

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Telephone: 1300 NSW RFS
e-mail: pes@rfs.nsw.gov.au

Headquarters
Locked Bag 17
Granville NSW 2142

Facsimile: 8741 5433



The General Manager
Lake Macquarie City Council
Box 1906
HUNTER REG MAIL CENTRE NSW 2310

Your Ref: DA/1132/2017
Our Ref: D17/2278
DA17071408246 SD

ATTENTION: Development Assessment

31 July 2017

Dear Sir/Madam

Integrated Development for 87 Toronto Road Booragul NSW 2284

I refer to your letter dated 6 July 2017 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants. To achieve this, the following conditions shall apply:

1. The entire property shall be managed in perpetuity as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

3. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

4. New construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate, and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
5. Any new Class 10b structures as defined per the 'Building Code of Australia' shall be non-combustible.

Landscaping

6. Any new landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Simon Derevnin on 1300 NSW RFS.

Yours sincerely



Nika Fomin

Manager Planning & Environment Services (East)

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.



23/08/2017

Carlos Ferguson
Lake Macquarie City Council
PO Box 1906
Hunter Region 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

Dear Carlos

**Proposed Development at 87 Toronto Road, Booragul
Development Application No. DA/1132/2017**

I refer to your letter dated 06/07/2017 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:

Proximity to Existing Network Assets

There are existing overhead electricity network assets in the York Street road reserve, adjacent to the development.

Workcover Code of Practice 2006 – 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.

It is recommended that Ausgrid is contacted on (02) 4910 1200 to discuss compliance issues regarding the relevant Workcover Code of Practice 2006 – Work Near Overhead Powerlines.

Clearance to 'As Constructed' Development assessed to be Compliant

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

The existing overhead mains may require relocating should the minimum safety clearances be compromised during construction, this relocation work is generally at the developers cost.

Underground Mains

The works described in your notification are also in the vicinity of underground electricity assets. In addition to DBYD searches I recommend that you to conduct a ground search to locate electricity assets immediately prior to commencing work to check for updates of installed utilities.

Please refer to Ausgrid's Network Standard 156 - Working near or around underground cables which can be found on Ausgrid's website at www.ausgrid.com.au and Workcover Document– 'Work Near Underground Assets'

Any alterations to Ausgrid's underground electricity mains will be Contestable Works and funded by Developer.

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.

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

Yours sincerely



Kallan Arbuckle

Engineering Officer

Newcastle Design & Planning Portfolio

☎: 4910 1251

✉: karbuckle@ausgrid.com.au

☎ (02) 4951 9459

🌐 www.ausgrid.com.au

Ausgrid Reference: 1900076847

27 October 2017

The General Manager
Lake Macquarie Council
PO Box 1906
Hunter Regional Mail Centre NSW 2310

ATTENTION: CARLOS FERGUSON

Dear Sir/Madam,

**DEVELOPMENT APPLICATION – DA/1132/2017
87 Toronto Road, Boorgaul**

I refer to Council's letter received 29 September 2017 regarding the proposed development at the above address.

As of 1 July 2014 the property functions of RailCorp have been transferred to Sydney Trains. Whilst RailCorp still exists as the legal land owner of the rail corridor, its development application review function has been delegated to Sydney Trains.

Sydney Trains has reviewed this proposal under Clause 85 of State Environmental Planning Policy (Infrastructure) 2007 and asks that the following issues be addressed in the conditions for this proposed development.

1. Noise and Vibration

Sydney Trains is concerned that the future occupants of the development will encounter rail-related noise and vibration from the adjacent rail corridor. Rail noise and vibration can seriously affect residential amenity and comfort, jeopardise the structural safety of buildings, and thus should be addressed early in the development process.

The Department of Planning has released the document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". The document is available on the Department of Planning's website.

Council is therefore requested to impose the condition of consent:

- *An acoustic assessment is to be submitted to Council prior to the issue of a Construction Certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".*

2. Stray Currents and Electrolysis from Rail Operations

Stray currents as a result of rail operations may impact on the structure of the development. Electric currents on overhead wiring pass through the train's motor and return to the power substation via the rail tracks. Occasionally, these currents may stray from the tracks and into the ground. Depending on the type and condition of the ground, these may be passed to the nearest conductive material (concrete reinforcement, piling, conduits, pipework and earthing rods) accelerating corrosion of metals and leading to concrete cancer. Therefore, the Applicant should consider this possible impact, and engage an expert consultant when designing its buildings. It is requested that Council include the following condition of consent:

- *Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.*

3. Drainage

Sydney Trains wishes to advise that run-off or stormwater discharge from the development site onto the rail corridor is unacceptable, both during and after construction and installation. Any run-off or waste arising from the development activities needs to be properly disposed of and must not be allowed to enter the rail corridor.

Sydney Trains looks to Council to ensure that stormwater is not diverted onto the rail corridor as a result of the development. Alternatively, Council may choose to include the following conditions of consent:

- *Given the development site's location next to the rail corridor, drainage from the development (during and post) must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.*

4. Crane and Other Aerial Operations

During construction, the use of cranes and other equipment capable of intruding into the airspace above the corridor and of operating over any overhead wiring or transmission lines must be strictly controlled. The developer must demonstrate to the satisfaction of Sydney Trains that all crane and other overhead operations are properly managed, and enter into an agreement with Sydney Trains for such operation. It is requested that Council include the following condition of consent:

- *If a crane is to be used at any stage of the proposed works, the following condition applies:*
 - *Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.*

5. Demolition, Excavation and Construction Impacts

During demolition, excavation and construction, there is a need to ensure that there will be no adverse impact on the integrity of Sydney Trains facilities, or the operation of the network. It is requested that Council include the following condition of consent:

- *Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan regarding any potential risk to or from the rail corridor and assets, for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on the rail corridor. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.*
- *No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.*

6. Environmental Conditions

Environmental conditions of consent on all third party works are necessary to ensure compliance with environmental legislation and regulations. There are many environmental sensitivities within and adjacent to the railway corridor (e.g. Threatened species, wetlands, erosion and acid prone soils, natural and cultural heritage areas, etc.).

Employees, contractors and operators are obligated to protect the environment at their worksites. This can be accomplished through the assessment and management of risks, and implementation of adequate controls to prevent environmental harm. It is requested that Council include the following conditions of consent:

- *During all stages of the development, environmental legislation and regulations will be complied with.*

- *During all stages of the development extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.*
- *During all stages of the development, extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.*

Finally, it is asked that Council forward to Sydney Trains a copy of the final development consent to enable Sydney Trains to monitor the Applicant's compliance with rail related conditions of consent.

Thank you for providing Sydney Trains the opportunity to comment and please contact me if you have any further enquires.

Yours sincerely,

Sarah Anderson
Assistant Town Planner
Sydney Trains