<table>
<thead>
<tr>
<th>PAGE</th>
<th>ITEM</th>
<th>Attachment</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>40</td>
<td>A</td>
<td>Submitted Plans</td>
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<td>26</td>
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<td>B</td>
<td>Draft Schedule of Conditions</td>
</tr>
<tr>
<td>39</td>
<td>40</td>
<td>C</td>
<td>Processing Chronology</td>
</tr>
</tbody>
</table>
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

DAC 17/11/2020 - DA2019/01334 - 5 ERINA PLACE, NORTH LAMBTON - DUAL OCCUPANCY - TWO X THREE BEDROOM DETACHED DWELLINGS, TWO X SWIMMING POOLS AND TWO LOT STRATA SUBDIVISION

ITEM-40 Attachment A: Submitted Plans
ERINA PLACE DEVELOPMENT

DEVELOPMENT APPLICATION
5 ERINA PLACE, NORTH LAMBTON

DESIGNER
NICHOLAS HALLIDAY
PHONE: 0402038620
EMAIL: info.nh3d@gmail.com
ADDRESS: MEDOWIE, NSW, 2318

CLIENT: PETER SHEPHERD

5 ERINA PLACE
NORTH LAMBTON

APR 2018
NJH

COVERSHEET

5
5 Erina Place North Lambton

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

Fixtures
- 3 Star Shower Heads Yes
- 3 Star Kitchen / Basin Taps Yes
- 3 Star Toilet Yes

Alternative Water
- Minimum Tank Size (L) 3000 Collected from Roof Area (m²) 120
- Tank Connected To: All
- Outdoor Tap Yes

THERMAL COMFORT COMMITMENTS - Refer to TPA Specification on plans

ENERGY COMMITMENTS

Hot Water
- Gas Instantaneous 6 Star
- Electric 4 Star

Cooling System
- Living 1 Phase A/C 4 Star
- Bedrooms None N/A

Heating System
- Living 1 Phase A/C 4 Star
- Bedrooms None N/A

Ventilation
- 1 x Bathroom Fan ducted to exterior Manual on/off
- Kitchen Fan ducted to exterior Manual on/off
- Laundry Natural ventilation N/A

Natural Lighting
- Window/Skylight in Kitchen No
- Window/Skylight in Bathrooms/Toilets Yes to 2

Artificial Lighting
- Number of bedrooms All Dedicated Yes
- Number of Living/Dining rooms All Dedicated Yes
- Kitchen Yes Dedicated Yes
- All Bathrooms/Toilets Yes Dedicated Yes
- Laundry Yes Dedicated Yes
- All Hallways Yes Dedicated Yes

OTHER COMMITMENTS

Outdoor clothesline Yes
- Ventilated refrigerator space Yes
- Stove/Oven Gas cooktop & electric oven
- Alternative Energy Photovoltaic system: 0.7kW to UT only

---

May 2020

Building Sustainability Assessments
Enquiries: Ph: (02) 4962 3439
www.buildingsustainability.net.au

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 applied then the Assessor Certificate is no longer valid.

Thermal Performance Specifications (does not apply to garage)

External Wall Construction
- Added Insulation
- Lightweight R2.5

Internal Wall Construction
- Added Insulation
- Plasterboard on studs R2.0 to walls adjacent to garage

Ceiling Construction
- Added Insulation
- Plasterboard R3.5 to ceilings adjacent to roof space

Roof Construction
- Colour
- Metal Any Foil + R1.0 blanket

Floor Construction
- Covering
- Concrete As drawn None
- Timber As drawn R2.0 to floors adjacent to garage and to enclosed subfloor

Windows
- Glass and frame type
- U Value SHGC Range Area sq m
  Performance glazing Type A 3.70 0.32 - 0.39 As Drawn
  Performance glazing Type B 3.70 0.34 - 0.42 As Drawn

Type A windows are swing windows, bifolds, casements, lift ‘n’ turn windows, entry doors, french doors
Type B windows are double hung windows, sliding windows & doors, fixed windows, stacker doors, louvres

Skylights
- Glass and frame type
- U Value SHGC Area sq m

U and SHGC values are according to AFRC. Alternate products may be used if the U value is lower and the SHGC is within the range specified.

External Window Shading
- (laves, verandahs, pergolas, awnings etc)
- All shade elements modelled as drawn

Ceiling Penetrations
- (downlights, exhaust fans, flues etc)
- No adjustment has been made for losses to insulation arising from ceiling penetrations.

---

REV : PROJECT No : DRAWING No : PHASE : DATE : DRAWN : SCALES :
PROJECT : CLIENT : DRAWING : SITE : WORK IN FIGURED DIMENSIONS IN PREFERENCES TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

DESIGNER
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EMAIL: info.nh3d@gmail.com
ADDRESS: MEDOWIE, NSW, 2318

DRAWING LIST

NO. NAME REV
A-000 COVERSHEET H
A-001 PROJECT NOTES G
A-010 SITE ANALYSIS PLAN F
A-011 SITE PLAN I
A-012 LANDSCAPE ANALYSIS PLAN C
A-030 SHADOW DIAGRAMS H
A-031 SHADOW DIAGRAMS F
A-032 SHADOW DIAGRAMS C
A-035 SHADOW ANALYSIS - 3 ERINA PLACE FACADE B
A-036 SHADOW ANALYSIS - 3 ERINA PLACE FACADE B
A-040 NOTIFICATION PLAN F
A-050 BUILDING ENVELOPE DIAGRAMS B
A-060 SITE SECTIONS B
A-100 LOWER GROUND FLOOR H
A-101 GROUND FLOOR PLAN H
A-102 ROOF PLAN G
A-200 ELEVATIONS I
A-300 SECTIONS H
A-310 DRIVEWAY SECTION F

REV DATE   COMMENTS DRN CHKD
A 07.08.2019 ISSUE FOR DEVELOPMENT APPLICATION NJH
B 25.01.2020 ISSUE FOR RFI NJH
C 26.04.2020 ISSUE FOR CLIENT REVIEW NJH
D 27.04.2020 ISSUE FOR REVISED DA NJH
E 02/05/2020 ISSUED FOR REVISED DA NJH
F 15/05/2020 ISSUED FOR REVISED DA NJH
G 25/06/2020 ISSUED FOR REVISED DA NJH

---

ERINA PLACE DEVELOPMENT
5 ERINA PLACE NORTH LAMBTON

CLIENT: PETER SHEPHERD
DRAWN: PROJECT NOTES

NJH AUG 2019

G 0027 DA A-001
LANDSCAPE CALCULATIONS - OVERALL

SITE AREA: 993m²
LANDSCAPED AREA: 358m²
TOTAL AS %: 36.0%
DEEP SOIL ZONES: 201m²
TOTAL AS %: 20.2%

LANDSCAPE CALCULATIONS - UNIT 1

SITE AREA: 526m²
LANDSCAPED AREA: 199m²
TOTAL AS %: 37.8%
DEEP SOIL ZONES: 125m²
TOTAL AS %: 23.7%

LANDSCAPE CALCULATIONS - UNIT 2

SITE AREA: 467m²
LANDSCAPED AREA: 159m²
TOTAL AS %: 34.0%
DEEP SOIL ZONES: 76m²
TOTAL AS %: 16.3%
1:100}

**DRIVEWAY SECTION**

- **1:9 S**
- **1:40 S**
- **1:8 T**
- **1:8 T**
- **1:8 T**

**BOUNDARY**

**FOOTPATH**

**KERB**

**ROAD**

1:200

1:100

**UPPER FLOOR**

**UPPER FLOOR**

**UPPER CEILING**

**UPPER CEILING**

**DESIGNER**

NICHOLAS HALLIDAY

PHONE: 0402038620

EMAIL: info.nh3d@gmail.com

ADDRESS: MEDOWIE, NSW, 2318

**DRAWING NO:** A310

**DATE:** JAN 2020

**PROJECT:** ERINA PLACE DEVELOPMENT

**SITE:** 5 ERINA PLACE NORTH LAMBTON

**CLIENT:** PETER SHEPHERD

**DRAWINGS:** DRIVEWAY SECTION

**REV DATE** | **COMMENTS** | **DRN CHKD**
--- | --- | ---
A | 25.01.2020 | ISSUE FOR RFI NJH
B | 26.04.2020 | ISSUE FOR CLIENT REVIEW NJH
C | 27.04.2020 | ISSUE FOR REVISED DA NJH
D | 02/05/2020 | ISSUED FOR REVISED DA NJH
E | 15/05/2020 | ISSUED FOR REVISED DA NJH
F | 25/06/2020 | ISSUED FOR REVISED DA NJH
STORMWATER MANAGEMENT PLAN
1:200

CONNECT ALL DOWNSPIPES TO ASSIGNED RAINWATER TANK

LEGEND
- RL: REDUCED LEVEL
- IL: INVERT LEVEL
- GP: GRADE PIPE
- OF: O/F
- D: DRAIN
- X: LINE - SEE DETAIL

1. THESE DRAWINGS TO BE READ IN CONJUNCTION WITH ARCHITECTURAL DETAILS.
2. ALL WORKS IN ACCORDANCE WITH AS3500, COUNCIL DEVELOPMENT CONTROL PLANS, HVC REQUIREMENTS AND PROPRIETARY MANUFACTURERS' RECOMMENDATIONS.
3. LOCATION OF TANKS & TANK TYPES CAN BE VARIED AT OWNER'S DIRECTION.
4. ALL STORMWATER PIPES TO BE 90Ø STORMWATER GRADE, U.N.O.
5. ALL STORMWATER LINES TO HAVE ALL JOINTS, INC. DP CONNECTIONS, FULLY SOLVENT WELDED (AS LINES ARE 'CHARGED')
6. ALL LEVELS ARE DATUM AHD.
7. ALL LEVELS ARE FINISHED PAVEMENT OR LAWN LEVELS.
8. EXISTING LEVELS SHOWN eg. 4.79E, NEW LEVELS SHOWN eg. 20.84.

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9. ALL STORMWATER LINES TO HAVE ALL JOINTS, INC. DP CONNECTIONS, FULLY SOLVENT WELDED (AS LINES ARE 'CHARGED')
10. ALL LEVELS ARE DATUM AHD.
11. ALL LEVELS ARE FINISHED PAVEMENT OR LAWN LEVELS.
12. EXISTING LEVELS SHOWN eg. 4.79E, NEW LEVELS SHOWN eg. 20.84.

STORMWATER

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5. ALL STORMWATER LINES TO HAVE ALL JOINTS, INC. DP CONNECTIONS, FULLY SOLVENT WELDED (AS LINES ARE 'CHARGED')
6. ALL LEVELS ARE DATUM AHD.
7. ALL LEVELS ARE FINISHED PAVEMENT OR LAWN LEVELS.
8. EXISTING LEVELS SHOWN eg. 4.79E, NEW LEVELS SHOWN eg. 20.84.

CLEANOUT PIT DETAIL

NTS

PROVIDE CLEANOUT PIT AT LOW POINT IN DOWNPIPE LINE - SEE DETAIL

SITE BUT WHITE TOP OF HOLE RL 10.35 ASSUMED

100Ø UPVC SEWER GRADE PIPE TO KERB IL 10.17

DAVEY DYNAFLOW HSS5-067 or EQUIV. WITH RAINBANK CONTROLLER

ENSURE PALLET TO TANK SET NO HIGH THAN 500mm BELOW EAVES GUTTER

RAINHAVEN or EQUIV.

PROPRIETARY TANKS, INSTALLED TO MANUFACTURERS DETAILS

NTS

STORMWATER MANAGEMENT PLAN
1:200

CONNECT ALL DOWNSPIPES TO ASSIGNED RAINWATER TANK

LEGEND
- RL: REDUCED LEVEL
- IL: INVERT LEVEL
- GP: GRADE PIPE
- OF: O/F
- D: DRAIN
- X: LINE - SEE DETAIL

1. THESE DRAWINGS TO BE READ IN CONJUNCTION WITH ARCHITECTURAL DETAILS.
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8. EXISTING LEVELS SHOWN eg. 4.79E, NEW LEVELS SHOWN eg. 20.84.
DESIGNER
NICHOLAS HALLIDAY
PHONE: 0402038620
EMAIL: info.nh3d@gmail.com
ADDRESS: MEDOWIE, NSW, 2318

PROPOSED SHADOW DIAGRAM - WINTER 21ST JUNE - 9am
1: 250

PROPOSED SHADOW DIAGRAM - WINTER 21ST JUNE - 10am
1: 250

PROPOSED SHADOW DIAGRAM - WINTER 21ST JUNE - 11am
1: 250

EXISTING SHADOW DIAGRAM - WINTER 21ST JUNE - 9am
1: 250

EXISTING SHADOW DIAGRAM - WINTER 21ST JUNE - 10am
1: 250

EXISTING SHADOW DIAGRAM - WINTER 21ST JUNE - 11am
1: 250

PROJECT: ERINA PLACE DEVELOPMENT
SITE: 5 ERINA PLACE NORTH LAMBTON

SHADOW DIAGRAMS

REV: PROJECT No: DRAWING No: PHASE:
DATE: DRAWN: SCALES:

PROJECT:
CLIENT:
SITE:

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

REV DATE   COMMENTS DRN CHKD
A 28.01.2019 ISSUE FOR INFORMATION NJH
B 19.06.2019 ISSUE FOR DEVELOPMENT APPLICATION NJH
C 25.01.2020 ISSUE FOR RFI NJH
D 26.04.2020 ISSUE FOR CLIENT REVIEW NJH
E 27.04.2020 ISSUE FOR REVISED DA NJH
F 02/05/2020 ISSUED FOR REVISED DA NJH
G 15/05/2020 ISSUED FOR REVISED DA NJH
H 25/06/2020 ISSUED FOR REVISED DA NJH
I 07/08/2020 ISSUE FOR REVISED DA NJH
J 23/10/2020 ISSUE FOR REVISED DA NJH

SCALE: 1:250
SHADOW DIAGRAMS

PROPOSED SHADOW DIAGRAM - WINTER 21ST JUNE - 3pm

EXISTING SHADOW DIAGRAM - WINTER 21ST JUNE - 3pm
EXISTING - 3pm WINTER 21ST JUNE

PROPOSED - 3pm WINTER 21ST JUNE
WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.
EXISTING - 3pm WINTER 21ST JUNE

PROPOSED - 3pm WINTER 21ST JUNE
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

DAC 17/11/2020 - DA2019/01334 - 5 ERINA PLACE, NORTH LAMBTON - DUAL OCCUPANCY - TWO X THREE BEDROOM DETACHED DWELLINGS, TWO X SWIMMING POOLS AND TWO LOT STRATA SUBDIVISION

ITEM-40 Attachment B: Draft Schedule of Conditions
DRAFT SCHEDULE OF CONDITIONS

Application No: DA2019/01334
Land: Lot 12 DP 223109
Property Address: 5 Erina Place North Lambton NSW 2299
Proposed Development: Dual Occupancy - Two x three bedroom detached dwellings, two x swimming pools and two lot strata subdivision

SCHEDULE 1

APPROVED DOCUMENTATION

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

<table>
<thead>
<tr>
<th>Plan No / Supporting Document</th>
<th>Reference / Version</th>
<th>Prepared by</th>
<th>Dated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Plan</td>
<td>Project No 0027, Drawing No. A-011, Rev K</td>
<td>Nicholas Halliday</td>
<td>23/10/2020</td>
</tr>
<tr>
<td>Landscape Analysis Plan</td>
<td>Project No 0027, Drawing No. A-012, Rev C</td>
<td>Nicholas Halliday</td>
<td>25/06/2020</td>
</tr>
<tr>
<td>Floor Plans</td>
<td>Project No 0027, Drawing No. A-100 &amp; A-101, Rev K</td>
<td>Nicholas Halliday</td>
<td>23/10/2020</td>
</tr>
<tr>
<td>Elevation Plan</td>
<td>Project No 0027, Drawing No. A-200, Rev I</td>
<td>Nicholas Halliday</td>
<td>25/06/2020</td>
</tr>
<tr>
<td>Section Plan</td>
<td>Project No 0027, Drawing No. A-300, Rev H</td>
<td>Nicholas Halliday</td>
<td>25/06/2020</td>
</tr>
<tr>
<td>Stormwater Management Plan</td>
<td>Drawing No. 903097-SWD-01, Rev C</td>
<td>Forum Consulting Engineers</td>
<td>31/07/2020</td>
</tr>
<tr>
<td>Basix Certificate</td>
<td>1003636M</td>
<td></td>
<td>05/05/2020</td>
</tr>
</tbody>
</table>

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.
CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

2. A total monetary contribution of $9,000.00 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 a Construction Certificate in respect of the proposed development.

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) 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:

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

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

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

4. All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a basecourse of a depth to suit design traffic and be sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers. Details are to be included in documentation for a Construction Certificate application.

5. Residential vehicular crossings are to be constructed across the road reserve, in accordance with the following criteria:

   a) Constructed in accordance with City of Newcastle’s A1300 - Driveway Crossings Standard Design Details.

   b) The driveway crossing, within the road reserve, is to be a maximum of 3m wide per dwelling.

   c) Letterboxes, landscaping and any other obstructions to visibility are to be kept clear of or limited in height to 1.2m, in the 2.0m by 2.5m splay within the
property boundary, each side of the driveway entrance.

d) The proposed driveway is to be a minimum of 3.0m clear of the trunk of any tree within the road reserve.

e) The proposed driveway is to be a minimum of 750mm clear of the centre of any pole or obstruction within the road reserve and 1.0m clear of any drainage pit.

6. 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 a Construction Certificate.

7. The developer is to design and construct the following works in connection with the proposed development within the Erina Place public road reserve, adjacent to the site, at no cost to the City of Newcastle and in accordance with City of Newcastle’s guidelines and design specifications:

a) New driveway crossing

b) Replace footpath

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

8. All stormwater runoff from the proposed development being managed in accordance with the requirements of Element 7.06 ‘Stormwater’ of Newcastle Development Control Plan 2012, the associated Technical Manual and the latest issue of AS 3500.3 as applicable, as indicated on the stormwater management concept plan prepared by Forum Consulting Engineers, Drawing No. 903097-SWD-01, Rev C, 31/07/2020. Full details are to be included in documentation for a Construction Certificate application.

9. Roof water from the proposed new work is to be directed to the proposed water tank with a minimum capacity of 4000 litres per dwelling and being reticulated to any new toilet cisterns and cold water washing machine taps, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch any new toilet cisterns and laundry taps to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be designed in accordance with the Plumbing Code of Australia (National Construction Code Volume 3). Full details are to be included in documentation for a Construction Certificate application. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to City of Newcastle’s drainage system by means of an interallotment drainage line or underground pipe directly to the street gutter. Details are to be included in documentation for a Construction Certificate application.

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

11. 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
12. 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 a Construction Certificate application.

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

14. A minimum of four (4) trees with a minimum pot size of 45L are to be planted onsite, with a minimum of one (1) of these trees (minimum pot size 45L and mature height of 5m) planted within the front setback. Full details are to be included in documentation for a Construction Certificate application.

15. The construction or erection of appropriate swimming pool safety fences and gates and all associated work is to be carried out in accordance with the Swimming Pool Act 1992 (NSW) and Regulations. Full details are to be included in the documentation for a Construction Certificate application.

16. The swimming pool/spa water recirculation and filtration system installation shall comply with Australian Standard 1926.3:2010 - Swimming pool safety - Water recirculation systems. Full details are to be included in the documentation for a Construction Certificate application.

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

17. All building work is to be carried out in accordance with the provisions of the National Construction Code.

18. 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.

19. 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.

20. Waste management is to be implemented in accordance with the approved Waste Management Plan. At a minimum, the following measures are to be implemented during the construction phase:

a) A waste container of at least one cubic metre capacity is to be provided, maintained and regularly serviced from the commencement of operations until the completion of the building, for the reception and storage of waste generated
by the construction of the building and associated waste;

b) The waste container is to be, at minimum, constructed with a 'star' picket (corners) and weed control mat (sides), or equivalent. The matting is to be securely tied to the pickets;

c) Provision is to be made to prevent windblown rubbish leaving the site; and

d) Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

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

21. 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.

22. 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.

23. 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. All building materials, plant and equipment is to be placed on the site of the development, to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on City of Newcastle reserves, including the road reserve, is not permitted.

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 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.

26. 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.

27. 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.

28. 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.

29. Prior to the commencement of work, a 3.0m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction, to reduce the potential for soil erosion. Sand or soil is not to be stockpiled on the all-weather vehicle access.

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

   a) Restricting topsoil removal;
   b) Regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion);
   c) Alter or cease construction work during periods of high wind; and
   d) Erect green or black shadecloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.

31. 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.

32. Pool plant and equipment is to be sited or enclosed in a sound absorbing enclosure to minimise any potential offensive noise impacts to adjoining neighbours as defined under the Protection of the Environment Operations Act 1997 (NSW).

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

33. Any redundant existing vehicular crossing is to be removed at no cost to the City of Newcastle. The road reserve and kerb is to be restored to the City of Newcastle’s satisfaction. Works are to be completed prior to the issuing of an Occupation Certificate for the proposed development.

34. 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.
35. All works within the road reserve required by this consent are to be completed prior to the issue of an Occupation Certificate.

36. 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.

37. All commitments listed in the relevant BASIX certificate for the development are to be satisfactorily completed prior to the issue of an Occupation Certificate. Should there be any changes to the specifications of the dwelling that have implications for compliance with the approved certificate, except where restricted or excluded by any other condition of consent, an amended BASIX Certificate can be relied upon as having complied with this condition. A copy of any amended BASIX Certificate is to be provided to the City of Newcastle with Occupation Certificate documentation.

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

   The minimum numeral height is to be 75mm.

39. An application is to be made for a Strata Certificate in accordance with the requirements of the *Strata Schemes Development Act 2015*.

**CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT**

40. The premises are allocated the following street addresses in accordance with City of Newcastle’s *House Numbering Policy* and the *Surveying and Spatial Regulation*.

<table>
<thead>
<tr>
<th>City of Newcastle allocated street address/es</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit/ dwelling number on plan</td>
</tr>
<tr>
<td>-------------------------------</td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
</tbody>
</table>

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

   The minimum numeral heights shall be:
   a) exterior of the building = 75mm and
   b) group mailbox - street number = 150mm
   - house number = 50mm

**ADVISORY MATTERS**

- Retaining walls not clearly noted on the approved plans or outside of the parameters of ‘exempt development’, as specified in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, are to be subject to a separate development application. An application in this regard is to be approved prior to any works relating to such a retaining wall taking place.
• An application is to be submitted to the City of Newcastle for the removal or pruning of any trees located more than three metres from the dwelling wall, measured from the centre of the trunk to the footings of the dwelling, excluding carports and pergolas.

• It is recommended that, prior to commencement of work, the free national community service ‘Dial before you Dig’ be contacted on 1100 or by fax on 1200 652 077 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.

• Any necessary alterations to public utility installations are to be at the developer/demolisher’s expense and to the requirements of 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.

• The owner of the premises on which a swimming pool/spa is situated must ensure that the pool details are entered into the State Swimming Pool Register. The register is accessible at www.swimmingpoolregister.nsw.gov.au.

• 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.

• Compliance with requirements of Ausgrid letter dated 21/10/2020.

  A copy of letter is attached to this determination notice at Schedule 3.

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.
21/10/2020

Leesa Heron
Newcastle City Council
PO Box 499
NEWCASTLE
NSW 2300

Dear Leesa

Proposed Development at 5 Erina Place, North Lambton
Development Application No. DA2019/01334

I refer to Agency Reference Number A-15901 concerning the above development. This letter is Ausgrid’s response under clause 45(2) of the State Environmental planning Policy (Infrastructure) 2007.

As you would be aware, the assessment and evaluation of environmental impacts for a new development consent (or where a development consent is modified) is undertaken in accordance with requirements of Section 79C of the Environmental Planning and Assessment Act 1979. One of the obligations upon consent authorities, such as local councils, is to consider the suitability of the site for the development which can include a consideration of whether the proposal is compatible with the surrounding land uses and the existing environment.

In this regard, Ausgrid requires that due consideration be given to the compatibility of proposed development with existing Ausgrid’s infrastructure, particularly in relation to risks of electrocution, fire risks, Electric & Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.

Please note the following information in relation to the construction of the development:

Supply of Electricity
It is recommended for the developer to engage an electrical consultant/contractor to complete an NECF-02 Form “Connection Application – Residential and Small Commercial Connections” for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the information provided which may include whether or not the existing network can support the expected electrical load of the development. For some developments, a substation may be required on-site.

If an upgrade to the electricity network is necessary, the timeframe between the submission of the connection application and availability to connect the development will vary and may be

Page 1 of 2
exposed to a lengthy design and construction period. The submission of the Connection Application will allow us to begin planning and processing the connection and hopefully minimise any delays.

Please direct the developer to Ausgrid’s website, www.ausgrid.com.au for information regarding connecting to Ausgrid’s network.

Proximity to Existing Network Assets
There are existing Service Wires and Low Voltage overhead electricity network assets in the Erina Place footpath, adjacent to the development.

Workcover Code of Practice 2006 – Work Near Overhead Powerlines outlines the minimum safety separation requirements between these mains / poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction.

It is recommended that Ausgrid is contacted on (02) 4910 1200 to discuss compliance issues regarding the relevant Workcover Code of Practice 2006 – Work Near Overhead Powerlines.

Clearance to ‘As Constructed’ Development assessed to be Compliant
Based on the design of the development provided, it was identified that the “as constructed” minimum clearances will not be encroached by the development.

The existing overhead mains may require relocating should the minimum safety clearances be compromised during construction, this relocation work is generally at the developers cost.

Please do not hesitate to contact me if you require any further information or assistance.

Yours sincerely

Matt Jones

Matthew Jones
Engineering Officer
Newcastle Design & Planning Portfolio

☎: 0417 018 095
☎: MPJones@ausgrid.com.au
☎: (02) 4951 9459
☎: www.ausgrid.com.au

Ausgrid Reference: 1900102744
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

DAC 17/11/2020 - DA2019/01334 - 5 ERINA PLACE, NORTH LAMBTON - DUAL OCCUPANCY - TWO X THREE BEDROOM DETACHED DWELLINGS, TWO X SWIMMING POOLS AND TWO LOT STRATA SUBDIVISION

ITEM-40 Attachment C: Processing Chronology

DISTRIBUTED UNDER SEPARATE COVER
### PROCESSING CHRONOLOGY

**DA2019/01334 – 5 Erina Place, North Lambton**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 December 2019</td>
<td>Application received</td>
</tr>
<tr>
<td>7 January 2020</td>
<td>Public notification</td>
</tr>
<tr>
<td>8 January 2020</td>
<td>Request for additional information</td>
</tr>
<tr>
<td>25 January 2020</td>
<td>Submission of amended plans</td>
</tr>
<tr>
<td>18 February 2020</td>
<td>Further request for additional information</td>
</tr>
<tr>
<td>30 April 2020</td>
<td>Submission of amended plans by applicant to City of Newcastle including amending the proposal from multi-dwelling to dual occupancy</td>
</tr>
<tr>
<td>6 May 2020</td>
<td>Further request for additional information</td>
</tr>
<tr>
<td>25 June 2020</td>
<td>Submission of amended plans</td>
</tr>
<tr>
<td>1 July 2020</td>
<td>Public notification of amended application</td>
</tr>
<tr>
<td>22 July 2020</td>
<td>Application ‘called-in’ to Development Applications Committee by Councillor Clausen and Councillor Winney-Baartz</td>
</tr>
<tr>
<td>31 July 2020</td>
<td>Amended stormwater and driveway plans submitted by applicant</td>
</tr>
<tr>
<td>20 October 2020</td>
<td>Public Voice Committee meeting</td>
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