Councillors,

In accordance with section 367 of the Local Government Act, 1993 notice is hereby given that an Extraordinary Development Applications Committee Meeting will be held on:

**DATE:** Tuesday 13 December 2016

**TIME:** Following the Ordinary Council Meeting

**VENUE:** Council Chambers
2nd Floor
City Hall
290 King Street
Newcastle NSW 2300

P Chrystal
Interim Chief Executive Officer

City Administration Centre
282 King Street
NEWCASTLE NSW 2300

7 December 2016

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DEVELOPMENT APPLICATION

ITEM-17 DA 2016/00820 - 14 AND 16 UNION STREET TIGHES HILL - ERECTION OF TWO ATTACHED TWO STOREY DWELLINGS ASSOCIATED SITE WORKS AND ONE LOT INTO TWO LOT SUBDIVISION

APPLICANT: M JAMES

OWNER: F L ROBERTS, L S MOORE, D A HENDRICKS, E J SCHUMANN

REPORT BY: PLANNING AND REGULATORY

CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER DEVELOPMENT AND BUILDING SERVICES

PART I

PURPOSE

The purpose of the report is to present a development application to the Development Applications Committee for determination. The application was 'called in' on the 8 September 2016 by Councillor Osbourne and Councillor Doyle.

The proposed development seeks consent for the construction of residential accommodation (two attached two storey dwellings), associated site works and one into two lot subdivision.

A copy of the submitted plans for the proposed development is included in Attachment A.

Subject Land: 14 & 16 Unions Street Tighes Hill
The application was notified in accordance with Council's Public Notification Policy for a period of 14 days to adjoining property owners. One submission was received in response. The submission raised 21 issues of concern including permissibility, density, building height, overshadowing, bulk and scale, privacy, view loss, social impact, cut and fill, building envelope, building appearance, streetscape, landscaping, rear setbacks, fencing, parking, traffic, stormwater, sewerage, subdivision and trees.

The proposal has been amended in response to concerns raised by the community and Council officers, as described below:

- Independent stormwater provision between resultant lots; and
- Improved on-site access to comply with Australian Standards.

Details of the submission is summarised in Section 3.0 of Part II of this report and the concerns raised are addressed as part of the Environmental Planning Assessment at Section 4.0.

**Issues**

- Height, bulk and scale.
- Amenity impacts to the adjoining property at 12 Union Street.
- Suitability of the site for the development.

**Conclusion**

The proposal is consistent with the zoning objectives and is compliant with the relevant planning provisions in terms of FSR, height, building envelope, setbacks and landscaping. The proposed development is compatible with the scale and pattern of development in the area and will not have unreasonable impacts on the residential amenity of neighbouring properties, in regard to privacy and overshadowing. For these reasons, approval of the development is considered to be in the public interest.

The proposed development has been assessed having regard to the relevant heads of consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (as amended) NSW and is considered acceptable subject to compliance with appropriate conditions of consent.
RECOMMENDATION

A) THAT the application for the construction of two attached two storey dwellings, associated site works and one into two lot subdivision be approved and consent granted by way of deferred commencement subject to compliance with the conditions set out in the Draft Schedule of Conditions (refer to Attachment B); and

B) THAT those persons who made submissions be advised of the Council determination.

Political Donation / Gift Declaration

Under Section 147 of the Environmental Planning and Assessment Act 1979, the applicant, and any person related to this Development Application must report any political donation and/or gift to a Councillor and/or any gift to a Council employee within a two year period before the date of this application.

The applicant has answered NO to the following question on the application form: Have you, or are you aware of any person having a financial interest in the application, made a 'reportable political donation' or 'gift' to a Councillor or Council employee within a two year period before the date of this application?

PART II

1.0 THE SUBJECT SITE

The subject property (Lot C) comprises part of Lot 38 DP 32507, known as 14 Union Street, Tighes Hill and part of Lot 37 DP 32507, known as 16 Union Street, Tighes Hill. The lot is regular in shape and has an overall site area of 739.65m².

The current vacant site (Lot C) is located at the end of a battle-axe handle behind the two existing single storey attached dwellings at 16 Union Street (Lot A) and 14 Union Street (Lot B). The access handle is located between the dwelling at 16 Union Street and the northern side boundary with the commercial office building at 20 Union Street, which is occupied by the Institute of the Sisters of Mercy Australia.

The access handle (currently under construction) and vacant Lot C were approved and created by Council as part of development application consent DA 2015/10284 dated 15 April 2016, which was modified on 29 April 2016 and 19 August 2016. The application was approved for alterations and additions to dwellings and a two lot into three lot subdivision.

To date, an application for subdivision certificate has not been submitted to Council for the creation of the subject site (Lot C).

The site slopes approximately 4.5m from front to back and there are no trees on-site. The general form of development in the immediate area consists of a mixture of single storey and two storey detached dwellings.
2.0 THE PROPOSAL

The proposal is seeking consent for the construction of residential accommodation (two attached two storey dwellings), associated site works and one into two lot subdivision.

The plans have been amended after lodgement, in response to concerns raised by Council officers and the community, as follows:

a). The roof form has been amended to ensure each dwelling drains independently of each other.

b) The roof pitch has been amended to maintain the building height and ensure the building remains within the building envelope.

c) The vehicle circulation space has been amended to provide additional width.

d). The entry portico to Unit 1 of Lot 4 has been reduced to allow for the above drainage and site access changes.

e). The laundry and toilet at the ground floor of Unit 1 of Lot 4 has been reduced to increase the depth of the adjacent turning bay.

f). The landscaped area has been modified and increased due to the removal of the rear steps.

A copy of the current plans is appended at Attachment A.

The various steps in the processing of the application to date are outlined in the Processing Chronology (refer to Attachment C).

3.0 PUBLIC NOTIFICATION

The development application was notified in accordance with Council's Public Notification Policy for a period of 14 days to adjoining property owners, during which one submission was received.

The concerns raised by the objector in respect of the proposed development are summarised as follows:

Statutory and Policy Issues

- **Permissibility** - The development should be defined as multi-dwelling rather than dual occupancy.
- **Density** - There are too many dwellings proposed resulting in an overdevelopment of the site.
- **Building Height** - The application fails to demonstrate that the proposed development complies with the 8.5m building height maximum.
Amenity Issues

- **Overshadowing** - overshadowing of 12 Union Street located to the south of the site and sterilising the future development potential of this neighbouring property.
- **Bulk and scale** - incompatible with neighbouring development, visually intrusive and dominates adjoining properties.
- **Privacy** - overlooking of neighbouring properties, exacerbated by the design which fails to adequately respond to existing site topography.
- **View loss** - obstruction of views and loss of outlook to neighbouring properties.
- **Social impact** - development will obscure surveillance of Islington Park with potential for increased crime and anti-social behaviour.

Design and Aesthetic Issues

- **Cut and fill** - design fails to adequately respond to existing site topography with and unacceptable impact on 12 Union Street which is downslope. Development should be stepped.
- **Building envelope** - development exceeds building envelope.
- **Building appearance** - southern elevation facing no.12 Union Street is large, dominating, blank and devoid of articulation.
- **Streetscape - scale** and design of the development is incompatible with the existing streetscape.
- **Landscaping** - lack of landscaping provided within the development.
- **Setback to rear western boundary** - incompatible with natural line of neighbouring properties and will set a precedent that will be to the detriment of the adjacent Islington Park.
- **Fencing** - lack of detail on boundary fencing.

Traffic and Infrastructure Issues

- **Parking** - multi-dwelling development requires on-site visitor parking.
- **Traffic** - Union Street is narrow and is not designed to support an increase in traffic movements and increased parking. Sufficient parking must be provided on-site as the road is not wide enough to have vehicles parked on the western side of the street adjacent to the property.
- **Stormwater** - the proposed stormwater management system is inadequate for the development.
- **Sewerage** - building over existing Hunter Water sewer.

Miscellaneous

- **Subdivision** - development is inconsistent with DCP subdivision controls. Battle-axe handles do not support more than two lots unless proposals are strata or community title subdivision.
- **Trees** - trees in Islington Park will reduce solar access to the development.
The objectors concerns are addressed under the relevant matters for consideration in the following section of this report.

4.0 ENVIRONMENTAL PLANNING ASSESSMENT

The application has been assessed having regard to the relevant matters for consideration under the provisions of Section 79C(1) of the Environmental Planning and Assessment Act 1979, as detailed hereunder.

4.1 Statutory Considerations [Section 79C(1)(a)(i) and (ii)]

4.1.1 State Environmental Planning Policy No 55 - Remediation of Land

In accordance with Clause 7 of the SEPP, land contamination has been considered within the assessment of the application. The land is currently being used for residential purposes and is not listed on Council’s contaminated lands register. The site is not considered to be potentially contaminated and therefore is suitable for the proposed development.

4.1.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX assessment was completed and a BASIX Certificate was obtained and lodged with the application that demonstrates the development has achieved the required water and energy reduction targets. A condition will be imposed on the consent reflecting this Certificate.

4.1.3 Newcastle Local Environmental Plan 2012 Sec. 79(c)(1)(a)(i) & (a)(ii)

Clause 2.1 Land Use Zones

The subject property is included within the R2 Low Density Residential zone under the provisions of the Newcastle Local Environmental Plan 2012. The proposed residential accommodation (dual occupancy) is permissible with Council consent and is consistent with the zone objectives.

Clause 4.1 Minimum Subdivision lot size

The minimum lot size for the site is 400m$^2$. The development proposes one into two lot subdivision of 285.69m$^2$ and 277.53m$^2$ (excluding 176.38m$^2$ access handle). The development complies with 4.1A (Exceptions to minimum lot sizes for certain residential development) as a dwelling is provided on each resultant lot which is greater than 200m$^2$.

Clause 4.3 Height of Buildings

The subject site is identified on the Newcastle LEP 2012 'Maximum Building Height Map' as having a prescribed maximum building height of 8.5m. The new dwellings have a side wall height of between 3m and 7m, pitching to an overall maximum height of 8.5m, which complies with the maximum height limit for the site.
Clause 4.4 Floor Space Ratio

The subject site is identified on the Newcastle LEP 2012 'Floor Space Ratio Map' as having a prescribed floor space ratio of 0.6:1. The site measures 563.22m\(^2\) (excluding 176.38m\(^2\) access handle).

Unit 1 proposes 177.3m\(^2\) of gross floor area (GFA) and Unit 2 proposes 163.5m\(^2\) of GFA. This results in a total combined floor space of 340.8m\(^2\) for the site, or 0.60:1 FSR, which complies with the DCP. The proposed development is considered acceptable in this location and in the context of the R2 low density zone.

Clause 5.9 Preservation of Trees and Vegetation

There are no trees on-site. However, there are two trees along the southern side boundary of 20 Union Street adjacent to proposed Unit 1 with the potential to be adversely affected. The submitted arborist report concludes that the trees would not be adversely affected by the proposed development and suggests adequate mitigation measures to ensure their protection during construction. A condition has been placed on the consent in this regard.

Clause 5.10 Heritage Conservation

The site does not include any heritage items and is not located in a heritage conservation area. The site is located adjacent to Islington Park which is a local heritage item. The proposed development is compatible with the existing scale, character and massing of development in the area and has an appropriate design outcome having regard to the allowable planning controls applying to the area. As such it is considered the proposal will not alter the heritage significance of the area or impact on the adjacent heritage item.

Clause 6.1 Acid Sulfate Soils

The site is identified as class 5 on the Acid Sulfate Soils map. Excavation greater than one metre is not proposed and thereby an Acid Sulfate Soils Management Plan is not required.
4.2 Merit Considerations

4.2.2 Newcastle Development Control Plan [Section 79C(1)(a)(iii)]

An assessment of the application has been made under the DCP, with the key requirements discussed in the table below.

<table>
<thead>
<tr>
<th>Section of DCP</th>
<th>Comment</th>
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</thead>
<tbody>
<tr>
<td>3.01 Subdivision</td>
<td>The application proposes one lot into two lot Torrens Title subdivision of 285.69m² and 277.53m² (excluding 176.38m² access handle). The lots are regular in shape. The new dwellings are located within each new lot with reciprocal rights of carriageway to facilitate access for the existing dwelling on Lot 1 (16 Union Street) and proposed Units 1 and 2, and easements to facilitate drainage for the existing and proposed dwellings on Lots 1 to 4. This is considered acceptable.</td>
</tr>
<tr>
<td>4.03 Mine Subsidence</td>
<td>The site is located within a Proclaimed Mine Subsidence District. The Mine Subsidence Board has assessed the proposal and has issued their General Terms of Approval subject to conditions of consent.</td>
</tr>
<tr>
<td>4.04 Safety &amp; Security</td>
<td>The development is considered to be consistent with the principles of Crime Prevention Through Environmental Design (CPTED) as appropriate measures are in place in regards to allowing for casual surveillance, access control, territorial reinforcement and space management. A condition has been placed on the consent for suitable fencing to be provided on site.</td>
</tr>
<tr>
<td>4.05 Social Impact</td>
<td>The development is consistent with the zone objectives and will have a positive social impact through the provision of additional housing in a residential area.</td>
</tr>
<tr>
<td>5.01 Soil management</td>
<td>A maximum of approximately one metre of excavation and fill is proposed. This is considered acceptable.</td>
</tr>
<tr>
<td>5.02 Land Contamination</td>
<td>The proposal is acceptable in terms of land contamination as detailed under the discussion on SEPP 55.</td>
</tr>
<tr>
<td>7.01.04 Streetscape and front setbacks</td>
<td>The new two storey dwellings are located at the rear of the site approximately 45m from the front boundary and are largely hidden from view behind the existing single storey semi-detached dwellings (which occupy the full width of the street frontage except for the approximately 4m wide driveway entry). Site topography also further reduces apparent bulk and scale of the development from the public street as the site falls approximately 4.5m from front to back. This is considered acceptable.</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
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<tr>
<td>7.01.05 Side and rear setbacks</td>
<td>The building envelope is within the prescribed building envelope allowed within the R2 low density zone. The proposed development complies with the setback provisions of the DCP for the R2 zone, with the dwellings having a setback of between 0.9m from the common side boundary of 12 Union Street, 1.48m from the common boundary with 20 Union Street, and 4.0m from the common boundary with Islington Park. This is considered acceptable.</td>
</tr>
<tr>
<td>7.01.06 Open space</td>
<td>Each new dwelling is provided with a 16m² (4 x 4m) principle area of private open space and a minimum 40m² of private open space. Each courtyard is directly accessible from living rooms and is provided with adequate solar access.</td>
</tr>
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</table>
| 7.01.07 Building design and appearance | The proposed development is of a contemporary design comprising a low-pitched hipped roof that slopes away from the property boundaries. The external materials and finishes include a mix of rendered brickwork, horizontal board cladding with a colourbond roof.

The new development is considered compatible with the existing scale, character and massing of development in the area and is considered an appropriate design outcome having regard to the allowable planning controls applying within the area. |
| 7.01.08 Solar access | The DCP requires that new buildings maintain at least three hours of sunlight to the north facing living room windows of adjacent dwellings between 9am and 3pm on 21 June. The DCP also requires that the principle area of ground level private open space of adjacent dwellings receive at least 2 hours of sunlight between 9am and 3pm on 21 June. Shadow diagrams have been provided showing the proposed shadow cast throughout the day at hourly intervals between 9.00am and 1.00pm on 21 June and also at 3.00pm on 21 June.

The living room windows and principal area of ground level open space of adjoining dwellings will not be affected by the new development. This includes the single storey rear addition development proposed at 12 Union Street which has yet to be submitted to Council. This is considered acceptable. |
| 7.01.09 Views and privacy | The development does not unreasonably impact on any views or the general outlook from surrounding properties, nor will it impact view corridors from the public domain. The impact on the general outlook from the adjoining properties is acceptable. The first-floor level of the new dwellings includes bedrooms and bathrooms, with the exception of a study room at the southern side of Unit 2. A condition of consent will require the south facing window of the upstairs study to be amended to be a highlight feature window to reduce the potential for overlooking to 12 Union Street. The south and north facing balconies at the rear of Units 2 and 3 propose full height fixed privacy screens to reduce the potential for overlooking to 12 and 20 Union Street and each other. The impact on privacy and overlooking is |
considered acceptable in this regard.

### 7.02 Landscape, open space and visual amenity

The site measures 563.22m² (excluding 176.38m² access handle) and is located in a Limited Growth Precinct. A comprehensive landscape plan has been prepared by a landscape designer. The DCP requires 70m² per dwelling of landscaping and 15% of deep soil area for the whole site. This equates to a minimum collective total of 140m² landscaping and 84.48m² of deep soil for the site. As subdivision is proposed, the DCP also requires 10% landscaping on each resultant lot. The plans have been amended to show approximately 140.2m² of landscaped area and approximately 129.2m² (22.94%) of deep soil area for the site, which complies with the control. Furthermore, Lot 3 provides 73.8m² of landscaping (26.59% of new lot excluding 94.87m² access handle) and resultant Lot 4 provides 66.4m² of landscaping (23.24% of new lot excluding 81.52m² access handle). Overall, the development provides a reasonably even distribution of landscaping for the resulting lots, with landscaped areas being of useable size and proportions.

### 7.03 Traffic, parking and access

The proposal has been assessed by Council’s Development Engineer as being acceptable, subject to conditions of consent. The development has been amended to increase vehicle circulation space. The application proposes a double garage for each new dwelling. This is considered adequate. Vehicles for the new dwellings and the existing dwelling at 16 Union Street can enter and exit the site in a forward direction in accordance with AS2890.1. A reciprocal right of carriageway is required to allow vehicles to access proposed parking on Lots 3 (Unit 2) and 4 (Unit 1) and existing parking on Lot 1 (16 Union Street). This is addressed by a condition of consent. The proposal does not result in the removal of any street parking spaces or changes to the kerb / footpath. The demand for parking is not expected to change as a consequence of the proposed development.

### 7.05 Energy Efficiency

The proposal complies with the requirements of BASIX.

### 7.06 Stormwater

The proposal has been assessed by Council’s Development Engineers as being acceptable, subject to conditions of consent. A revised stormwater plan has been provided to confirm the off-set of the dispersion trench from boundaries and buildings. Rainwater tanks are provided for each new dwelling with overflow from this and guttering from existing dwellings at 14 and 16 Union Street directed to a dispersion trench at the rear of the site. An easement to drain water is required along the side boundaries of the site in favour of the existing dwelling Lots 1 and 2 and burdening the proposed Lots 3 and 4 in order to facilitate this system. This is addressed by a condition of consent.
As previously discussed one submission was received during the notification period. The issues raised in the submission have been adequately addressed during the assessment of the application.

4.2.3 Impacts on the Natural and Built Environment [Section 79C(1)(b)]

a) Character, Streetscape, External Appearance, Urban Design, Height, Bulk & Scale

The siting, scale, height and appearance of the proposed development is suitable for the site and the streetscape. The proposed development is appropriate in terms of its scale and built form. Overall, the amended proposal is considered to be aesthetically appropriate, of a contemporary design and environmentally sustainable.

b) Amenity (Privacy, Overshadowing, Views & Construction Impacts)

Sunlight, privacy and view loss have all been assessed in the above report whereby it was concluded that the impacts are acceptable. Appropriate conditions have been recommended to address potential impacts during construction.

4.2.4 Social and Economic Impacts in the Locality [Section 79C(1)(b)]

The application will have positive social and economic impacts as it is provide additional residential accommodation in a suitable location. The proposal will not adversely impact on the amenity of the neighbourhood and will have a positive economic impact during the construction period due to additional employment.

4.2.5 Suitability of the Site for the Development [Section 79C(1)(c)]

The site is within a Mine Subsidence District. Approval for the development from the Mine Subsidence Board has been granted prior to lodgement with Council. Conditions of consent will be imposed in the determination to ensure the detailed design is approved by the Board prior to the issue of the construction certificate. The site is not subject to any other known risk or hazard that would render it unsuitable for the proposed development.

The site is located in a residential area with access to local services and facilities and is suitable for the proposed development.

4.2.6 Submissions made in accordance with the Act or Regulations [Section 79C(1)(d)]

This report has addressed the various concerns raised in the submissions received in response to the Public Notification under the Act and Regulations.

4.2.7 Public Interest [Section 79C(1)(e)]

- Sustainability
The proposed development is satisfactory having regard to the principles of ecologically sustainable development. The proposed development will not result in the disturbance of any endangered flora or fauna habitat or otherwise adversely impact on the natural environment.

- **General**

The proposed development does not raise any significant general public interest issues beyond matters already addressed in this report.

**ATTACHMENTS**

**Attachment A:** Plans and elevations of proposed amended development / as amended - 14 & 16 Union Street, Tighes Hill

**Attachment B:** Draft Schedule of Conditions - 14 & 16 Union Street, Tighes Hill

**Attachment C:** Processing Chronology - 14 & 16 Union Street, Tighes Hill
Attachment B

**ATTACHMENT B - DRAFT SCHEDULE OF CONDITIONS**
**14 & 16 UNION STREET TIGHE'S HILL**

**DEFERRED COMMENCEMENT**

This is a deferred commencement approval under Section 80(3) of the Environmental Planning and Assessment Act 1979 (as amended). This consent does not become operative until the requirements listed below (Schedule 1) of this consent have been satisfied.

Upon compliance with the issues under Schedule 1, and written confirmation from Council to that effect, the consent shall become operative from the date of endorsement included in the written notification subject to the conditions listed in Schedule 2 and any other conditions arising from the requirement of Schedule 1.

**SCHEDULE 1**

This consent does not operate until:

1. Compliance with all conditions of the Notice of Development Consent dated 15 April 2016 as modified on 29 April 2016 and 19 August 2016, issued in relation to development application 2015/01284 for a subdivision of Lot 38 DP 32507 and Lot 37 DP 32507 into three lots, including but not limited to the following:

   a) The completion of all subdivision civil works,
   b) The issue of a Subdivision Certificate by The Council of The City of Newcastle,
   c) The creation and registration of all necessary easements and restrictions, and
   d) The registration of all titles with NSW Land and Property Information.

   Documentary evidence of compliance is to be provided to The Council of The City of Newcastle within 12 months of the date of this Notice of Determination.
SCHEDULE 2

REASONS FOR CONDITIONS

1. The conditions of this consent have been imposed in accordance with Section 80A of the Environmental Planning and Assessment Act 1979 (NSW). The conditions relate to any matter referred to in Section 79C(1) of relevance to the development the subject of the consent and are imposed to ensure that the development is undertaken in an orderly manner, with acceptable impacts on the natural and built environment.

APPROVED DOCUMENTATION

2. 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.

<table>
<thead>
<tr>
<th>Plan No / Supporting Document</th>
<th>Reference / Version</th>
<th>Prepared by</th>
<th>Dated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Plan - 01</td>
<td>B</td>
<td>Murray James</td>
<td>30.09.16</td>
</tr>
<tr>
<td>Floor Plans - 02 &amp; 03</td>
<td>B</td>
<td>Murray James</td>
<td>30.09.16</td>
</tr>
<tr>
<td>Elevation Plans - 04 &amp; 05</td>
<td>B</td>
<td>Murray James</td>
<td>30.09.16</td>
</tr>
<tr>
<td>Section Plans - 06 &amp; 07</td>
<td>B</td>
<td>Murray James</td>
<td>30.09.16</td>
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<tr>
<td>Driveway Levels Plan - 08</td>
<td>B</td>
<td>Murray James</td>
<td>30.09.16</td>
</tr>
<tr>
<td>Subdivision Plan - 11</td>
<td>B</td>
<td>Murray James</td>
<td>30.09.16</td>
</tr>
<tr>
<td>3D Images Plan - 12</td>
<td>B</td>
<td>Murray James</td>
<td>30.09.16</td>
</tr>
<tr>
<td>Landscape Plan - 1</td>
<td>B</td>
<td>Dirty Girl Designs</td>
<td>30.09.16</td>
</tr>
<tr>
<td>Stormwater Management Plans - 1 &amp; 2</td>
<td>D</td>
<td>Land Development Solutions</td>
<td>07.09.16</td>
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<tr>
<td>Arborist Report</td>
<td>-</td>
<td>Abacus Tree Services</td>
<td>28.10.16</td>
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<tr>
<td>BASIX Certificate - 744077M</td>
<td>2.3</td>
<td>Building Sustainability Assessments</td>
<td>14.07.16</td>
</tr>
</tbody>
</table>

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

3. A total monetary contribution of $7,488.21 is to be paid to Council, pursuant to Section 94A of the Environmental Planning and Assessment Act 1979, such contribution to be payable prior to the issue of a Construction Certificate in respect of the proposed development.

Note:

a) This condition is imposed in accordance with the provisions of The City of Newcastle S94A Development Contributions Plan 2009 (updated version operational from 15 March 2011). A copy of the plan may be inspected at Council’s Customer Enquiry Centre, ground floor of the City Administration Centre, 282 King Street Newcastle 8.30 am to 5.00 pm, excluding public holidays.
b) The City of Newcastle S94A Development Contributions Plan 2009 permits deferred or periodic payment of levies in certain circumstances. A formal modification of this condition will be required to enter into a deferred or periodic payment arrangement. Refer to the S94A Development Contributions Plan 2009.

c) The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

CPI quarterly figures are released by the ABS on a date after the indexation quarter and as a guide, these approximate dates are provided below. Indexation quarters from the ABS are as follows:

<table>
<thead>
<tr>
<th>Indexation quarters</th>
<th>Approx release date</th>
</tr>
</thead>
<tbody>
<tr>
<td>September</td>
<td>Late October</td>
</tr>
<tr>
<td>December</td>
<td>Late January</td>
</tr>
<tr>
<td>March</td>
<td>Late April</td>
</tr>
<tr>
<td>June</td>
<td>Late July</td>
</tr>
</tbody>
</table>

Any party intending to act on this consent should contact Council’s Customer Enquiry Centre for determination of the indexed amount of contribution on the date of payment.

4. The proposed garage door openings are to be a minimum width of 4.8m clear. Full details are to be included in documentation for a Construction Certificate application.

5. Parking spaces and access for residences on the site are to be designed to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Full details are to be included in documentation for a Construction Certificate application.

6. 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. The driveways are to be constructed in accordance with AS2890 - (Off-street parking) and Council design specifications. Full details are to be included in documentation for a Construction Certificate application.

7. Kerbing or dwarf walls having a minimum height of 100mm are to be constructed along the edge of all garden or lawn areas adjacent to driveways and parking bays sufficient to discourage the encroachment of vehicles thereon. Full details are to be included in documentation for a Construction Certificate application.

8. Letterboxes, landscaping and any other obstructions to visibility are to be kept clear of or limited in height to 1.2m in the 2 metre by 2.5 metre splay within the property boundary each side of the driveway entrance in accordance with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Full details are to be included in documentation for a Construction Certificate application.

9. Roof water from the proposed new work is to be directed to the proposed water tanks (minimum capacity 4,000L per dwelling) and being reticulated there from 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 installed in accordance with Australian Standard...
AS 3500, the relevant plumbing regulations and the requirements of the Hunter Water Corporation. Full details are to be included in documentation for a Construction Certificate application.

10. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to a properly constructed dispersion trench measuring 600mm x 600mm x 9.5m in length. The required dispersion trench is to be constructed in accordance with Element 7.06 'Stormwater' of Newcastle Development Control Plan 2012. Full details are to be included in documentation for a Construction Certificate application.

11. All stormwater runoff from the proposed development being managed in accordance with the requirements of Element 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. 5162, Dwg No. 1, Sheet 1 of 2, Rev. D, Dated 07/09/16). Full details are to be included in documentation for a Construction Certificate application.

12. All new impervious surfaces, including driveways and paved areas are to be drained to the nominated discharge controls, full details are to be included in documentation for a Construction Certificate application.

13. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required under the conditions of this consent are required to be detailed on a comprehensive landscape design plan and specification. The required comprehensive landscape design plan and specifications is to be in accordance with the provisions of Newcastle Development Control Plan 2012 and is to include details of the following:
   a) cross sections through the site where appropriate
   b) proposed contours or spot levels
   c) botanical names
   d) quantities and container size of all proposed trees
   e) shrubs and ground cover
   f) details of proposed soil preparation
   g) mulching and staking
   h) treatment of external surfaces and retaining walls where proposed
   i) drainage, location of taps and
   j) appropriate maintenance periods.

The plan is to be prepared by a qualified landscape designer and be included in documentation for a Construction Certificate application.

14. The applicant is to comply with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in the locality as a result of the increased intensity of land use proposed. A copy of the Corporation’s compliance certificate (refer s50 Hunter Water Act 1991) is to be included in documentation for a Construction Certificate application.
15. The applicant is to comply with the requirements of the Hunter Water Corporation in respect of any building or structure proposed to be erected over any services or drain under the Corporation’s control. Details addressing any requirements of the Hunter Water Corporation are to be included in documentation for a Construction Certificate application.

16. Adequate facilities are to be provided within the proposed individual private courtyards, or in another adequately screened location, for the storage of garbage. Full details are to be included in documentation for a Construction Certificate application.

17. A group type mailbox is to be provided at the street frontage in accordance with the requirements of Australia Post, clearly displaying individual unit numbers and the required house number. Full details are to be included in the documentation for a Construction Certificate application.

18. Erosion and sediment control measures are to be implemented prior to the commencement of works and be maintained during the period of construction in accordance with the details set out on an Erosion and Sediment Control Plan that is to be submitted for approval with the Construction Certificate application. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.

19. Working drawings and specifications of the proposed building are to be submitted to the NSW Mine Subsidence Board for approval prior to an application for a Construction Certificate and any requirements of the Board are to be included in the documentation for a Construction Certificate application.

20. All downpipes discharging to the rainwater tanks are to have pre-storage insect, detritus 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). Full details are to be included in documentation for a Construction Certificate application.

21. The window serving the study room within the south elevation of Unit 2 (facing no.12 Union Street) is to be amended to a highlight window having a minimum sill height of 1.5m above the finished floor level of the proposed room. Full details are to be included in documentation for a Construction Certificate application.

22. All onsite stormwater detention or water quality treatment systems are to be individually identified and sign posted in accordance with Council’s Stormwater and Water Efficiency for Development Technical Manual (Updated April 2015). Full details are to be included in documentation for a Construction Certificate application.

23. A durable sign, made from etched brass and similar is to be installed on the side wall of the sand filter chamber to indicate its intended purpose and to mark the level to which sand should be placed consistent with Council’s requirements, see Figure 4.3.3, Stormwater and Water Efficiency for Development Technical Manual (Updated April 2015). Full details are to be included in documentation for a Construction Certificate application.

24. All filter media used in stormwater treatment measures is to meet the current specifications of the Bioretenion Filter Media Guidelines produced by the Facility for Advancing Water Biofiltration or demonstrated equivalent and verified by a soil laboratory registered by the National Association of Testing Authorities. Full details are to be included in documentation for a Construction Certificate application.
CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK AND DURING THE CONSTRUCTION PHASE

25. 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 (NSW), or

c) Be a temporary chemical closet approved under the Local Government Act 1993 (NSW).

26. At a minimum, the following waste management measures shall be implemented during the construction phase:

a) A waste container of at least one cubic metre capacity shall 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) Appropriate provision is to be made to prevent wind blown rubbish leaving the site.

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 (NSW).

27. A rigid and durable sign is to be erected 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 Certifying Authority for building work and subdivision work, and

b) showing the name, address and telephone number of the Principal Contractor for any building work and also including 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, but must be removed when the work has been completed.

28. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
29. In the case of residential building work for which the *Home Building Act 1989* (NSW) requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force before any building work authorised to be carried out by this consent commences.

30. All excavations and backfilling are to be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and protected to prevent them from being dangerous to life and property.

31. 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 must be provided and adequate provision must be made for drainage.

32. All building materials, plant and equipment is to be placed on the site of the development so as 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.

33. 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 Certifying Authority before construction is commenced.

34. A separate application must be lodged and consent obtained from Council for all works within the road reserve pursuant to Section 138 Roads Act 1993 (NSW), before the commencement of works.

35. 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.

36. 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.

37. 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.

Note: Council’s ‘PREVENT POLLUTION’ sign can be obtained by presenting your development application receipt at Council’s Customer Enquiry Counter at 282 King Street Newcastle.

38. Any excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the Department of Environment and Climate Change’s (DECC) ‘Waste Classification Guidelines Part 1: Classifying Waste’.

39. Any fill material imported into the site is to be Virgin Excavated Natural Material or material subject to a Resource Recovery Order that is permitted to be used as a fill material under the conditions of the associated Resource Recovery Exemption, in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment (Waste) Regulation 2014*. 
40. Documentation demonstrating the compliance with the conditions of the appropriate Resource Recovery Order and Resource Recovery Exemption must be maintained for any material received at the site and subsequently applied to land under the conditions of the Resource Recovery Order and Exemption. This documentation must be provided to Council officers or the Principal Certifying Authority on request.

41. 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 4th 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.

42. Prior to the commencement of work, a 3m 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 shall not be stockpiled on the all weather vehicle access.

43. All necessary measures are to be undertaken to control dust pollution from the site. These measures must include, but are not limited to:

a) Restricting topsoil removal

b) Regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion)

c) Alter or cease construction work during periods of high wind and

d) Erect green or black shadecloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.

44. Proposed landscape works are to be carried out generally in accordance with the details indicated on the submitted landscape design plan except as required to be modified under the terms of this consent.

45. The existing dividing fence on the southern boundary with no.12 Union Street is to be extended in height and/or otherwise being suitably modified or rebuilt in consultation with the adjoining owners involved to provide the equivalent of a 1.8 m high lapped timber paling fence and at full cost to the Developer, notwithstanding the provisions of the Dividing Fences Act 1991 (NSW).

Note: Any disputation which may arise between the developer and the adjoining property owners in respect of this matter is to be resolved in accordance with the provisions of the Dividing Fences Act 1991 (NSW).

46. Where the proposed development involves the destruction or disturbance of any existing survey monuments, those monuments affected are to be relocated at no cost to Council by a Surveyor registered under the Surveying and Spatial Information Act 2002 (NSW).

47. The development and required tree protection zone being carried out in accordance with AS 4970 (2009) and the recommendations set out in the Arborist Report prepared by Abacus Tree Services dated 28 October 2016.

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

48. All commitments listed in the relevant BASIX certificate for the development 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 Council within fourteen days of receipt.

49. All public footways, footpaths, kerbs, gutters and road pavement damaged during the
works are to be immediately repaired following the damage, to a satisfactory state 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.

50. All works within the road reserve required by this consent are to be completed prior to
the issue of a Final Occupation Certificate.

51. 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.

52. A copy of the stormwater drainage design plans approved with the Construction
Certificate with ‘work as executed’ levels indicated, shall be submitted to the Principal
Certifying Authority and to The City of Newcastle prior to the issue of an Occupation
Certificate. The plans shall be prepared by a Practising Professional Engineer or
Registered Surveyor experienced in the design of stormwater drainage systems.

53. 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.

54. A Landscape Practical Completion Report is to be submitted to the Principal Certifying
Authority prior to the issue of the Final Occupation Certificate. The report is to verify
that all landscape works have been carried out in accordance with the comprehensive
landscape design plan and specifications that were required to be included in
documentation for a Construction Certificate application and is to verify that an
effective maintenance program has been commenced.

55. An application is to be made for a Subdivision Certificate. The application is to be
supported by a survey plan of subdivision, seven copies thereof and a Section 50
Certificate from the Hunter Water Corporation.

56. Reciprocal rights of carriageway and easements for services are to be created over the
access corridor serving Lots 3 and 4 in favour of Lot 1.

57. The vehicular access on proposed Lots 3 and 4 for the existing dwelling on Lot 1
(no.16 Union Street) is to be constructed prior to issue of a Subdivision Certificate.

58. An appropriate notation is to be placed on the plan of subdivision and an instrument
under Section 88B of the Conveyancing Act 1919 (NSW) being submitted to Council
setting out the terms of easements as required by this consent. Council in addition to
the owner of the land benefited by the easement is to be a party whose consent is
needed to release or vary easements.

59. Written evidence of approval by the Mine Subsidence Board is to be obtained and
submitted to the Principal Certifying Authority prior to the issue of the Subdivision
Certificate.

60. The approved residential development on the site is to be completed to at least lock-up
stage prior to the issue of the Subdivision Certificate.
33

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Lock-up stage is taken to mean the stage at which a building’s external wall cladding and roof covering is fixed and external doors and windows are fixed (even if those doors and windows are only temporary).

61. The premises are to be identified by the provision of house and street numbers on the building exterior and mailbox, respectively, such that they are clearly visible from the road frontage.

The minimum numeral heights shall be:

a) Exterior of the building = 75mm and

b) Group mailbox - street number = 150mm
   house number = 50mm

62. Reciprocal rights of carriageway and easements for services are to be created over the access corridor serving Lot 3 in favour of Lot 4.

63. Reciprocal rights of carriageway and easements for services are to be created over the access corridor serving Lot 4 in favour of Lot 3.

64. The Developer designing and constructing the following works in the public road reserve, across 14 Union Street and 16 Union Street frontages, adjacent to the site, at no cost to Council and in accordance with Council’s guidelines and design specification, such works to be implemented prior to any occupation of the premises:

   a) Full width footway paving concrete in accordance with NCC Standard Drawing A1402.

   b) Kerb and gutter reconstruction in accordance with NCC Standard Drawings - A1000 Series.

In this regard the separate approval from Council must be obtained for all works within the public road reserve, pursuant to Section 138 of the Roads Act 1993, prior to commencement. Engineering design plans and specifications for the works being undertaken in 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 with the Section 138 application.

Such works are to be implemented prior to the issuing of any Occupation Certificate for the proposed development.

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

65. The driveway crossing, parking areas and stormwater management system are to be properly maintained for the life of the development.

66. All vehicular movement to and from the site is to be in a forward direction.

67. Proposed parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.

68. The premises are allocated the following street addresses in accordance with Council's House Numbering Policy and the Surveying and Spatial Regulation.
Council allocated street addresses

<table>
<thead>
<tr>
<th>Unit/ dwelling number on plan</th>
<th>Unit</th>
<th>Street number</th>
<th>Street name</th>
<th>Street type</th>
<th>Suburb</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1</td>
<td>-</td>
<td>16</td>
<td>Union</td>
<td>Street</td>
<td>Tighes Hill</td>
</tr>
<tr>
<td>Lot 2</td>
<td>-</td>
<td>14</td>
<td>Union</td>
<td>Street</td>
<td>Tighes Hill</td>
</tr>
<tr>
<td>Lot 3</td>
<td>-</td>
<td>16A</td>
<td>Union</td>
<td>Street</td>
<td>Tighes Hill</td>
</tr>
<tr>
<td>Lot 4</td>
<td>-</td>
<td>18B</td>
<td>Union</td>
<td>Street</td>
<td>Tighes Hill</td>
</tr>
</tbody>
</table>

69. A Maintenance Manual for all water quality devices is be prepared in accordance with Council's Stormwater and Water Efficiency for Development Technical Manual (Updated 2013). The Maintenance Manual is to address maintenance issues concerning the water quality devices including routine monitoring and regular maintenance and be kept on site at all times. Establishment and maintenance of the water quality devices in accordance with the Maintenance Manual prepared by the applicant is to be completed prior to occupation of this site for the intended use.

ADVISORY MATTERS

A. 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 (NSW) are to be subject to a separate development application. An application in this regard is to be approved prior to any works relating to the retaining wall taking place.

B. An application is to be submitted to Council 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.

C. It is recommended that, prior to commencement of work, the free national community service 'Dial before you Dig' be contacted on 1160 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.

D. Any necessary alterations to public utility installations are to be at the developer/demolisher’s expense and to the requirements of both Council and any other relevant authorities. Council and other service authorities should be contacted for specific requirements prior to the commencement of any works.

E. Any approval for fences on side boundaries, common to other private properties, is independent of any consent or agreement which may be required of any adjoining owner under the provisions of the Dividing Fences Act 1991 (NSW).

F. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 (NSW) (the 'Act') are to be complied with:

   i) A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act

   ii) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act and

   iii) Council is to be given at least two days' notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act.
Development applications are not assessed against the provisions of the Building Code of Australia. A Section 96 modification under the Environmental Planning and Assessment Act 1979 (NSW) will be required if design amendments that cause the proposal to be inconsistent with the development consent are necessary to comply with the provisions of the Building Code of Australia.

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 Certifying Authority appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Clause 149 of the Environmental Planning and Assessment Regulation 2000 (NSW).

It is an offence under the provisions of the Protection of the Environment Operations Act 1997 (NSW) 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 (‘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 (NSW), which may be subject to a penalty infringement notice (‘on-the-spot fine’) or prosecution.
## ATTACHMENT C - PROCESSING CHRONOLOGY
**DA 2016/00820 - 14 & 16 Union Street, Tighes Hill**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>27 July 2016</td>
<td>Application lodged with Council (includes General Terms of Approval from Mine Subsidence Board and Hunter Water Corporation).</td>
</tr>
<tr>
<td>03 August - 17 August 2016</td>
<td>Public Notification / Advertised in Newcastle Herald.</td>
</tr>
<tr>
<td>14 August &amp; 17 August 2016</td>
<td>One public submission submitted (provided in 3 separate emails).</td>
</tr>
<tr>
<td>05 September 2016</td>
<td>Further information requested.</td>
</tr>
<tr>
<td>08 September 2016</td>
<td>Application called-in by Councillor Osborne and Councillor Doyle</td>
</tr>
<tr>
<td>04 October 2016</td>
<td>Additional information submitted (amended architectural, engineering and landscape plans).</td>
</tr>
<tr>
<td>02 November 2016</td>
<td>Additional information submitted (arborist report).</td>
</tr>
</tbody>
</table>