

## Modification of Major Project Approval

### Section 75W of the *Environmental Planning & Assessment Act 1979*

I, the Deputy Director-General, Development Assessment and Systems Performance, as delegate of the Minister for Planning, under the Instrument of Delegation dated 25 January 2010, modify, under section 75W of the *Environmental Planning and Assessment Act 1979*, the Project Approval referred to in Schedule 1 in the manner set out in Schedule 2 and Schedule 3.



Richard Pearson  
**Deputy Director-General**  
**Development Assessment and Systems Performance**

Dated this 19<sup>th</sup> day of April 2010

MP 07\_0032 MOD 2

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### SCHEDULE 1

Project approval is granted only to carrying out the project described in detail below:

- 1) Subdivision of 181 allotments:
  - 167 single dwelling lots (FSR 0.5:1) and;
  - 14 townhouse/terrace style house lots (FSR 1:1);
- 2) Creation of one super lot for apartments with an FSR 1.35:1 up to a maximum of 1.8:1 for design excellence as per Concept Plan Approval (MP06\_0094);
- 3) Boundary re-adjustment to correspond with road alignment;
- 4) Display Village – Land use approval for 3 dwellings and Construction approval for a temporary sales office and parking for 14 cars;
- 5) Earthworks over 2 stages unless the timing of the subdivision requires an alternative approach to the staging of earthworks;
- 6) Roads, bridges, footpaths, cycleways, acoustic wall, utility services and infrastructure as necessary to support the residential development; and
- 7) Landscaping, creek design and riparian corridor creation.

## SCHEDULE 2

The above approval is amended (**bold and underlined**) as follows:

(a) The following Condition is amended as follows:

### ***B11 Remediation***

1. Prior to the issue of a Construction Certificate, the Proponent shall submit to the CA a Remedial Action Plan and a Hazardous Material Survey. The Remedial Action Plan must be accompanied by a statement from a site auditor accredited by the DECC to issue site audit statements.
2. Upon completion of the remediation works on the site, the Proponent shall submit a detailed Site Audit Summary Report and Site Audit Statement and Validation Report to the PAC. The site audit must be prepared in accordance with the Contaminated Land Management Act, 1997 and completed by a site auditor accredited by the DECC to issue site audit statements. The site audit must verify that the land is suitable for the proposed uses.
3. **This condition does not relate to that component of the project relating to the replacement Wrexham Road railway bridge.**

(b) The following Condition is amended as follows:

### ***B12 Acid Sulfate Soil Management Plan***

The Proponent commits to further soil testing and a Potential Acid Sulphate Soils assessment, which may find there is a need for an Acid Sulphate Soil Management Plan to be prepared. If Acid Sulphate soils are present, a detailed Acid Sulphate Soil Management plan for the entire site shall be prepared by a suitably qualified person in accordance with the Acid Sulphate Soil Assessment Guidelines (Acid Sulphate Soil Management Advisory Committee, 1998). The Management Plan shall cover the entire site and be submitted to the satisfaction of the CA prior to the issue of a Construction Certificate for below ground works for the first stage of the project. **This condition does not relate to that component of the project relating to the replacement Wrexham Road railway bridge.**

(c) The following Condition is amended as follows:

### ***B42 Final Landscape Plans***

1. The Landscape Plans submitted are to be amended and a set of final Landscape Plans submitted to Wollongong City Council for approval, prior to the issue of the Construction Certificate, **excluding a Construction Certificate for that component of the project relating to the replacement Wrexham Road railway bridge.** A separate set of final plans can be submitted for Stage 5 of the subdivision. Both sets of the final Landscape Plans shall address the following requirements:
  - a) Deletion of the following plant species, Eucalyptus amplifolia since they are unsuitable as street trees for this type of development;
  - b) Deletion of the following mass planting of low shrubs and groundcovers between footpath and lot boundaries as indicated on Section A - North/South Axis pg 14, Section B Entry street pg 16, Section C Local Street pg 18, Section D Riparian boundary street pg 20, Section E Ridge Interface pg 22 of Landscape report.
  - c) A detailed Landscape plan of Thomas Gibson Reserve detailing proposed entry signage, new concrete 2.4m shared pathway linking from the existing facilities block with maximum grade of 1:20, all mass planting beds and tree planting. To be submitted with the final Landscape Plan for Stages 1 to 4 and 6 only.

2. Detailed landscape plans must be submitted to Council for all areas to be dedicated as open space, entry statements area and streetscapes. Landscape plans must show:
- a) A site plan showing the existing features, including north point, access roads and any trees to remain in the vicinity located to scale and identified by botanical and common names.
  - b) Proposed and existing site services, including but not limited to water, gas, electricity, sewer, and stormwater and any easements on or adjacent to the site. The location of such service lines shall be clear of the dripline of existing and proposed trees
  - c) Details of pedestrian access and circulation areas within and around the development, including seating, fences, gates, decorative features, retaining or noise walls etc.
  - d) Existing and proposed ground levels (shown as spot heights and/or contours over the site and direction and degree of slope) indicating the site boundaries, and the base of the trees proposed to be planted or that are to be retained (if applicable).
  - e) Construction details of paving, edging, fencing, screening, panels and other hard landscape components.
  - f) A detailed plant schedule and plan at a scale of 1:100 to 1:1000 indicating the location of all proposed planting and any existing vegetation to be retained on the site. The plan is to include a detailed plant schedule which shall include;
    - species listed by botanical and common names, with the majority of plants constituting local native species;
    - specific location, planting densities and quantities of each species; pot sizes; the estimated sizes of the plants at maturity, and proposed staking methods, if applicable.
    - maintenance methods including the use of drip irrigation and mulching or groundcovers to reduce bare soils areas and including a maintenance schedule for a minimum period of one year after completion of landscaping on site.

(d) The following Condition is amended as follows:

**B43 Maintenance Program Streetscape Landscape Works**

The implementation of a landscape maintenance program in accordance with the approved Landscape Plan is required. This is to be for a minimum period of 12 months to ensure that all streetscape landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Landscape Plan to the CA for approval prior to issue of the Construction Certificate, excluding a Construction Certificate for that component of the project relating to the replacement Wrexham Road railway bridge.

(e) The following Condition is amended as follows:

**B50 Conservation Agreement**

In accordance with the Statement of Commitments, a draft Voluntary Conservation Agreement under the National Parks and Wildlife Act, 1974 should be prepared regarding the cultural heritage of the site and shall be prepared in consultation with the National Parks and Wildlife Service (NPWS-DECC) and submitted to the CA prior to the issue of a Construction Certificate, excluding a Construction Certificate for that component of the project relating to the replacement Wrexham Road railway bridge.

Should the National Parks and Wildlife Service (NPWS-DECC) not wish to enter into a conservation agreement for the site, then any relics found on the site are to be collected and dealt with as per the conditions relating to heritage in other parts of this determination.

### SCHEDULE 3

The above approval is amended (**bold and underlined**) as follows:

**(a) The following Statement of Commitment is amended as follows:**

Contamination and Acid Sulphate Soils

Stockland undertaking further precautionary testing for land contaminants and potential acid sulphate soils. Stockland also commits to undertaking any recommendations from its geotechnical consultants arising from those investigations.

**This Commitment does not apply to that component of the Project relating to the reconstruction of the replacement Wrexham Road railway bridge.**

**(b) The following Statement of Commitment is amended as follows:**

Conservation Agreement

A voluntary conservation agreement would be provided with the implementation of the Project Plan approval (**excluding that component of the Project relating to the replacement Wrexham Road railway bridge**) if required.

**END OF MODIFICATIONS TO MP 07\_0032**