



Hunter Water Corporation
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9 April 2020

Our Ref: 2010-678/28.012

The General Manager
Port Stephens Council
PO Box 42
RAYMOND TERRACE NSW 2324

Attention: Ryan Falkenmire

Dear Ryan

**LAND OWNERS CONSENT – KINGS HILL LEAD IN WATER AND SEWER MAINS
DA 16/2020-81-1**

I refer to recent correspondence between Hunter Water and APP regarding the proposed preliminary design and location of the trunk lead-in water and sewer mains to service the Kings Hill development and the need to complete an EIS for this infrastructure, Port Stephens Council DA Reference 16/2020-81-1.

Hunter Water notes the preliminary asset locations shown in a Preliminary Engineering design plan provided by APP and does not object to the submission of the EIS for these trunk water and sewer works in our capacity as a land owner only. It is expected that the preliminary water and sewer designs and alignments described in the EIS will need to be refined as a consequence of detailed design work. It remains necessary for Hunter Water to review these alignments and designs prior to considering issuing consent for the on-site works to commence.

Furthermore, it is noted that stormwater infrastructure proposed to be located to the Eastern side of the Highway and adjacent to Grahamstown Dam, is subject to a separate environmental assessment pathway. Hunter Water reiterates its previously stated position that no development activities, for example land clearing, should occur on any land that currently drains to Grahamstown Dam until the stormwater design is approved and constructed. This is essential to protect the water quality of Grahamstown Dam.

Hunter Water has received the environmental assessment submitted with the EIS and will provide comment on that directly to Port Stephens Council.

I trust the above is sufficient for APP to proceed with the EIS.

Yours sincerely

**Laura Hails
General Counsel & Company Secretary**

Cc: Adam Smith (APP)

9 July 2020

General Manager
Port Stephens Council
PO Box 42
Raymond Terrace NSW 2324

Attention: Ryan Falkenmire

PACIFIC HIGHWAY (H10) & ADELAIDE STREET (MR104): DA 16-2020-81-1 - WATER RETICULATION SYSTEM AND SEWERAGE SYSTEM - 17D IRRAWANG STREET RAYMOND TERRACE 2324

I refer to the notice from Port Stephens Council on 16 June 2020 via email regarding land owners consent for the Kings Hill Development water and wastewater supply pipeline and a wastewater pumping station.

TfNSW Response & Requirements

TfNSW's primary interests are in the road network, traffic and broader TfNSW 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.

The Pacific Highway (H10) and Adelaide Street (MR104) are classified State roads, and Irrawang Street and Rees James Road are local road. Council is the roads authority for these and all other public roads in the area, in accordance with Section 7 of the *Roads Act 1993*.

TfNSW has reviewed the referred information and provides the following comments to assist the consent authority in making a determination:

Land owners consent is required from TfNSW where TfNSW is the legal owner of "private" property, land that is acquired under our ownership and is in the process of being dedicated or vested as future public road, or we own land/road that is being or has been declared as Freeway as defined under the Roads Act. The land in question for the construction of the water and sewer works is not declared freeway and is in the ownership of Port Stephens Council.

There may have been some confusion previously as some of the land was shown to be in TfNSW ownership, however TfNSW advises this land has since been vested as public road and the need

for any owners consent is not required, referring to the attachment (grey colour land).

The proposal all appears to be within public road which Council are the vested owner and the roads authority as defined under the Roads Act, 1993.

However, due to the classification of this section of Highway being a State Road, TfNSW still requires notification from Council for any conditional concurrence and/or approval for any s138 application and WAD.

On determination of this matter, please forward a copy of the Notice of Determination to TfNSW for record and / or action purposes. Should you require further information please contact me on 0475 825 820 or by emailing development.hunter@rms.nsw.gov.au.

Yours sincerely

Marc Desmond

A/Manager, Land Use Assessment

Hunter Region

Attach.

Rachel Perry
Arcadis Australia Pacific Pty Ltd
Level 16, 580 George Street
SYDNEY NSW 2000

Dear Rachel,

Re: Kings Hill Development Water and Wastewater Infrastructure

I refer to your letter dated 2 October 2019 and advise that Port Stephens Council consents to the lodgement of a development application over the following Council owned properties, for the purpose of installing a water and wastewater pipeline and construction of a wastewater pumping station:

- Lot 1 DP 1226115
- Lots 35, 36 and 38 DP 259487
- Lot 175 DP 251129
- Lots 291 & 292 DP 262169, and
- Road Reserve Irrawang Street and Mount Hall Road, Raymond Terrace.

Please note that licences authorising the use and occupation of the above properties will have to be obtained before any construction compound as detailed in your letter is established or any equipment or material is placed on any of the above sites.

Please also note that:

- Council will only permit stockpiling of VENM on its land and this will be covered in more detail in the licence(s) once issued, and
- storage of chemicals or fuel will not be permitted on any Council owned land.

Please do not hesitate to contact Vanessa Hitchcock, Commercial Investment Manager on 4988 0425 or by email at Vanessa.Hitchcock@portstephens.nsw.gov.au if you would like to discuss any aspect of this letter, or to apply for the licences specified above.

Yours sincerely,


Janet Meyn
Property Services Section Manager
21 October 2019