



23/07/2020

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Dear Tracey

**Proposed Development at 30 Vista Parade, Kotara
Development Application No. DA2019/00966**

I refer to your letter dated 30/08/2019 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 developer to engage an electrical consultant/contractor to complete an online application for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the information provided which may include whether or not the existing network can support the expected electrical load of the development. For some developments, a substation may be required on-site.

If an upgrade to the electricity network is necessary, the timeframe between the submission of the connection application and availability to connect the development will vary and may be exposed to a lengthy design and construction period. The submission of the Connection

Application will allow us to begin planning and processing the connection and hopefully minimise any delays.

Please direct the developer to Ausgrid's website, www.ausgrid.com.au for information regarding connecting to Ausgrid's network.

Proximity to Existing Network Assets

There are existing overhead electricity network assets in the Vista Parade footpath, 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.

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

Yours sincerely

Gary Hughes
Engineering Officer
Newcastle Design & Planning Portfolio

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Ausgrid Reference: 1900100911



17 September 2019

General Manager
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

Attention: Amanda Gale

VISTA PARADE (LOCAL): DA 2019/00966, ALTERATIONS AND ADDITIONS TO EDUCATION FACILITY, INCLUDES 2 INTO 3 LOT SUBDIVISION, LOT: 12 DP: 560852, LOT: 131 DP: 262057, 30 VISTA PARADE KOTARA

Reference is made to Council's letter dated 4 September 2019, regarding the abovementioned application which was referred to Roads and Maritime Services (Roads and Maritime) for comment in accordance with Clause 104 / Schedule 3 of the *State Environmental Planning Policy (Infrastructure) 2007*.

Roads and Maritime understands the proposal is to undertake development to increase the primary school capacity from 385 students and 34 staff to 630 students and 49 staff. In addition, it is proposed to develop a 79 place early education centre (child care) on part of the site which will operate from 6.30 am to 7 pm weekdays. The development will involve undertaking alterations and additions to a number of existing buildings, demolishing other buildings and constructing single and two storey new buildings, as well as ancillary works such as car parking, landscaping and fencing. The Site will have relocated vehicular access from single driveway located on Vista Parade, adjacent to the western boundary of the Site.

Roads and Maritime Response & Requirements

Transport for NSW and Roads and Maritime's primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

Vista Parade is a local road. Council is the roads authority for this and all other public roads in the area, in accordance with Section 7 of the *Roads Act 1993*.

Roads and Maritime recommends that Council is satisfied that the proposal will not have a significant impact on the safety and efficiency of the classified road network in the assessment of the application. If Council has significant concerns that are specific to Roads and Maritime's interests, please provide further details and Roads and Maritime will provide a response.

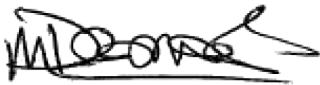
Advice to Council

Roads and Maritime recommends that the following matters should be considered by Council in determining this development:

- Roads and Maritime has no proposal that requires any part of the property.
- Council should ensure that appropriate traffic measures are in place during the construction phase of the project to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity.
- Council should have consideration for appropriate sight line distances in accordance with Section 3 of the *Austroads Guide to Road Design Part 4A (Unsignalised and Signalised Intersections)* and the relevant Australian Standards (i.e. AS2890:1:2004) and should be satisfied that the location of the proposed driveway promotes safe vehicle movements.

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 Kate Leonard, Development Assessment Officer, on 4908 7688 or by emailing development.hunter@rms.nsw.gov.au.

Yours sincerely



Marc Desmond
A/Manager Land Use Assessment
Hunter Region

Internal Memo

TO: Amanda Gale

FROM: Roland Payne

DATE: 14 May 2020

SUBJECT: Environmental Services Unit (ESU) comments for DA2019/00966 30 Vista Parade Kotara Alterations and Additions to School

Recommendation

There is no objection to the proposed development provided the recommended conditions are applied to any consent.

Scope of Review

- Statement of Environmental Effects prepared by Strategy Hunter August 2019
- Plans prepared by Webber November 2018
- Letter Re: DA2019-00966 – 30 Vista Parade, Kotara Webber Architecture to CN 24 March 2020
- *Biodiversity Development Assessment Report* prepared by NGH Environmental 23 January 2020
- *Preliminary Site Investigation St James Primary School (St Nicholas EEC)* Prepared by Valley Civilab 19 February 2020
- *Preliminary Site Investigation St James Primary School* Prepared by Valley Civilab 19 February 2020

Comments

Additional information has been provided to respond to the issues raised in the memo from ESU of 4 October 2019.

Biodiversity

Issue: Timing of BDAR finalisation and submission of application

Applicant Response: (letter 24 March 2020) “*Biodiversity assessment – timing of BDAR. The date of the BDAR was not updated in error when finalising the report. The report was finalised on the 30/08/19 and calcs submitted as final on the 3rd September*”

ESU Comment: The BDAR “Document Verification” section now lists “Final 1.0 30/08/19” “Final 1.1 23/01/2020”. It can be taken that the original BDAR was finalised within the permissible time frame and the “Final 1.1” report date simply reflects minor revisions in response to the request for further information.

Issue : Provision of shape files

Applicant Response: (letter 24 March 2020) “*provision of shape files. See attached*”

ESU Comment: Shape files have been submitted.

Issue: Patch Size

Applicant Response: "This has been added into table 3.2.2. A patch size of 70 ha was used within the BAM-C, which falls within the patch size class of 25–100ha."

ESU Comment: The inclusion of the patch size in the revised BDAR and its use in BAM-C calculations is noted.

Issue: General comments on BDAR and Biodiversity Assessment

Applicant Response: "Additional text added within the conclusion to further clarify the offsetting requirement."

ESU Comment: The additional comments in the conclusion confirming the intention to make payment into the Biodiversity Conservation Fund and acknowledging that notification of this payment to Council will be required are noted. Appropriate recommended consent conditions will be provided.

Contamination

Issue: Reports should include an investigation of the site history

Response: Attached are amended "Preliminary Site Investigation" reports for both the St James Primary School and the St Nicholas EEC containing additional information as requested.

Comment: Revised reports have been submitted. These now include "Review and Database Searches" and "Preliminary Conceptual Site Model". The conclusion of the assessment for the early education centre is *"based on the desktop study and limited intrusive sampling conducted on the Site, no indication of gross contamination has been identified which would constrain the expansive development of the Site under its current residential A land use criterion as a primary school and proposed use as an early education centre"*. Similarly, the assessment for the primary school determined *"no indication of gross contamination has been identified which would constrain the expanded development of the Site for its use as a primary school."*

Recommended Consent Conditions

- B004 (demolition Requirements)
- B062 (construction Noise)
- B064 (prevent Pollution Sign)
- B065 (removing excavated material)
- B066 (fill quality)
- B067 (fill – resource recovery exemption)
- B069 (sediment control)
- B072 (dust control)
- D008 (restriction Noise)

Prior to the issue of a Construction Certificate, the proponent preparing and submitting to the PCA and Council an Environmental Management Plan (EMP) for construction/demolition works on the site, such to be kept on site and made available to authorised Council officers upon request. The EMP is to include but not be limited to:

- a) A site management strategy, identifying and addressing issues such as environmental health and safety, site security, and traffic management.
- b) A water management strategy, detailing erosion and sediment control, management of soil stockpiles, control and management of surface water, groundwater. Procedures should also be included to ensure that all roads adjacent to the site are kept free and clear from mud and sediment.

- c) A dust management strategy, detailing procedures to minimise dust generation, with particular reference to control techniques and operational limits under adverse meteorological conditions.
- d) A noise and vibration management program, detailing measures to minimise the impact of the development on local amenity. Provision for noise and vibration monitoring during works should be incorporated into the program.
- e) A soil management strategy, detailing measures to be implemented to manage the identification and control and disposal of any acid sulphate soils or soil contamination identified during site works.
- f) A waste minimisation strategy, which aims to avoid production of waste and maximise reuse, recycling or reprocessing of potential waste material.
- g) A community relations plan, which aims to inform local residents and other local stakeholders of the proposed nature and timeframes for demolition and construction activities together with contact details for site management.

Prior to issue of Construction Certificate the class and number of ecosystem credits in the following table must be retired to offset the residual biodiversity impacts of the development by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.

ZONE ID	PCT ID	PCT NAME	ECOSYSTEM CREDITS REQUIRED
1	1568	Blackbutt – Turpentine – Sydney Blue Gum mesic tall open forest on the ranges of the Central Coast	2
2	1568	Blackbutt – Turpentine – Sydney Blue Gum mesic tall open forest on the ranges of the Central Coast	2

Evidence of the retirement of credits by payment to the Biodiversity Conservation Fund in satisfaction of condition **(above)** must be provided to the Principal Certifying Authority and Council prior to issue of construction certification.

Prior to the issue of a Construction Certificate, the proponent preparing and submitting to the PCA and Council a Biodiversity Management Plan. The Biodiversity Management Plan is to describe the implementation of all measures to mitigate and manage impacts on biodiversity described in the *Biodiversity Development Assessment Report* prepared by NGH Environmental dated January 2020. The Biodiversity Management Plan is to include, but need not be limited to:

- a) Identification of the development site as per the Biodiversity Development Assessment Report and approved plans.
- b) Identification of areas of land that are to be protected as outlined in the Biodiversity Development Assessment Report.
- c) The restriction of construction impacts to the development site without encroachment into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the Biodiversity Development Assessment Report.

- d) Identification of all measures proposed in the Biodiversity Development Assessment Report to mitigate and manage impacts on biodiversity and their implementation, including performance measures for each commitment.

Written certification confirming that all mechanical plant to be installed achieves the acoustic criteria set out in the reports prepared by Spectrum Acoustics dated July 2019 and August 2019 is to be submitted to the principal Certifying Authority and Council prior to the issue of an Occupation Certificate.

Goods deliveries to the premises and waste collection from the premises being restricted to between 7am to 6pm.

If you require any further information please contact me on ext 42531.



Roland Payne
SENIOR ENVIRONMENT PROTECTION OFFICER