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**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

- ITEM 17**      **DA2018/00693 - 90-92 Brunner Road Broadmeadow**  
**DEMOLITION OF DWELLING, ERECTION OF NINE X TWO STOREY**  
**DWELLINGS AND STRATA SUBDIVISION**
- Attachment A** - Submitted Plans  
**Attachment B** - Draft Schedule of Conditions  
**Attachment C** - Processing Chronology

**DEVELOPMENT APPLICATIONS COMMITTEE MEETING  
19 NOVEMBER 2019**

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**DAC 19/11/19  
DA2018/00693 - 90-92 BRUNKER ROAD BROADMEADOW**

**Item 17 Attachment A: Submitted Plans**

**DISTRIBUTED UNDER SEPARATE COVER**

# Mixed Use Development

## 90-92 Brunker Road Adamstown

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01	Issue for Information	6/09/2017
02	Issue for Information	30/01/2018
03	Issue for Information	23/02/2018



SK00	Coversheet
SK01	Site Analysis Plan
SK02	Floor Plans
SK03	Floor Plans
SK03a	Roof Plan
SK04	Elevations
SK05	Sections
SK06	Concept Perspectives
SK07	Envelopes
SK08	Neighbours Shadow Diagrams
SK08a	Neighbours Shadow Diagrams
SK08b	Neighbours Shadow Diagrams
SK09	Shadow Diagrams
SK10	Shadow Diagrams

Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunker Road, Adamstown

Drawing Title  
Coversheet

Job Number	Drawing Number	Issue
186	SK00	03

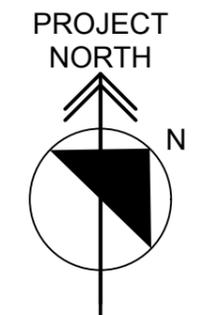
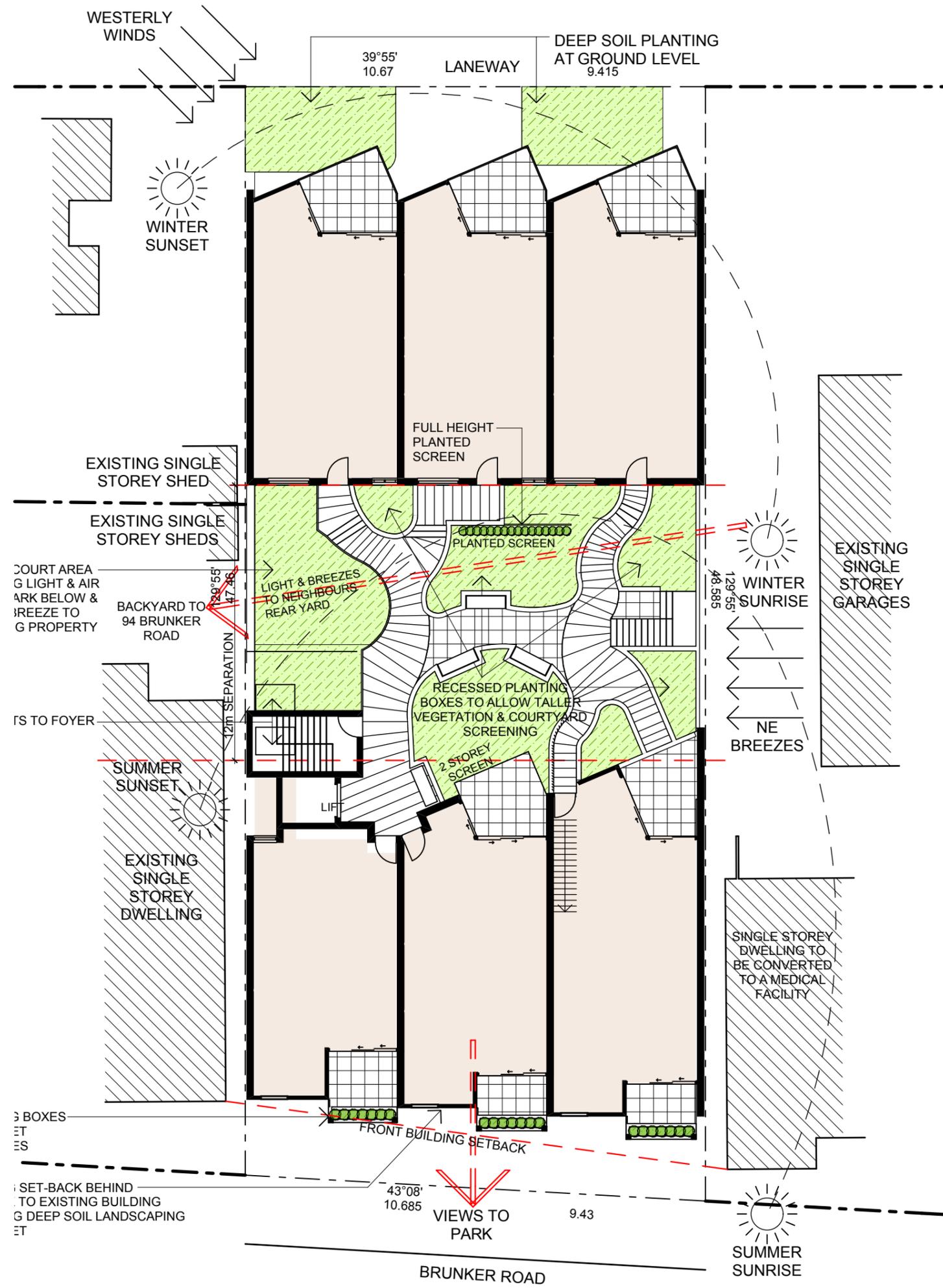
PROJECT ARCHITECT  
MATT SAINSBURY  
BSc.Arch, B.Arch  
REGISTRATION NUMBER 4235



DOCUMENTATION  
**Manns + Troup**

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01	Issue for Information	30/01/2018
02	Issue for Information	23/02/2018
03	Issue for Information	3/04/2018



Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Bruncker Road, Adamstown

Drawing Title  
Site Analysis Plan

Job Number	Drawing Number	Issue
186	SK01	03

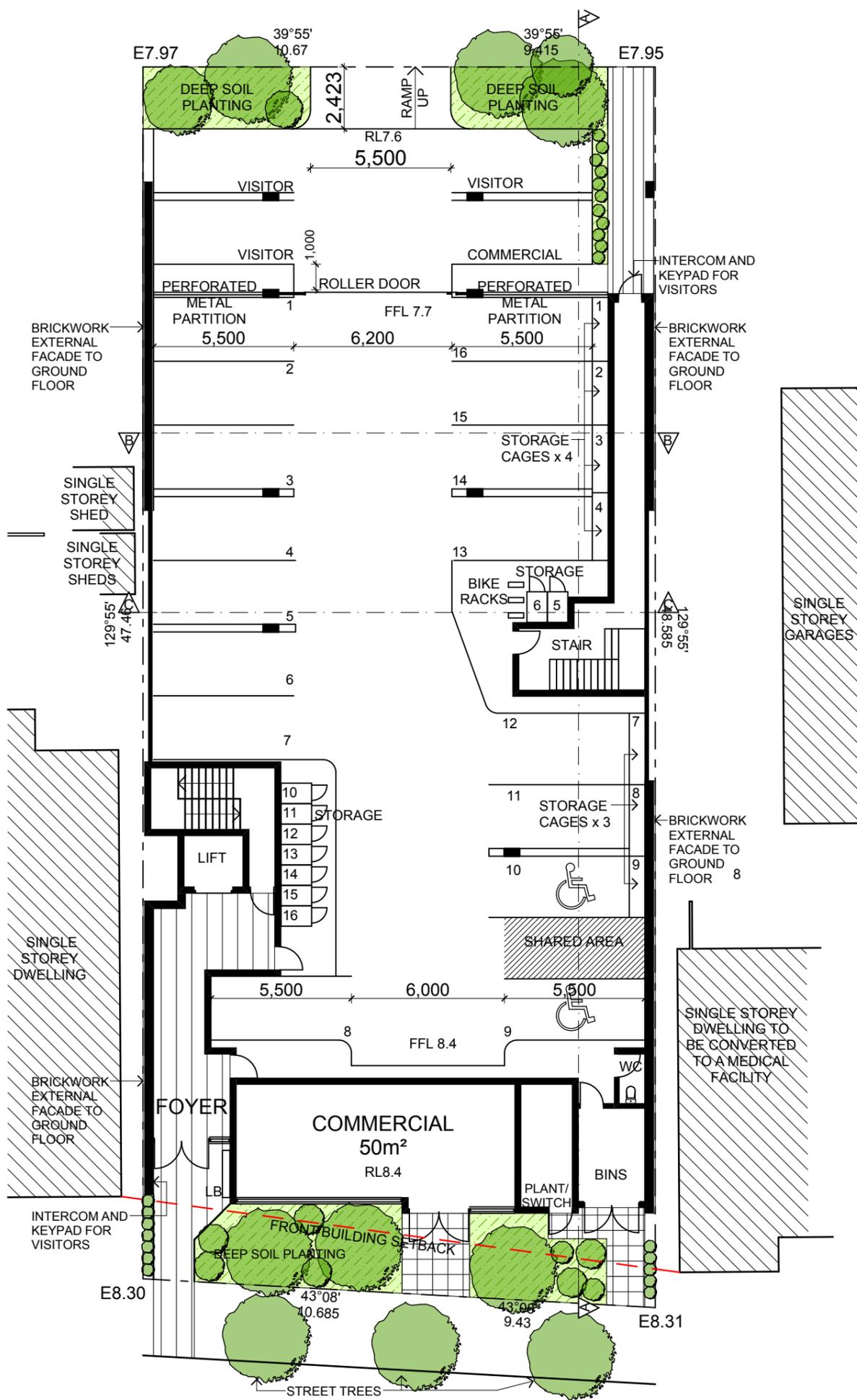
PROJECT ARCHITECT  
MATT SAINSBURY  
BSc.Arch, B.Arch  
REGISTRATION NUMBER 4235



DOCUMENTATION



Site Analysis Plan  
SCALE 1:200 @ A3

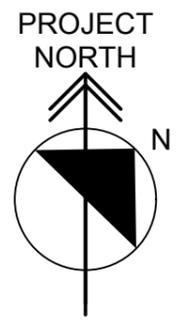


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05	Issue for Information	23/02/2018
06	Issue for Information	3/04/2018
07	Issue for Information	23/05/2019
08	Issue for Approval	20/06/2019

**AREAS (NET INTERNAL)**

UNIT 1	67 m <sup>2</sup>
UNIT 2	72 m <sup>2</sup>
UNIT 3	75 m <sup>2</sup>
UNIT 4	70 m <sup>2</sup>
UNIT 5	70 m <sup>2</sup>
UNIT 6	70 m <sup>2</sup>



Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunker Road, Adamstown

Drawing Title  
**Floor Plans**

Job Number	Drawing Number	Issue
186	SK02	08
PROJECT ARCHITECT MATT SAINSBURY B.Sc.Arch, B.Arch REGISTRATION NUMBER 4235		



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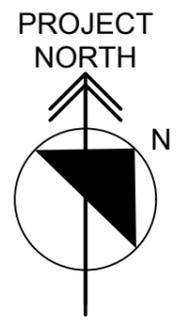
05	Issue for Information	23/02/2018
06	Issue for Information	3/04/2018
07	Issue for Information	23/05/2019
08	Issue for Approval	20/06/2019

**AREAS (NET INTERNAL)**

UNIT 7	67 m <sup>2</sup>
UNIT 8	72 m <sup>2</sup>
UNIT 9	75 m <sup>2</sup>
UNIT 10	70 m <sup>2</sup>
UNIT 11	70 m <sup>2</sup>
UNIT 12	71 m <sup>2</sup>

**AREAS (NET INTERNAL)**

UNIT 13	50 m <sup>2</sup>
UNIT 14	71 m <sup>2</sup>
UNIT 15	79 m <sup>2</sup>
UNIT 16	50 m <sup>2</sup>



Client  
Laurangel Pty Ltd

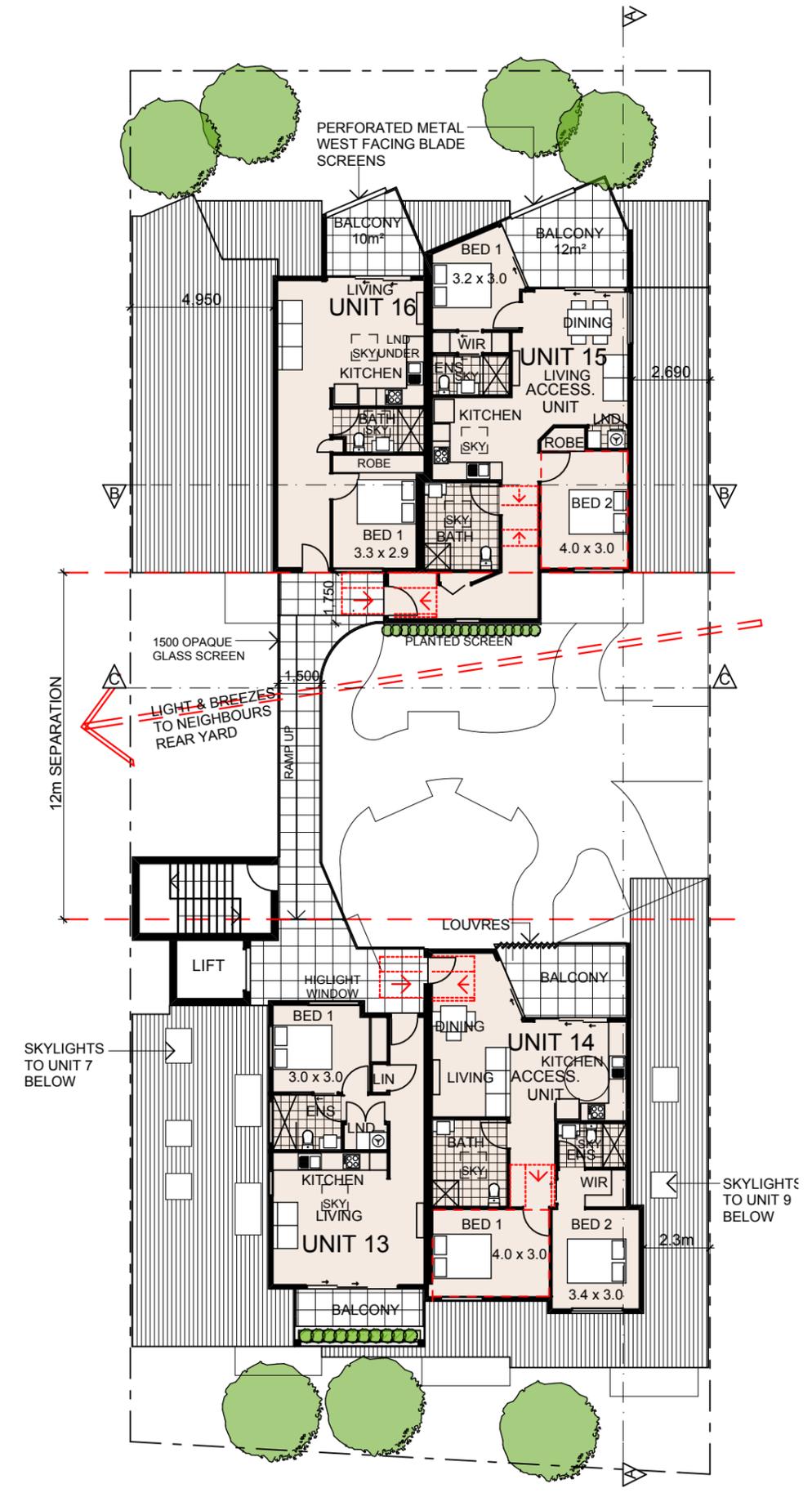
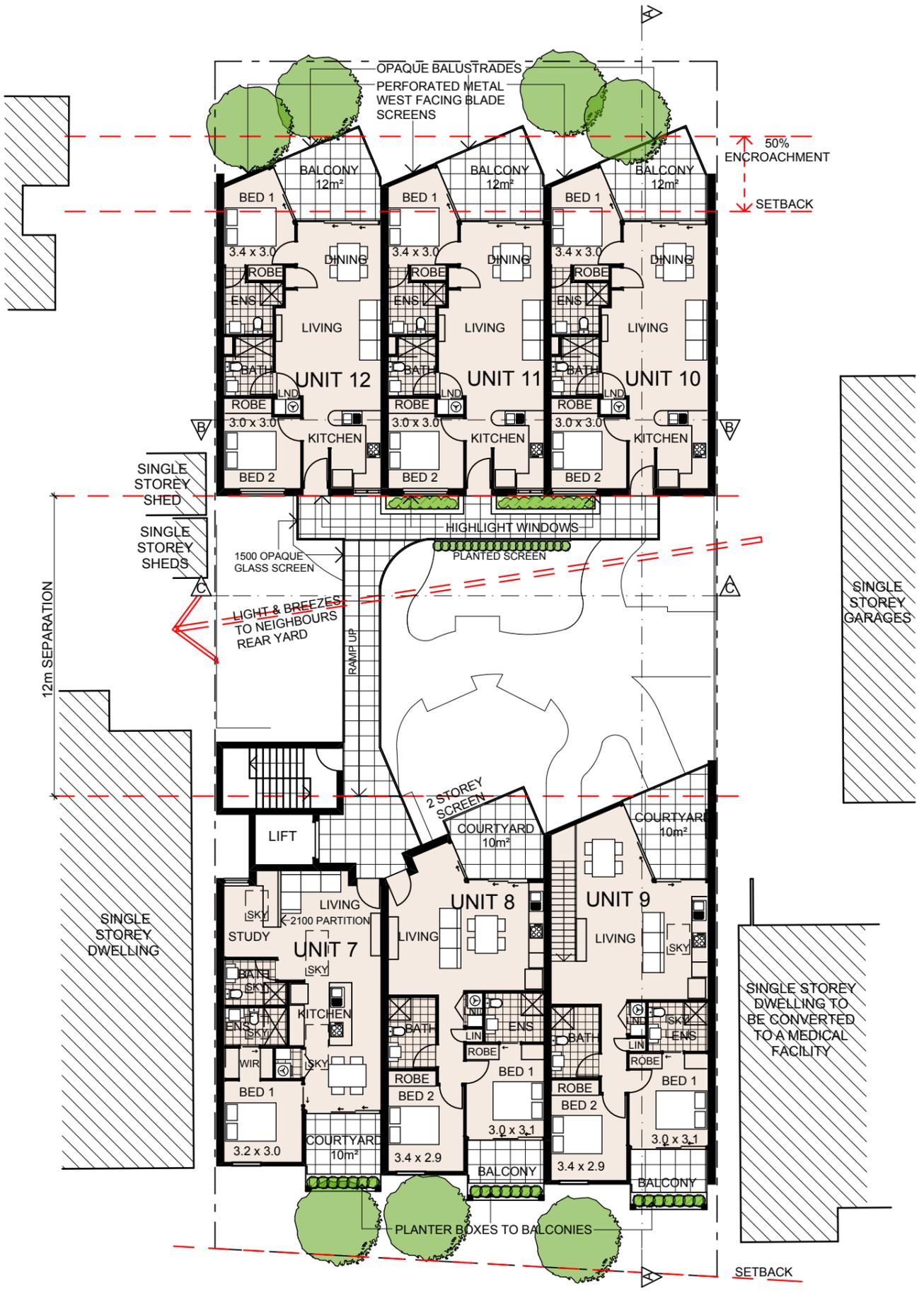
Project  
Mixed Use Development  
90-92 Brunker Road, Adamstown

Drawing Title  
**Floor Plans**

Job Number	Drawing Number	Issue
<b>186</b>	<b>SK03</b>	<b>08</b>
<b>PROJECT ARCHITECT</b>		
<b>MATT SAINSBURY</b>		
B.Sc.Arch, B.Arch		
REGISTRATION NUMBER 4235		



DOCUMENTATION

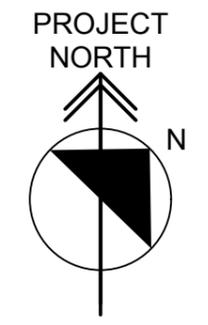
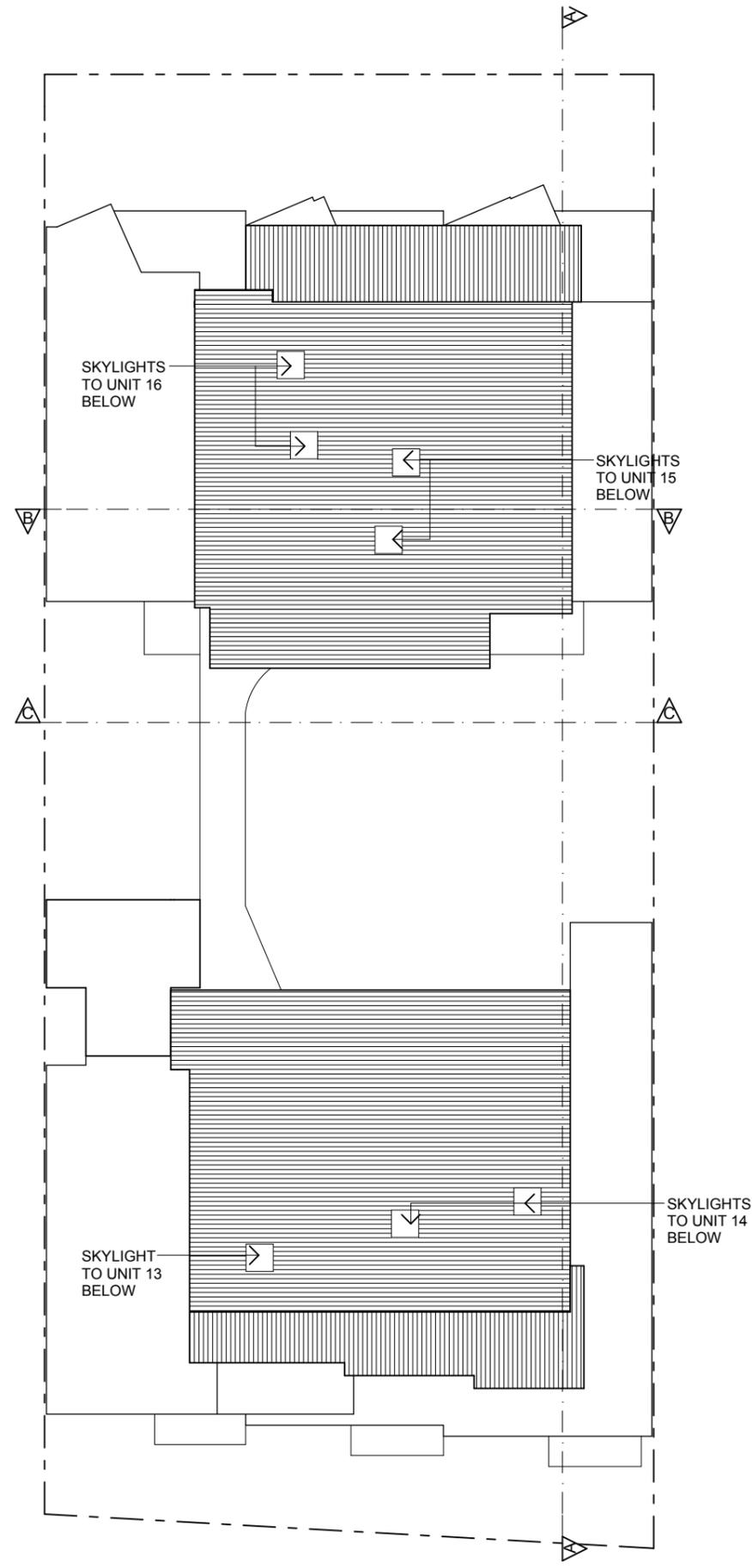


Second Floor  
SCALE 1:200 @ A3

Third Floor  
SCALE 1:200 @ A3

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01 Issue for Approval 20/06/2019



Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunner Road, Adamstown

Drawing Title  
**Roof Plan**

Job Number	Drawing Number	Issue
186	SK03a	01

**PROJECT ARCHITECT**  
MATT SAINSBURY  
BSc.Arch, B.Arch  
REGISTRATION NUMBER 4235



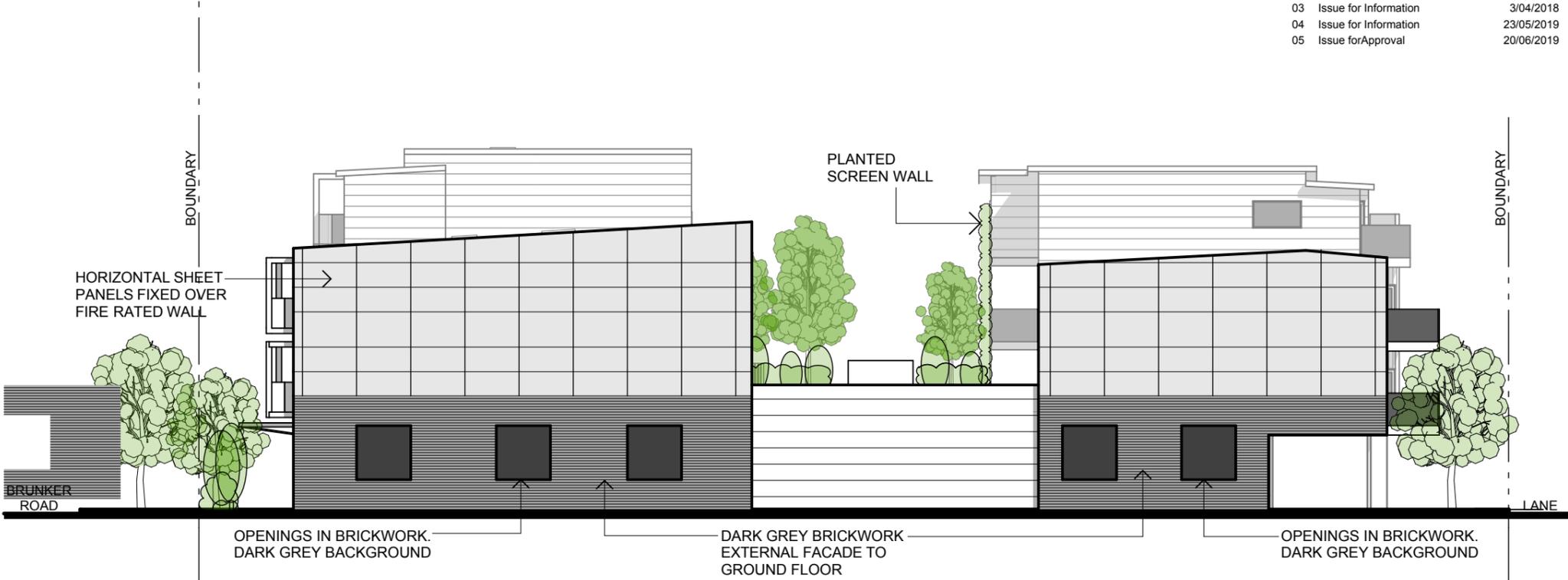
DOCUMENTATION

**Manns + Troup**

**Roof Plan**  
SCALE 1:200 @ A3

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02	Issue for Information	23/02/2018
03	Issue for Information	3/04/2018
04	Issue for Information	23/05/2019
05	Issue for Approval	20/06/2019



**East Elevation**

SCALE 1:200 @ A3



**South Elevation - Brunker Road**

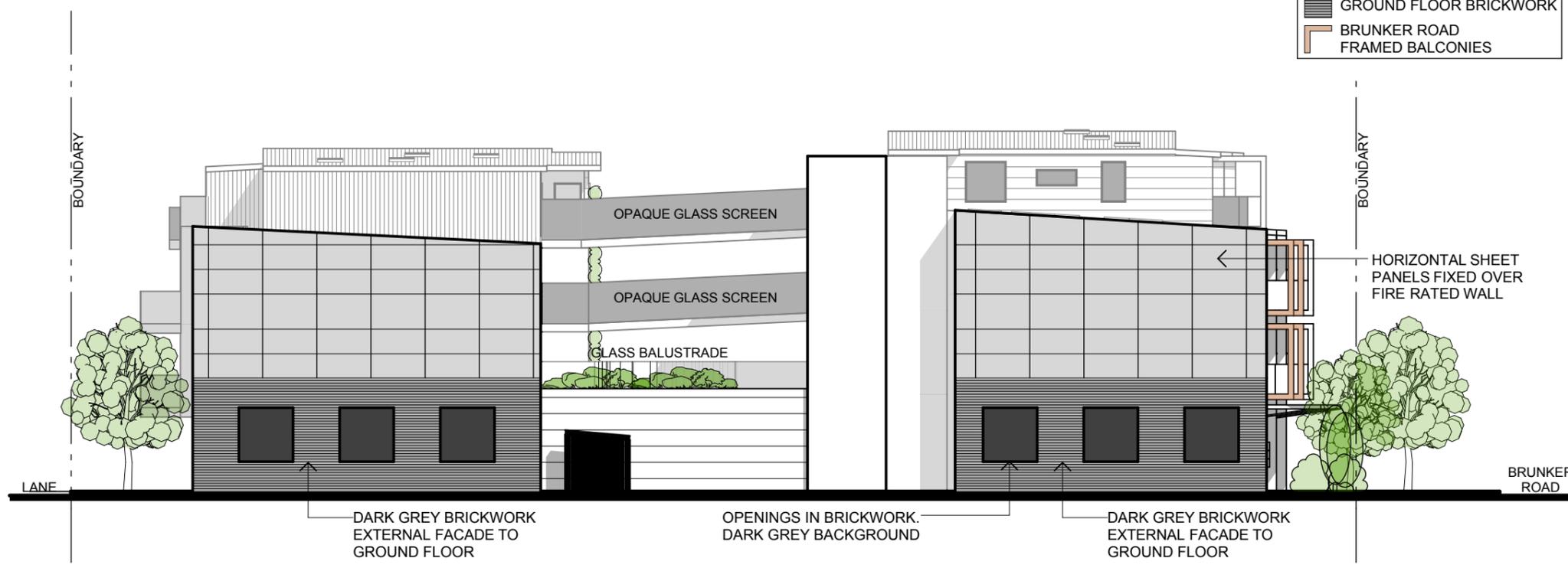
SCALE 1:200 @ A3



**North Elevation**

SCALE 1:200 @ A3

[Pattern]	THIRD FLOOR CLADDING
[Pattern]	1ST & 2ND FLOOR CLADDING
[Pattern]	GROUND FLOOR BRICKWORK
[Pattern]	BRUNKER ROAD FRAMED BALCONIES



**West Elevation**

SCALE 1:200 @ A3

Drawing Title  
**Elevations**

Job Number 186    Drawing Number SK04    Issue 05

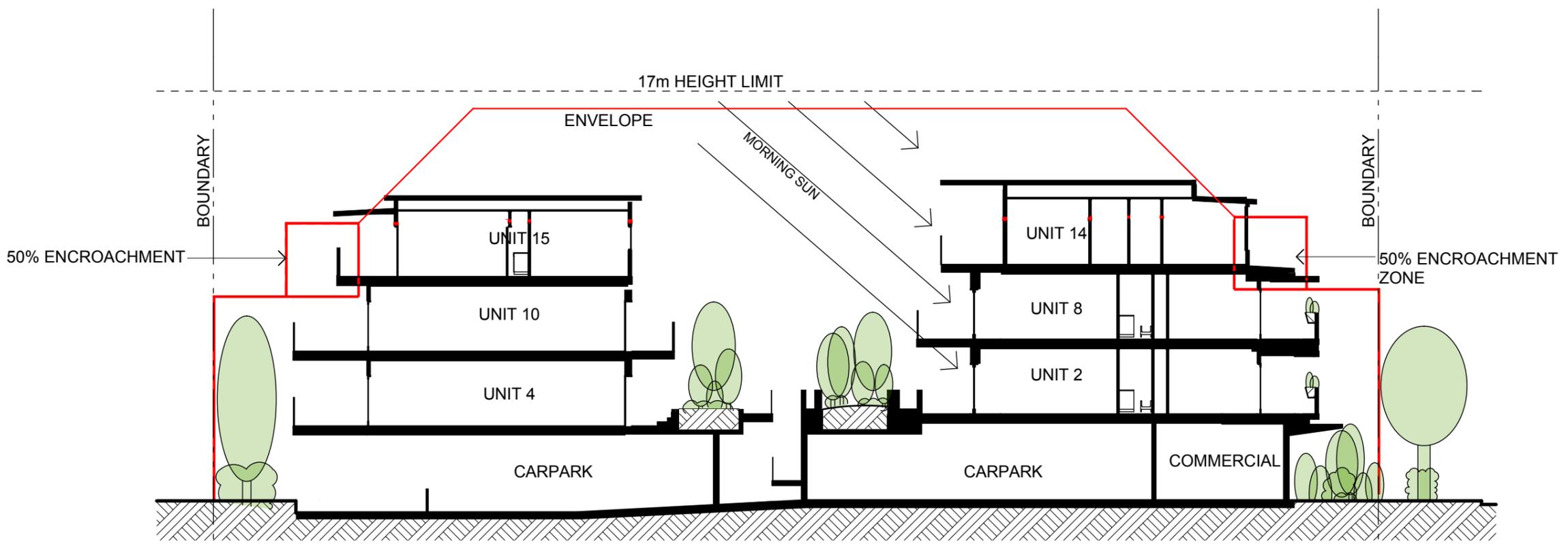
Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunker Road, Adamstown

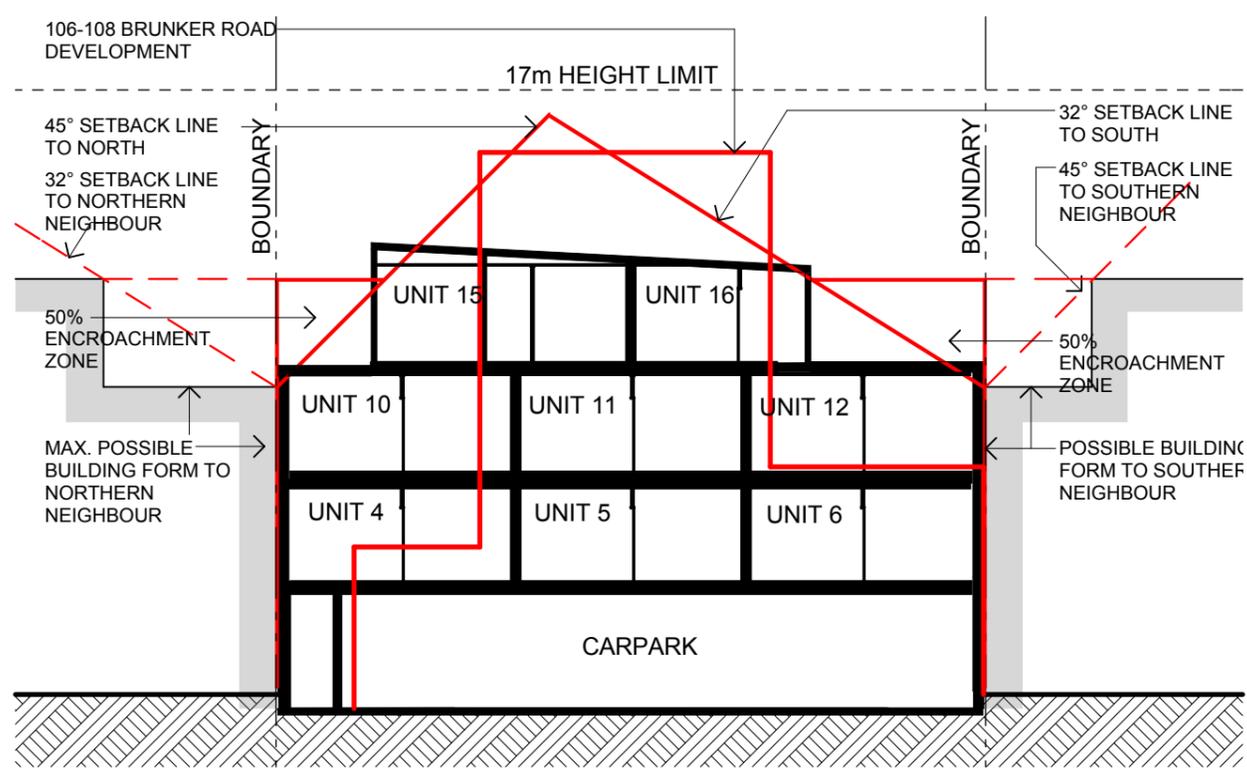


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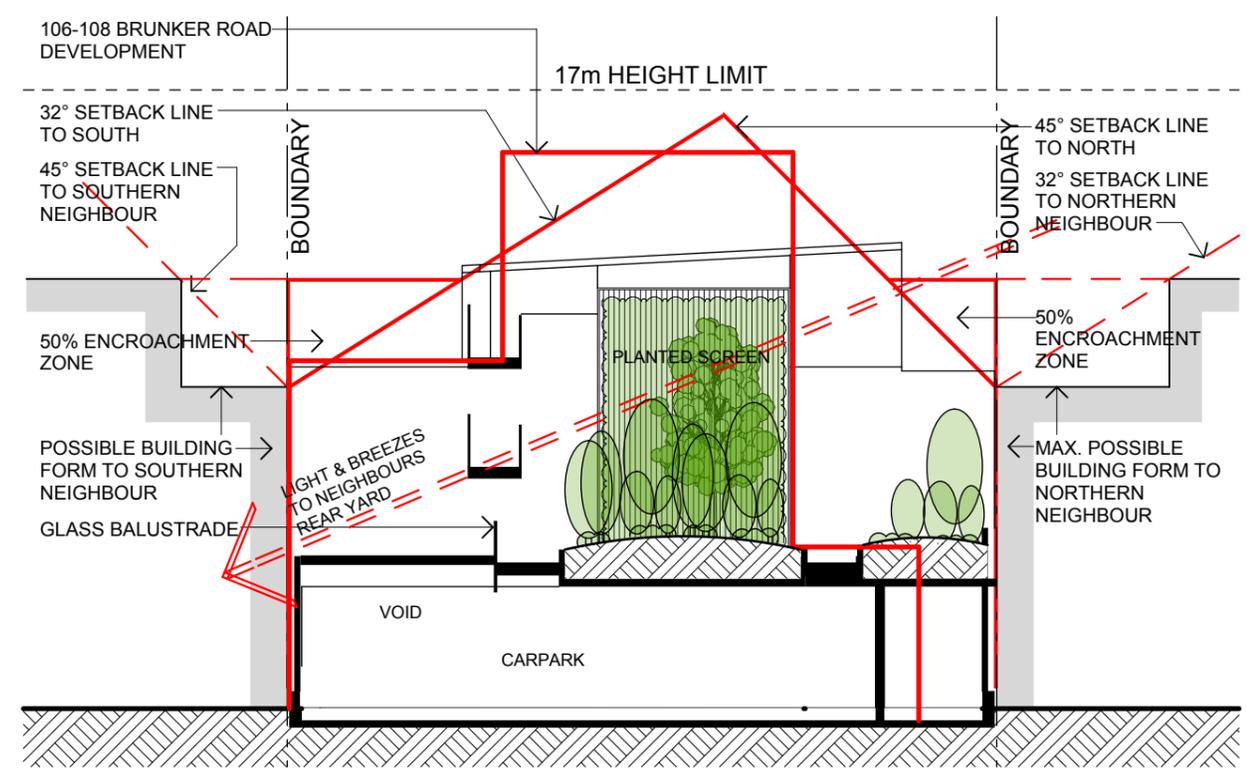
01	Issue for Information	30/01/2018
02	Issue for Information	23/02/2018
03	Issue for Information	3/04/2018
04	Issue for Information	14/12/2018



**A** Section AA  
SCALE 1:200 @ A3



**B** Section BB  
SCALE 1:200 @ A3



**C** Section CC  
SCALE 1:200 @ A3

Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunner Road, Adamstown

Drawing Title  
**Sections**

Job Number	Drawing Number	Issue
<b>186</b>	<b>SK05</b>	<b>04</b>

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03	Issue for Information	6/09/2017
04	Issue for Information	30/01/2018
05	Issue for Information	23/02/2018
06	Issue for Information	3/04/2018



Streetfront Perspective  
SCALE 1:207.16 @ A3



North East Perspective  
SCALE 1:238.87 @ A3

Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunner Road, Adamstown

Drawing Title  
Concept Perspectives

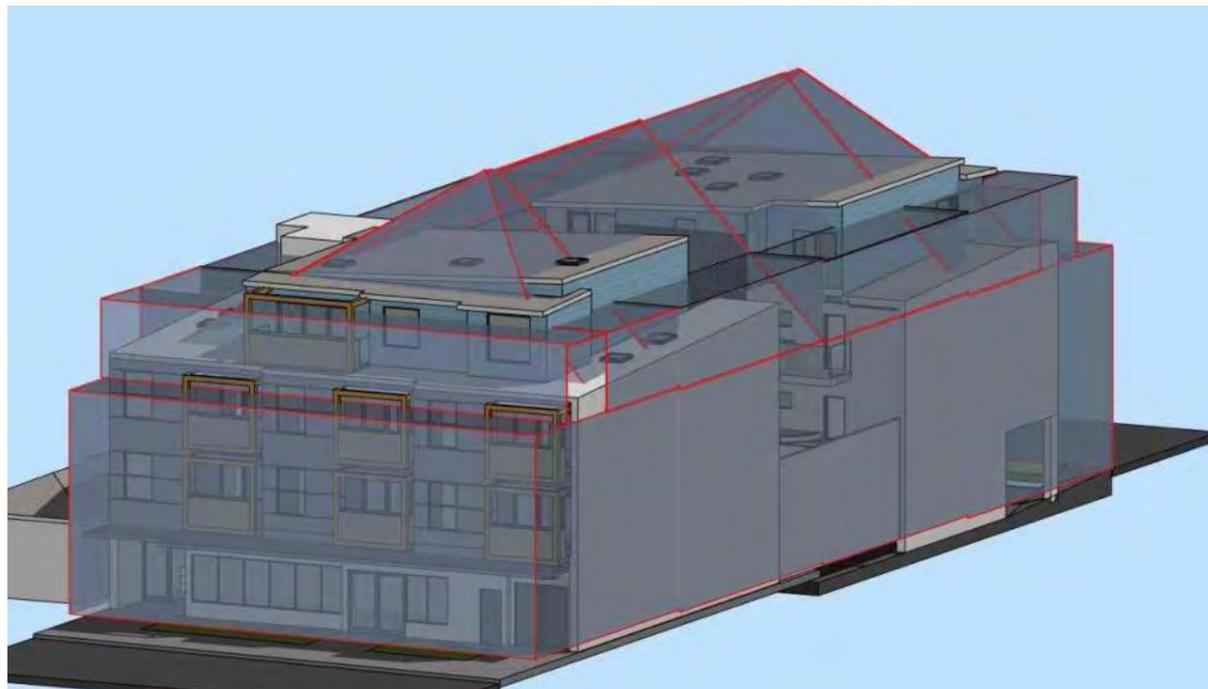
Job Number	Drawing Number	Issue
186	SK06	06

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01	Issue for Information	3/08/2017
02	Issue for Information	30/01/2018
03	Issue for Information	23/02/2018
04	Issue for Information	3/04/2018



West Corner Envelope  
SCALE 1:258.26 @ A3



South Corner Envelope  
SCALE 1:258.26 @ A3



East Corner Envelope  
SCALE 1:258.26 @ A3



North Corner Envelope  
SCALE 1:279.20 @ A3

Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunner Road, Adamstown

Drawing Title  
Envelopes

Job Number	Drawing Number	Issue
186	SK07	04

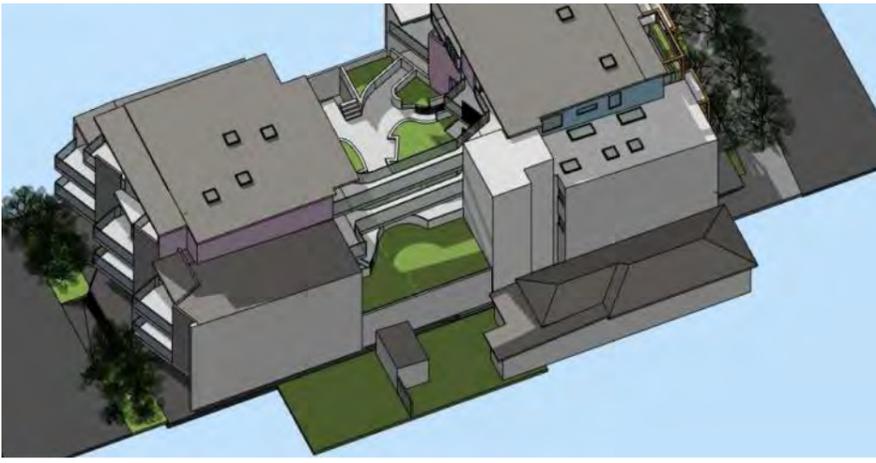
PROJECT ARCHITECT  
MATT SAINSBURY  
BSc.Arch, B.Arch  
REGISTRATION NUMBER 4235



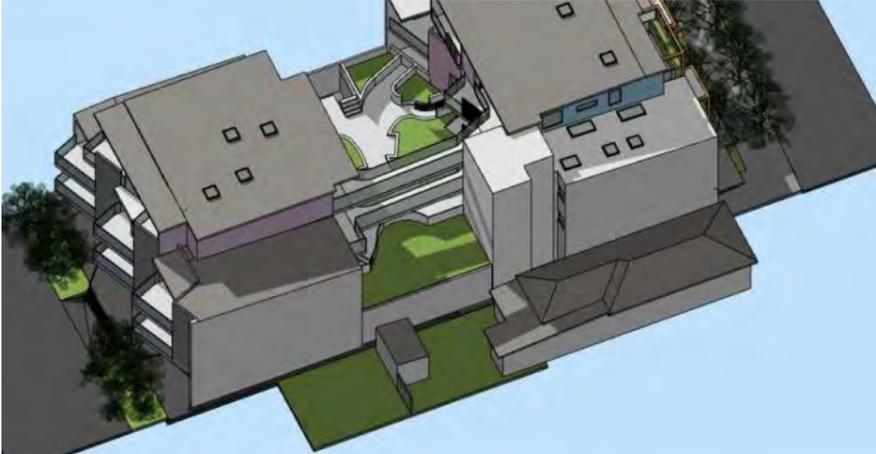
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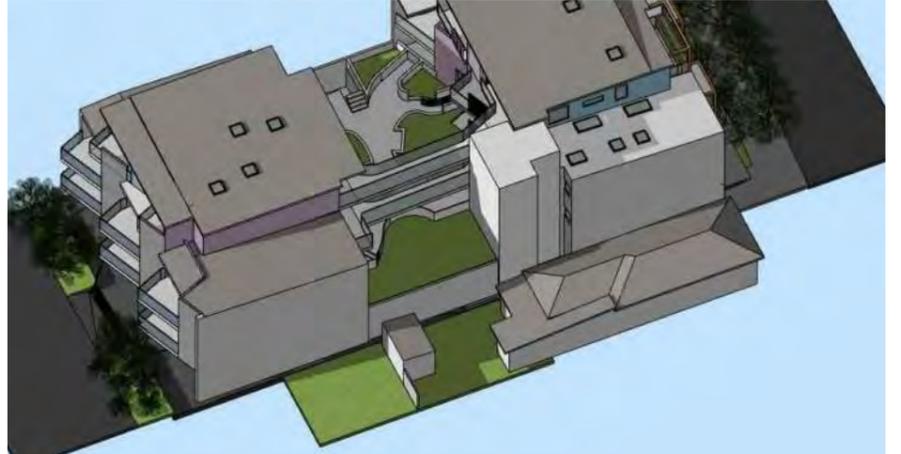
01	Issue for Information	30/01/2018
02	Issue for Information	23/02/2018
03	Issue for Information	14/12/2018
04	Issue for Approval	20/06/2019



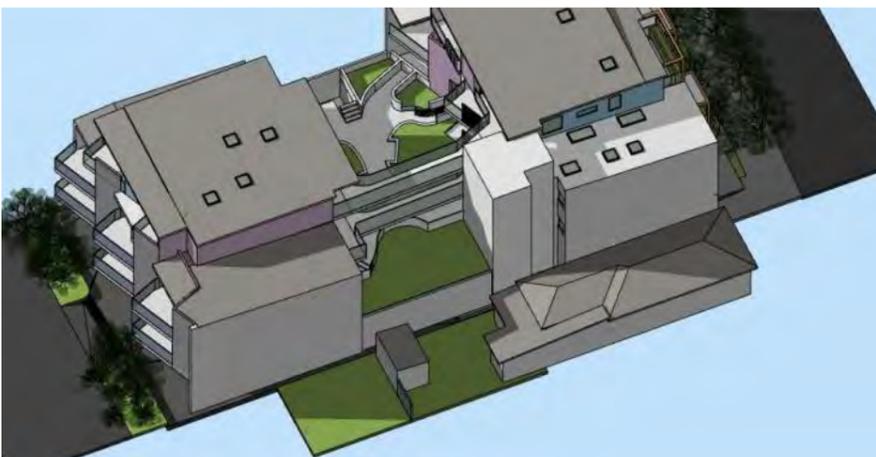
June 22nd 10am



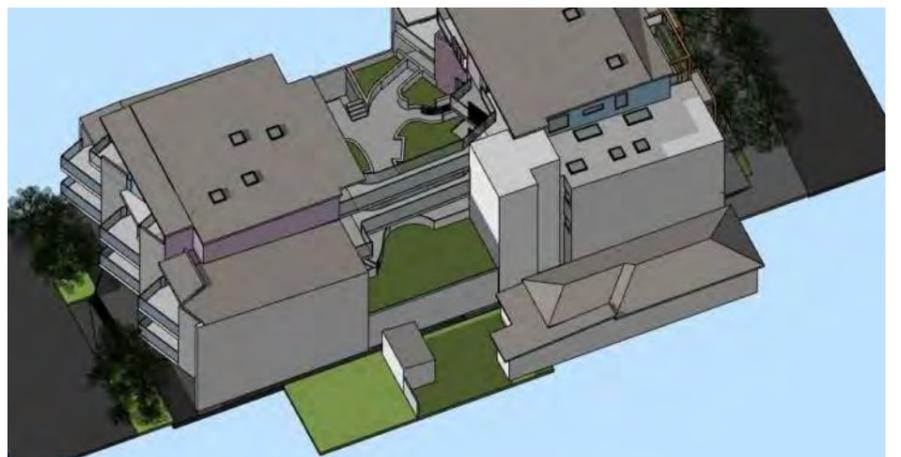
June 22nd 10:30am



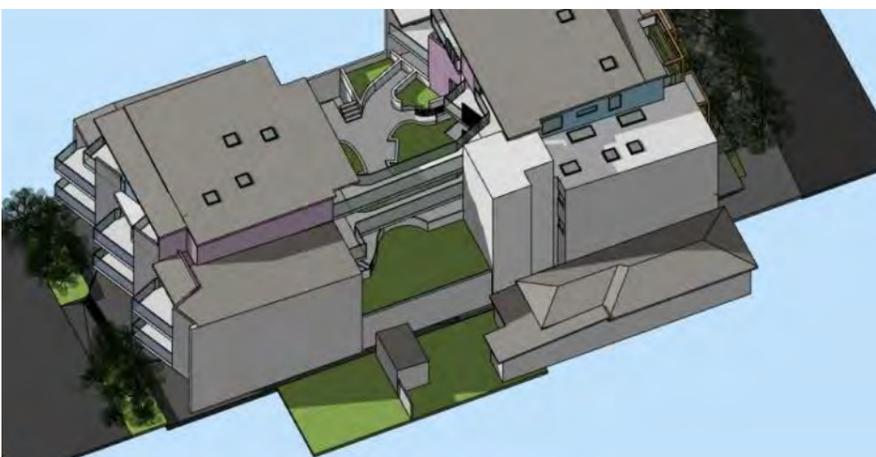
June 22nd 3pm



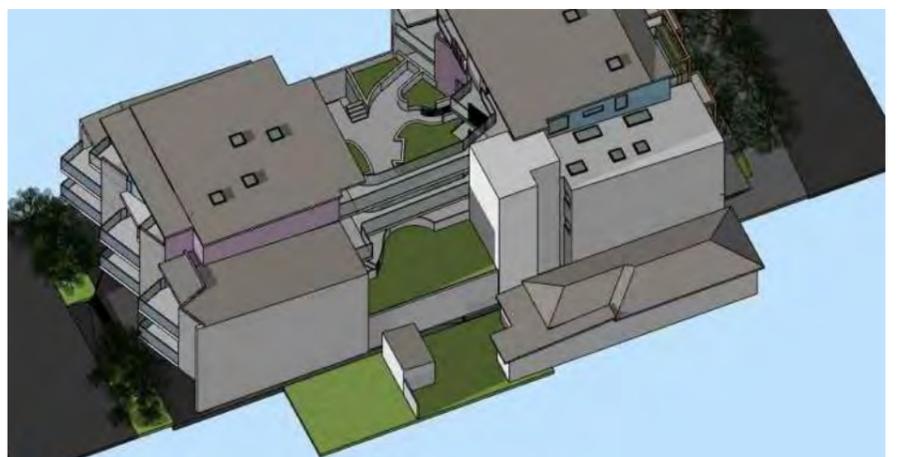
June 22nd 1:30pm



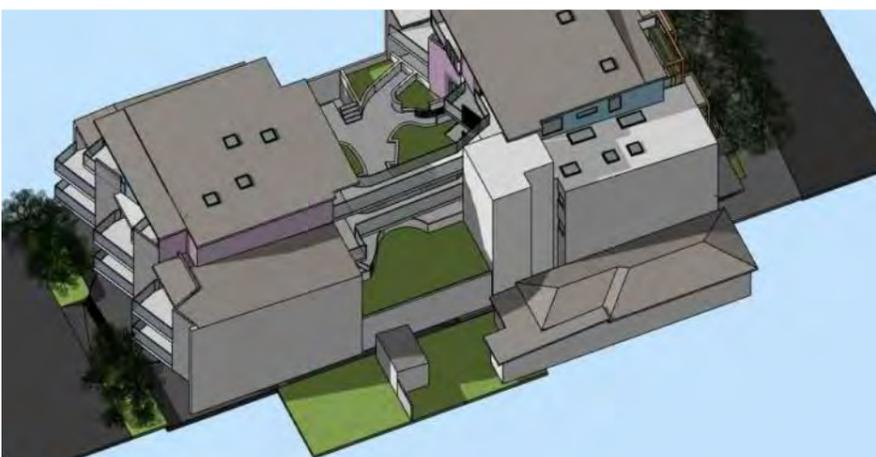
June 22nd 3:30pm



June 22nd 2pm



June 22nd 4pm



June 22nd 2:30pm

Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunner Road, Adamstown

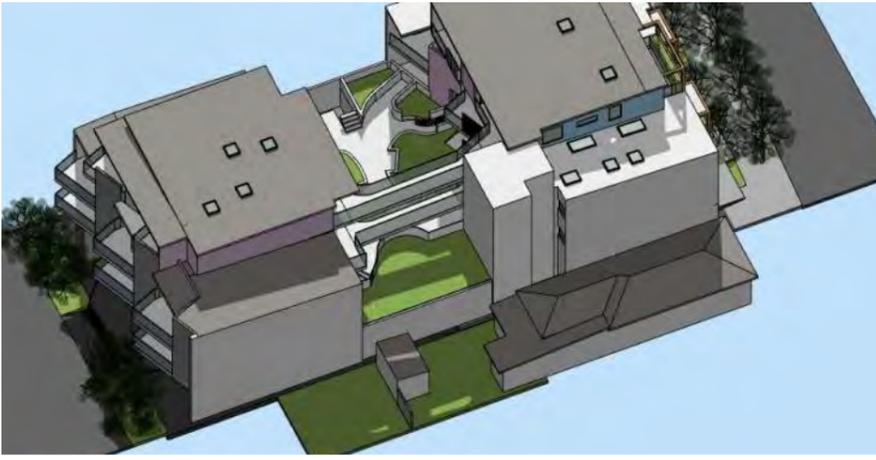
Drawing Title  
Neighbours Shadow Diagrams

Job Number	Drawing Number	Issue
186	SK08	04

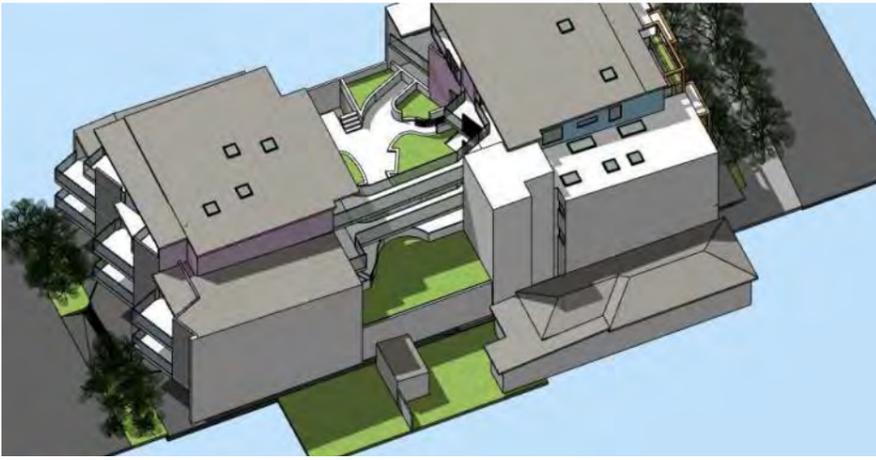


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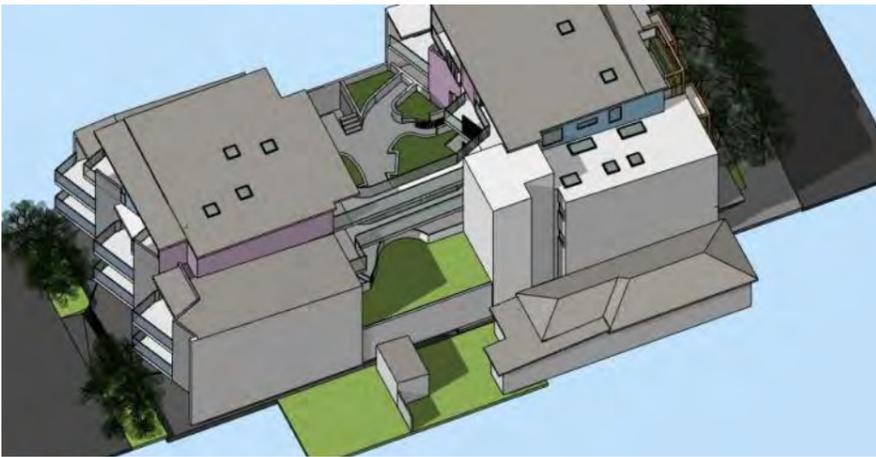
01	Issue for Information	14/12/2018
02	Issue for Approval	20/06/2019



March 9am



March 12pm



March 3pm

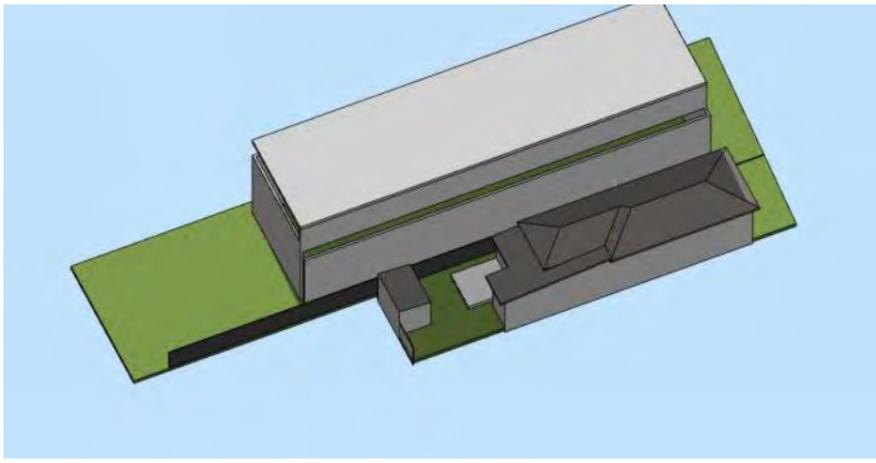
Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunner Road, Adamstown

Drawing Title  
Neighbours Shadow Diagrams

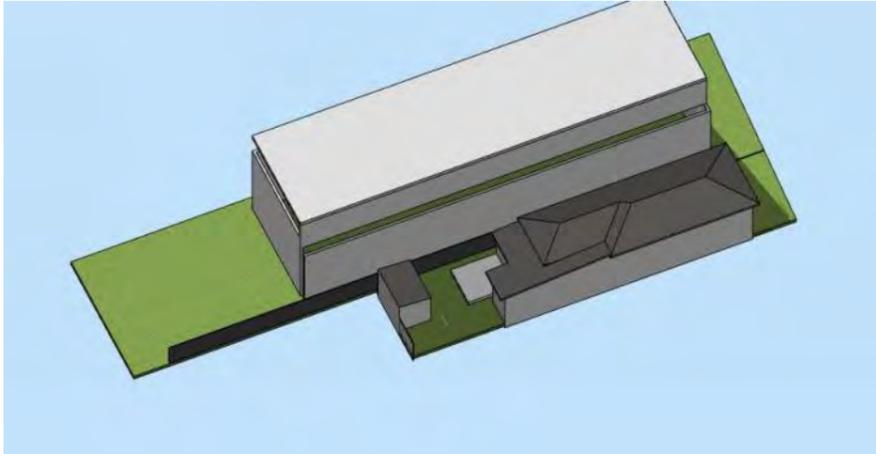
Job Number	Drawing Number	Issue
186	SK08a	02



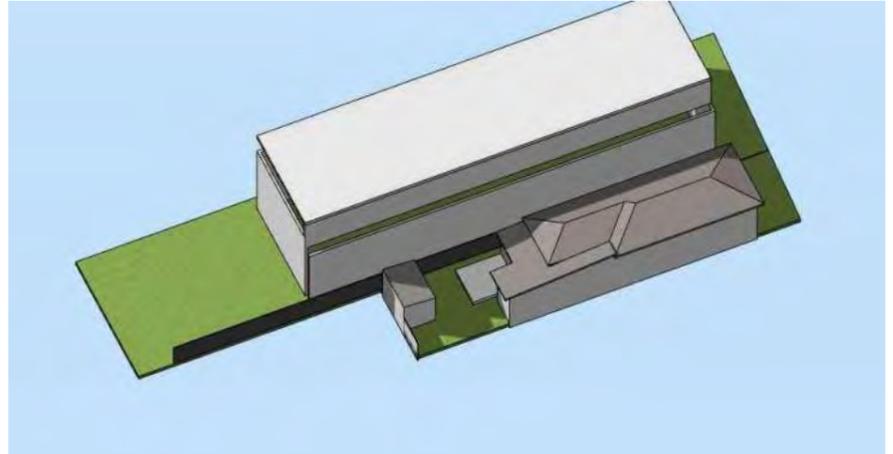


June 22nd 9am

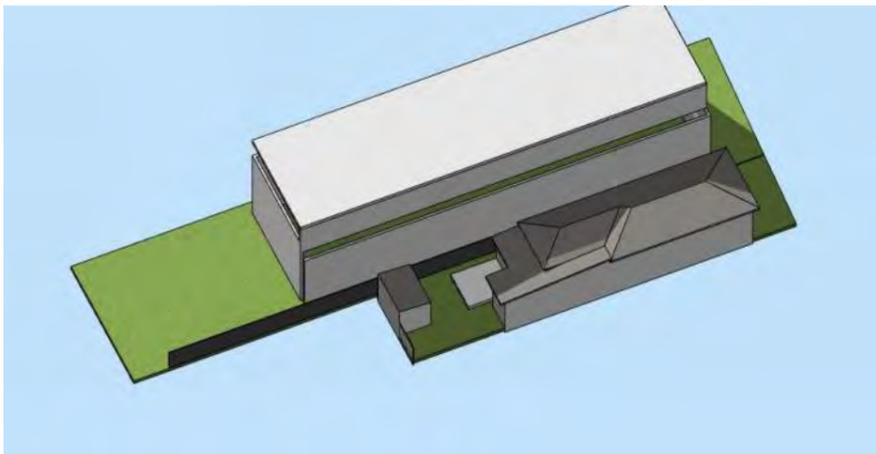
- 2 STOREY RESIDENCE SHOWN ON THE SITE WITH A FLAT ROOF & PARAPET WALLS.  
 - SIDE SETBACK 0.9m UP TO 5.5m HIGH, WITHIN 1:4 ENVELOPE UP TO 8.5m HEIGHT LIMIT



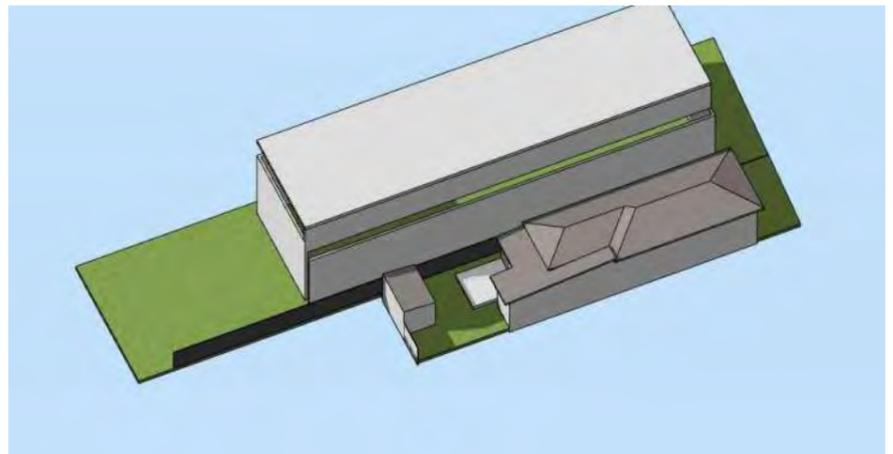
June 22nd 10am



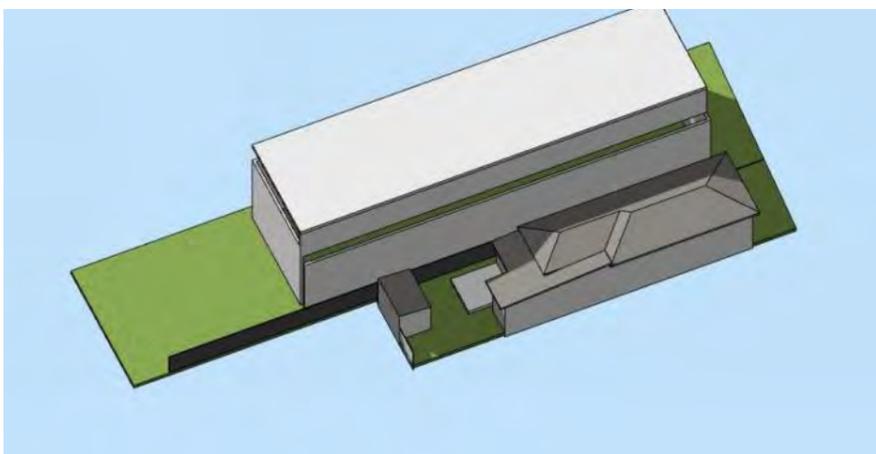
June 22nd 1pm



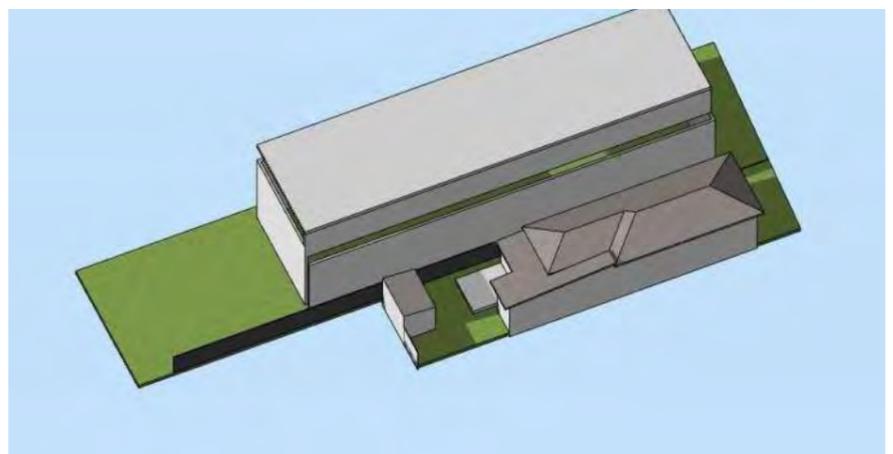
June 22nd 11am



June 22nd 2pm



June 22nd 12pm



June 22nd 3pm



Proposed - 9am



CDC - 9am



Existing House - 9am



Proposed - 10am



CDC - 10am



Existing House - 10am



Proposed - 11am



CDC - 11am



Existing House - 11am



Proposed - 12pm



CDC - 12pm



Existing House - 12pm



Proposed - 1pm



CDC - 1pm



Existing House - 1pm



Proposed - 2pm



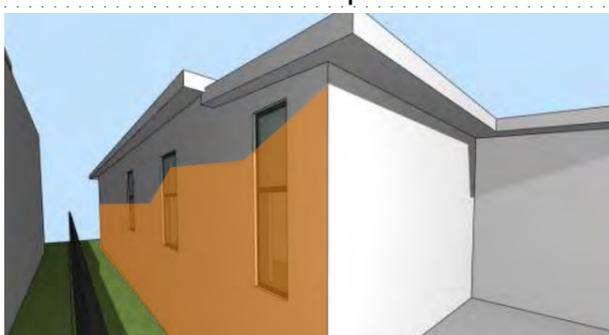
CDC - 2pm



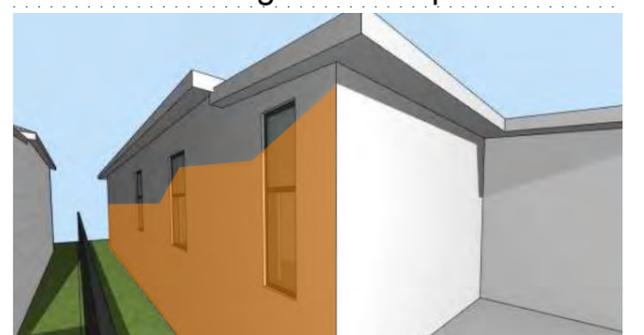
Existing House - 2pm



Proposed - 3pm



CDC - 3pm



Existing House - 3pm

 DIRECT NATURAL LIGHT ON WALL  
(OTHERWISE IN SHADOW)

Drawing Title  
Shadow Diagrams

Job Number Drawing Number Issue  
186 SK11 01

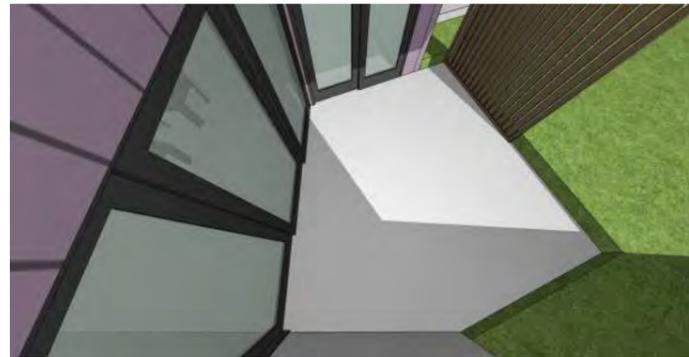
Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunner Road, Adamstown

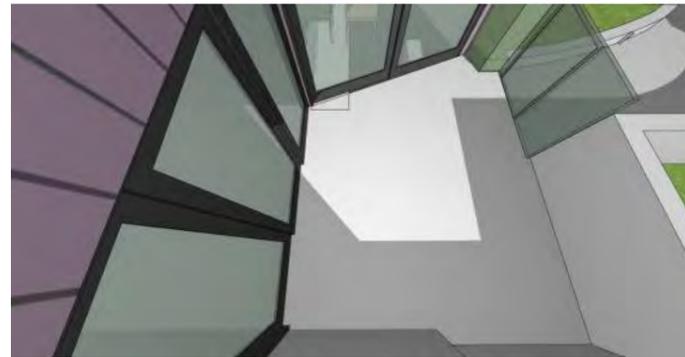
**Manns**  
+ **Troup**

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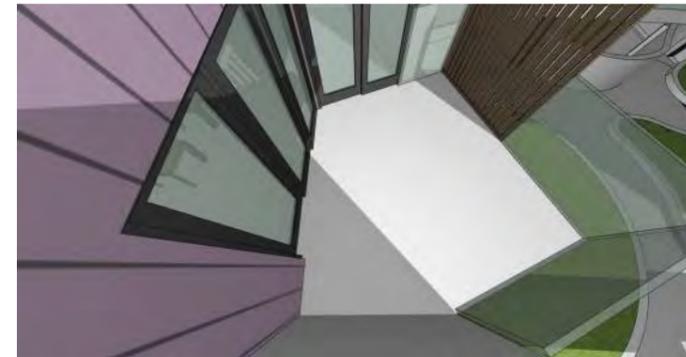
01	Issue for Information	15/08/2017
02	Issue for Information	6/09/2017
03	Issue for Information	30/01/2018
04	Issue for Information	23/02/2018



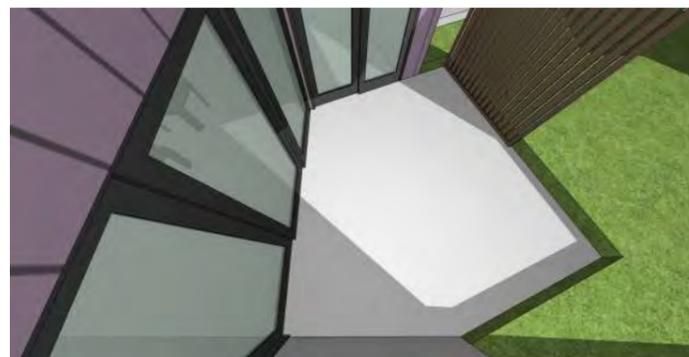
Unit 2 - 11:30am



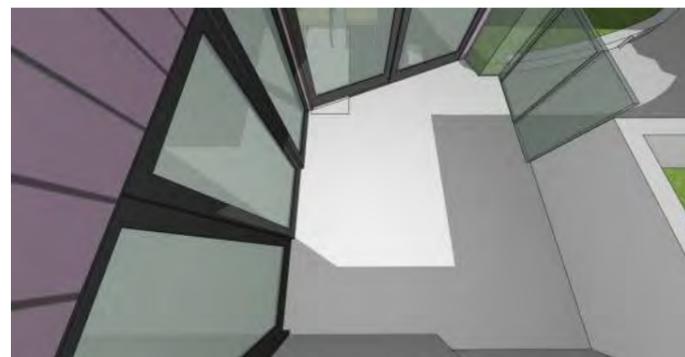
Unit 3 - 12pm



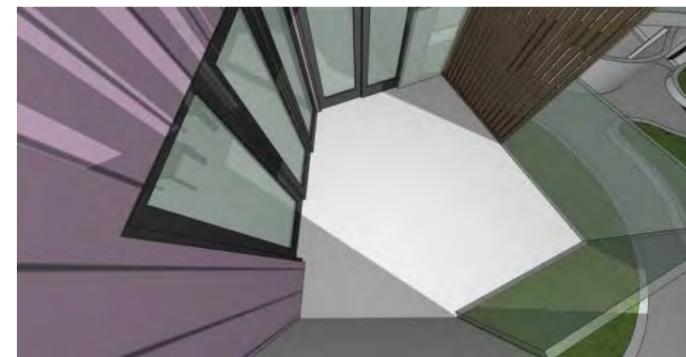
Unit 8 - 12pm



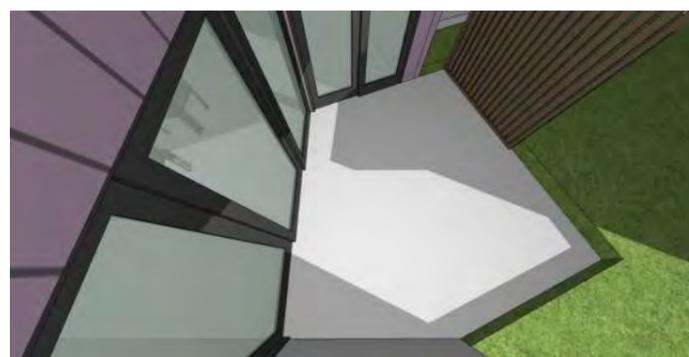
Unit 2 - 12:30pm



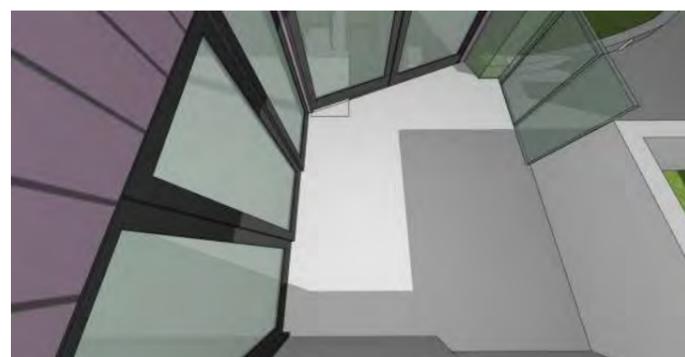
Unit 3 - 1pm



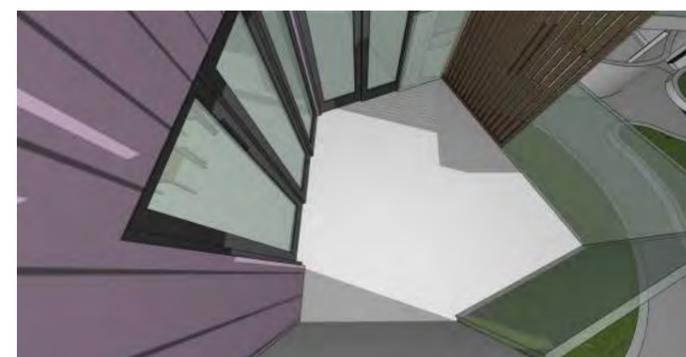
Unit 8 - 1pm



Unit 2 - 1:30pm



Unit 3 - 2pm



Unit 8 - 2pm

Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunner Road, Adamstown

Drawing Title  
Shadow Diagrams

Job Number	Drawing Number	Issue
186	SK09	04

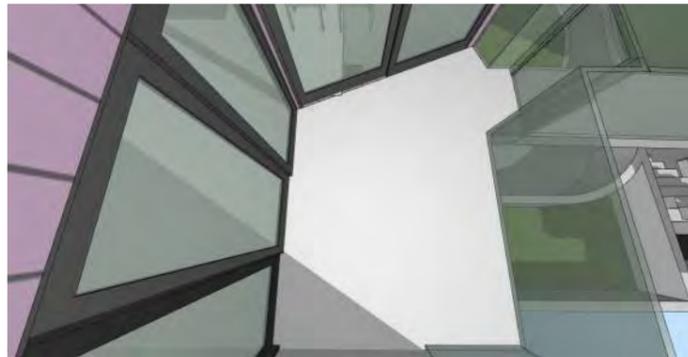
PROJECT ARCHITECT  
MATT SAINSBURY  
BSc.Arch, B.Arch  
REGISTRATION NUMBER 4235



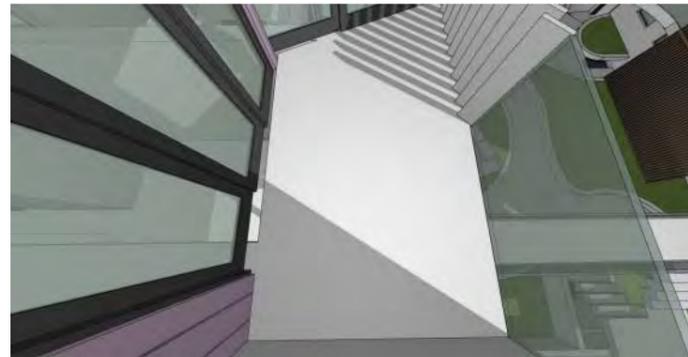
DOCUMENTATION  
**Manns + Troup**

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01	Issue for Information	15/08/2017
02	Issue for Information	6/09/2017
03	Issue for Information	30/01/2018
04	Issue for Information	23/02/2018



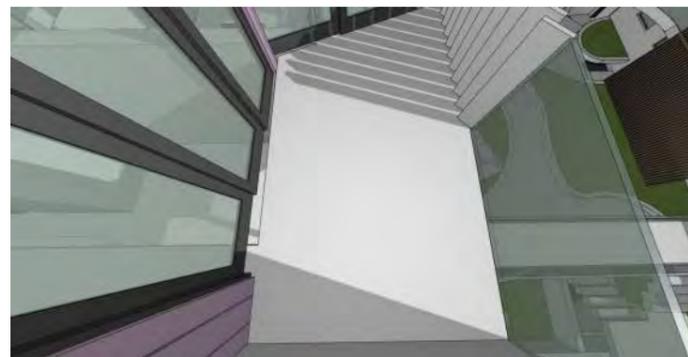
Unit 9 - 1pm



Unit 14 - 1pm



Unit 9 - 2pm



Unit 14 - 2pm



Unit 9 - 3pm



Unit 14 - 3pm

Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunner Road, Adamstown

Drawing Title  
Shadow Diagrams

Job Number	Drawing Number	Issue
186	SK10	04

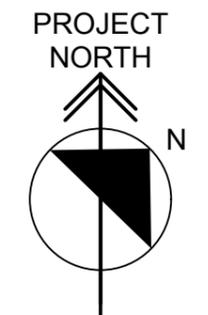
PROJECT ARCHITECT  
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01 Issue for Approval 20/06/2019



Client  
Laurangel Pty Ltd

Project  
Mixed Use Development  
90-92 Brunker Road, Adamstown

Drawing Title  
Possible Future Development

Job Number	Drawing Number	Issue
186	SK11	01

PROJECT ARCHITECT  
MATT SAINSBURY  
BSc.Arch, B.Arch  
REGISTRATION NUMBER 4235



DOCUMENTATION

**Manns + Troup**

**DEVELOPMENT APPLICATIONS COMMITTEE MEETING  
19 NOVEMBER 2019**

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**DAC 19/11/19  
DA2018/00693 - 90-92 BRUNKER ROAD BROADMEADOW**

**Item 17 Attachment B: Draft Schedule of Conditions**

**DISTRIBUTED UNDER SEPARATE COVER**

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<b>Application No:</b>	DA2018/00693
<b>Land:</b>	Lots A & B DP 368412
<b>Property Address:</b>	90 & 92 Brunner Road Broadmeadow NSW 2292
<b>Proposed Development:</b>	Demolition of dwellings and out buildings, erection of four-storey mixed use development and 16 lot strata subdivision

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### SCHEDULE 1

#### APPROVED DOCUMENTATION

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

Plan No / Supporting Document	Reference / Version	Prepared by	Dated
Plans	Job no 186 SK01 Iss 03	Manns Troup	3/4/18
Plans	Job no 186 SK02 Iss 08 SK03 Iss 08 SK03a Iss 08 SK04 Iss 05	Manns Troup	20/6/19
Plans	Job no 186 SK05 Iss 04	Manns Troup	14/12/18
Statement of Environmental Effects	Ref No 5616	Land Development Solutions	Jun 2018

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

- On-site parking accommodation is to be provided for a minimum of 20 vehicles and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 '*Traffic, Parking and Access*' of City of Newcastle's adopted Newcastle Development Control Plan 2012. Full details are to be included in documentation for a Construction Certificate application.
- The floor level of the commercial area to be constructed at 8.5m Australian Height Datum. The finished floor level to be certified by a registered Surveyor prior to the placement of the floor material and a copy of the Surveyor's Certificate is to be forwarded to the Principal Certifying Authority.

4. Two street trees are to be planted as part of public domain works associated with the proposal. A fee, to be determined by contacting City of Newcastle's City Greening Services, is to be paid to City of Newcastle for the required compensatory planting and evidence of the payment of the required fee is to be included in the documentation for a Construction Certificate application.

The tree selection and location of the required compensatory tree will be determined by City of Newcastle's City Greening Coordinator in accordance with The City of Newcastle's '*Street Tree Master Plan*'. The location of the compensatory tree planting may not be in the immediate proximity of the site.

5. The Developer designing and constructing the following works in connection with the proposed development within Brunner Road, adjacent to the site, at no cost to City of Newcastle and in accordance with City of Newcastle's guidelines and design specifications:
  - a) Full width footpaving along the site frontage
  - b) New 375mm diameter stormwater drainage pipe under the kerb line from a new 2.4m kerb inlet pit, adjacent to the site, to the existing City of Newcastle pit in Brunner Road
  - c) Kerb and gutter replacement over the site frontage to the existing City of Newcastle stormwater pit
  - d) Road shoulder pavement replacement
  - e) New driveway connection to the rear lane pavement

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 City of Newcastle for approval pursuant to Section 138 of the *Roads Act 1993*. The consent must be obtained, or other satisfactory arrangements confirmed in writing from City of Newcastle, before the issue of a Construction Certificate.

6. 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 a Construction Certificate. Written certification from an appropriately qualified acoustic consultant being submitted to the Principal Certifying Authority prior to issue of an interim or final Occupation Certificate, whichever occurs first, 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* and *Noise Policy for Industry 2017*.
7. The living room/kitchen windows of proposed unit 13 and unit 15 are to be modified to be highlight windows, as marked in red on the plans by Manns Troup (Proj No 186 SK04 Issue 5 dated 20 June 2019), with a minimum window sill height of at least 1500mm from finished floor level. Full details are to be included in documentation for a Construction Certificate application.
8. The bin storage area being modified and increased in area to allow for the following number of bins at the specified sizes:

- General Waste: two x 1,100 litre bins;
- Comingled Recycling: one x 1,100 bin and one x 660 litre bin.

Provision is to be made for bins to be collected on a weekly basis.

Full details are to be submitted with the required Construction Certificate.

9. A total monetary contribution of \$26,541.90 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:

- a) This condition is imposed in accordance with the provisions of the City of Newcastle's *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019*.
- b) 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.
- c) The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

CPI quarterly figures are released by the ABS on a date after the indexation quarter and, as a guide, these approximate dates are as follows:

<b>Indexation quarters</b>	<b>Approx release date</b>
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.

10. The visitor parking bays are to be constructed in paving bricks or in a suitable alternative visually unobtrusive paving material which contrasts in colour and texture with that used in the construction of the driveway. Full details are to be included in documentation for a Construction Certificate application.
11. All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a basecourse of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers and being properly maintained. Full details are to be included in documentation for a Construction Certificate application.
12. All stormwater runoff from the proposed development being managed in accordance with the requirements of Element 7.06 '*Stormwater*' of Newcastle Development Control Plan 2012, the associated Technical Manual and the latest issue of AS 3500.3 as applicable, as indicated on the stormwater management concept plan prepared by Land Development Solutions (Job No. 5616, Drg. No. 1, Edn. A, dated 14/06/2018). Full details are to be included in documentation for a Construction Certificate application.

13. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required under the conditions of this consent are required to be detailed on a landscape plan and specification. The plan and specifications is 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 where appropriate
  - b) proposed contours or spot levels
  - c) botanical names
  - d) quantities and container size of all proposed trees
  - e) shrubs and ground cover
  - f) details of proposed soil preparation
  - g) mulching and staking
  - h) treatment of external surfaces and retaining walls where proposed
  - i) drainage, location of taps and
  - j) appropriate maintenance periods.

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

14. The applicant is to comply with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in the locality as a result of the increased intensity of land use proposed. A copy of the Corporation's compliance certificate (refer s50 *Hunter Water Act 1991*) is to be included in documentation for a Construction Certificate application.
15. A group type mailbox is to be provided at the street frontage in accordance with the requirements of Australia Post, clearly displaying individual unit numbers and the required house number. Full details are to be included in the documentation for a Construction Certificate application.
16. 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 A S/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities. Full details are to be included in documentation for a Construction Certificate application.

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

17. The Construction Traffic Management Plan is to be prepared by a Roads & Maritime Services accredited person with a Design and Audit Traffic Control Plans Certificate in accordance with Australian Standard 1742.3:2009 - Manual of uniform traffic devices - traffic control for works on roads. The plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve.
18. Any excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the Department of Environment and Climate Change's '*Waste Classification Guidelines Part 1: Classifying Waste*'.

19. Any fill material imported into the site is to be Virgin Excavated Natural Material or material subject to a Resource Recovery Order that is permitted to be used as a fill material under the conditions of the associated Resource Recovery Exemption, in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment (Waste) Regulation 2014*.
20. Documentation demonstrating the compliance with the conditions of the appropriate Resource Recovery Order and Resource Recovery Exemption must be maintained for any material received at the site and subsequently applied to land under the conditions of the Resource Recovery Order and Exemption. This documentation must be provided to City of Newcastle officers or the Principal Certifying Authority on request.
21. All necessary measures are to be undertaken to control dust pollution from the site. These measures must include, but not are 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 shade cloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.
22. 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.
23. 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*.
24. A Hazardous Substances Management Plan is to be prepared by a competent person for the building(s) or parts of the building(s) proposed to be demolished in accordance with Australian Standard 2601:2001 - The Demolition of Structures. A copy of the Hazardous Substances Management Plan is to be provided to City of Newcastle (marked to Attention: Regulatory Services) and the demolisher prior to commencement of work.
25. The demolition works are to be undertaken in accordance with Australian Standard 2601:2001 - The Demolition of Structures and the following requirements:
  - a) Demolition works shall be conducted in accordance with the submitted Hazardous Substances Management Plan and a copy of the Hazardous Substances Management Plan shall be kept on-site for the duration of the proposed development
  - b) The removal, handling and disposal of any asbestos material is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by the WorkCover Authority of NSW

- c) A copy of all waste disposal receipts are to be kept on-site for the duration of the proposed development and made available to authorised City of Newcastle Officers upon request
  - d) Seven working days' notice in writing is to be given to City of Newcastle and the owners/occupiers of neighbouring premises prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number(s) and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor. Notification to owners/occupiers of neighbouring premises shall also include City of Newcastle's contact telephone number (49742000) and the Workcover Authority of NSW telephone number (49212900) and
  - e) On sites where asbestos materials are to be removed, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent position during asbestos removal works.
26. The demolisher is to ensure that all services (ie water, telecommunications, gas, electricity, sewerage etc), are disconnected in accordance with the relevant authority's requirements prior to demolition.
27. Any waste containers used in association with the proposed demolition are to be located on the site where possible.
- Note: Where this is not feasible, application must be made for City of Newcastle's approval to position the container on the adjacent public road in accordance with City of Newcastle's adopted Building Waste Container Policy.
28. All demolition material incapable of being re-used in future redevelopment of the site is to be removed from the site and the site being cleared and levelled.
- Note: Where reusable building materials are to be stored on site for use in future building works, such materials are to be neatly stacked at least 150 mm above the ground.
29. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.
30. Waste management shall be implemented in accordance with the approved Waste Management Plan. At a minimum, the following measures shall be implemented during the construction phase:
- a) A waste container of at least one cubic metre capacity shall be provided, maintained and regularly serviced from the commencement of operations until the completion of the building for the reception and storage of waste generated by the construction of the building and associated waste
  - b) The waste container is to be, at minimum, constructed with a 'star' picket (corners) and weed control mat (sides), or equivalent. The matting is to be securely tied to the pickets
  - c) Appropriate provision is to be made to prevent 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.*

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

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

32. All excavations and backfilling are to be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and protected to prevent them from being dangerous to life and property.
33. All building materials, plant and equipment is to be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on City of Newcastle reserves including the road reserve is not permitted.
34. 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.
35. 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.

36. 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 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 Counter, Wallsend Library or the Master Builders Association Newcastle.

37. Erosion and sediment control measures are to be implemented prior to the commencement of works and maintained during the period of demolition and/or construction in accordance with the requirements of *Managing Urban Stormwater: Soils and Construction 4<sup>th</sup> Edition - Vol. 1 (the 'Blue Book')* published by Landcom, 2004. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.
38. Where the proposed development involves the destruction or disturbance of any existing survey monuments, those monuments affected are to be relocated at no cost to City of Newcastle by a Surveyor registered under the *Surveying and Spatial Information Act*

2002.

39. All building work must be carried out in accordance with the provisions of the National Construction Code.
40. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force before any building work authorised to be carried out by this consent commences.
41. If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided and adequate provision must be made for drainage.
42. 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.
43. The proposed visitor parking bays are to be clearly indicated by means of signs and/or pavement markings.
44. Prior to the commencement of work, a 3m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction, to reduce the potential for soil erosion. Sand shall not be stockpiled on the all-weather vehicle access.

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

45. 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.
46. Appropriate acoustic treatment is to be implemented in accordance with the recommendations set out in the report prepared by Spectrum Acoustics, dated 10 May 2017. Written final certification confirming the recommended acoustic treatment has been implemented in accordance with the requirements of the above report is to be submitted to the Principal Certifying Authority and City of Newcastle prior to the issue of an interim or final Occupation Certificate, whichever occurs first.

Note: The acoustic consultant may need to be involved during the construction process in order to ensure final certification is achieved.

47. 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 a Construction Certificate. Written certification from an appropriately qualified acoustic consultant being submitted to the Principal Certifying Authority prior to issue of an Occupation Certificate 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* and *Noise Policy for Industry 2017*.
48. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to 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.

49. An application is to be made for a Strata Certificate in accordance with the requirements of Division 4 of the *Strata Scheme (Freehold Development) Act 1973*.
50. 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 City of Newcastle within fourteen days of receipt.
51. All works within the road reserve required by this consent are to be completed prior to the issue of a Final Occupation Certificate.
52. Any redundant existing vehicular crossing is to be removed at no cost to City of Newcastle. The road reserve and kerb being restored to, City of Newcastle's satisfaction, to match the existing infrastructure. Works are to be completed prior to the issuing of a Final Occupation Certificate for the proposed development.
53. A copy of the stormwater drainage design plans approved with the Construction Certificate with '*work as executed*' levels indicated, shall be submitted to the Principal Certifying Authority and to The City of Newcastle prior to the issue of an Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.
54. 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

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

55. 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*.

Should City of Newcastle 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 City of Newcastle prior to the expiration of the nominated period.

56. The use and occupation of the premises is not to give rise to the emission of any '*air impurity*' as defined under the *Protection of the Environment Operations Act 1997*, that interferes unreasonably with the amenity of neighbouring premises and/or other sensitive receivers.

Should City of Newcastle consider that unreasonable levels of air impurities have been

emitted from the premises, the owner/occupier will be required to engage a suitably qualified consultant to recommend measures to control emissions of air impurities to an acceptable level and such measures being implemented within a nominated time period. Furthermore, written certification from the suitably qualified consultant will be required to be submitted to City of Newcastle confirming that air impurity emissions from the premises do not interfere unreasonably with the amenity of neighbouring premises and/or other sensitive receptors before the expiration of the nominated period.

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

Unit/ Dwelling/ Lot Number on plan	City of Newcastle Allocated Street Addresses			
	Unit/House Number	Street Name	Street Type	Suburb
1	101/90	Brunker	Road	Broadmeadow
2	102/90	Brunker	Road	Broadmeadow
3	103/90	Brunker	Road	Broadmeadow
4	104/90	Brunker	Road	Broadmeadow
5	105/90	Brunker	Road	Broadmeadow
6	106/90	Brunker	Road	Broadmeadow
7	201/90	Brunker	Road	Broadmeadow
8	202/90	Brunker	Road	Broadmeadow
9	203/90	Brunker	Road	Broadmeadow
10	204/90	Brunker	Road	Broadmeadow
11	205/90	Brunker	Road	Broadmeadow
12	206/90	Brunker	Road	Broadmeadow
13	301/90	Brunker	Road	Broadmeadow
14	302/90	Brunker	Road	Broadmeadow
15	303/90	Brunker	Road	Broadmeadow
16	304/90	Brunker	Road	Broadmeadow
Commercial Unit	1/90	Brunker	Road	Broadmeadow

58. Waste management (recyclable and non-recyclable) is to be collected from the refuse storage areas, as identified on the approved plans, serviced and returned immediately to the refuse storage areas. Under no circumstances are garbage bins to be presented to the kerb for collection.
59. The proposed commercial unit being approved to be used as a business premises as defined below.

*“business premises means a building or place at or on which-*

*(a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or*

*(b) a service is provided directly to members of the public on a regular basis,*

*and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.*

*Note.*

*Business premises are a type of commercial premises-see the definition of that term in this Dictionary.”*

## ADVISORY MATTERS

- Development applications are not assessed against the provisions of the National Construction Code. An application to modify the application under the *Environmental Planning and Assessment Act 1979* will be required if design amendments that cause the proposal to be inconsistent with the development consent are necessary to comply with the provisions of the Building Code of Australia.
- A copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of NSW Fire Brigades and a further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
- For the purpose of applying the provisions of the National Construction Code for class 1, 2, 3, 4, 9a (health care) and 9c (aged care) buildings, it is advised that the proposed building is located in a Flood Hazard Area and the:
  - a) Defined Flood Level (DFL) is 8.0m Australian Height Datum (AHD)
  - b) Flood Hazard Level is 8.5m AHD (Freeboard is 500mm above DFL)

Maximum Flow Velocity of floodwaters for the Defined Flood Event is 0.1m/s

- 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 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.
- 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 (‘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 (‘on-the-spot fine’) or prosecution.
- 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 the retaining wall taking place.
- Any approval for fences on side boundaries, common to other private properties, is independent of any consent or agreement which may be required of any adjoining owner under the provisions of the *Dividing Fences Act 1991*.
- Prior to commencing any building works, the following provisions of Division 6.2 of the *Environmental Planning and Assessment Act 1979* are to be complied with:

- a) A Construction Certificate is to be obtained; and
  - b) A Principal Certifier is to be appointed for the building works and City of Newcastle is to be notified of the appointment; and
  - c) 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 an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Clause 149 of the *Environmental Planning and Assessment Regulation 2000*.

**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* 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.
- 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 City of Newcastle'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.

**DEVELOPMENT APPLICATIONS COMMITTEE MEETING  
19 NOVEMBER 2019**

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**DAC 19/11/19  
DA2018/00693 - 90-92 BRUNKER ROAD BROADMEADOW**

**Item 17 Attachment C: Processing Chronology**

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**PROCESSING CHRONOLOGY**

**DA2018/00693 – 90 & 92 Brunner Road Broadmeadow**

3 July 2018	-	Application lodged
11 July 2018	-	Public notification
7 December 2018	-	Additional information requested
17 December 2018	-	Additional information received
1 April 2019	-	Additional information received
17 April 2019	-	Urban Design Consultative Group meeting
5 June 2019	-	Additional information received
20 June 2019	-	Additional information received
8 October 2019	-	Public Voice Committee meeting