



11 November 2016

CR2016/004831
SF2016/106101
TR

General Manager
Lake Macquarie City Council
PO Box 1906
HUTNER REGION MAIL CENTRE NSW 2310

Attention: Carlos Ferguson,

WARNERS BAY ROAD (MR325): STAGED DEVELOPMENT – STAGE 1 RETAIL PREMISES (DEMOLITION OF EXISTING COLES AND CONSTRUCTION OF NEW COLES AND SPECIALITY SHOPS) – STAGE 2 SERVICE STATION CONCEPT, LOT 103 DP 1115833 AND LOT 101 DP 1115833, 46 WILSONS ROAD, MOUNT HUTTON – DA/731/2016

Reference is made to Council's letter dated 17 October 2016, regarding the abovementioned application which was referred to Roads and Maritime Services (Roads and Maritime) for comment.

Roads and Maritime understands the development to be for the demolition of the existing Coles and constructing a larger retail extension which will include a new Coles, bottle shop, speciality shops, food premises and carparking as well as a new service station and fast food restaurant. Roads and Maritime provided a response dated 17 June 2016 regarding this development proposal which did not include a service station and fast food restaurant.

The existing vehicular access to Wilsons Road from the roundabout and the access points from the southern end of the site are not proposed to be changed as part of the proposal.

Roads and Maritime response

Roads and Maritime has reviewed the information including the Transport Note by Colston Budd Rogers & Kafes P/L dated 9 June 2016. Roads and Maritime has no objections to the development as it is considered there will be no significant impacts on the classified (State) road network.


Advice to Council

Roads and Maritime provides the following comments as advice to Council when considering appropriate conditions of development consent:

- All matters relating to internal arrangements on-site such as car parking, traffic / pedestrian management, manoeuvring of service vehicles and provision for people with disabilities are matters for Council to determine.

On Council's determination of this matter, please forward a copy of the Notice of Determination to Roads and Maritime for record and / or action purposes. Should you require further information please contact Hunter Land Use on 4924 0688 or by email at development.hunter@rms.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Collaguazo', with a stylized flourish at the end.

David Collaguazo
A/Manager Land Use Assessment
Hunter Region



17 June 2016

CR2016/002819
SF2016/106101
TR

General Manager
Lake Macquarie City Council
PO Box 1906
HUTNER REGION MAIL CENTRE NSW 2310

Attention Carlos Ferguson,

WARNERS BAY ROAD (MR325): RETAIL PREMISES (DEMOLISH EXISTING COLES – CONSTRUCTION OF NEW COLES, BOTTLE SHOP, SPECIALTY SHOPS, FOOD PREMISES AND ASSOCIATED CAR PARKING), LOT 103 DP 1115833 AND LOT 101 DP 1115833, 46 WILSONS ROAD, MOUNT HUTTON – DA/731/2016

Reference is made to Council's letter dated 24 May 2016, regarding the abovementioned application which was referred to Roads and Maritime Services (Roads and Maritime) for comment.

Roads and Maritime understands the development to be for the demolition of the existing Coles and constructing a larger retail extension which will include a new Coles, bottle shop, speciality shops, food premises and carparking. The proposal seeks to increase the retail area by 2,310m² and a total of 1020 spaces will be provided as part the shopping centre site.

The existing vehicular access to Wilsons Road from the roundabout and the access points from the southern end of the site are not proposed to be changed as part of the proposal.

Roads and Maritime response

Roads and Maritime has reviewed the information including the Transport Report by Colston Budd Rogers & Kafes P/L dated April 2016. It is noted that the proposal will result in the loss of 20 parking spaces however 1020 spaces for the shopping centre will be maintained which complies with Council's parking guidelines.

Roads and Maritime has no objections to the development as it is considered there will be no significant impacts on the classified (State) road network.

Roads and Maritime Services

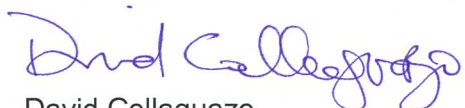
Advice to Council

Roads and Maritime provides the following comments as advice to Council when considering appropriate conditions of development consent:

- All matters relating to internal arrangements on-site such as car parking, traffic / pedestrian management, manoeuvring of service vehicles and provision for people with disabilities are matters for Council to determine.

On Council's determination of this matter, please forward a copy of the Notice of Determination to Roads and Maritime for record and / or action purposes. Should you require further information please contact Hunter Land Use on 4924 0688 or by email at development.hunter@rms.nsw.gov.au

Yours sincerely



David Collaguazo
A/Manager Land Use Assessment
Hunter Region



09/06/2016

Lake Macquarie City Council
Box 1906
HUNTER REGIONAL MAIL CENTRE
NSW 2310

145 Newcastle Road
Wallsend NSW 2287
All mail to PO Box 487
Newcastle NSW 2300
T +61 2 131 525
www.ausgrid.com.au

To Whom It May Concern

**Proposed Development at 56 Wilsons Road, Mount hutton
Development Application No. DA/731/2016**

I refer to your letter dated 24th May 2016 concerning the above development. This letter is Ausgrid's response under clause 45(2) of the *State Environmental planning Policy (Infrastructure) 2007*.

As you would be aware, the assessment and evaluation of environmental impacts for a new development consent (or where a development consent is modified) is undertaken in accordance with requirements of Section 79C of the *Environmental Planning and Assessment Act 1979*. One of the obligations upon consent authorities, such as local councils, is to consider the suitability of the site for the development which can include a consideration of whether the proposal is compatible with the surrounding land uses and the existing environment.

In this regard, Ausgrid requires that due consideration be given to the compatibility of proposed development with existing Ausgrid's infrastructure, particularly in relation to risks of electrocution, fire risks, Electric & Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.

Please note the following information in relation to the construction of the development:

Supply of Electricity

It is recommended for the nominated electrical consultant/contractor to provide a Preliminary Enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not: the existing network can support the expected electrical load of the development; a substation may be required on-site, either a pad mount kiosk or chamber; and site conditions or other issues. Please direct the developer to Ausgrid's website, www.ausgrid.com.au about how to connect to Ausgrid's network.

Proximity to Existing Network Assets

There is an existing kiosk substation and associated High and Low Voltage underground cables located inside the Southern property boundary which are covered by an easement. It is advised that a Dial Before You Dig search is conducted prior to the commencement of any works. Work Cover Document – Work Near Underground Assets provides practical guidance to prevent injury to people and damage to underground assets.

There are also existing overhead electricity network assets in the Wilsons Road footpath, adjacent to the development. Workcover Document 8290 – Work Near Overhead Powerlines outlines the minimum safety separation requirements between these mains / poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction.

The “as constructed” minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, *NS220 Overhead Design Manual*. This document can be sourced from Ausgrid’s website, www.ausgrid.com.au

The existing overhead mains may require relocating should the minimum safety clearances be compromised in either of the above scenarios, this relocation work is generally at the developers cost.

Based on the design of the development provided, it was identified that the “as constructed” minimum clearances will not be encroached by the development.

It is recommended that Sean Freeman (02) 4910 1200 is consulted to discuss compliance issues regarding the relevant *Workcover Document 8290 – Work Near Overhead Powerlines*.

Method of Electricity Connection

The method of connection will be in line with Ausgrid’s Electrical Standard (ES)1 – ‘*Premise Connection Requirements*’.

Conduit Installation

The need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid’s Design Information, used to prepare the connection project design.

Existing Electricity Easements

A title search of the development site should be completed to check for existing electricity easements. If easements are present, Ausgrid must assess the proposed activity within the easement. Please direct the developer to Ausgrid's website, www.ausgrid.com.au to download our "Living with Electricity Easements" brochure.

Depending on the development and its location in relation to existing electrical infrastructure, the timeframe between the initial application for electricity supply and energising assets will vary and may involve months. The developer's earliest advice that the development is to proceed to construction will allow us to begin planning and processing of the connection project and hopefully minimise any delays.

Please do not hesitate to contact me if you require any further information or assistance.

Yours sincerely



Kallan Arbuckle

Engineering Officer

Customer Supply – Planning & Reliability

Ausgrid

☎ (02) 49101251
✉ karbuckle@ausgrid.com.au

🖨 (02) 4951 9459
🌐 www.ausgrid.com.au

Ausgrid Reference: 1900064110



Contact: Algis Sutas
Phone: 02 4348 5014
Fax:
Email: algis.sutas@dpi.nsw.gov.au

The General Manager
Lake Macquarie City Council
Box 1906
Hunter Reg Mail Ctr NSW 2310

Our ref: 20 ERM2016/0544
File No:
Your Ref: 731/2016

Attention: DA 731

15 July 2016

Dear Madam / Sir

Re: Integrated Development – 46 & 56 Wilsons Road, Mount Hutton – Extension to existing Mount Hutton shopping centre

DPI Water has reviewed documents for the above development application and considers that, for the purposes of the *Water Management Act 2000* (WM Act), a controlled activity approval is not required and no further assessment by this agency is necessary for one of the following reasons.

- ☐ The proposed activity is **not occurring on waterfront land** (which includes (i) the bed of any river together with any land within 40 metres inland of the highest bank of the river, or (ii) the bed of any lake, together with any land within 40 metres of the shore of the lake, or (iii) the bed of any estuary, together with any land within 40 metres inland of the mean high water mark of the estuary).
- ☒ The proposed activity is **exempt** from section 91E (1) of the WM Act in relation to controlled activities specified in clause 39 of Subdivision 4, and Part 2 of Schedule 5 of the Water Management (General) Regulation 2011 that are carried out in, on or under waterfront land. **See attached** for details of the exemptions.
- ☐ The proposed activity is **not a controlled activity** as defined by the WM Act.

Should the proposed development be varied in any way that results in development extending onto land that is waterfront land, or encompassing works that are defined as controlled activities, then DPI Water should be notified.

Further information on controlled activity approvals under the WM Act can be obtained from DPI Water's website: www.water.nsw.gov.au go to *Water licensing > Approvals > Controlled activities*.

Please direct any questions regarding this correspondence to Algis Sutas,
algis.sutas@dpi.nsw.gov.au.

Yours sincerely

Algis Sutas
Senior Water Regulation Officer
Water Regulatory Operations, WR Operations - South Coast & Hunter
NSW Department of Primary Industries - Water

Water Management (General) Regulation 2011

Subdivision 4 – Exemption from requirement for controlled activity approval.

39 Controlled activities-persons other than public authorities

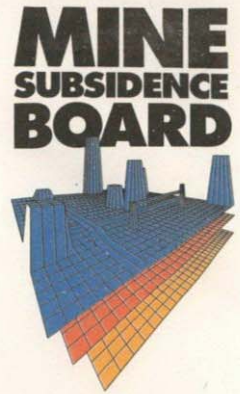
A person (other than a public authority) is exempt from section 91E(1) of the *Water Management Act 2000*, in relation to controlled activities specified in Part 2 of Schedule 5 that are carried out in, on or under waterfront land.

Schedule 5 Exemptions

Part 2 – Controlled activities exemptions

Clause	Details
<input type="checkbox"/> 16	<p>Activities under mining, crown lands or western lands legislation</p> <p>Any activity carried out in accordance with any lease, licence, permit or other right in force under the <i>Mining Act 1992</i>, the <i>Crown Lands Act 1989</i>, the <i>Crown Lands (Continued Tenures) Act 1989</i> or the <i>Western Lands Act 1901</i> or a petroleum title in force under the <i>Petroleum (Onshore) Act 1991</i>.</p>
<input type="checkbox"/> 17	<p>Activities on land of Maritime Authority or Port Corporation</p> <p>Any activity:</p> <ul style="list-style-type: none"> (a) carried out in accordance with any lease, licence, permit or other right in force in respect of land under the ownership or control of the Maritime Authority of NSW or a Port Corporation (within the meaning of the <i>Ports and Maritime Administration Act 1995</i>), or (b) for which the Minister administering that Act is the consent authority under the <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i>.
<input type="checkbox"/> 18	<p>Activities under water supply works approval</p> <p>Any activity comprising the excavation of the bed of a river, lake or estuary for the purpose of facilitating the use of a water supply work, being an activity that:</p> <ul style="list-style-type: none"> (a) is detailed in the conditions of the water supply work approval for the water supply work, and (b) is carried out in accordance with those conditions.
<input type="checkbox"/> 19	<p>Activities with respect to domestic and stock rights</p> <p>Any of the following activities for the purpose of enabling a person to take, or facilitating a person's taking of, water pursuant to section 52 (Domestic and stock rights) of the Act:</p> <ul style="list-style-type: none"> (a) the removal of alluvial material from the bed of a river to enable or facilitate the taking of water, if: <ul style="list-style-type: none"> (i) any excavation: <ul style="list-style-type: none"> (A) is no deeper than 1 metre, and (B) is no wider than 1/3 of the width of the river at that point or 6 metres (whichever is lesser), and (C) is no longer than its width, and (ii) the only alluvial material that is removed is material that has been deposited on the riverbed by the flow of water in the river such as sand, silt or gravel, and (iii) no material is removed within 1 metre of the bank of the river, and (iv) any alluvial material that has been removed is placed in the bed of the river, immediately upstream of the excavation, (b) any controlled activity in, on or under the bank of a river to enable or facilitate the installation of a pipe, if: <ul style="list-style-type: none"> (i) the pipe is above ground or in a trench that is the minimum size necessary to hold the pipe but is no more than 0.3 metres wide and 0.3 metres deep, and (ii) any material that is removed is used to backfill the trench within 48 hours after its removal, (c) any controlled activity in, on or under waterfront land to enable or facilitate the installation of a water supply work that is a pump, if: <ul style="list-style-type: none"> (i) the controlled activity is not on the bed or bank of a river, and (ii) any material removed is the minimum amount necessary to establish a suitable pump site but is no more than 1 cubic metre, and (iii) the area of land from which any material is removed is no greater than 4 square metres.
<input type="checkbox"/> 20	<p>Activities in accordance with harvestable rights orders</p> <p>Any activity carried out, in accordance with a harvestable rights order, in connection with the construction or use of a dam on land within the harvestable rights area constituted by the order.</p>

Clause	Details
<input type="checkbox"/> 21	<p>Activities connected with construction of fencing, crossings or tracks</p> <p>Any activity carried out in connection with the construction or use of fencing, or of a vehicular crossing or an access track, that does not impound water, being an activity carried out in, on or under waterfront land:</p> <ul style="list-style-type: none"> (a) relating to a minor stream, and (b) within a rural zone (other than a rural village) under an environmental planning instrument.
<input type="checkbox"/> 22	<p>Activities in connection with works under former 1912 Act</p> <ul style="list-style-type: none"> (1) Any activity carried out in connection with the construction or use of a work to which Part 2 of the former 1912 Act applies in accordance with a licence issued under that Part in relation to that work, being an activity that: <ul style="list-style-type: none"> (a) is detailed in the conditions of the licence, and (b) is carried out in accordance with those conditions. (2) Any activity carried out in connection with the construction or use of a controlled work within the meaning of Part 8 of the former 1912 Act in accordance with an approval issued under that Part in relation to that work, being an activity that: <ul style="list-style-type: none"> (a) is detailed in the conditions of the approval, and (b) is carried out in accordance with those conditions
<input type="checkbox"/> 23	<p>Removal of vegetation</p> <p>Any activity comprising nothing more than the removal of vegetation in circumstances that would otherwise be lawful.</p>
<input type="checkbox"/> 24	<p>Development at Rouse Hill Regional Centre</p> <p>The carrying out of development in accordance with section 16 of Part E (Rouse Hill Regional Centre) of <i>Baulkham Hills Development Control Plan</i>, on the land to which that section applies (being land bounded by Windsor Road, Commercial Road and Withers Road, Rouse Hill).</p>
<input type="checkbox"/> 25	<p>Development on waterfront land at Oran Park or Turner Road</p> <p>The carrying out of development in accordance with the <i>Oran Park and Turner Road Waterfront Land Strategy 2009</i>, as published in the Gazette on 17 July 2009.</p>
<input checked="" type="checkbox"/> 26	<p>Activities on waterfront land if river is concrete lined or in pipe</p> <p>Any activity carried out on waterfront land relating to a river where the channel of the river is fully concrete lined or is a fully enclosed pipe channel.</p>
<input type="checkbox"/> 27	<p>Activities with respect to dwellings</p> <ul style="list-style-type: none"> (1) Any activity carried out in connection with the erection or demolition of, the making of alterations or additions to or the provision of ancillary facilities for, a dwelling house or dual occupancy building, being activities: <ul style="list-style-type: none"> (a) that comprise exempt development or that are the subject of a development consent or complying development certificate in force under the <i>Environmental Planning and Assessment Act 1979</i>, and (b) that are not carried out on or in: <ul style="list-style-type: none"> (i) the bed or bank of any river, or (ii) the bed or shore of any lake, or (iii) the bed, or land lying between the bed and the mean high water mark, of any estuary. (2) In this clause: <p>development has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>dual occupancy building means a building containing 2, but no more, dwellings within the meaning of the standard instrument prescribed by the <i>Standard Instrument (Local Environmental Plans) Order 2006</i>.</p> <p>dwelling house has the same meaning as it has in the standard instrument prescribed by the <i>Standard Instrument (Local Environmental Plans) Order 2006</i>.</p>

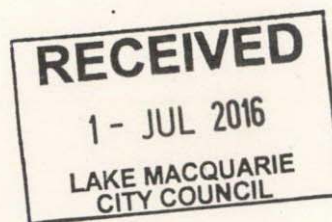


In reply please send to: Newcastle Head Office
 Our reference: FN07-15463L1
 Your reference: DA/731/2016
 Contact: Kieran Black (02) 4908 4362

General Manager
 LAKE MACQUARIE CITY COUNCIL
 BOX 1906
 HRMC NSW 2310

27 June 2016

Dear Sir or Madam



DEVELOPMENT APPLICATION NO TBA16-36123L1
LOT 101 DP 1115833 NO

At their meeting on 23rd June 2016, the members of the Mine Subsidence Board considered a development application for a three storey shopping centre on the above site. The application was conditionally approved subject to the following;

1. Design the proposed structure to be "safe, serviceable and any damage shall be limited to cosmetic damage" using the subsidence parameters outlined below;

- i. Maximum vertical subsidence: 150mm
- ii. Maximum Horizontal Strain: 2mm/m
- iii. Maximum Tilt 2mm/m

2. Submit a "Building Impact Statement" prior to the commencement of detailed design for the Boards acceptance. It shall identify;

- i. The mine subsidence parameters outlined above
- ii. The main building elements and finishes
- iii. The mine subsidence mitigations measures proposed for each building element.

3. Submit final design drawings incorporating the mine subsidence mitigation measures identified in the Building Impact Statement for approval by the Board prior to the commencement of construction. This shall include certification by a qualified engineer to the effect that the

NEWCASTLE

Ground Floor
 NSW Government Offices
 117 Bull Street
 Newcastle West 2302
 PO Box 488G Newcastle 2300
Telephone: (02) 4908 4300
 Facsimile: (02) 4929 1032
 DX 4322 Newcastle West

PICTON

100 Argyle Street
 Picton 2571
 PO Box 40 Picton 2571
Telephone: (02) 4677 1967
 Facsimile: (02) 4677 2040
 DX 26053 Picton

SINGLETON

The Central Business Centre
 Unit 6, 1 Pitt Street
 Singleton 2330
 PO Box 524 Singleton 2330
Telephone: (02) 6572 4344
 Facsimile: (02) 6572 4504

WYONG

Suite 3 Feldwin Court
 30 Hely Street
 Wyong 2259
 PO Box 157 Wyong 2259
Telephone: (02) 4352 1646
 Facsimile: (02) 4352 1757
 DX 7317 Wyong

HEAD OFFICE

PO Box 488G
 Newcastle 2300
Telephone: (02) 4908 4395
 Facsimile: (02) 4929 1032



Email

mail@minesub.nsw.gov.au

Web

www.minesub.nsw.gov.au

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improvement will remain "safe, serviceable and any damage shall be limited to cosmetic damage" given the subsidence parameters outlined above.

4. On completion, certification by a qualified structural engineer is to be forwarded to the Board, that all improvements have been constructed in compliance with plans approved by the Board under this development application.

This application remains current for two (2) years from the date of this letter. If you have any queries please contact the undersigned on 02 4908 4362.

Yours faithfully

A handwritten signature in black ink, appearing to read 'K. Black', written in a cursive style.

Kieran Black
Risk Engineer