

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 15/09/2020 – DA2018/01331 – 15 DUNCAN CLOSE, ELERMORE
VALE – STAGED DEVELOPMENT – RESIDENTIAL – MULTI
DWELLING HOUSING (49 DWELLINGS) AND 50 LOT COMMUNITY
TITLE SUBDIVISION**

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PAGE 45	ITEM-35	Attachment D:	General Terms of Approval - Subsidence Advisory NSW
PAGE 51	ITEM-35	Attachment E:	General Terms of Approval - NSW Rural Fire Service

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VALE – STAGED DEVELOPMENT – RESIDENTIAL – MULTI
DWELLING HOUSING (49 DWELLINGS) AND 50 LOT COMMUNITY
TITLE SUBDIVISION**

ITEM-35 Attachment A: Submitted Plans

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PROPOSED RESIDENTIAL DEVELOPMENT - AMENDED LAYOUT
 LOT 1, D.P. 1197128, No. 15 DUNCAN CLOSE, ELMERMORE VALE
 STERLING PROPERTY GROUP PTY LTD

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AERIAL VIEW
 SCALE NTS @ A2



CALCULATIONS	
TOTAL SITE AREA	20920.00m ²
LIMITED GROWTH PRECINT	R2
REQUIRED LANDSCAPING (30% OF SITE AREA)	6276.00m ²
DCP 2017 - RESIDENTIAL DEVELOPMENT 3.03 - PART D	
TOTAL LANDSCAPED AREAS PROVIDED (35.00% OF SITE AREA)	7331.00m ²
DCP 2017 - RESIDENTIAL DEVELOPMENT 3.03 - PART D	
REQUIRED DEEP SOIL PLANTING (15% OF SITE AREA)	3138.00m ²
DCP 2017 - RESIDENTIAL DEVELOPMENT 3.03 - PART D	
DEEP SOIL PLANTING PROVIDED (21.40% OF SITE AREA)	4468.00m ²
DCP 2017 - RESIDENTIAL DEVELOPMENT 3.03 - PART D	
FLOOR SPACE RATIO	.24:1
COMMUNAL AREA REQUIRED - 5%	1046.00m ²
COMMUNAL RECREATION AREA PROVIDED	1098.10m ²
TOTAL NUMBER OF VILLA DWELLINGS	49
ALL DWELLINGS HAVE 3 BEDROOM WITH DOUBLE GARAGE	
MINIMUM PRIVATE OPEN SPACE REQUIRED PER DWELLING	16.00m ²
TOTAL NUMBER OF PRIVATE PARKING SPACES PER DWELLING	2
TOTAL NUMBER OF STANDARD VISITOR PARKING SPACES	8
TOTAL NUMBER OF ACCESSIBLE PARKING SPACES	2
TOTAL NUMBER OF MOTOR CYCLE PARKING SPACES	5
TOTAL NUMBER OF DESIGNATED BUNDED CARWASH BAYS	1
BICYCLE STORAGE AREA TO BE IN PRIVATE GARAGES & COURTYARDS	



Certificate no: 0004358070
 Assessor Name: Gavin Chambers
 Accreditation no: VIC/BDV/13/1491
 Certificate date: 14 November 2019
 Dwelling Address: 15 Duncan Close Elmermore Vale, NSW 2287



THESE PLANS TO BE READ IN CONJUNCTION WITH ALL SUPPORTING CONSULTANTS CURRENT DOCUMENTATION

BUSHFIRE PRONE LAND
 REFER TO ATTACHED BUSHFIRE REPORT FOR CONSTRUCTION BAL & SCHEDULE

STORMWATER
 REFER TO ENGINEERS PLANS

LANDSCAPING
 REFER TO LANDSCAPE PLANS

BASIX	
15 Duncan Close	
SUMMARY OF BASIX COMMITMENTS FOR EACH UNIT	
This is a summary of the BASIX Commitments as detailed in the BASIX Certificate. Refer to the CURRENT BASIX Certificate for complete details. For definitions refer to basix.nsw.gov.au	
WATER COMMITMENTS	Heating System
3 Star Shower Heads Yes (> 6 lpm <= 7.5 L/min)	Living 1 Phase A/C Zoned EER 3.0 - 3.5
5 Star Kitchen / Basin Taps Yes 3 Star Toilet Yes	Bedrooms 1 Phase A/C Zoned EER 3.0 - 3.5
Alternative Water	1 x Bathroom Fan ducted to exterior Manual on/off
Minimum Tank Size (L) 4000 Collected from Roof Area (m ²) 100	Kitchen Fan ducted to exterior Manual on/off
Tank Connected To:	Laundry Fan ducted to exterior Manual on/off
All Toilets Yes Laundry W/M Cold Tap Yes	Window/Skylight in Kitchen Yes As drawn
One Outdoor Tap Yes	Window/Skylight in Bathrooms/Toilets Yes As drawn
Artificial Lighting	Number of bedrooms 3 Dedicated Yes
rooms to be primarily lit by fluorescent or LED lights	Number of Living/Dining rooms 1 Dedicated Yes
OTHER COMMITMENTS	Kitchen Yes Dedicated Yes
Hot Water Gas Instantaneous 6 Star	All Bathrooms/Toilets Yes Dedicated Yes
Cooling Living 1 Phase A/C Zoned EER 3.0 - 3.5	Laundry Yes Dedicated Yes
System Bedrooms 1 Phase A/C Zoned EER 3.0 - 3.5	All Hallways Yes Dedicated Yes
Other Energy Photovoltaic System 1 kw to L41 only	

ENERGY	
November 2019 BSA Reference: 10912	
Building Sustainability Assessments enquiries@buildingsustainability.net.au	Ph: (02) 4962 3439 www.buildingsustainability.net.au
Floor Construction Concrete	Covering As drawn
Added Insulation none	
Important Note	
The following specification was used to achieve the thermal performance values indicated on the Assessor Certificate and takes precedence over any other specification. If different construction elements are specified then the Assessor Certificate is no longer valid.	
Thermal Performance Specifications (does not apply to garage)	
External Wall Construction Brick Veneer & Lightweight	Added insulation R1.5
Internal Wall Construction Plasterboard on studs	Added insulation none
Ceiling Construction Plasterboard	Added insulation R3.5 to ceilings adjacent to roof space
Roof Construction Colour Tile	Added insulation For
Windows ALM-001-01A Aluminium Type A Single clear	U Value 6.70 SHGC Range 0.51 - 0.63 Area sq m As drawn
ALM-002-01A Aluminium Type B Single clear	U Value 6.70 SHGC Range 0.63 - 0.77 Area sq m As drawn
External Window Shading	(awnings, verandahs, pergolas, awnings etc)
Ceiling Penetrations	(downlights, exhaust fans, flues etc)
No adjustment has been made for losses to insulation arising from ceiling penetrations.	

GENERAL NOTES
 REFER TO ATTACHED BUSHFIRE REPORT FOR CONSTRUCTION BAL & SCHEDULE
 REFER TO ENGINEERS PLANS
 REFER TO LANDSCAPE PLANS

BUSHFIRE PRONE LAND
 REFER TO ATTACHED BUSHFIRE REPORT FOR BAL AND CONSTRUCTION SCHEDULE

STORMWATER
 REFER TO ENGINEERS PLANS FOR CONSULTING

LANDSCAPING
 REFER TO LANDSCAPE PLANS FOR CONSULTING

Kim Gerrish
 ARCHITECTURE DESIGN GROUP PTY LTD
 PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT
 ADDRESS: LOT 1 D.P. 1197128, NO. 15 DUNCAN CLOSE ELMERMORE VALE.

DATE	ISSUE	COMMENTS	DATE
27 NOV 2019	26	REVISED DA	30-10-19
	27	FINAL REVISED DA FOR COUNCIL	06-11-19
	28	FINAL REVISED DA FOR COUNCIL	14-11-19
	29	FINAL ISSUE FOR COUNCIL	27-11-19



Certificate no.: 0004358070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/BD/AV/13/1491
 Certificate date: 14 November 2019
 Dwelling Address:
 15 Duncan Close
 Elernmore Vale, NSW
 2287
 www.nathers.gov.au



KERRY AVENUE

EXISTING ESTABLISHED RESIDENTIAL HOUSING

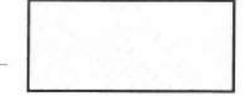
DUNCAN CLOSE

EXISTING ESTABLISHED RESIDENTIAL HOUSING

MAX STREET



STAGE 6



ALL SITE WORKS INCLUDING BULK EARTH WORKS, DRAINAGE AND INSTALLATION OF ALL SERVICES. CONSTRUCTION OF DWELLINGS 1 TO 12 INCLUDING ALL DRIVEWAYS AND LANDSCAPING RELATED TO STAGE 1

STAGE 2



ALL SITE WORKS INCLUDING BULK EARTH WORKS, DRAINAGE AND INSTALLATION OF ALL SERVICES. CONSTRUCTION OF DWELLINGS 13 TO 32 INCLUDING ALL DRIVEWAYS AND LANDSCAPING RELATED TO STAGE 2

STAGE 3



ALL SITE WORKS INCLUDING BULK EARTH WORKS, DRAINAGE AND INSTALLATION OF ALL SERVICES. CONSTRUCTION OF DWELLINGS 33 TO 49 INCLUDING ALL DRIVEWAYS AND LANDSCAPING RELATED TO STAGE 3

- BUSHFIRE PRONE LAND**
REFER TO ATTACHED BUSHFIRE REPORT FOR CONSTRUCTION BAL & SCHEDULE
- STORMWATER**
REFER TO ENGINEERS PLANS
- LANDSCAPING**
REFER TO LANDSCAPE PLANS

STAGING PLAN
SCALE 1:500 @ A2

THESE PLANS TO BE READ IN CONJUNCTION WITH ALL SUPPORTING CONSULTANT'S CURRENT DOCUMENTATION



EXISTING ESTABLISHED RESIDENTIAL HOUSING

NERIGAI CLOSE

GENERAL NOTES
 NEW WORK IS TO COMPLY WITH THE CURRENT STRAILAN STANDARDS AT TIME OF CONSTRUCTION. CONSULT THE SCHEME DRAWING. STAGES & SEQUENTIAL STRUCTURAL ENGINEER DESIGN. NEW STORMWATER DRAINAGE TO BE CONNECTED. POSTHOLE FOUNDATION SYSTEM. CONSTRUCTION TO BE IN ACCORDANCE WITH THE CURRENT STANDARDS.

GENERAL NOTES
 ALL DIMENSIONS AND LEVELS ARE TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION. ALL DIMENSIONS AND LEVELS ARE TO BE CONFIRMED ON SITE BY BUILDER PRIOR TO START OF WORK. SITE TO BE LET OUT BY A REGISTERED SURVEYOR. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL SUPPORTING DOCUMENTATION.

OFFICE NOTE
 ALL PLANS PREPARED BY KIM GERRISH BUILDING DESIGN PTY LTD. THE PROJECT IS TO BE COMPLETED UNDER THE CURRENT LAW. THE CURRENT LAW IS TO BE USED FOR ALL REGULATORY SUBMISSIONS.

SCALE BAR

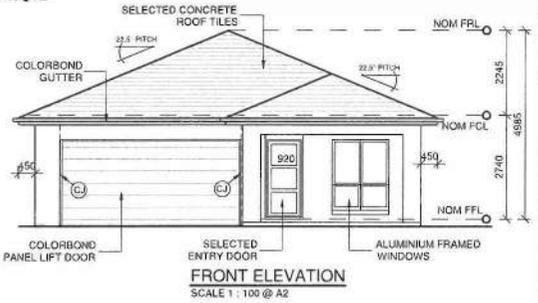
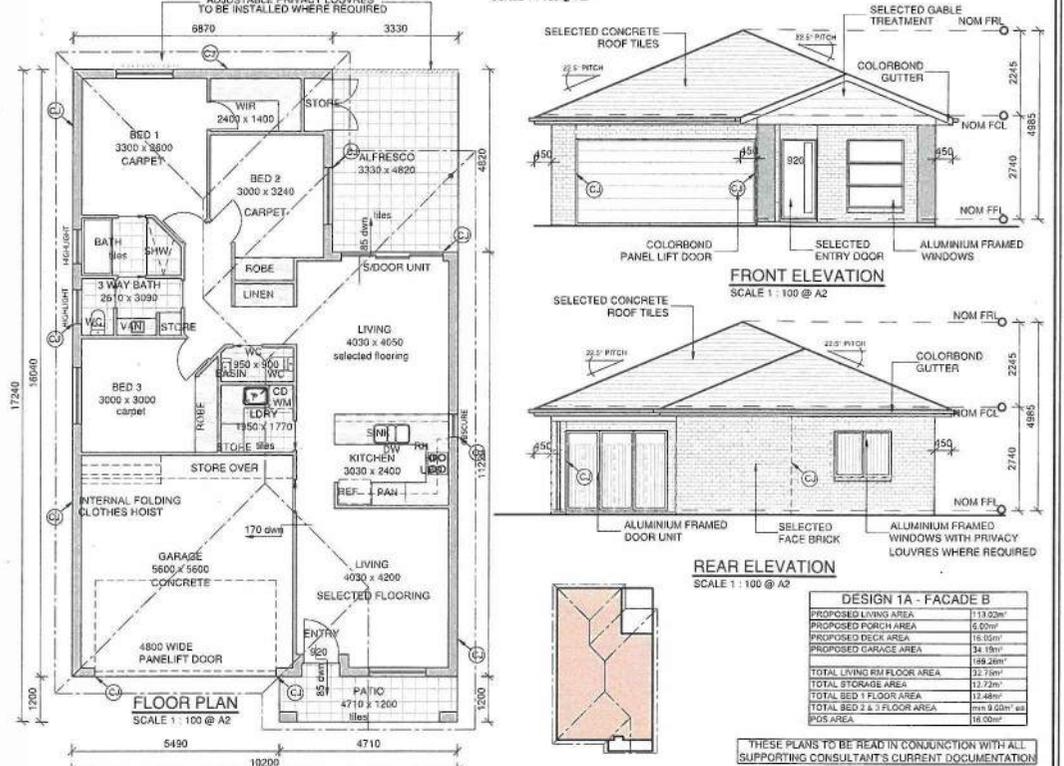
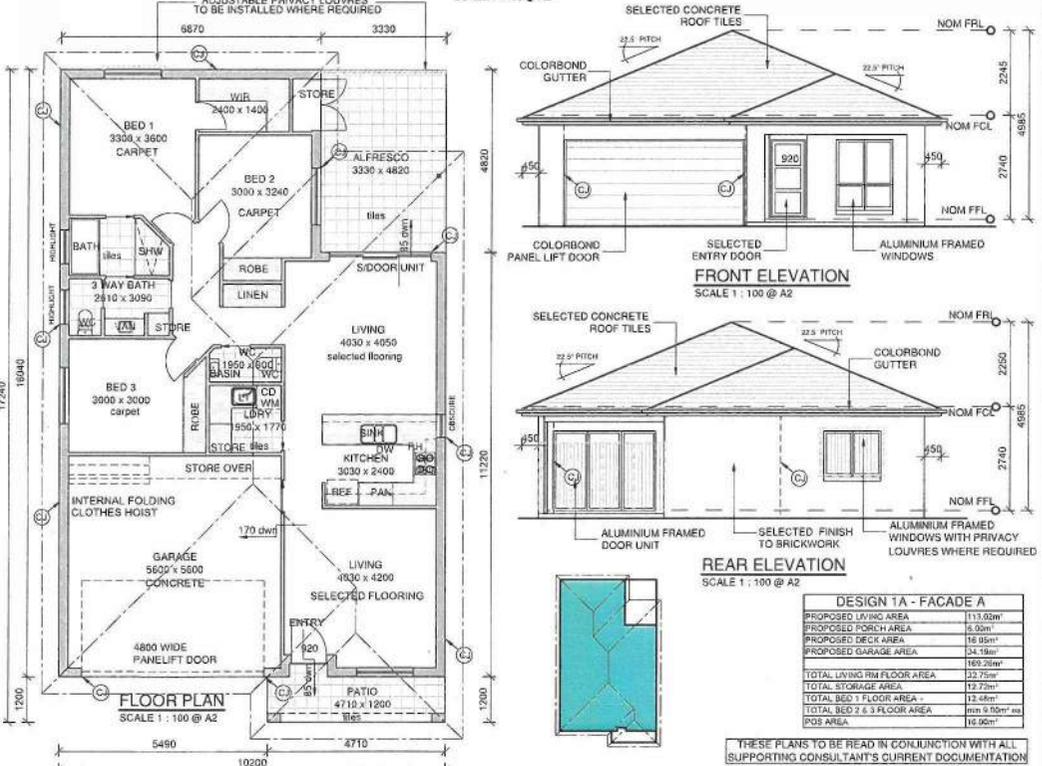
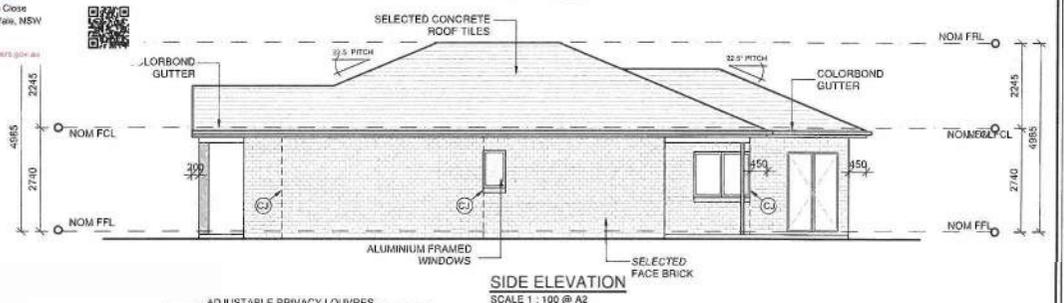
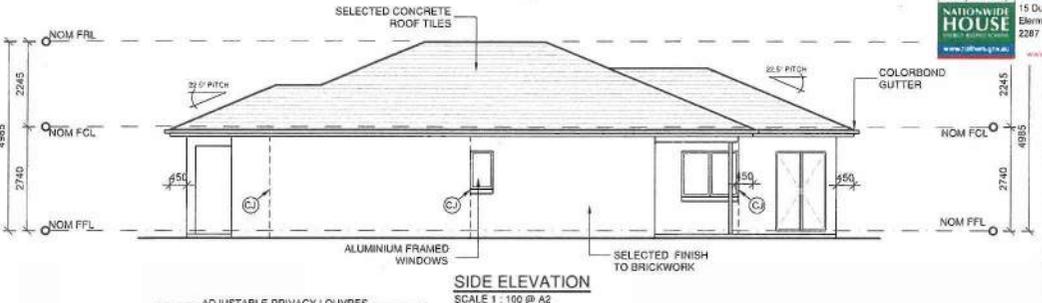


PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT
 ADDRESS: LOT 1 D.P. 1197128, NO. 15 DUNCAN CLOSE ELERNMORE VALE.

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DEVELOPMENT APPLICATION

H3 STAGING PLAN



DESIGN 1A - FACADE A

PROPOSED LIVING AREA	113.82m ²
PROPOSED PORCH AREA	9.02m ²
PROPOSED DECK AREA	18.05m ²
PROPOSED GARAGE AREA	24.19m ²
TOTAL LIVING RM FLOOR AREA	102.70m ²
TOTAL STORAGE AREA	22.72m ²
TOTAL BED 1 FLOOR AREA	12.48m ²
TOTAL BED 2 & 3 FLOOR AREA	108.91m ² net
TOTAL POS AREA	16.00m ²

DESIGN 1A - FACADE B

PROPOSED LIVING AREA	113.02m ²
PROPOSED PORCH AREA	6.02m ²
PROPOSED DECK AREA	18.05m ²
PROPOSED GARAGE AREA	24.19m ²
TOTAL LIVING RM FLOOR AREA	102.20m ²
TOTAL STORAGE AREA	22.72m ²
TOTAL BED 1 FLOOR AREA	12.48m ²
TOTAL BED 2 & 3 FLOOR AREA	108.91m ² net
TOTAL POS AREA	18.00m ²

NOTE: IN FINAL FLOOR PLAN LAYOUT ALL BATHROOM AND ENSUITE WINDOWS WILL BE OBLIQUE GLASS. ALL OTHER WINDOWS TO BE INSTALLED WITH 10% BURSHIRE ENVO ADJUSTABLE PRIVACY LOUVRES TO BE FITTED WITH ADJUSTABLE PRIVACY LOUVRES TO ENSURE PRIVACY WHILE ACHIEVING REQUIRED VENTILATION & SOLAR ACCESS. ALL ALFRESCO AREAS MUST TO A BOUNDING OVERHANGING OVERHANGS WILL BE FITTED WITH ADJUSTABLE SLIDING PRIVACY LOUVRES TO ENSURE PRIVACY WHILE ACHIEVING REQUIRED SOLAR ACCESS.

NOTE: IN FINAL FLOOR PLAN LAYOUT ALL BATHROOM AND ENSUITE WINDOWS WILL BE OBLIQUE GLASS. ALL OTHER WINDOWS TO BE INSTALLED WITH 10% BURSHIRE ENVO ADJUSTABLE PRIVACY LOUVRES TO BE FITTED WITH ADJUSTABLE PRIVACY LOUVRES TO ENSURE PRIVACY WHILE ACHIEVING REQUIRED VENTILATION & SOLAR ACCESS. ALL ALFRESCO AREAS MUST TO A BOUNDING OVERHANGING OVERHANGS WILL BE FITTED WITH ADJUSTABLE SLIDING PRIVACY LOUVRES TO ENSURE PRIVACY WHILE ACHIEVING REQUIRED SOLAR ACCESS.

GENERAL NOTES

- NEW WORK IS TO COMPLY WITH THE CURRENT STRATA MANAGEMENT ACT 2014 OF VICTORIA UNLESS OTHERWISE SPECIFIED.
- ALL DIMENSIONS AND LEVELS ARE TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION.
- CONCRETE SHALL BE SUPPLIED BY CONCRETE SUPPLIER TO BE DETERMINED BY CONTRACTOR.
- ALL DIMENSIONS ARE TO BE READ IN CONJUNCTION WITH SUPPORTING CONSULTANT'S CURRENT DOCUMENTATION.

GENERAL NOTES

- NEW WORK IS TO COMPLY WITH THE CURRENT STRATA MANAGEMENT ACT 2014 OF VICTORIA UNLESS OTHERWISE SPECIFIED.
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Certificate No. 0004356970
Assessor Name: Gavin Chambers
Accreditation No: VIC/00AV/13/14/91
Certificate Date: 14 November 2019
(Drawing: Architects)
15 Duncan Close
Eliemore Vale, NSW
2287
www.nathans.com.au



THESE PLANS TO BE READ IN CONJUNCTION WITH ALL SUPPORTING CONSULTANT'S CURRENT DOCUMENTATION

THESE PLANS TO BE READ IN CONJUNCTION WITH ALL SUPPORTING CONSULTANT'S CURRENT DOCUMENTATION

DESIGN 1A - FACADE A

DESIGN 1A - FACADE B

BUSHFIRE PHONE LAND
REFER TO BUSHFIRE ATTACHED BUSHFIRE REPORT FOR BAL AND

STORMWATER
REFER TO ENGINEERS PLANS PREPARED BY FORUM

LANDSCAPING
REFER TO LANDSCAPE PLANS PREPARED BY MANSFIELD

Kim Gerrish
PROPOSED RESIDENTIAL DEVELOPMENT
ADDRESS: LOT 1 D.P. 1197128, NO. 15 DUNCAN CLOSE ELMORE VALE.

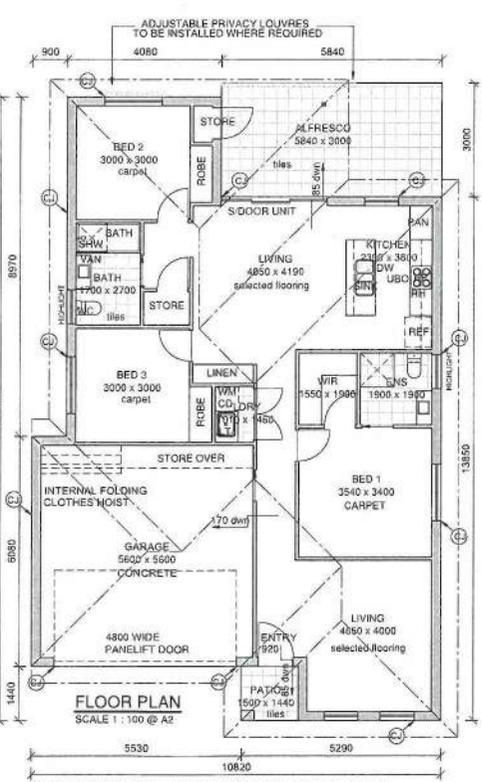
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		DATE	28	FINAL REVISED DA FOR COUNCIL	14-11-19
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SIDE ELEVATION
SCALE 1:100 @ A2



SIDE ELEVATION
SCALE 1:100 @ A2



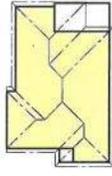
FLOOR PLAN
SCALE 1:100 @ A2



FRONT ELEVATION
SCALE 1:100 @ A2



REAR ELEVATION
SCALE 1:100 @ A2

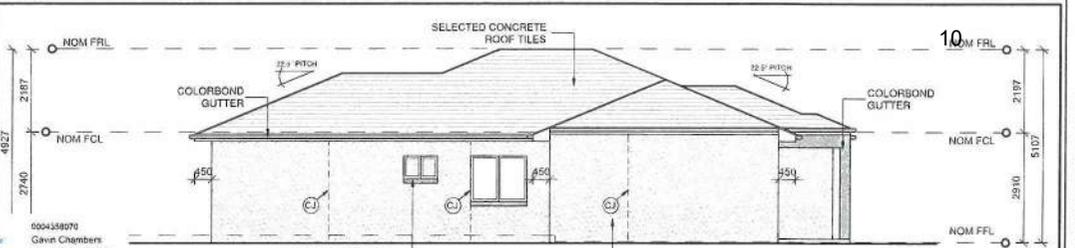


TYPOLGY
SCALE NTS @ A2

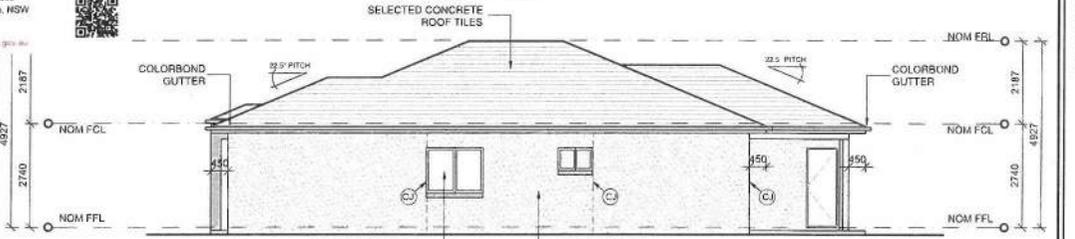
DESIGN 2A - FACADE A	
PROPOSED LIVING AREA	110.89m ²
PROPOSED PORCH AREA	2.10m ²
PROPOSED DECK AREA	17.52m ²
PROPOSED GARAGE AREA	34.32m ²
TOTAL LIVING RM FLOOR AREA	154.83m ²
TOTAL STORAGE AREA	17.58m ²
TOTAL BED 1 FLOOR AREA	12.02m ²
TOTAL BED 2 & 3 FLOOR AREA	116.00m ²
TOTAL AREA	16.00m ²

THESE PLANS TO BE READ IN CONJUNCTION WITH ALL SUPPORTING CONSULTANT'S CURRENT DOCUMENTATION

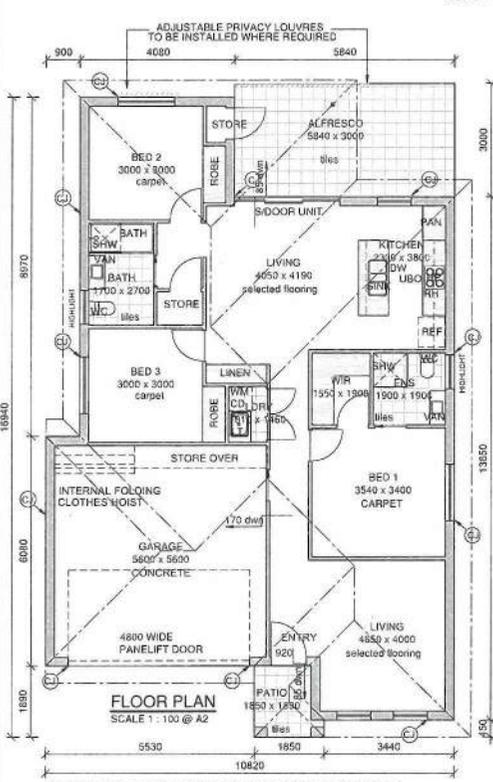
DESIGN 2A - FACADE A



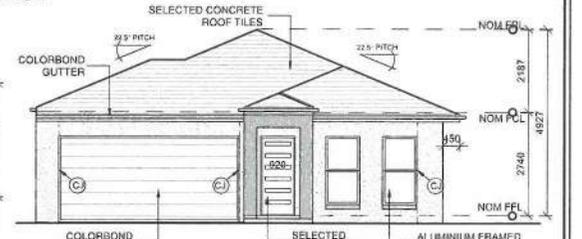
SIDE ELEVATION
SCALE 1:100 @ A2



SIDE ELEVATION
SCALE 1:100 @ A2



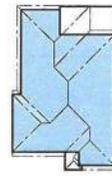
FLOOR PLAN
SCALE 1:100 @ A2



FRONT ELEVATION
SCALE 1:100 @ A2



REAR ELEVATION
SCALE 1:100 @ A2



TYPOLGY
SCALE NTS @ A2

DESIGN 2A - FACADE B	
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DESIGN 2A - FACADE B

NATIONWIDE HOUSE
Average star rating: 6.5
Certificate no: 604458970
Account Name: Gavin Chambers
Account Number: VICBDAV131491
Certificate date: 14 November 2019
15 Duncan Close
Elmore Vale, NSW
2287

GENERAL NOTES
NEW WORK TO COMPLY WITH THE CURRENT STRIKE STANDARDS AT TIME OF CONSTRUCTION UNLESS THE OPPOSITE IS SPECIFIED.
STRIPS & DETAILS TO STRUCTURAL, ENGINEER DESIGN NEW INFORMATION DRAWINGS TO BE CONNECTED EXISTING DRAWINGS SYSTEM.
WITHIN NORMAL PRELIMINARY AS REQUIRED.
LEVELS ARE TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION.
ALL CONDUITS AND SERVICES ARE TO BE CONFORMED TO BY THE BUILDER PRIOR TO START OF WORK.
SITE TO BE LET OUT BY A REGISTERED SURVEYOR.
THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE CURRENT PRELIMINARY REPORT.

BUSHFIRE PRONE LAND
REFER TO BUSHFIRE ATTACHED BUSHFIRE REPORT FOR BAL AND CONSTRUCTION SCHEM E

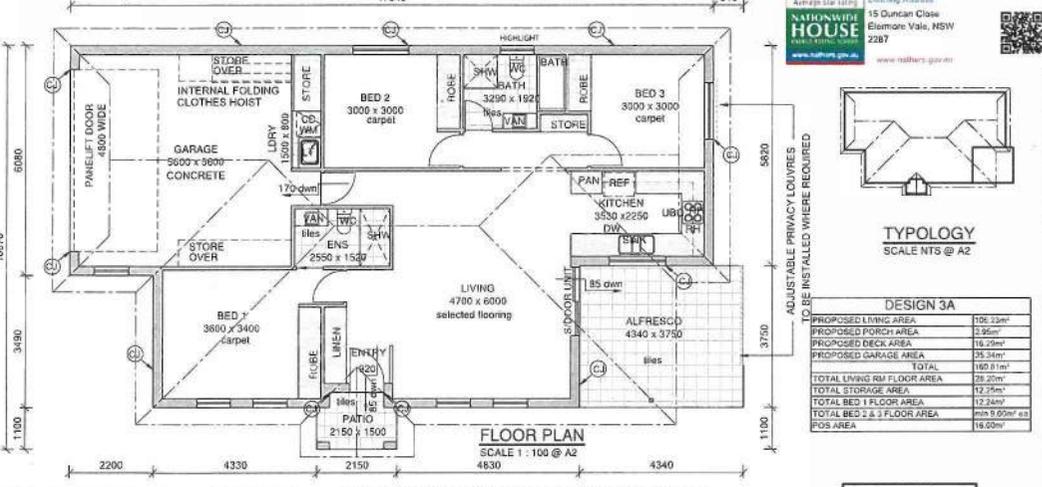
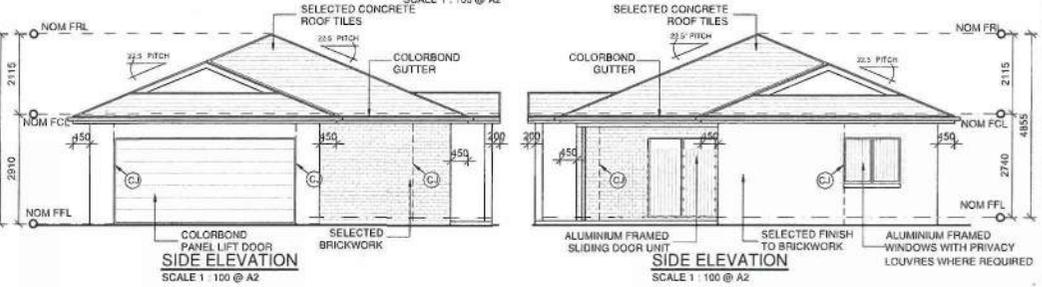
STORMWATER
REFER TO ENGINEERS PLANS PREPARED BY FORUM PLANNING & TALK

LANDSCAPING
REFER TO LANDSCAPE PLANS PREPARED BY MANSFIELD LANDSCAPE

Kim Gerrish
CONSULTING ENGINEER P14 LTD
15 Duncan Close
Elmore Vale, NSW 2287
02 6044 5897
www.kimgerrish.com.au

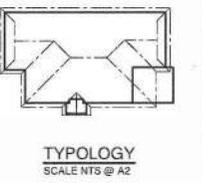
PROJECT PROPOSED RESIDENTIAL DEVELOPMENT
ADDRESS LOT 1 D.P. 1197128, NO. 15 DUNCAN CLOSE ELMORE VALE.

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NATHAN WHITE HOUSE
6.5
www.nathwhite.com.au

Certificate no: 0004358970
Assessor Name: Gavin Chambers
Accreditation no: VICBDAV13/1491
Certificate date: 14 November 2019
Drawing address: 15 Duncan Close, Elmore Vale, NSW 2287



DESIGN 3A

PROPOSED LIVING AREA	108.23m ²
PROPOSED PORCH AREA	2.25m ²
PROPOSED DECK AREA	16.25m ²
PROPOSED GARAGE AREA	35.25m ²
TOTAL	162.00m ²
TOTAL LIVING RM FLOOR AREA	28.20m ²
TOTAL STORAGE AREA	12.25m ²
TOTAL BED 1 FLOOR AREA	12.25m ²
TOTAL BED 2 & 3 FLOOR AREA	200.50m ² @ 80 POS AREA
POS AREA	18.00m ²

DESIGN 3A

THESE PLANS TO BE READ IN CONJUNCTION WITH ALL SUPPORTING CONSULTANT'S CURRENT DOCUMENTATION

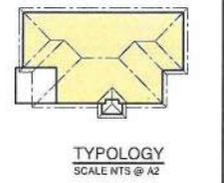
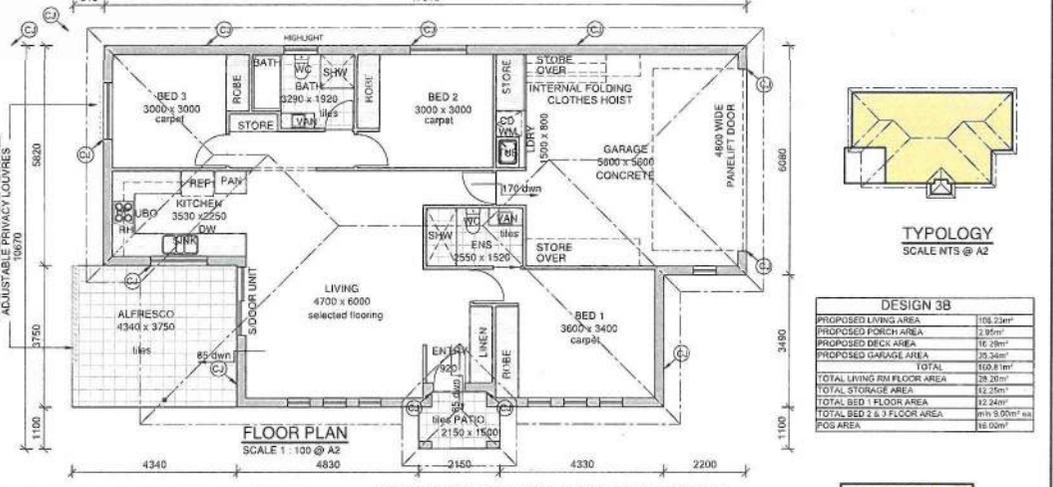
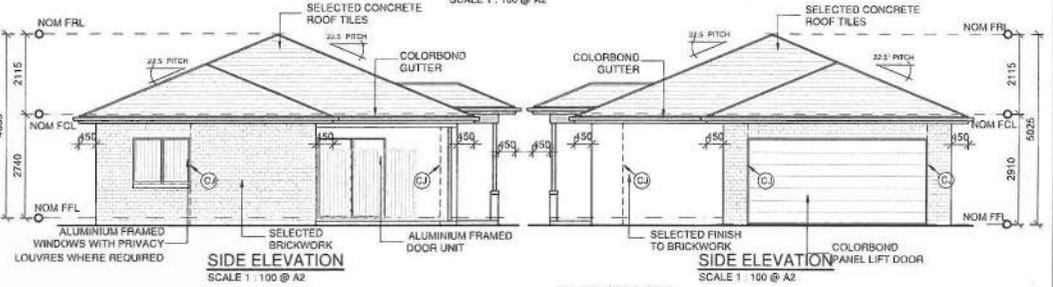
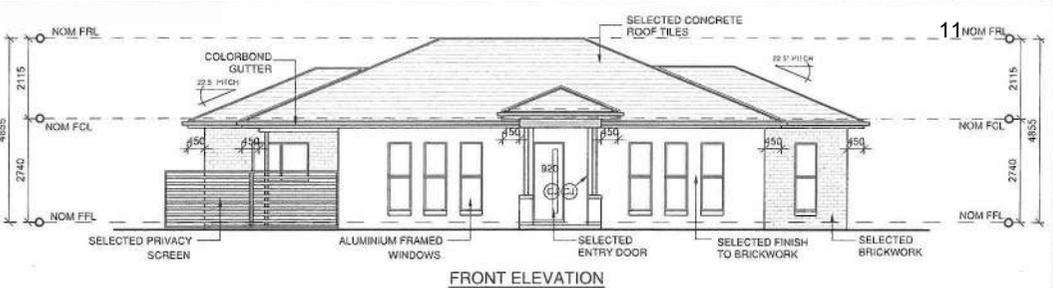
NOTE: IN FINAL FLOOR PLAN LAYOUT ALL BATHROOM AND ENGLISH WINDOWS WILL BE DOUBLE GLASS
ALL OTHER WINDOWS TO MATCHABLE ROOMS NEXT TO A BACKING ONTO COLORBOND DWELLINGS WILL BE FITTED WITH ADJUSTABLE PRIVACY LOUVERES TO ENSURE PRIVACY WHILE ADDRESSING INCLUDING VENTILATION & SOLAR SCREENS
ALL ALFRESCO AREAS NEXT TO A BACKING ONTO ADJACENT DWELLINGS WILL BE FITTED WITH ADJUSTABLE SLIDING PRIVACY LOUVERES TO ENSURE PRIVACY WHILE ADDRESSING INCLUDING VENTILATION & SOLAR SCREENS

- GENERAL NOTES**
- NEW WORK IS TO COMPLY WITH THE CURRENT STRATA & BEAR IN MIND AT TIME OF CONSTRUCTION. CHECK THE EXISTING OBSTACLES.
 - WITH REFERENCE TO THE CURRENT LEVELS ARE TO BE CORRECTED PRIOR TO CONSTRUCTION.
 - ALL CHANGES AND LEVELS ARE TO BE CONFIRMED ON SITE BY SURVEYOR PRIOR TO START OF WORK.
 - SITE TO BE SET OUT BY A REGISTERED SURVEYOR.
 - THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE CURRENT DOCUMENTATION.
- SPECIAL NOTES:**
ALL PLANS PREPARED BY KIM GERRISH DESIGN PTY LTD AND PROJECTED FOR COUNCIL CONSENT UNDER THE COPYRIGHT ACT 1969. THE MORAL RIGHTS UNDER THE COPYRIGHT ACT 1969 ARE RESERVED.

BUSHFIRE PRONE LAND
REFER TO BUSHFIRE ATTACHED BUSHFIRE REPORT FOR BAL AND CONSTRUCTION SCHEDULES.

STORMWATER
REFER TO ENGINEERS PLANS PREPARED BY FORUM ENGINEERS.

LANDSCAPING
REFER TO LANDSCAPE PLANS PREPARED BY MANSFIELD LANDSCAPE.



DESIGN 3B

PROPOSED LIVING AREA	108.23m ²
PROPOSED PORCH AREA	2.25m ²
PROPOSED DECK AREA	16.25m ²
PROPOSED GARAGE AREA	35.25m ²
TOTAL	162.00m ²
TOTAL LIVING RM FLOOR AREA	28.20m ²
TOTAL STORAGE AREA	12.25m ²
TOTAL BED 1 FLOOR AREA	12.25m ²
TOTAL BED 2 & 3 FLOOR AREA	200.50m ² @ 80 POS AREA
POS AREA	18.00m ²

DESIGN 3B

THESE PLANS TO BE READ IN CONJUNCTION WITH ALL SUPPORTING CONSULTANT'S CURRENT DOCUMENTATION

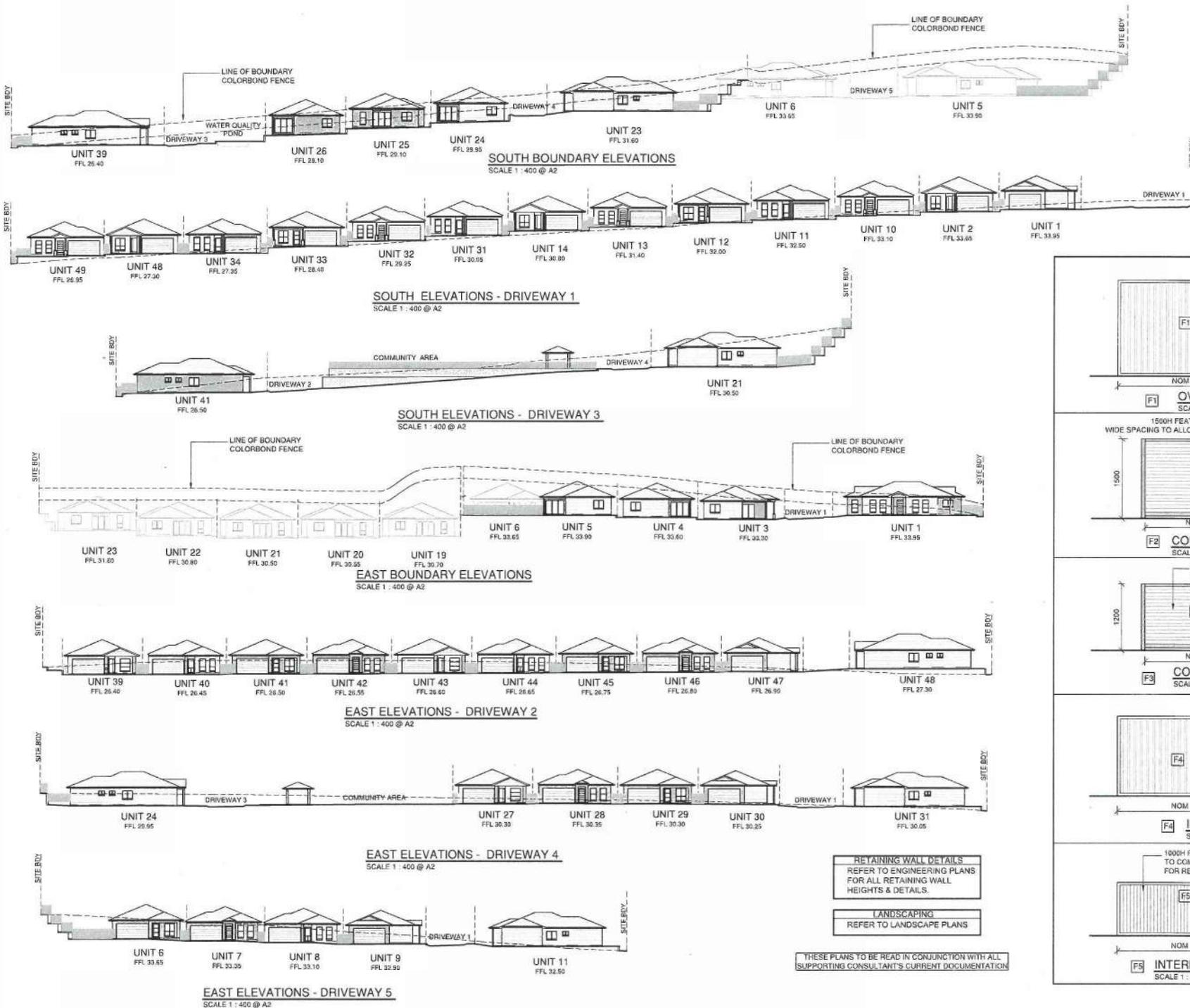
NOTE: IN FINAL FLOOR PLAN LAYOUT ALL BATHROOM AND ENGLISH WINDOWS WILL BE DOUBLE GLASS
ALL OTHER WINDOWS TO MATCHABLE ROOMS NEXT TO A BACKING ONTO COLORBOND DWELLINGS WILL BE FITTED WITH ADJUSTABLE PRIVACY LOUVERES TO ENSURE PRIVACY WHILE ADDRESSING INCLUDING VENTILATION & SOLAR SCREENS
ALL ALFRESCO AREAS NEXT TO A BACKING ONTO ADJACENT DWELLINGS WILL BE FITTED WITH ADJUSTABLE SLIDING PRIVACY LOUVERES TO ENSURE PRIVACY WHILE ADDRESSING INCLUDING VENTILATION & SOLAR SCREENS

Kim Gerrish
DESIGNER
2018-2019 NSW ARCHITECTURE AWARDS WINNER
2018-2019 NSW ARCHITECTURE AWARDS WINNER
2018-2019 NSW ARCHITECTURE AWARDS WINNER

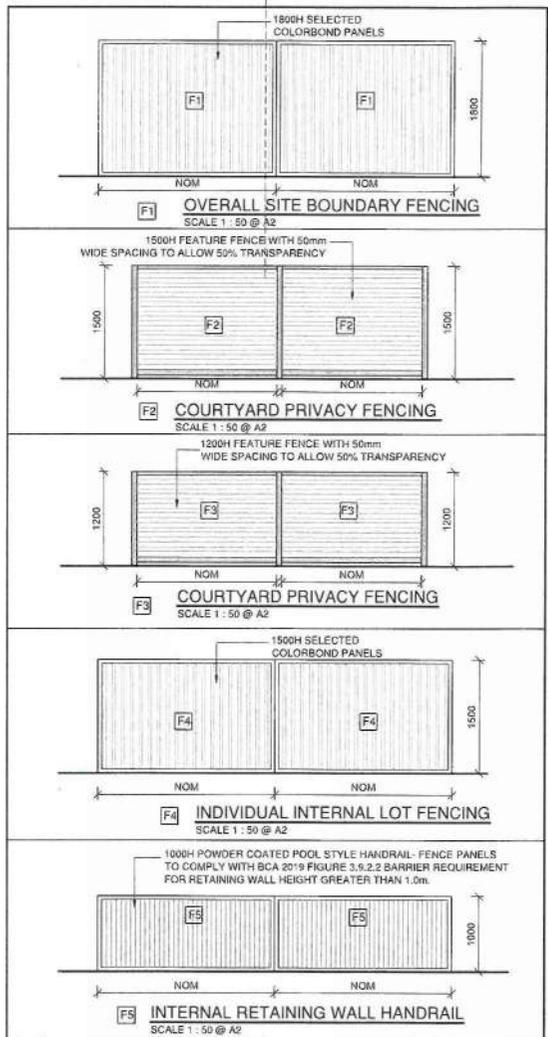
PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT
ADDRESS: LOT 1 D.P. 1197128, NO. 15 DUNCAN CLOSE ELMORE VALE.

DATE: 27 NOV 2019
REVISED DA:
FINAL REVISED DA FOR COUNCIL:
FINAL ISSUE FOR COUNCIL:

DATE: 30-10-19
DATE: 06-11-19
DATE: 14-11-19
DATE: 27-11-19



Certificate No: 0004309970
 Assessor Name: Colin Chappell
 Accreditation No: VICRD/AV/12491
 Certificate Issue Date: 14 November 2019
 Average star rating: 6.5
NATIONWIDE HOUSE
 15 Duncan Close
 Elmore Vale, NSW
 2287
 www.nwfh.com.au



RETAINING WALL DETAILS
 REFER TO ENGINEERING PLANS FOR ALL RETAINING WALL HEIGHTS & DETAILS.

LANDSCAPING
 REFER TO LANDSCAPE PLANS

THESE PLANS TO BE READ IN CONJUNCTION WITH ALL SUPPORTING CONSULTANT'S CURRENT DOCUMENTATION

EAST ELEVATIONS - DRIVEWAY 5
SCALE 1 : 400 @ A2

FENCE DETAILS
SCALE 1 : 50 @ A2

GENERAL NOTES

- NEW WORK IS TO COMPLY WITH THE CURRENT STRATA CORPORATION ACT AT TIME OF CONSTRUCTION. CONSULT THE LOCAL COUNCIL FOR ANY CHANGES TO THE ACT.
- STAKES & DEPICTIONS TO BE CHECKED BY THE ENGINEER PRIOR TO CONSTRUCTION.
- ALL DIMENSIONS AND LEVELS ARE TO BE OBTAINED ON SITE BY SURVEYOR PRIOR TO START OF WORK.
- SITE TO BE SET OUT BY REGISTERED SURVEYOR.
- THESE DRAWINGS ARE TO BE USED IN CONJUNCTION WITH ALL SUPPORTING CONSULTANT'S CURRENT DOCUMENTATION.

NOTES

- UNIT 6, 7, 8, 9, 11 ARE TO BE CONSTRUCTED ON SITE PRIOR TO CONSTRUCTION.
- ALL DIMENSIONS AND LEVELS ARE TO BE OBTAINED ON SITE BY SURVEYOR PRIOR TO START OF WORK.
- SITE TO BE SET OUT BY REGISTERED SURVEYOR.
- THESE DRAWINGS ARE TO BE USED IN CONJUNCTION WITH ALL SUPPORTING CONSULTANT'S CURRENT DOCUMENTATION.

BUSHFIRE PRONE LAND
REFER TO BUSHFIRE ATTACHED BUSHFIRE REPORT FOR BAL AND CONSTRUCTION SCHEM E F

STORMWATER
REFER TO ENGINEERS PLANS PREPARED BY FORUM (FOURTH FLOOR)

LANDSCAPING
REFER TO LANDSCAPE PLANS PREPARED BY MANSFIELD (11 AMPSPADE)

Kim Gerrish
 ENGINEERING & ARCHITECTURE
 43/50A Mt Colah Road, Mt Colah, NSW 2214
 02 9514 1111
 www.kimgerrish.com.au

PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT
ADDRESS: LOT 1 D.P. 1197128, NO. 15 DUNCAN CLOSE ELMORE VALE.

DATE	ISSUE	COMMENTS	DATE
27 NOV 2019	26	REVISED DA	30-10-19
	27	FINAL REVISED DA	06-11-19
	28	FINAL REVISED DA FOR COUNCIL	14-11-19
	29	FINAL ISSUE FOR COUNCIL	27-11-19
REF NO	19114		

H15 BOUNDARY - INTERNAL DRIVEWAY ELEVATIONS & FENCE DETAILS DEVELOPMENT APPLICATION

PROPOSED RESIDENTIAL DEVELOPMENT LANDSCAPE DEVELOPMENT APPLICATION DOCUMENTATION (DA)

LOT 1 D.P. 1197128, 15 DUNCAN CLOSE, ELERMORE VALE



LOCALITY PLAN

scale: NTS

SITE LOCATION

Sheet No.	Sheet Name	Revision	Date
LP00	COVER SHEET	E	29/11/19
LP01	SITE ANALYSIS PLAN	E	29/11/19
LP02	SITE PHOTOGRAPHY	E	29/11/19
LP03	LANDSCAPE MASTER PLAN	E	29/11/19
LP04	LANDSCAPE DETAIL PLAN 1	E	29/11/19
LP05	LANDSCAPE DETAIL PLAN 2	E	29/11/19
LP06	LANDSCAPE PLAN-COMMUNAL AREA	E	29/11/19
LP07	SECTIONS	E	29/11/19
LP08	PLANTING PALETTE & SCHEDULE	E	29/11/19



MOIR ARCHITECTURE & LANDSCAPE ARCHITECTURE
15/11/19
15/11/19
15/11/19
15/11/19
15/11/19

CLIENT:
STERLING PROPERTY GROUP

ARCHITECT:
KIM GERRISH BUILDING DESIGN

ENGINEER:
ADW JOHNSON

No.	DATE	REVISION:
A	13/11/19	DRAFT DA
B	18/11/19	FOR REVIEW
C	28/11/19	FOR DA SUBMISSION
D	28/11/19	FOR DA SUBMISSION
E	29/11/19	FOR DA SUBMISSION

BY:
CK
SR
SR
SR

PROJECT TITLE:
PROPOSED RESIDENTIAL DEVELOPMENT
DA SUBMISSION
LOT 1 D.P. 1197128, 15 DUNCAN CLOSE, ELERMORE VALE
NOTE:
DRAWING PURPOSES FOR APPROVAL ONLY, NOT FOR CONSTRUCTION.



COVER SHEET

SCALE: NTS
DRAWN BY: CK
CHECKED BY: UK
APPROVED BY: DM

Project No. 1821
Drawing No. Rev LP00 E



① The end of Max Street.



② Existing vegetation towards Max Street.



③ Existing residential and trees.



④ Existing heritage items and fence.



⑤ Existing bitumen access and weeds.



⑥ Surrounding forest.



⑦ Existing vegetation towards Duncan Avenue.



⑧ Existing bitumen access from Cardiff Road.



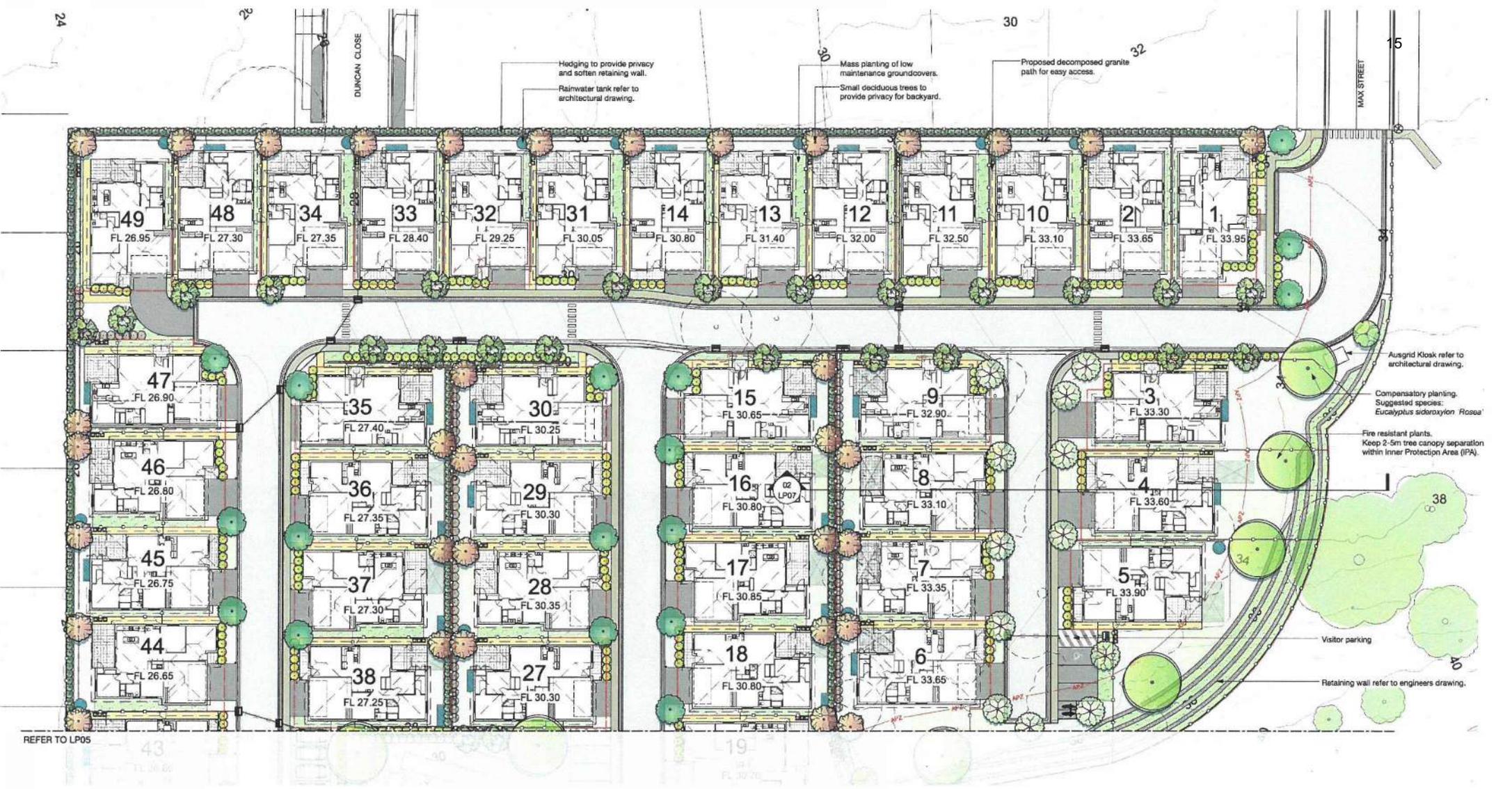
SITE MAP

scale: NTS



④ Existing sign on fence surrounding heritage items.





REFER TO LP05

LANDSCAPE DETAIL PLAN 1
scale: 1:250@A1

LEGEND

- | | | | | | | | |
|--|---|---|--|--|---|--|--|
| <ul style="list-style-type: none"> - - - Site boundary - - - Let boundary - - - 11m IPA refer to Bushfire Hazard Assessment - - - Design contours - - - Existing Spot level - - - Proposed Spot level - - - Stormwater pit refer to engineers drawing | <ul style="list-style-type: none"> ○ Existing tree - to be removed ○ Existing tree - to be retained ○ Rainwater tank | <ul style="list-style-type: none"> ▬ Retaining wall refer to engineers drawing ▬ Seats on concrete slab ▬ Picnic setting ▬ Private open space refer to architects drawing ▬ Bins | <ul style="list-style-type: none"> ▬ Proposed decomposed granite path ▬ Proposed permeable unit paving ▬ Concrete footpath 1.0m wide except where noted ▬ Turf ▬ Driveway | <ul style="list-style-type: none"> ○ Street trees
Buckinghamia obtusifolia
Ivory Curl Tree
Lagerstroemia indica 'Natchez'
Crape Myrtle
Tibouchina 'Atterville'
Purple Tree Tibouchina | <ul style="list-style-type: none"> ○ Small feature trees
Glaucocarpus reticulatus
Blueberry Ash
Prunus X bilsiana
Birsana Plum
Corymbia leichardii
Baby Orange | <ul style="list-style-type: none"> ○ Compensatory Trees
Eucalyptus sideroxylon 'Rosea'
Red Flowering Ironbark
Eucalyptus leucocoryon 'Euky Dwarf'
Gum Tree
Large feature tree
Jacaranda mimosifolia
Jacaranda | <ul style="list-style-type: none"> ○ Hedging
Small shrubs planting
Mass planting of low maintenance groundcovers
Bio-retention basin planting |
|--|---|---|--|--|---|--|--|

(Plant species refer to plant schedule/LP05)



11/11/19
18/11/19
28/11/19
29/11/19

CLIENT: STERLING PROPERTY GROUP
ARCHITECT: KIM GERRISH BUILDING DESIGN
ENGINEER: ADW JOHNSON

No.	DATE	REVISION
A	13/11/19	DRAFT DA
B	18/11/19	FOR REVIEW
C	28/11/19	FOR DA SUBMISSION
D	28/11/19	FOR DA SUBMISSION
E	29/11/19	FOR DA SUBMISSION

PROJECT TITLE: PROPOSED RESIDENTIAL DEVELOPMENT
DA SUBMISSION
LOT 1 D.P. 1197128, 15 DUNCAN CLOSE, ELMORE VALE
NOTE: DRAWING PURPOSES FOR APPROVAL ONLY, NOT FOR CONSTRUCTION.



LANDSCAPE DETAIL PLAN 1
SCALE: 1:250@A1
Project No. 1821
Drawing No. Rev LP04 E

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 15/09/2020 – DA2018/01331 – 15 DUNCAN CLOSE, ELERMORE
VALE – STAGED DEVELOPMENT – RESIDENTIAL – MULTI
DWELLING HOUSING (49 DWELLINGS) AND 50 LOT COMMUNITY
TITLE SUBDIVISION**

ITEM-35 **Attachment B:** Draft Schedule of Conditions

DISTRIBUTED UNDER SEPARATE COVER



Application No: DA2018/01331

Land: Lot 1 DP 1197128

Property Address: 15 Duncan Close Elernmore Vale NSW 2287

Proposed Development: Staged Development - Residential – multi dwelling housing (49 dwellings) and 50 lot Community Title subdivision.

SCHEDULE 1

PART A – COMMON CONDITIONS APPLYING TO BOTH STAGES 1, 2,3 and 4

(Note: Refer to Part B of this Consent for additional conditions applying to Stage 1 and refer to Part C of this Consent for additional conditions applying to Stage 2 and to Part D of this Consent for additional conditions applying to Stage 3.)

APPROVED DOCUMENTATION AND ADMINISTRATIVE CONDITIONS

- 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
Staging Plan	19114 SH3	Kim Gerrish	27/11/2019
Overall Dwelling Typologies & Landscape Areas	19114 SH4	Kim Gerrish	27/11/2019
Overall Site Layout	19114 SH5	Kim Gerrish	27/11/2019
Overall Dwelling Floor Plans	19114 SH6	Kim Gerrish	27/11/2019
Enlarged Dwelling Floor Plans & Elevations	19114 SH9	Kim Gerrish	27/11/2019
Enlarged Dwelling Floor Plans & Elevations	19114 SH10	Kim Gerrish	27/11/2019
Enlarged Dwelling Floor Plans & Elevations	19114 SH11	Kim Gerrish	27/11/2019
Enlarged Dwelling Floor Plans & Elevations	19114 SH12	Kim Gerrish	27/11/2019
Enlarged Dwelling Floor Plans & Elevations	19114 SH13	Kim Gerrish	27/11/2019
Boundary – Internal Driveway Elevations & BBQ Detail	19114 SH14	Kim Gerrish	27/11/2019
Boundary – Internal Driveway Elevations & Fence Details	19114 SH15	Kim Gerrish	27/11/2019
Site Cross Sections – Visual Privacy Details & Typical Building Sections	19114 SH16	Kim Gerrish	27/11/2019
Site Analysis Plan	LP01 Rev. E	Moir Landscape Architects	29/11/2019
Landscape Master Plan	LP03 Rev. E	Moir Landscape Architects	29/11/2019

Landscape Detail Plan 1	LP04 Rev. E	Moir Landscape Architects	29/11/2019
Landscape Detail Plan 2	LP05 Rev. E	Moir Landscape Architects	29/11/2019
Landscape Plan – Communal Area	LP06 Rev. E	Moir Landscape Architects	29/11/2019
Sections	LP07 Rev. E	Moir Landscape Architects	29/11/2019
Planting Palette & Schedule	LP08 Rev. E	Moir Landscape Architects	29/11/2019
Overall Site Plan	36009 – CENG – 002 Rev. E	ADW Johnson	08/07/2020
Detail Plan	36009 – CENG – 101 – Rev. E	ADW Johnson	08/07/2020
Retaining Wall Height Plan	36009 – CENG – 111 – Rev. E	ADW Johnson	08/07/2020
Typical Cross Sections, Retaining Wall & Bioretention Details	36009 – CENG – 201 – Rev. E	ADW Johnson	08/07/2020
Driveway Longitudinal Sections: MC01 & MC02	36009 – CENG – 221 – Rev. E	ADW Johnson	08/07/2020
Driveway Longitudinal Sections: MC03, MC04 & MC05	36009 – CENG – 222 – Rev. E	ADW Johnson	08/07/2020
Max Street End of Road Treatment General Arrangement	36009 – CENG – 353 – Rev. E	ADW Johnson	08/07/2020
Max Street End of Road Treatment Vehicle Turning Movements	36009 – CENG – 354 – Rev. E	ADW Johnson	08/07/2020
Internal Turning Movement Plan	36009 – CENG – 355 – Rev. E	ADW Johnson	08/07/2020
Stormwater Plan	36009 – CENG – 401 – Rev. E	ADW Johnson	08/07/2020
Site Sections – Nerigai Close Upstream Catchment	36009 – CENG – 421 – Rev. E	ADW Johnson	
Site Regrade Plan	36009 – CENG – 501 – Rev. E	ADW Johnson	08/07/2020
Sediment & Sediment Control Plan	36009 – CENG – 801 Rev. E	ADW Johnson	08/07/2020
Sediment & Erosion Control Details & Notes	36009 – CENG – 802 – Rev. E	ADW Johnson	08/07/2020
Footpath Connectivity Plan	36009 - PSK – 001-A – Ver. A	ADW Johnson	08/07/2020

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.

2. A total monetary contribution of \$105,680.65 is to be paid to the City of Newcastle, pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979*,

such contribution to be payable prior to the issue of the first occupation certificate in respect of the proposed development.

The payment deferral arrangements enabling payment prior to the issue of the first occupation certificate applies from the 8th July 2020 to the 25 September 2020, when the COVID-19 prescribed period ends. The payment deferral arrangements cease to apply if a construction certificate has not been issued for the development by 25 September 2022.

Note:

- i) This condition is imposed in accordance with the provisions of the City of Newcastle's *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019*.
- ii) The City of Newcastle's *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019* 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.
- iii) Certifiers are required to obtain documentation from City of Newcastle confirming the payment of infrastructure contributions prior to the issuing of an occupation certificate.
- iv) 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 as follows:

Indexation quarters	Approximate release date
September	Late October
December	Late January
March	Late April
June	Late July

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

3. The following General Terms of Approval from state authorities must be complied with prior to, during, and at the completion of the development.
 1. [NSW Rural Fire Service, D18/8364, 7 June 2019]
 2. [Subsidence Advisory NSW, TBA17-43300N1 & TSub17-03617N1, 16 May 2019]

A copy of the General Terms of Approval is attached to this determination notice.

4. The development is to be carried out in 3 stages being;

Stage 1:

- i) Creation of one Community Association Lot (proposed Lot 1).
- ii) Creation of three Development lots (proposed Lots 2 to 4).

- iii) Construction of civil works, provision of services, internal driveway network and landscaping required for the first construction phase of the proposed development; and
- iv) Construction of 12 single-storey, three-bedroom, double garage dwelling houses, located on proposed Lot 2.

Stage 2:

- i) Subdivision of proposed Lot 2 into 12 residential lots (Lots 5 to 16).
- ii) Construction of civil works, provision of services, internal driveway network and landscaping required for second construction phase of the proposed development; and
- iii) Construction of 20 single-storey, three-bedroom, double garage dwelling houses located on Lot 3.

Stage 3:

- i) Subdivision of proposed Lot 3 into 20 residential lots (Lots 17 to 36).
- ii) Construction of civil works, provision of services, internal driveway network and landscaping required for third construction phase of the proposed development; and
- iii) Construction of 17 single-storey, three-bedroom, double garage dwelling houses located on Lots 4.

Stage 4:

- i) Subdivision of proposed Lot 4 into 17 residential lots (Lots 37 to 53). The proposed residential lot areas range from 239.3m² to 301.8m².

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE FOR STAGES 1,2, 3 AND 4

5. On-site parking accommodation is to be provided for a minimum of ten visitor car parking spaces in addition to one car parking space, six motorbike spaces, five visitor bicycle spaces (Class 3) and one bicycle space per dwelling house and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle Development Control Plan 2012. Full details are to be included in documentation for a Construction Certificate application.
6. The car parking and vehicular access is to be designed to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities. Full details are to be included in documentation for any Construction Certificate application for stages 1,2 and 3.
7. 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 Section 50 *Hunter Water Act 1991*) is to be included in documentation for any Construction Certificate application.
8. Facilities are to be provided within the proposed individual private courtyards, or in another screened location, for the storage of garbage. Full details are to be included in documentation for any Construction Certificate application for stages 1,2 and 3.
9. 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. The consent is to be obtained, or other satisfactory arrangements confirmed in writing from the City of Newcastle, before the issue of any Construction Certificate.

10. The visitor parking bays for all stages are to be constructed in paving bricks or in an alternative paving material that contrasts in colour and texture with that used in the construction of the driveway. Details are to be included in documentation for any Construction Certificate application for stages 1,2 and 3.
11. All proposed driveways, parking bays, loading bays and vehicular turning areas for all stages are to be constructed with a basecourse of adequate depth to suit design traffic (being a City of Newcastle HRV waste truck – approx. 23 tonnes), 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 any Construction Certificate application for stages 1,2 and 3.
12. A Suitable traffic management device in the form of give way to pedestrian sign, line markings and safety and speed signs are to be installed in an appropriate location within the site. Opposing traffic flows on internal roads are to be separated by provision of appropriate safety barriers or line marking. such device to be constructed in accordance with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Full details are to be included in documentation for any Construction Certificate application for stages 1,2 and 3.
13. 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 any Construction Certificate application for stages 1,2 and 3.
14. 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 any Construction Certificate application for stages 1,2 and 3.
15. A structural engineer is to determine the location and depth of the proposed underground tank and the On-Site Detention tank and certify that it will not adversely affect any building foundation footings or slabs when the tank is empty. Stormwater Management Plan is to be designed in accordance with current *NDCP Section 7.06 Stormwater Management* and *The City of Newcastle's Stormwater and Water Efficiency Technical Manual*. Full details are to be included with documentation for any construction certificate for stages 1,2 and 3.
16. All onsite stormwater retention/detention and 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 2013). Full details are to be included in documentation for any Construction Certificate application for stages 1,2 and 3.
17. Suitable overland flowpath/floodways are to be provided within the site, as outlined in the Engineering details and calculations submitted in support of the Development Application, sufficient to allow floodwaters to pass freely through the site. Plans indicating full details of the required floodways and the design of such are to be included in documentation for any Construction Certificate application for stages 1,2 and 3.
18. Erosion and sediment control measures are to be implemented for all stages prior to the commencement of works and 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 any Construction Certificate application for stages 1,2 and 3. The Erosion and Sediment Control Plan shall satisfy the requirements of *Managing Urban Stormwater: Soils and Construction 4th Edition - Vol. 1* (the "Blue Book") published by Landcom, 2004 and Newcastle City Council's *Technical Manual: Stormwater and Water Efficiency for Development 2013*. Controls are not to be

removed until the site is stable with all bare areas supporting an established vegetative cover.

19. The proposed lighting including the proposed internal road lighting of the premises is to be designed, positioned, and installed, including appropriate shielding and orientation of the lighting fixture, as to not give rise to obtrusive light, interfere with traffic safety or detract from the amenity of surrounding properties in accordance with Australian Standard AS 4282: 1997 *Control of the obtrusive effects of outdoor lighting and should be designed to at least achieve Pedestrian P4 lighting design criteria*. Full details are to be included in the documentation for any Construction Certificate application for stages 1,2 and 3.
20. The Developer designing and constructing the following works in connection with the proposed development within the Duncan Close, Max St, Cardiff Rd and Kerry Av public road reserve, adjacent to the site, at no cost to Council and in accordance with Council's guidelines and design specifications:

Duncan Close

Provision of a turning area at the end of Duncan Cl and associated civil, traffic and road works generally as per concept civil plan Dwg No's CENG-351 & 352 Rev E dated 08/07/2020 generally as follows:

- a) Provision of new kerb and gutter, footpath associated road works
- b) Drainage works as required
- c) Provision of parking and traffic signs
- d) Provide new pedestrian ramps to the intersection of Max St and Duncan Cl
- e) Make good any damages to adjoining properties and/or from impacts due to the proposed turning area

Max Street

Provision of a turning area at the end of Max Street and associated civil, traffic and road works generally as per concept civil plan Dwg No's CENG-353 & 354 Rev E dated 08/07/2020 generally as follows:

- a) Indicate the area required for future road dedication
- b) Detailed design of Works within the City of Newcastle Parks Land at 122 Cardiff Rd including road pavement design, footpath connections and associated works
- c) Detailed design of any works within Max St road reserve
- d) Detailed design of driveway access for the development

Cardiff Road

Provision of new footpath connections generally as per concept civil plan Dwg No. 36009-PSK-001-A including the following:

- a) Bus Stop upgrade to current standards and DDA requirements and associated works including provision of parking signs
- b) Connection of footpath through to City of Newcastle existing property at 122 Cardiff Rd
- c) Associated road and streetscape works

Kerry Avenue

Provision of new footpath connections generally as per concept civil plan Dwg No. 36009-PSK-001-A including the following:

- a) Connection of footpath through to Kerry Avenue
- b) Provide new footpath along Kerry Av to Connect the existing footpath on Kerry Av to the intersection of Melinda Av
- c) Associated road and streetscape works

d) Stormwater connection and associated works

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 any Construction Certificate for stages 1,2 and 3.

21. The Developer designing and constructing the following works in connection with the proposed development at Max St and City of Newcastle owned properties at 122 Cardiff Rd, Elernmore Vale and 39A Kerry Av, Elernmore Vale within the site and adjacent to the site, at no cost to Council and in accordance with Council's guidelines and design specifications:

Max Street

Provision of a turning area at the end of Max Street and associated civil, traffic and road works generally as per concept civil plan Dwg No's CENG-353 & 354 Rev E dated 08/07/2020 generally as follows:

- a) Indicate the area required for future road dedication
- b) Detailed design of Works within the City of Newcastle Parks Land at 122 Cardiff Rd including road pavement design, footpath connections and associated works
- c) Detailed design of any works within Max St road reserve
- d) Detailed design of driveway access for the development

122 Cardiff Road

Provision of new footpath connections generally as per concept civil plan Dwg No. 36009-PSK-001-A including the following:

- a) Footpath connection between Max St and Cardiff Rd through the City of Newcastle existing property at 122 Cardiff Rd. Footpath to be designed as shared path.
- b) Associated civil and park works

Kerry Avenue

Provision of new footpath connections generally as per concept civil plan Dwg No. 36009-PSK-001-A including the following:

- a) Connection of footpath through to Kerry Avenue through the City of Newcastle existing property at 39A Kerry Av. Footpath to be designed as shared path.
- b) Associated road and streetscape works

Engineering design plans and specifications for the works being undertaken within the City of Newcastle owned properties and within the development site 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. The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of any Construction Certificate for stages 1,2 and 3.

22. Council's Information Technology team are to be contacted to providing house numbering for the development. The agreed house numbers are to be provided with the documentation for any Construction Certificate for stages 1,2 and 3. The Information Technology team can be contacted on +61 2 4974 2617.

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK AND DURING THE CONSTRUCTION PHASE FOR STAGES 1,2, 3 AND 4

23. The acoustic performance of all mechanical plant and equipment associated with the building being assessed by an appropriately qualified acoustic consultant prior to the issue of any required Construction Certificate. Appropriate acoustic treatment as recommended by the acoustic consultant being designed prior to the issue of any Construction Certificate for stages 1,2 and 3. Written certification from an appropriately qualified acoustic consultant being submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate for stages 1,2 and 3 confirming that noise from all mechanical plant and equipment achieves the required acoustic attenuation to comply with the conditions of consent and the requirements of the Protection of the Environment Operations Act 1997.
24. 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.
25. All vehicles used in connection with the development (including personal vehicles) are to be parked on the subject site only.
26. City of Newcastle'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 the City of Newcastle, 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.

27. Any excavated material to be removed from the site in stages 1,2 or 3 is to be assessed and classified in accordance with the NSW Environment Protection Authority's '*Waste Classification Guidelines Part 1: Classifying Waste*' and be transported and disposed of in accordance with the provisions of the *Protection Of The Environment Operations Act 1997* and the *Protection Of The Environment (Waste) Regulation 2014*.
28. Erosion and sediment control measures are to be implemented prior to the commencement of works for all stages and be maintained during the period of construction in accordance with the details set out on the Erosion and Sediment Control Plan submitted with the application, and with the below requirements:
 - a) Control over discharge of stormwater and containment of run-off and pollutants leaving the site is to be undertaken through the installation of erosion control devices such as catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams and sediment basins and controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover; and
 - b) Erosion and sediment control measures are to be designed in accordance with the requirements of the *Managing Urban Stormwater: Soils and Construction 4th Edition - Vol. 1* (the '*Blue Book*') published by Landcom, 2004.
29. The removal of any hollow-bearing tree on site is to be supervised by a qualified ecologist in accordance with the recommendations contained in the report Ecological Due Diligence prepared by RPS, dated 3 October 2014.
30. The person having the benefit of the consent, must notify any contractors and persons involved in undertaking subsurface disturbance works, that it is an offence

under Section 86 of the National Parks and Wildlife Act 1974 to harm or desecrate an Aboriginal object unless that harm or desecration is subject of an approved Aboriginal Heritage Impact Permit (AHIP).

During construction works for all stages, should any Aboriginal relics be discovered then all excavations or disturbance to the area shall cease immediately and the NSW Biodiversity Conservation Division (BCD), shall be informed in accordance with Section 89A of the National Parks and Wildlife Act 1974.

Note: All necessary approvals from the NSW Biodiversity Conservation Division (BCD) shall be obtained and a copy provided to Council prior to works recommencing.

31. 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*.
32. 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 Certifier 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.

33. Certification is to be prepared by a Registered Surveyor and submitted to the Principal Certifying Authority at all stages of construction indicated:
- a) On completion of ground floor construction, confirming that the floor levels are in accordance with the approved levels.
 - b) On completion of each subsequent floor level, confirming that the floor levels are in accordance with the approved levels.
 - c) When the roof has been completed, confirming that the building does not exceed the approved levels.
34. All building work is to be carried out in accordance with the provisions of the National Construction Code.
35. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force, such a contract of insurance is to be in force before any building work authorised to be carried out by this consent

commences.

36. 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.
37. 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.
38. 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.
39. 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 City of Newcastle requirements, in accordance with Element 7.06 '*Stormwater*' of Newcastle Development Control Plan 2012.
40. The proposed visitor parking bays for all stages are to be clearly indicated by means of signs and/or pavement markings.
41. 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.

42. 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.
43. 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 City of Newcastle, by a Surveyor registered under the *Surveying and Spatial Information Act 2002*.
44. 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.
45. The Construction Traffic Management Plan is to be prepared by a Roads & Traffic Authority accredited person with a Design and Audit Traffic Control Plans Certificate in accordance with Australian Standard 1742.3 – 2002. The plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve.
46. If archaeological deposits or relics not considered in the supporting documents for this consent are discovered, work must cease in the affected area(s) and the Heritage Council of NSW notified. Additional assessment and approval may be required prior to

works continuing in the affected area(s) based on the nature of the discovery.

Note: The Heritage Council of NSW can be contacted on 02 9873 8500 or heritagemailbox@environment.nsw.au. A 'relic' is any deposit, object or material evidence that relates to the settlement of New South Wales, not being Aboriginal settlement, and is of State or local significance. It is an offence under the provisions of the Heritage Act 1977 (NSW) for a person to disturb or excavate any land on which the person has discovered a relic except in accordance with a gazetted exemption or an excavation permit issued by the Heritage Council of NSW.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA CERTIFICATE FOR STAGES 1,2,3 AND 4

47. The approved interpretation works proposed within the Interpretation Plan are to be completed prior to the issue of any Occupation Certificate for stages 1,2 and 3.
48. All commitments listed in the relevant BASIX certificate for the development are to be satisfactorily completed prior to the issue of any Occupation Certificate for stages 1,2 and 3. 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 City of Newcastle with Occupation Certificate documentation.
49. 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 City of Newcastle'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 Occupation Certificate.
51. A copy of the stormwater drainage design plans approved with the Construction Certificate with 'work as executed' levels indicated, are to be submitted to the Principal Certifier and to the City of Newcastle prior to the issue of an Occupation Certificate. The plans are to be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.
52. A Landscape Practical Completion Report is to be submitted to the Principal Certifier prior to the issue of an 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.
53. 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 are to be:

- a) Exterior of the building = 75mm and
- b) Group mailbox - street number = 150mm
- house number = 50mm

54. All works within the road reserve required by this consent are to be completed prior to the issue of a Final Occupation Certificate for Stage 1.
55. All works within the City of Newcastle owned properties at 122 Cardiff Rd, Elernmore Vale and 39A Kerry Rd, Elernmore Vale required by this consent are to be completed to Newcastle City Council satisfaction prior to the issue of any Final Occupation Certificate for Stage 1.
56. 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 any Final Occupation Certificate for stages 1,2 and 3.

Note: All associated survey and legal work is to be undertaken by the Developer at the Developers expense. The land is to be dedicated to Council as a Road Reserve at no cost to Council.

57. 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 all stages of this site for the intended use.
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, including an easement providing public pedestrian access over the open space area at 122 Cardiff Road linking the site to Cardiff Road generally in the location identified on 36009 - PSK – 001-A – Ver. A dated 8 July 2020. 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. Details are to be provided prior to issue of any Occupation Certificate for stages 1,2 and 3.
59. Written evidence of arrangements being made with the Hunter Water Corporation for the provision of water supply and sewerage and with the electricity authority for the provision of overhead or underground electricity supply is to be submitted to the Principal Certifying Authority prior to the issue of the Subdivision Certificate.
60. Written evidence of arrangements being made with the telecommunications authority for the provision of underground telephone services to the lots is to be submitted to the Principal Certifying Authority prior to the issue of the Subdivision Certificate.

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE OF THE DEVELOPMENT FOR STAGES 1,2,3 AND 4

61. The landscaped areas are to be kept free of parked vehicles, stored goods, garbage or waste material and being permanently maintained.
62. The driveway crossing, private roads, parking areas and stormwater management system are to be properly maintained for the life of the development.
63. 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.

64. The use and occupation of the premises, including all plant and equipment installed thereon, is not to give rise to any offensive noise, as defined under the Protection of the Environment Operations Act 1997 (NSW). Should Council consider offensive noise has emanated from the premises, the owner/occupier of the premises will be required to submit an acoustic assessment prepared by a suitably qualified acoustical consultant recommending appropriate acoustic measures necessary to ensure future compliance with this condition and will be required to implement such measures within a nominated period. Furthermore, written certification from the said consultant confirming the recommended acoustic measures have been satisfactorily implemented will be required to be submitted to Council prior to the expiration of the nominated period.
65. All external items of air conditioning plant are to be screened or positioned in such a manner as to not detract from the visual presentation of the building.

PART B – CONDITIONS APPLICABLE TO STAGE 1 ONLY

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE FOR STAGE 1

66. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required by the conditions of this consent are to be detailed on a comprehensive landscape plan and specification. The plan and specification are to be prepared 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
 - 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) maintenance periods.

The plan and specification are to be prepared by a qualified landscape designer and be included in documentation for any Construction Certificate application for Stage 1.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA CERTIFICATE FOR STAGE 1

67. 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 any Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.
68. 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.

69. The survey plan for the portion of the land required for road widening and turning purposes adjacent to Max St frontage (Provision of a turning area at the end of Max Street as per concept civil plan Dwg No's CENG-353 & 354 Rev E dated 08/07/2020) is to be registered with the NSW Government Land & Property Information prior to issue of any occupation certificate for Stage 1 building works.
70. A Landscape Practical Completion Report is to be submitted to the Principal Certifier prior to the issue of an 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 any Construction Certificate application and is to verify that an effective maintenance program has been commenced.

PART C – CONDITIONS APPLICABLE TO STAGE 2 ONLY

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE FOR STAGE 2

71. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required by the conditions of this consent are to be detailed on a comprehensive landscape plan and specification. The plan and specification are to be prepared 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
 - 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) maintenance periods.

The plan and specification are to be prepared by a qualified landscape designer and be included in documentation for any Construction Certificate application for Stage 2.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA CERTIFICATE FOR STAGE 2

72. 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 any Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.

73. 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.
74. A Landscape Practical Completion Report is to be submitted to the Principal Certifier prior to the issue of an 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 any Construction Certificate application and is to verify that an effective maintenance program has been commenced.

PART D – CONDITIONS APPLICABLE TO STAGE 3 ONLY

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE FOR STAGE 3

75. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required by the conditions of this consent are to be detailed on a comprehensive landscape plan and specification. The plan and specification are to be prepared 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
 - 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) maintenance periods.

The plan and specification are to be prepared by a qualified landscape designer and be included in documentation for any Construction Certificate application for Stage 3.

76. Certification is to be prepared by a Registered Surveyor and submitted to the Principal Certifying Authority at the stages of construction indicated:
- a) On completion of ground floor construction, confirming that the floor levels are in accordance with the approved levels.
 - b) On completion of each subsequent floor level, confirming that the floor levels are in accordance with the approved levels.
 - c) When the roof has been completed, confirming that the building does not exceed the approved levels.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA CERTIFICATE FOR STAGE 3

77. 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 any Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.
78. 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.
79. A Landscape Practical Completion Report is to be submitted to the Principal Certifier prior to the issue of an 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 any Construction Certificate application and is to verify that an effective maintenance program has been commenced.

ADVISORY MATTERS

- If archaeological deposits or relics not considered in the supporting documents for this consent are discovered, work must cease in the affected area(s) and the Heritage Council of NSW notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Note: The Heritage Council of NSW can be contacted on 02 9873 8500 or heritagemailbox@environment.nsw.au. A 'relic' is any deposit, object or material evidence that relates to the settlement of New South Wales, not being Aboriginal settlement, and is of State or local significance. It is an offence under the provisions of the Heritage Act 1977 (NSW) for a person to disturb or excavate any land on which the person has discovered a relic except in accordance with a gazetted exemption or an excavation permit issued by the Heritage Council of NSW.

- 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.
- 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 the City of Newcastle and any other relevant authorities. City of Newcastle 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 Part 6 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 the City of Newcastle is to be notified of the appointment; and
 - c) The City of Newcastle 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 a building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the proposed development. An application for an Occupation Certificate is to contain the information set out in Clause 149 of the *Environmental Planning and Assessment Regulation 2000*.
 - 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.
 - 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 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.
1. The applicants will need to apply with Dept. of Primary Industries (DPI - previously known as NSW Office of Water) under the Water Management Act 2000 for a Groundwater Licence prior to the commencement of any extraction of groundwater. A copy of the Groundwater Licence will need to be provided to Council.
 2. Groundwater shall not be allowed to be discharged into adjoining roads stormwater system, sewerage system etc. without the controlling authority's approval and/or owner's consent/s. Approval from the controlling authority and any requirements of the approving authority is to be complied with prior to the commencement of any extraction of groundwater.

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.

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.

SUBSIDENCE ADVISORY NSW GENERAL TERMS OF APPROVAL

GENERAL TERMS OF APPROVAL	
Plans, standards and guidelines	
1.	<p>These General Terms of Approval (GTAs) only apply to the subdivision development described in the plans and associated documentation relating to DA 2017/01038 and provided to Subsidence Advisory NSW.</p> <p>Any amendments or subsequent modifications to the development may render these GTAs invalid.</p> <p>If the proposed development is amended or the development consent modified, Subsidence Advisory NSW must be notified to determine if any variations to these GTAs are required.</p>
2.	<p>This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.</p>
3.	<p>Subsidence Advisory NSW is to be notified of any changes to lot numbering and the registered DP number.</p>
4.	<p>The edge of the shaft cap is to be surveyed.</p> <p>Where structures are to be positioned within 2m of the surveyed shaft cap (the 2m buffer zone), the footings must be designed to span across the 2m buffer zone without any further loading on the 2m buffer zone.</p> <p>Trafficking of the shaft area is to be precluded vehicles and heavy machinery.</p> <p>During construction works no additional loads are to be applied to the shaft capping slab.</p>
5.	<p>Final designs of any structures to be constructed within 2m of the shaft are to be submitted to Subsidence Advisory for acceptance and shall include certification by a qualified structural engineer to the effect that the improvements will not place any additional load on the 2m buffer zone.</p>
6.	<p>The proposed structure(s) associated with subdivision preliminary works shall be designed to be "<i>safe, serviceable and readily repairable</i>" using the subsidence parameters shown below, as outlined in Coffey report "Proposed residential</p>

	<p>Subdivision and Development – 15 Duncan Close, Elermore Vale” dated 12 February 2018, ref 754-NTLGE213362-ABRev3.</p> <p>Area 1:</p> <ul style="list-style-type: none"> a) Maximum vertical subsidence: 100mm b) Maximum tensile strain: 1mm/m c) Maximum tilt: 5mm/m d) Tensile curvature (convex) radius: 10km <p>Area 2:</p> <ul style="list-style-type: none"> a) Maximum vertical subsidence: 150mm b) Maximum tensile strain: 1mm/m c) Maximum compressive strain: 2mm/m d) Maximum tilt: 5mm/m e) Tensile curvature (convex) radius: 10km f) Compressive curvature (concave) radius: 5km <p>Area 3:</p> <ul style="list-style-type: none"> a) Maximum vertical subsidence 100mm b) Maximum tensile strain: 1mm/m c) Maximum compressive strain: 1mm/m d) Maximum tilt: 3mm/m e) Tensile curvature (convex) radius: 10km f) Compressive curvature (concave) radius: 5km
7.	<p>Certification by a qualified engineer to the effect that the structure(s) associated with subdivision preliminary works will remain “<i>safe, serviceable and readily repairable</i>” taking into consideration the mine subsidence conditions and parameters outlined above.</p>

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of building works, or the issue of a subdivision certificate (whichever comes first) and in perpetuity, the entire property shall be managed as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. The provision of water, electricity and gas services are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
 - Fire hydrant spacing, sizing and pressures shall comply with Australian Standard AS 2419.1– 2005 'Fire Hydrant Installations'.
 - Fire hydrants shall not be located within any road carriageway.

Access

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation. To achieve this, the following conditions shall apply:

3. Property access roads for community title developments shall comply with sections 4.1.3(2) and 4.2.7 of 'Planning for Bush Fire Protection 2006', except where modified in the submitted bush fire assessment report prepared by Eadie Consulting Pty Ltd (dated 25 September 2017) as summarised below:
 - Providing an alternative access road; and,
 - Providing a turning head/circle at the end of proposed Road 5.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

4. New construction for Unit 18 for the entire roof, eastern and southern elevations shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
5. New construction for Unit 18 on the northern and western elevations shall comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
6. New construction for Unit 6 for the entire roof and on the eastern, southern and western elevations shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
7. New construction for Unit 6 on the northern elevation shall comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

8. New construction for Units 19-23 and 3-5 for the entire roof, northern, eastern and southern elevations shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
9. New construction for Units 19-23 and 3-5 on the western elevations shall comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
10. New construction for Units 1-2, 7-17, and 24-50 shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

Landscaping

11. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.



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**DAC 15/09/2020 – DA2018/01331 – 15 DUNCAN CLOSE, ELERMORE
VALE – STAGED DEVELOPMENT – RESIDENTIAL – MULTI
DWELLING HOUSING (49 DWELLINGS) AND 50 LOT COMMUNITY
TITLE SUBDIVISION**

ITEM-35 **Attachment C:** Processing Chronology

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PROCESSING CHRONOLOGY

DA2018/01331 – 15 Duncan Close, Elermore Vale

22 November 2018	Application lodged
3 December 2018	Public notification (round one)
2 December 2019	Receipt of additional information and amended documents
17 December 2019	Public notification (round two)
21 July 2020	Public Voice Committee Meeting
15 September 2020	Development Application Committee



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**DAC 15/09/2020 – DA2018/01331 – 15 DUNCAN CLOSE, ELERMORE
VALE – STAGED DEVELOPMENT – RESIDENTIAL – MULTI
DWELLING HOUSING (49 DWELLINGS) AND 50 LOT COMMUNITY
TITLE SUBDIVISION**

ITEM-35 Attachment D: General Terms of Approval - Subsidence Advisory NSW

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Newcastle City Council
ATTN: Leah Lindsay
Via Email: mail@ncc.nsw.gov.au

Our ref: TBA17-43300N1 & TSUB17-03617N1

Dear Leah

**RE: PROPOSED AMENDMENTS TO BOUNDARIES, LOT NUMBERING AND FLOOR
PLANS TO APPROVED 51 LOT SUBDIVISION AND ASSOCIATED 50 DWELLINGS AT
15 DUNCAN CLOSE ELERMORE VALE;
LOT 1 DP 1197128 – TBA17-43300N1 & TSUB17-03617N1 - DA 2018/01331
GENERAL TERMS OF APPROVAL**

I refer to the above integrated development referred on 11 February 2019. Attached, please find Subsidence Advisory NSW General Terms of Approval (GTA) for the development of land as detailed above. Please note conditions are detailed under Schedule 2. The stamped approved plans are attached.

Once relevant documentation to meet the conditions in Schedule 2 are available, please submit via email to SA-Risk@finance.nsw.gov.au quoting reference **TBA17-43300N1 & TSUB17-03617N1**.

This satisfies the approval of Subsidence Advisory NSW under *section 22 of the Coal Mine Subsidence Compensation Act 2017*.

Should you have any questions about the attached general terms of approval I can be contacted by phone on 4908 4300 or via email at Shane.Mcdonald1@finance.nsw.gov.au

Yours faithfully,



Shane McDonald
Senior Risk Engineer
16 May 2019

GENERAL TERMS OF APPROVAL

Issued in accordance with s.91A of the *Environmental Planning & Assessment Act 1979* for the subdivision / development of land.

As delegate for Subsidence Advisory NSW under delegation executed 28 March 2019, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

SCHEDULE 1

Ref:	TBA17-43300N1 & TSUB17-03617N1
DA:	2018/01331
Site Address:	15 DUNCAN CLOSE ELERMORE VALE
Lot and DP:	LOT 1 DP 1197128
Proposal:	AMENDMENTS TO BOUNDARIES, LOT NUMBERING AND FLOOR PLANS TO APPROVED 51 LOT SUBDIVISION AND ASSOCIATED 50 DWELLINGS
Mine Subsidence District:	NEWCASTLE

SCHEDULE 2
GENERAL TERMS OF APPROVAL

GENERAL TERMS OF APPROVAL	
Plans, standards and guidelines	
1.	<p>These General Terms of Approval (GTAs) only apply to the subdivision development described in the plans and associated documentation relating to DA 2018/01331 and provided to Subsidence Advisory NSW.</p> <p>Any amendments or subsequent modifications to the development may render these GTAs invalid.</p> <p>If the proposed development is amended or the development consent modified, Subsidence Advisory NSW must be notified to determine if any variations to these GTAs are required.</p>
2.	<p>This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.</p>
3.	<p>Subsidence Advisory NSW is to be notified of any changes to lot numbering and the registered DP number.</p>
4.	<p>The edge of the shaft cap is to be surveyed.</p> <p>Where structures are to be positioned within 2m of the surveyed shaft cap (the 2m buffer zone), the footings must be designed to span across the 2m buffer zone without any further loading on the 2m buffer zone.</p> <p>Trafficking of the shaft area is to precluded vehicles and heavy machinery.</p> <p>During construction works no additional loads are to be applied to the shaft capping slab.</p>
5.	<p>Final designs of any structures to be constructed within 2m of the shaft are to be submitted to Subsidence Advisory for acceptance and shall include certification by a qualified structural engineer to the effect that the improvements will not place any additional load on the 2m buffer zone.</p>
6.	<p>The proposed structure(s) associated with subdivision preliminary works shall be designed to be "<i>safe, serviceable and readily repairable</i>" using the subsidence parameters shown below, as outlined in Coffey report "Proposed residential</p>

	<p>Subdivision and Development – 15 Duncan Close, Elernmore Vale” dated 12 February 2018, ref 754-NTLGE213362-ABRev3.</p> <p>Area 1:</p> <ul style="list-style-type: none"> a) Maximum vertical subsidence: 100mm b) Maximum tensile strain: 1mm/m c) Maximum tilt: 5mm/m d) Tensile curvature (convex) radius: 10km <p>Area 2:</p> <ul style="list-style-type: none"> a) Maximum vertical subsidence: 150mm b) Maximum tensile strain: 1mm/m c) Maximum compressive strain: 2mm/m d) Maximum tilt: 5mm/m e) Tensile curvature (convex) radius: 10km f) Compressive curvature (concave) radius: 5km <p>Area 3:</p> <ul style="list-style-type: none"> a) Maximum vertical subsidence 100mm b) Maximum tensile strain: 1mm/m c) Maximum compressive strain: 1mm/m d) Maximum tilt: 3mm/m e) Tensile curvature (convex) radius: 10km f) Compressive curvature (concave) radius: 5km
7.	<p>Certification by a qualified engineer to the effect that the structure(s) associated with subdivision preliminary works will remain “<i>safe, serviceable and readily repairable</i>” taking into consideration the mine subsidence conditions and parameters outlined above.</p>

Dispute Resolution

If you are dissatisfied with the determination of this application an appeal may be formally submitted with the Chief Executive Officer for an independent internal review. The application must be made in writing and must provide reasons why the determination should be changed.



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**DAC 15/09/2020 – DA2018/01331 – 15 DUNCAN CLOSE, ELERMORE
VALE – STAGED DEVELOPMENT – RESIDENTIAL – MULTI
DWELLING HOUSING (49 DWELLINGS) AND 50 LOT COMMUNITY
TITLE SUBDIVISION**

ITEM-35 **Attachment E:** General Terms of Approval - NSW Rural Fire Service

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All communications to be addressed to:

Headquarters
4 Murray Rose Ave
Sydney Olympic Park NSW 2127

Telephone: 1300 NSW RFS
e-mail: records@rfs.nsw.gov.au

Headquarters
Locked Bag 17
Granville NSW 2142

Facsimile: 8741 5433



The General Manager
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

Your Ref: DA2018/01331
Our Ref: D18/8364
DA18120316395 JC

ATTENTION: Ian Clark

7 June 2019

Dear Mr Clark

Integrated Development Application - 1//1197128 - 15 Duncan Close Elmore Vale 2287

I refer to your correspondence dated 13 May 2019 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the 'Environmental Planning and Assessment Act 1979', and a Bush Fire Safety Authority, under Section 100B of the 'Rural Fires Act 1997', are now issued subject to the following conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of building works, or the issue of a subdivision certificate (whichever comes first) and in perpetuity, the entire property shall be managed as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. The provision of water, electricity and gas services are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
 - Fire hydrant spacing, sizing and pressures shall comply with Australian Standard AS 2419.1– 2005 'Fire Hydrant Installations'.
 - Fire hydrants shall not be located within any road carriageway.

Access

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation. To achieve this, the following conditions shall apply:

3. Property access roads for community title developments shall comply with sections 4.1.3(2) and 4.2.7 of 'Planning for Bush Fire Protection 2006', except where modified in the submitted bush fire assessment report prepared by Eadie Consulting Pty Ltd(dated 25 September 2017) as summarised below:
 - Providing an alternative access road; and,
 - Providing a turning head/circle at the end of proposed Road 5.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

4. New construction for Unit 18 for the entire roof, eastern and southern elevations shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
5. New construction for Unit 18 on the northern and western elevations shall comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
6. New construction for Unit 6 for the entire roof and on the eastern, southern and western elevations shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
7. New construction for Unit 6 on the northern elevation shall comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

8. New construction for Units 19-23 and 3-5 for the entire roof, northern, eastern and southern elevations shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
9. New construction for Units 19-23 and 3-5 on the western elevations shall comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
10. New construction for Units 1-2, 7-17, and 24-50 shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

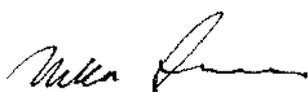
Landscaping

11. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

This letter is in response to a further assessment of the application submitted and supersedes our previous general terms of approval dated 10 January 2019.

Should you wish to discuss this matter please contact Joshua Calandra on 1300 NSW RFS.

Yours sincerely



Nika Fomin
Manager, Planning & Environment Services (East)

For general information on bush fire protection please visit www.rfs.nsw.gov.au