

The Trustee for LegPro 70 Unit Trust
C/- NSW Department of Planning, Housing and
Infrastructure
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

REFERENCE	DE-2026/21
Date	30 March 2026

Dear Sir/Madam

EXHIBITION OF STATE SIGNIFICANT DEVELOPMENT APPLICATION
CORRIMAL COKE WORKS – STAGE 2-4 EARLY STAGE (CIVIL WORKS)

Development	State Significant Development - Corrimal Coke Works – Stage 2-4 Early Stage (Civil Works) (SSD-86131212) - Request to Provide Advice on the Environmental Impact Statement (EIS)
Location	Lot 103 DP 1301632 Lots 3, 4 and 8 DP 1313981 Corrimal Cokeworks, Railway Street CORRIMAL NSW 2518

Thank you for providing Council with the opportunity to comment on the proposed development. Relevant staff have reviewed the EIS, plans and associated documents and the following comments are provided for the Department's consideration in the assessment of the application. Council welcomes the opportunity to provide further input throughout the assessment process including relevant conditions for any consent granted, particularly given the proposed development relates to future Council assets including roads, street trees, parks and other infrastructure.

1. Background and Staging

State Significant Development Applications (SSDA)

- It is noted that Council has recently made a separate submission in relation to the SSDA for Stage 2A Built form (SSD-83789711). There are also several applications determined or under consideration for various parts of the broader former Cokeworks site, some of which also relate to the portion of the site to which this application pertains.
- The works proposed in this SSDA will need to be carried out prior to SSD-83789711 for the Stage 2A Built Form to ensure the lots are created/registered and the public roads are constructed and dedicated to Council.

Approved development applications

Given the reliance of this SSD on previously approved bulk earthworks, flood mitigation works and site remediation and validation, Council emphasises the importance of sequencing, consistency, and certification controls being clearly enforced by the consent authority.

There are a number of related approvals as outlined in the EIS. Consideration of the interactions between the proposed SSDA and various development consents are outlined below.

DA-2023/550 – Stage 1 Built form

The Stage 1 Built Form development application (DA-2023/550) was approved by the Land and Environment Court. The Heritage Plaza is identified in the PA as being part of Stage 1 in the Staging Plan and is a critical component of the site's redevelopment and heritage conservation outcomes. The documents endorsed under DA-2023/550 include a commitment from the developer that the Heritage Plaza works in accordance with DA-2023/840 (yet to be determined) would be completed with the completion of Stage 2 of the development. Council emphasises the importance of requiring the delivery of the Heritage Plaza at the same time or before Stage 2 is completed to deliver on this commitment.

DA-2023/823 – Stages 2-4 Bulk earthworks

- Bulk earthworks, flood mitigation works, creek realignment and associated flood modelling for Stages 2–4 have already been assessed and approved under DA-2023/823. The current SSD proposal relies on the approved bulk earthworks outcome and does not include any additional flood modelling on the basis that post-earthworks ground levels established under DA-2023/823 define the hydrologic and hydraulic baseline for this proposal.

Accordingly, Council considers it critical that the consent authority ensure:

- Consistency between the SSD civil works plans and the approved bulk earthworks design, levels, creek alignment, flood storage and mitigation works under DA-2023/823.
- Sequencing of approvals, such that no Construction Certificate (or equivalent enabling approval) is issued for the Stage 2–4 Civil Works SSD until all works approved under DA-2023/823 have been completed, certified, and an Occupation Certificate (or equivalent certification) has been issued.
- This sequencing is necessary to ensure that the flood risk assumptions, drainage design and site remediation relied upon by the SSD remain valid and implemented on the ground prior to civil works approved under SSD.

DA-2025/388 – 8 Lot Torrens subdivision

- DA-2025/388 approved an 8 lot Torrens subdivision, which included the creation of 'Proposed Lot 8' which is shown as Proposed lot 303 under the current SSDA. This lot has been registered with a positive covenant on it in relation to ongoing funding for the maintenance of the Heritage Plaza, as required by DA-2023/550. It is noted that the proposed subdivision under this SSDA involves a minor boundary adjustment to this lot. The positive covenant (and all other easements) must be transferred across to proposed Lot 303 to ensure the outcomes for the Heritage Plaza are achieved and the commitments under DA-2023/550 are met. All relevant easements and restrictions should be shown on the Plan of Subdivision.

2. Planning

Planning Agreement, HPC and Development Contributions

- A Planning Agreement (PA) executed on 13 December 2022 applies to the site to provide the broader public benefits including heritage conservation/adaptive reuse, public open spaces, affordable housing and a focus on sustainable/alternative transport and linkages. The redevelopment involves significant assets being handed over to Council at various stages.
- The PA requires certain commitments to be met at certain stages of the development (Appendix X of the SSDA). Relevant to this SSDA are embellishment works and dedication of two public open space areas known as the central park and the southern park.
- Clause 3.1 of the PA precludes the levying of a s7.12 contribution for 'the Development' as defined in the Planning Agreement, which means "the residential and mixed-use redevelopment of the Land, generally in accordance with the Planning Proposal and Development Application." Utilising the available SSDA approval pathway with the associated uplift will increase the number of dwellings above the 550 dwellings endorsed under the Planning Proposal (i.e. 'the Development' as defined in the Planning Agreement). In this scenario, Council's position is that levying s7.12 contributions for future development (on lots the subject of this SSDA) is applicable

once 'the Development' endorsed under the Planning Proposal is exceeded and a condition should be imposed requiring contributions under sec. 7.12 to be paid to Council.

DCP and Site-Specific Controls

While Council acknowledges that Development Control Plans do not strictly apply to SSDAs in the same manner as local DAs, Council recommends that the consent authority ensure the proposal is assessed having regard to, and demonstrates reasonable consistency with Wollongong DCP 2009, including:

- Chapter D19 – Former Corrimal Cokeworks Site (site-specific controls and intent)
- Chapter B1 – Residential Subdivisions
- Chapter E6 – Landscaping
- Chapter E7 - Waste Management
- Chapter E13 – Floodplain Management
- Chapter E14 – Stormwater Management
- Chapter E15 – Water Sensitive Urban Design

Documentation

- The Staging Layout Plan (Dwg MKR00452-11-C0060 7) does not identify when the Southern Park will be delivered.
- The submitted Plan of Subdivision prepared by SDG only shows the subdivision of 4 lots, being proposed Lots 300-303 whereas the proposal is for the creation of 9 lots as part of Stages 2-4. The lot layout plans prepared by Maker (Dwg No. MKR00452-11-C0050) reflect the 9 lots proposed. It is unclear why the plans are inconsistent.
- Table 6: Site and Locality Description in the exhibited EIS excludes the Stage 4 commercial lot (Lot 303) from the red 'Stage 2-4 Civil Works SSDA' boundary whereas the submitted subdivision plans include this lot.

3. Heritage

- DA-2025/388 approved an 8 lot Torrens subdivision, which included the creation of 'Proposed Lot 8' which is Proposed Lot 303 under the current SSDA. This lot has been registered with a positive covenant on it in relation to ongoing funding for the maintenance of the Heritage Plaza which was an outcome of the Court approved DA-2023/550 for the Stage 1 Built Form.

The current SSDA involves a minor boundary adjustment to this lot. The positive covenant (and all other easements) must be transferred across to proposed Lot 303 to ensure the outcomes for the Heritage Plaza are achieved and the commitments under DA-2023/550 are met. All relevant easements and restrictions should be shown on the Plan of Subdivision.

Note: This positive covenant has been omitted from Table 4: Restrictions and Covenants in the exhibited EIS.

- Any approval arising from the proposed SSD should be subject to conditions or requirements/commitments to ensure the delivery of all previously agreed Heritage Interpretation Works and Heritage Conservation outcomes for the project area. These are detailed within the Heritage Interpretation Plan and Conservation Management Strategy for the site. This is important as these Plans have effectively been endorsed by the NSW Heritage Council as part of their consideration of the State Heritage Listing and the various "Site Specific Exemptions" that resulted from negotiations with the developer. The works within these documents were agreed to be delivered at the various stages of the proposed development as a mitigation measure and compensatory outcome for the significant Heritage Impacts arising out of the broader proposal. These deliverables include various Heritage Interpretation Signs and other delivery outcomes committed to through the process including in response to the

Aboriginal Cultural Heritage Assessment Report (ACHAR) and Connecting with Country Reporting processes for the broader site.

- Given the State Heritage Listing on the site, Heritage NSW should be invited to provide comment in relation to the management of the Heritage aspects of the site (if they haven't been already).
- It is noted that the site has been identified by the Local Aboriginal Community in previous discussions with Council as having a high level of cultural significance associated with Towradgi Creek. The cultural significance of the site should be considered in decision making in relation to the site.

4. Subdivision and road design

- It must be ensured that all engineering plans are designed in accordance with Wollongong City Council's Subdivision Policy, AUSTRROAD Guidelines and best engineering practice.
- Retaining walls proposed to support roads are to be structurally designed and comprise of large stackstone blocks or similar of natural earthy tones.

5. Road design

- Shared paths away from the public roads must demonstrate adequate clearances to any solid obstructions as per the requirements of Austroads and if there is a drop-off from a raised section of path, barriers would be required which may need additional widening to ensure adequate clearances to bicycle handlebars.
- Signs and Lines (proposed timed parking, no stopping etc.) will need to be submitted to the Wollongong City Council Local Transport Forum for consideration by the technical committee prior to approval by Council.
- It is noted that several intersections are lacking pram ramps on some corners. All corners of intersections must have pram ramps for pedestrian connectivity and permeability throughout the site.

6. Flooding and Stormwater Quantity Management

Council notes that:

- Flood behaviour for the site has been assessed as part of the approved WCMS supporting DA-2023/823.
- The Stage 2–4 Civil Works WCMS adopts those outcomes and does not propose additional on-site detention, consistent with previous approvals.

Given this reliance, Council recommends the consent authority ensure:

- Continued compliance with:
 - WDCP 2009 Chapter E13 – Floodplain Management
 - WDCP 2009 Chapter E14 – Stormwater Management
- Any conditions of consent clearly require that:
 - final civil design is consistent with the approved flood modelling assumptions,
 - finished surface levels, drainage infrastructure and overland flow paths do not compromise the adopted flood behaviour.
- Any future detailed design or certification process confirms that:
 - flood immunity of roads, public spaces and maintenance access is delivered as assumed in approved assessments.

7. Water Sensitive Urban Design (WSUD) and Water Quality

- Council notes that water quality management relies on a combination of gross pollutant traps (GPTs), bioretention infrastructure and downstream treatment, as documented in the Water Cycle Management Strategy (WCMS). Treatment performance has been assessed through MUSIC modelling.
- Council recommends that the consent authority ensure that WSUD design and MUSIC modelling utilise MUSIC-Link for all final models submitted for certification and remain consistent with the modelling approaches and assumptions used in the WCMS.
- The proposal addresses and complies with WDCP 2009 Chapter E15 – Water Sensitive Urban Design, and Wollongong City Council's Water Sensitive Urban Design (WSUD) Guidebook for Developers (2025) (or the most current adopted version at the time of certification).
- Council requests that conditions of consent require submission and approval of final MUSIC models using MUSIC-link, demonstrating compliance prior to certification of civil works.

8. Maintenance, Access and Long-Term Asset Management

Council notes that the proposal includes a bioretention basin and associated drainage assets proposed within public open space. Council recommends that the consent authority ensure that:

- A detailed maintenance and management plan is prepared and approved for all WSUD and stormwater assets, including:
 - inspection frequencies,
 - sediment and litter removal,
 - vegetation management,
 - responsibilities over time.
- The civil design provides:
 - safe and suitable vehicle access for all ongoing inspection, maintenance and renewal activities,
 - without reliance on temporary or ad-hoc arrangements.
- These requirements are addressed as part of the detailed design and certification process.

9. Street trees

Street Tree Clearances – Non-Compliance With Council Standards

- The proposed street-tree planting layout does not comply with Council's minimum clearance requirements. Several trees are shown in conflict with driveways, intersections, streetlights, utilities and other public domain infrastructure.
- The Landscape plan requires amendment to demonstrate the following mandatory minimum clearances are met:

• <i>Infrastructure / Feature</i>	• <i>Minimum Clearance Required</i>
• Street intersection	• 10 m from intersection kerb line
• Streetlight / telegraph pole	• 5 m from centre of pole
• Stormwater inlet	• 2 m from edge of inlet
• Major underground service junction	• 3 m from edge of junction box
• Bus stop	• No trees along length of stop

- Driveways
- 4 m from vehicle crossing
- The revised layout must demonstrate full compliance with Council's street-tree planting standards.
- The proposed locations of proposed soil vaults must be clearly indicate on the plans.

Conflicts With Stormwater Infrastructure

- Multiple proposed street-tree locations conflict with stormwater pits, pipes, service routes and underground infrastructure. The landscape plan must be amended to ensure all proposed trees are located clear of stormwater assets and underground services.
- Tree locations must be coordinated with the civil engineering plans to avoid structural conflicts, asset damage and future maintenance constraints.

Unsuitable Street-Tree Species

- The proposed use of *Planchonella australis* is not supported due to the species' production of fleshy fruit, which attracts flying foxes and presents maintenance, safety and amenity issues in street environments.
- Provide an alternative street-tree species that is:
 - included in Council's approved street-tree palette; and
 - suitable for verge planting in an urban public-domain setting.

10. Parks

- The PA requires delivery of the riparian corridor shared pedestrian / cycle path works which includes a bridge over Towradgi Creek linking to the shared pathway in the Southern Park. The bridge is outside the identified Stage 2-4 area and on Council land. The delivery of this bridge is required under the PA and is subject to separate approval process.
- The playgrounds should incorporate equipment and finishes of a bespoke nature including materials and finishes that reflect the surrounding natural landscape setting and/or industrial heritage. Natural or industrial inspired materials and finishes should be used in lieu of the brightly coloured plastic proprietary equipment currently proposed. This would strengthen the connection with the heritage plaza and surrounding natural landscape setting.

Turf Specification – Non-Compliance

Council requires TifTuf Hybrid Bermuda Grass for all public open-space turfed areas and the landscape documentation should be to specify TifTuf Hybrid Bermuda throughout.

Lighting Design – Non-Compliant Fixture Types

- The submitted lighting design includes fittings not supported in public parks due to vandalism risk and poor long-term maintainability:
 - Buried uplights
 - Bollard-top lights
 - Spot spike lights
 - Ground or wall-mounted strip lights

Revise the lighting design to utilise only:

- pole mounted luminaires,
- street-lighting circuits, and

- maintainable, vandal-resistant public-park lighting solutions.

Fencing in Public Open Space – Insufficient Detail

- Further details are required for fencing associated with:
 - multipurpose open-lawn areas
 - detention basins
 - retaining walls and level transitions.

Fencing to Retaining Walls – Non-Compliance With Council Standards

- The proposed fencing approach does not meet Council's durability, safety or maintenance requirements. Revise fencing design to incorporate:
 - robust, durable materials with high-quality finishes
 - minimal ongoing maintenance requirements
 - vandal-resistant construction
 - 20-year service life expectations
- All fencing must comply with:
 - AS1170.1 (Table 3.3 – Barrier loadings, categories C3 and C5)
 - AS1170.2 – Wind Actions
 - Additional loadings associated with climbing, vandalism and site-specific risks.
- Design must reflect the local exposure classification and long-term environmental conditions.

CENTRAL PARK

- Fixed seating options should be provided within the playground area to be utilised by supervising parents/carers.
- Fixed shelters or pergola structures should be considered to offer shading options where possible.
- No publicly accessible amenities/toilets have been provided within the central park, however given the proximity to the heritage plaza, this could be accepted if sufficient facilities are provided as part of the heritage plaza (confirmation required).

SOUTHERN PARK

- Submitted civil plans do not document wall heights, materials, or required fencing details for retaining walls adjoining shared paths. Provide full retaining-wall design information, including:
 - wall heights and materials
 - fence types, heights and fixings
 - integration with adjacent pathways, levels and drainage
 - compliance with relevant Australian Standards.
- Southern Park Amphitheatre – Design Conflict. There is a significant conflict between:
 - the proposed concrete vehicle turning head (refuse/maintenance/emergency), and
 - the intended amphitheatre public-realm function (tiered seating, passive recreation, informal landscape finish).
- Further design resolution is required demonstrating:
 - how vehicular infrastructure is integrated without compromising public-realm quality,

- construction materials for walls and terraces, and
- functional, safe coexistence of pedestrian and service-vehicle requirements.
- Mulch Selection for Nature Play
 - Provide confirmation of mulch type, depth and specifications suitable for nature-play and public-use settings in accordance with safety and maintenance standards.
 - Sand is not supported as a Softfall
- Recommend additional seating provided adjacent to play space.
 - Fixed seating options should be provided around various areas of the southern park, and intermittently along pathways.
 - Fixed seating options and shelter/pergola areas should also be considered around the nature-based play area to be utilised by small groups or parents supervising children.
- No publicly accessible amenities/toilets have been provided within the southern park, and there appears to be none proposed within the immediate vicinity which is a concern given the extensive program offered within this park and recreation area.

11. Environmental matters

- The southern park is to be located outside of the 50m buffer to the Grey Headed Flying Fox (GHFF) Camp as depicted in the DCP. There is currently significant encroachment which impacts on both the GHFF and enjoyment and wellbeing of park users.
- The proximity of the proposed bush tucker trail to the GHFF camp is insufficient. The alignment of the path is to be modified to maintain a minimum of 20m, from the camp boundary.
- The amount of lighting in the southern park is of concern for the GHFF Camp. An analysis of any potential lighting impacts on the GHFF is recommended and reductions in lighting, or suitable mitigation measures proposed and implemented.
- A Threatened Species Licence will be required prior to the commencement of any works.
- All plans and works are to be in with the Grey Headed Flying Fox Management Plan, prepared by Eco Logical Australia and date 24 September 2024.
- Site Contamination Remediation and a Site Audit Report and Statement are required prior to the Subdivision Certificate. No contaminated material is to be kept on site and Council will not accept the use of containment cells in land to be dedicated to Council.

If you have any questions regarding the above, please contact Rebecca Welsh on (02) 4227 7111.

This letter is authorised by

Pier Panozzo
Manager City Centre and Major Development
 Wollongong City Council
 Telephone (02) 4227 7111