

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 Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

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](#).

Attachment 5: Endeavour Energy

Development Application and Planning Proposal Review NSW Planning Portal Concurrence and Referral



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
Wollongong City Council	DA-2023/849	CNR-62681	Nicole Ashton	17/11/2023	8/12/2023	19/11/2023

Address	Land Title
BONG BONG ROAD HUNTLEY 2530	Lot 197 DP 1258914

Scope of Development Application or Planning Proposal

Construction of a multi dwelling housing development comprising 236 dwellings and associated earthworks, road construction and delivery, civil and landscaping works, use of up to five (5) dwellings for temporary exhibition homes, and the first stage of community facilities.

Endeavour Energy's G/Net master facility model indicates:

Within or adjacent to the property the electrical network used in the distribution / supply of electricity are:

Electricity Infrastructure / Apparatus	Statutory allocation (road verge / roadway*)	Easement (or other form of property tenure**)	Protected works***	Freehold (adjoining or nearby)
Overhead Power Lines				
☐ Low voltage	☐	☐	☐	☐
☐ High voltage	☐	☐	☐	☐
☐ Transmission voltage	☐	☐	☐	☐
☐ Pole / tower	☐	☐	☐	☐
Underground Cables				
☒ Low voltage	☒	☐	☐	☐
☒ High voltage	☒	☐	☐	☐
☐ Transmission voltage	☐	☐	☐	☐
☒ Streetlight / pillar	☒	☐	☐	☐
Substation				
☐ Pole mounted	☐	☐	☐	☐
☐ Padmount	☐	☐	☐	☐
☐ Indoor	☐	☐	☐	☐
☐ Zone	☐	☐	☐	☐
☐ Transmission	☐	☐	☐	☐
Other:	☐	☐	☐	☐

Low voltage extra low voltage up to 1,000 volts alternating current (a.c.).

High voltage above 1,000 volts a.c. and less than 33,000 volts a.c. [33 kilovolts (kV)].

Transmission voltage 33 kV up to 132,000 volts a.c. (132 kV).

*Rights provided in a public road or reserve. The allocation depends on the classification and date of roadway dedication.

** Other form of property tenure includes but is not limited to restriction, covenant, lease, licence etc.

***Protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

Other: provide detail of electricity infrastructure / apparatus.



Endeavour Energy
ABN 11 247 565 823
T 133 718
Level 40-42, 8 Parramatta Square,
10 Darcy Street Parramatta NSW 2150
PO Box 811, Seven Hills NSW 1730
endeavourenergy.com.au

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by ☒.

Condition	Advice	Clause No.	Issue	Detail
☐	☐	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
☐	☐	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
☒	☐	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
☐	☐	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
☒	☐	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
☐	☒	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
☐	☐	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
☐	☐	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
☐	☐	9	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
☐	☐	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
☐	☐	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
☐	☒	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
☐	☐	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
☐	☐	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
☐	☐	15	Easement Subdivision	The incorporation of easements into multiple / privately owned lots is generally not supported.
☐	☒	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
☐	☐	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
☐	☒	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
☐	☐	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
☐	☐	20	Look up and Live	Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.
☐	☐	21	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
☐	☐	22	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
☒	☐	23	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.

Condition	Advice	Clause No.	Issue	Detail
☒	☐	24	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
☐	☐	25	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW).
☐	☒	26	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
☐	☒	27	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
☐	☐	28	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
☐	☐	29	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
☐	☐	30	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
☐	☐	31	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
☐	☐	32	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
☐	☐	33	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
☐	☒	34	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
☐	☐	35	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
☐	☐	36	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network infrastructure.
☐	☒	37	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
Decision				Approve (with conditions)

Environmental Services Team

P 133 718 or (02) 9853 6666
E Property.Development@endeavourenergy.com.au

Level 40-42, 8 Parramatta Square, 10 Darcy Street
Parramatta NSW 2150.

Dharug/Wiradjuri/Dharawal/Gundungurra/Yuin Country

endeavourenergy.com.au | [in](#) [f](#) [v](#) [t](#)



**Endeavour
Energy**

**POWER
together**



Endeavour Energy respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past, present and emerging.

Reason(s) for Conditions or Objection (If applicable)

- The overhead power line / transmission easement that traverses the site is for a voltage in excess of the 132,000 volts / 132kV that are not part of Endeavour Energy's distribution network and as mentioned in the Statement of Environmental Effects is to the benefit of Transgrid, the owner and operator of the high voltage electricity transmission network. From the 'Agencies' tab in the NSW Planning Portal the Development Application has not been referred to Transgrid.
- To ensure an adequate connection, the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- An extension or augmentation of the existing electricity distribution network will be required. Whilst there are distribution substations in the area which are likely to have some spare capacity, it is not unlimited and will not be sufficient to provide for the additional load from the proposed development.

Other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed. However the extent of any works required will not be determined until the final load assessment is completed.

- Endeavour Energy's network asset design policy is generally to progressively underground all new urban developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present on or in proximity of the site, it may require undergrounding as the development proceeds.
- Any required padmount substation/s will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling not located within a public road / reserve) with an appropriate form of property tenure as detailed in the attached copy of Endeavour Energy's 'Land Interest Guidelines For Network Connection'.

Generally it is the Level 3 Accredited Service Provider's (ASP) responsibility (engaged by the developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc. If the substation does not comply with Endeavour Energy's standards, the applicant must request a dispensation.

For further information please also refer to the attached copies of Endeavour Energy's:

- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.
- Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations.

- The Infrastructure Management Report includes the following advice.

Proposed power infrastructure:

The envisioned method of supply for this project entails the installation of two pad mount substations, each with a capacity of 1000 kilovolt-amperes (kVA), situated within the confines of the development property.

- The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.

No planting of trees is allowed in the easement for a padmount substation. Screening vegetation around a padmount substation should be planted a minimum distance of 800mm plus half of the mature canopy width from the substation easement and have shallow / non-invasive roots. This is to avoid trees growing over the easement as falling branches may damage the cubicle and tree roots the underground cables. All vegetation is to be maintained in such a manner that it will allow unrestricted access by electrical workers to the substation easement all times.

Endeavour Energy's G/Net master facility model.

The advice provided regarding the extent of the electricity infrastructure on or near the site is based on a desk top review of Endeavour Energy's G/Net master facility model. This is a computer based geographic information system which holds the data on and is used to map the electricity network. The location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. It only shows the Endeavour Energy electricity network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property.

Easement (or other form of property tenure).

Title searches will confirm the current owners of a property and shows any registered interests affecting the property such as an easement. Not all interests eg. short term leases and licences are registered on the title. Not all easements for electricity infrastructure will necessarily benefit Endeavour Energy eg. there may be interallotment / easements appurtenant to the land particularly for low voltage service conductors / customer connections. For further advice please refer to Endeavour Energy's:

- Land Interest Guidelines for Network Connection Works.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

Condition or Advice

With Endeavour Energy's Development Application and Planning Proposal Review process / system the intent of the 'Standard Conditions' being indicated as either a 'Condition' or 'Advice' essentially depends on the risk associated with the matter. If the matter is one that is likely or very likely to be an issue / needed to be addressed by the applicant and may require corrective action, then it is marked as a 'Condition'. If the matter is less likely and the consequences of the applicant not addressing it are lower or can be readily rectified, then it is marked as 'Advice'. If the matter is considered to be not applicable / relevant then it is not marked as either.

For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the Electricity Supply Act 1995 (NSW) and associated Regulations is a standard / regulatory requirement and will be generally indicated as 'Condition'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is no underground electricity infrastructure it will be indicated as 'Advice' as a precaution and in regard to any other underground utilities.

Not all of the matters may be directly or immediately relevant or significant to the Development Application or Planning Proposal. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur. Even if a matter is not indicated as a 'Condition' or 'Advice', applicants are encouraged to review all of the 'Standard Conditions' as some matters may not have been evident from the information provided with the Development Application and of which the applicant may have additional knowledge.

Decision

In the NSW Planning Portal for the 'Agency response', as Endeavour Energy is not a concurring authority under the provision of the *Environmental Planning and Assessment Act 1979* (NSW), it does not 'Approve' or 'Refuse' a Development Application in the Portal. It will 'Approve (with conditions)' (which may 'Object' in the submission and detail the matters requiring resolution), or if all the matters in the submission are marked as for 'Advice', the outcome of the assessment will also be 'Advice'.

Objection

Endeavour Energy may object to a Development Application if the conditions may substantially impact the proposed development or regarded as a significant risk to the electricity distribution network. Although Council may be able to appropriately condition these matters, Endeavour Energy's recommendation is to address the matters prior to Council granting any consent. This can assist in avoiding the need to later seek modification of an approved Development Application.

Please note Endeavour Energy can only assess the Development Application based on the information provided by the applicant and Council. Due to time and resource constraints it is not possible to refer all development application notifications to the relevant internal stakeholders for review and advice or to request additional information from the applicant or Council. Applicants should be providing proper detailed plans of the electricity infrastructure / easements on or near the site and address the potential impacts of the proposed development thereon in the Statement of Environmental Effects. The provision of inadequate detail may result in Endeavour Energy objecting to the Development Application.

Further Advice

The 'Standard Conditions' include additional advice and contact details and further information is also available on Endeavour Energy's website at <https://www.endeavourenergy.com.au/>.



To resolve any objection or to seek further advice the following are the main contacts and can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666. For other matters the contact details are included in Endeavour Energy's standard conditions for Development Application and Planning Proposal Review. Whilst the Environmental Team are able to provide general advice, the resolution / approval of any matter/s rests with the relevant contact related to the matter/s.

Branch / Section	Matters	Email
Customer Network Solutions	Electricity supply or asset relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP).	cicadmin@endeavourenergy.com.au
Easements Officers	Easement management or protected works / assets.	Easements@endeavourenergy.com.au
Property	Property tenure eg. the creation or release of easements.	network_property@endeavourenergy.com.au
Field Operations (to the relevant Field Service Centre).	Safety advice for building or working near electrical assets in public areas (including zone and transmission substations).	Construction.Works@endeavourenergy.com.au

Please note Endeavour Energy's above contacts do not have access to the NSW Planning Portal. To resolve any matters direct contact should be made with the responsible contact. This will avoid double handling and possible delays in responding to the applicant / Council.

Accredited Service Providers

The Accredited Service Provider (ASP) scheme accredits organisations to perform contestable work on the NSW electricity distribution network. Contestable works are works that are required for the electricity distribution network provider to supply the load in the power lines where a new or altered connection is being requested.

Endeavour Energy is urging applicants / customers to engage with an ASP prior to finalising plans to in order to assess and incorporate any required electricity infrastructure as well as addressing safety issues such as safety clearances. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.

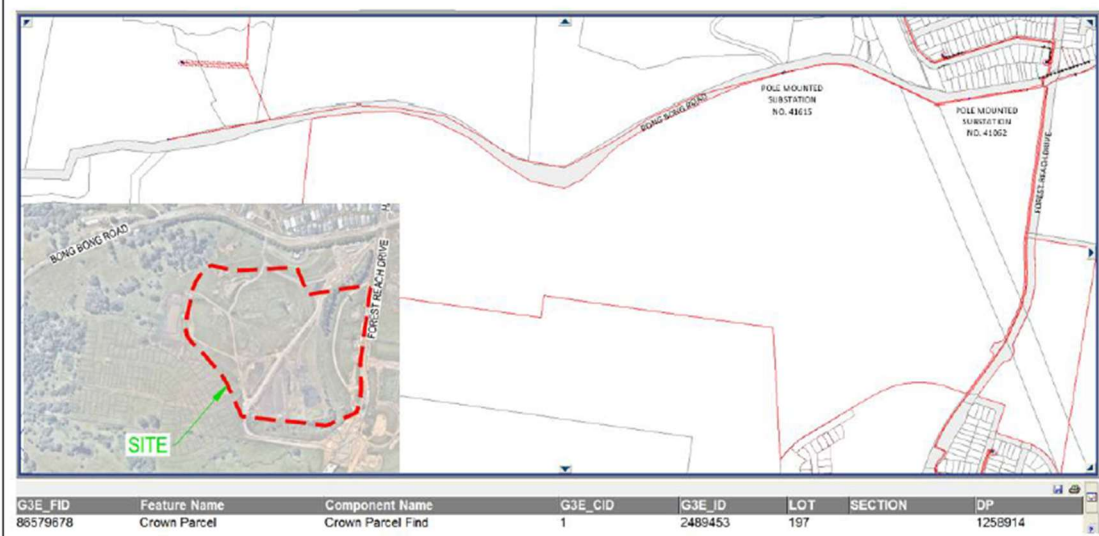
Details of the ASP Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service>.

Duty of Care

All individuals have a duty of care they must observe when working in the vicinity of electricity infrastructure. Before you do anything:

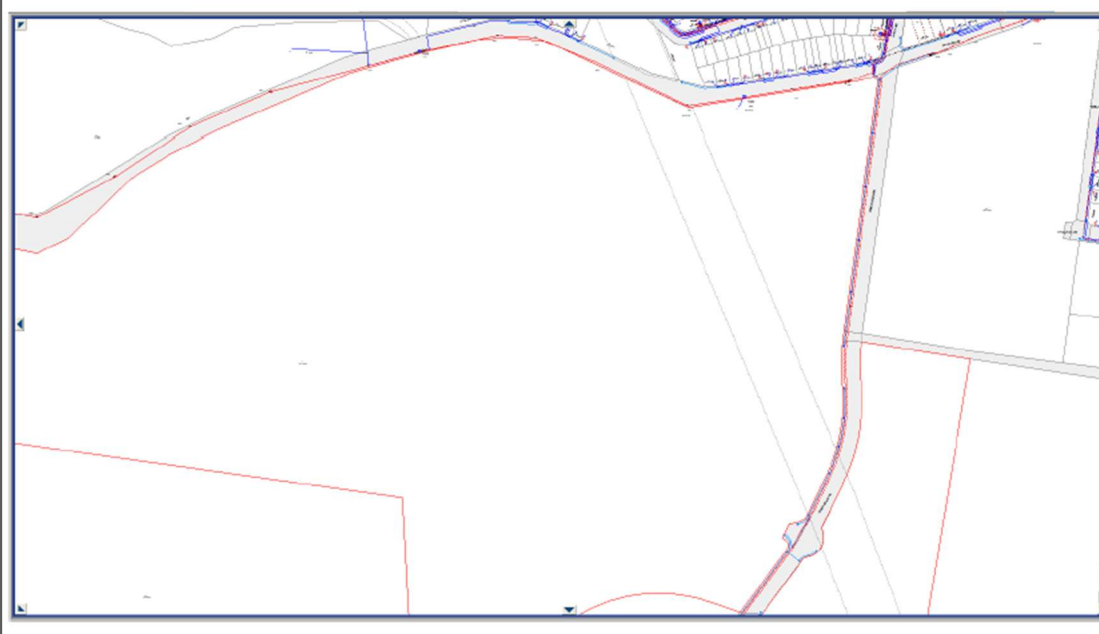
- 1) Contact Before You Dig and Look Up and Live to obtain the details of the electricity infrastructure on or near the site noting they are a guide only to what might be in the area and may not be entirely accurate.
- 2) Comply with the conditions and consider the advice provided above.
- 3) If needed contact Endeavour Energy on 133 718 or the contacts provided above for assistance.
- 4) DO NOT attempt any work near electricity infrastructure until all required approvals and safety measures are in place.
- 5) Proceed only if you have satisfied yourself it is safe.
- 6) Always remember, even the briefest contact with electricity at any voltage can have serious consequences to a person's health and safety and can be fatal.

Site Plan from Endeavour Energy's G/Net Master Facility Model



Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. Easements benefitting Endeavour Energy are indicated by red hatching. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed and where there are multiple lines / cables only the higher voltage may be shown). This plan only shows the Endeavour Energy network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property. This plan does not constitute the provision of information on underground electricity power lines by network operators under Part 5E 'Protection of underground electricity power lines' of the *Electricity Supply Act 1995* (NSW).

Site Plan from Endeavour Energy's G/Net Master Facility Model



The General Manager
Wollongong City Council
nashton@wollongong.nsw.gov.au

2 September 2025

**STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021
DEVELOPMENT APPLICATION – DA-2023/849 – CNR-62681
BONG BONG ROAD, HUNTLEY NSW 2530**

Dear Sir/Madam,

I refer to Council's referral via the NSW Planning Portal requesting concurrence for the above Development Application (DA) in accordance with Section 2.97 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)*.

Council is advised that TfNSW, via Instruments of Delegation, has been delegated to act as the rail authority for the heavy rail corridor operated by Sydney Trains (including infrastructure), and to process the concurrence for this Development Application.

As such, TfNSW (as Rail Authority) advises that the proposed development has been assessed in accordance with the requirements of Section 2.97(4) of the Transport and Infrastructure SEPP being:

- (a) any rail safety or operational issues associated with the aspects of the development, and*
- (b) the implications of the development for traffic safety including the cost of ensuring an appropriate level of safety, having regard to existing traffic and any likely change in traffic at level crossings as a result of the development.*

We have taken the above requirements into consideration and have decided to grant concurrence to the development proposed in Development Application **DA-2023/849** subject to Council imposing the operational conditions as written in Attachment A that will need to be complied with.

Should Council choose not to impose the operational conditions as written in Attachment A, then concurrence from TfNSW (as Rail Authority) has not been granted to the proposed development.

If, at any point, the DA is amended prior to the consent authority's determination, please ensure that the amended DA and any new or amended supporting documents are provided to TfNSW for further assessment. Any amendments to the DA may alter the impacts of the proposed development on the heavy rail corridor assessed by TfNSW, so TfNSW may need to amend any requested conditions, or recommend that the amended DA should not be approved.

Council is also advised that this concurrence is not to be amended, replaced, or superseded by any concurrence issued by any other rail authority, without further agreement from TfNSW (as Rail Authority).

In the event that this proposed development is the subject of a Land and Environment Court appeal, Council's attention is drawn to Section 8.12 of the Environmental Planning and Assessment Act 1979 which requires Council to give notice of that appeal to a concurrence authority. We therefore request that Council comply with this requirement should such an event occur.

Please contact TfNSW Town Planning Management via email to DA_sydneytrains@transport.nsw.gov.au should you wish to discuss this matter. Finally, it is requested that when the proposed development's Determination is issued by the Council, a copy of the Notice of Determination and conditions of consent are provided.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Knight".

Sam Knight

Director Contract and Corridor Management
Transport for NSW

ATTACHMENT A

- Prior to the issue of a Construction Certificate, the Applicant shall provide to Sydney Trains satisfaction the following documentation for review, comment, and written endorsement:
 1. A Traffic Impact Assessment and Sydney Trains Data Checklist with regards to **West Dapto Road, Bong Bong Road and Darkes Road level crossings**. This report and Checklist must contain the current traffic and pedestrian movement data, and the proposed traffic and pedestrian movement data (including construction vehicles) as a result of the proposed development.
 2. The current data and compilation of proposed traffic and pedestrian movements data shall be incorporated into a Traffic Management Plan and ALCAM modelling, to ascertain potential implications or increased adverse risk (including to rail related infrastructure) of any changes to traffic and pedestrian movements at West Dapto and Bong Bong Road and Darkes Road level crossings.
 3. Should the above documentation and modelling indicate that there will be an increased adverse risk at the level crossing, the Applicant/Developer is to consult with and seek written agreement from Sydney Trains for implementation of suitable mitigating measures, which are to be incorporated into the Construction Certificate specifications and construction documentation/drawing(s).

The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied, and if required whether any agreed to measures are to be implemented in accordance with item three (3). Prior to the commencement of works the Certifier is to provide verification to Sydney Trains that, where required, item three (3) of this condition has been complied with.

- 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.
- 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.
- 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.**

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