

Regulatory, Planning and Assessment.MBisson/GMansfield
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Phone: 02 4974 2000

5 July 2021

Sam Kelly
Planning Officer
Transport Assessments
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Reply by planning portal: <https://www.planningportal.nsw.gov.au>

Dear Mr Kelly

NEWCASTLE CITY BYPASS (SSI-6888-MOD-1) – ADDITIONAL ANCILLARY FACILITIES

I refer to the Department's notification of 11 June 2021 advising that Transport for NSW (TfNSW) has submitted an application to modify the approval (SSI-6888) for the Newcastle Inner City Bypass-Rankin Park to Jesmond. The proposed modification is for four additional construction compounds to support the project and updates to compliance monitoring and reporting conditions. The Department has requested City of Newcastle (CN) to provide advice on the application.

The submitted Modification Report has been reviewed and the following advice is offered for your consideration:

1. Ancillary facilities

It is recommended that further information is sought from the applicant regarding the exact nature of the use/s of each respective construction compound *i.e.* Stockpiling of soil / storage of equipment and machinery / housing of site demountable sheds. Such information would assess the Department's consideration of the likely impacts on the amenity of the properties in the locality of each facility.

Astra Street site

This site is located within the former Astra Street landfill site within part of 2 and 28 Astra Street, Shortland. The site is owned by CN. The site has been used by CN over a number of years for storage and reuse opportunities, including the protection of convict cut sandstone used for infrastructure reinstatement within conservation areas in the city and the closed loop processing of CN's tree management activities. The proposed use of the Astra Street site as a construction compound would have significant impacts on CN's current uses of the site.

The site is subject to an approved Voluntary Management Proposal issued under Section 17 of the *Contaminated Land Management Act 1997*. Any use of the site, as proposed, would be significantly impacted by current land remediation works required on site.

As indicated in Section 4.3.2 of the Modification Report, the additional construction compound on Astra Street would not occur until post remediation. Therefore, the following needs to be considered:

- CN will not be able to confirm the remediation program until the fourth quarter of 2021.
- If following the value engineering CN was to proceed with the existing single campaign construction program of 18 months, allowing 4 months for procurement, the earliest the site would be remediated is the fourth quarter of 2023. However, it is likely that a longer construction methodology will be adopted consistent with the outcomes of the value engineering phase.
- TfNSW have noted a 30-month construction timeframe, it is understood the RP2J project will commence in the second quarter 2022, therefore a completion date would be the fourth quarter of 2024.
- Based on the Astra Street remediation program and TfNSW program, there remains a possibility of Astra Street being available for the duration of 2024. However, this is unlikely and cannot be confirmed until the fourth quarter of 2022.

Having regard to the above circumstances, the subject site is not available for use by TfNSW.

Lookout Road and Cardiff Road sites

No objections are raised to the proposed use of these sites subject to the imposition of appropriate conditions on any consent granted for the application which addresses the following:

- For any street and park trees on CN land within and adjacent to the construction compound and its accessway, an Arboricultural Impact Assessment and Tree Protection Plan will be required in accordance with Australian Standard AS4970-2009 for approval, prior to site occupation. This assessment and plan are to be undertaken by Minimum AQF Level 5 Arborist and is to cover both street trees; park trees and CN's defined habitat trees.
- Ongoing monitoring, inspection, and compliance reporting to confirm recommendations in above plans are in place and implemented for the duration of the construction compound operation.
- Site establishment works are to include the installation of semi-permanent tree protection exclusion fencing in light of the above assessments.
- Pre and post dilapidation testing of CN's access roads and associated local roads in the vicinity of the proposed compounds, including roads being used is being provided.
- Any squirrel glider habitat trees and habitat features in the vicinity of construction compound are appropriately identified and protected.

Peatties Road site

This site is located at 1/6 Peatties Road, Kotara, and is owned by CN and Sydney Trains. No objections are raised to the proposed use of these sites subject to the imposition of appropriate conditions on any consent granted for the application which address the following:

- All light spill from the compound site into the site's bushland and creek corridor (refer Fig 4a below) is to be mitigated.

- Protocols to prevent the introduction and / or spread of noxious and environmental weeds and disease agents are to be implemented.
- A remediation plan, including revegetation, is to be prepared to confirm how and when the site will be decommissioned; how all disturbed areas will be restored to ensure an increase in the site's environmental values. CN has previously invested in bushland management on adjacent land parcels; and notes that additional investments may be required. CN would be amenable to working with TfNSW on the delivery of any resourced plan.
- Focus is needed on the proposed buffer zone between the compound site and remnant vegetation to manage potential edge effects.
- No new direct stormwater connection or increase in overland flows into the creek line on the western boundary of the property are permitted. This includes any final surface grading of the old quarry area.
- The drainage design of any new entrance works to build a suitable access road off Peattie's Road must protect the creek line shown in aqua on the attached Figure 4b. The current culvert under Peattie's Road drops into a very steep rainforest waterfall gully. Any impacts to the stability of this drainage line will be very expensive to fix and CN does not want to be burdened with these works to protect Peatties Road, the only access road to the residents to the west.
- Figure 4c (attached) does not accurately map Tickhole Creek. For the reason above, minor adjustment of construction compound boundary is recommended so that the area marked up in red stripes (refer Fig 4c) is not disturbed and rehabilitated with a protective buffer of vegetation.
- Construction stage bushfire risk management controls are required which are site specific, particularly given Peatties Road is the sole vehicle emergency egress route for residents to the west.
- For any street and park trees on CN land within and adjacent to the construction compound and its accessway, an Arboricultural Impact Assessment and Tree Protection Plan will be required in accordance with Australian Standard AS4970-2009 for approval, prior to site occupation. This assessment and plan are to be undertaken by Minimum AQF Level 5 Arborist and is to cover both Street Trees; Park Trees and Council defined Habitat trees.
- Ongoing monitoring, inspection, and compliance reporting to confirm recommendations in above plans are in place and implemented for the duration of the construction compound operation. The site establishment works are to include the installation of semi-permanent tree protection exclusion fencing in light of the above assessments.
- Pre and post dilapidation testing is to be undertaken of CN roads in the vicinity of the compounds, including access roads and associated local roads.
- Any squirrel glider habitat trees and habitat features in the vicinity of construction compound are appropriately identified and protected.

Cardiff Road site

Given the duration of site use; it is recommended planting, establishment, and protection of screening vegetation on the Cardiff Road compound be provided to protect adjacent homes from light shed and loss of visual amenity.

2 Public Notification

It is understood that residential properties 55-61 Marshall Street in the Newcastle LGA, located in the vicinity of the proposed Cardiff Road compound were not notified of the application.

Should you have any questions in relation to the various matters raised in this letter, please contact Geof Mansfield, Principal Planner on 4974 2767 or by email on gmansfield@ncc.nsw.gov.au.

Yours faithfully



Michelle Bisson
MANAGER REGULATORY, PLANNING AND ASSESSMENT

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FIGURE 4a

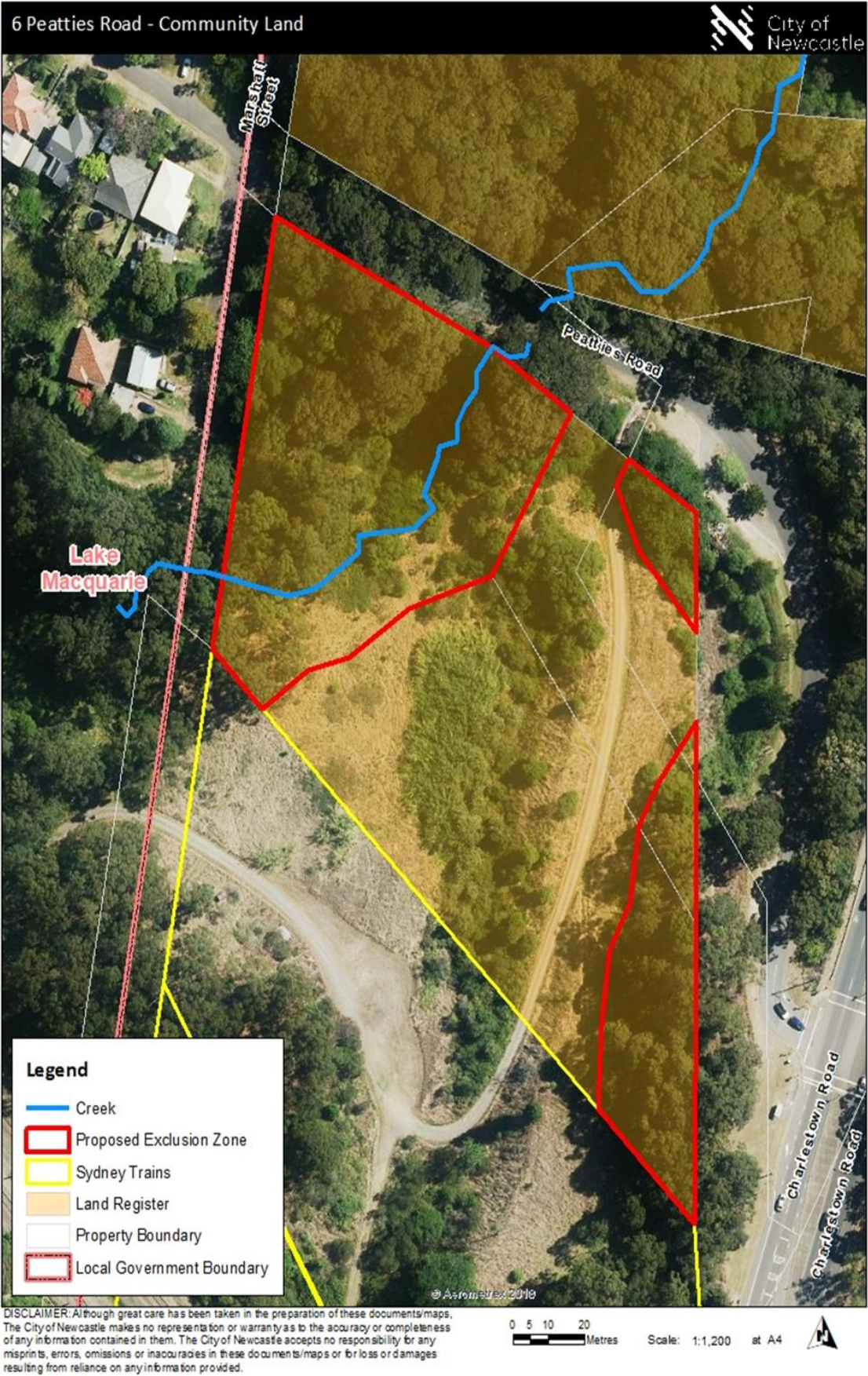


FIGURE 4b



FIGURE 4c

