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SURVEYING | CIVIL ENGINEERING | TOWN PLANNING | PROJECT MANAGEMENT  
STRATA CERTIFICATION | ECOLOGY | BUSHFIRE ASSESSMENT

Pty Limited ABN 38 136 535 156

# PLANNING PROPOSAL



PROPOSED ADDITIONAL USES FOR

LOTS 1 & 2 IN DP 200208

95A & 97 STOCKTON STREET, NELSON BAY

OUR REF: 6703 v3

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This report was prepared by Kate Wheeler from Le Mottee Group Pty Ltd (LMG).

LMG Ref: 6703

Date: 29 May 2018

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## BACKGROUND

The subject land is located within the Port Stephens Council (PSC) Local Government Area (LGA) and comprises Lots 1 & 2 in DP 200208. For the purpose of this report combined Lots 1 & 2 shall be referred to as 'the site' and individual Lots by their Lot number.

The site has a current approval for a removalist business and storage business and supports two (2) large sheds. The sheds are in good condition and would be suitable for a commercial or recreational use. However, there aren't many suitable options for use of these sheds under the existing R2 Low Density Residential zoning or through a change of use.

Accordingly the purpose of this planning proposal is to increase the use permitted on the site to allow effective use of the existing, approved structures on site. A number of additional permitted uses including indoor recreation facility, commercial, restaurant/café, veterinary hospital and warehouse/storage are proposed.

The site itself is located within close proximity (walking distance) to recreational land, transport, shops and services and is central to surrounding suburbs supporting schools. Further the site has existing connections to water, sewer, telecommunications and electricity that would be sufficient for the additional permitted uses proposed. Therefore there will be no additional impact to local infrastructure or transport.

Given this proposal aims to increase the additional permitted use for the site without changing the zoning, no strategies currently in force address this type of amendment. Any future use of the site under the additional permitted uses proposed shall require a further DA and will comply with the Port Stephens LEP and DCP's.

As stated above, the purpose for increasing the permitted use for the site is to provide options that will allow the existing approved structures on site to be utilised rather than demolished. Therefore it is expected that this amendment to the LEP will not have a detrimental impact on the surrounding environment or the amenity of area.

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## 1. **OBJECTIVES OR INTENDED OUTCOMES**

The objective of this planning proposal is to seek concurrence for an additional permitted use on each lot as follows:

### **Use of certain land at Nelson Bay**

(1) This clause applies to land at **95A Stockton Street, Nelson Bay**, being Lot 2, DP 200208.

(2) Development for the purpose of a recreation facility (indoor), is permitted with development consent.

(3) The abovementioned additional permitted use is only valid for a period of 20 years from the date of approval or until such time as the existing buildings are demolished.

### **Use of certain land at Nelson Bay**

(1) This clause applies to land at **97 Stockton Street, Nelson Bay**, being Lot 1, DP 200208.

(2) Development for the purpose of self-storage units / storage premises is permitted with development consent.

(3) The abovementioned additional permitted use is only valid for a period of 20 years from the date of approval or until such time as the existing buildings are demolished.

## 2. **EXPLANATION OF PROVISIONS**

In order to facilitate the additional permitted use on each site, Schedule 1 of the Port Stephens Local Environmental Plan will need to be updated. No changes to existing mapping are required to facilitate this amendment.

The planning proposal does not contravene the objectives of the *Lower Hunter Regional Strategy* or the *Port Stephens Planning Strategy 2011-2036*. However, the site is not specifically identified in any local or regional strategies.

### **3. JUSTIFICATION**

#### **3.1 SECTION A – NEED FOR THE PLANNING PROPOSAL**

##### **1. Is the Planning Proposal a result of any strategic study or report?**

No. This proposal aims to allow an additional permitted use on each lot without changing the zoning. No strategies currently in force address this type of amendment. Any future use of the site under the additional permitted uses proposed shall require a further DA and will comply with the Port Stephens LEP and DCP's.

##### **2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. Given the limited options for using the site under the zone and existing use rights, a planning proposal to allow an additional permitted use on each lot on the site is considered the only way to achieve the intended outcome.

The site has a current approval for a removalist and storage business and supports two (2) large existing sheds. The sheds are in good condition and would be suitable for a commercial or recreational use. However, there aren't any suitable options for use of these sheds under the existing R2 Low Density Residential zoning or through a change of use.

The purpose of allowing an additional permitted use on each lot is to provide options that will allow the existing approved (commercial) structures on site to be utilised rather than demolished.

A planning proposal is considered the most appropriate means of achieving the intended outcome.

##### **3. Is there a net community benefit?**

Yes. This planning proposal is not expected to create an unfavourable precedent, change the expectations of the landowner(s) or result in a loss of residential land.

The site is currently zoned R2 Low Density Residential. However, the site has not previously been used for residential purposes. The site has an existing approval for a removalist / storage business that has been operating out of the site since the 1960's. Further, a nearby site supported a Bunnings hardware store until recently when a large site was considered necessary for expansion.

It is not intended to rezone the site, allowing the site to potentially be used for residential purposes in the future when the existing infrastructure is past its use by date.

This proposal will allow the existing structures on site to be used for other commercial type developments similar in nature to that currently approved, that will not interfere with the amenity of the area. Given the limited site area, the size of the existing structures and the buffer between the site and residential development, it is not expected that any of the additional uses proposed will have a negative impact on the surrounding area.

Overall, the proposal is considered to generate benefits to the community by potentially providing commercial uses that would not impact on the amenity of the area but would service the local area.

### **3.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK.**

#### **4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub – regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

The '**Lower Hunter Regional Strategy**' (LHRS) aims to guide the growth of the Lower Hunter for the next 25 years by identifying future development areas, principle land use types, settlement patterns and conservation outcomes.

However, this strategy does not address additional uses for individual sites, only broad stroke rezoning to meet the residential and commercial land quota required by the Lower Hunter region.

The '**Lower Hunter Regional Conservation Plan**' (LHRCP) sets out a 25-year program to direct and drive conservation planning and efforts in the Lower Hunter Valley. It is a partner document to the Government's Lower Hunter Regional Strategy (LHRS) that sets out the full range of NSW Government planning priorities, and identifies the proposed areas of growth. The LHRCP also seeks to establish a framework to guide conservation efforts in the Lower Hunter for the next 25 years.

The site is not located within an identified as a high priority regional conservation area or other regional investment priority within the LHRCP. Further, the planning proposal is considered to have minimal ecological impacts and therefore will not be inconsistent with the objectives of the LHRCP.

**5. Is the planning proposal consistent with the local councils Community Strategic Plan, or other local strategic plan?**

The relevant strategy for the subject land is the '**Port Stephens Planning Strategy 2011-2036**' (PSPS). This strategy was adopted by Council on the 20<sup>th</sup> December 2011. The PSPS describes Councils land use strategy to 2036 and provides the basis for the Council's principle LEP 2013.

The site is located within an area identified as a 'Tomaree Tourism & Lifestyle Growth Area' under the PSPS. However, this strategy does not address potential additional uses for individual sites.

In 2014 when the Port Stephens LEP (2013) was prepared & adopted, it is our opinion that Council should have rezoned land in situations similar to this, where the existing long term use of a site or area did not match the zoning. The site was approved for a commercial purpose in the 1960's and yet has maintained a residential zoning since the Environmental Planning and Assessment Act was created in 1979.

**6. Is the planning proposal consistent with applicable state environmental planning policies?**

The following SEPP's apply in respect to the development on the subject land.

**SEPP 55 – Remediation of Land**

No known occurrences of Acid Sulfate Soils (ASS) are present within the subject land. The potential for ASS to be contained within the subject land is highly unlikely due to the elevated nature and geological composition. Therefore future development should not require an acid sulfate management plan and the provisions of this SEPP are not applicable to the planning proposal.

**SEPP (Infrastructure) 2007**

SEPP (Infrastructure) 2007 is not applicable to the planning proposal as the site is currently serviced and no additional services would be required for facilitating the additional permitted uses proposed.

**7. Is the planning proposal consistent with applicable Ministerial Direction (s.117 directions)?**

**Table 1 – Ministerial Directions for Local Planning Proposals**

<b>Employment and Resources</b>	<b>Applicable</b>	<b>Consistency with Port Stephens Council LEP, 2013</b>
<b>1.1 Business and Industrial</b>	No	The planning proposal does not



Zone		affect land within an existing or proposed business or industrial zone.
<b>1.2</b> Rural Zones	No	The planning proposal does not affect land within an existing or proposed rural zone.
<b>1.3</b> Mining, Petroleum Production and Extractive Industries	No	n/a
<b>1.4</b> Oyster Aquaculture	No	n/a
<b>1.5</b> Rural Lands	No	The planning proposal does not affect rural lands.

<b>Environment and Heritage</b>	<b>Applicable</b>	<b>Consistency with Port Stephens Council LEP, 2013</b>
<b>2.1</b> Environment Protection Zones	Yes	n/a
<b>2.2</b> Coastal Protection	No	n/a
<b>2.3</b> Heritage Conservation	No	n/a
<b>2.4</b> Recreation Vehicles	No	n/a

<b>Housing, Infrastructure and Urban Development</b>	<b>Applicable</b>	<b>Consistency with Port Stephens Council LEP, 2013</b>
<b>3.1</b> Residential Zones	Yes	The site is zoned R2 Low Density Residential. It is not proposed to rezone the site. This planning proposal relates to additional permitted uses proposed for the site. It is considered that the additional permitted uses proposed will meet the objectives of the R2 zone.
<b>3.2</b> Caravan Parks and Manufactured Home Estates	No	n/a
<b>3.3</b> Home Occupations	Yes	The mandatory provisions of the Port Stephens LEP 2013 make home occupations exempt from requiring development consent under the R2 Low Density Residential zone.
<b>3.4</b> Integrating Land Use and Transport	Yes	The site is located within walking distance (less than 1km) to Nelson Bay's commercial core. The site is located within 200m of a bus stop for north bound buses and a bus stop for south bound buses. As such, the planning proposal is able to satisfy this direction by providing services accessible by means other than just private vehicle (car).

<b>3.5</b> Development Near Licensed Aerodromes	No	The Williamstown RAAF base and the Newcastle Airport are located nearby. However, the site is not affected by aircraft noise. Please see extract of ANEF mapping provided in Annexure A of this report.
<b>3.6</b> Shooting Ranges	No	n/a

<b>Hazard and Risk</b>	<b>Applicable</b>	<b>Consistency with Port Stephens Council LEP, 2013</b>
<b>4.1</b> Acid Sulfate Soils	No	n/a
<b>4.2</b> Mine Subsidence and Unstable Land	No	n/a
<b>4.3</b> Flood Prone Land	No	n/a
<b>4.4</b> Planning for Bushfire Protection	Yes	This Planning Proposal is considered to be consistent with this direction. Whilst the site is bushfire prone, the site supports existing structures that are expected to be retained and used for the additional permitted uses proposed. Therefore a Bushfire Threat Assessment is not considered necessary in this instance.

<b>Regional Planning</b>	<b>Applicable</b>	<b>Consistency with Port Stephens Council LEP, 2013</b>
<b>5.1</b> Implementation of Regional Strategies	No	This planning proposal is not related to a regional or local strategy. However, it is only proposed to add additional uses to the subject site which is not generally included in a local or regional strategy.
<b>5.2</b> Sydney Drinking Water Catchments	No	n/a
<b>5.3</b> Farmland of State and Regional Significance on the NSW Far North Coast	No	n/a
<b>5.4</b> Commercial and Retail Development along the Pacific Highway, North Coast	No	n/a
<b>5.5</b> Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	No	n/a
<b>5.6</b> Revoked 10 July 2008. See amended direction 5.1	--	--

<b>5.7</b> Revoked 10 July 2008. See amended direction 5.1	--	--
<b>5.8</b> Second Sydney Airport : Badgerys Creek	No	n/a

<b>Local Plan Making</b>	<b>Applicable</b>	<b>Consistency with Port Stephens Council LEP, 2013</b>
<b>6.1</b> Approval and Referral requirements	Yes	This planning proposal is considered to be consistent with this direction.
<b>6.2</b> Reserving Land for Public Purposes	Yes	This planning proposal is considered to be consistent with this direction.
<b>6.3</b> Site Specific Provisions	Yes	This planning proposal is considered to be consistent with this direction.

<b>Metropolitan Planning</b>	<b>Applicable</b>	<b>Consistency with Port Stephens Council LEP, 2013</b>
<b>7.1</b> Implementation of the Metropolitan Plan for Sydney 2036	No	n/a

### 3.3

#### **SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT**

**8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The site supports two (2) existing structures. The purpose of this proposal is to encourage the use of the existing structures by allowing additional uses to be permitted on site.

The site and existing structures have existing connections to all necessary services. There are no changes required to infrastructure to support the additional uses. Further, no vegetation removal is required to operate future businesses permitted as a result of this application. Therefore there will be no impact on the surrounding environment.

**9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

Amending the LEP to an additional permitted use on each lot will not result in any environmental impacts.

The site supports existing structures suitable for use by a future businesses operating as a result of an approval of the additional uses proposed.

All required services are connected to the site and there are no foreseen changes to infrastructure. Further, there will be no vegetation removal or impact on surrounding environment.

To ensure all matters are considered, the relevant environmental matters are addressed below:

### **Waste Management**

Both Lots 1 & 2 support existing connections to HWC reticulated water & sewer. Therefore no additional connections or services are required to support future use of the site.

### **Stormwater Management and Erosion / Sediment Control**

It is anticipated that any additional permitted use will occupy the existing buildings and utilise existing infrastructure, including stormwater. Therefore there is no change to stormwater with this application.

In the event that a future use looks to expand the building footprint, a further DA will be required which will deal with any amendments to the stormwater to adequately address Council standards.

### **Bushfire Protection and Mitigation**

The site is mapped as bushfire prone land; however, the site supports existing structures that are expected to be retained and used for the additional permitted commercial based uses. Therefore a Bushfire Threat Assessment is not considered necessary in this instance.

### **Indigenous Heritage**

A desktop study was undertaken to determine if there were any recorded items of indigenous heritage present on the site. A search using the AHIMS database concluded that no aboriginal sites or places are recorded within the site or on surrounding lands.

See attached AHIMS search as *Annexure D*.

### **10. How has the planning proposal adequately addressed any social and economic effects?**

A basic Social Impact Assessment has been prepared for the site and the proposed additional permitted use on each lot. In summary the report states that:

- should the additional permitted use proposed be approved it is expected that the existing structures and infrastructure will be utilised for any future businesses on site.
- Given the site is currently vacant, having a business/s operating out of the site would increase passive surveillance and assist in combating anti-social behaviour and urban decay through looting and vandalism.
- The size of the site will not allow for large scale commercial activity thereby limiting impacts and maintaining amenity of the area whilst offering additional services.
- Overall the benefits to the community including increased job opportunities and potential for increased positive economic impact as well as upkeep and maintenance of existing infrastructure, outweigh any potential minor impacts.

Please find the full SIA in *Annexure E* of this report.

### **3.4 SECTION D – STATE AND COMMONWEALTH INTERESTS.**

#### ***11. Is there adequate public infrastructure for the planning proposal?***

Yes. The site is currently serviced by electricity and telecommunication infrastructure as well as reticulated water and sewer services. Given the site supports existing structures that are intended to be used for the additional permitted uses proposed it is not expected that any further extension of the existing services will be required nor will the usage increase.

#### ***12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?***

No consultation has been undertaken at this stage. Following the gateway determination the relevant agencies shall be consulted.

## **4. COMMUNITY CONSULTATION**

The planning proposal is considered low impact and therefore an exhibition period of 14 days should be sufficient.

The gateway determination shall identify any additional consultation required.



## 5. CONCLUSION

The subject land is located within the Port Stephens Council (PSC) Local Government Area (LGA) and comprises **Lots 1 & 2 in DP 200208**. For the purpose of this report the combined Lots 1 & 2 have been referred to as 'the site' and individual Lots by their Lot number.

The site has a current approval for a removalist business and storage business and supports two (2) large sheds. The sheds are in good condition and would be suitable for a commercial or recreational use. However, there aren't many suitable options for use of these sheds under the existing R2 Low Density Residential zoning or through a change of use.

The proposal aims to increase the additional permitted use for each lot without changing the zoning. It is anticipated that the additional permitted uses noted above will not contravene the objectives of the current R2 zoning as addressed below:

- *To provide for the housing needs of the community within a low density residential environment.*

One day when the existing infrastructure is past its use by date it may be desirable to demolish the structures and rebuild residential accommodation. However, it is not viable or environmentally sustainable to do that now when the buildings are in good condition.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

It is anticipated that by allowing the proposed additional use of each lot, the infrastructure on site would be used to do precisely what this objective states and provide a range of services to the community.

- *To protect and enhance the existing residential amenity and character of the area.*

As it is not expected that any new structures would be required to facilitate the proposed additional use on each lot, there will be no impact to the amenity of the area.

- *To ensure that development is carried out in a way that is compatible with the flood risk of the area.*

There is no flood risk associated with the site.

The site itself is located within close proximity (walking distance) to recreational land, transport, shops and services and is central to

surrounding suburbs supporting schools. Further the site has existing connections to water, sewer, telecommunications and electricity that would be sufficient for the additional permitted uses proposed. Therefore there will be no additional impact to local infrastructure or transport.

No strategies currently in force address an amendment to the LEP for the purposes of adding additional permitted uses to a site. Further, it is likely that by allowing the additional permitted uses there will be a benefit to the local community through an increase in local economy, additional jobs and decrease of anti-social behaviour that is more likely to occur on unoccupied sites. Any future use of the site under the additional permitted uses proposed shall require a further DA and will comply with the Port Stephens LEP and DCP's.

As stated above, the purpose for increasing the permitted uses for the site is to provide options that will allow the existing approved structures on site to be utilised rather than demolished. Therefore it is expected that this amendment to the LEP will not have a detrimental impact on the surrounding environment or the amenity of area.



## **Annexure A**

### Figures



**Figure 1:** The site location (source Sixmaps)



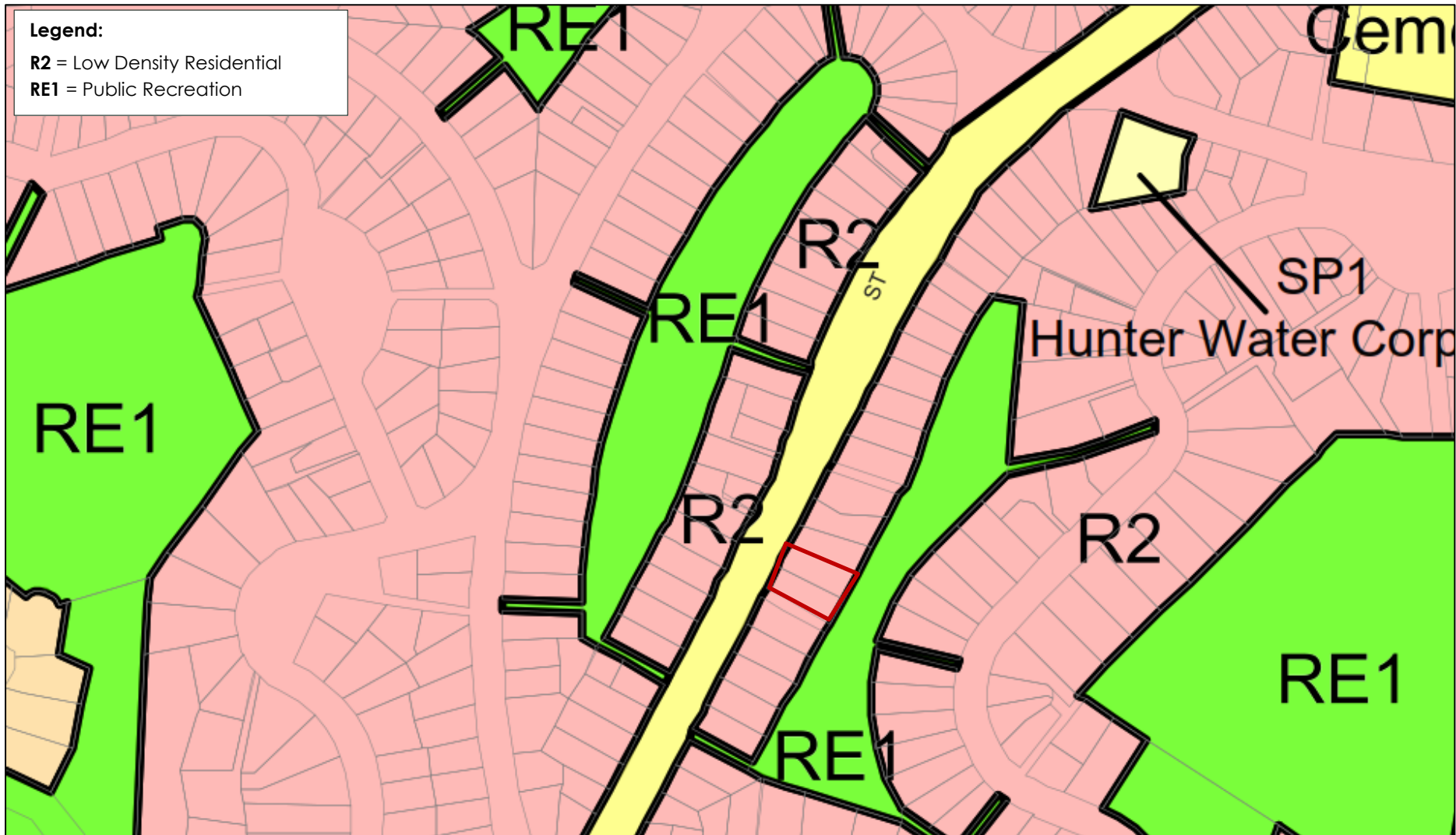


Figure 2: Current zoning of the site (source: Port Stephens Council – Sheet LZN\_005D).



**Figure 3:** Current minimum lot size requirements of the site (source: Port Stephens Council – Sheet LSZ\_005D).



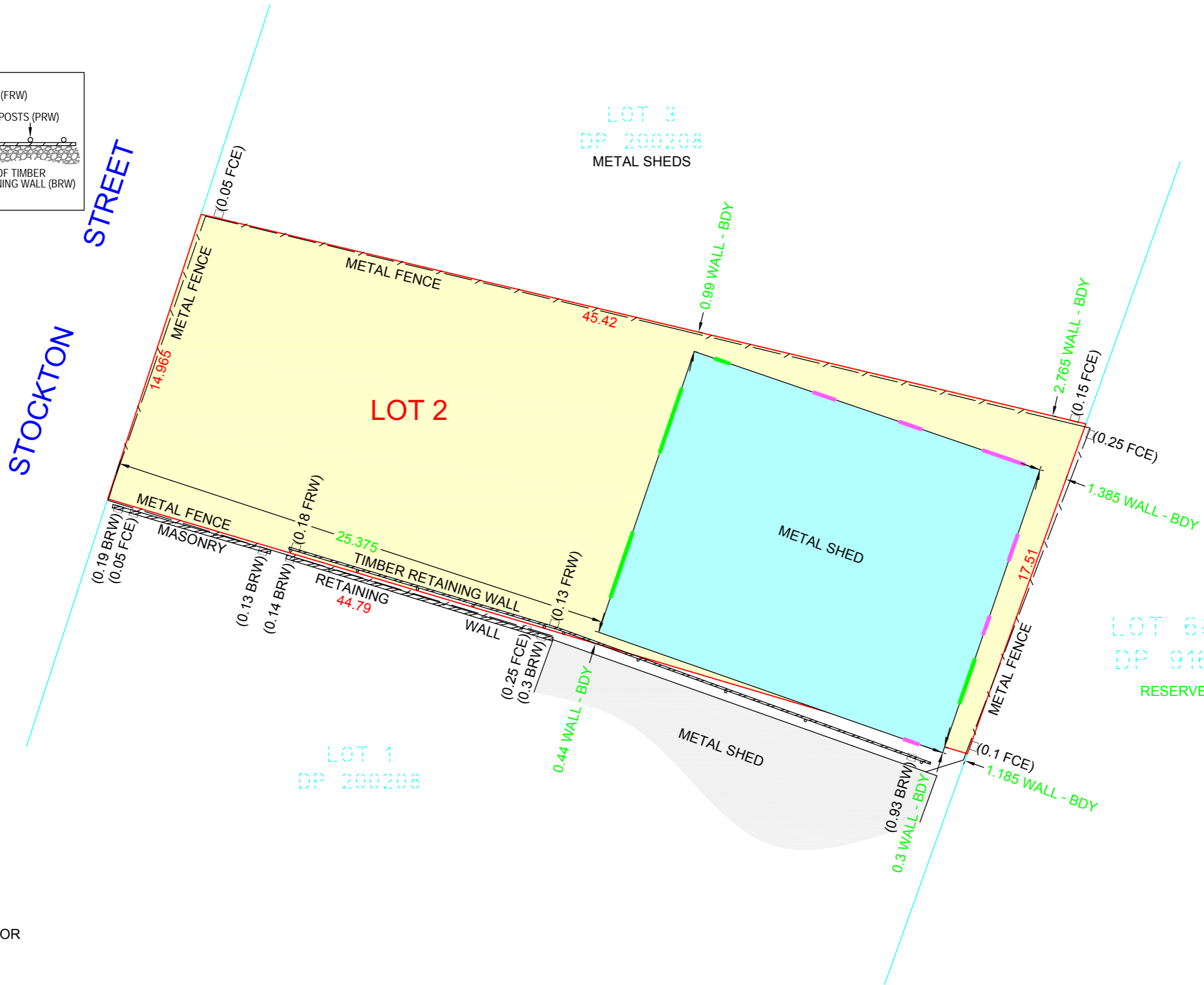
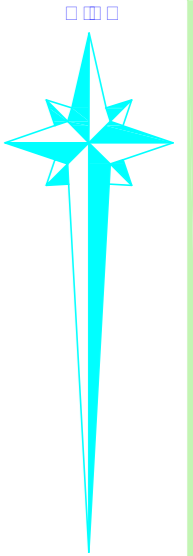
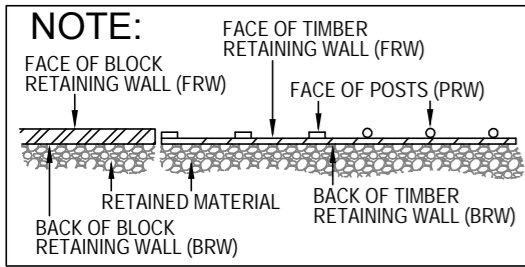


Figure 4: Existing structures at 95A & 97 Stockton Street, Nelson Bay

## **Annexure B**

Site Plan  
Le Mottee Group





— WINDOW  
— DOOR/ROLLER DOOR



**LE MOTTEE GROUP**

SURVEYING CIVIL ENGINEERING TOWN PLANNING PROJECT MANAGEMENT  
STRATA CERTIFICATION ECOLOGY BUSHFIRE ASSESSMENT

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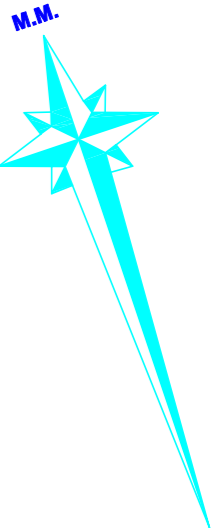
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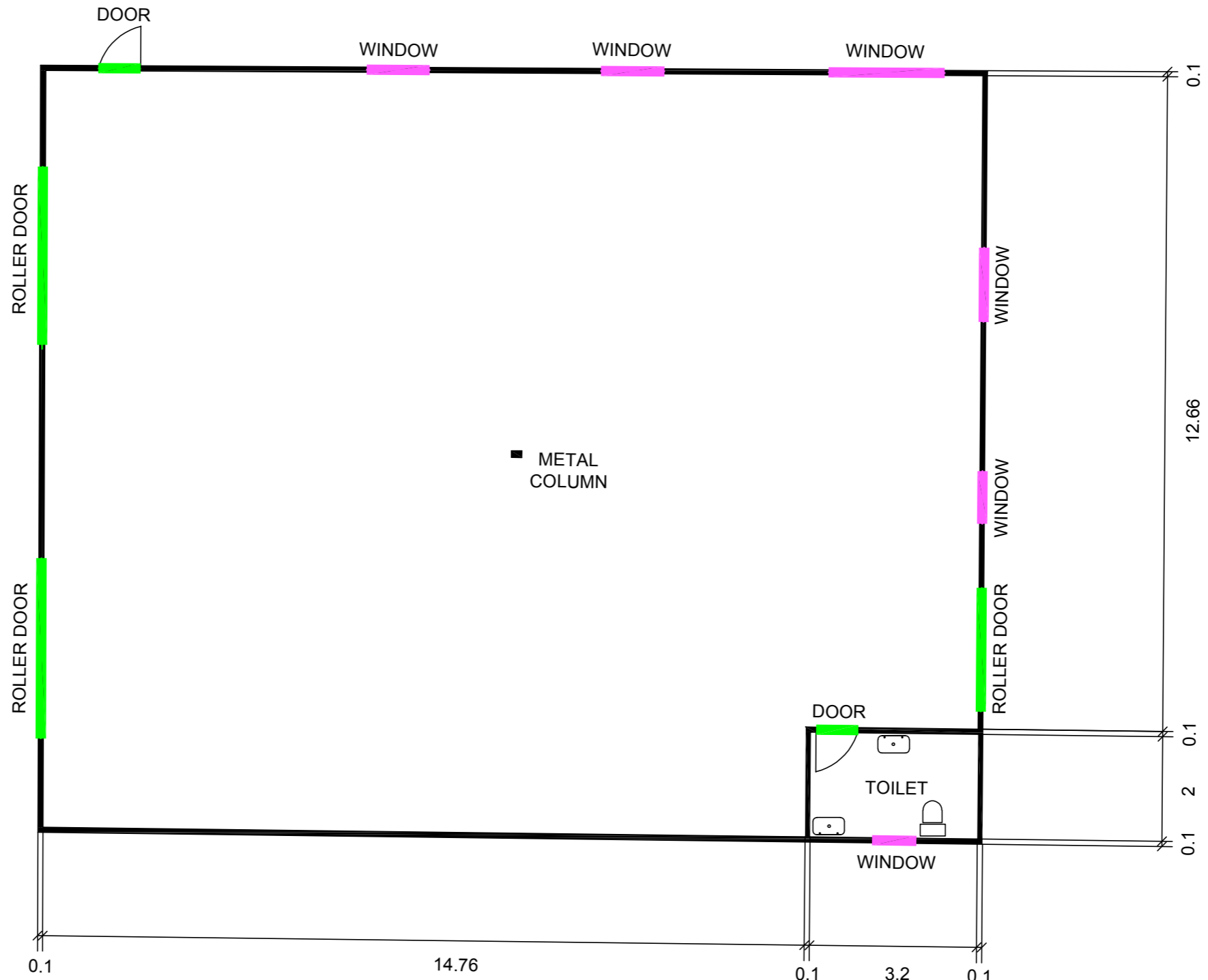
**SITE PLAN**





CYNTHIA VINES  
LOT 2 DP 200208 - No.95A STOCKTON STREET  
NELSON BAY LGA PORT STEPHENS

Our Ref: SITE-V  
Original Size Sheet No. A OF 2



STOCKTON STREET



-  TOILET
-  SINK
-  WINDOW
-  DOOR/ROLLER DOOR



SCALE 1:100 @ A3



SURVEYING CIVIL ENGINEERING TOWN PLANNING PROJECT MANAGEMENT STRATA CERTIFICATION ECOLOGY BUSHFIRE ASSESSMENT

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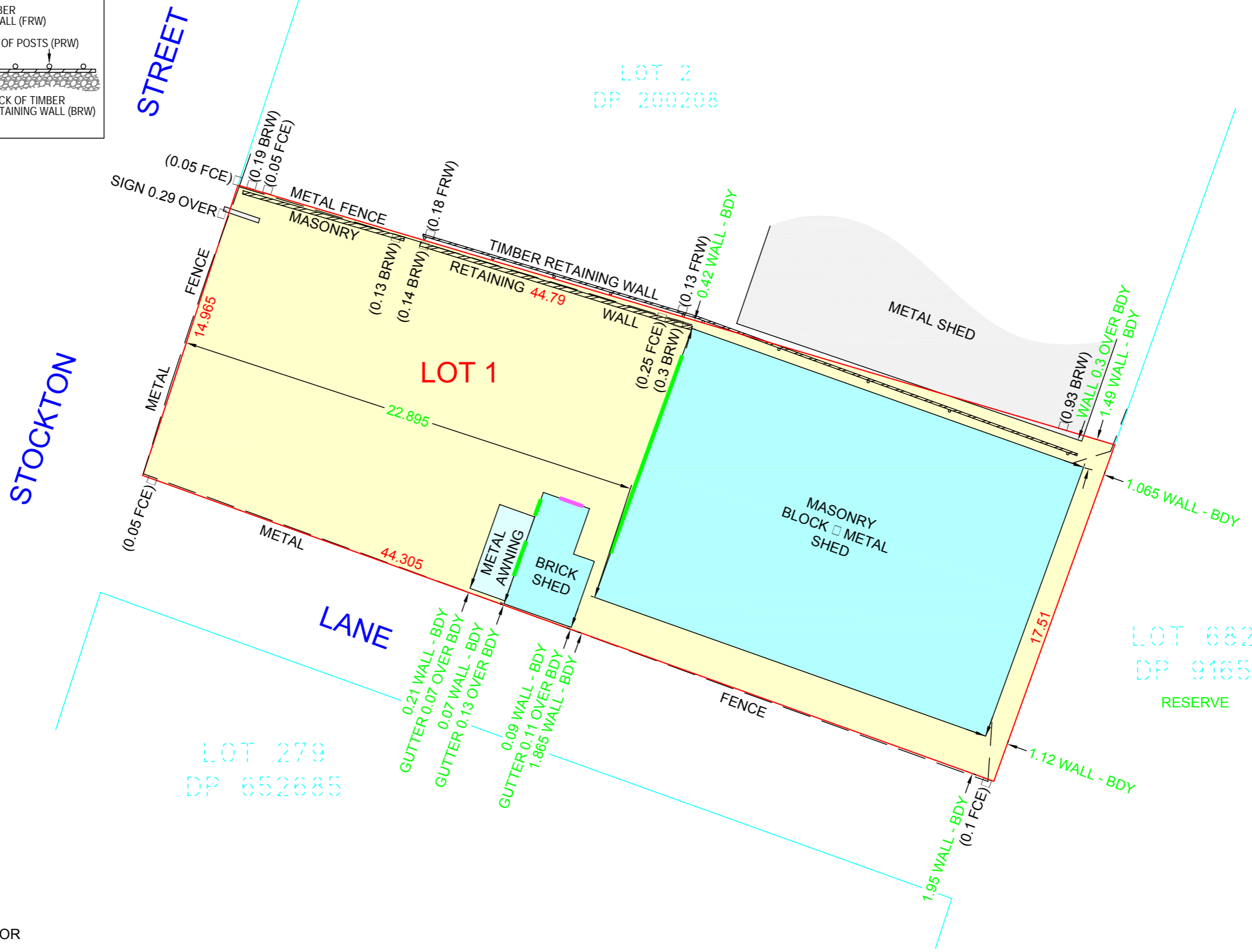
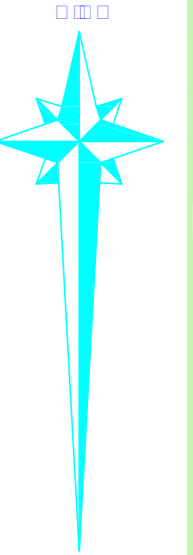
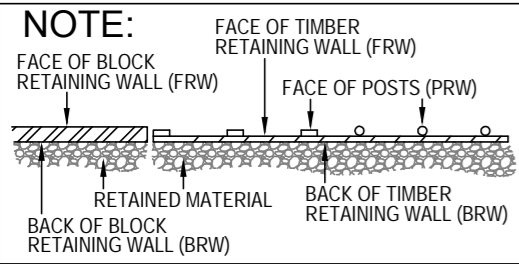
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Title  
 Client  
 Site  
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**FLOOR PLAN**  
 CYNTHIA VINES  
 LOT 2 DP 200208 - No.95A STOCKTON STREET  
 NELSON BAY LGA PORT STEPHENS

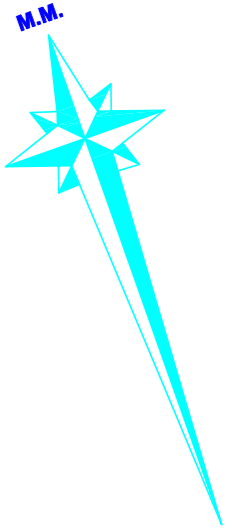
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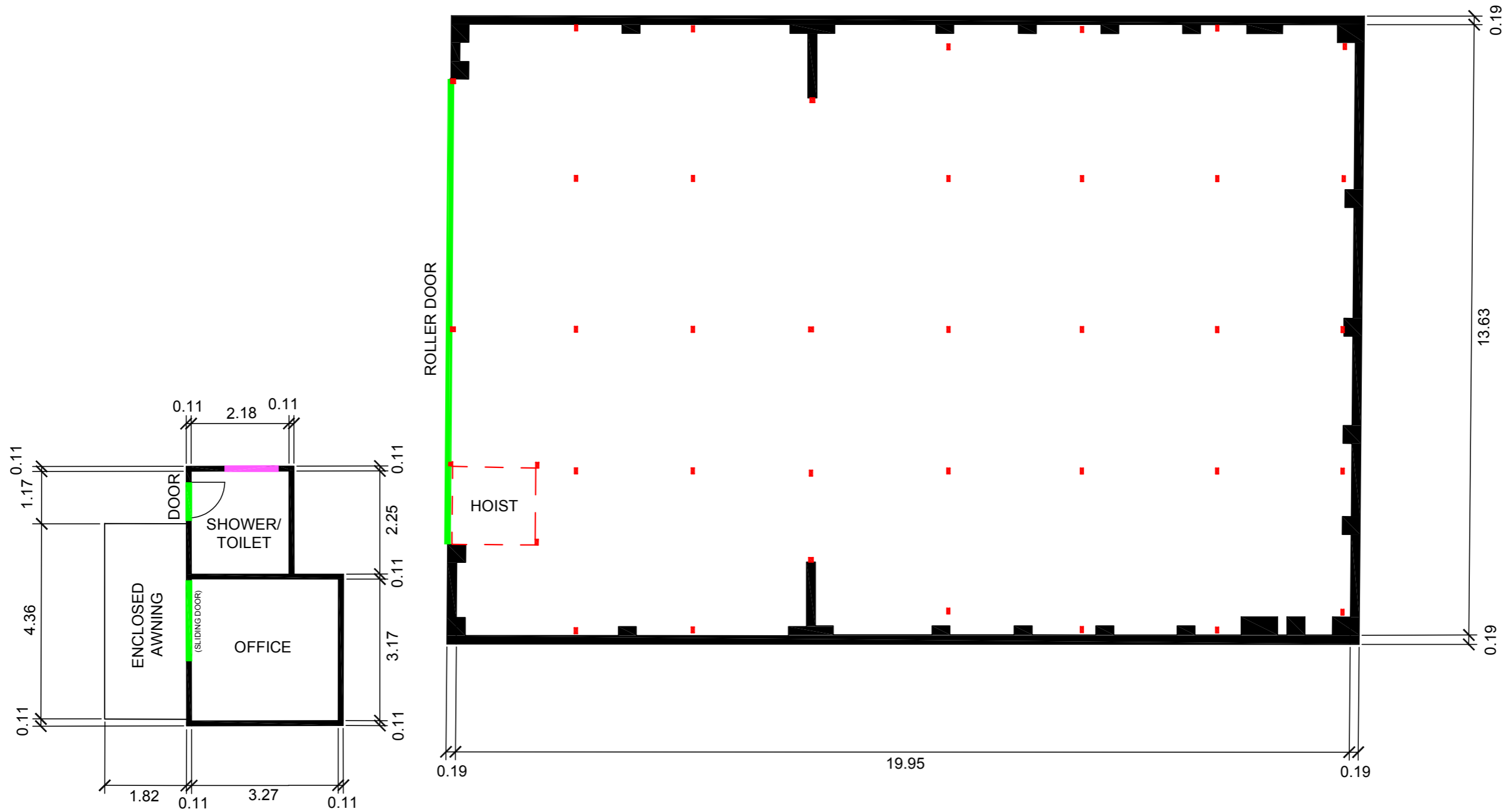


- WINDOW
- DOOR/ROLLER DOOR

# GROUND FLOOR



STOCKTON STREET



- METAL COLUMN
- WINDOW
- DOOR/ROLLER DOOR



SCALE 1:100 @ A3



SURVEYING CIVIL ENGINEERING TOWN PLANNING PROJECT MANAGEMENT STRATA CERTIFICATION ECOLOGY BUSHFIRE ASSESSMENT

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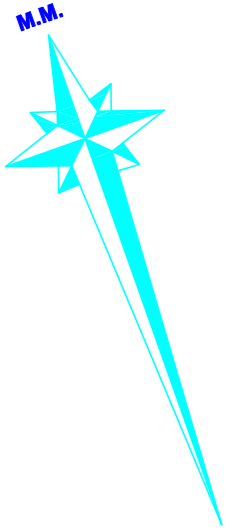
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 Site  
 Locality

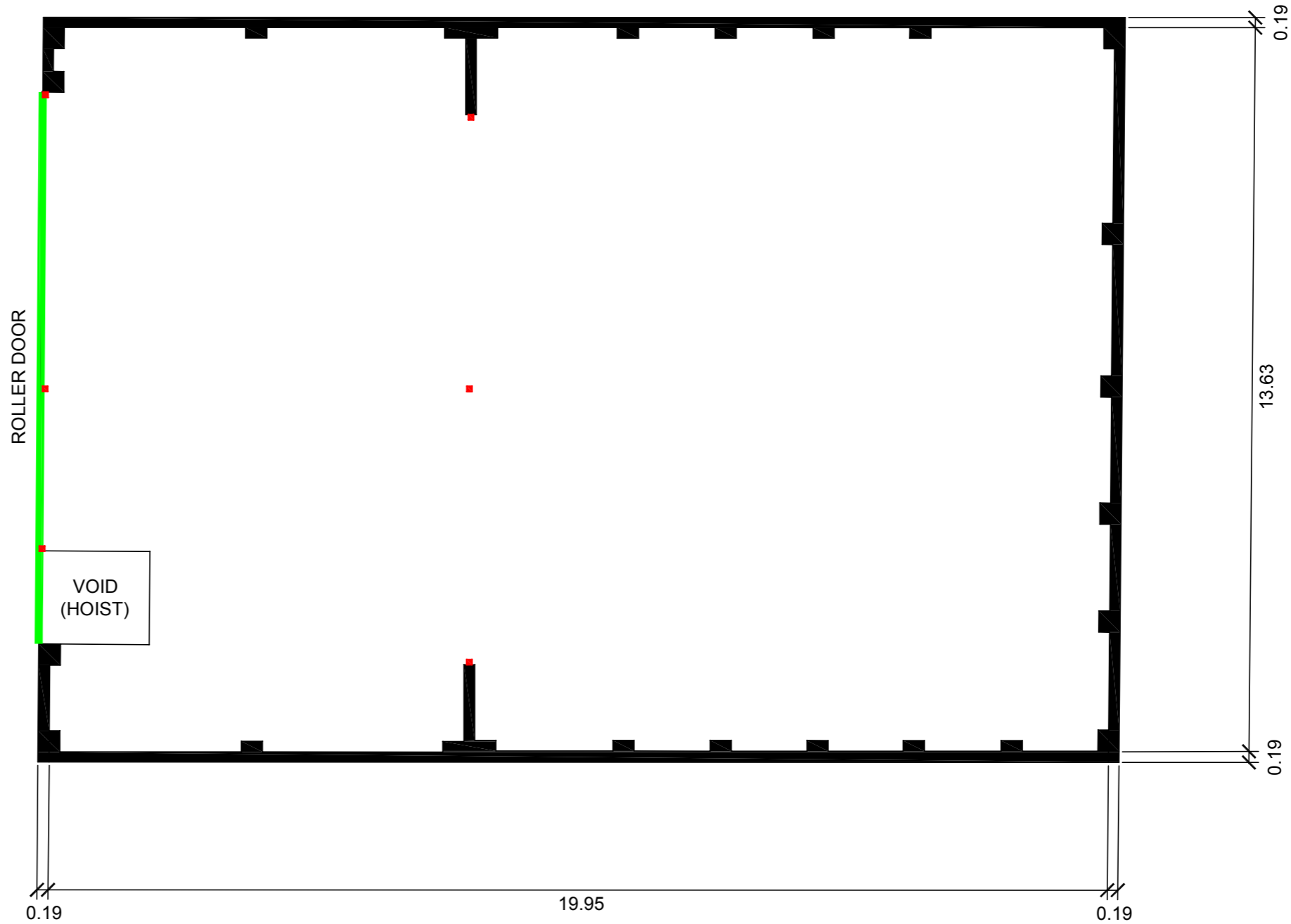
**FLOOR PLAN**  
 CYNTHIA VINES  
 LOT 1 DP 200208 - No.97 STOCKTON STREET  
 NELSON BAY LGA PORT STEPHENS

Our Ref: **SITE-V**  
 Original Size **A**  
 Sheet No. **2 of 2**

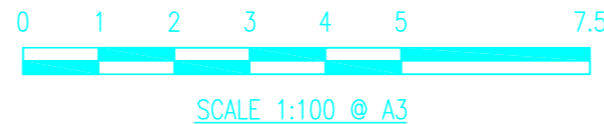
# MECHANINE LEVEL

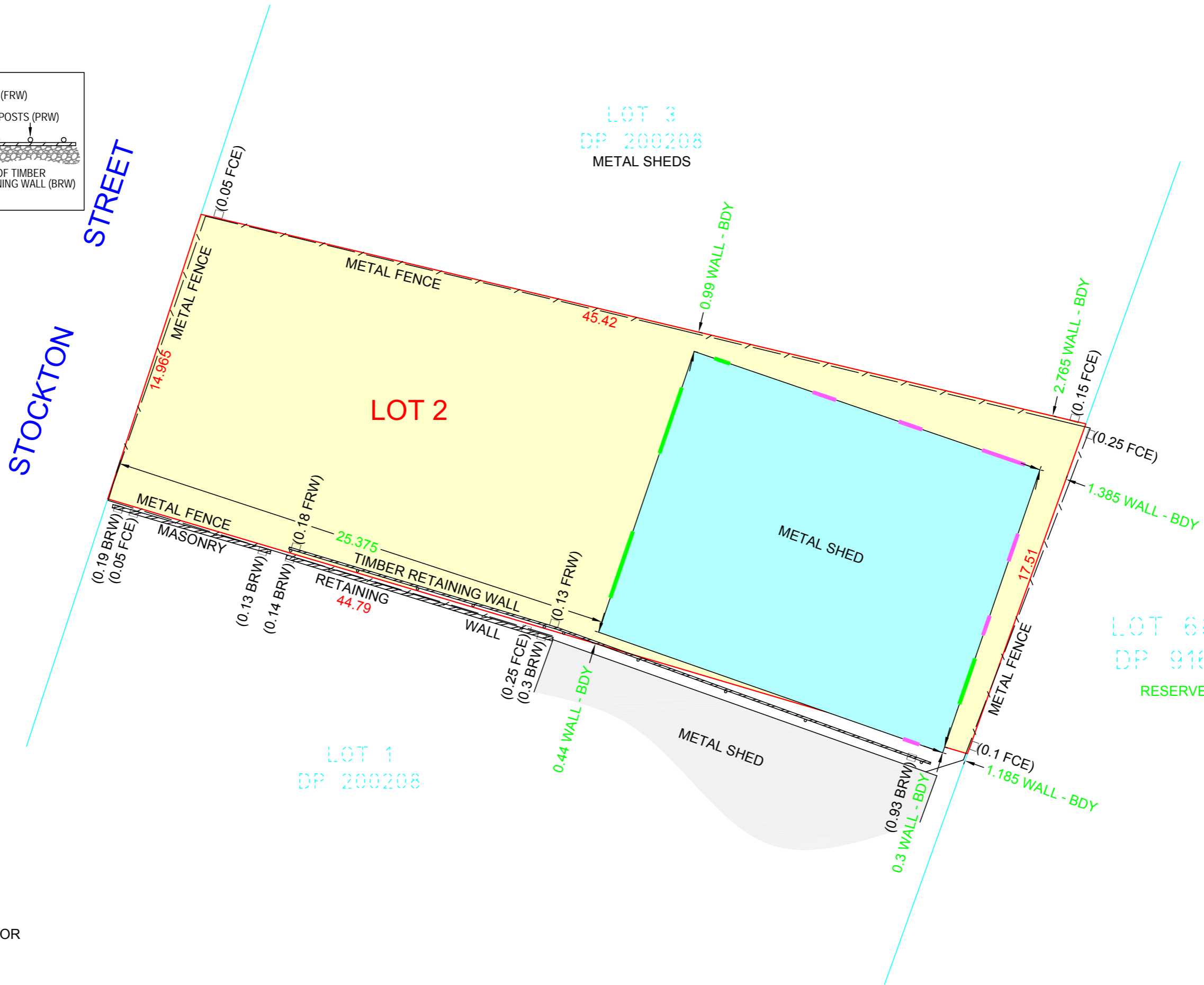
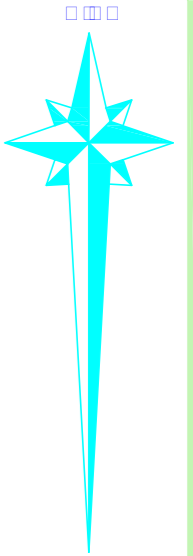
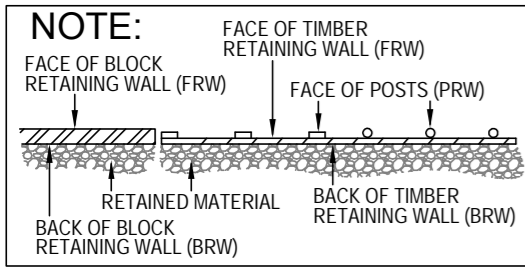


STOCKTON STREET



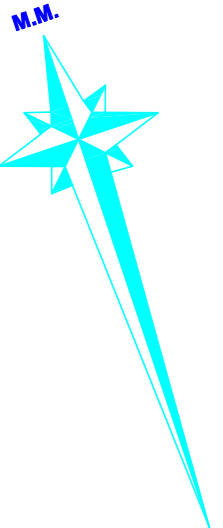
■ METAL COLUMN  
— ROLLER DOOR



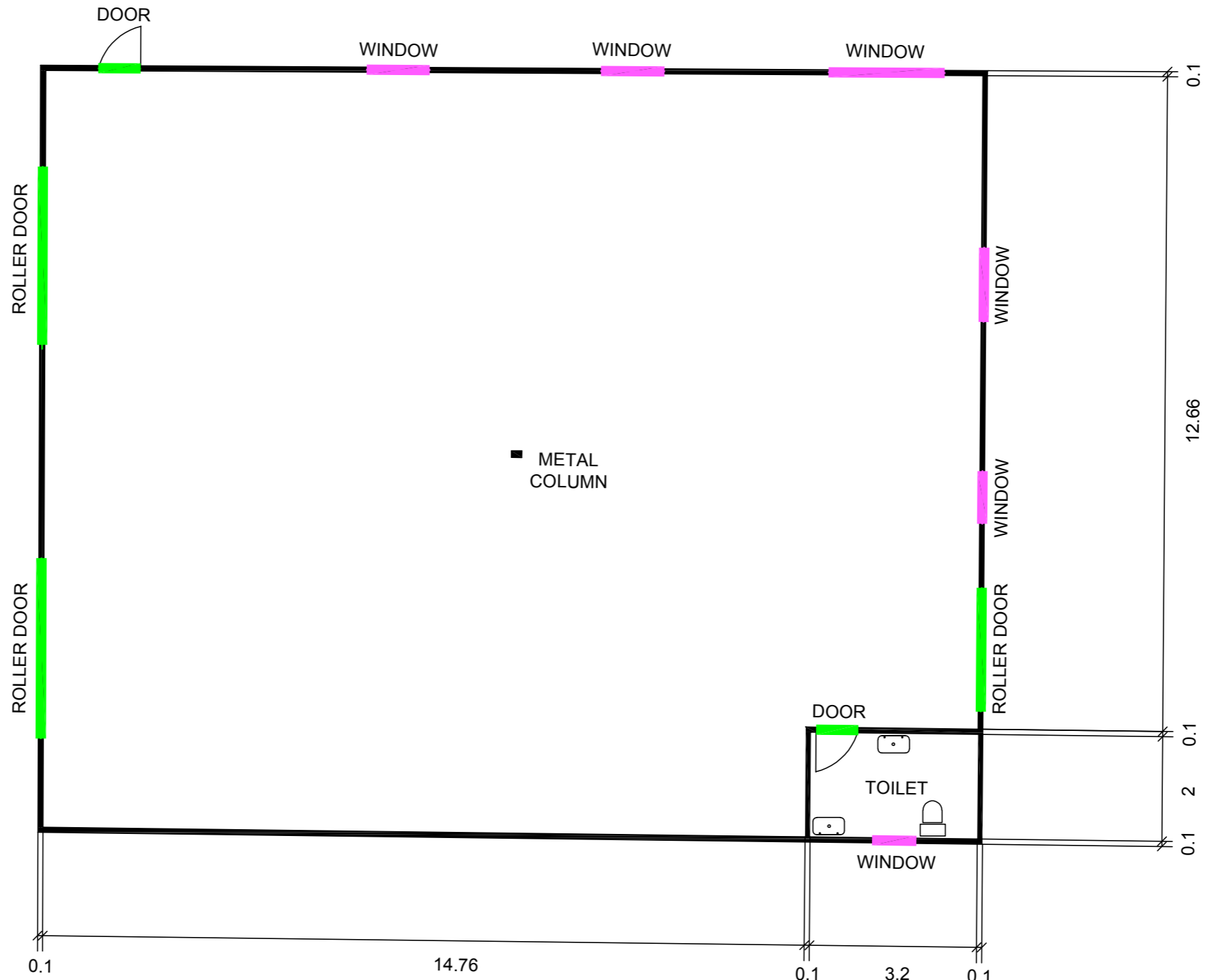






- WINDOW
- DOOR/ROLLER DOOR





STOCKTON STREET



-  TOILET
-  SINK
-  WINDOW
-  DOOR/ROLLER DOOR



SCALE 1:100 @ A3



SURVEYING CIVIL ENGINEERING TOWN PLANNING PROJECT MANAGEMENT STRATA CERTIFICATION ECOLOGY BUSHFIRE ASSESSMENT

11 ADELAIDE STREET  
 PO BOX 1111  
 RANDOLPH TERRACE 2121  
 P: 08 8333 8888  
 reception@lemottee.com  
 ABN 38 136 535 156

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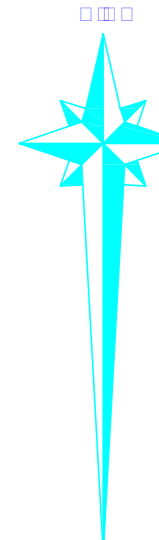
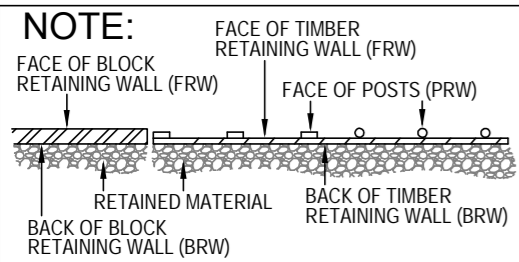
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 Northing - **N/A**  
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 Origin - **N/A**  
 R.L. - **N/A**  
 Contour Int. - **N/A**

Surveyed  
 MB 24/03/2017  
 Drafted  
 MB 28/03/2017  
 Checked  
 AJM 28/03/2017

Title  
 Client  
 Site  
 Locality

**FLOOR PLAN**  
 CYNTHIA VINES  
 LOT 2 DP 200208 - No.95A STOCKTON STREET  
 NELSON BAY LGA PORT STEPHENS

Our Ref.  
 1111 **SITE-V**  
 Original Size  
**A**  
 Sheet No.  
**2 of 2**



STOCKTON

STREET

LOT 2  
DP 200208

(0.05 FCE)  
SIGN 0.29 OVER

(0.19 BRW)  
(0.05 FCE)

METAL FENCE  
MASONRY

LOT 1

(0.13 BRW)  
(0.14 BRW)

TIMBER RETAINING WALL  
RETAINING WALL 44.79

(0.13 FRW)  
0.42 WALL - BDY

METAL SHED

FENCE  
14.965

(0.05 FCE)

METAL

0.21 WALL - BDY  
GUTTER 0.07 OVER BDY  
0.07 WALL - BDY  
GUTTER 0.13 OVER BDY

0.09 WALL - BDY  
GUTTER 0.11 OVER BDY  
1.865 WALL - BDY

METAL AWNING  
BRICK SHED

44.305

LANE

MASONRY  
BLOCK METAL  
SHED

(0.25 FCE)  
(0.3 BRW)

(0.93 BRW)  
WALL 0.3 OVER BDY

1.49 WALL - BDY

1.065 WALL - BDY

LOT 682  
DP 9165  
RESERVE

17.51

1.12 WALL - BDY

1.95 WALL - BDY  
(0.1 FCE)

FENCE

WINDOW  
DOOR/ROLLER DOOR

ADELAIDE STREET  
PO BOX  
RAVONDA TERRACE 2 2  
P: 08 8888 8  
reception@lemottee.com  
ABN 38 136 535 156

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Technical Details:  
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Origin - N/A  
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Northing - N/A  
Datum - N/A  
Origin - N/A  
R.L. - N/A  
Contour Int. - N/A

Surveyed  
MB 24/03/2017  
Drafted  
MP 30/03/2017  
Checked  
AJM 30/03/2017

Title  
Client  
Site  
Locality

**SITE PLAN**  
CYNTHIA VINES  
LOT 1 DP 200208 - No.97 STOCKTON STREET  
NELSON BAY LGA PORT STEPHENS

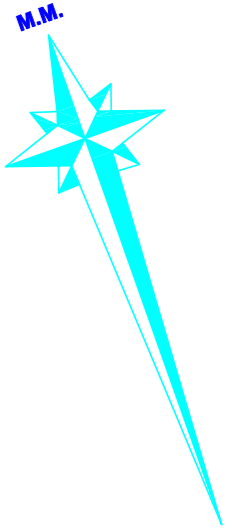
Our Ref:  
SITE-V  
Original Size  
Sheet No.  
A OF



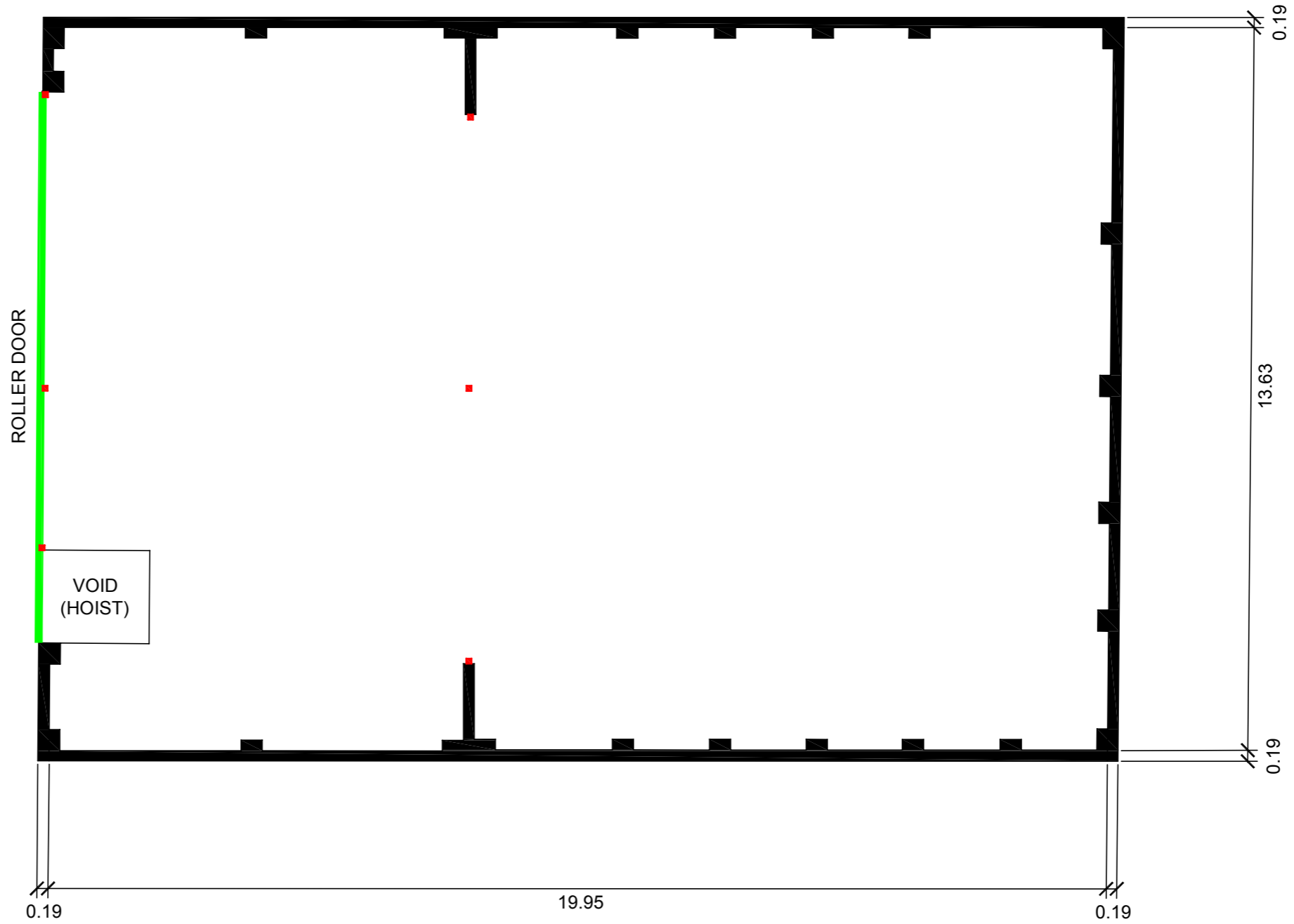




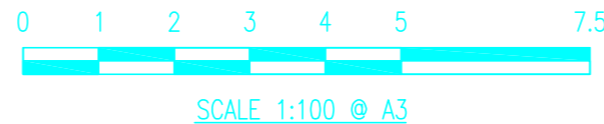
# MECHANINE LEVEL



STOCKTON STREET



■ METAL COLUMN  
— ROLLER DOOR





## **Annexure C**

Site Infrastructure Location

Dial Before You Dig (DBYD)

If further information is required, please contact:  
 Ausgrid DBYD  
 Phone: (02) 4951 0899  
 Fax: (02) 4951 0729



Emergency Phone Number 000088

## Underground Cable Location Search Advice

### -- Ausgrid Assets Affected --

To:	Mrs Kate Wheeler Le Mottee Group 199 Adelaide Street Raymond Terrace NSW 2324		
		Phone No:	0249871748
		Issue Date:	7/06/2017

In response to your enquiry, Sequence No: 61787781 the records of Ausgrid disclose that there **are** Ausgrid underground cables in the defined search location and relevant Ausgrid plans have been provided.

This search is based on the geographical position of the dig site as denoted in the Dial Before You Dig caller confirmation sheet and an overview is provided:

Address:	95A Stockton Street Nelson Bay NSW 2315
Job ID:	12443461



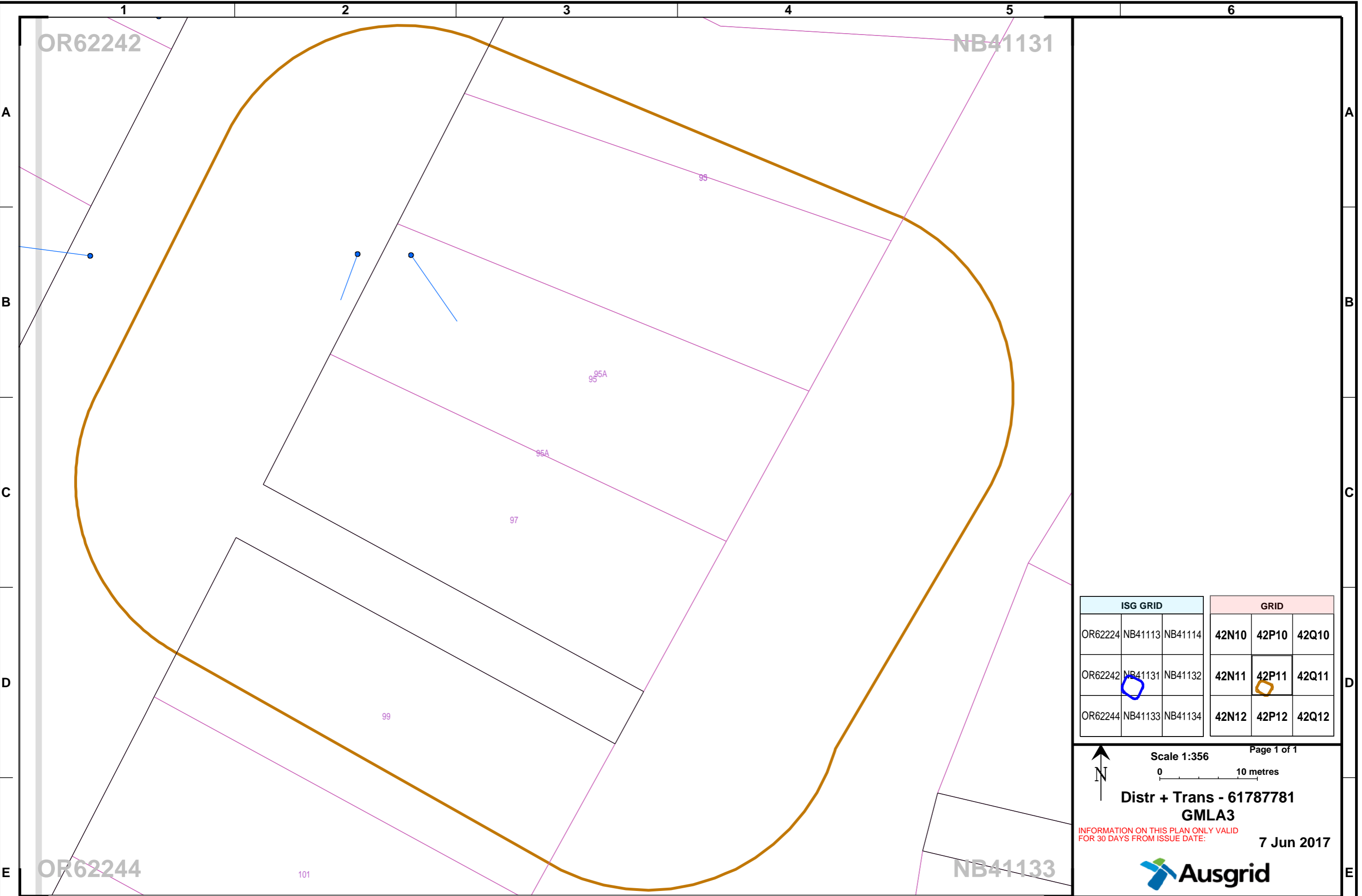
### Important

- All information provided to you is **ONLY VALID FOR 7 DAYS** from the date of issue
- You must keep Ausgrid plans on site during excavation works. If the people actually performing the excavation works do not know how to read and interpret Ausgrid's plans, then the work must be directed by a person who knows how to read and interpret plans.
- If you require a full size print of A0 plans and don't have the resources to do so please contact our office on 49510899 to request a hard copy to be posted. **Please allow 5 working days for delivery**
- Please note you will ONLY receive portions of your search area that contain Ausgrid Underground Assets

**PLEASE READ AND UNDERSTAND THE  
 SUPPLEMENTARY MATERIAL CONTAINED IN THIS ADVICE BEFORE PROCEEDING  
 WITH ANY WORKS**

#### Summary of Supplementary Information:

Material	Purpose	Location
<b>RED ONT SAFETY ALERT</b>	Safety precautions when working on or near low voltage stranded aluminium cable	Web Link <a href="#">Click Here</a>
Important Information.pdf	Details important information	Attached
Working near Ausgrid Cables.pdf	Summary of NS156	Attached
COMN0119 How To Read Ausgrid Plans.pdf	Details how to read Ausgrid plans	Attached
WorkCover NSW "Work near underground assets: Guide"	To assist you in deciding appropriate measures to eliminate or control risks when working near underground assets.	Web Link <a href="#">Click Here</a>
Ausgrid's Network Standard NS156	For important information for work near or around underground cables	Web Link <a href="#">Click Here</a>



ISG GRID			GRID		
OR62224	NB41113	NB41114	42N10	42P10	42Q10
OR62242	NB41131	NB41132	42N11	42P11	42Q11
OR62244	NB41133	NB41134	42N12	42P12	42Q12

Page 1 of 1

Scale 1:356  
0 10 metres

**Distr + Trans - 61787781**  
**GMLA3**

INFORMATION ON THIS PLAN ONLY VALID FOR 30 DAYS FROM ISSUE DATE: **7 Jun 2017**

**W A R N I N G :** Ausgrid's plans show the position of assets at the time of installation and may not account for subsequent changes to road alignments, fences or buildings. The plans show no more than the presence or absence of Ausgrid assets in the street. Persons working near electricity networks must exercise care and will be held responsible for any damage caused. You must excavate by hand or use vacuum excavation to establish the location of Ausgrid underground cables and associated assets. Underground: Working near a cable may result in electric shock even if no contact is made. Any work in the vicinity of any cable should only be performed using safe work methods developed in accordance with the recommendations included in WorkCover Code of Practice for Excavation and WorkCover Guide for Work Near Underground Assets as well as recommendations of Ausgrid's Network Standard NS156. Overhead: Do not excavate near poles or towers until the stability of the foundation has been assessed by Ausgrid. Cables or earth conductors may be present close to substations, poles or towers. Workers must maintain safe approach distances and follow applicable WorkCover Codes of Practice. NOTE: 1. You must keep Ausgrid plans on site during excavation works. If the people actually performing the excavation works do not know how to read and interpret Ausgrid's plans, then the work must be directed by a person who knows how to read and interpret the plans. 2. This information includes data from the NSW Digital Cadastral Database by Land and Property Information (c) 2016, used under Creative Commons licence version 4.0.



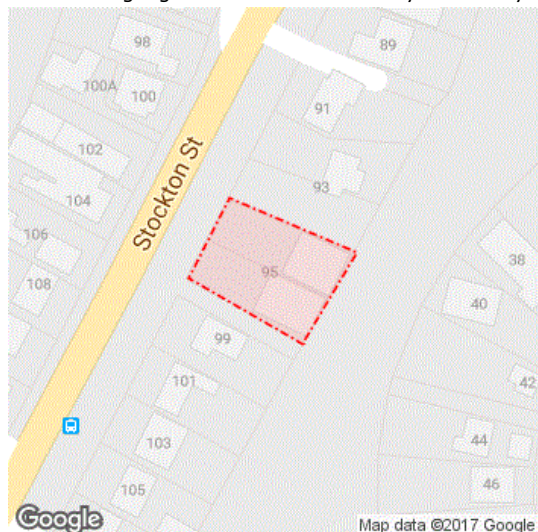
### Caller Details

**Contact:** Mrs Kate Wheeler  
**Company:** Le Mottee Group  
**Address:** 199 Adelaide Street  
Raymond Terrace NSW 2324

**Caller Id:** 1097263  
**Mobile:** Not Supplied  
**Email:** kate@lemottee.com  
**Phone:** 0249871748  
**Fax:** Not Supplied

### Dig Site and Enquiry Details

**WARNING:** The map below only displays the location of the proposed dig site and does not display any asset owners' pipe or cables. The area highlighted has been used only to identify the participating asset owners, who will send information to you directly.



**User Reference:** 6703  
**Working on Behalf of:** Private  
**Enquiry Date:** 07/06/2017  
**Start Date:** 18/06/2017  
**End Date:** 25/06/2017  
**Address:** 95A Stockton Street  
Nelson Bay NSW 2315  
**Job Purpose:** Excavation  
**Onsite Activity:** Subdivision  
**Location of Workplace:** Both  
**Location in Road:** CarriageWay, Footpath, Nature Strip

- Check that the location of the dig site is correct. If not you must submit a new enquiry.
- Should the scope of works change, or plan validity dates expire, you must submit a new enquiry.
- Do NOT dig without plans. Safe excavation is your responsibility. If you do not understand the plans or how to proceed safely, please contact the relevant asset owners.

**Notes/Description of Works:**  
Not Supplied

### Your Responsibilities and Duty of Care

- If plans are not received within 2 working days, contact the asset owners directly & quote their Sequence No.
- ALWAYS perform an onsite inspection for the presence of assets. Should you require an onsite location, contact the asset owners directly. Please remember, plans do not detail the exact location of assets.
- Pothole to establish the exact location of all underground assets using a hand shovel, before using heavy machinery.
- Ensure you adhere to any State legislative requirements regarding Duty of Care and safe digging requirements.
- If you damage an underground asset you MUST advise the asset owner immediately.
- By using this service, you agree to Privacy Policy and the terms and disclaimers set out at [www.1100.com.au](http://www.1100.com.au)
- For more information on safe excavation practices, visit [www.1100.com.au](http://www.1100.com.au)

### Asset Owner Details

The assets owners listed below have been requested to contact you with information about their asset locations within 2 working days. Additional time should be allowed for information issued by post. It is **your responsibility** to identify the presence of any underground assets in and around your proposed dig site. Please be aware, that not all asset owners are registered with the Dial Before You Dig service, so it is **your responsibility** to identify and contact any asset owners not listed here directly.  
\*\* Asset owners highlighted by asterisks \*\* require that you visit their offices to collect plans.  
# Asset owners highlighted with a hash require that you call them to discuss your enquiry or to obtain plans.

Seq. No.	Authority Name	Phone	Status
61787781	Ausgrid	0249510899	NOTIFIED
61787784	Hunter Water Corporation	1300657657	NOTIFIED
61787785	NBN Co, NswAct	1800626762	NOTIFIED
61787783	Optus and/or Uecomm, Nsw	1800505777	NOTIFIED
61787782	Telstra NSW, Central	1800653935	NOTIFIED

END OF UTILITIES LIST

## Property Lines

“property line” (PL) sometimes referred to as “building line” (BL) is the standard dimensioning reference point on all Ausgrid plans and represents property boundaries.

Typically the PL is the boundary between private property and local council’s footpath area or nature reserve. Most residential fences and office blocks are erected along the PL.

“kerb line” (KL) is less frequently referred to on Ausgrid plans, and where used will be identified clearly as KL.

Numbers listed within property boundaries should correspond to recognised “street numbers”. (refer to figure 1)



Figure 1

## Datum References

“datum references” identify distances (in metres) from significant features (such as corners of property boundaries) to reference points such as Ausgrid assets eg: “conduits”, “cables”, “joints” (refer to figure 2)

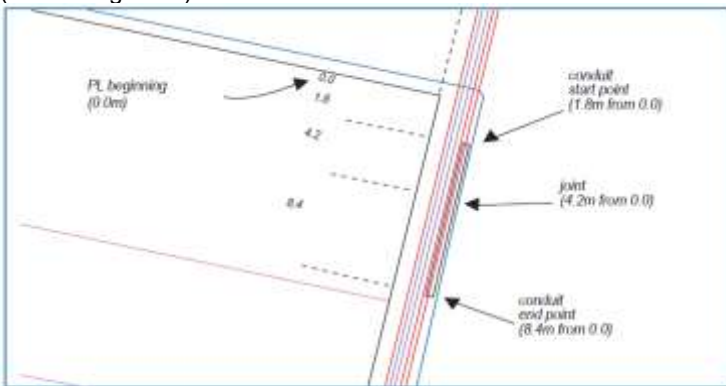


Figure 2

## Cross Sections

“cross sections” displayed on Ausgrid plans detail information relating to the relative position (ie: distance from the “property line” and the depth of “cover” of Ausgrid assets.

“cover” is a term used to refer to the depth of cables underground.

A “cross section” leader line will be drawn indicating the location of the displayed “cable” or “conduit” information on Ausgrid plans.

The distance from “property line” (in metres) and depth of “cover” (in metres) references are displayed as ie: 0.6 metres from PL and 0.5 metres underground).

Where distance and cover are not recorded, they will be clearly marked as “NR”

**NOTE:** Distance and cover where indicated may be different to the actual position of the cables (eg: fill may have been placed at site that has changed the ground level).

“PL” distance shown in cross sections is an indicative measure to the centre of the trench allocation from the adjacent property line.

On some plans the “cross sections” may also be shown with a specific number (eg: HR1). This number will match with a cross-section detail found in the border of the plot or on a separate plot page. (refer to figures 3 and 4)

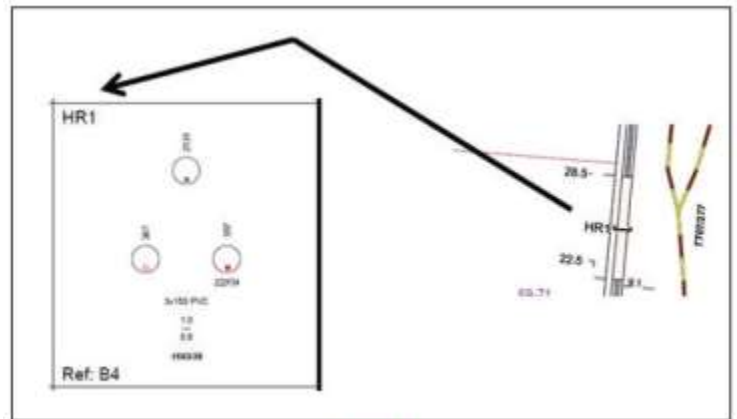


Figure 3

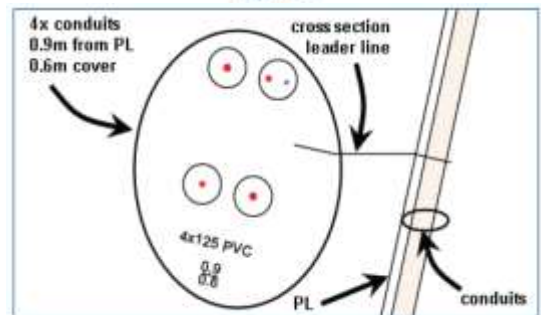


Figure 4



## □ Cable Joints and Joint Reports

“cable joints” (numbered individually) and “joint reports” (attached to Ausgrid plans) can provide information relating to the relative position of Ausgrid assets, distance from the “property line” (in metres), and the depth of “cover” (in metres). (refer to figures 5 and 6)

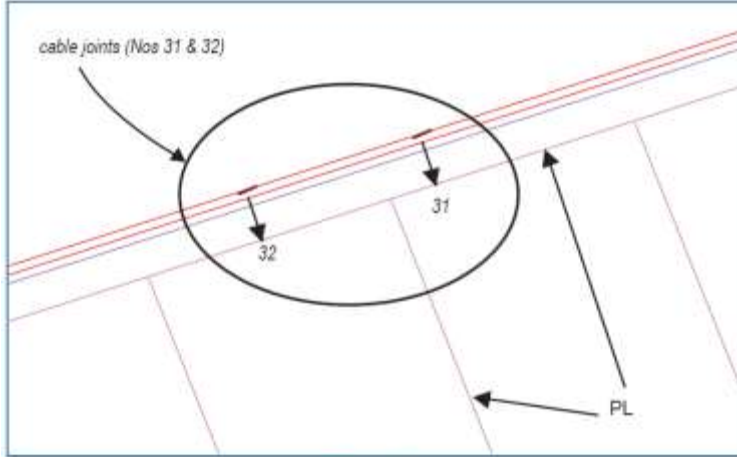


Figure 5

JOINT DETAIL REPORT			
No.	Bk-Pg	PI/Cvt	Joint Location
Map: LE912			
31	524-24	1.14/0.69	61.7 E of Pearl Lane EPL
32	524-24	1.14/0.69	57.6 E of Pearl Lane EPL

Joint location  
(61.7m east of Pearl Lane East PL)

Joint position  
(1.14m from PL, 0.69 cover)

Figure 6

## □ Cross Section Detail Boxes

“cross section” detail boxes on the sides of an Ausgrid plan are used when there is insufficient room to display “cable” and/or “conduit” information on the Ausgrid plan. Ausgrid plans (refer to figure 7) are bordered by numeric identifiers along the top and bottom borders and alpha identifiers along the side borders.

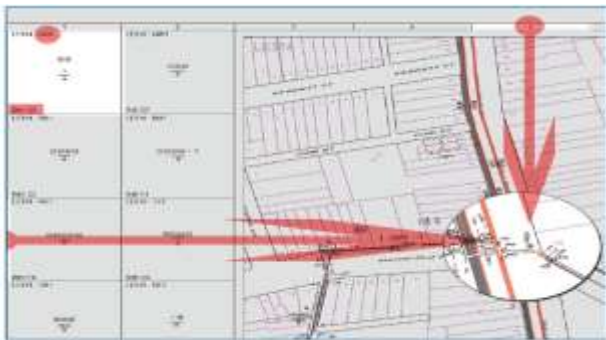


Figure 7

A “cross section” leader line and annotation is drawn on the Ausgrid plan for a reference to “cable” and/or “conduit” information in the “cross section” detail boxes.

## □ Pits

Underground “pits” are numbered on Ausgrid plans, positioned relative to the “property line” (PL), and can be found on either the footpath (nature strip) or the road (see figure 8).

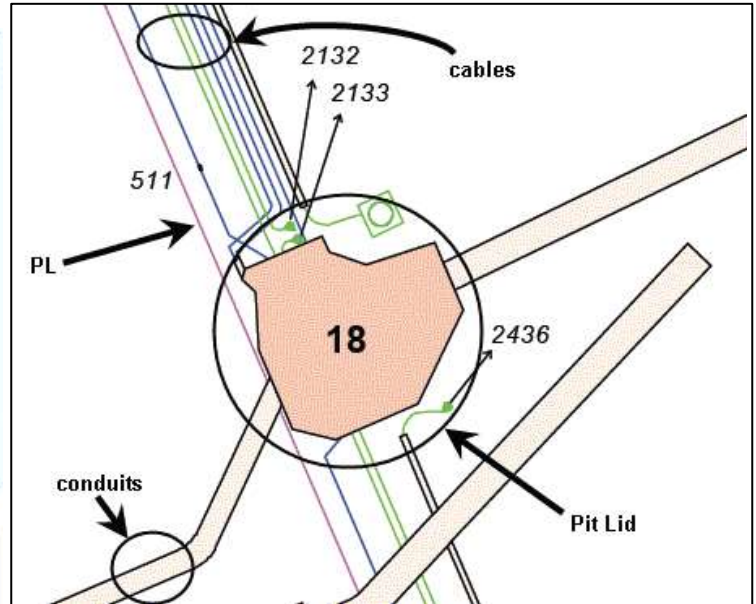


Figure 8

## □ Proposal Areas

There are areas where underground work may have been issued for construction by Ausgrid, but details are not yet completely displayed on Ausgrid plans. In such cases a shaded “proposal area” is displayed on the Ausgrid plan, indicating underground work may have commenced in the vicinity but is not yet complete.

In some instances cables and other assets within the shaded “proposal area” will be shown in a bright magenta colour, indicating that the proposed new work displayed within the shaded area is based on initial planning documentation. (refer to figure 9)

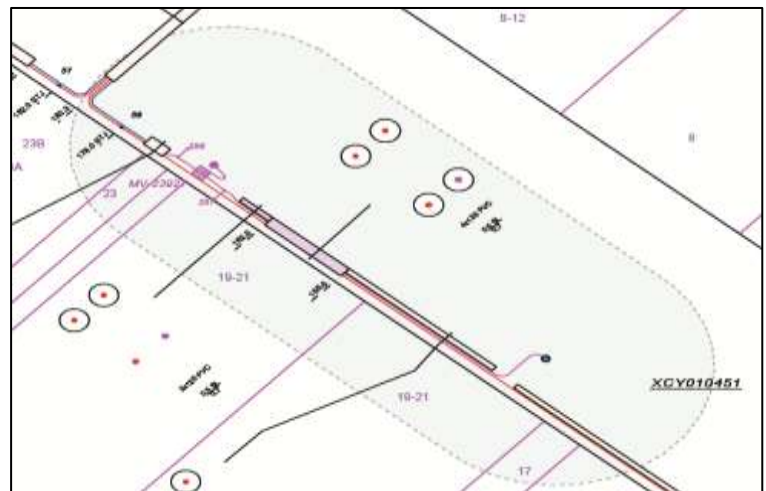


Figure □

# Reading Ausgrid Plans

COMN0119

In other instances the shaded “proposal area” itself may be shown as a blue colour, indicating that the new work displayed within the shaded area on the Ausgrid plan is yet to include details regarding final depths and dimensioning. (refer to figure 10)

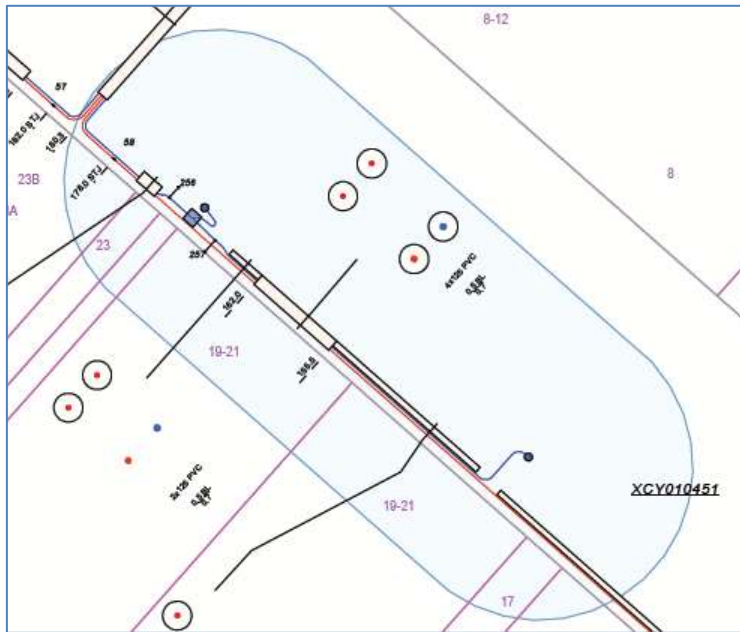


Figure 10

**NOTE:** In cases where these shaded “proposal areas” are displayed on Ausgrid plans.

“Ausgrid’s design plans showing the proposed position of its underground cables, overhead lines and structures have been prepared solely for Ausgrid’s own planning use. They show the proposed position of such underground cables, overhead lines and structures as proposed at the time of planning and have not necessarily been corrected to take into account any changes to road widths, road levels, fences and buildings subsequent to proposed installation.

Actual installations may vary from proposed installations as it may be necessary to take account of unforeseen above ground or subterranean constructions. Therefore, Ausgrid does not hold out that the design plans show more than the proposed presence or absence of its underground cables, overhead lines and structures in the street and will accept no liability for inaccuracies in the information shown on such design plans from any cause whatsoever.”

Any further information regarding information displayed for “proposal areas” can be obtained by contacting the Ausgrid DBYD office at the number indicated on the response to your DBYD enquiry for further information.

## 8 Ausgrid ISG map grid

The pale grey line indicates the Ausgrid ISG map grid border.

The pale grey annotation located in the corners of the Ausgrid plan window, indicates the 1:1000 Ausgrid (ISG) map grid reference.

The Ausgrid ISG map grid border and reference on Ausgrid plans should be used when reading the “joint report” (see part 4 of this document for more detail) to accurately locate underground cables.

The buffer area shown on the plan should relate to the area requested on the original Dial Before you Dig request.

The grid index box can be used for reference where necessary (located in the bottom right corner of the Ausgrid plans), and will also indicate the buffer area shown on the plan.

## Ausgrid “Distribution” and “Transmission” Plans

The Ausgrid plans supplied may identify both “distribution” and “transmission” voltage assets for the area defined in the DBYD request. (refer to figure 11)

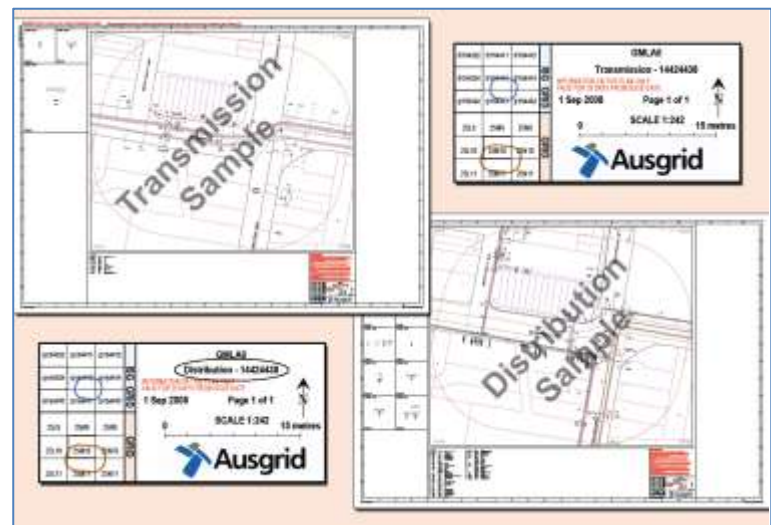


Figure 11

In the Sydney region, the Ausgrid plans are separately labelled as “Distribution – nnnnnnn” and “Transmission – nnnnnnn”, where “nnnnnnn” refers to the DBYD sequence number quoted.

In the Hunter region, the Ausgrid plans show combined “distribution” and “transmission” voltage assets, and are clearly labelled as “Distr + Trans – nnnnnnn” where “nnnnnnn” refers to the DBYD sequence number.

In the Hunter region, some DBYD requests are covered by PENGUIN grid references. In such cases, the Ausgrid Plans show the grid quoted with a cross-reference to a corresponding Ausgrid (ISG) map grid (eg: PENGUIN 136B3 – DP711, where DP711 is the Ausgrid (ISG) grid) to optimise the legibility of plans due to PENGUIN grid scale.

Some Hunter plans may have transmission cables in the area, when these cables are present there will be a warning printed at the top of the plan supplied:

**WARNING:** If there is work in the vicinity of transmission cables Ausgrid must be contacted at least two weeks before the work is due to commence.

## “Shifting Land Base” on Ausgrid Distribution and Transmission Plans

In some instances, the plans supplied may indicate road or property outlines that appear to have shifted in relation to the Ausgrid assets displayed. (refer to figure 12)

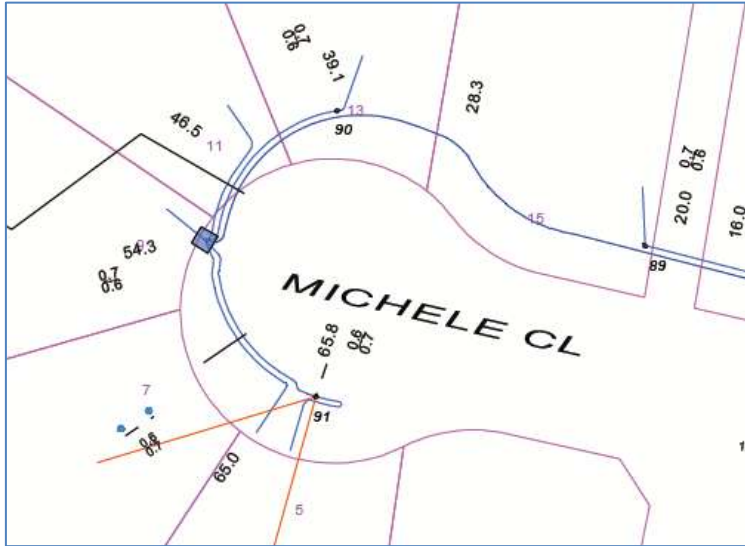


Figure 12

In such instances, always refer to the “property line” (in metres) and depth of “cover” (in metres) references displayed on the nearest relevant “cross sections” to obtain Ausgrid asset location information (see Reading Ausgrid Plans, clause 3, Cross Sections for more detail).

## “Underground Earthing Infrastructure”

In some instances, the plans supplied may also indicate the presence of underground earthing infrastructure associated with underground and/or overhead Ausgrid assets.

The “Earth Point” symbol (refer to figure 13) will be shown on plans to minimize risk of disturbance or damage to any Ausgrid underground earthing infrastructure in the vicinity.



Figure 13

## Aluminium Single Core Cables – Specific Excavation Hazard

Certain cables specifically illustrated in figures 14 & 15 below are susceptible to deterioration that may pose a risk of electric shock when working near them, particularly in damp ground.

For all work on or near Ausgrid’s network (where workers have been trained in Ausgrid’s “Work Near Underground Power Lines” course) the work practices outlined in NUS199 “Safe Electrical Working on Low Voltage Assets” section 8 for work near low voltage aluminium single core cable must be adhered to. Further information is also available to Accredited Service Providers in Safety Alert SA06-15 issued May 2015.

All other persons must contact Ausgrid before excavating near these cables to arrange for appropriate precautions to be applied.

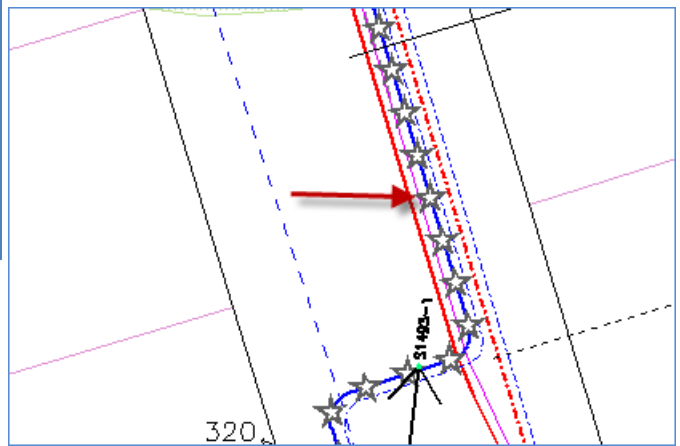


Figure 14

The “star” symbols over the cable indicate that it is susceptible to this deterioration.

Cables that are in duct lines have this symbology covered so an at-risk cable is indicated only within a cross section by a “#” appended to its cable code as illustrated below.

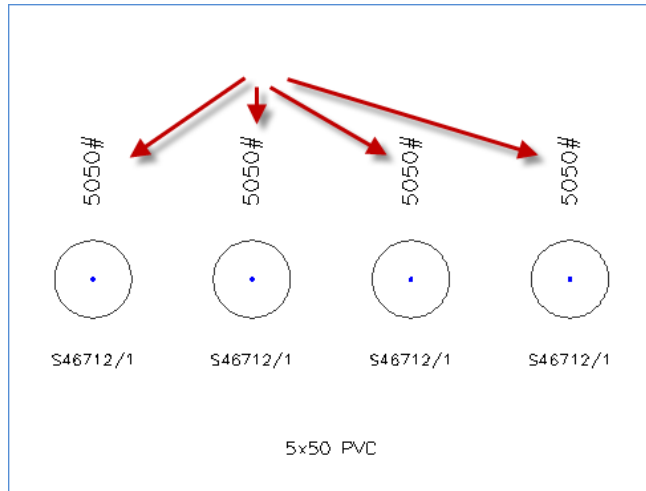


Figure 15



## IMPORTANT INFORMATION

### YOU MUST BE AWARE THAT:

1. There may be underground cables owned by other utilities, in the vicinity of your work, about which Ausgrid has no information.
2. Ausgrid does not usually keep plans of privately owned underground cables or its underground service cables on private property. (Refer NS 156 for further information.)

### YOU MUST MAKE YOUR OWN ENQUIRIES IN RESPECT OF THESE CABLES.

### YOU MUST UNDERSTAND THAT:

1. Ausgrid takes all reasonable care in providing details of its underground cables. However, owing to changes in road and footway alignments and levels, and the age and incompleteness of some records, it is not possible to conclusively specify the location of all of Ausgrid's underground cables. The accuracy and completeness of the information provided to you cannot be guaranteed. It is intended to be indicative only. It must not be **solely** relied upon when undertaking underground works.
2. Except to the extent that liability may not be capable of lawful exclusion, Ausgrid, its servants and agents will be under no liability whatsoever to any person for loss or damage (including indirect or consequential loss or damage) however caused (including without limitation, for breach of contract, negligence and breach of statute) which may be suffered or incurred from or in connection with the advice provided.
3. Due to the inherent dangers associated with excavation in the vicinity of underground cables, precautions must always be taken when undertaking any underground works. Ausgrid's Network Standard NS 156 specifies standards for working in the vicinity of underground cables. It is deemed to be part of this Advice, and it must be read by you.

**YOU MUST READ NETWORK STANDARD NS 156, *WORKING NEAR OR AROUND UNDERGROUND CABLES*. IT IS PART OF THIS ADVICE.**

# Working near Ausgrid cables

Finding out what's below the surface can save your life.

Call Dial Before You Dig on **1100** or visit [1100.com.au](http://1100.com.au)



## Changes in the Law.

NSW legislation now requires people who are planning to do excavation work to obtain copies of underground electricity cable plans through Dial Before you Dig (Phone 1100) and to make sure that the plans are no more than 30 days old when excavation commences.

The aim of the legislation is to ensure that when workers dig near electricity cables, they will establish the exact location of the cables and thus avoid coming into contact with them or damaging them. This will ensure worker safety and also prevent disruption to Ausgrid's electricity network.

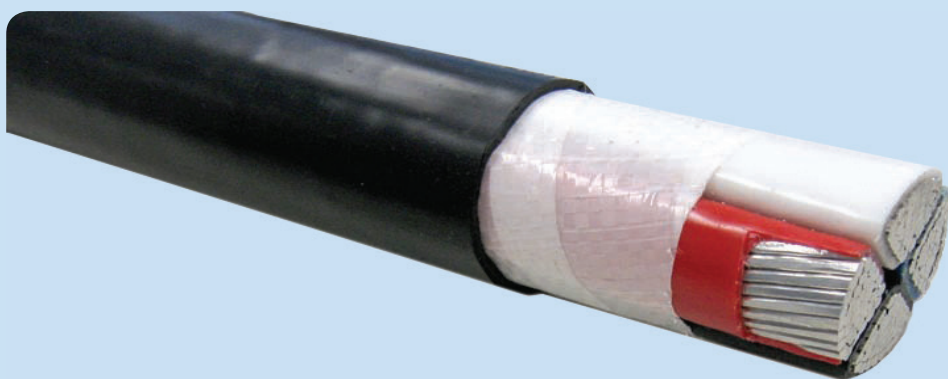
This brochure gives you a brief overview of how to prepare for excavation works near or around electricity cables. It is important that you also consult our guide How to Read Ausgrid Plans and make sure that workers engaged in excavation works fully understand how to read the plan. If the people actually doing the digging can't read the plans, it is essential that the work is directed by a person who has been trained to read Ausgrid's plans.

You must also consult Ausgrid's Network Standard NS156, which contains comprehensive information concerning all the issues that arise when excavating near underground cables (such as safety hazards from asbestos conduits and organochlorine pesticides).

## Excavating near transmission cables.

If any cable plan you receive says "You are working near transmission cables" it is compulsory to notify Ausgrid two weeks before work is scheduled to begin. Ausgrid will then arrange for an Ausgrid representative to attend the site during excavation work.

**Phone the Ausgrid Transmission enquiries line on (02) 4951 9200 to arrange for an Ausgrid representative in your region.**





## Be prepared. Wise words for safety at work.

Here are some simple precautions you and your workers need to follow in order to be as safe as possible.

- Make sure that your Dial Before You Dig (DBYD) plan is less than 30 days old
- Keep a copy of the cable plan on site at all times
- Make sure the excavation work is conducted or directed by staff who are trained to read the plan
- Hand dig until the exact location of the cable has been established
- Have on site at all times a first aid kit and a person trained in resuscitation
- Wear protective clothing, including safety footwear and safety helmet
- Have emergency contact numbers on site
- Set up safety barriers, witches hats and warning lights to reduce the risk of injury to the general public
- Comply with all WorkCover requirements and codes.

See also:

- **WorkCover Guidelines: Work Near Underground Assets**
- **WorkCover Code of Practice: Excavation Work**
- **WorkCover Code of Practice: Work Near Overhead Powerlines (if applicable).**

## Before you start. Complete the checklist. Stop and look around.

Before you start excavating, consult the flow chart and fill in the checklist at the end of this brochure.

Then, be sure to look for clues where cables might be located on the site: for example pits, distribution pillars (green and other colours), cables attached to the side of poles, street lights without overhead wires.



## Do all power cables look the same?

No. Power cables come in different sizes, colours and coverings. They may be covered in black plastic sheath, steel wires in a sticky bitument like material, or even a simple lead or steel wire/tape sheath.

## What else should I look for below ground level?

Cables may also be buried in orange PVC or PE conduits or even in earthenware or steel pipes. A bank of cables may be covered with electrical bricks, plastic warning markers or protective covers, or they may not be covered at all. If they have been buried close to the surface, they may be covered by concrete slabs or steel plates.

## When in doubt, ask Ausgrid.

If you have any questions about excavating near Ausgrid cables, read **NS156** (available at [ausgrid.com.au](http://ausgrid.com.au)).  
For further information call **13 13 65**.

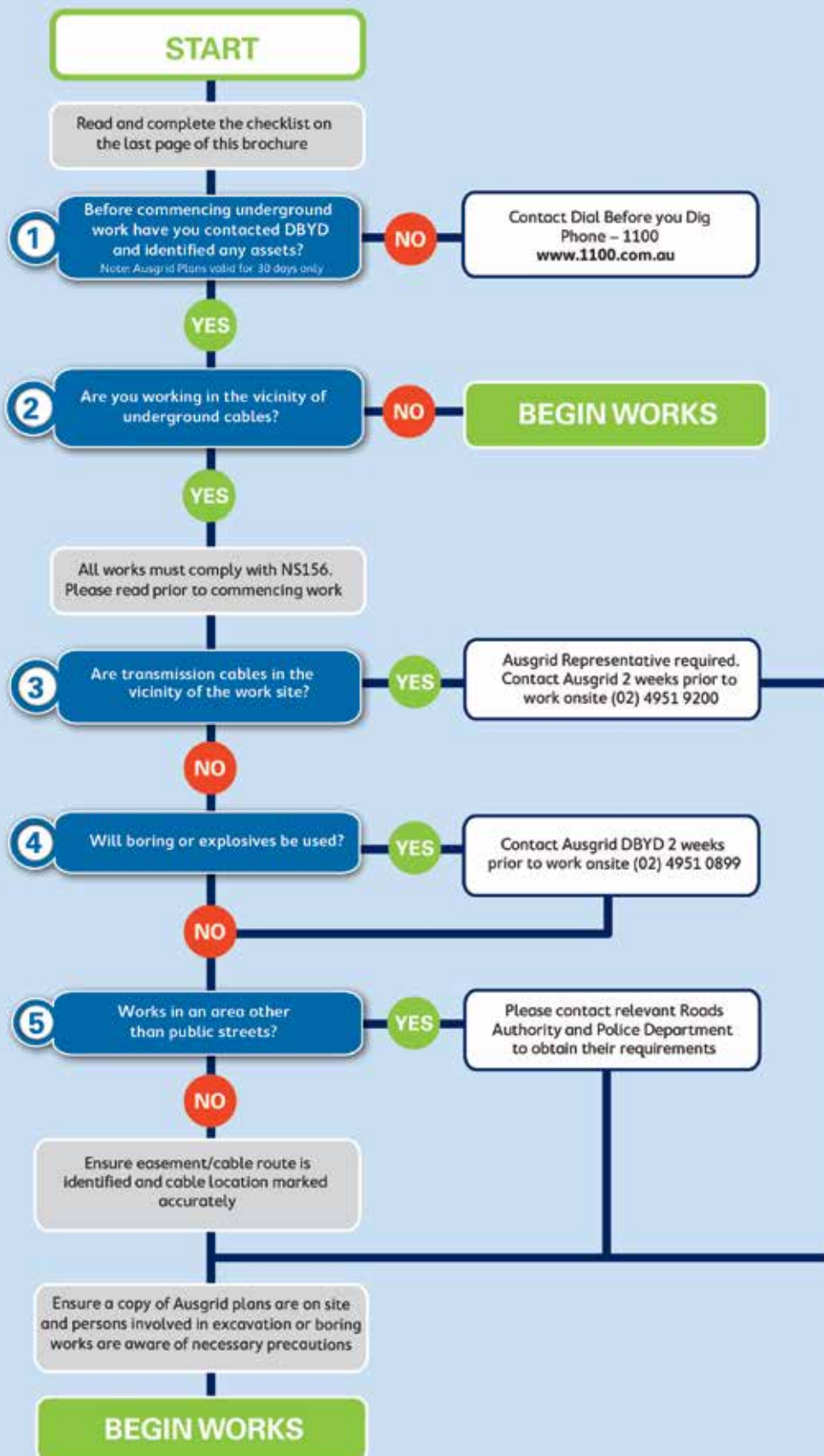
## You've taken every precaution but accidents still happen. What now?

If you damage an electricity cable, it is compulsory to notify Ausgrid on **13 13 88**.

Striking power cables can cause serious damage to the cables and endanger the lives of anyone who comes in contact with them. Machinery and hand operated plant such as jack hammers can become alive if it is in contact with electrical cables or equipment. Keep people well away from machinery and the work site if contact is made with a cable.



## Flow Chart for work near Ausgrid Cables



## Ausgrid Checklist for work near or around underground cables

It is the responsibility of the Constructor to ensure that underground pits, ducts and cables are not damaged as a result of construction work. It is also your duty to protect your workers from harm or injury. This Checklist is intended to be used as a guide to what Constructors should do to make sure they have satisfied the minimum requirements to minimise damage to underground networks.

PLANS, LOCATION and NOTIFICATIONS	Completed
All relevant utilities plans obtained from Dial Before You Dig? (call 1100 – allow at least 5 working days for plans).	
Checked issue date on all the above plans to ensure issue was within the last 30 days?	
Examined plans and assessed all possible impacts on Ausgrid’s network?	
Do you have both Underground Distribution and Transmission Plans (if applicable), on site at all times?	
All cables and conduits shown on the Ausgrid plans been located and marked on the ground?	
If you are planning to use a bore, have you ensured that the equipment is calibrated?	
Have you read and understood the requirements of NS 156? (for copies of NS 156 visit Ausgrid’s Website or phone Ausgrid DBYD Office (02) 4951 0899) <a href="http://www.ausgrid.com.au">www.ausgrid.com.au</a>	
Have you notified Ausgrid as specified by NS 0156 and complied with requirements? Where an Ausgrid representative is required, two weeks notice is required before work commencing on site. Contact phone number for Transmission cable enquiries is (02) 4951 9200. For all other cases contact Ausgrid DBYD Office: (02) 4951 0899.	
INSPECTION OF WORK BY Ausgrid’s REPRESENTATIVE	
Is the Ausgrid representative on site for any work near or around* any transmission cable before you start? (*Refer to NS 156.)	
For proposed work near or around* cables other than transmission and/or conduits, are any requirements specified by Ausgrid’s representative clearly understood and ready to be applied before you start the work? (*Refer to NS 156.)	
PROTECTION	
Check that all people on-site have been made aware of the presence and location of ALL Ausgrid underground cables and/or conduits; especially boring, drilling and trenching machine operators?	
Is there any asbestos or asbestos containing material in Ausgrid’s underground network assets?	
Have you checked for the presence of any Organo-Chloride Pesticides (OCP) in transmission trenches?	
Is the site supervisor monitoring all machine operators working near or around Ausgrid’s underground cables and/or conduits?	
Are the requirements specified by Ausgrid’s representative being followed?	
Are Ausgrid’s requirements in place for any exposed cables and/or conduits to be supported and protected?	
Have you marked all exposed underground cables and/or conduits with flags that are clearly visible from within all machinery used on-site?	
Have safety barriers, fencing or para-webbing been erected to protect staff and the public as well underground cables and/or conduits in areas that are at risk?	
Have safety barriers, fencing or para-webbing been erected to protect staff and the public as well underground cables and/or conduits in areas that are at risk?	

**In the event of DAMAGE to Ausgrid’s cable or conduits, call 13 13 88 immediately.  
PROCEED with CAUTION**

It is your responsibility to protect Ausgrid’s cables and conduits from damage and your Duty of Care to protect your workers from harm or injury.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Responsible person on site

For more information call 13 13 65 or visit [www.ausgrid.com.au](http://www.ausgrid.com.au)







# HUNTER WATER CORPORATION

A.B.N. 46 228 513 446

## DIAL BEFORE YOU DIG SERVICES PLAN - OVERVIEW

Enquiries: 1300 657 657

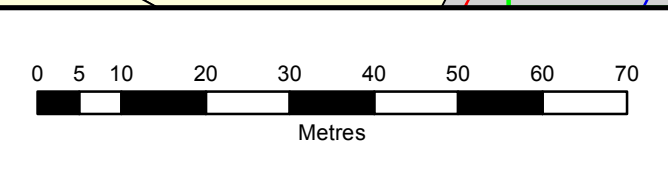
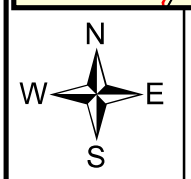
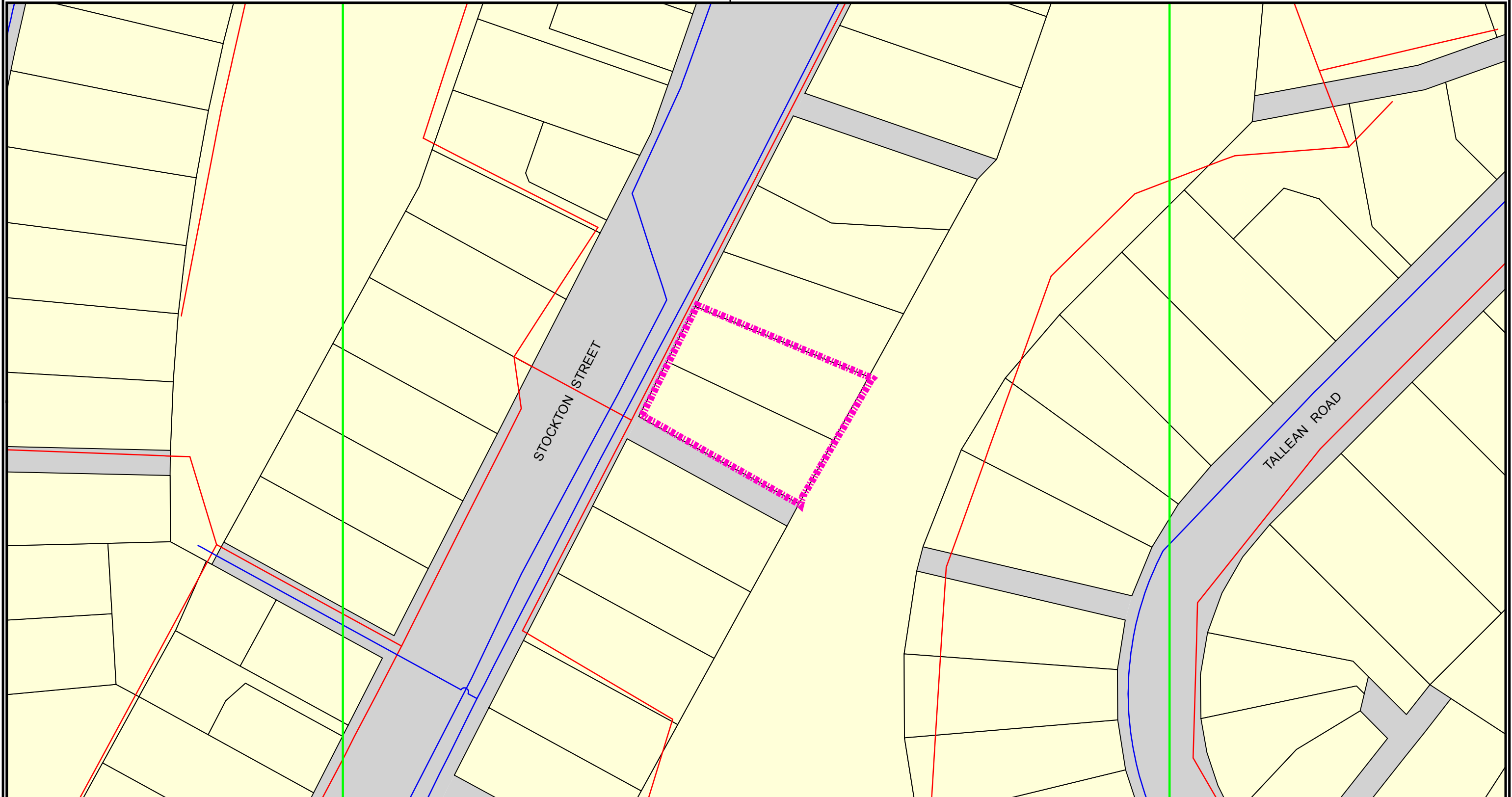


APPLICANT: Mrs Kate Wheeler

SEQUENCE NO.: 61787784

NOTIFICATION NO.: 12443461

DATE OF ISSUE: 7/06/2017



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ELECTRICAL - UTILITY DATA  
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SERVICE LOCATIONS ARE APPROXIMATE.  
HAND DIG UNTIL ACTUAL LOCATIONS ARE IDENTIFIED.  
PROPERTY SERVICES ARE NOT SHOWN.

**IMPORTANT THIS PLAN IS NOT TO BE USED FOR CONVEYANCING**  
THIS INFORMATION IS VALID FOR 30 DAYS FROM THE DATE OF ISSUE  
ANY INFORMATION ON THIS PLAN MAY NOT BE UP TO DATE  
AND THE CORPORATION ACCEPTS NO RESPONSIBILITY FOR ITS ACCURACY.  
REFER TO ATTACHED ADVICE SHEET FOR FURTHER ARNINGS.





# HUNTER WATER CORPORATION

A.B.N. 46 228 513 446

## DIAL BEFORE YOU DIG SERVICES PLAN - SEWER

Enquiries: 1300 657 657

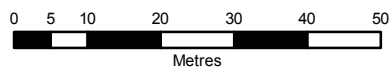
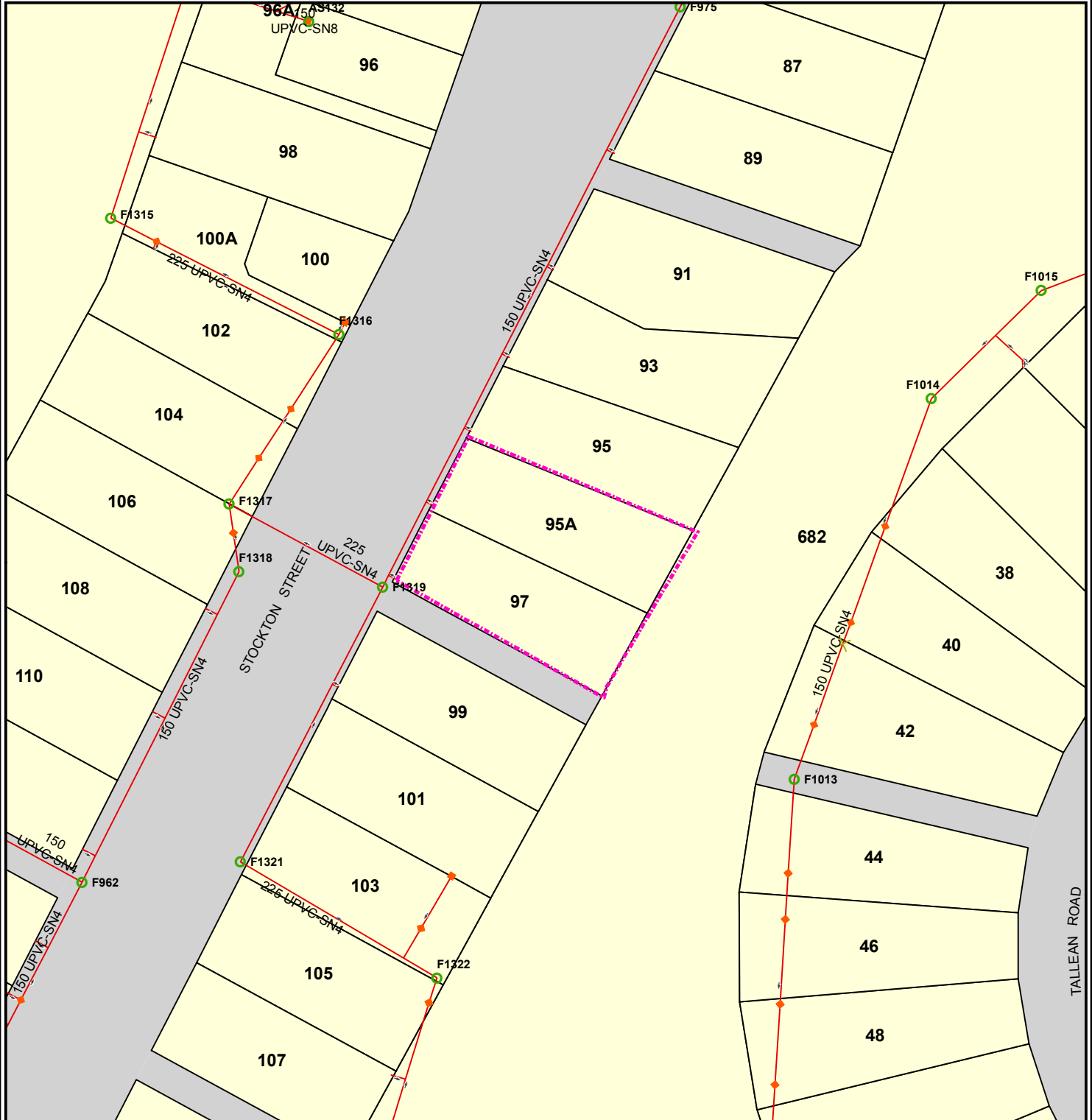


APPLICANT: *Mrs Kate Wheeler*

NOTIFICATION NO.: 12443461

SEQUENCE NO.: 61787784

DATE OF ISSUE: 7/06/2017



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AND THE CORPORATION ACCEPTS NO RESPONSIBILITY FOR ITS ACCURACY.

REFER TO ATTACHED ADVICE SHEET FOR FURTHER WARNINGS.



# HUNTER WATER CORPORATION

A.B.N. 46 228 513 446

## DIAL BEFORE YOU DIG SERVICES PLAN - WATER

Enquiries: 1300 657 657

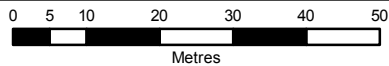
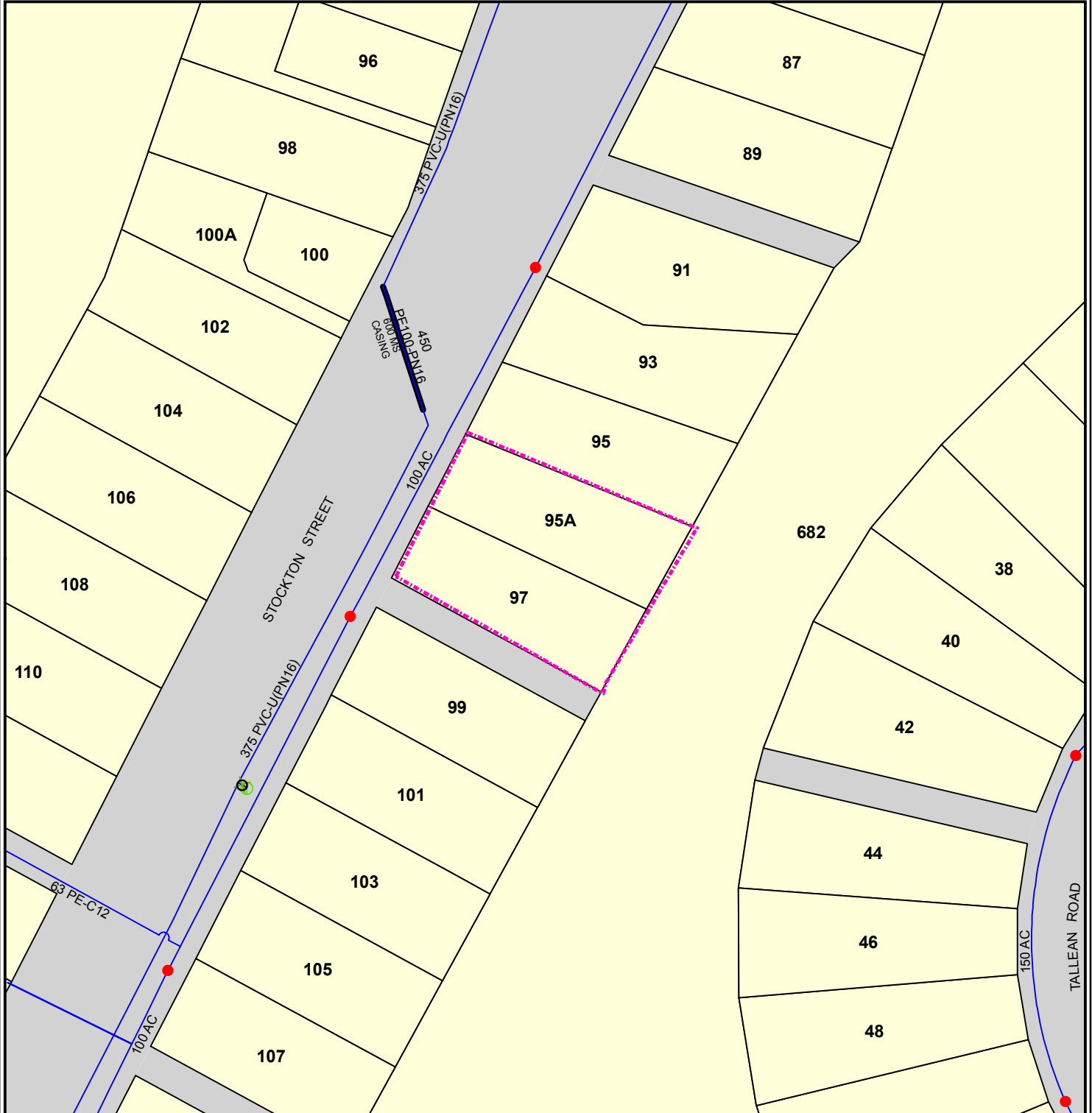


APPLICANT: Mrs Kate Wheeler

NOTIFICATION NO.: 12443461

SEQUENCE NO.: 61787784

DATE OF ISSUE: 7/06/2017



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PO Box 5171  
 HRMC NSW 2310  
 36 Honeysuckle Drive  
 NEWCASTLE NSW 2300

**Hunter Water Corporation**  
 ABN 46 228 513 446  
 Customer Enquiries 1300 657 657  
 Emergency Faults 1300 657 000  
 www.hunterwater.com.au

## Assets Identified

### Applicant

Company: Le Mottee Group  
 Contact: Mrs Kate Wheeler  
 Address: 199 Adelaide Street  
 Raymond Terrace NSW 2324  
 Phone: 0249871748  
 Mobile: Not Supplied  
 Email: kate@lemottee.com  
 Fax: Not Supplied

### Job details

Sequence No: 61787784  
 DBYD Job No: 12443461  
 Enquiry Date: 07/Jun/2017  
 Issue Date: 07/Jun/2017



### Work details

Address: 95A Stockton Street  
 Nelson Bay NSW 2315  
 UBD Map Reference: 42P11

### Information

The area requested by you contains one or more assets.  
 The approximate locations of Hunter Water assets in the area of your enquiry are shown on the attached plan/s.

Assets	Search Results
Water	Assets identified
Sewer	Assets identified
Recycled Water	No assets
Stormwater	No assets
Electrical	No assets

### Notes

## PLEASE READ THE FOLLOWING IMPORTANT INFORMATION (OVERLEAF)

Note: Additional pages may be attached. This document must be viewed in its entirety.

Hunter Water Corporation's (**HWC**) provision, and your access to and use, of the data, maps and other information contained in this response (**Information**) are subject to the following terms and conditions, and all additional disclaimers contained elsewhere within this response.

### **Nature of HWC's assets**

You acknowledge that:

- water in the main is under pressure and may cause injury if the main is damaged;
- sewer mains can be under pressure and may cause injury if the main is damaged;
- recycled water mains can be under pressure and may cause injury if the main is damaged;
- services are laid at varying depths;
- the Information does not include data related to property services; and
- HWC will seek recovery of repair costs if assets are damaged.
- All electrical services are to be considered live.

Accordingly, all persons must exercise extreme care and only use hand excavation until the exact location of all assets within a relevant work area is established.

### **Your use of Information**

You acknowledge and accept that all Information provided in this response by HWC:

- (a) is generated based on an automated analysis of the data you submit to the Dial Before You Dig website (**DBYD**). Accordingly, the relevance and reliability of such Information is dependant on the accuracy and suitability of the data you provide to DBYD;
- (b) the Information is intended to have a general application only and may not be suitable for your specific requirements; and
- (c) all Information is intended to provide guidance only and any reliance you place on such Information is entirely at your own risk.

The Information is provided for the sole purpose of assisting the location of HWC assets before excavation (**Permitted Purpose**), and you must not copy, translate, modify, distribute or make derivative works of the Information except as you directly require to achieve the Permitted Purpose. All Information contained in this response must be used and kept together. Your access to, and use of, the Information does not grant you any ownerships rights in respect of the Information or any intellectual property in the Information.

### **Disclaimer**

While HWC takes all reasonable care in providing details of its underground assets, due to changes in road and footway alignments and levels, the age and incompleteness of some records and the intended general nature of the Information, it is not possible to conclusively specify the location of all of HWC's underground assets.

### **ALL INFORMATION IS PROVIDED AS GENERAL GUIDANCE ONLY AND SHOULD NOT BE USED OR RELIED UPON IN SUBSTITUTION FOR SPECIALISED PROFESSIONAL INDEPENDENT ADVICE.**

If you have a question or concern about the appropriateness, reliability or application of any Information you must seek advice from a relevantly qualified professional.

HWC makes no representation and gives no warranty or undertaking (express or implied) as to the currency, accuracy, completeness, effectiveness or reliability of the Information or that the Information can be used for any purpose in substitution for specialised, professional and independent advice.

You must not solely rely upon the Information when undertaking underground works.

To the full extent permitted by law, HWC disclaims responsibility or liability for all loss, damage, injury or other claim whatsoever for any outcome arising from:

- (a) your access to, or use of, the Information, including any failure to avail yourself of the Information;
- (b) your reliance on the Information or its inability to meet your needs;
- (c) your failure to correctly or accurately:
  - (1) submit relevant or valid data to DBYD; or
  - (2) use or interpret the Information provided by HWC; or
- (d) any delay, failure, interruption, or corruption of any Information.





Australia's  
broadband  
network

# Working near nbn™ cables

**nbn** has partnered with Dial Before You Dig to give you a single point of contact to get information about **nbn** underground services owned by **nbn** and other utility/service provider in your area including communications, electricity, gas and other services. Contact with underground power cables and gas services can result in serious injury to the worker, and damage and costly repairs. You must familiarise yourself with all of the Referral Conditions (meaning the referral conditions referred to in the DBYD Notice provided by **nbn**).

## Practice safe work habits

Once the DBYD plans are reviewed, the Four P's of Excavation should be adopted in conjunction with your safe work practices (which must be compliant with the relevant state Electrical Safety Act and Safe Work Australia "Excavation Work Code of Practice", as a minimum) to ensure the risk of any contact with underground **nbn** assets are minimised.



**Plan:** Plan your job ensuring the plans received are current and apply to the work to be performed. Also check for any visual cues that may indicate the presence of services not covered in the DBYD plans.



**Pothole:** Non-destructive potholing (i.e. hand digging or hydro excavation) should be used to positively locate **nbn** underground assets with minimal risk of contact and service damage.



**Protect:** Protecting and supporting the exposed **nbn** underground asset is the responsibility of the worker. Exclusion zones for **nbn** assets are clearly stated in the plan and appropriate controls must be implemented to ensure that encroachment into the exclusion zone by machinery or activities with the potential to damage the asset is prevented.



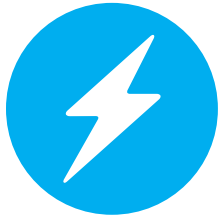
**Proceed:** Proceed only when the appropriate planning, potholing and protective measures are in place.



# Working near **nbn**<sup>TM</sup> cables



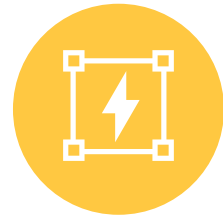
Australia's  
broadband  
network



Identify all electrical hazards, assess the risks and establish control measures.



When using excavators and other machinery, also check the location of overhead power lines.



Workers and equipment must maintain safety exclusion zones around power lines.

Once all work is completed, the excavation should be re-instated with the same type of excavated material unless specified by **nbn**. Please note:

- Construction Partners of **nbn** may require additional controls to be in place when performing excavation activities.
- The information contained within this pamphlet must be used in conjunction with other material supplied as part of this request for information to adequately control the risk of potential asset damage.

## Contact

In the event of the **nbn**<sup>TM</sup> network facility damage please call 1800 626 329

### Disclaimer

This brochure is a guide only. It does not address all the matters you need to consider when working near our cables. You must familiarise yourself with other material provided (including the Referral Conditions) and make your own inquiries as appropriate.

**nbn** will not be liable or responsible for any loss, damage or costs incurred as a result of reliance on this brochure.

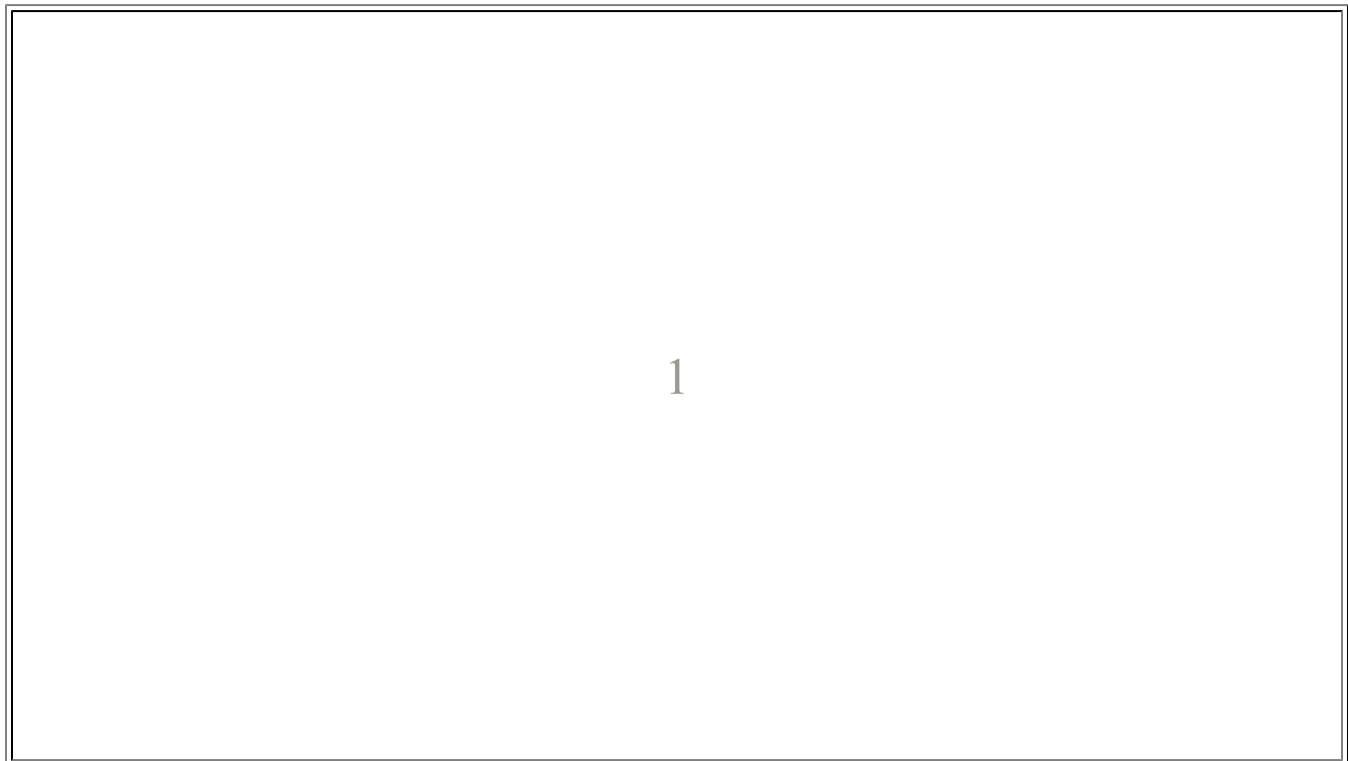
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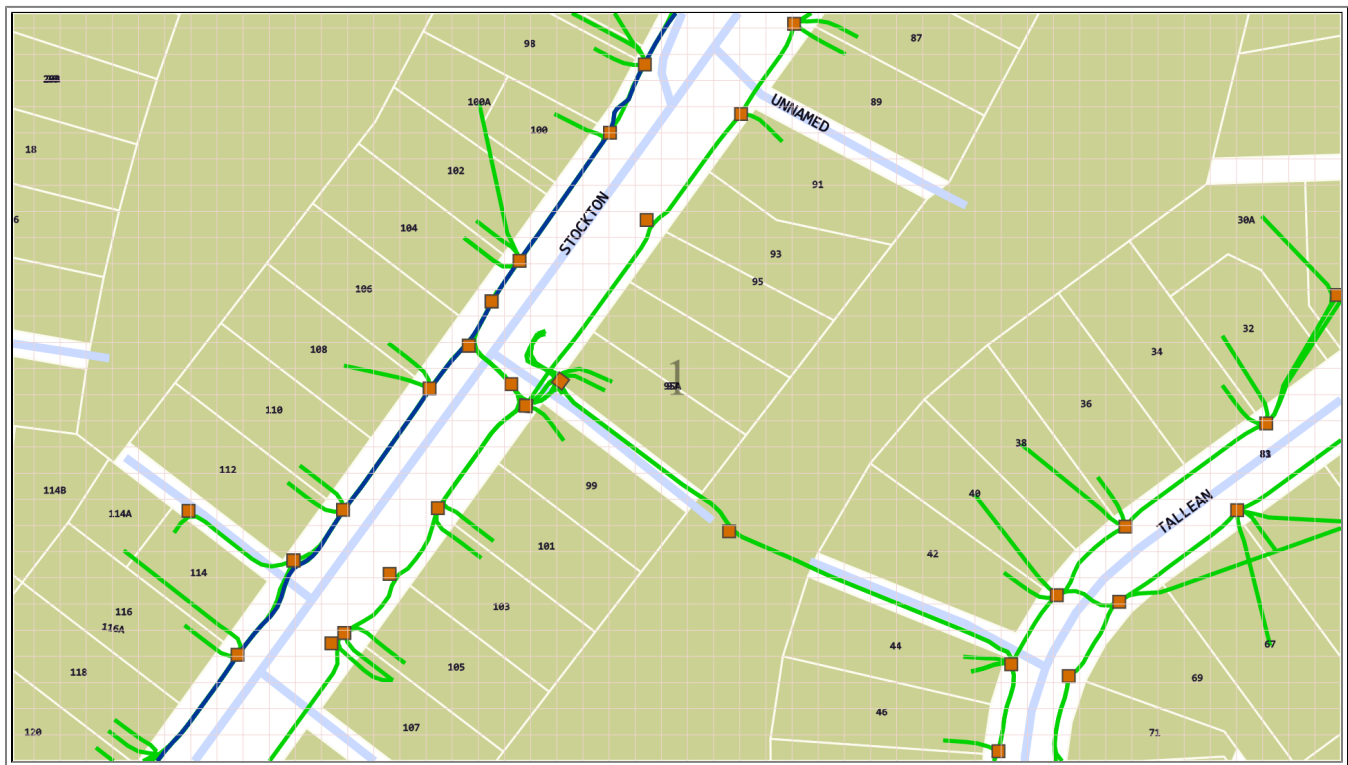


# Indicative Plans

<b>Issue Date:</b>	07/06/2017	
<b>Location:</b>	95A Stockton Street, Nelson Bay, NSW-2315	



	<b>LEGEND</b>	
	Type: Telco Technology: Copper/Fibre	Scale 0 20 40 60 Meters 1:2000 1 cm equals 20 m
<b>Assets</b>		
	IN-SERVICE: Cable/ Duct/ Trench	
	DESIGNED/CONSTRUCTED: Cable/ Duct/ Trench	




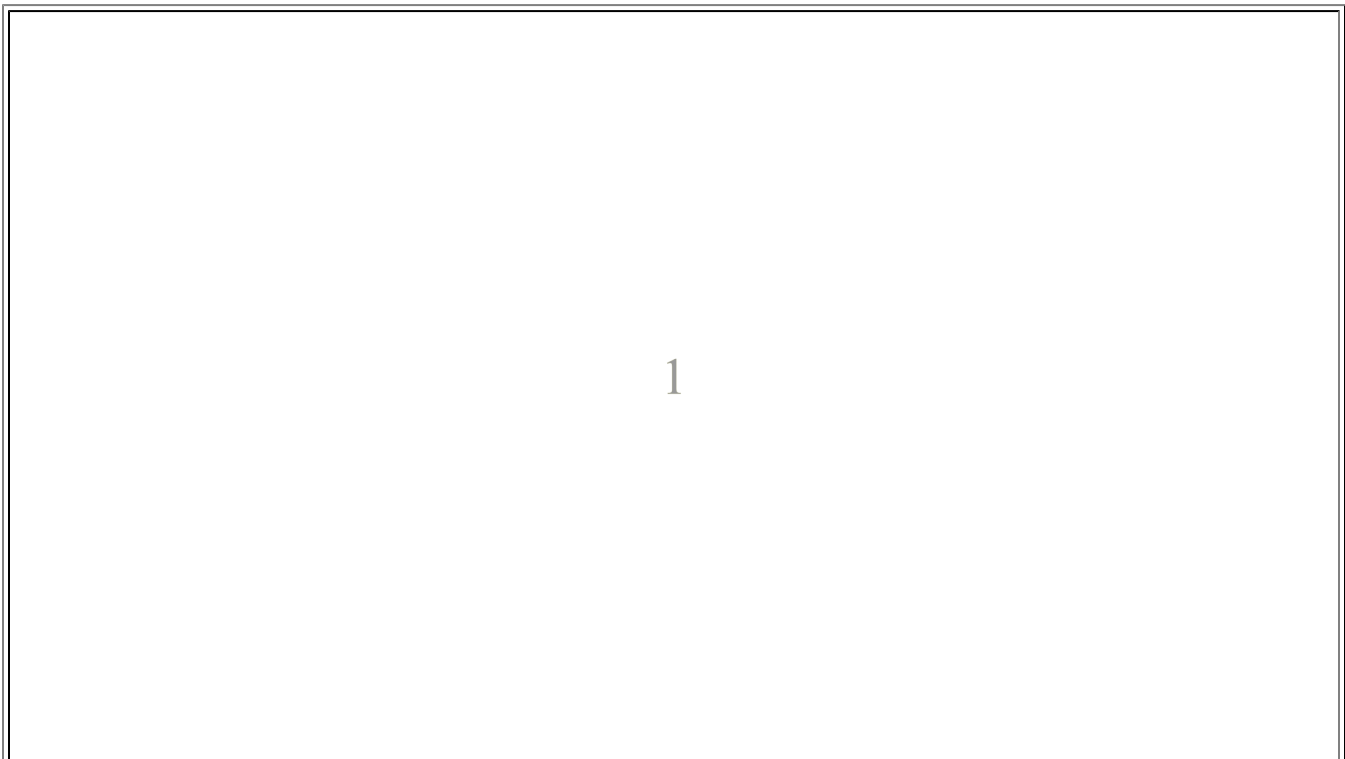
## Emergency Contacts





You must immediately report any damage to **nbn**<sup>TM</sup> network that you are/become aware of. Notification may be by telephone - 1800 626 329.



# Indicative Plans

<b>Issue Date:</b>	07/06/2017	
<b>Location:</b>	95A Stockton Street, Nelson Bay, NSW-2315	



	<b>LEGEND</b>	
	<p>Type: Power</p> <p><b>Assets</b></p> <p> <b>IN-SERVICE:</b> Power Cable/ Duct/ Trench</p> <p> <b>DESIGNED/CONSTRUCTED:</b> Power Cable/ Duct/ Trench</p> <p> Pit/Manhole</p>	<p><b>Scale</b></p> <p>0 20 40 60 Meters</p> <p>1:2000 1 cm equals 20 m</p>




## Emergency Contacts

You must immediately report any damage to **nbn**<sup>™</sup> network that you are/become aware of. Notification may be by telephone - 1800 626 329.





**To:** Mrs Kate Wheeler  
**Phone:** 0249871748  
**Fax:** Not Supplied  
**Email:** kate@lemottee.com

<b>Dial before you dig Job #:</b>	12443461	 <b>Some impact.</b> <b>No onsite action required.</b>
<b>Sequence #</b>	61787785	
<b>Issue Date:</b>	07/06/2017	
<b>Location:</b>	95A Stockton Street, Nelson Bay, NSW-2315	

## Information

The area of interest requested by you contains one or more assets.

nbn Assets	Search Results
<b>Communications</b>	Asset identified
<b>Electricity</b>	Asset identified

In this notice **NBN Facilities** means *underground fibre optic, telecommunications and/or power facilities, including but not limited to cables, owned and controlled by nbn*

## Location of Underground Power Facilities

We thank you for your enquiry. In relation to your enquiry at the above address:

- **nbn's** records indicate that there **ARE nbn** Facilities in the vicinity of the location identified above ("Location").
- **nbn** indicative plan/s are attached with this notice ("Indicative Plans").



- The Indicative Plan/s show general depth and alignment information only and are not an exact, scale or accurate depiction of the location, depth and alignment of **nbn** Facilities shown on the Plan/s.
- In particular, the fact that the Indicative Plans show that a facility is installed in a straight line, or at uniform depth along its length cannot be relied upon as evidence that the facility is, in fact, installed in a straight line or at uniform depth.
- You should read the Indicative Plans in conjunction with this notice and in particular, the notes below.
- You should note that, at the present time, the Indicative Plans are likely to be more accurate in showing location of fibre optics and telecommunications cables than power cables. There may be a variation between the line depicted on the Indicative Plans and the location of any power cables. As such, consistent with the notes below, particular care must be taken by you to make your own enquiries and investigations to precisely locate any power cables and manage the risk arising from such cables accordingly.
- The information contained in the Indicative Plan/s is valid for 28 days from the date of issue set out above. You are expected to make your own inquiries and perform your own investigations (including engaging appropriately qualified plant locators at your cost to locate **nbn** Facilities during any activities you carry out on site).

We thank you for your enquiry and appreciate your continued use of the Dial Before You Dig Service. If you are planning to excavate and require further information, please contact **nbn** on 1800 626 329. For any enquiries related to moving assets or Planning and Design activities, please email the **nbn** at [relocationWorks@nbnco.com.au](mailto:relocationWorks@nbnco.com.au).

### Notes:

1. You are now aware that there are **nbn** Facilities in the vicinity of the above property that could be damaged as a result activities carried out (or proposed to be carried out) by you in the vicinity of the Location.
2. You should have regard to section 474.6 and 474.7 of the *Criminal Code Act 1995* (CoA) which deals with the consequences of interfering or tampering with a telecommunications facility. Only persons authorised by **nbn** can interact with **nbn's** network facilities.
3. Any information provided is valid only for **28 days** from the date of issue set out above.

## Referral Conditions

The following are conditions on which **nbn** provides you with the Indicative Plans. By accepting the plans, you are agreeing to these conditions. These conditions are in addition, and not in replacement of, any duties and obligations you have under applicable law.

1. **nbn** does not accept any responsibility for any inaccuracies of its plans including the Indicative Plans. You are expected to make your own inquiries and perform your own



- investigations (including engaging appropriately qualified plant locators at your expense to locate **nbn** Facilities during any activities you carry out on site).
2. You acknowledge that **nbn** has specifically notified you above that the Indicative Plans are likely to be more accurate in showing location of fibre optics and telecommunications cables than power cables. There may be a variation between the line depicted on the Indicative Plans and the location of any power cables.
  3. You should not assume that **nbn** Facilities follow straight lines or are installed at uniformed depths along their lengths, even if they are indicated on plans provided to you. Careful onsite investigations are essential to locate the exact position of cables.
  4. In carrying out any works in the vicinity of **nbn** Facilities, you must maintain the following minimum clearances:
    - 300mm when laying assets inline, horizontally or vertically.
    - 500mm when operating vibrating equipment, for example: jackhammers or vibrating plates.
    - 1000mm when operating mechanical excavators.
    - Adherence to clearances as directed by other asset owner's instructions and take into account any uncertainty for power cables.
  5. You are aware that there are inherent risks and dangers associated with carrying out work in the vicinity of underground facilities (such as **nbn** fibre optic, copper and coaxial cables, and power cable feed to **nbn** assets). Damage to underground electric cables may result in:
    - Injury from electric shock or severe burns, with the possibility of death.
    - Interruption of the electricity supply to wide areas of the city.
    - Damage to your excavating plant.
    - Responsibility for the cost of repairs.
  6. You must take all reasonable precautions to avoid damaging **nbn** Facilities. These precautions may include but not limited to the following:
    - All excavation sites should be examined for underground cables by careful hand excavation. Cable cover slabs if present must not be disturbed. Hand excavation needs to be undertaken with extreme care to minimise the likelihood of damage to the cable, for example: the blades of hand equipment should be aligned parallel to the line of the cable rather than digging across the cable.
    - If any undisclosed underground cables are located, notify **nbn** immediately.
    - All personnel must be properly briefed, particularly those associated with the use of earth-moving equipment, trenching, boring and pneumatic equipment.
    - The safety of the public and other workers must be ensured.
    - All excavations must be undertaken in accordance with all relevant legislation and regulations.
  7. You will be responsible for all damage to **nbn** Facilities that are connected whether directly, or indirectly with work you carry out (or work that is carried out for you or on your behalf) at the Location. This will include, without limitation, all losses expenses incurred by **nbn** as a result of any such damage.
  8. You must immediately report any damage to **nbn**<sup>TM</sup> network that you are/become aware of. Notification may be by telephone - 1800 626 329.



9. Except to the extent that liability may not be capable of lawful exclusion, **nbn** and its servants and agents and the related bodies corporate of **nbn** and their servants and agents shall be under no liability whatsoever to any person for any loss or damage (including indirect or consequential loss or damage) however caused (including, without limitation, breach of contract negligence and/or breach of statute) which may be suffered or incurred from or in connection with this information sheet or any plans(including Indicative Plans) attached hereto. Except as expressly provided to the contrary in this information sheet or the attached plans(including Indicative Plans), all terms, conditions, warranties, undertakings or representations (whether expressed or implied) are excluded to the fullest extent permitted by law.

All works undertaken shall be in accordance with all relevant legislations, acts and regulations applicable to the particular state or territory of the Location. The following table lists all relevant documents that shall be considered and adhered to.

State/Territory	Documents
<b>National</b>	Work Health and Safety Act 2011
	Work Health and Safety Regulations 2011
	Safe Work Australia - Working in the Vicinity of Overhead and Underground Electric Lines (Draft)
	Occupational Health and Safety Act 1991
<b>NSW</b>	Electricity Supply Act 1995
	Work Cover NSW - Work Near Underground Assets Guide
	Work Cover NSW - Excavation Work: Code of Practice
<b>VIC</b>	Electricity Safety Act 1998
	Electricity Safety (Network Asset) Regulations 1999
<b>QLD</b>	Electrical Safety Act 2002
	Code of Practice for Working Near Exposed Live Parts
<b>SA</b>	Electricity Act 1996
<b>TAS</b>	Tasmanian Electricity Supply Industry Act 1995
<b>WA</b>	Electricity Act 1945
	Electricity Regulations 1947
<b>NT</b>	Electricity Reform Act 2005
	Electricity Reform (Safety and Technical) Regulations 2005
<b>ACT</b>	Electricity Act 1971

Thank You,

**Network Operations Centre - Assurance**

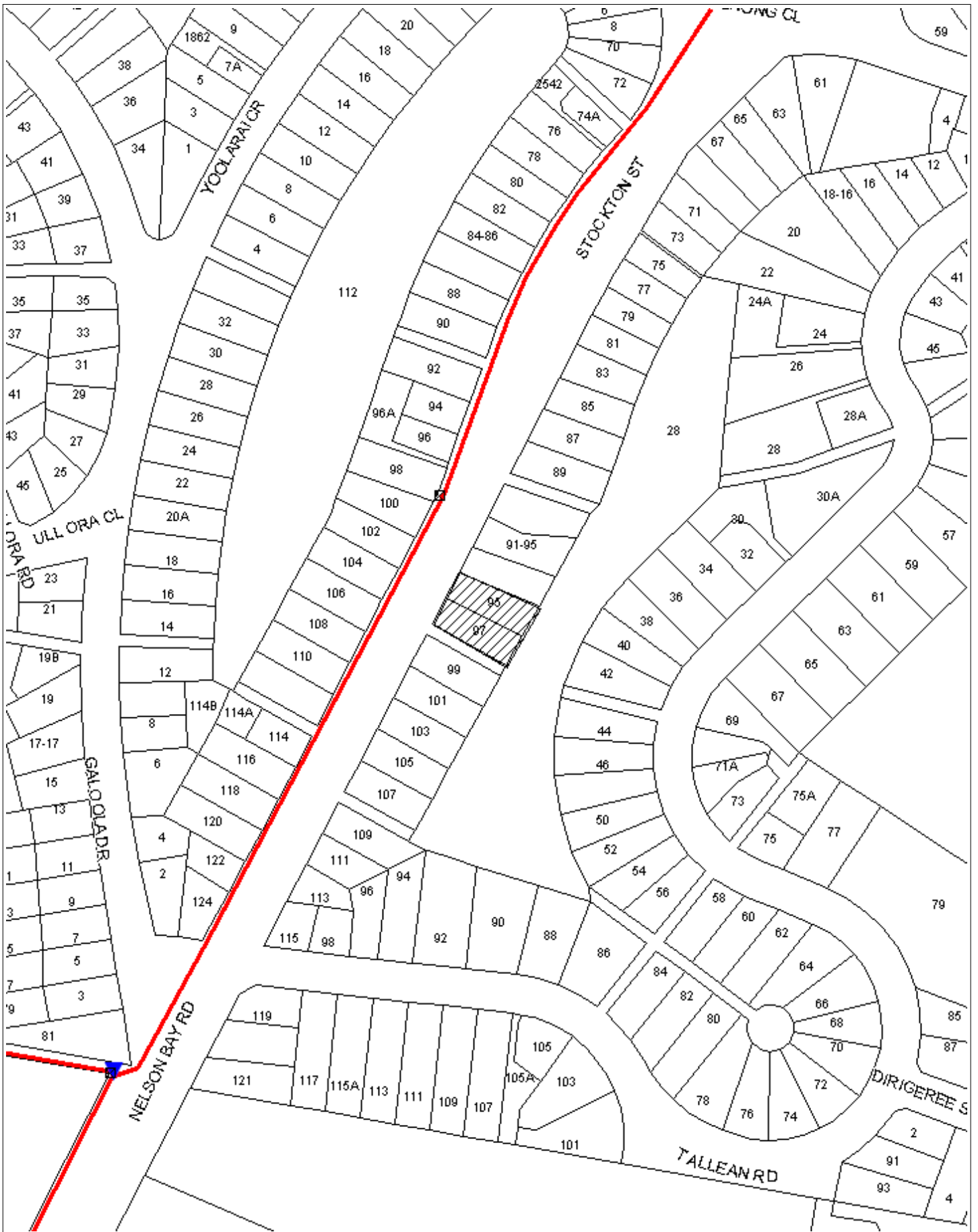
Date: 07/06/2017



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Sequence Number: 61787783

Date Generated: 07/06/2017



For all Optus DBYD plan enquiries –  
 Email: [Fibre.Locations@optus.net.au](mailto:Fibre.Locations@optus.net.au)  
 For urgent onsite assistance contact 1800 505 777  
 Optus Limited ACN 052 833 208



Date: 07/06/2017  
To: Mrs Kate Wheeler  
Company:  
Address: 199 Adelaide Street  
Raymond Terrace, NSW 2324

## ENQUIRY DETAILS

Location: 95A Stockton Street, Nelson Bay, NSW 2315  
Sequence No.: 61787783  
DBYD Reference: 12443461

In relation to your enquiry of the above address, Optus advises as follows:

**The records of Optus disclose that there ARE NO underground Optus FIBRE OPTIC TELECOMMUNICATIONS cables in the vicinity of the above enquiry as per the attached plan(s).**

**This reply is valid for a period of 30 days from the date above.**

## IMPORTANT INFORMATION

Drawings and Plans provided by Optus are reference diagrams which were correct at the time the asset was built. Exact ground cover and alignments cannot be provided with any certainty as these may alter over time. Depths of Telecommunications plant vary considerably as do alignments. It is essential to uncover the asset and positively identify the assets exact location.

Optus plans are provided as a guide only and the completeness of the information cannot be guaranteed. Assistance can be obtained by contacting Optus Network Operations Asset Analysis on **1800 505 777**.

## “DUTY OF CARE”

When working in the vicinity of Telecommunications plant you have a legal “Duty of Care” that must be observed.

It is the responsibility of the owner and any consultant engaged by the owner, including an architect, consulting engineer, developer and head contractor to design for minimal impact to Optus plant. Optus will provide assistance at this design stage through the provision of plans and sketches or consultation.

It is the owner’s (or constructor’s) responsibility to:-

- a) Request plans of Optus plant for a particular location at a reasonable time before construction begins. If you have doubts about the presence of Optus assets we strongly recommend that you engage an Optus Accredited plant locator.
- b) Visually locate Optus plant by hand digging or using non-destructive water jet method where construction activities may damage or interfere with Optus plant
- c) Contact Optus Network Operations – Asset Analyst (details below) if Optus plant is wholly or partly located near construction activities

## **CRIMINAL CODE ACT 1995**

The following is an extract from the Criminal Code Act 1995 and is applicable to Optus plant

### **Chapter 10** National infrastructure

#### **Part 10.6** Telecommunications Services

#### **Division 474** Telecommunications offences

#### **Sect 474.6** Interference with facilities

- 1) A person is guilty of an offence if the person tampers with, or interferes with, a facility owned or operated by:
  - (a) a carrier; or
  - (b) a carriage service provider; or
  - (c) a nominated carrier.

Penalty: Imprisonment for 1 year.

- 2) For the purposes of an offence against subsection (1), absolute liability applies to the physical element of circumstance of the offence, that the facility is owned or operated by a carrier, a carriage service provider or a nominated carrier.
- 3) A person is guilty of an offence if:
  - (a) the person tampers with, or interferes with, a facility owned or operated by:
    - i.a carrier; or
    - ii.a carriage service provider; or
    - iii.a nominated carrier; and
  - (b) this conduct results in hindering the normal operation of a carriage service supplied by a carriage service provider.

Penalty: Imprisonment for 2 years.

- 4) For the purposes of an offence against subsection (3), absolute liability applies to the following physical elements of circumstance of the offence:
  - (a) that the facility is owned or operated by a carrier, a carriage service provider or a nominated carrier;
  - (b) that the carriage service is supplied by a carriage service provider.
- 5) A person is guilty of an offence if:
  - (a) the person uses or operates any apparatus or device (whether or not it is comprised in, connected to or used in connection with a telecommunications network); and
  - (b) this conduct results in hindering the normal operation of a carriage service supplied by a carriage service provider.

Penalty: Imprisonment for 2 years.

## **DAMAGE**

### **ANY DAMAGE TO OPTUS NETWORK MUST BE REPORTED TO 1800 500 253 IMMEDIATELY**

The owner is responsible for all plant damage when works commence prior to obtaining Optus Drawings, or failure to follow instructions.

Optus reserves the right to recover compensation for loss or damage to its cable network and other property including consequential loss

## **ASSET RELOCATIONS**

You are not permitted to relocate or alter any Optus assets or network under any circumstance.

For all enquiries relating to the relocation of Optus assets please email [Fibre.Locations@optus.net.au](mailto:Fibre.Locations@optus.net.au)

## ESSENTIAL PRECAUTIONS AND APPROACH DISTANCES

**Note: If the following clearances cannot be maintained, please contact Optus Network Operations Asset Analysis Team for advice on how to resolve the situation.**

1. On receipt of plans and before commencing excavation work or similar activities near Optus plant, carefully locate the plant first to avoid damage. Engage an Optus accredited locator to undertake exposure of the Optus plant when working within the following approach distances.

Where Optus plant is in an area where road and footpaths are well defined by kerbs or other features a minimum clear distance of 1.0m must be maintained from where it could be reasonably presumed that plant would reside.

In non established or unformed reserves this distance must be at least 3 metres.

In country or rural areas which may have wider variations in reasonably presumed plant presence, the following minimum approach distance applies:

- a) Parallel to plant: 5 metres

**Note: Indicated depths may vary significantly and pot-holing needs to be undertaken within extreme care, commonsense and using techniques least likely to damage cables. Potholing is only to be undertaken by an Optus accredited plant location contractor.**

If construction work is parallel to Optus plant, then careful hand digging or using non-destructive water jet method (pot holing) at least every 5m is required to establish the location of the plant, confirming the location of the plant prior to work commencing.

Under no circumstances is crossing of Optus plant to be performed without first exposing the Optus plant and having an Optus representative present onsite.

2. Maintain the following minimum clearance between construction activity and the actual location of Optus plant.

<b>Jackhammers / Pneumatic Breakers</b>	Not within 1.0m of actual location
<b>Vibrating Plate or Wacker Packer Compactor</b>	Not within 0.5m of actual location  300mm compact clearance before compactor can be used across Optus ducts  750mm compact clearance cover before compactor can be used across Optus <i>Direct Buried</i> cable
<b>Boring Equipment (in-line, horizontal and vertical)</b>	Not within 5.0m of actual location without Optus representative onsite  Constructor to hand dig or non-destructive water jet method (pot holing) and expose the Optus plant  Not to cross the Optus plant without first exposing the plant at the crossing point and without Optus representative onsite
<b>Heavy vehicle Traffic (over 3 tonnes)</b>	Not to be driven across Optus ducts or plant with less than 600mm of cover  Depth to be verified via hand digging
<b>Mechanical Excavators, Farm ploughing, Boring, Tree removal, fencing</b>	Not within 1.0m of actual location  Constructor to hand dig or use non-destructive water jet method (pot holing) and expose plant

All Optus pits and manholes should be a minimum of 1.0m in from the back of kerb or within 15m of street intersection after the completion of your work.

All Optus conduit should have the following minimum depth of cover **after the completion of your work**:-

- **Footway                      600mm**
- **Roadway                1000mm at drain invert and at road centre crown**

In cases where it is considered that these clearances cannot be maintained at the completion of works advice is to be sought from the Optus Damages and Relocations Team

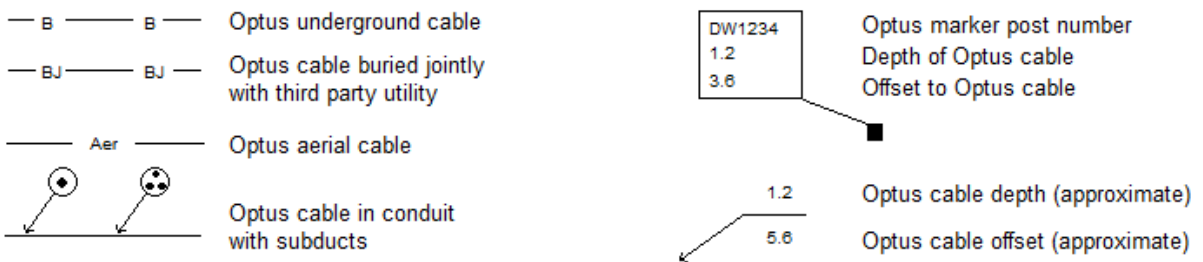
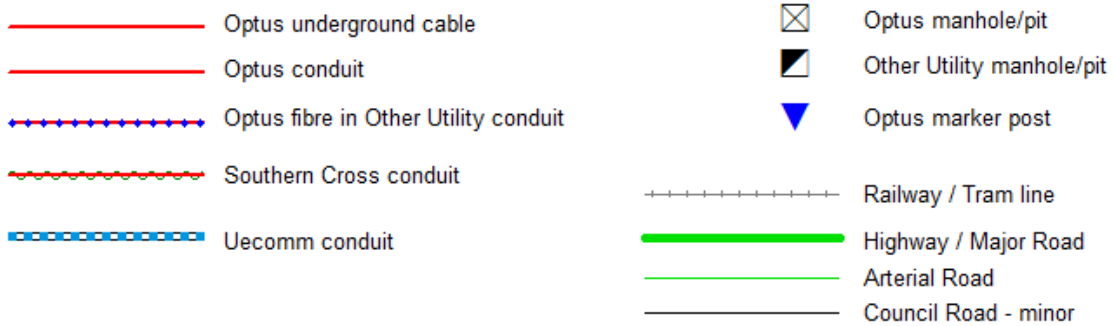
**FURTHER ASSISTANCE**

Assistance can be obtained by contacting Optus Network Operations Asset Analysis on **1800 505 777**

Where an on-site location is provided, the owner is responsible for all costs associated with hand digging or use of non-destructive water jet method (pot holing) to visually locate and expose Optus plant.

If plant location drawings or visual location of Optus plant by digging reveals that the location of Optus plant is situated wholly or partly where the owner plans to work, then Optus Damages and Relocates Team must be contacted through Optus Network Operations Asset Locations to discuss possible engineering solutions.

**OPTUS ENGINEERING DRAWING SYMBOLS**





## **Annexure D**

AHIMS Search Result  
Office of Environment & Heritage

Kate Ible  
38 Corlette Street  
Cooks Hill New South Wales 2300  
Attention: Kate Ible  
Email: kate@lemottee.com

Date: 07 June 2017

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 1, DP:DP200208 with a Buffer of 200 meters, conducted by Kate Ible on 07 June 2017.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

### **If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

### **Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

## **Annexure E**

### Social Impact Assessment

Le Mottee Group



# LE MOTTEE GROUP

SURVEYING | CIVIL ENGINEERING | TOWN PLANNING | PROJECT MANAGEMENT  
STRATA CERTIFICATION | ECOLOGY | BUSHFIRE ASSESSMENT  
Pty Limited ABN 38 136 535 156



ADDITIONAL PERMITTED USE - COMMERCIAL IN RESIDENTIAL ZONING

## **SOCIAL IMPACT ASSESSMENT**

LOTS 1 & 2 IN DP 200208

95A & 97 STOCKTON STREET, NELSON BAY

OUR REF: 6703



This assessment was prepared by Heidi Hutchinson of Le Mottee Group Pty Ltd (LMG).

LMG Ref: 6703

Date: 19 July 2017

Prepared by:

**Le Mottee Group Pty Ltd**

Heidi Hutchinson BSocSci (Govt Policy), MEM  
Environmental Planner

Reviewed by:

**Le Mottee Group Pty Ltd**

Kate Wheeler Bdes (Arch), MURP  
Town Planner

## **1. BACKGROUND**

A Social Impact Assessment (SIA) is a means of assessing and reviewing the effects and consequences of planned interventions that can include projects, programs, policies and plans.

These types of development impact society in regards to affected groups of people and their way of life, including their culture, health, economic welfare and the capacity to sustain these. Social Impact Assessments (SIA) are increasingly popular as a method for entrenching consideration of social issues in both the development assessment and the operation of the development process. Understanding social change is an important aspect of development and can aid in providing better outcomes for developers, Local Government and the community.

The goals of a SIA include:

- Providing socio-culturally, economical and sustainable outcomes;
- Building on local knowledge;
- Understanding that economic, biophysical and social impact are inherently connected; and
- Providing adaptive management measures.

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## 2. INTRODUCTION

### 2.1 OVERVIEW

Le Mottee Group (LMG) has been engaged by Cynthia Vines to prepare a Social Impact Assessment (SIA) to accompany a Planning Proposal for Additional Permitted uses within the Port Stephens Local Government Area (PS LGA).

The aim of the proposal is to seek concurrence for additional permitted uses on the subject land being Lots 1 & 2 DP 200208. The additional permitted uses sought for the site are:

- commercial
- recreational facility (indoor)
- restaurant or café
- self-storage units
- storage premises
- veterinary hospital
- warehouse distribution centre
- Wholesale supplies

This Assessment considers the matters raised in the Planning Proposal submitted by Le Mottee Group as well as the Port Stephens Council Social Impact Policy (PS SIP) 2013, PS LEP (2013) PS DCP (2014).

Port Stephens DCP (2014) outlines the objectives of the assessment of social impact to be:

*To promote community well-being and quality of life*

*To achieve intergeneration equity*

*To ensure social impacts are measured and effective mitigation strategies implemented*

*To implement the Port Stephens Council. 2013, 'Social Impact Policy'*

This SIA will assess the impact on the community and address the impacts and possible mitigation strategies as required.

As the site is located on a main road (Stockton Street) it is not expected that traffic will be impacted due to an additional use as it is not considered a "typical" residential area. This is noted due to site visits showing the road to be a key thoroughfare connecting Nelson Bay to the broader Port Stephens area and further.

Further, the commercial uses offered above are expected to be maintained within regular business hours so as to not create significant social impact in terms of noise or disturbance to surrounding residents. Additionally, the existing infrastructure will not allow for any commercial use that could impede the social order.

It is expected that any substantial social impact (good or bad) could include an impact to community well-being, quality of life and intergenerational equity and must be considered against positive impacts such as additional jobs for the area and money injected into local economy.

Therefore, this SIA will assess the proposal in regards to the abovementioned objectives.

## **2.2 METHODOLOGY**

This assessment included a desktop based analysis of previous records of demographics and geography in the area using sources such as ABS, NSW Government Bureau of Crime Statistics & Research. The assessment also included the Review of relevant plans and other relevant literature such as Port Stephens Council Policy Documentation and a site visit.

## **2.3 SUPPORTING DOCUMENTS**

The following documents are provided as Attachments to this report:

- **Annexure A** – Site and Floor Plans.



### 3. SCOPING AND PROFILING

#### 3.1 SCOPE OF ASSESSMENT

The following section outlines the extent of the study area relevant to the SIA.

##### 3.1.1 LOCALITY

The subject land is located in Nelson Bay, within the Port Stephens LGA.

Nelson Bay is situated approximately 40km east of Raymond Terrace and approximately 61km north east of Newcastle. The geographical boundaries of Nelson Bay are outlined below in Figure 1.



Figure 1 – Geographical boundaries of Nelson Bay (Source: Six Maps)

### 3.1.2 SUBJECT LAND

The address of the subject land is 95a & 97 Stockton Street, Nelson Bay. The land is made up of two (2) Lots, formally identified as **Lots 1 & 2 in DP 200208**. For the purpose of this assessment, these combined Lots shall be referred to as 'the site'.



The site has an area of approximately 1,468m<sup>2</sup> and is generally flat with direct access to Stockton Street.

### 3.2 PROPOSAL

The planning proposal is requested to provide an additional permitted use of commercial in a residential area. The focus of this assessment is based on the planning proposal submitted by Le Mottee Group along with the PS SIP (2013) and PS DCP (2014) Social Impact requirements.

The site is zoned R2 and is located in a generally residential area. However, approval for Lot 1 as a removalist business (commercial activity) was granted in the 1960s and has been operating as such until recently.

It is considered that the existing buildings & infrastructure would be suited for commercial use over residential. Interest has been shown regarding use of Lot 2 as a gymnasium for children at risk or with learning disabilities and Lot 1 for a business for boats and boat parts.

However, commercial activities permissible as a result of the planning proposal receive will be limited by the size of the site.

#### 3.2.1 EXISTING DEVELOPMENT

The existing development on-site includes two warehouses one on each Lot, with Lot 1 containing a front office made of brick and weatherboard to the front of the site.

The layout of the site is compatible with commercial use. There is no proposed change to infrastructure on-site. See existing floor plan for Lot 2 in Figure 3 below:

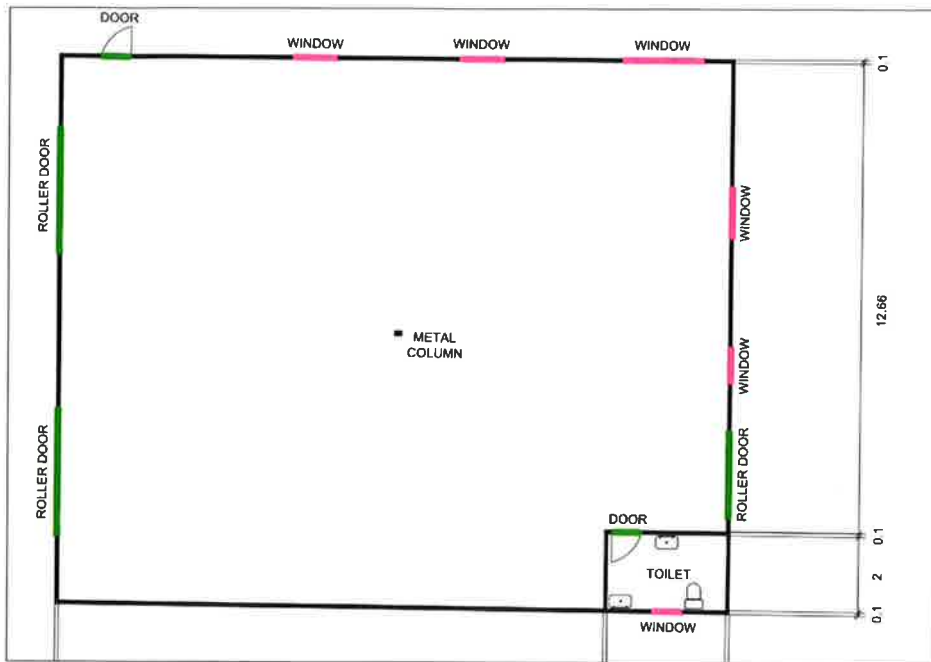
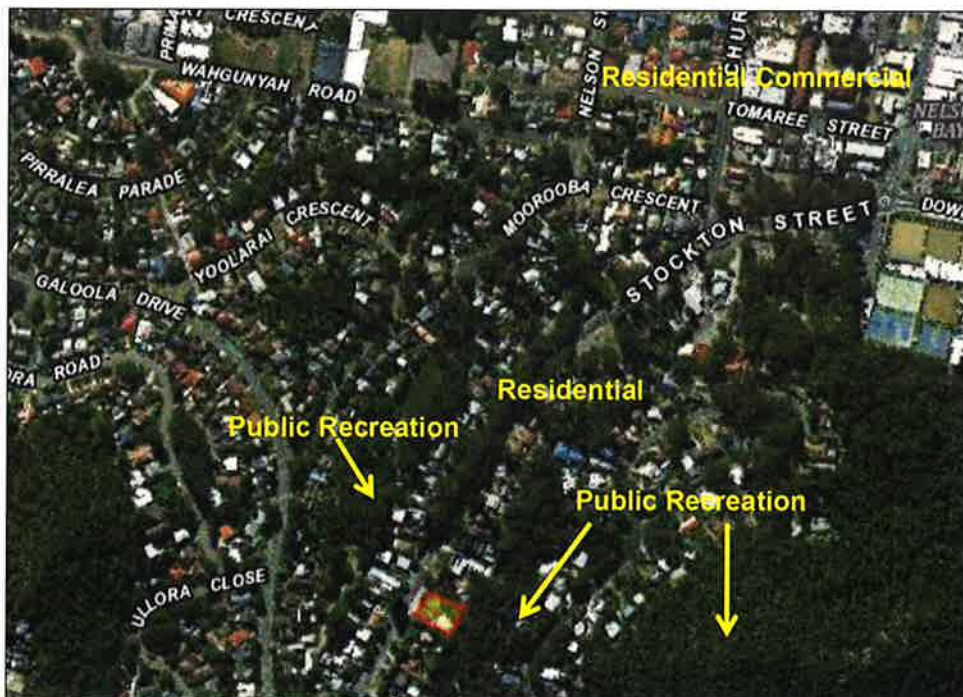


Figure 3 – Existing Structure on Lot 2 - Floor Plan

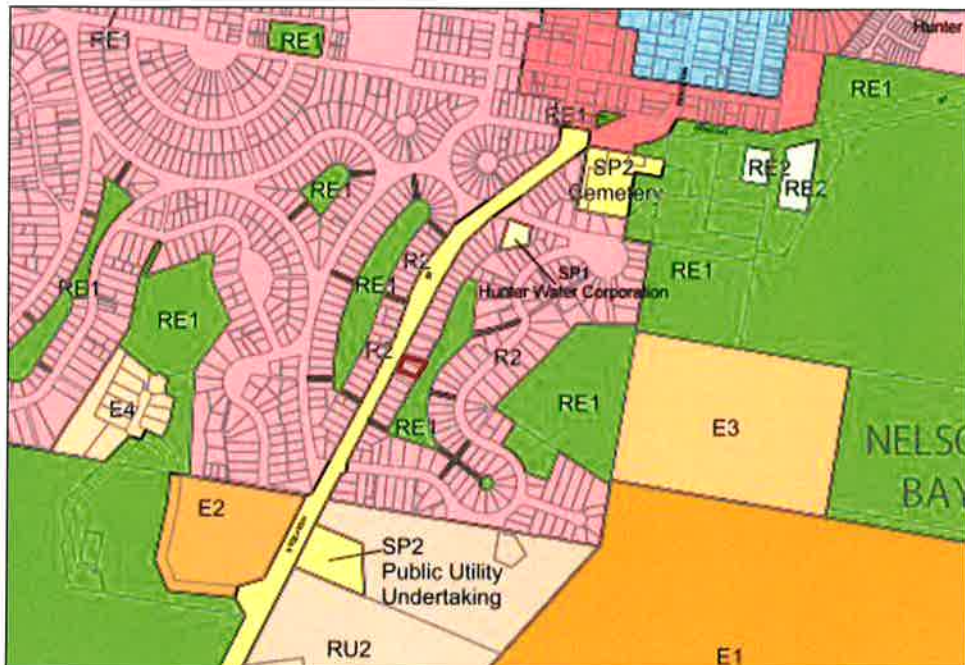
### 3.2.2 SURROUNDING LAND USES

The surrounding area comprises residential and public recreation land to the east and west, commercial and residential land to the north and residential as well as environmental protection land to the south of the site.





**Figure 5** – Surrounding land uses (Source: Six Maps)



**Figure 6** – Land Zoning Map Extract Port Stephens LEP (2013)

The above zoning map extract demonstrates the existing uses of the area and the likelihood of any changes can be assumed by current zoning.

The site is surrounded by a mix of residential, community and commercial land with environmental protection land to the south. Further, up until five (5) years ago, Bunnings hardware was located further along Stockton Street in the residential zoning. The reason for Bunnings relocating was not related to social impacts but the growing nature of the business needing further space to expand.

It is highly unlikely that community land, environmental protection land or commercial land will be impacted by the additional permitted commercial use of the existing site due to the nature of commercial land and zoning of community and environmental land that will not allow for further residential development and considering the permitted uses of this zone, it is considered highly unlikely to be affected by the proposed development.

Land directly to the north east of the site includes further shed/warehouse buildings and is therefore not expected to be impacted by the proposed additional commercial use of the site.

For the reasons mentioned above and due to the size and scale of the development it is not considered likely to impact the community as a

whole. Therefore, based on an assessment of development in the surrounding area and the existing zoning, we believe that the only potential areas of concern in relation to social impact are the direct neighbours highlighted below in Figure 7.



**Figure 7** – Potential areas of concern for social impact (Source: Six Maps)

However, given the orientation of surrounding dwellings, the wide road reserve, structures and existing vegetation there will be no detrimental impacts to the amenity, privacy or security of the sites highlighted above. Additionally the main structures on the site have been setback more than 20m from the road and there is an existing reserve to the east and south of the site providing a buffer between the structures the closest dwellings.

Given the above, it is not expected that the use of the structures on site for any of the additional uses proposed will have a negative impact on the surrounding area and land uses.



### 3.2.3 STAKEHOLDERS

The stakeholders involved in the proposed development include Cynthia Vines as the developer and Port Stephens Council as the Authority under the *Environmental Planning and Assessment Act (1979)*.

The stakeholders potentially impacted by the development include local residents and community groups within the surrounding area. These stakeholders make up the basis for research into and mitigation measures for the proposed development.

### 3.3 COMMUNITY/SOCIAL PROFILE

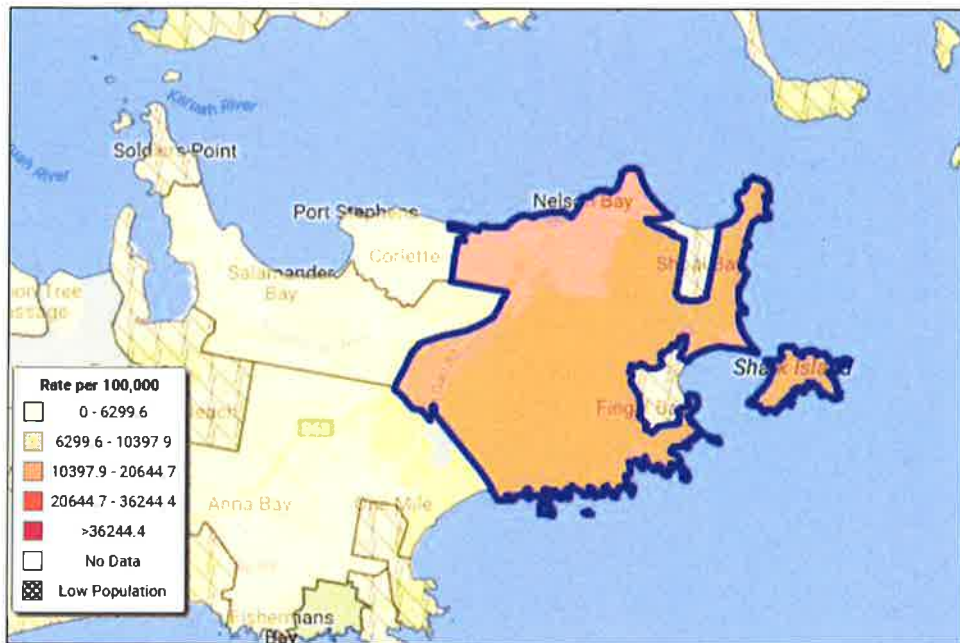
The 2011 census reported the population of Nelson Bay at 5,396. This was comprised of approximately 48.3% females and 51.7% males. The median age of Nelson Bay residents is 47 with a high percentage of people aged over 60. The population of Aboriginal and Torres Strait Islander equates to 1.9% of the total population of Nelson Bay residents.

The majority of residents (78.5%) were born in Australia with a small percentage being from England (5.6%), New Zealand (1.4%) and Scotland (0.7%). Other stated countries of birth include United States of America and Germany (0.6%) (ABS, 2011).

4,758 residents were recorded as being in the labour force and of this 52.4% were employed in full time work, with 35.1% employed part-time and 5.6% being unemployed. Professionals recorded highest with 17.7% identifying with a role in that occupation. Technicians and Trade workers followed this with 15.9% (ABS, 2011).

The population, geographic location and high rate of people over 60 along with its many tourist facilities have shaped the residential population of the area. The zoning of Nelson Bay is reflected in the types of employment with most workers in professional roles and a large residential population above shows a higher percentage of residential and community zoning with pockets of commercial.

Recent crime statistics demonstrate that Nelson Bay is rated lower than most surrounding areas in most areas of crime including stealing from a person, robbery, assault and domestic violence (NSW Bureau of Crime Statistics and Research, 2016). However, Nelson Bay did rank higher than surrounding suburbs in regards to homicide. Figure 6 provides a snapshot of the theft statistics by suburb.



**Figure 8** – NSW Bureau of Crime Statistics and Research

The following sections will look at the impacts and mitigation measures associated with the proposed development.

## **4. PREDICTION AND IDENTIFICATION OF IMPACTS**

### **4.1 SOCIAL CHANGES**

Currently the site is not in use, with Lot 1 previously supporting a commercial removalist business approved in the 1960s and operating until recently.

It is not expected that any significant change will occur should an additional permitted use become permissible within the residential zoning.

The proposal offers for continued use of Lots 1 & 2 as commercial premises. Allowing the additional uses for this site will result in the existing structures being utilised, increasing surveillance and lowering the opportunity for anti-social behaviour on or near the site.

Further, the site is located within 750m from the commercial core of Nelson Bay. Closer to the site is Jonnas Beauty Therapy and Action Trophies with a TAB noted as being approximately 350m from the site.

Consequently, it is considered highly unlikely for social patterns to change due to the addition of a further commercial activity within 750m of the commercial centre of Nelson Bay, on a main road and within walking distance to further commercial outlets. Figure 7 below outlines these distances.



**Figure 9** – Distance between site to commercial core

Due to the geographic and demographic nature of Nelson Bay, it is not expected that social changes occurring due to operation of a commercial activity as part of an additional permitted use will impact the surrounding area. Use of the site will potentially increase traffic within the area but the impact is expected to be minor with large front setbacks and sufficient parking available to counter this.

The potential impacts of the possible social changes are discussed in the following section.

**4.2 PROBABLE IMPACT**

Social and Cultural Change

Operational Phase	Potential Impact	Expected impact	Mitigation Measures / Outline of Benefits
Crime & social order	Potential for increased offences, change in social norms, pace of change for vulnerable communities	No impact expected.	No expected change in social norms. The scale and type of development should not change the pace of the area due to its proximity to commercial precinct.
Security	Demand of surveillance	Minor	Infrastructure is existing; demand on surveillance would be decreased with use of the site offering passive surveillance.
Labour	Health and safety, working conditions, ,	Minor	WHS policy implementation, fair work implementation.



Social Impact Assessment – Stockton Street, Nelson Bay

	labour force participation for minority groups		Potential for increased job stability within local community
Community Health & Safety	Accidents with increased foot traffic, vehicles entering and exiting premises	Minor	Potential slight increase, driveways existing approximately every 15m on Stockton Street and within walking distance to the main commercial precinct.

**Economic Change**

Operational Phase	Potential Impact	Expected impact	Mitigation Measures / Outline of Benefits
Distribution of Benefits	Employment, community development and social programs, compensation, managing expectations,	Minor	Employment opportunities, increased services.
Inflation/deflation	Housing (ownership and rent), access to social services	No impact expected.	Not expected to create significant change.
Infrastructure	Demands on, and investment in, roads, rail, ports, sewerage,	No impact expected.	Not expected to create significant change.

	telecommunications, power and water supplies		
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**Socio-Environmental Change**

Operational Phase	Potential Impact	Expected Impact	Mitigation Measures / Outline of Benefits
Pollution and amenity	Air, Water, Noise, scenic amenity, traffic	Minor	Any potential commercial activity will need to fit within proposed working hours that are permissible through Local Government. Amenity of area will not change. The site is cut off by a buffer from direct residential contact by an unformed road to south, community land to east, shed/warehouse to the north and road to the west. Further, the size of the site will not allow for large scale commercial activity thereby limiting impacts.
Disturbance	Disruption to economic and social activities	No impact expected	No significant impact expected.

**The Process of Change**

On-going	Potential Impact	Expected Impact	Mitigation Measures / Outline of Benefits
Community engagement	Consultation, communication, participation, access to decision makers, transparency, timing, reporting	Minor	Should the Planning Proposal receive gateway approval, any Development Application will need Local Government Approval which would include notification to surrounding community
Consent	Indigenous sovereignty/title	Minor	The proposed development is not listed as Native Title

*Social Impact Assessment – Stockton Street, Nelson Bay*

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	(free, prior, and informed consent), community consent		Land or as being of Aboriginal significance.
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## **5. ASSESSMENT AND EVALUATION**

### **5.1 RELATIVE EQUITY**

Long term positive impacts on future generations include increased job opportunity within the community and access to further services. Potential negative impacts could include increased traffic. However, due to the nature of Stockton Street (main road and thoroughfare) and the parking available with easy access it is not expected that traffic will be a concern.

### **5.2 COMPARATIVE IMPACT & ANALYSIS**

The main factors determined through analysis of the potential impacts on community well-being, quality of life and the ability to achieve intergenerational equity is noted below.

The additional permitted uses are re-iterated below:

- commercial;
- recreational facility (indoor);
- restaurant or café;
- self-storage units;
- storage premises;
- veterinary hospital;
- warehouse distribution centre;
- Wholesale supplies.

Should these be allowed on the site, there is potential for use of existing infrastructure that would combat looting and urban decay through passive surveillance, whilst providing additional services in an area within walking distance of Nelson Bay's commercial core.

Further, the size of the site will restrict large scale commercial activity thereby maintaining the amenity of the area whilst offering additional services.

### **5.3 RECOMMENDATIONS**

The proposal to allow the additional permitted use of commercial services within a residential zoning is considered fitting to the surrounding nature of the area whilst utilising the existing structures and infrastructure on-site.

It is recommended that should the proposal receive gateway approval that fencing be updated on the site as well as soft landscaping to increase the visual amenity of the area whilst maintaining surveillance and security on-site.

Overall benefits to the community include increased job opportunities and potential for increased positive economic impact as well as upkeep and maintenance of existing infrastructure. Due to the location, current use, zoning of the surrounding area and proximity to commercial core, the proposed development makes logical and sensible use of the site and is unlikely to negatively impact the well-being of the current or future community of Nelson Bay.



## **5.4 CERTIFICATION**

As the principal author, I, Heidi Hutchinson make the following certification:

The results presented in the report are, in the opinion of the principal author, a true and accurate account of the Social Impact Assessment of the Planning Proposal for 95a – 97 Stockton Street, Nelson Bay from information provided by Cynthia Vines and research undertaken by the author.

Port Stephens Council SIP (2013) and DCP (2014) formed the basis of assessment.

## **6. REFERENCE LIST:**

Australian Bureau of Statistics (2011) Census Quickstats, Nelson Bay,  
[http://www.censusdata.abs.gov.au/census\\_services/getproduct/census/2011/quickstat/SSC11093?opendocument&navpos=220](http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/SSC11093?opendocument&navpos=220)

NSW Bureau of Crime Statistics and Research, 2016, NSW Crime tool,  
<http://crimetool.bocsar.nsw.gov.au/bocsar/>

Port Stephens Council, 2014, *Social Impact Policy*, PSC2013- 02399.

Port Stephens Council, 2013, *Development Control Plan*, Section B – General Controls.

## **Annexure A**

Site and Floor Plans

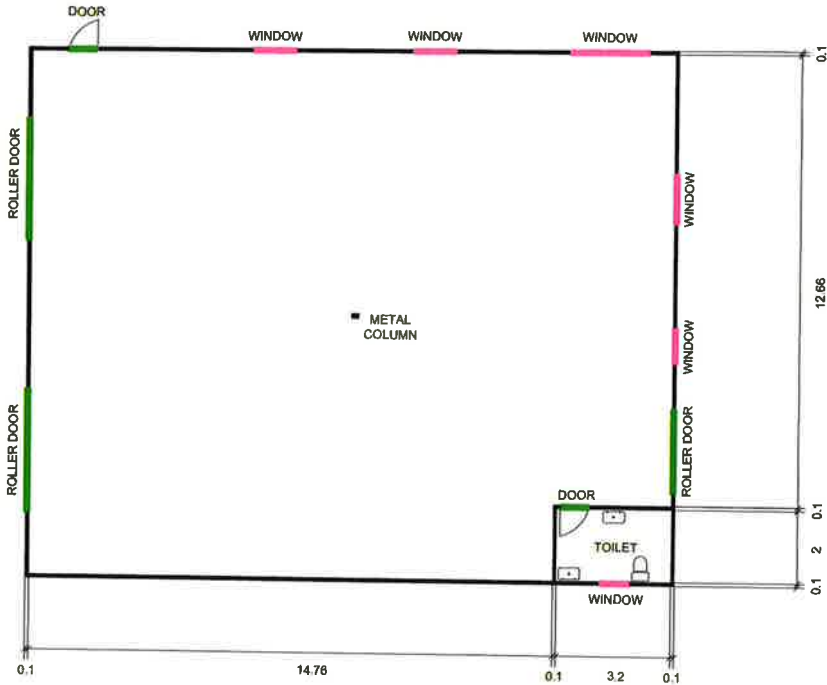
Le Mottee Group





STOCKTON STREET

-  TOILET
-  SINK
-  WINDOW
-  DOOR/ROLLER DOOR



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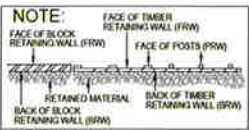
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Project  
 M124602017  
 Job No.  
 M124602017  
 Drawn  
 A.M. 26/02/2017

Title  
 Client  
 Site  
 Locality

**FLOOR PLAN**  
 CYNTHIA VINES  
 LOT 2 DP 200208 - No.95A STOCKTON STREET  
 NELSON BAY LGA PORT STEPHENS

Our Ref  
**8703 SITE-V1**  
 Original Size  
 A3  
 Sheet No.  
 2 of 2



**STOCKTON STREET**

**STOCKTON LANE**



— WINDOW

— DOOR/ROLLER DOOR

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**Checked** - M.P. 20/05/2017  
**Checked** - A.M. 30/05/2017

**Client**  
**Site**  
**Locality**

**SITE PLAN**

CYNTHIA VINES  
LOT 1 DP 200208 - No.97 STOCKTON STREET  
NELSON BAY USA FORT STEPHENS

**Over Ref**

**6670 SITE-V1**

**Original Size** A3  
**Sheet No.** 1 OF 3



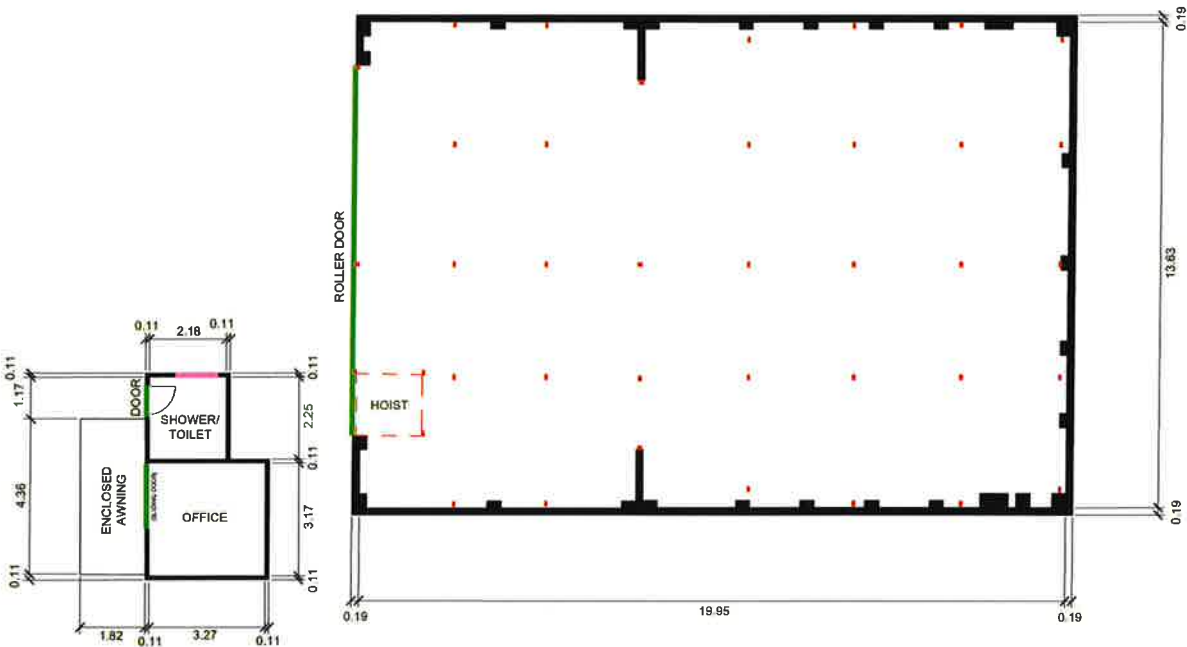
# GROUND FLOOR



STOCKTON STREET

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- METAL COLUMN
- WINDOW
- DOOR/ROLLER DOOR



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Client  
 MB 2002008  
 Date  
 MB 2002008  
 Drawn  
 J.M 20/02/2017

Title

Client

Site

Locality

### FLOOR PLAN

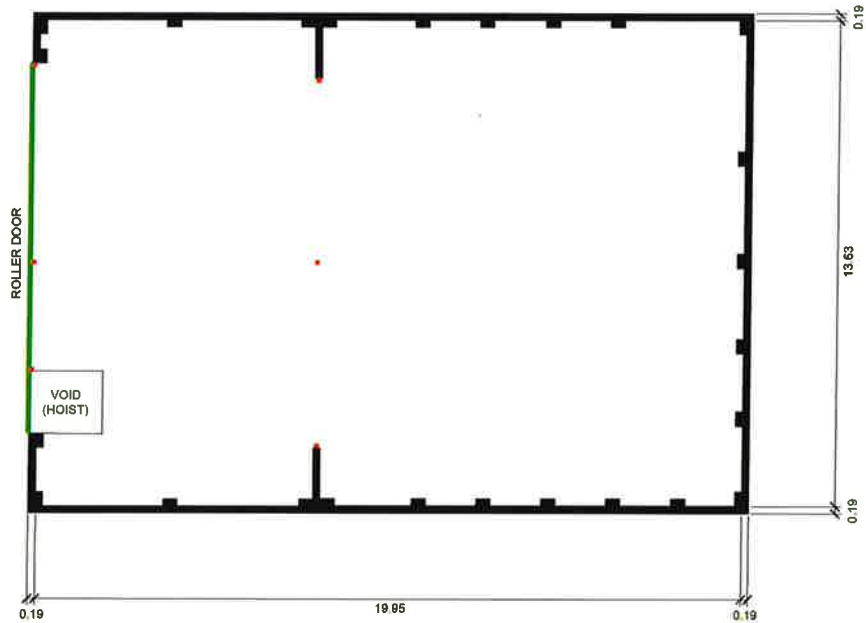
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 LOT 1 DP 2002008 - No. 97 STOCKTON STREET  
 NELSON BAY USA PORT STEPHENS

Our Ref  
**6670 SITE-V1**  
 Original Size  
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 Sheet No  
 2 of 3

### MEZZANINE LEVEL



STOCKTON STREET



● METAL COLUMN  
— ROLLER DOOR



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 JAN 24/03/2017

Title  
 C/Name  
 Site  
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**FLOOR PLAN**  
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 LOT 1 DP 200208 - No.97 STOCKTON STREET  
 NELSON BAY LGA FORT STEPHENS

Our Ref  
**6670 SITE-V1**  
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**3 of 3**