

**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**DAC 18/10/22 – 93A RIDGE STREET MEREWETHER– DA2021/00884  
AND DWELLING HOUSE - INCLUDING DEMOLITION OF EXISTING  
STRUCTURES**

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<b>PAGE 25</b>	<b>ITEM-16</b>	<b>Attachment B:</b>	Draft Schedule of Conditions
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AND DWELLING HOUSE - INCLUDING DEMOLITION OF EXISTING  
STRUCTURES**

**ITEM-16      Attachment A:      Submitted Plans**

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# DEVELOPMENT APPLICATION

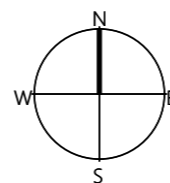
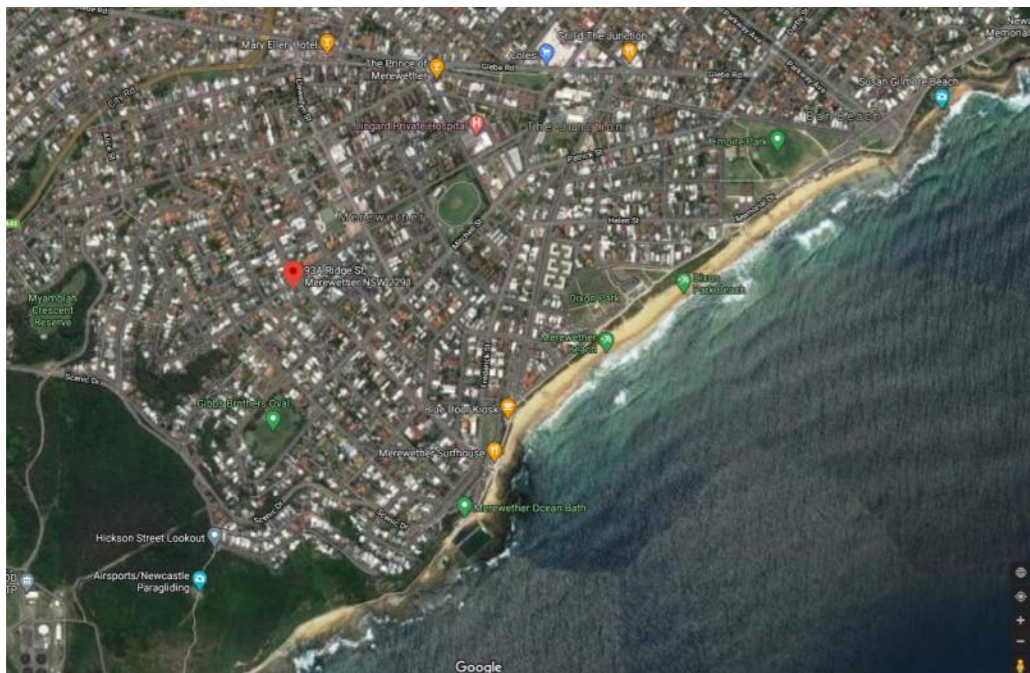


DEMOLITION, DWELLING HOUSE  
 93A RIDGE STREET MEREWETHER

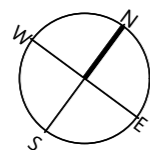
LOT 1 DP998807  
 CLIENT: I & L BAINBRIDGE

AMENDED PLANS OCT 22





GOOGLE MAPS CONTEXT VIEW NTS @ A3



SIX MAPS AERIAL VIEW 1:500 @ A3

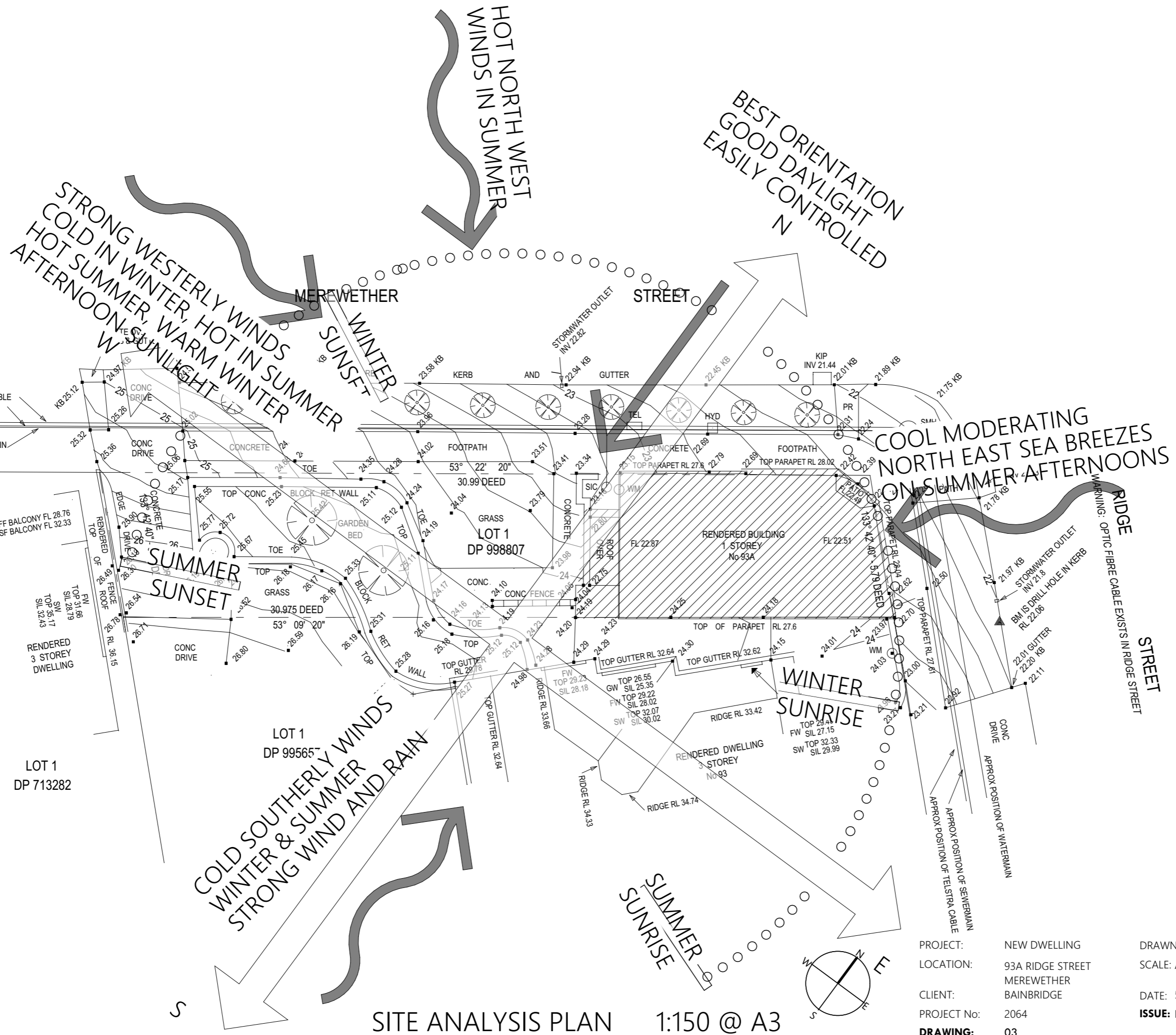
NOMINATED ARCHITECT  
 KELLY O'CONNELL 7715  
 PO BOX 3118,  
 VALENTINE NSW 2280  
 PH 0419637367  
 WORK TO FIGURED DIMENSIONS.  
 DO NOT SCALE DRAWINGS.  
 CHECK ALL DIMENSIONS ON  
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 COPYRIGHT

PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:** 02  
 SITE ANALYSIS

DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
**ISSUE:** D

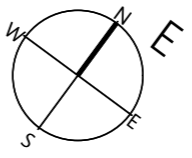


MGA



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SITE ANALYSIS PLAN 1:150 @ A3



PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
 DRAWING: 03 SITE ANALYSIS

DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
 ISSUE: D



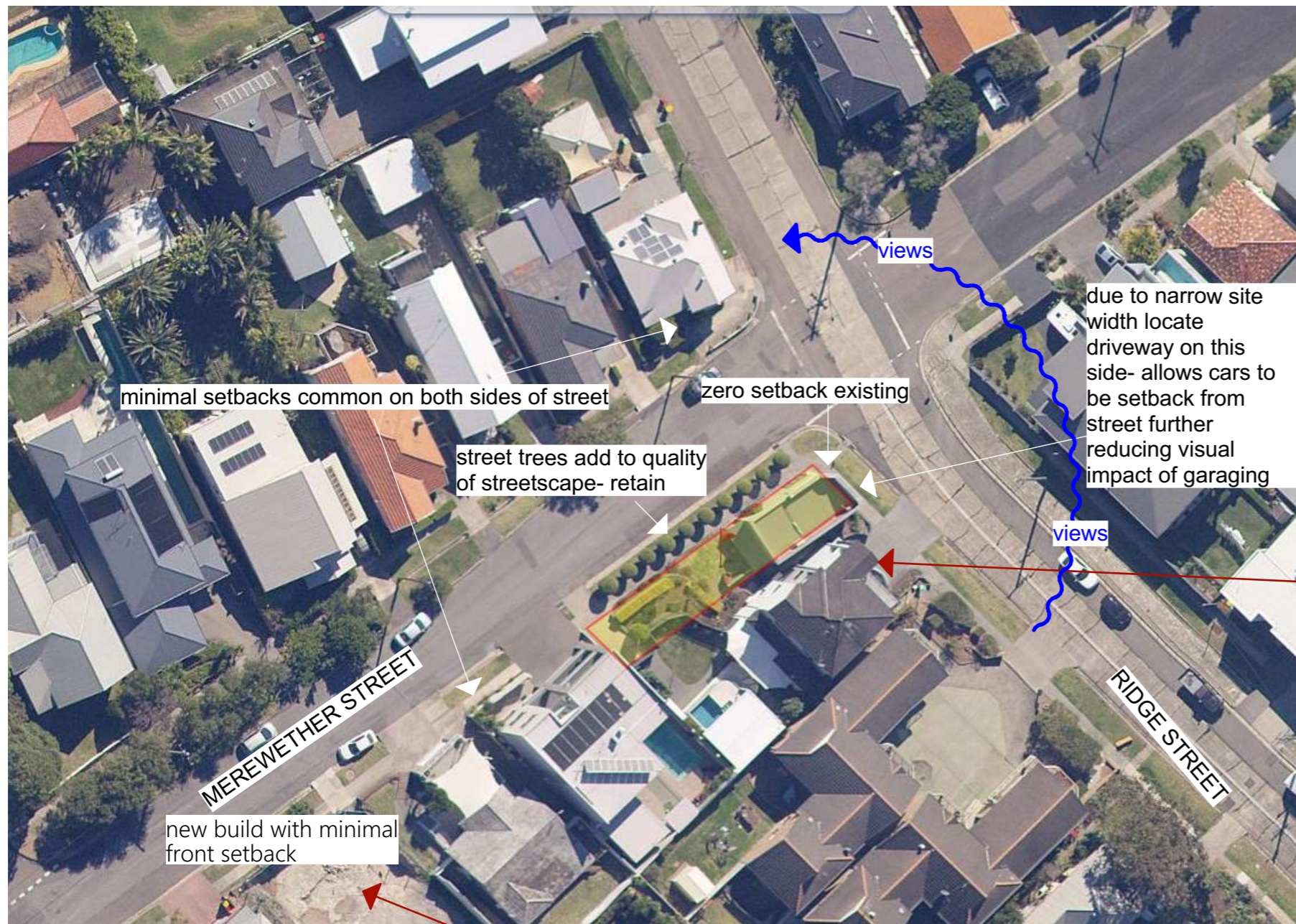


- existing building does not have heritage value and is out of character with streetscape
- existing structure has building and structural issues including waterproofing and damp with floor levels below street, privacy, etc
- alterations and additions could be undertaken but would remain out of character with streetscape due to lack of setback to Ridge Street
- new build could improve streetscape character



LOOKING STH TOWARDS SITE

- Site falls approximately 1 storey (3 m) towards northeast along Merwether street.
- Northern aspect along Merwether street so good solar access and minimal solar impact on neighbours
- both neighbours have views along street frontages
- pushing the built form forwards and down towards the lower end of the site could allow rear neighbour to look 'over' the building but harder to remain within envelope at lower end as site levels fall
- alternatively built form could be pushed to the higher end of the site where envelope is larger and to raise floor levels and maximise views



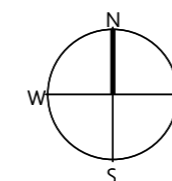
LOOKING STH TOWARDS SITE

- zero setback to both frontages for existing building
- minimal front setbacks including to garages typical in Merwether street
- street trees on Ridge Street create landscape character
- a front setback to Ridge street would offer more visual benefit and be more in keeping with streetscape character than a setback to Merwether Street where small setbacks are common



LOOKING NE TOWARDS SITE

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PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:** 04  
 SITE STRATEGY

DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
**ISSUE:** D

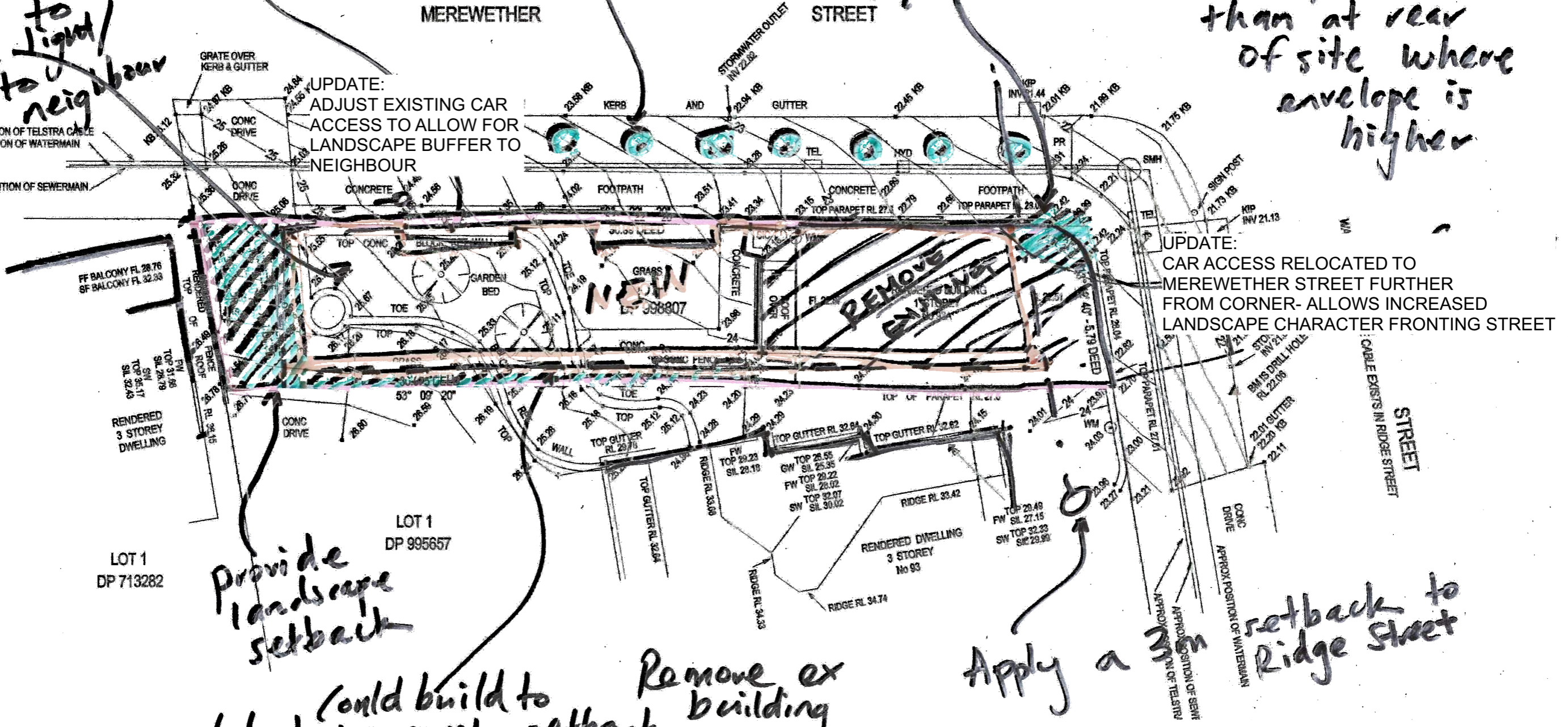




Keep this end lower to maximise light/views to neighbour

Provide some articulation to street, planters, screens, ?  
 Retain & add to landscape character - keep trees

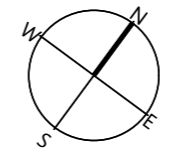
less impact here than at rear of site where envelope is higher



Provide landscape setback  
 could build to bdry but suggest setback to allow light/vent/green wall  
 Remove ex building

Apply a 3m setback to Ridge Street

SITE STRATEGY 1:150 @ A3

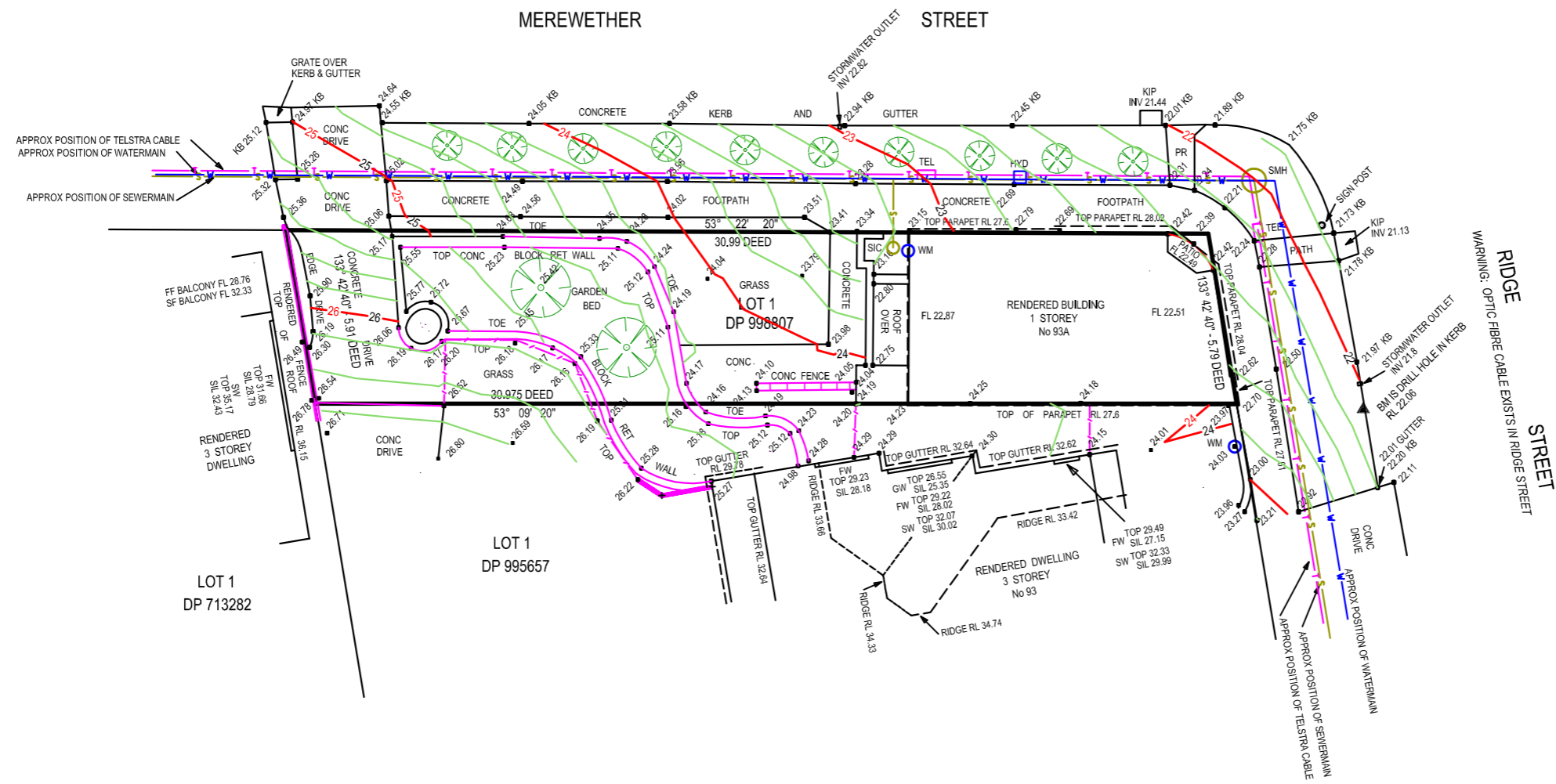
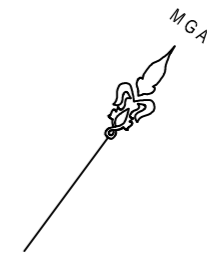


PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
 DRAWING: 05 SITE STRATEGY

DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
 ISSUE: D



DOMINATED ARCHITECT  
 ELYN O'CONNELL ARCHITECT  
 KELLY O'CONNELL 7715  
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 VALENTINE NSW 2289  
 PH 0419637367  
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DATE OF SURVEY: 19 JUNE 2017  
 DATUM IS A.H.D.  
 ORIGIN OF LEVELS IS PM 11345 RL 29.29 AHD  
 CONTOUR INTERVAL IS 0.2m.

SERVICES HAVE BEEN LOCATED ONLY WHERE VISIBLE &  
 UNDERGROUND SERVICES HAVE NOT BEEN LOCATED.

BEFORE FUTURE DEVELOPMENT COMMENCES  
 THE BOUNDARIES SHOULD BE MARKED.

POSITION OF IMPROVEMENTS SHOWN ARE APPROXIMATE  
 ONLY & HAVE BEEN LOCATED FROM OCCUPATIONS.

**WARNING:**

SUBJECT PROPERTY IS LIMITED TITLE PURSUANT TO SEC 28T (4) OF THE REAL PROPERTY ACT, 1900  
 THEREFORE WE RECOMMEND THAT A PLAN OF REDEFINITION BE PREPARED AND REGISTERED AT  
 THE LPI BEFORE DEVELOPMENT COMMENCES.  
 THE BOUNDARY DIMENSIONS SHOWN ON THIS DETAIL PLAN ARE SUBJECT TO CHANGE BASED UPON  
 FINAL PLAN OF REDEFINITION BEING PREPARED AND REGISTERED AT LRS

DISCLAIMER OF LIABILITIES TO ANY THIRD PARTIES: THIS PLAN IS MADE SOLELY FOR USE AND BENEFIT OF THE CLIENT NAMED ON THE PLAN AND NO LIABILITY OR RESPONSIBILITY WHATSOEVER IS ACCEPTED TO  
 ANY THIRD PARTY WHO MAY RELY ON THIS REPORT WHOLLY OR IN PART. ANY THIRD PARTIES ACTING OR RELYING ON THIS REPORT WHETHER WHOLLY OR IN PART ARE IN BREACH OF OUR COPYRIGHT AND DO SO AT THEIR OWN RISK.

LEGEND		
	ELECTRICITY CABLE	W - WINDOW IN WALL
	GAS MAIN	GW - GROUND FLOOR WINDOW IN WALL
	SEWER MAIN	FW - FIRST FLOOR WINDOW IN WALL
	TELSTRA CABLE	KB - LEVEL ON TOP OF KERB
	WATER MAIN	WM - WATER METER
	PHOTO NUMBER & LOCATION	GM - GAS METER
	TREE	HYD - HYDRANT
		SV - STOP VALVE
		LP - LIGHT POLE
		PR - PRAM RAMP

SCALE:	(A1) 1:100 (A3) 1:200
DATE:	27 JUNE 2017
SURVEYED:	R MULDOON
DRAWN:	B FISHER

**DAVID R. WALPOLE PTY.LTD.**

CONSULTING LAND SURVEYORS

TELEPHONE: (02) 4963 3351  
 FACSIMILE: (02) 4963 6467  
 EMAIL: drwalpole@hunterlink.net.au

A.C.N. 003 159 206 A.B.N. 61 586 089 199  
 P.O. BOX 260, ADAMSTOWN, 2289.

TITLE	DETAIL SURVEY	CLIENT	TODD JOLLY	DWG No.	001
PROJECT	LOT 1 DP 998807 No.93A RIDGE STREET MEREWETHER			JOB No.	13339
				REV No.	A



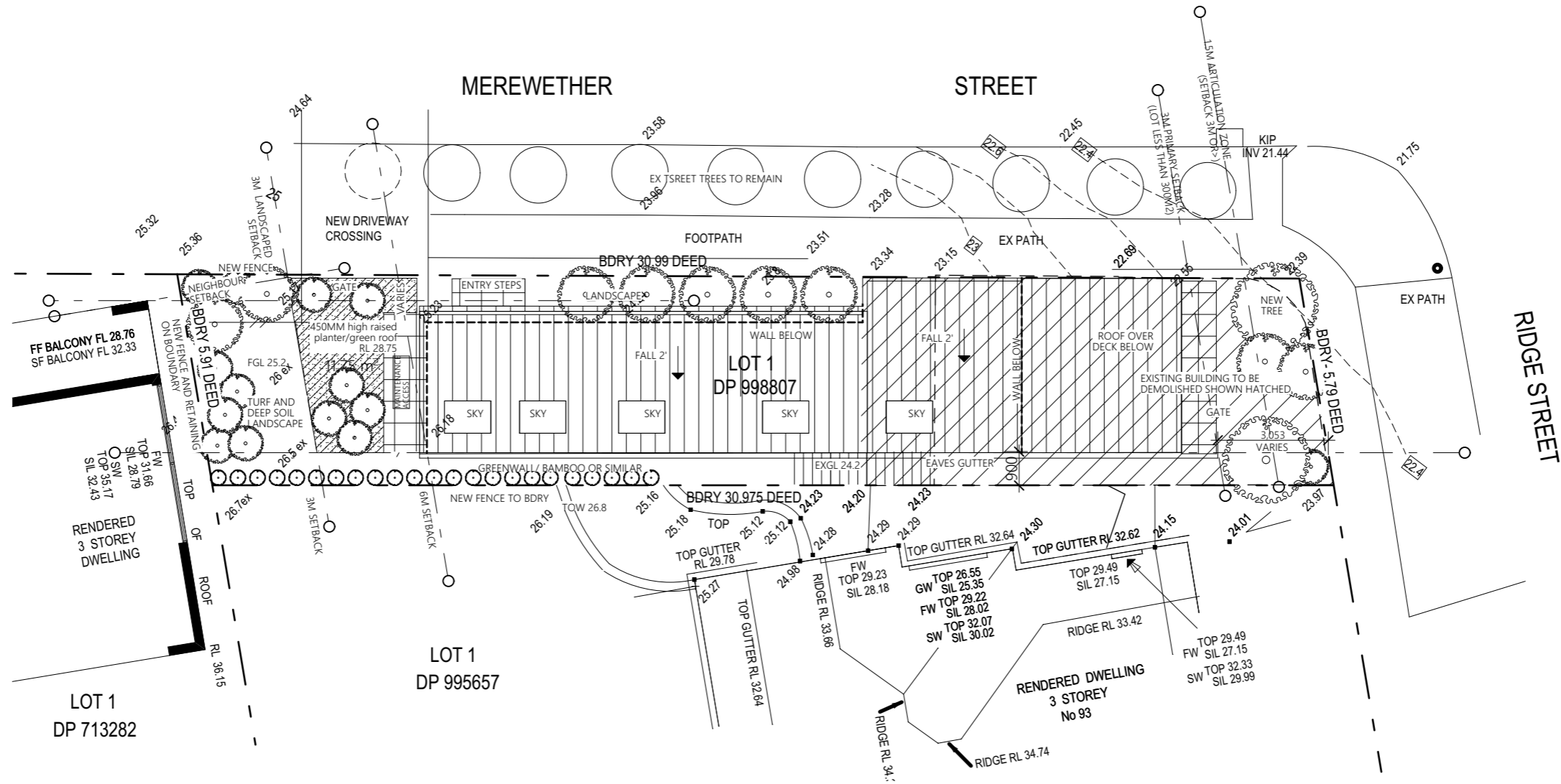
LOOKING STH TOWARDS SITE



LOOKING STH TOWARDS SITE



LOOKING NE TOWARDS SITE



SITE AREA: 178.7M2

CONTROLS:

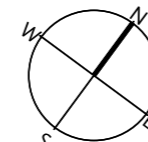
ZONE: R2  
 PRECINCT: LIMITED GROWTH  
 LEP HOB: 8.5M  
 LEP FSR: 0.6:1 (107.22M2 GFA)  
 LANDSCAPE AREA: 10%= 17.9M2

PROPOSED:

USE: DWELLING (COMPLIES)  
 MAX HOB: 8.45M (COMPLIES)  
 PROPOSED FSR: 0.78:1 (139.95M2 GFA: 32.73M2 VARIATION)  
 (NOTE: COMPLYING DEVELOPMENT CODE COMPARISON- 78% MAX GFA- 0.78:1)  
 LANDSCAPED AREA: 53.92M2 30.1% (COMPLIES)

SITE CONTEXT PLAN 1:150 @ A3

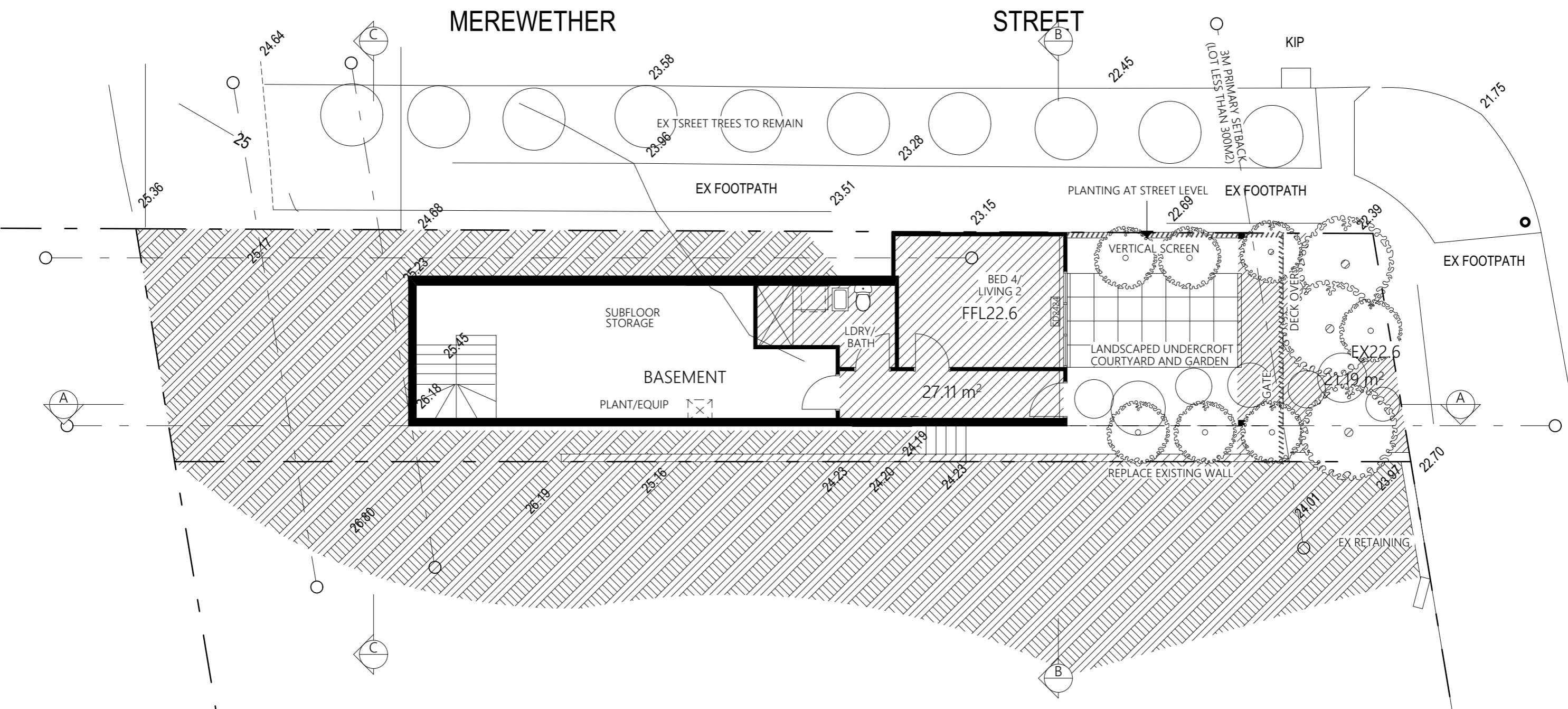
NOMINATED ARCHITECT  
 KELLY O'CONNELL 7715  
 PO BOX 3118,  
 VALENTINE NSW 2280  
 PH 0419637367  
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PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:**  
 07  
 SITE PLAN

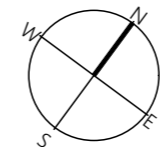
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 DATE: 5-10-22  
**ISSUE:** D





BASEMENT 1:100 @ A3

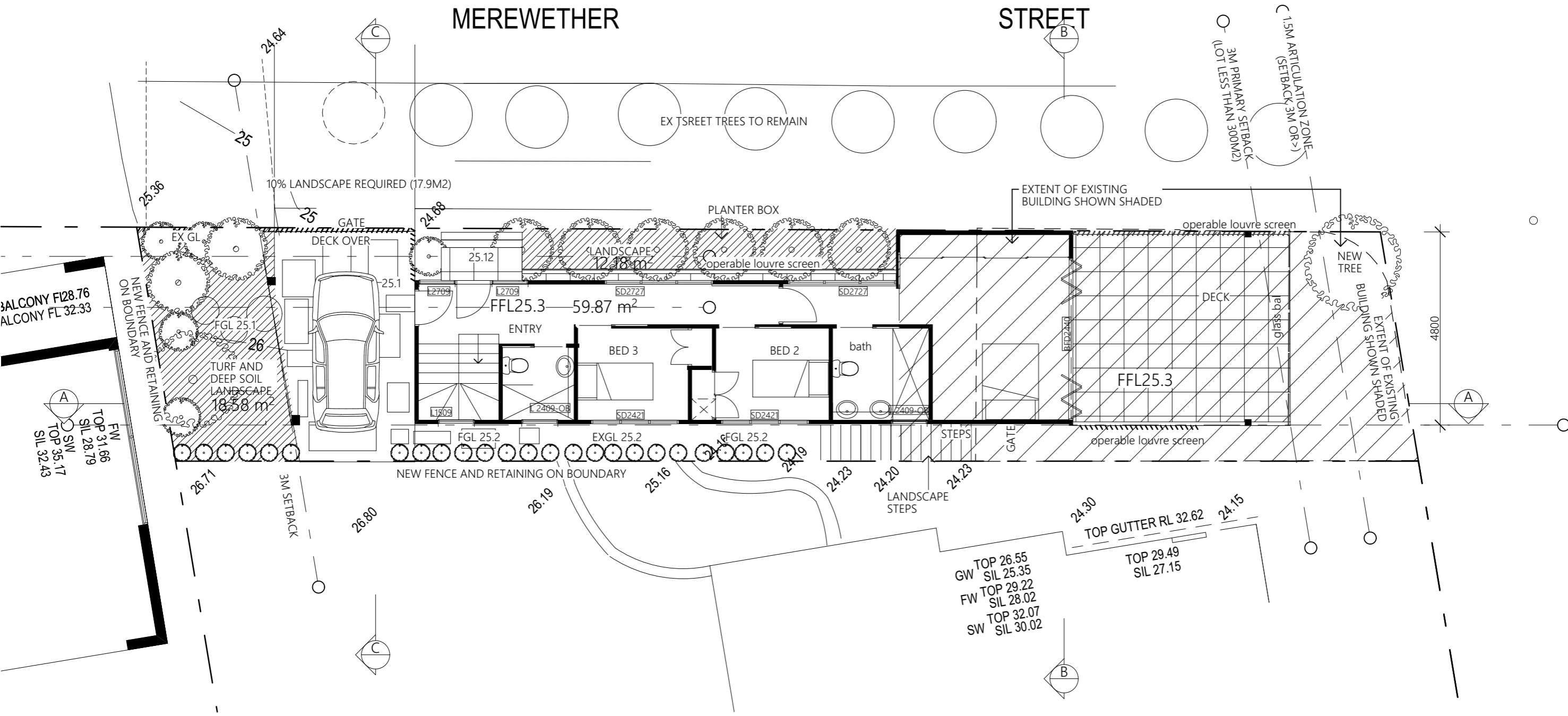
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PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:** 08  
 LOWER GROUND

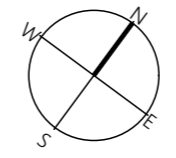
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 DATE: 5-10-22  
**ISSUE:** D





GROUND FLOOR 1:100 @ A3

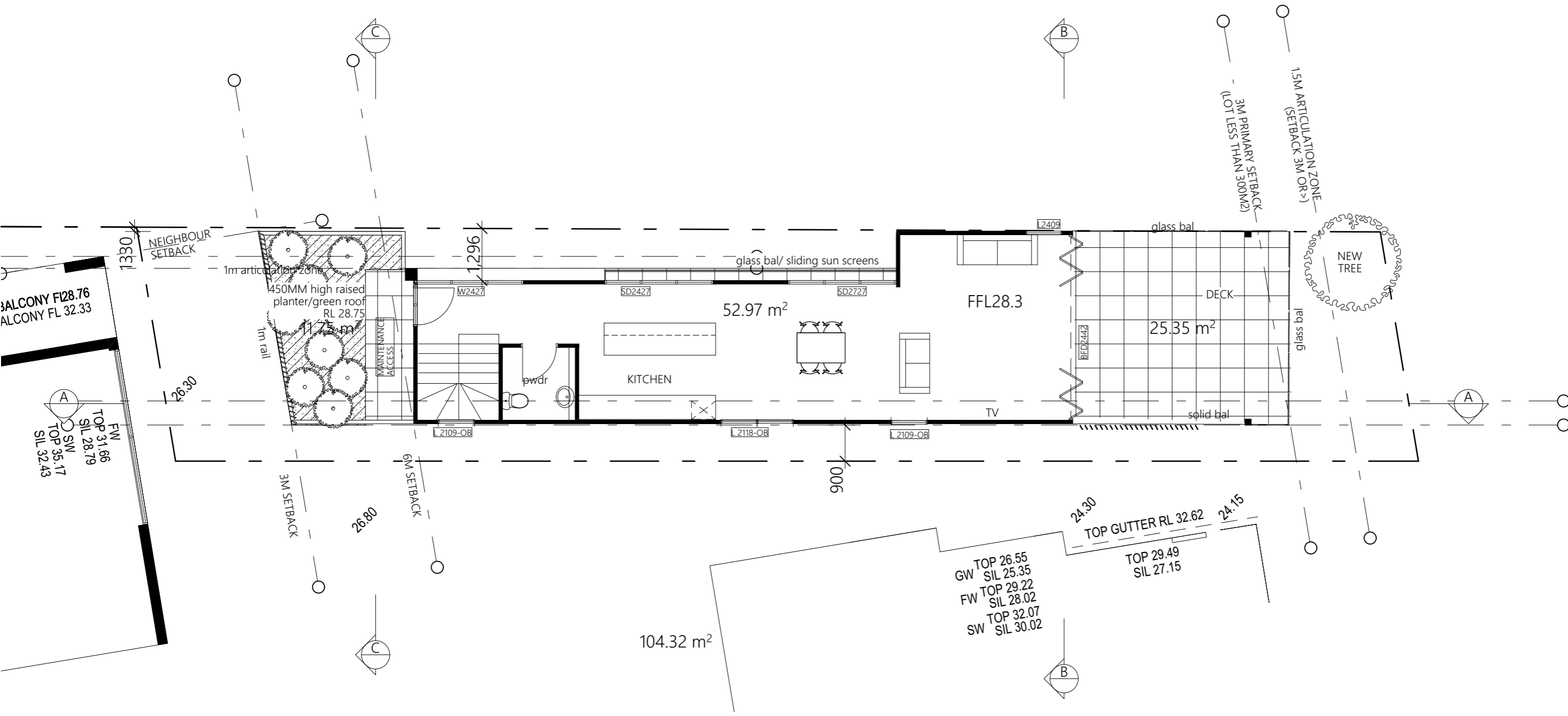
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PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:** 09  
 GROUND FLOOR

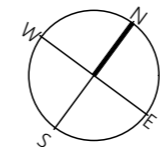
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 DATE: 5-10-22  
**ISSUE:** D





LEVEL 1 1:100 @ A3

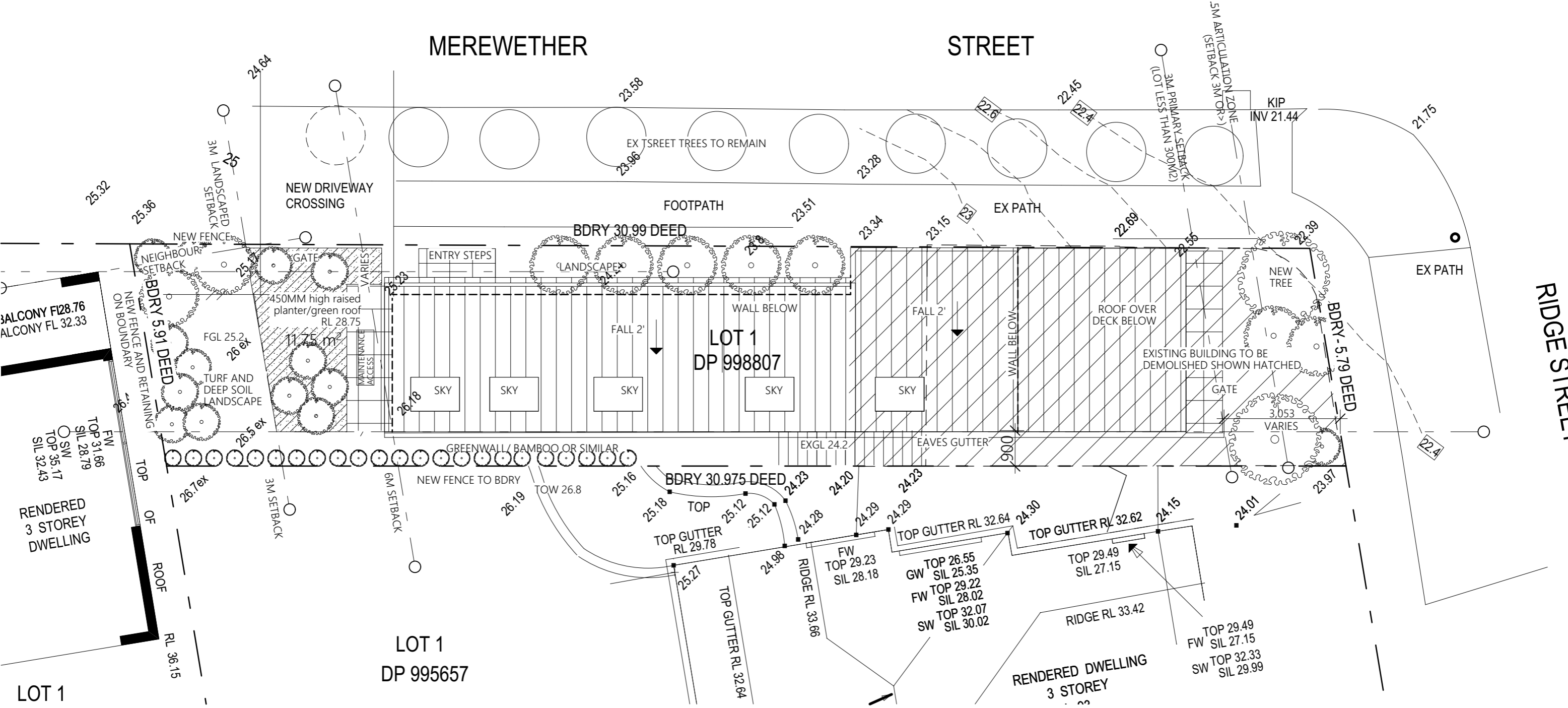
NOMINATED ARCHITECT  
 KELLY O'CONNELL 7715  
 PO BOX 3118,  
 VALENTINE NSW 2280  
 PH 0419637367  
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PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:** 10  
 LEVEL 1

DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
**ISSUE:** D



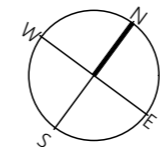


ROOF PLAN 1:100 @ A3

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 PO BOX 3118,  
 VALENTINE NSW 2280  
 PH 0419637367

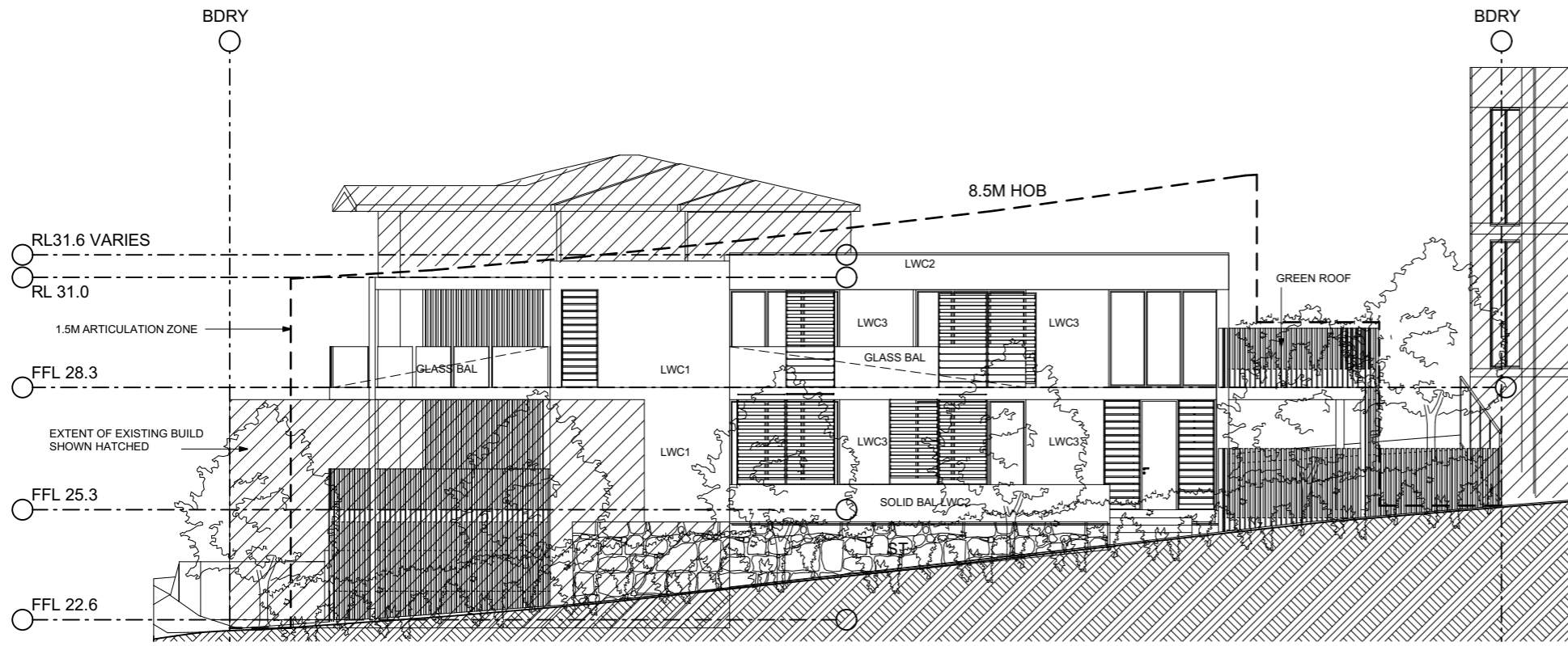
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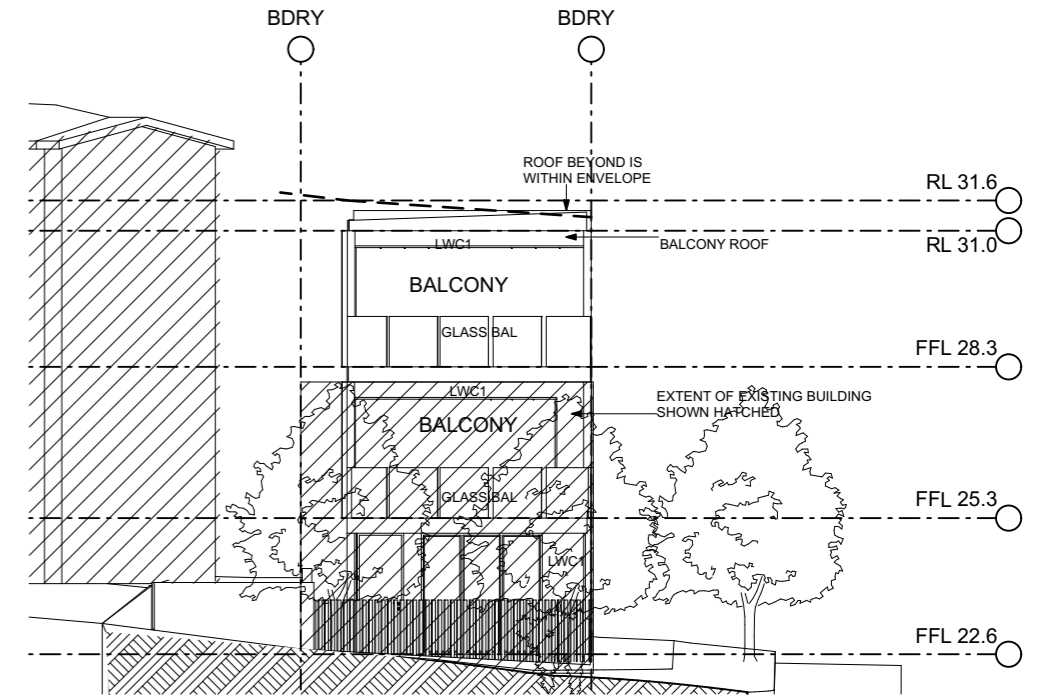


PROJECT:	NEW DWELLING	DRAWN:	KO
LOCATION:	93A RIDGE STREET MEREWETHER	SCALE:	AS NOTED
CLIENT:	BAINBRIDGE	DATE:	5-10-22
PROJECT No:	2064	ISSUE:	D
<b>DRAWING:</b>	11 ROOF PLAN		

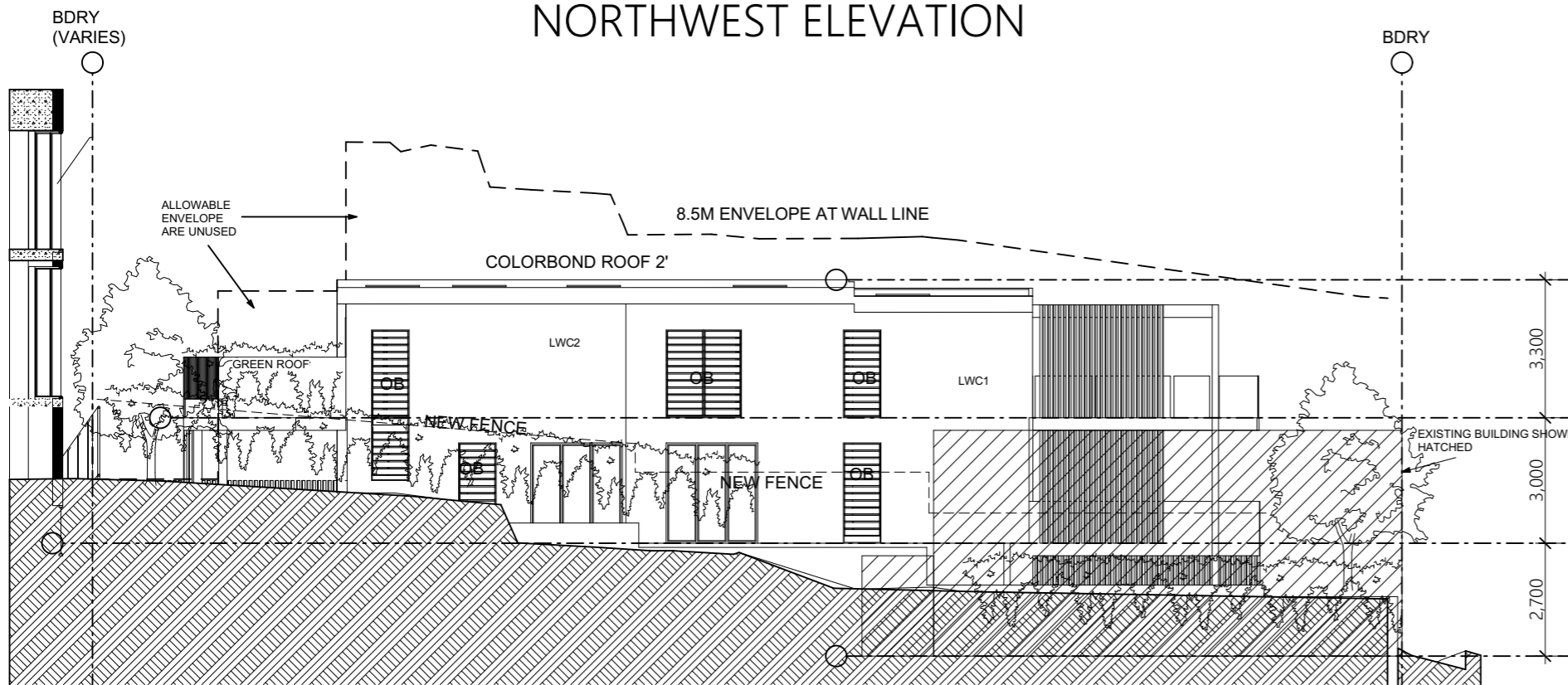




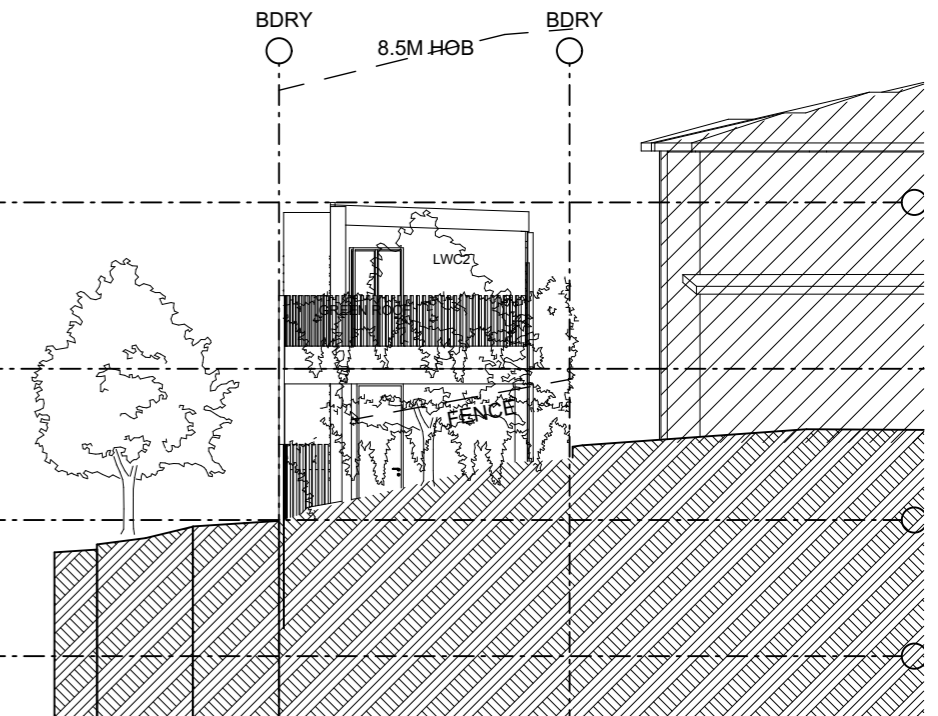
NORTHWEST ELEVATION



NORTHEAST ELEVATION



SOUTHEAST ELEVATION



SOUTHWEST ELEVATION

LWC1: HORIZONTAL CLADDING- HARDIES STRIA OR CEMINTEL EQUIVALENT  
 LWC2: HARDIES MATRIX OR SIMILAR, DULUX SNOWY MOUNTAIN QTR  
 LWC3: CEMINTEL TERRITORY WOODLANDS BIRCH OR SIMILAR  
 ST: STONE CLADDING  
 ROOF: COLORBOND SHALE GREY

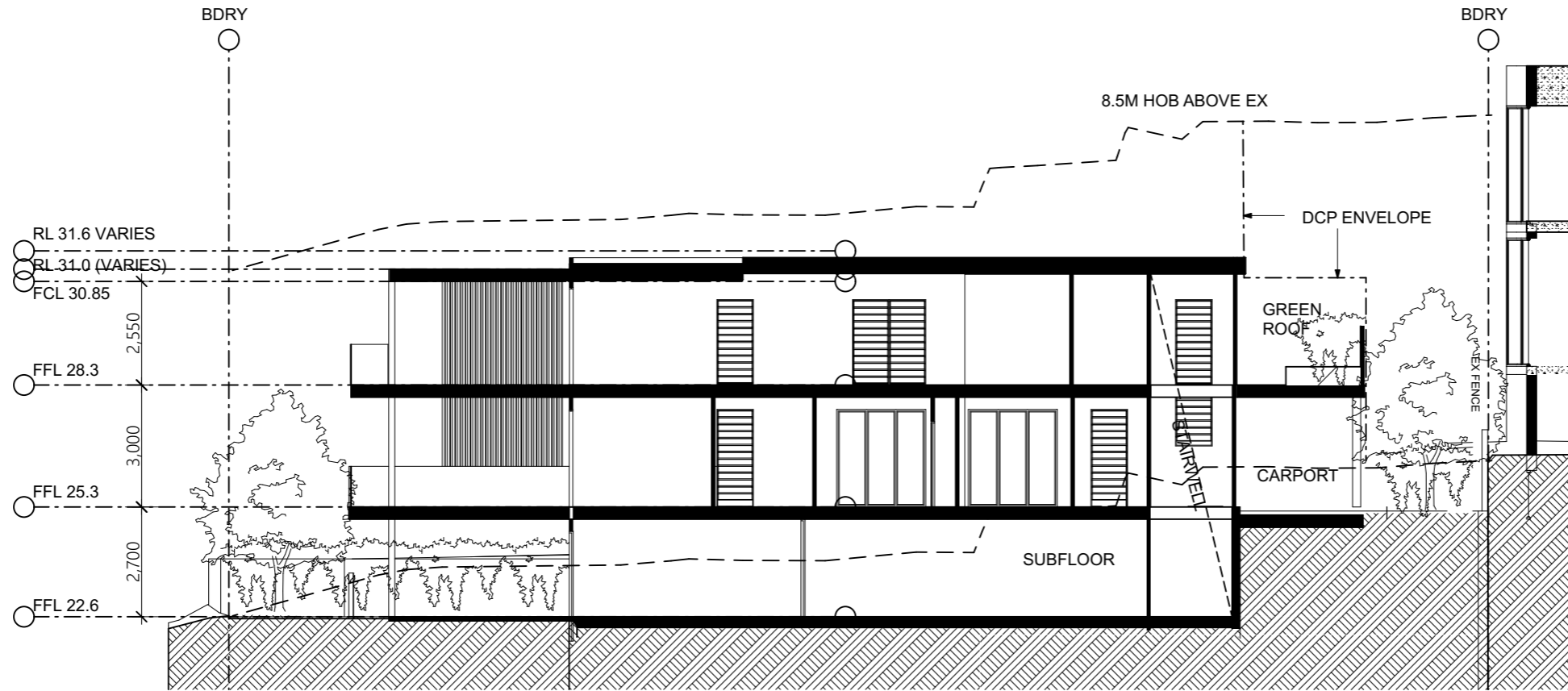
ELEVATIONS AND SECTIONS 1:150@ A3

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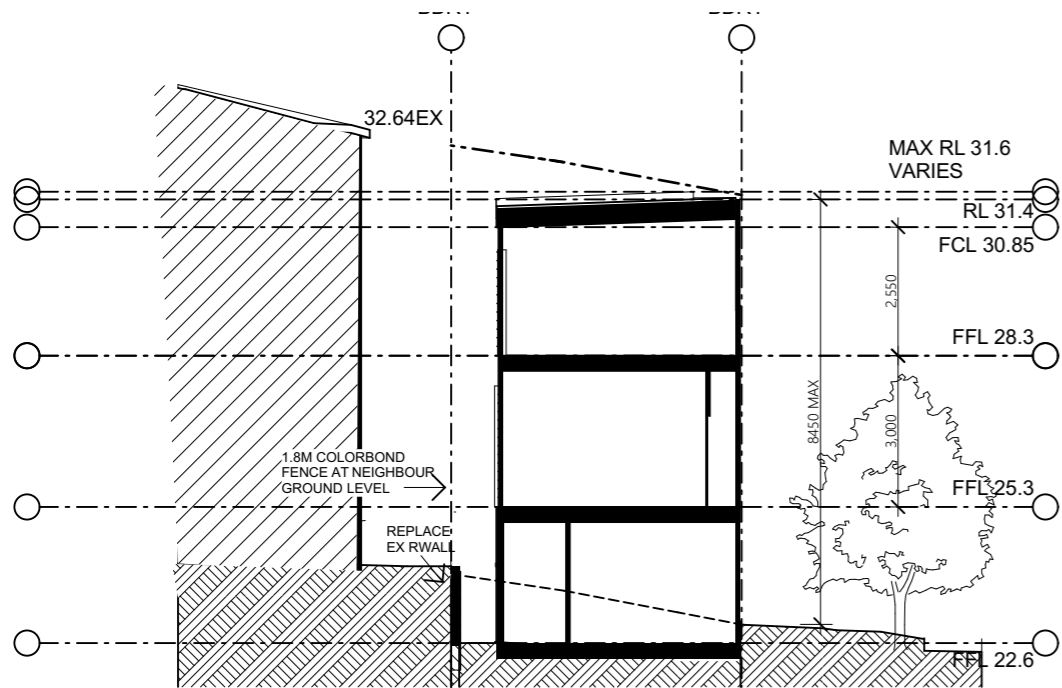
PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
 DRAWING: 12  
 ELEVATIONS  
 DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
 ISSUE: D



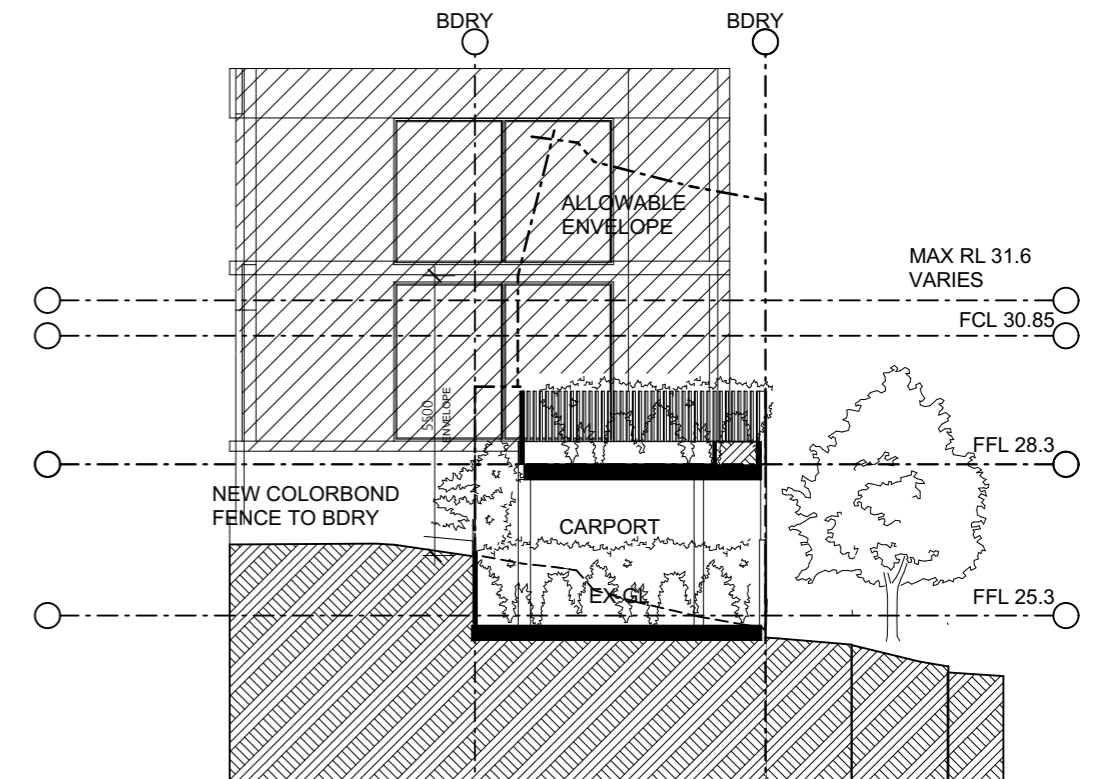




SEC A A



SEC BB



SEC CC

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SECTIONS 1:150@ A3

PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:** 13  
 SECTIONS  
 DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
**ISSUE:** D





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PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:** 14  
 3d views

DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
**ISSUE:** D





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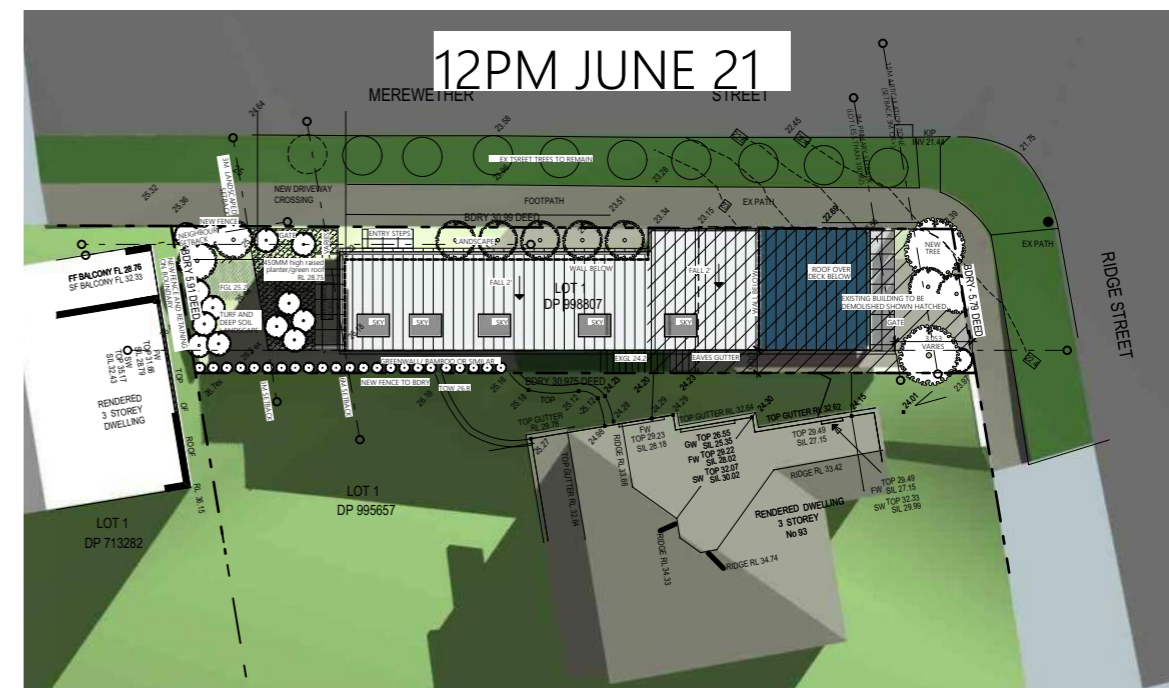
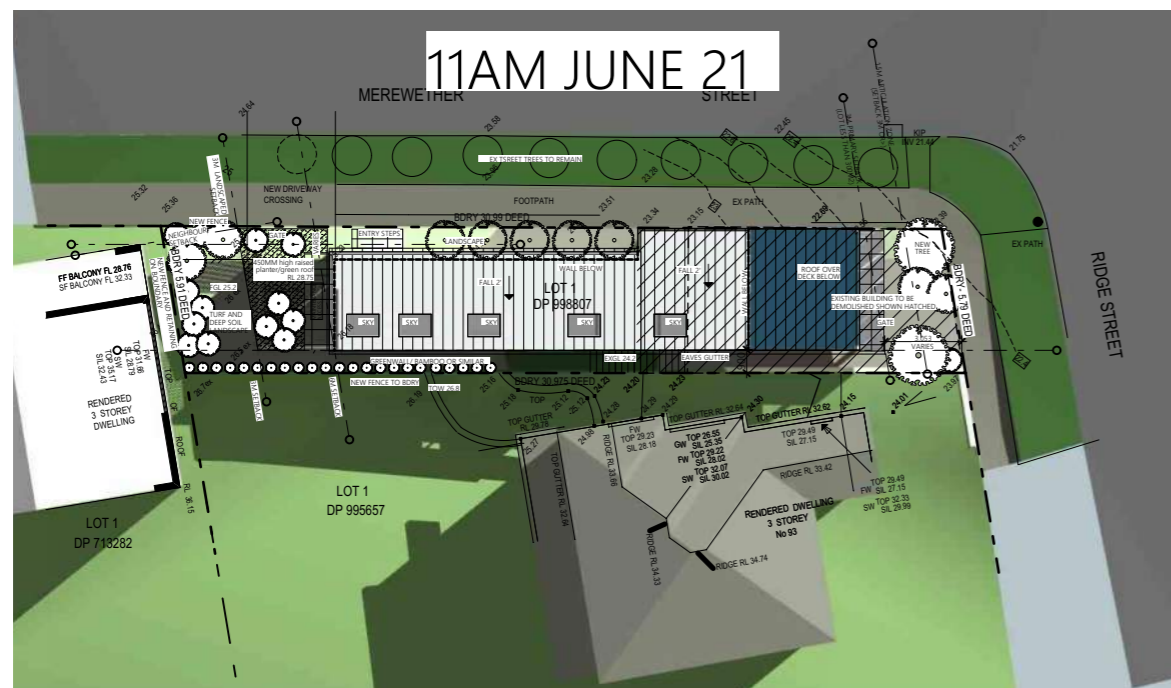
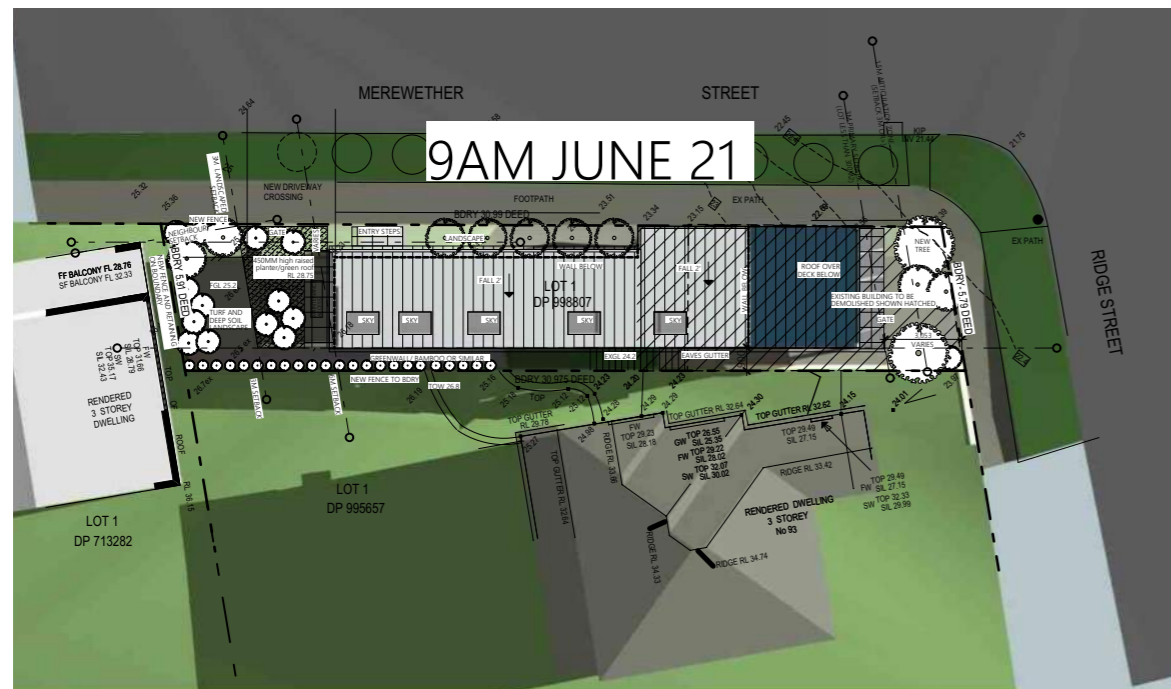
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PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:** 15  
 3d views

DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
**ISSUE:** D

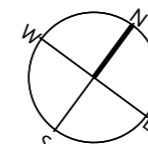




SHADOW DIAGRAMS 1:300 @ A3

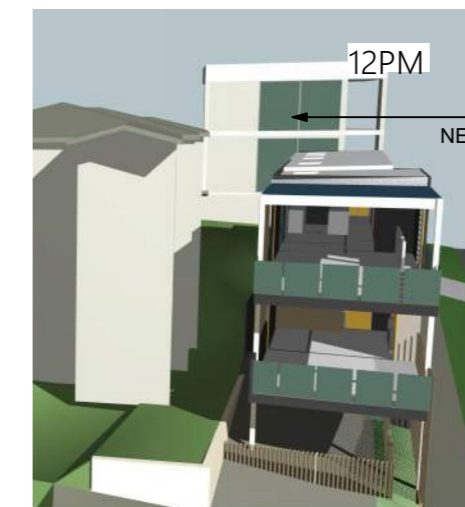
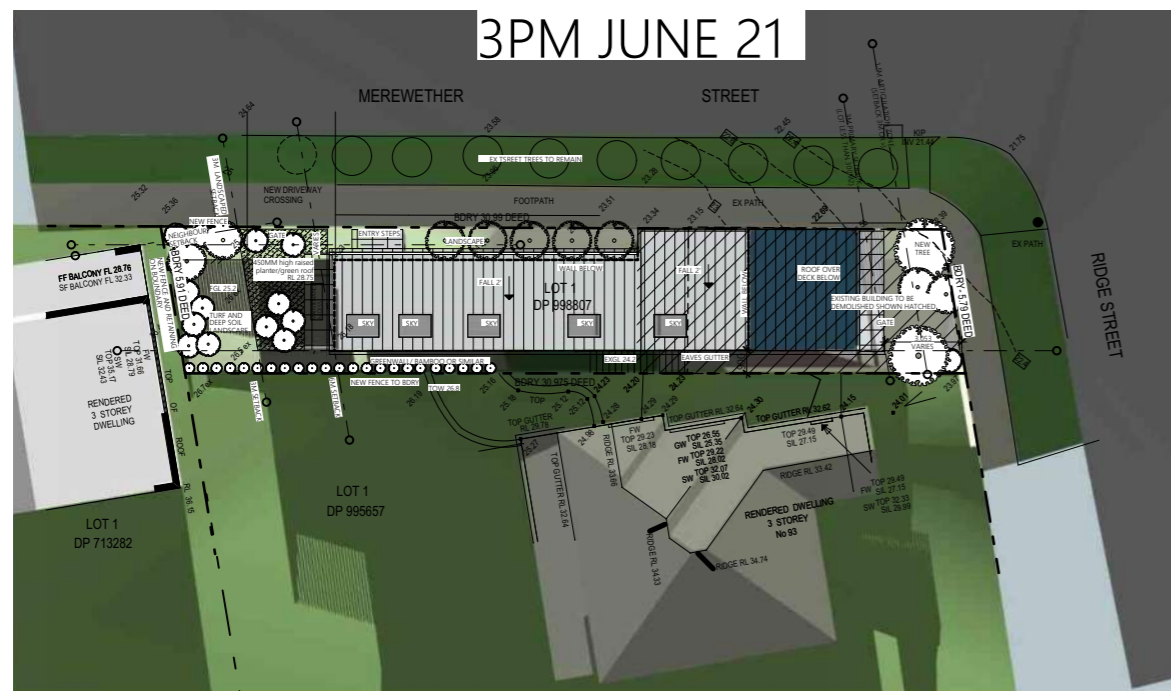
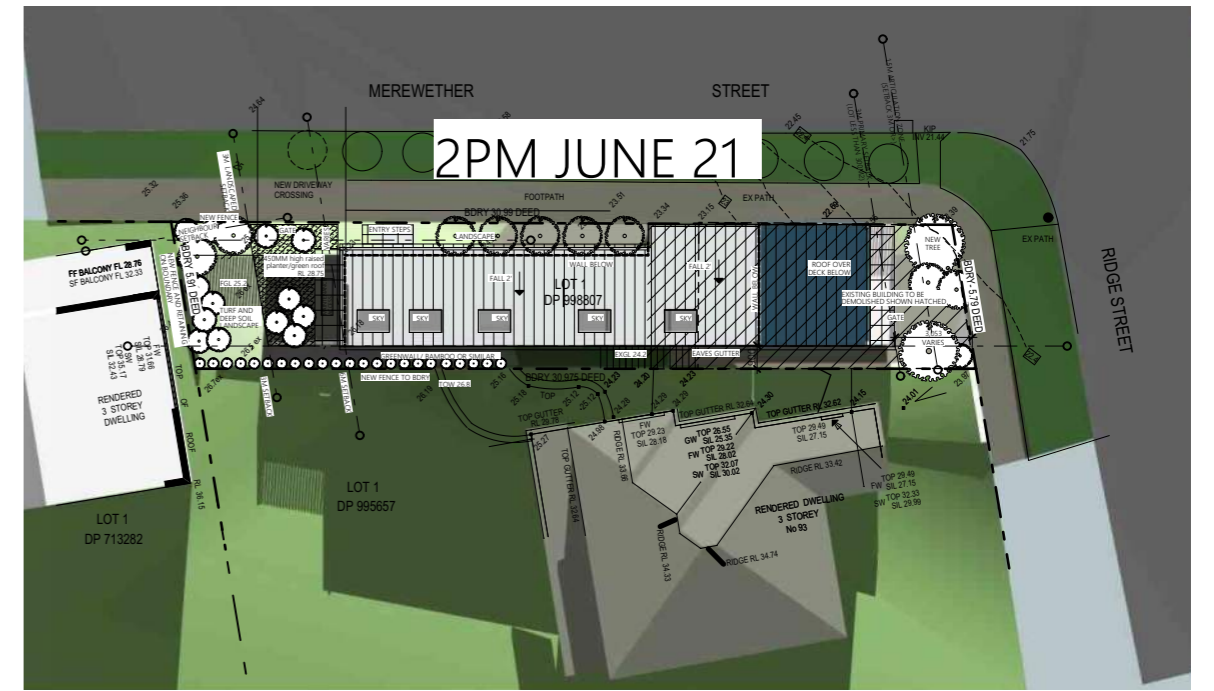
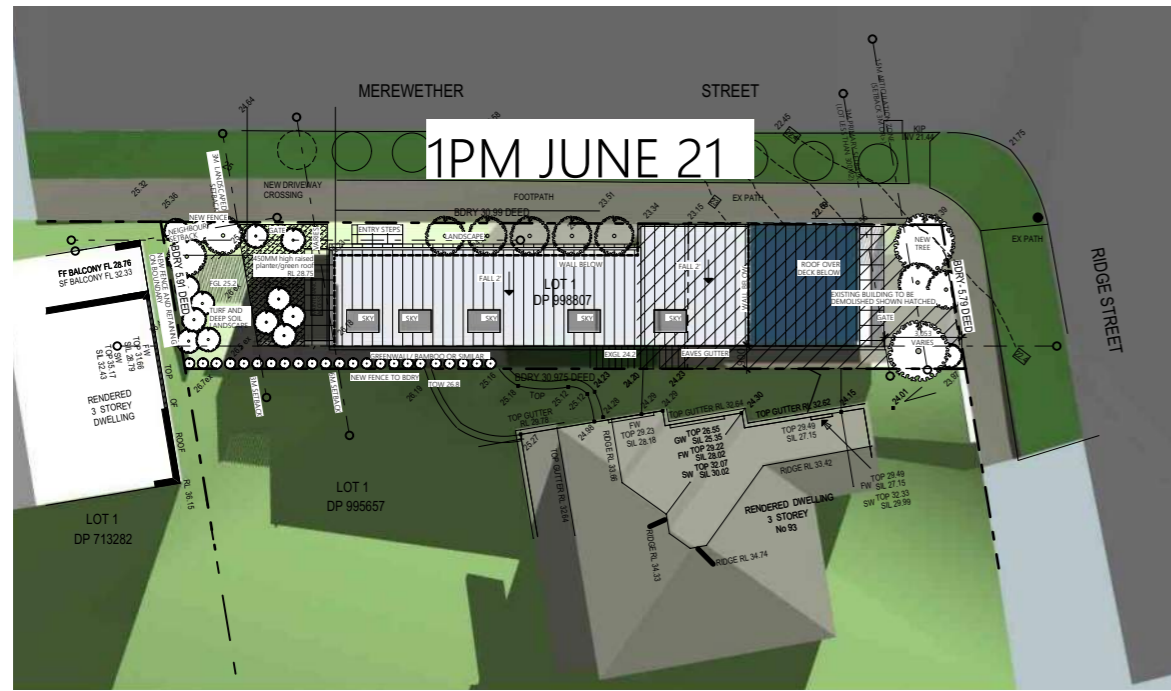
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NOTE: NO SURVEY DETAIL AVAILABLE FOR  
 NEIGHBOURING BACKYARD STRUCTURES,  
 REFER SURVEY FOR BASIS OF SHADOW DIAGRAMS



PROJECT:	NEW DWELLING	DRAWN:	KO
LOCATION:	93A RIDGE STREET MEREWETHER	SCALE:	AS NOTED
CLIENT:	BAINBRIDGE	DATE:	5-10-22
PROJECT No:	2064	ISSUE:	D
DRAWING:	16 shadow diagrams		



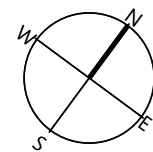


3D VIEWS SHOWING VIEW AND SUNLIGHT ACCESS TO NEIGHBOURING DWELLINGS

NOTE- REFER ELEVATIONS AND 3D VIEWS FOR ACTUAL COLOURS

SHADOW DIAGRAMS 1:300 @ A3

NOTE: NO SURVEY DETAIL AVAILABLE FOR NEIGHBOURING BACKYARD STRUCTURES, REFER SURVEY FOR BASIS OF SHADOW DIAGRAMS

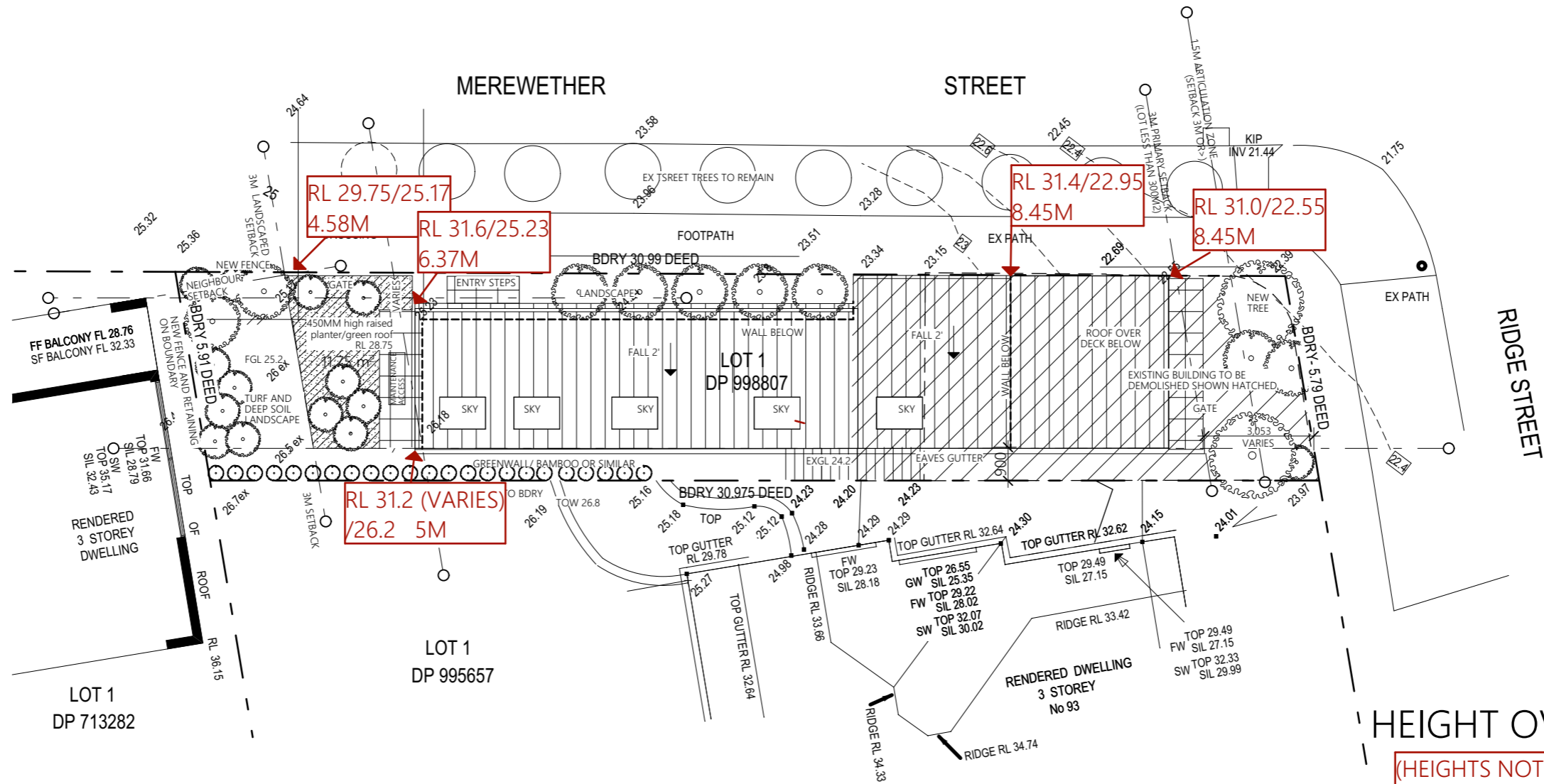


NOMINATED ARCHITECT  
 KELLY O'CONNELL 7715  
 PO BOX 3118,  
 VALENTINE NSW 2280  
 PH 0419637367  
 WORK TO FIGURED DIMENSIONS.  
 DO NOT SCALE DRAWINGS.  
 CHECK ALL DIMENSIONS ON  
 SITE PRIOR TO CONSTRUCTION.  
 COPYRIGHT

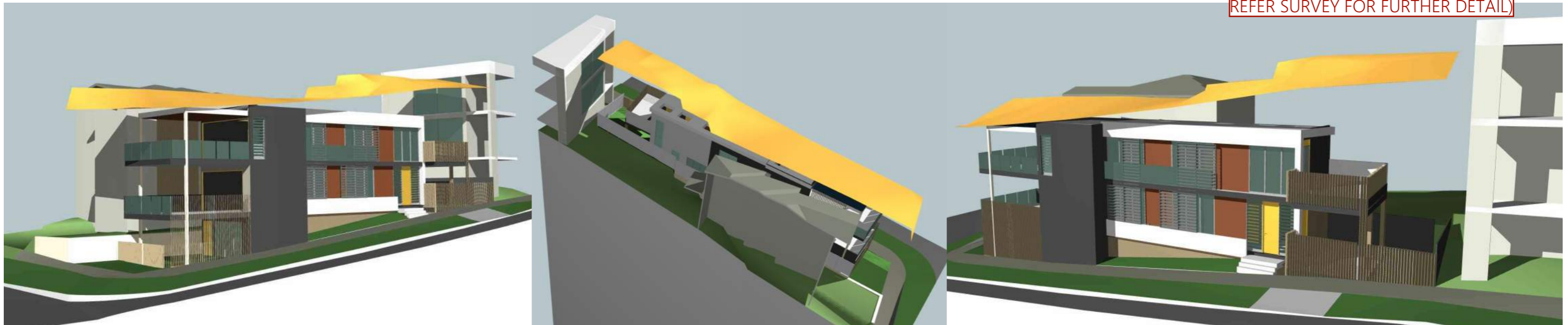
PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:** 17 SHADOW DIAGRAMS

DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
**ISSUE:** D





HEIGHT OVERLAY 1:150@A3  
 (HEIGHTS NOTED ARE ABOVE EXGL- REFER SURVEY FOR FURTHER DETAIL)



3D VIEWS SHOWING 8.5M HEIGHT PLANE

note: refer elevations and 3d views for actual colours and materials

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PROJECT: NEW DWELLING  
 LOCATION: 93A RIDGE STREET  
 MEREWETHER  
 CLIENT: BAINBRIDGE  
 PROJECT No: 2064  
**DRAWING:** 18  
 HEIGHT PLANS

DRAWN: KO  
 SCALE: AS NOTED  
 DATE: 5-10-22  
**ISSUE:** D





**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**DAC 18/10/22 – 93A RIDGE STREET MEREWETHER– DA2021/00884  
AND DWELLING HOUSE - INCLUDING DEMOLITION OF EXISTING  
STRUCTURES**

**ITEM-16      Attachment B:      Draft Schedule of Conditions**

**DISTRIBUTED UNDER SEPARATE COVER**





<b>Application No:</b>	DA2021/00884
<b>Land:</b>	Lot 1 DP 998807
<b>Property Address:</b>	93A Ridge Street Merewether NSW 2291
<b>Proposed Development:</b>	Dwelling house - including demolition of existing structures

## SCHEDULE 1

### Approved Documentation

- The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan No / Supporting Document	Reference / Version	Prepared by	Dated
Site Plan	Dwg No.07 Issue D	O'connell Architecture and Design	5/10/2022
Basement	Dwg No.08 Issue D	O'connell Architecture and Design	5/10/2022
Ground Floor	Dwg No.09 Issue D	O'connell Architecture and Design	5/10/2022
Level 1	Dwg No.10 Issue D	O'connell Architecture and Design	5/10/2022
Elevation Plan	Dwg No.12 Issue D	O'connell Architecture and Design	5/10/2022
Section Plan	Dwg No.13 Issue D	O'connell Architecture and Design	5/10/2022
Basix Certificate	Cert No.1218986S	Building Sustainability Assessments	5/10/2022
Waste Management Plan		Land Development Solutions	

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

### CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- The car parking and vehicular access are to be designed to comply with the relevant provisions of Australian Standard *AS/NZS 2890 Parking facilities*. Details are to be included in documentation for a Construction Certificate application.

3. All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a basecourse of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers and being properly maintained. Full details are to be included in documentation for a Construction Certificate application.
4. The applicant is to comply with the requirements of Hunter Water in respect of any building or structure proposed to be erected over any services or drain under Hunter Water's control. Details addressing any requirements of Hunter Water are to be included in the Construction Certificate application.
5. All stormwater runoff from the proposed development being managed in accordance with the requirements of Section 7.06 'Stormwater' of Newcastle Development Control Plan 2012, the associated Technical Manual and the latest issue of AS 3500.3 as applicable, as indicated on the stormwater management concept plan prepared by Land Development Solutions (Job No. 6530, Edition B, dated 25/01/2022) except as amended by the conditions of this consent. Full details are to be included in documentation for a Construction Certificate application.
6. A residential vehicular crossing is to be constructed across the road reserve, in accordance with the following criteria:
  - a) Constructed in accordance with Council's A1301 – Concrete Vehicular Crossing Dwelling Type Gutter Bridge Details.
  - b) The driveway crossing, within the road reserve, shall be a maximum of 3.50 metres wide.
  - c) Letterboxes, landscaping and any other obstructions to visibility should be kept clear of or limited in height to 1.2 metre, in the 2 metre by 2.5 metre splay within the property boundary each side of the driveway entrance.
  - d) The proposed driveway shall be a minimum of 3 metres clear of the trunk of any tree within the public reserve.
  - e) The proposed driveway shall be a minimum of 750mm clear of the centre of any pole or obstruction within the public reserve and 1 metre clear of any drainage pit.

These works are not approved until consent under Section 138 of the *Roads Act 1993 (NSW)* has been granted by Newcastle City Council ('Council'). An application under Section 138 must be lodged and consent obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

7. The Developer designing and constructing the following works in connection with the proposed development within the Merewether Street public road reserve, adjacent to the site, at no cost to Council and in accordance with Council's guidelines and design specifications:
  - a) New 3.5m wide residential gutter bridge-type vehicular crossing designed in accordance with CN drawing A1401.
  - b) Removal of redundant vehicular crossing slab in Merewether Street.
  - c) Extension to grated drain bridge over Merewether Street gutter to fill gap between proposed crossing and existing crossing at 86 Merewether Street. Grate to be Class D and bike safe.

Engineering design plans and specifications for the works being undertaken within the public road reserve are required to be prepared by a suitably qualified practising civil engineer with experience and competence in the related field and submitted to Council for approval pursuant to Section 138 of the *Roads Act 1993 (NSW)*. The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

8. Roof water from the proposed new work is to be directed to the proposed water tank with a minimum capacity of 4,000 litres and being reticulated to any new toilet cisterns and cold water washing machine taps, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch any new toilet cisterns and laundry taps to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be designed in accordance with the Plumbing Code of Australia (National Construction Code Volume 3). Full details are to be included in documentation for a Construction Certificate application.
9. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to Council's drainage system by means of an interallotment drainage line or underground pipe directly to the street gutter. Details are to be included in documentation for a Construction Certificate application.
10. The existing *Ficus benjamina* street trees (ID32681 & 32682) located on the Merewether street frontage are approved to be removed, subject to arrangements being made for the removal of the street tree by contacting Council's City Greening Services. All tree removal works are to be carried out by Council at the Developer's expense.

One street tree is required to be planted as compensation for the removal of the existing tree/s. A fee, to be determined by contacting Council's City Greening Services, is to be paid to Council for the required compensatory planting and evidence of the payment of the required fee is to be included in the documentation for a Construction Certificate application.

NOTE: The tree selection and location of the required compensatory tree will be determined by Council's City Greening Section in accordance with Newcastle City Council Street Tree selection manual. The location of the compensatory tree planting may not be in the immediate proximity of the site.

#### **CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK AND DURING THE CONSTRUCTION PHASE**

11. A Registered Surveyor's certificate detailing the setting out of the proposed building on the site, including the relationship of the set out building to property boundaries, is to be submitted to the Principal Certifier before construction is commenced.
12. Any alteration to natural surface levels on the site is to be undertaken in such a manner as to ensure that there is no increase in surface water runoff to adjoining properties or that runoff is impounded on adjoining properties, as a result of the development.
13. All roof and surface waters are to be conveyed to the street gutter by way of a sealed pipe system, extending through the footway to Council requirements, in accordance with Section -7.06 'Stormwater' of Newcastle Development Control Plan 2012.
14. The demolition works are to be undertaken in accordance with Australian Standard 2601:2001 - The Demolition of Structures and the following requirements:
  - a) prior to commencement of demolition works a competent person shall determine the presence of hazardous substances impacted by the proposed demolition works in accordance with Section 1.6.1 of AS2601:2001 and where required produce a Hazardous Substances Management Plan
  - b) demolition works shall be conducted in accordance with any required Hazardous Substances Management Plan. A copy of the Plan shall be kept on-site for the duration of the proposed development and a copy is to be held in the possession of the landowner

- c) the removal, handling and disposal of any asbestos material is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by the WorkCover Authority of NSW
  - d) a copy of all waste disposal receipts are to be kept in the possession of the landowner and made available to authorised Council Officers upon request
  - e) seven working days notice in writing is to be given to the owners/occupiers of neighbouring premises prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number(s) and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor, and
  - f) on sites where asbestos materials are to be removed, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent position during asbestos removal works.
15. The demolisher is to ensure that all services (ie water, telecommunications, gas, electricity, sewerage etc), are disconnected in accordance with the relevant authority's requirements prior to demolition.
  16. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.
  17. A Registered Surveyor's certificate detailing the setting out of the proposed building on the site, including the relationship of the set out building to property boundaries, is to be submitted to the Principal Certifier before construction is commenced.
  18. Toilet facilities are to be available or provided at the work site before works begin and be maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet is to:

- a) Be a standard flushing toilet connected to a public sewer, or
  - b) Have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
  - c) Be a temporary chemical closet approved under the *Local Government Act 1993*.
19. Any waste containers used in association with the proposed demolition are to be located on the site where possible.

Note: Where this is not feasible, an application is to be made for the approval to position the container on the adjacent public road in accordance with the Council's adopted Building Waste Container Policy.

20. Any demolition/waste building materials that are not suitable for recycling are to be disposed of at City of Newcastle's Summerhill Waste Management Facility or other approved site.
21. At a minimum, the following measures are to be implemented during the construction phase:
  - a) A waste container of at least one cubic metre capacity is to be provided, maintained and regularly serviced from the commencement of operations until the completion of the building, for the reception and storage of waste generated by

the construction of the building and associated waste;

- b) The waste container is to be, at minimum, constructed with a 'star' picket (corners) and weed control mat (sides), or equivalent. The matting is to be securely tied to the pickets;
- c) Provision is to be made to prevent windblown rubbish leaving the site; and
- d) Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

Note: Fines may be issued for pollution/littering offences under the *Protection of the Environment Operations Act 1997*.

22. A rigid and durable sign is to be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, before the commencement of the work:
- a) showing the name, address and telephone number of the Principal Certifier for building work and subdivision work, and
  - b) showing the name, address and telephone number of the Principal Contractor, if any, for any building work and a telephone number on which the Principal Contractor may be contacted at any time for business purposes, and
  - c) stating that unauthorised entry to the work site is prohibited, and
  - d) being erected in a prominent position that can be read easily by anyone in any public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, and must be removed when the work has been completed.

Note: This does not apply in relation to building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

23. Building work must be carried out in accordance with the requirements of the Building Code of Australia.
24. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
25. All excavations and backfilling are to be executed safely and excavations are to be properly guarded and protected to prevent them from being dangerous to life and property.
26. If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil are to be provided.
27. All building materials, plant and equipment is to be placed on the site of the development, to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Council reserves, including the road reserve, is not permitted.
28. All downpipes discharging to the rainwater tanks are to have pre-storage insect, debris

and vermin control (e.g. a rainwater head being leaf screened and vermin and insect proof) to minimise the contamination of captured roof water. A first flush device is to be provided for the inlet to the tank and a backflow prevention device is to be installed in the tank overflow outlet before connecting to the stormwater drainage system. If the roof downpipes are charged to the rainwater tank, all pipes are to be chemically welded and the stormwater system is to be designed such that the system is capable of being flushed in the event of pipe blockage (e.g. capped relief access points at the lowest level of stormwater drainage).

29. A separate application is to be lodged and consent obtained from the City of Newcastle for all works within the road reserve, pursuant to Section 138 of the *Roads Act 1993*, prior to the commencement of works.
30. Construction/demolition work that generates noise that is audible at residential premises is to be restricted to the following times:
  - Monday to Friday, 7:00 am to 6:00 pm and
  - Saturday, 8:00 am to 1:00 pm.

No noise from construction/demolition work is to be generated on Sundays or public holidays.

31. Council's '*Prevent Pollution*' sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary, so it is clearly visible to the public, or at other locations on the site as otherwise directed by Council, for the duration of demolition and construction work.

The sign can be obtained by presenting your development application receipt at City of Newcastle's Customer Enquiry Centre, Wallsend Library or the Master Builders Association Newcastle.

32. Erosion and sediment control measures are to be implemented prior to the commencement of works and maintained during the period of demolition and/or construction in accordance with the requirements of *Managing Urban Stormwater: Soils and Construction 4<sup>th</sup> Edition - Vol. 1 (the 'Blue Book')* published by Landcom, 2004. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.
33. Prior to the commencement of work, a 3.0m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction, to reduce the potential for soil erosion. Sand or soil is not to be stockpiled on the all-weather vehicle access.
34. Where the proposed development involves the destruction or disturbance of any survey monuments, those monuments affected are to be relocated, at no cost to the Council, by a Surveyor registered under the *Surveying and Spatial Information Act 2002*.
35. All public trees that are required to be retained are to be protected in accordance with the City of Newcastle Urban Forest Technical Manual, Part B Public Trees.

The tree protection fencing is to remain in place and be maintained until all works have been completed, with no waste materials, washouts, equipment or machinery to be stored within the fenced area.

#### **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA CERTIFICATE**

36. All commitments listed in the relevant BASIX certificate for:

- a) BASIX development,
  - b) BASIX optional development, if the development application was accompanied by a BASIX certificate.
- are to be satisfactorily completed prior to the issue of an Occupation Certificate.

Should there be any changes to the specifications of the dwelling that have implications for compliance with the approved certificate, except where restricted or excluded by any other condition of consent, an amended BASIX Certificate can be relied upon as having complied with this condition. A copy of any amended BASIX Certificate is to be provided to the Newcastle City Council with Occupation Certificate documentation.

37. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a condition that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to Council's satisfaction prior to the completion of demolition work or prior to the issue of any Occupation Certificate in respect of development involving building work.
38. Any redundant existing vehicular crossing is to be removed at no cost to Council. The road reserve and kerb being restored to, Council's satisfaction, to match the existing infrastructure. Works are to be completed prior to the issuing of a Final Occupation Certificate for the proposed development.
39. The water management measures as indicated on the submitted plans and Statement of Environmental Effects and/or as modified under the terms of this consent are to be implemented and the nominated fixtures and appliances are to be installed and operational prior to issue of an Occupation Certificate.
40. All works within the road reserve required by this consent are to be completed prior to the issue of an Occupation Certificate.
41. The water management measures as indicated on the submitted plans and Statement of Environmental Effects and/or as modified under the terms of this consent are to be implemented and the nominated fixtures and appliances are to be installed and operational prior to issue of an Occupation Certificate.
42. The premises are to be identified by the provision of house numbers on the building exterior and mailbox such that they are clearly visible from the road frontage.

The minimum numeral height is to be 75mm.

## ADVISORY MATTERS

- Retaining walls not clearly noted on the approved plans or outside of the parameters of '*exempt development*', as specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, are to be subject to a separate development application. An application in this regard is to be approved prior to any works relating to such a retaining wall taking place.
- An application is to be submitted to the City of Newcastle for the removal or pruning of any trees located more than three metres from the dwelling wall, measured from the centre of the trunk to the footings of the dwelling, excluding carports and pergolas.
- It is recommended that, prior to commencement of work, the free national community service 'Dial before you Dig' be contacted on 1100 or by fax on 1200 652 077 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.
- Any necessary alterations to public utility installations are to be at the

developer/demolisher's expense and to the requirements of Council and any other relevant authorities. Council and other service authorities should be contacted for specific requirements prior to the commencement of any works.

- Any approval for fences on side boundaries, common to other private properties, is independent of any consent or agreement which may be required from any adjoining owner under the provisions of the *Dividing Fences Act 1991*.
- Prior to commencing any building works, the following provisions of Division 6.2 of the *Environmental Planning and Assessment Act 1979* are to be complied with:
  - a) A Construction Certificate is to be obtained; and
  - b) A Principal Certifier is to be appointed for the building works and Newcastle City Council is to be notified of the appointment; and
  - c) Newcastle City Council is to be given at least two days notice of the date intended for commencement of building works.
- Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Section 37 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* (NSW).
- It is an offence under the provisions of the *Protection of the Environment Operations Act 1997* to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice (ie 'on-the-spot fine') or prosecution.
- Failure to comply with the conditions of consent constitutes a breach of the *Environmental Planning and Assessment Act 1979*, which may be subject to a penalty infringement notice (ie 'on-the-spot fine') or prosecution.

**END OF CONDITIONS**



## **SCHEDULE 2**

### **REASONS FOR THE DETERMINATION & CONSIDERATION OF COMMUNITY VIEWS**

The determination decision was reached for the following reasons:

- The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being; Newcastle Local Environmental Plan 2012 (NLEP) and applicable State Environmental Planning Policies.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the Newcastle Development Control Plan 2012 (NDCP).
- The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
- The proposed development has appropriate management and mitigation of impacts through conditions of consent.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- The proposed development is a suitable and planned use of the site and its approval is within the public interest.
- Council has considered and accepted the proposed development standard variation made under Clause 4.6 of the Newcastle Local Environmental Plan 2012. The proposed variation is considered acceptable in the particular circumstances of this case as the variation will not significantly overshadow the neighbouring properties, obstruct significant view corridors, and result in negative privacy issues.

### **REASONS WHY THE CONDITIONS HAVE BEEN IMPOSED**

The following conditions are applied to:

- Confirm and clarify the terms of Council's determination;
- Identify modifications and additional requirements that will result in improved compliance, development and environmental outcomes;
- Prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- Set standards and measures for acceptable environmental performance; and
- Provide for the ongoing management of the development.



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**DAC 18/10/22 – 93A RIDGE STREET MEREWETHER– DA2021/00884  
AND DWELLING HOUSE - INCLUDING DEMOLITION OF EXISTING  
STRUCTURES**

**ITEM-16**      **Attachment C:**      Processing Chronology

**DISTRIBUTED UNDER SEPARATE COVER**



**PROCESSING CHRONOLOGY**

**DA2021/00884 - 93A Ridge Street, Merewether**

12/07/2021	-	Application Lodged
19/07/2021	-	Public Notification
08/10/2021	-	Site inspection of 93A Ridge Street Merewether
08/10/2021	-	First request for additional information
27/04/2022	-	Second request for additional information
13/09/2022		Third request for additional information
13/09/2022		Second Public Notification