
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**ITEM - 1 DAC 16/02/21 - 150 DARBY ST, COOKS HILL - DA2018/01251.01 -
REVIEW OF DETERMINATION - MIXED USE DEVELOPMENT -
COMMERCIAL PREMISES AND SHOP TOP HOUSING**

Attachment A Submitted Amended Plans

Attachment B Draft Schedule of Conditions

Attachment C Processing Chronology

**ITEM - 2 DAC 16/02/21 - 11 ARGYLE STREET, NEWCASTLE - DA2020/00189 -
MIXED-USE - STAGED DEVELOPMENT FOR ALTERATIONS AND
ADDITIONS AND PART CHANGE OF USE**

Attachment A Submitted Plans

Attachment B Draft Schedule of Conditions

Attachment C Processing Chronology

Attachment D General Terms of Approval – Subsidence Advisory NSW

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 16/02/2021 – 150 DARBY STREET, COOKS HILL - DA2018/01251.01 -
REVIEW OF DETERMINATION - MIXED-USE DEVELOPMENT COMERCIAL
PREMISES AND SHOP TOP HOUSING**

PAGE 3	ITEM-1	Attachment A:	Submitted Amended Plans
PAGE 14	ITEM-1	Attachment B:	Draft Schedule of Conditions
PAGE 36	ITEM-1	Attachment C:	Processing Chronology

DISTRIBUTED UNDER SEPARATE COVER





ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 16/02/2021 – 150 DARBY STREET, COOKS HILL
DA2018/01251.01 - REVIEW OF DETERMINATION - MIXED-USE
DEVELOPMENT COMERCIAL PREMISES AND SHOP TOP HOUSING**

ITEM-1 Attachment A: Submitted Amended Plans

DISTRIBUTED UNDER SEPARATE COVER



150 DARBY STREET COOKS HILL

NEW SHOP TOP DEVELOPMENT DA2018/01251 REVIEW OF DETERMINATION

DRAWING SCHEDULE

Number	Title	Scale @ A1
A0001	Cover Sheet	N/A
A0002	Site Plan	1:100
A0003	Floor Plan I	1:100
A0004	Floor Plan II	1:100
A0005	Elevations	1:100
A0006	Section	1:100
A1001	Site Analysis Plan	1:300
A1002	Shadow Diagrams	1:250
A1003	Solar Access Plans	1:100
A0104	Ventilation Plans	1:100
A1005	Area Calculations Plans	1:100
A1006	3D Views	N/A

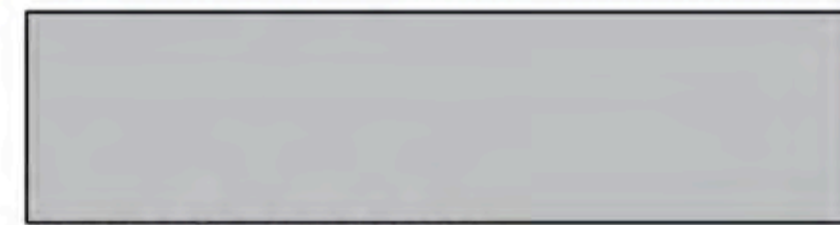
BUILDING FINISHES

Ref	Material Description	Specification
AL	Aluminium Screen in Powdercoat Finish 1	Commercial System in Charcoal Powdercoat -Dulux Powdercoat Anotec® Silver Grey
G	Glass-Aluminium Window System-Powdercoat Finish 2	Commercial Aluminium Window System - Dulux Powdercoat Eternity® Charcoal Pearl
HWD	Hardwood Timber- Oiled finish	Natural Decking Oil
FB-1	Face Brick Type 1	Select Heritage Brick
FB-2	Face Brick Type 2	Austral Paloma Series- Miro
FC	Fibre Cement Cladding System	CSR Barestone
MDR	Metal Deck Roof Sheeting	Lysaght Longline 305- Colorbond Basalt Matt
OFC	Off-Form Concrete	Off-Form Insitu Concrete
PF-1	Paint Finish 1	Dulux equivalent to
PF-2	Paint Finish 2	Dulux Olive Creed
PF-3	Paint Finish 3	Dulux Discretion
S	Steel with Protective Steel Coating- Micaceous Iron Oxide	Dulux Ferrodor, Natural Grey
SP	Stone Pavers	French Pattern Bluestone pavers
TL	Timber Louvres	Timber Finish (sim to HWD)
Z	Metal Cladding	Zinc or simliar

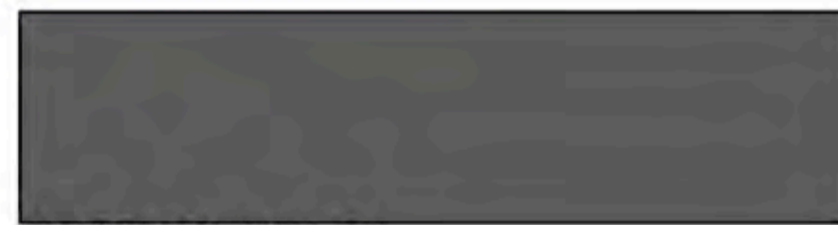
REVIEW OF DETERMINATION AMENDMENT
Timber Louvres, Metal Cladding added

REVIEW OF DETERMINATION AMENDMENT
Face Brick 1 Revised

REVIEW OF DETERMINATION AMENDMENT
Face Brick 1 Revised



Aluminium- Powdercoat Finish 1



Metal Deck Roof Sheeting



Stone Pavers



Window Framing- Powdercoat Finish 2



Off form Concrete



Hardwood Timber-Oiled finish

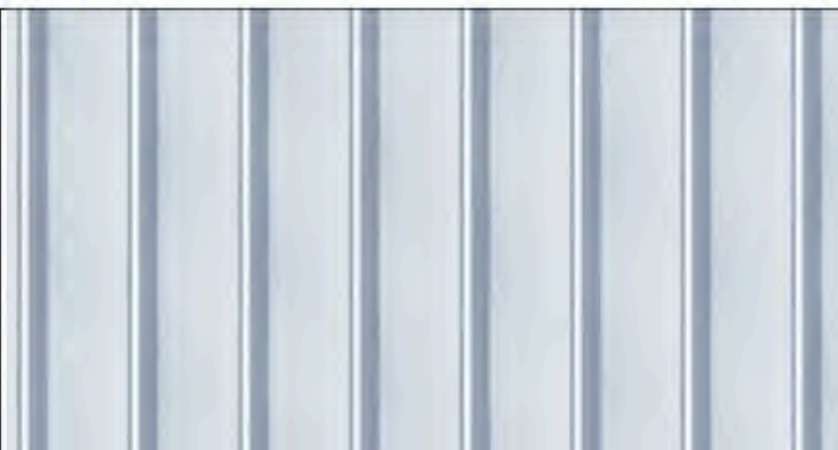


Paint Finish 1

REVIEW OF DETERMINATION AMENDMENT
Heritage Materials added

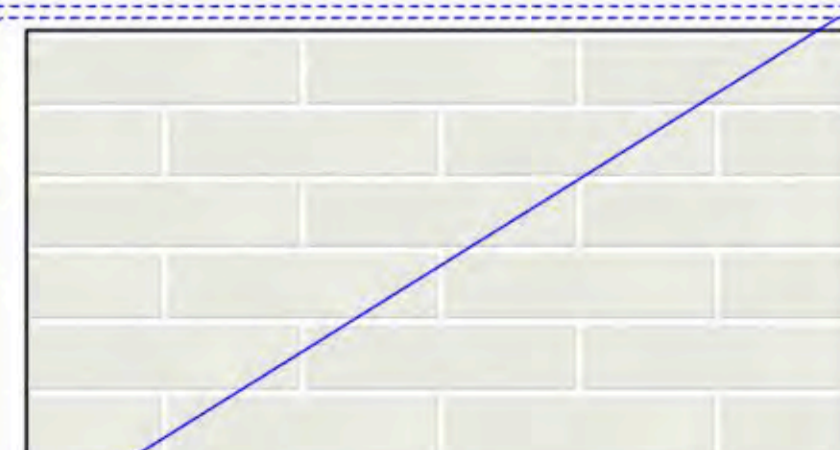


Face Brick Type 1



Metal Cladding

REVIEW OF DETERMINATION AMENDMENT
Face Brick 2 deleted



Face Brick Type 2



Steel- Micaceous Iron Oxide

Basix Building Fabric Requirements: (150 Darby St)

Element	Material Type	Detail
External walls	Cavity Brick + R2.0 Insulation + PB	Light and dark colour
Internal walls	Plasterboard on studs	Intra-tenancy walls
	Brick + Plasterboard	Inter-tenancy walls
Windows	ALM-002-01 A Aluminium B SG Clear	NFRC Glazing System values: ⇒ U ≤ 6.70 and SHGC = 0.70 (± 5%)
	ALM-004-01 A Aluminium B DG Air Fill Clear-Clear	NFRC Glazing System values: ⇒ U ≤ 4.80 and SHGC = 0.59 (± 5%)
	Modifying units: 103, 203 and 303 (Darby street windows only)	
Skylights	Single Glazed	
Downlights	Sealed	
Floor	Concrete slab	Tile (wet and kitchen) Carpet (bedrooms and living)
	Concrete slab + R1.0 Insulation	To outside air/non conditioned space below car park
Ceiling	Plasterboard + R3.0 Insulation (top floor)	
Roof	Concrete	Medium colour

Certificate no.: 0003103140
Assessor Name: Hamidul islam
Accreditation no.: 100982
Certificate date: 24 August 2018
Dwelling Address:
150 Darby St
Cooks Hill, NSW
2300
www.nathers.gov.au

Average star rating
6.7
NATIONWIDE HOUSE ENERGY RATING SCHEME
www.nathers.gov.au

CAUTION
Copies of drawings which do not show status have not been verified by the architect and are not to be used for any purpose other than for preliminary information. Do not scale from drawings. Check all dimensions on site and refer discrepancies to the architect.
COPYRIGHT © 2018
The information contained in this drawing remains the property of Macphail & Sproul Architects Pty Limited and is not to be reused or copied without permission.

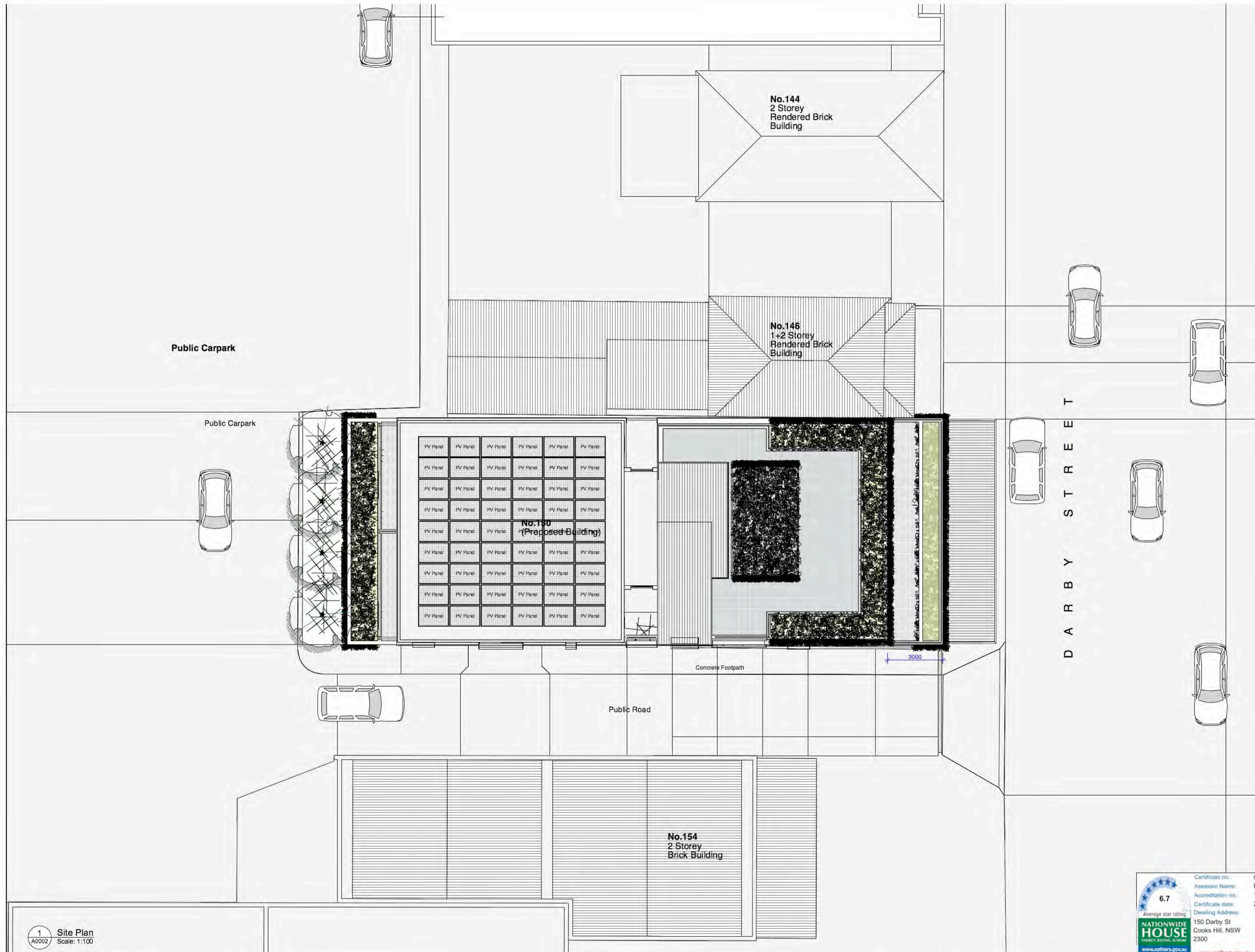
Issue description	date	Issue description	date	client
F	18/11/20	Review of Determination-R.II	21/10/20	Andrew + Rob Dawson
E	15/7/20	Review of Determination-Rev		
D	11/6/19	Review of Determination		
C	3/4/19	Amendments to DA-as noted		
B	27/8/18	Amendments to DA-as noted		
A		Development Application		

macphail & sproul architects pty limited
suite 4.1, 105 kippax street, surry hills, 2010 nsw
t 02 9281 9800, f 02 9281 3800
habitat, suite 44, building C3, 1 porter street, byron bay, 2480 nsw
m 0408 804 010
email design@msarchitects.com.au
a.b.n. 94 092 147 834



project
New Shop-Top Development
150 Darby Street, Cooks Hill, NSW
drawing title
Cover Sheet

Job no : 15.14
15.14 DA05
cad file : Determination Review
date : DS^{wk}
drawn : August 2018
scale : AS NOTED
A001 F



1 Site Plan
A0002 Scale: 1:100

Certificate no.: 0003103140
 Assessor Name: Hamidul Islam
 Accreditation no.: 100982
 Certificate date: 24 August 2018
 Dwelling Address:
 150 Darby St
 Cooks Hill, NSW
 2300
www.nathers.gov.au

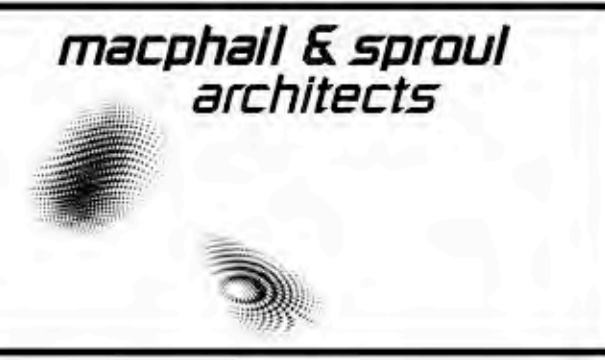
6.7
Average star rating
NATIONWIDE HOUSE
PROPERTY RATING AGENCY
www.nationwidehouse.com.au

CAUTION
 Copies of drawings which do not show status have not been verified by the architect and are not to be used for any purpose other than for preliminary information. Do not scale from drawings. Check all dimensions on site and refer discrepancies to the architect.
 COPYRIGHT © 2018
 The information contained in this drawing remains the property of Macphail & Sproul Architects Pty Limited and is not to be reused or copied without permission.

Issue description	date	Issue description	date	client
F Review of Determination-R.II	18/11/20			Andrew + Rob Dawson
E Review of Determination-rev	21/10/20			
D Review of Determination	15/7/20			
C Amendments to DA-as noted	11/6/19			
B Amendments to DA-as noted	3/4/19			
A Development Application	27/8/18			

client
Andrew + Rob Dawson

macphail & sproul architects pty limited
 suite 4, 1, 105 kippax street,
 surry hills, 2010 nsw
 t 02 9281 9800, f 02 9281 3800
 habitat, suite 44, building C3,
 1 porter street, byron bay, 2480 nsw
 m 0408 804 010
 email design@msarchitects.com.au
 a.b.n. 94 092 147 834



project
New Shop-Top Development
 150 Darby Street, Cooks Hill, NSW
 drawing title
Site Plan

Job no : 15.14
 15.14 DA05
 cad file : Determination Review
 date : DS^{wk}
 drawn : August 2018
 scale : AS NOTED
A0002 F

DESIGN COMPLIANCE

LEP CONTROLS

FSR Calculations
 Site: 427m²
 FSR: 2:1
 Allowable area: 854m²
Proposed Area:
 Level G: 122m²
 Level 1: 260m²
 Level 2: 230m²
 Level 3: 133m²
 Total: 745m²

Building Height
 Max. Height: 14m
 Proposed Height: 14m

SEPP 65 APARTMENT DESIGN GUIDE

Communal Open Space
 Required Space = 23% of Site
 = 107m²
Space Proposed = 107m²

Deep Soil Zone
 Required Space = 7% of Site
 = 30m²
Space Proposed = 30m²

Apartment Sizes Required
 1 Bed Units = 50m² (min)
 2 Bed Units = 70m² (min)
 3 Bed Units = 90m² (min)
Apartment Sizes Proposed:
 1 Bed Units = 53m²
 3 Bed Units = 107/138m²

Solar Access Requirement 1:
 70% minimum number of apartments to have solar access to living room and Private Outdoor Space for 2 hrs between the hours of 9am-3pm 21 June

CRITERIA: 8 unit Development @ 70%
REQUIRED: 5.6 units (min)
PROPOSED: 6 units - **COMPLIES**

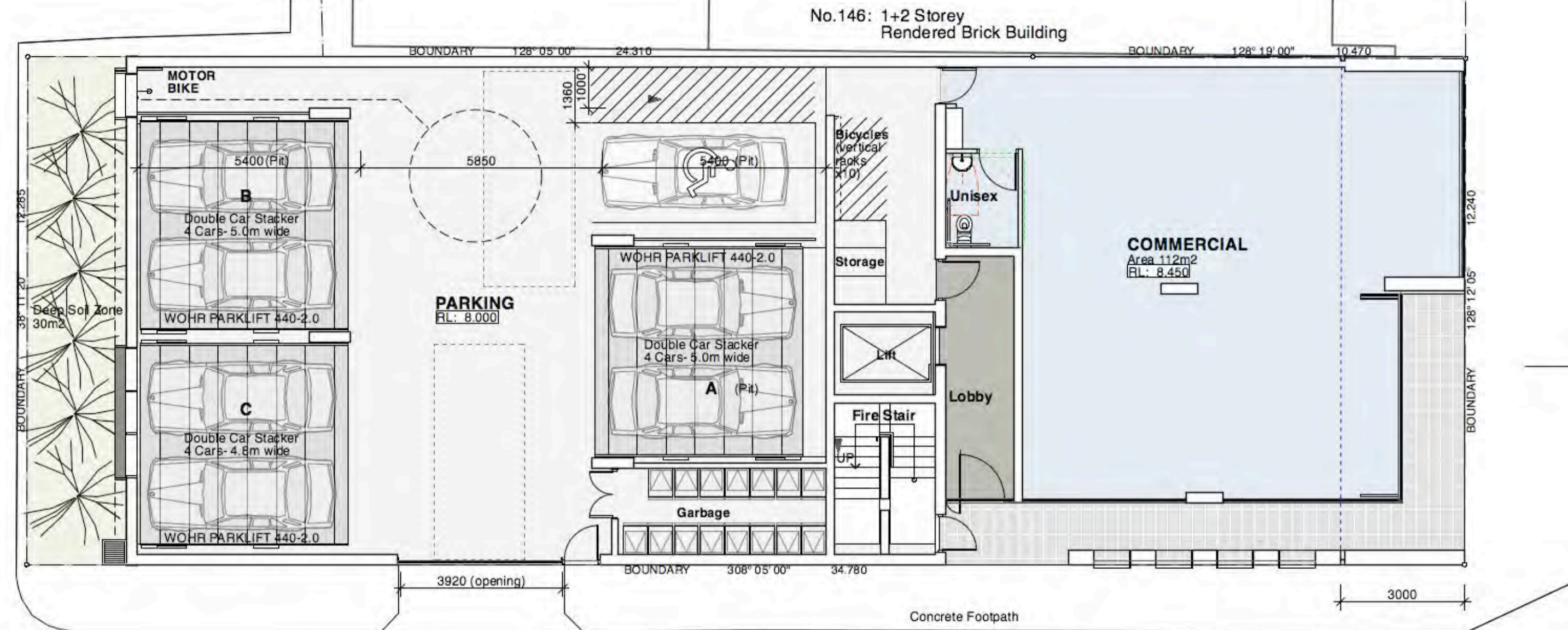
Solar Access Requirement 2:
 15% maximum number of apartments permitted to have no solar access

CRITERIA: 8 unit Development @ 70%
PERMITTED: 1.2 units (max)
PROPOSED: 2 units - **COMPLIES**

Ventilation:
 60% of apartments to have natural cross-flow ventilation
 8 unit Development @ 60%

REQUIRED: 4.8 units (min)
PROPOSED: 8 units 100%

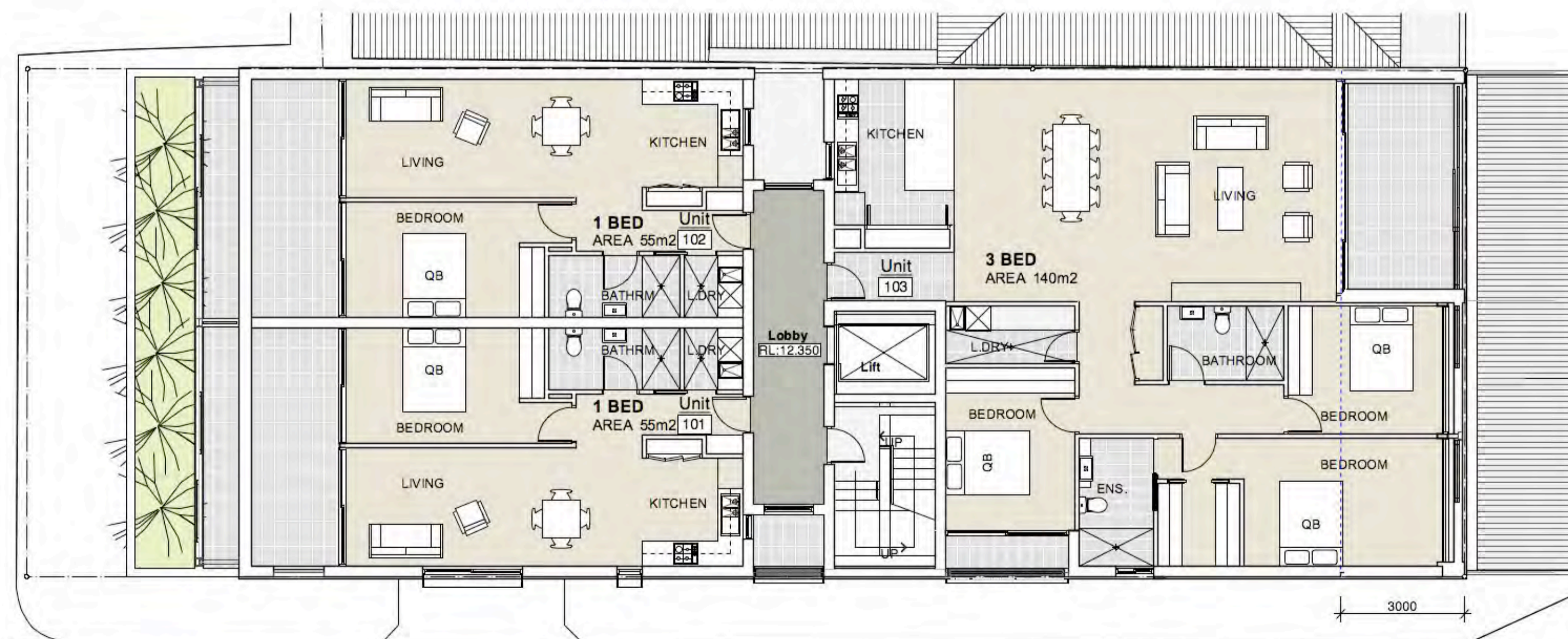
Public Carpark



Public Road

1 Plan- Ground Floor
 Scale: 1:100 (@A1)

No.154: 2 Storey Brick Building



2 Plan- Level 1
 Scale: 1:100 (@A1)

D A R B Y S T R E E T

Certificate no.: 0003103140
 Assessor Name: Hamidul Islam
 Accreditation no.: 100982
 Certificate date: 24 August 2018
 Dwelling Address:
 150 Darby St
 Cooks Hill, NSW
 2300
www.nathers.gov.au

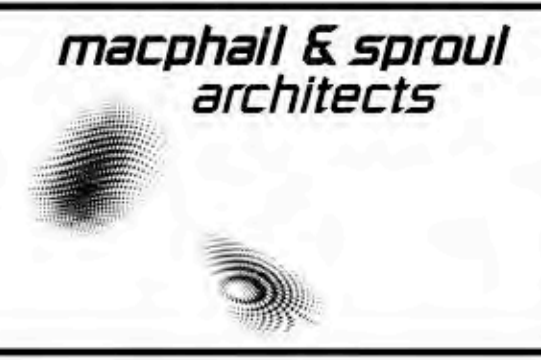
NATIONWIDE HOUSE
 Average star rating: 6.7
www.nathers.gov.au

ABSA
 Australian Building Sustainability Association

CAUTION
 Copies of drawings which do not show status have not been verified by the architect and are not to be used for any purpose other than for preliminary information. Do not scale from drawings. Check all dimensions on site and refer discrepancies to the architect.
COPYRIGHT © 2018
 The information contained in this drawing remains the property of Macphail & Sproul Architects Pty Limited and is not to be reused or copied without permission

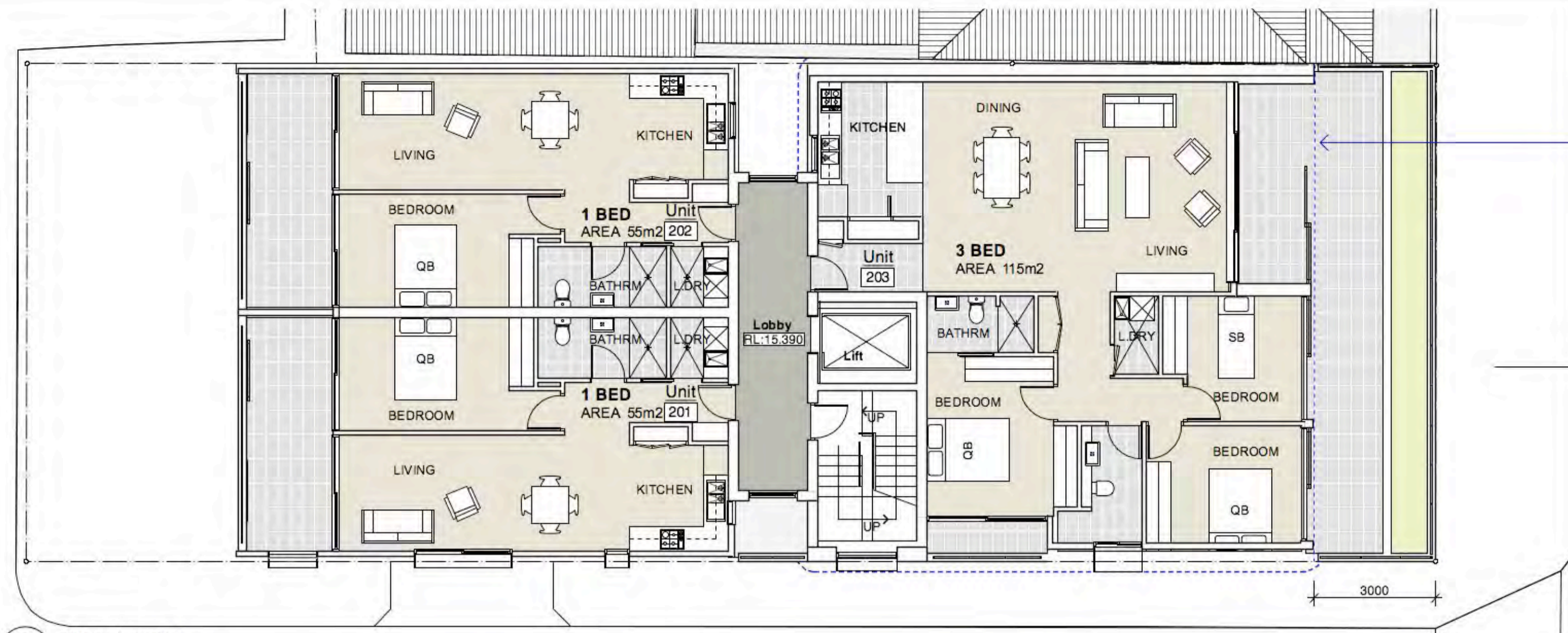
Issue description	date	Issue description	date	client
F Review of Determination-R.II	18/11/20			Andrew + Rob Dawson
E Review of Determination-rev	21/10/20			
D Review of Determination	15/7/20			
C Amendments to DA-as noted	11/6/19			
B Amendments to DA-as noted	3/4/19			
A Development Application	27/8/18			

macphail & sproul architects pty limited
 suite 4.1, 105 kippax street,
 surry hills, 2010 nsw
 t 02 9281 9800, f 02 9281 3800
 habitat, suite 44, building C3,
 1 porter street, byron bay, 2480 nsw
 m 0408 804 010
 email design@msarchitects.com.au
 a.b.n. 94 092 147 634



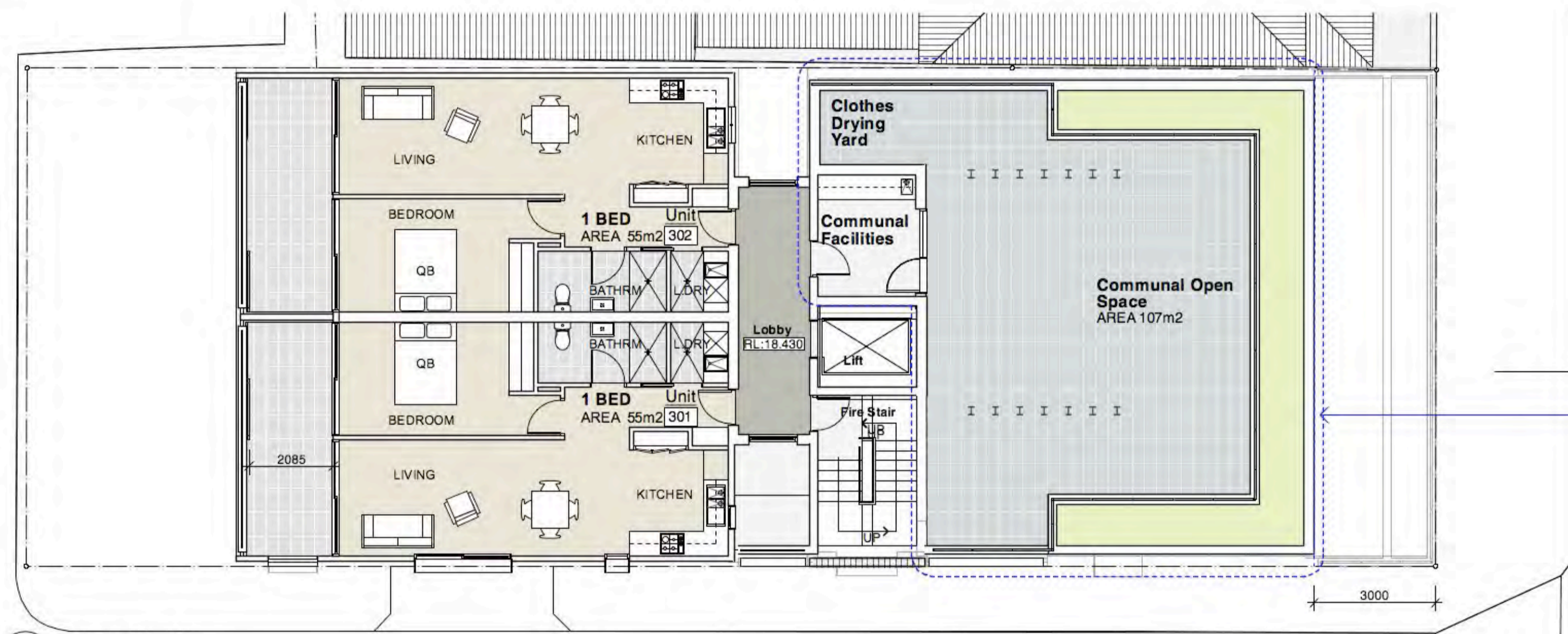
project
New Shop-Top Development
 150 Darby Street, Cooks Hill, NSW
drawing title
Floor Plans I

Job no : 15.14
 15.14 DA05
cad file : Determination Review
date : DS^{wk}
drawn : August 2018
scale : AS NOTED
A003 F



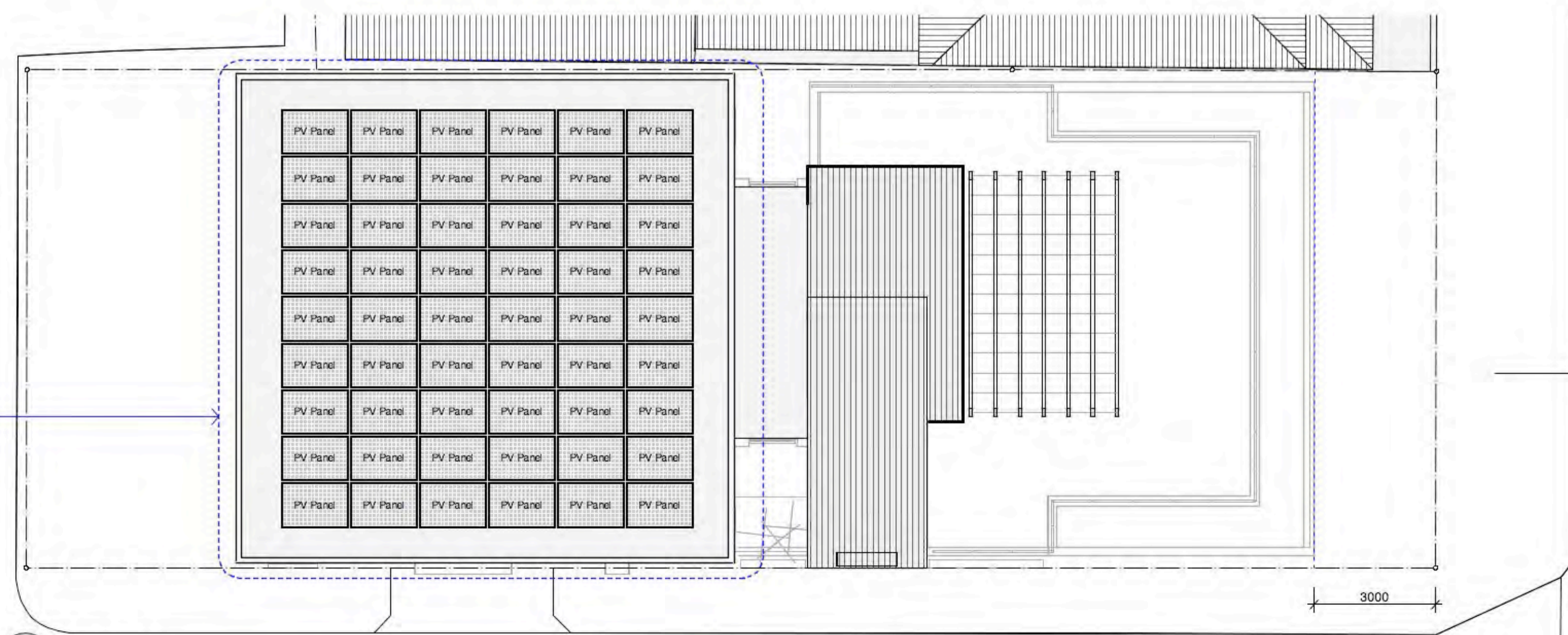
3 Plan- Level 2
Scale: 1:100 (@A1)

REVIEW OF DETERMINATION AMENDMENT
Front section of residential and Core component inset to emphasise 2-Storey element



4 Plan- Level 3
Scale: 1:100 (@A1)

REVIEW OF DETERMINATION AMENDMENT
Remove Unit 303, Outdoor Common space relocated to front of building, L3 (from Roof)



5 Plan- Roof
Scale: 1:100 (@A1)

REVIEW OF DETERMINATION AMENDMENT
Removal of Rooftop Outdoor Common, relocated to front of building on L3

D A R B Y S T R E E T

Certificate no.: 0003103140
Assessor Name: Hamdul islam
Accreditation no.: 100982
Certificate date: 24 August 2018
Dwelling Address: 150 Darby St, Cooks Hill, NSW, 2300
www.nathers.gov.au

6.7
Average star rating
NATIONWIDE HOUSE
ENERGY RATING SCHEME
www.nathers.gov.au

CAUTION
Copies of drawings which do not show status have not been verified by the architect and are not to be used for any purpose other than for preliminary information. Do not scale from drawings. Check all dimensions on site and refer discrepancies to the architect.
COPYRIGHT © 2018
The information contained in this drawing remains the property of Macphail & Sproul Architects Pty Limited and is not to be reused or copied without permission.

Issue description	date	Issue description	date	client
F Review of Determination-R.II	18/11/20			Andrew + Rob Dawson
E Review of Determination-rev	21/10/20			
D Review of Determination	15/7/20			
C Amendments to DA-as noted	11/6/19			
B Amendments to DA-as noted	3/4/19			
A Development Application	27/8/18			

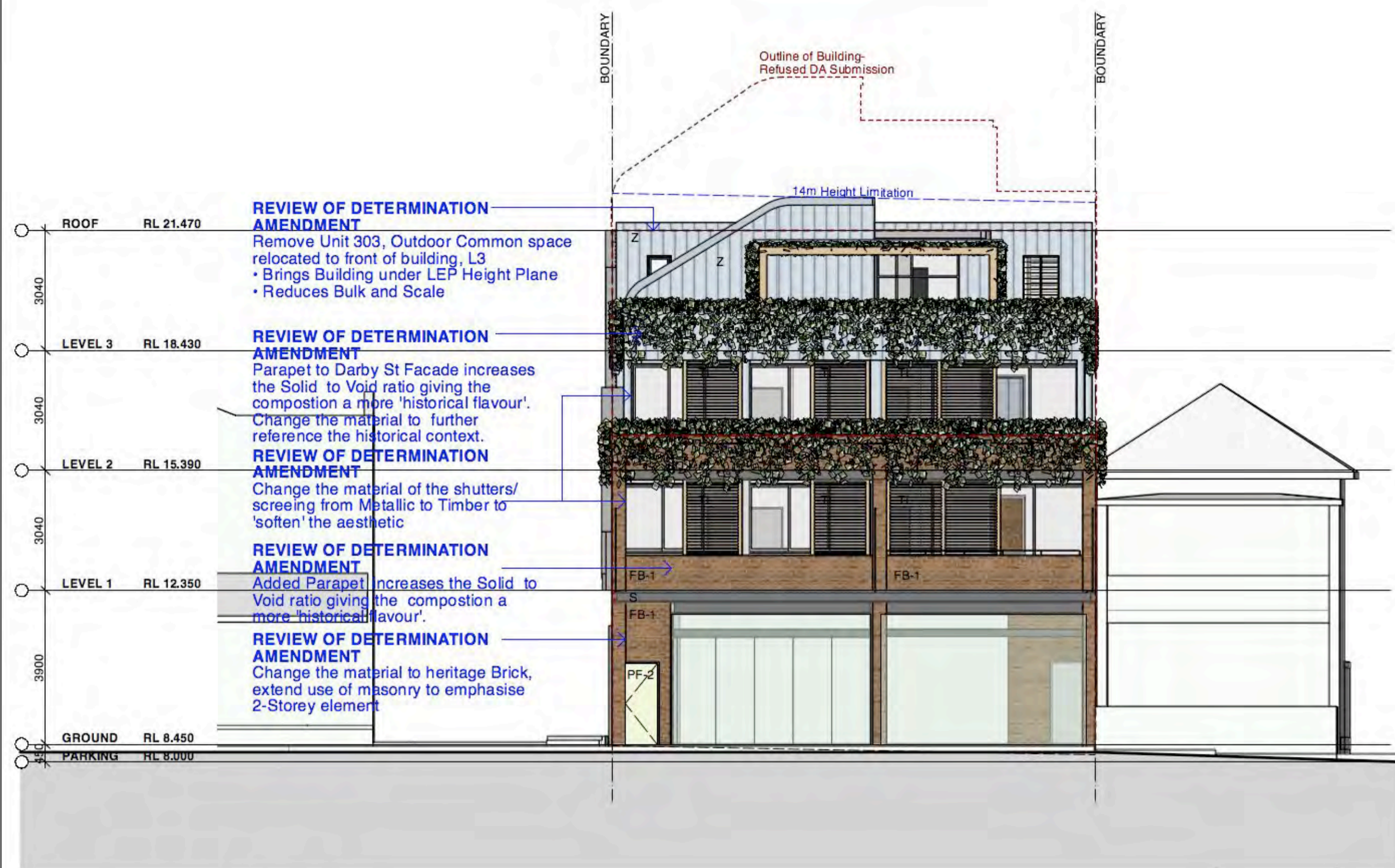
macphail & sproul architects pty limited
suite 4.1, 105 kippax street, surry hills, 2010 nsw
t 02 9261 9800, f 02 9261 3800
habitat, suite 44, building C3, 1 porter street, byron bay, 2480 nsw
m 0408 804 010
email design@msarchitects.com.au
a.b.n. 94 092 147 834

macphail & sproul architects

project
New Shop-Top Development
150 Darby Street, Cooks Hill, NSW
drawing title
Floor Plans II

Job no : 15.14
15.14 DA05
Determination Review
date : DS^{wk}
drawn : August 2018
scale : AS NOTED

A0004 F



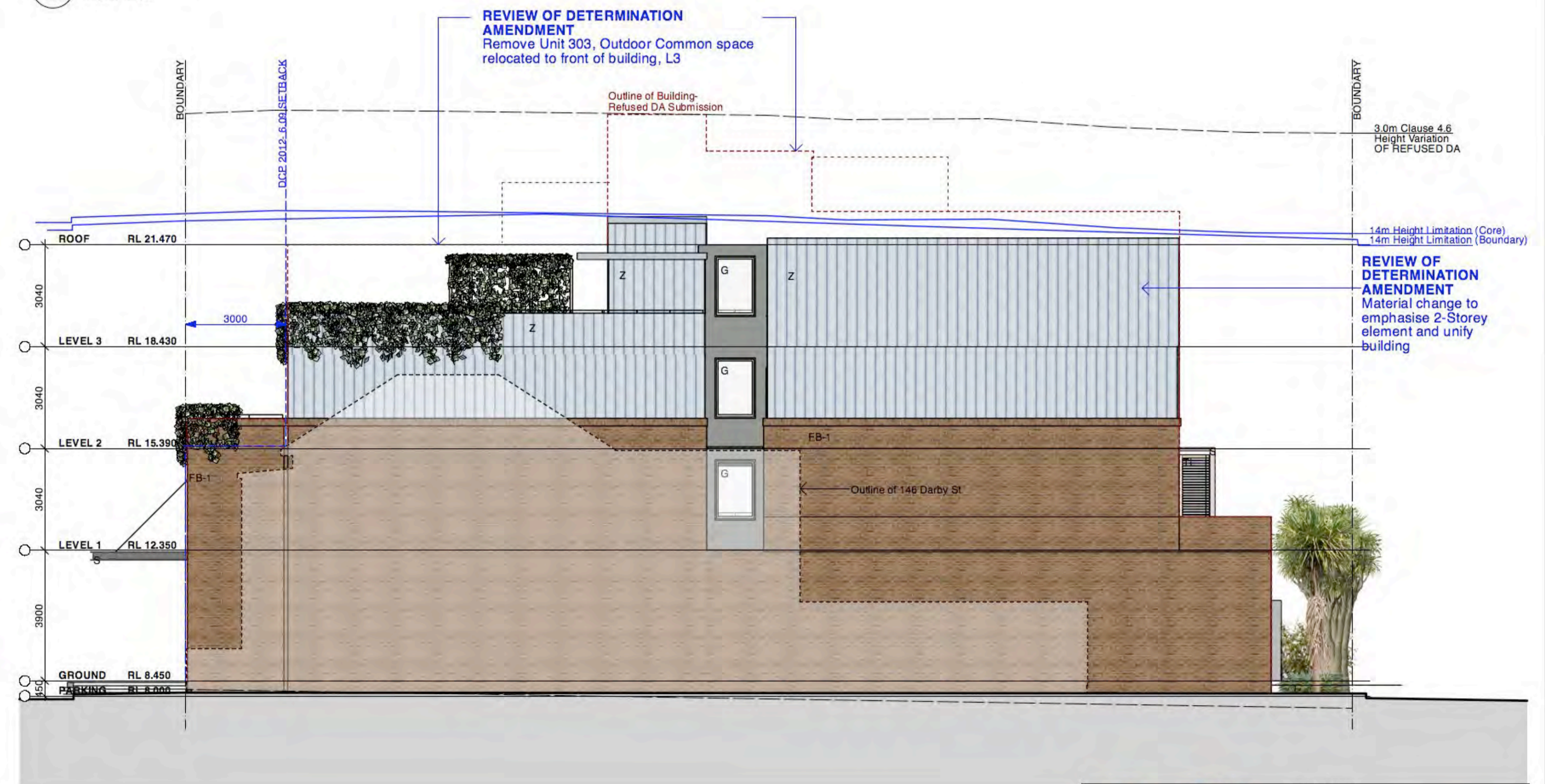
1 Elevation-East, Darby Street
A0005 Scale: 1:100



2 Elevation-South
A0005 Scale: 1:100



3 Elevation-West
A0005 Scale: 1:100



4 Elevation-North
A0005 Scale: 1:100

Certificate no.: 0003103140
Assessor Name: Hamidul Islam
Accreditation no.: 100982
Certificate date: 24 August 2018
Dwelling Address: 150 Darby St, Cooks Hill, NSW 2300
www.nathers.gov.au

6.7
Average star rating
NATIONWIDE HOUSE
ENERGY RATING NSW
www.nathers.gov.au

ABSAs
Australian Building Sustainability Assessment Agency

CAUTION
Copies of drawings which do not show status have not been verified by the architect and are not to be used for any purpose other than for preliminary information. Do not scale from drawings. Check all dimensions on site and refer discrepancies to the architect.
COPYRIGHT © 2018
The information contained in this drawing remains the property of Macphail & Sproul Architects Pty Limited and is not to be reused or copied without permission.

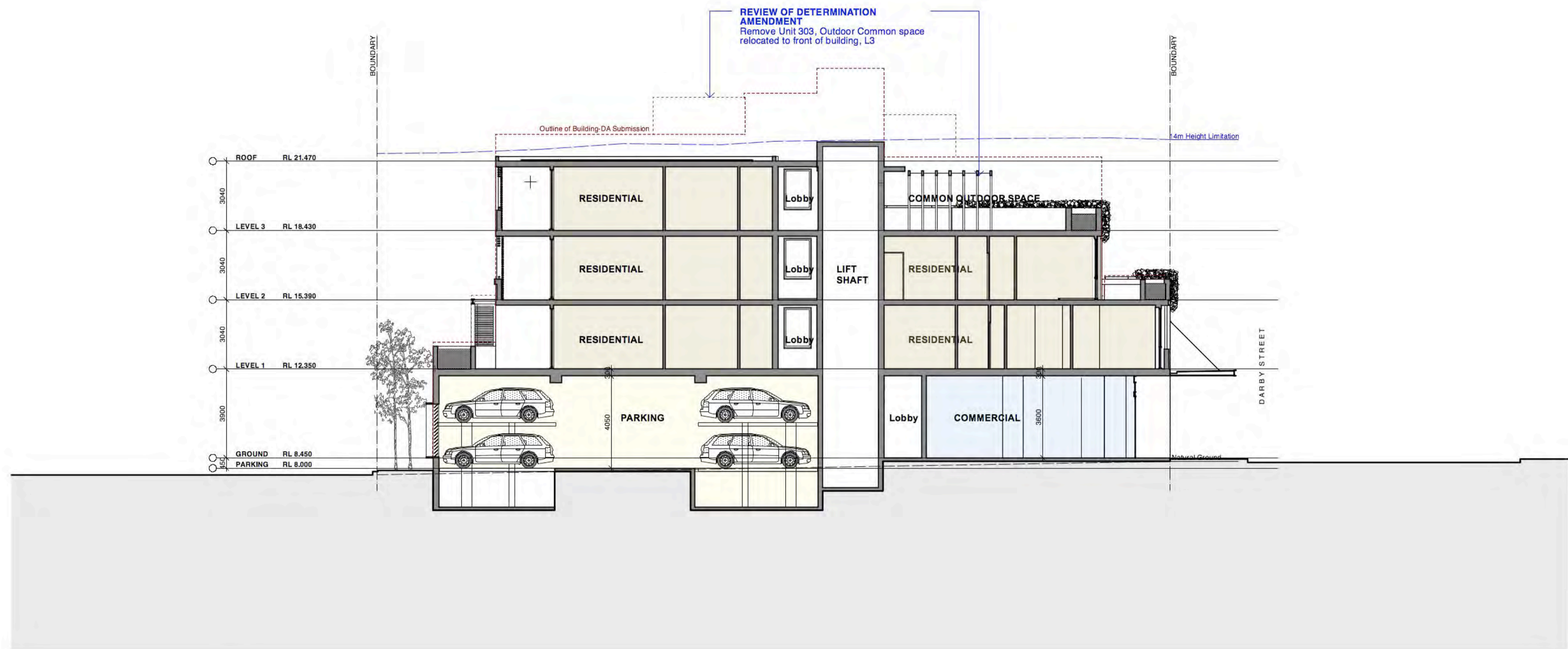
Issue description	date	Issue description	date	client
F Review of Determination-R.II	18/11/20			Andrew + Rob Dawson
E Review of Determination-rev	21/10/20			
D Review of Determination	15/7/20			
C Amendments to DA-as noted	11/6/19			
B Amendments to DA-as noted	3/4/19			
A Development Application	27/8/18			

macphail & sproul architects pty limited
suite 4.1, 105 kippax street, surry hills, 2010 nsw
t 02 9281 9800, f 02 9281 3800
habitat, suite 44, building C3, 1 porter street, byron bay, 2480 nsw
m 0408 804 010
email design@msarchitects.com.au
a.b.n. 94 092 147 834



project
New Shop-Top Development
150 Darby Street, Cooks Hill, NSW
drawing title
Elevations

Job no : 15.14
cad file : 15.14 DA05 Determination Review
date : DS^{wk}
drawn : August 2018
scale : AS NOTED
A0005 F



1 Section
A0006 Scale: 1:100

Certificate no.: 0003103140
 Assessor Name: Hamdul islam
 Accreditation no.: 100982
 Certificate date: 24 August 2018
 Dwelling Address: 150 Darby St, Cooks Hill, NSW 2300
 www.nathers.gov.au

6.7
Average star rating

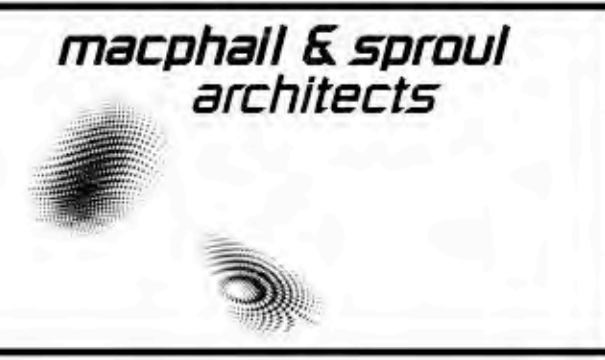
NATIONWIDE HOUSE
ENERGY RATING SCHEME

ABSAs

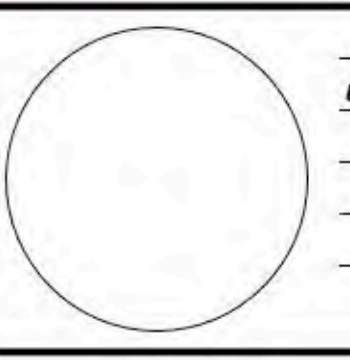
CAUTION
 Copies of drawings which do not show status have not been verified by the architect and are not to be used for any purpose other than for preliminary information. Do not scale from drawings. Check all dimensions on site and refer discrepancies to the architect.
 COPYRIGHT © 2018
 The information contained in this drawing remains the property of Macphail & Sproul Architects Pty Limited and is not to be reused or copied without permission.

issue description	date	issue description	date	client
F Review of Determination-R.II	18/11/20			Andrew + Rob Dawson
E Review of Determination-rev	21/10/20			
D Review of Determination	15/7/20			
C Amendments to DA-as noted	11/6/19			
B Amendments to DA-as noted	3/4/19			
A Development Application	27/8/18			

macphail & sproul architects pty limited
 suite 4.1, 105 kippax street, surry hills, 2010 nsw
 t 02 9281 9800, f 02 9281 3800
 habitat, suite 44, building C3, 1 porter street, byron bay, 2480 nsw
 m 0408 804 010
 email design@msarchitects.com.au
 a.b.n. 94 092 147 834



project
New Shop-Top Development
 150 Darby Street, Cooks Hill, NSW
 drawing title
Sections



job no : 15.14
 15.14 DA05
 cad file : Determination Review
 date : DS^{wk}
 drawn : August 2018
 scale : AS NOTED
A0006 F



1 Site Analysis Plan
A1001 Scale: 1:300

Certificate no.: 0003103140
Assessor Name: Hamidul Islam
Accreditation no.: 100982
Certificate date: 24 August 2018

6.7
Average star rating

NATIONWIDE HOUSE
ENERGY RATING SCHEME
www.nathers.gov.au

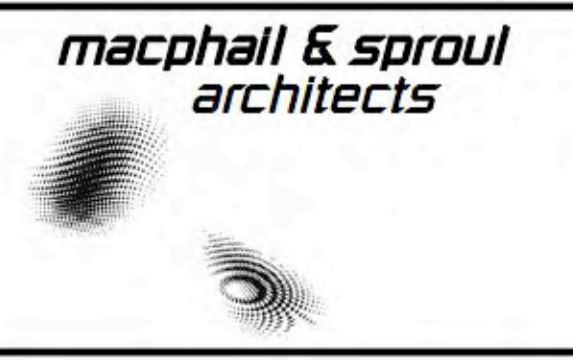
Dwelling Address:
150 Darby St
Cooks Hill, NSW
2300
www.nathers.gov.au

CAUTION
Copies of drawings which do not show status have not been verified by the architect and are not to be used for any purpose other than for preliminary information. Do not scale from drawings. Check all dimensions on site and refer discrepancies to the architect.

COPYRIGHT © 2018
The information contained in this drawing remains the property of Macphail & Sproul Architects Pty Limited and is not to be reused or copied without permission.

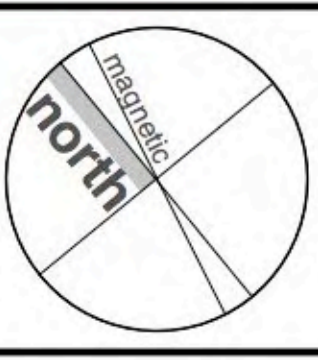
issue description	date	issue description	date	client
C	Review of Determination-R.11	18/11/20		Andrew + Rob Dawson
B	Review of Determination	15/7/20		
A	Development Application	27/8/18		

macphail & sproul architects pty limited
suite 4.1, 105 kippax street, surry hills, 2010 nsw
t 02 9281 9800, f 02 9281 3800
habitat, suite 44, building C3, 1 porter street, byron bay, 2480 nsw
m 0408 804 010
email design@msarchitects.com.au
a.b.n. 94 092 147 834



project
New Shop-Top Development
150 Darby Street, Cooks Hill, NSW

drawing title
Site Analysis Plan



Job no : 15.14
15.14 DA05
cad file : Determination Review
date : DS^{wk}
drawn : August 2018
scale : AS NOTED
A1001 C



View from Darby Street looking South/West



View from Carpark looking South



View from Darby Street looking North



View from Darby Street looking South/West



View from Carpark looking East

CAUTION
Copies of drawings which do not show status have not been verified by the architect and are not to be used for any purpose other than for preliminary information. Do not scale from drawings. Check all dimensions on site and refer discrepancies to the architect.
COPYRIGHT © 2018
The information contained in this drawing remains the property of Macphail & Sproul Architects Pty Limited and is not to be reused or copied without permission.

Issue description	date	Issue description	date	client
				Andrew + Rob Dawson
B	18/11/20	Review of Determination-R.II		
A	21/10/20	Review of Determination		

macphail & sproul architects pty limited
suite 4.1, 105 kippax street, surry hills, 2010 nsw
t 02 9281 9800, f 02 9281 3800
habitat, suite 44, building C3, 1 porter street, byron bay, 2480 nsw
m 0408 804 010
email design@msarchitects.com.au
a.b.n.

macphail & sproul architects



project
New Shop-Top Development
150 Darby Street, Cooks Hill, NSW
drawing title
3D Views

Job no : 15.14
15.14 DA05
cad file : Determination Review
date : 15/10/2017
drawn : July 2017
scale : AS NOTED
A1006 B

DESIGN COMPLIANCE

LEP CONTROLS

LEP Calculations

Lot Area = 477m²
 Proposed Area = 356m²

Building Height
 Max. Height = 14m
 Proposed Height = 14m (14m maximum as per LEP)

SEPP 21 (MEDIUM DENSITY DESIGN GUIDE)

Commercial Office Space
 Required Space (25% of Site) = 89.3m²
 Space Proposed = 100m²

Deep Soil Zone
 Required Space = 2,000 SqM
 Space Proposed = 300m²

Apartment Sites Requirements
 1 Bed Units = 52m² (max)
 2 Bed Units = 70m² (max)
 3 Bed Units = 92m² (max)

Site Access Requirement 1:
 70% minimum number of apartments to have site access to living rooms and Private Outdoor Spaces for 2 hours between the hours of 9am-3pm 21 units

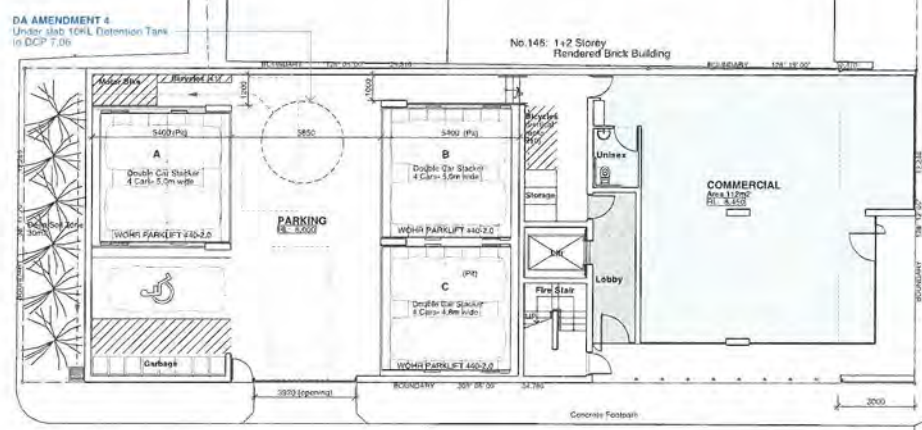
CRITERIA: 0 unit Developments = 70%
REQUIRED: 2 units (min)

Site Access Requirement 2:
 10% minimum number of apartments provided to have no other access

CRITERIA: 0 unit Developments = 10%
PERMITTED: 2 units (min)

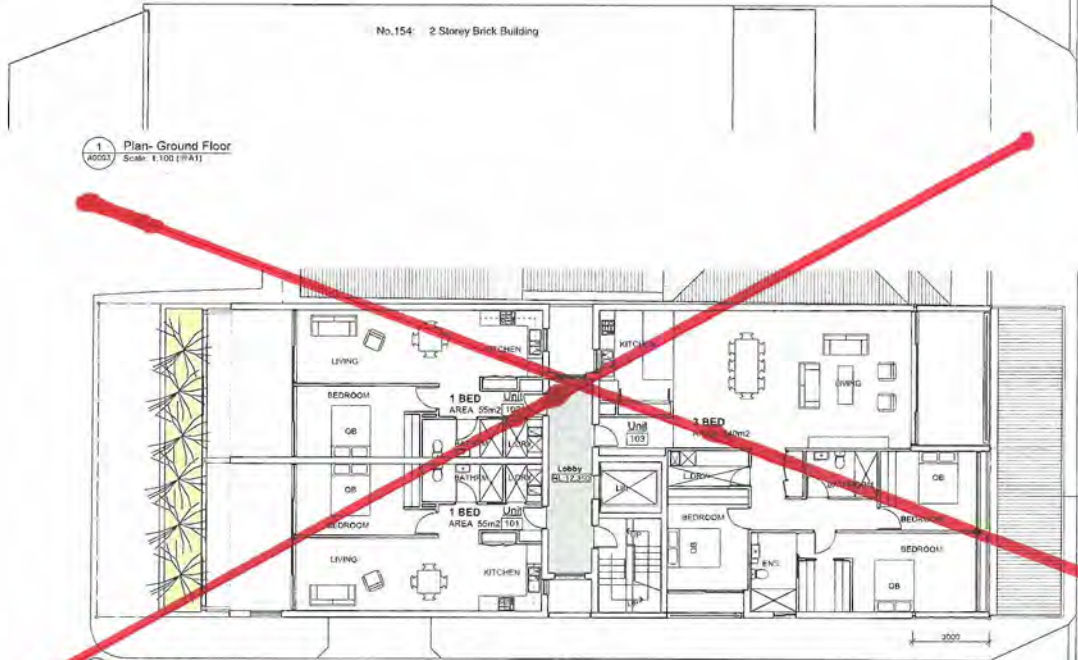
Ventilation:
 60% of apartments to have natural crossflow ventilation
 0 unit Developments = 60%
REQUIRED: 1 units (min)

Public Carpark



Plan from original proposal noting 10KL Detention Tank in alignment with DCP requirements. Note - this plan is for reference to the stormwater concept only. See DA 2018/01251:1 for amended design removing unit 303.

1 Plan- Ground Floor Scale: 1:100 (1:4)



2 Plan- Level 1 Scale: 1:100 (1:4)

DARBY STREET

CAUTION
 Copies of drawings which do not show status have not been verified by the architect and are not to be used for any purpose other than for preliminary information. Do not scale from drawings. Check all dimensions on site and note discrepancies to the architect.

COPYRIGHT © 2018
 The information contained in this drawing remains the property of Madgwick & Special Architects Pty. Limited and is not to be released or copied without permission.

B	Amendments to DA-as noted	3/4/19
A	Development Application	27/8/18

client
Andrew + Rob Dawson

architects sprout architects pty
 surry
 1/115 street 2 80
 design@sproutarchitects.com

New Shop-Top Development
 150 Darby Street, Cooks Hill, NSW

Floor Plans I

15.14
 HCL 6401
 RENEWABLE
 DS
 August 2018
 AS NOTED
A0003 B

67
OLD HAMBURG HOUSE
 www.oldhamburghouse.com.au

Certificate no.: 003101340
 Assessor Name: Harold Klem
 Accreditation no.: 100962
 Expiry date: 24 August 2018

150 Darby St
 Cooks Hill, NSW
 2100

www.sproutarchitects.com.au

ABSA
 Australian Building Sustainability Association



ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 16/02/2021 – 150 DARBY STREET, COOKS HILL - DA2018/01251.01
- REVIEW OF DETERMINATION - MIXED-USE DEVELOPMENT
COMERCIAL PREMISES AND SHOP TOP HOUSING**

ITEM-1 **Attachment B:** Draft Schedule of Conditions

DISTRIBUTED UNDER SEPARATE COVER



Application No:	DA2018/01251.01
Land:	Lot 1, 2 & 3 SP88552
Property Address:	150 Darby Street Cooks Hill
Proposed Development:	Review of Determination - mixed use development - commercial premises and shop top housing

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	Date
Coversheet – Basix Building Fabric Requirements	A001/F	Macphail & sproul architects	18.11.2020
Site Plan	A0002/F	Macphail & sproul architects	18.11.2020
Floor Plans 1 (ground floor and level 1)	A0003/F	Macphail & sproul architects	18.11.2020
Floor Plans 2 (level 3 and roof plan)	A0004/F	Macphail & sproul architects	18.11.2020
Elevations	A0005/F	Macphail & sproul architects	18.11.2020
Sections	A0006/F	Macphail & sproul architects	18.11.2020
Site Analysis Plan	A1001/C	Macphail & sproul architects	18.11.2020
Concept Stormwater Plan (except as superseded by the current revised design to 8 units and conditions contained in this consent)	(Drawing No. 15.14 A0003, Revision B	Macphail & sproul architects	3.4.2019

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.

ADMINISTRATIVE CONDITIONS

FEES AND CHARGES

2. A total monetary contribution of \$28,000.00 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 the first occupation 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:

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

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

OTHER APPROVALS

3. Working drawings and specifications of the proposed building are to be submitted to the NSW Mine Subsidence Board for approval prior to an application for a Construction Certificate and any requirements of the Board are to be included in the documentation for a Construction Certificate application.
4. The development shall comply with the requirements of Ausgrid dated 7 October 2020 and any other requirements of the authority. All necessary approvals are to be obtained from Ausgrid prior to the issue of a Construction Certificate.
5. 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.

6. A separate development consent shall be obtained from Council prior to the erection of any advertising structures or signs on the site. Any signage proposed must be sympathetic to the Heritage Conservation Area of Cooks Hill and any advertisement shall related to the approved development or premises situated on the land.

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

ENGINEERING

7. On-site parking accommodation is to be provided for a minimum of thirteen (13) cars, one (1) motorcycle, ten (10) bicycles and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle Development Control Plan 2012. Full details are to be included in documentation for a Construction Certificate application.
8. The car parking and vehicular access is to be designed to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities. Full details are to be included in documentation for a Construction Certificate application.
9. Install, operate and maintain a garage roller door opening audible/flashing beacon warning system to alert pedestrians and cyclists on footpath. Install and maintain two (2) convex safety mirrors near the garage roller door within the property boundary to improve visibility of pedestrians and cyclists on footpath. Full details are to be included in documentation for a Construction Certificate application.
10. 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.

Kerbing or dwarf walls having a minimum height of 100mm are to be constructed along the edge of all garden or lawn areas adjacent to driveways and parking bays sufficient to discourage the encroachment of vehicles thereon. Full details are to be included in documentation for a Construction Certificate application.
11. The car park is to be designed to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities. Details are to be included in documentation for a Construction Certificate application.
12. Roof water is to be directed to the proposed water tank with a minimum capacity of 10,000 litres and be reticulated to any new toilet cisterns and cold water washing machine taps. A mains water top-up system is to be installed to maintain a minimum water depth of 100mm within the tank. Alternatively, an electronically activated

- mechanical valve device is to be installed to switch to mains water when the water level in the tank falls below the minimum depth. The water tank and plumbing are to be installed in accordance with the Plumbing Code of Australia. Full details are to be included in documentation for a Construction Certificate application.
13. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to Council's drainage system by means of an inter-allotment drainage line or underground pipe directly to the street gutter. Full details are to be included in documentation for a Construction Certificate application.
 14. 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 Macphail & Sproul Architects (Drawing No. 15.14 A0003, Revision B dated 3 April 2019. Full details are to be included in documentation for a Construction Certificate application.
 15. A residential vehicular crossing is to be constructed across the laneway reserve, in accordance with the following criteria:
 - a) Constructed in accordance with Council's A1300 – Driveway Crossings Standard Design Details.
 - b) The driveway crossing, within the road reserve, shall be a maximum of 4.5 metres wide.
 - c) Letterboxes, landscaping and any other obstructions to visibility should be kept clear of or limited in height to 1.2 metre, in the 2 metre by 2.5 metre splay within the property boundary each side of the driveway entrance.
 - d) The proposed driveway shall be a minimum of 3 metres clear of the trunk of any tree within the public reserve.
 - e) The proposed driveway shall be a minimum of 750mm clear of the centre of any pole or obstruction within the public reserve and 1 metre clear of any drainage pit.

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

16. All new impervious surfaces, including driveways and paved areas are to be drained to the nominated discharge controls, full details are to be included in documentation for a Construction Certificate application.
17. 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.
18. The Developer designing and constructing the following works in connection with the proposed development within the Darby Street and unnamed laneway road reserves,

adjacent to the site, at no cost to Council and in accordance with Council's guidelines and design specifications:

- a) Reconstruct new pedestrian footway across Darby Street site frontage;
- b) Reconstruct kerb and gutter across Darby Street site frontage;
- c) Removal of raised concrete footpath to facilitate new entrance to development carpark within unnamed laneway and provide transition ramps on either side;
- d) Road shoulder pavement, as required.

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, prior to the issue of a Construction Certificate.

19. The car lift system in the proposed carpark shall be the Woehr Parklift 440-2.0 double lift model, or suitable equivalent approved by the Certifying Authority. Full details are to be included in documentation for a Construction Certificate application.
20. A dilapidation report prepared by a suitability qualified person shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate. The dilapidation report shall document and photograph the current structural condition of the adjoining buildings, infrastructure and roads.

BUILDING

21. The building is to be provided with access for persons with disabilities, to the extent necessary to comply with the Commonwealth's *Disability (Access to Premises - Buildings) Standards 2010*. Details are to be included in documentation for a Construction Certificate application.
22. The proposed awnings are to be designed to meet the requirements of Element 7.10 'Street Awnings and Balconies' of Newcastle Development Control Plan 2012. Details are to be included in documentation for a Construction Certificate application.
23. Any private structure on or over the public road reserve, including balconies and awnings, being the subject of a separate consent from Council, under Section 138 of the Roads Act 1993, prior to commencement. In this regard structural engineering design plans and specifications for the works are required to be prepared by a suitably qualified practising structural engineer with experience and competence in the related field and submitted in documentation for a Construction Certificate application.
24. Adequate ventilation being provided to the residential units in accordance with the requirements of the Building Code of Australia, whilst maintaining the required level of acoustic attenuation as detailed in Table 9 of the acoustic report prepared by SLR Consulting dated September 2018 (Ref 630.12429 -R01) and addendum memo to the Applicant dated 27 October 2020. Full details are to be included in the documentation for a Construction Certificate application.

ACOUSTIC REQUIREMENTS

25. 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 in its SLR Consulting dated September 2018 and email to the Applicant dated 27 October 2020 being designed prior to the issue of a Construction Certificate.
26. The sound insulation requirements of F5 “Sound Transmission and Insulation” of the National Construction Code 2016 (NCC) must be achieved. Full details are to be included in the documentation for a Construction Certificate application.

PLANNING AND HERITAGE

27. A design verification statement from Macphail and Sproul Architects or the qualified designer appointed to prepare the plans for the Construction Certificate and shall be submitted to the Certifying Authority. The statement shall confirm the Construction Certificate plans and specifications achieve or improve the design quality of the development for which consent is granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development. In addition, the sign off on the specifications included in the Construction Certificate application shall ensure all material design elements and selections shall retain their integrity.

Full details are to be included in the documentation for the relevant Construction Certificate.

Note: ‘Qualified Designer’ means a person registered as an architect in accordance with the Architects Act 2003. This condition is imposed in accordance with Clauses 143A of the Environmental Planning and Assessment Regulation 2000.

28. Prior to the issue of a Construction Certificate a detailed landscape plan is to be prepared. The landscape plan should detail the final selection of plant species and their pot size and height at maturity. Details of balcony and open space plantings/planter boxes should also be included. Specific selections should not be minimised given the Heritage Conservation Area.

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.

29. A group type mailbox is to be provided in the lobby entry for the residential units in accordance with the requirements of Australia Post, clearly displaying individual unit numbers and the required house numbering. The location of the mail box shall be discrete in the lobby area and must respect the Heritage Conservation Area requirements. The numbering of the commercial part of the building shall be displayed clearly at the street entry in Darby Street. Such numbering must respect the Heritage Conservation Area requirements. Full details are to be included in the documentation for a Construction Certificate application.
30. An interpretation plan is to be prepared by an experienced heritage interpretation practitioner. The interpretation plan shall be in accordance with the Heritage Council's "Interpreting Heritage Places and Items Guidelines" (2005). The plan is to interpret the uses and history of the site in a way that is engaging, informative and readily accessible to the majority of visitors. The plan is to be submitted to Council for review and approval prior to the issue of any construction certificate. The interpretation works are to be completed to Council's approval prior to the issue of the occupation certificate.
31. There shall be no alteration (painting or rendering) to the new face brickwork and no changes to colours and finishes as approved by Council.
32. Services and new technologies incorporated as part of the new works should not be visible from the streetscape, including plant and equipment.
33. "SP88552 is to be terminated in accordance with provisions of the *Strata Schemes Development Act 2015* prior to issue of any Construction Certificate."
34. A Site Waste Minimisation Plan is to be included with the Construction Certificate documentation.

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

BUILDING AND SITE REQUIREMENTS

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. All building work must be carried out in accordance with the provisions of the National Construction Code.
37. The work site is to be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
38. Toilet facilities are to be available or provided at the work site before works begin and be maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet is to:

- a) Be a standard flushing toilet connected to a public sewer, or
 - b) Have an on-site effluent disposal system approved under the Local Government Act 1993 (NSW), or
 - c) Be a temporary chemical closet approved under the Local Government Act 1993 (NSW).
39. 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.

40. 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

41. If construction / demolition work is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the need to enclose a public place, a hoarding or fence is to be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any

substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

42. An application is to be made to and approved by the City of Newcastle for the erection of a hoarding or part closure of the footway prior to construction being commenced.

Such overhead structure or protective fence is to comply with the *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2011* and any relevant approved industry code of practice. Notice of intention of commencement is to be given to SafeWork NSW.

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

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.

45. 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.

46. 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.

47. 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 shade cloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.

48. 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 (NSW).

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

DEMOLITION AND EARTHWORKS

50. Building demolition is to be planned and carried out in accordance with Australian Standard 2601:2001 - The Demolition of Structures.
51. 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 Council (marked to Attention: Compliance Services) and the demolisher prior to commencement of work.
52. 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 Council Officers upon request
 - d) Seven working days' notice in writing is to be given to Council 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 Council'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.
53. 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.
54. 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 Council's approval to position the container on the adjacent public road in accordance with Council's adopted Building Waste Container Policy.
55. 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.
56. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.
57. 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.
58. If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent is to, at that person's own expense"
- a) Protect and support the adjoining premises from possible damage from the excavation, and
 - b) Where necessary, underpin the adjoining premises to prevent any such damage.

The above requirements do not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the requirements not applying.

59. 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.

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.

60. Any excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance NSW EPA Guidelines 'Waste Classification Guidelines Part 1: Classifying Waste' prior to its removal from the site. All waste material must be disposed of at a Licensed Landfill facility approved for that purpose. *Note: if contaminated soil or other waste is transported to a site unlawfully, the owner of the waste, the transporter and the owner of the land receiving the waste are guilty of an offence.*
61. 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.
62. Documentation demonstrating the compliance with the conditions of the appropriate Resource Recovery Order and Resource Recovery Exemption must be maintained for any material received at the site and subsequently applied to land under the conditions of the Resource Recovery Order and Exemption. This documentation must be provided to Council officers or the Principal Certifying Authority on request.
63. 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.

PLANNING

64. A Registered Surveyor's certificate detailing the setting out of the proposed building on the site, including the relationship of the set out building to property boundaries, is to be submitted to the Principal Certifier before construction is commenced.
65. A survey certificate prepared by a Registered Surveyor is to be submitted to the Principal Certifier upon completion of the floor slab formwork, before concrete is poured, to verify that the siting of the building in relation to adjacent boundaries is in accordance with the development consent.
66. Certification is to be prepared by a Registered Surveyor and submitted to the Principal Certifier at the stages of construction indicated:
 - a) On completion of ground floor construction, confirming that the floor levels are in accordance with the approved levels.
 - b) On completion of each subsequent floor level, confirming that the floor levels are in accordance with the approved levels.
 - c) When the roof has been completed, confirming that the building does not exceed the approved levels.

67. 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.
68. 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.
69. If archaeological deposits or relics not identified and considered in the supporting documents for this consent are discovered, work must cease in the affected area(s) and the Heritage Council of NSW notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

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

70. The person having the benefit of the consent, must notify any contractors and persons involved in undertaking subsurface disturbance works, that it is an offence under Section 86 of the National Parks and Wildlife Act 1974 to harm or desecrate an Aboriginal object unless that harm or desecration is subject of an approved Aboriginal Heritage Impact Permit (AHIP).

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

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

71. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.
72. Technical Surveillance (CCTV) cameras are to be installed with relevant Australian Standards.

Prior to any site works commencing, the Developer preparing a Construction Management Plan (CMP) such to be designed and implemented to manage all environmental aspects associated with the construction works, including off site impacts such as transport to and from the site. Two copies of the CMP are to be provided to the Principal Certifier and the CMP is to be maintained on site during all site works and be made available to Authorised Officers upon request. The CMP is to include but not be limited to:

- a) A site management strategy, identifying and addressing issues such as environmental health and safety, site security, and traffic management.
- b) A soil and water management strategy, detailing erosion and sediment control, management of soil stockpiles, control and management of surface water and groundwater. Procedures should be included to ensure that all roads adjacent to the site are kept free and clear from mud and sediment.
- c) A dust management strategy, detailing procedures to minimise dust generation, with particular reference to control techniques and operational limits under adverse meteorological conditions.
- d) A waste minimisation strategy that aims to avoid production of waste and maximise reuse, recycling or reprocessing of potential waste material.
- e) A community relations plan that aims to inform local residents and other local stakeholders of the proposed nature and timeframes for construction activities together with contact details for site management.
- f) A noise management strategy detailing measures to minimise the impact of the construction phase on the amenity of the locality, in accordance with Australian Standard AS 2436, 1981 'Guide to Noise control on Construction, Maintenance and Demolition Sites'. Noise monitoring during the construction phase should be incorporated into the program.
- g) A site management strategy for dealing with any identifying potential for Acid Sulphate Soils (ASS) to be encountered and measures and techniques to be followed in the event that ASS is encountered.

ENGINEERING

73. On-site parking accommodation is to be provided for a minimum of thirteen (13) cars, one (1) motorcycle, ten (10) bicycles and such be set out generally in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent.
74. All parking bays are to be permanently marked out on the pavement surface.
75. The proposed visitor parking bays (2) are to be clearly indicated on site and shall remain as common property under any future strata scheme'.
76. Prior to commencement of site works the developer is to submit to Council for approval a Construction Traffic Management Plan addressing traffic control measures to be utilised in the public road reserve during the construction phase. Details must include how the Management plan will relate to the development and must ensure that deliveries to the site during the demolition of construction period are managed at the appropriate times.

The plan will be required to be referred to the Roads and Traffic Authority for separate approval. Note: The required plan is to ensure provision for safe, continuous movement of traffic and pedestrians within the road reserve. The plan is to be prepared in accordance with Australian Standard 1742.3 – 2002.

77. 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.
78. Provision must be made for safe, continuous movement of traffic and pedestrians in public roads and erecting traffic warning signs conforming to the Roads and Traffic Authority's General Specifications (RTA Spec. Part G10 "Control of Traffic" and RTA Spec. 3355). Traffic control is to be carried out only by flagmen with certification that they have been trained in accordance with Australian Standard 1742.3 - 2002.
79. 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* (NSW).

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

ENGINEERING

80. All works within the road reserve required by this consent are to be completed prior to the issue of any Occupation Certificate.
81. 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.
82. A copy of the stormwater drainage design plans approved with the Construction Certificate with 'work as executed' levels indicated, are to be submitted to the Principal Certifier and to the City of Newcastle prior to the issue of an Occupation Certificate. The plans are to be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.
83. A Maintenance Manual for all water management devices (quantity and quality) is to be prepared in accordance with Council's Stormwater and Water Efficiency for Development Technical Manual. The Maintenance Manual is to address maintenance issues concerning the water management devices including routine monitoring and regular maintenance. Establishment of the water management devices in accordance with the Maintenance Manual is to be completed prior to the issue of an Occupation Certificate.
84. A post construction dilapidation report prepared by a suitability qualified person is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate, to ascertain whether any physical damage, caused by the construction work, has occurred to the adjoining buildings, infrastructure and roads. The report is also to be forwarded to the City of Newcastle and will be made available in any private dispute between neighbours regarding damage arising from construction works.

85. The water management measures included as part of the proposal 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.
86. The proposed mechanical stack parking systems shall be regularly serviced and maintained to the requirements set out by the manufacturer of the system. In this regard the owner or the occupier of the building is to enter into an annual service and maintenance contract with the manufacturer's service agent for the life of the system. A copy of the initial service and maintenance contract is to be provided to Council prior to issue of an Occupation Certificate.

In the event of permanent failure of the system (which is unable to be remedied by servicing), the owner of the building is to immediately replace the mechanical stack parking system.

ACOUSTIC REQUIREMENTS

87. Appropriate acoustic treatment is to be implemented in accordance with the recommendations set out in the report prepared by SLR Consulting, dated September 2018 and email to the Applicant dated 27 October 2020. 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 Council prior to the issue of an Occupation Certificate.

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

88. 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.

PLANNING

89. A design verification statement from Macphail and Sproul Architects or the qualified designer appointed to prepare the plans for the Construction Certificate shall be submitted to the Principal Certifying Authority prior to the issue of an Interim or Final Occupation Certificate, whichever occurs first. The statement shall confirm the development has been constructed in accordance with the quality principles set out in Part 2 of State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development.

Note: 'Qualified Designer' means a person registered as an architect in accordance with the Architects Act 2003. This condition is imposed in accordance with Clauses 154A of the Environmental Planning and Assessment Regulation 2000.

90. All commitments listed in the relevant BASIX certificate for the development are to be satisfactorily completed prior to the issue of an Occupation Certificate. Should there

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

91. A Landscape Practical Completion Report is to be submitted to the Principal Certifying Authority prior to the issue of the Final Occupation Certificate. The report is to verify that all landscape works have been carried out in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application and is to verify that an effective maintenance program has been commenced.
92. Appropriate arrangements being made for the collection of garbage (recyclable and non-recyclable) from within the development and such arrangements being in place prior to the occupation of the premise the subject of this development application
93. Lighting is to be provided to all entrances and exits of the premises, shared pedestrian paths and parking areas, and is to be designed, positioned, and installed, including appropriate shielding and orientation of the lighting fixture, as to not give rise to obtrusive light, interfere with traffic safety or detract from the amenity of surrounding properties. All lighting must comply with AS 1158 'Lighting for Roads and Public Spaces' and AS 4282 'Control of Obtrusive Effects of Outdoor Lighting'. Full details are to be included in the documentation for a Construction Certificate application.

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

ENGINEERING

94. At all times on-site parking accommodation is to be provided for a minimum of thirteen (13) cars, one (1) motorcycle, ten (10) bicycles and such be set out generally in accordance with the details indicted on the submitted plans except as otherwise provided by the conditions of consent.
95. Proposed parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.
96. All vehicular queuing for use of the car stacker system is to occur within the site and all vehicular movement to and from the site is to be in a forward direction.
97. Install and maintain an 'All Traffic-Right Only (R2-14)' sign near the garage roller door within property boundary facing exiting vehicles.

ENVIRONMENTAL HEALTH

98. 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 that 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 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, verifying that 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.

99. 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 emission of air impurities to an acceptable level and such measures will be required to be 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.

PLANNING

100. Hours of Operation of the Commercial premises shall be limited to 9 – 5, 7 days per week.
101. Lighting is to be maintained and operational throughout the life of the development.
102. No goods or advertising signs are to be displayed or allowed to stand on the public footpath or street.
103. Waste management (recyclable and non-recyclable) is to be collected from the carpark refuse storage area, as identified on the approved plans, by maximum size Medium Rigid Vehicle and returned directly to the refuse storage area. Under no circumstances are garbage bins to be presented to Darby Street for kerbside collection or remain at kerbside after collection.
104. The proposed development will require the provision of new street numbers for the delivery of services and goods. Please contact CN to obtain relevant house numbering.

ADVISORY MATTERS

- It is recommended that, prior to commencement of work, the free national community service 'Dial before you Dig' be contacted on 1100 or by fax on 1200 652 077 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.
- Any necessary alterations to public utility installations are to be at the developer/demolisher's expense and to the requirements of both Council and any other relevant authorities. Council and other service authorities should be contacted for specific requirements prior to the commencement of any works.
- It is an offence under the provisions of the Protection of the Environment Operations Act 1997 (NSW) to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice ('on-the-spot fine') or prosecution.
- Failure to comply with the conditions of consent constitutes a breach of the Environmental Planning and Assessment Act 1979 (NSW), which may be subject to a penalty infringement notice ('on-the-spot fine') or prosecution.
- 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 Council is to be notified of the appointment; and
 - c) Council is to be given at least two days notice of the date intended for commencement of building works.
- Any proposed business identification sign or advertising sign is to be designed in accordance with the provisions of Newcastle Development Control Plan 2012 and be the subject of a separate Development Application that is to be approved prior to the sign being erected or placed in position, except when such signage meets 'exempt development' criteria.
- A Construction Certificate application for this project is to include a list of fire safety measures proposed to be installed in the building and/or on the land and include a separate list of any fire safety measures that already exist at the premises. The lists are to describe the extent, capability and basis of design of each of the measures.
- 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.
 - An annual Fire Safety Statement in the form described in Clause 175 of the *Environmental Planning and Assessment Regulation 2000* is to be submitted to the City of Newcastle and a copy (together with a copy of the current fire safety schedule) is to be given to the Commissioner of New South Wales Fire Brigades. A further copy of the Statement (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
 - 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 (i.e. 'on-the-spot fine') or prosecution.



ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 16/02/2021 – 150 DARBY STREET, COOKS HILL - DA2018/01251.01 -
REVIEW OF DETERMINATION - MIXED-USE DEVELOPMENT COMERCIAL
PREMISES AND SHOP TOP HOUSING**

ITEM-1 Attachment C: Processing Chronology

DISTRIBUTED UNDER SEPARATE COVER



PROCESSING CHRONOLOGY

DA2018/01251.01 – 150 Darby Street, Cooks Hill

17 July 2020	Application for 8.2 review lodged
29 July to 17 August 2020	Notification.
September 2020	Discussions with owner and Applicant in regard to CN's concerns in particular, heritage requirements and character of Darby Street.
6/8 October 2020	Advice to Applicant in regard to CN requirement for amended plans. Discussions in regard to proposed Public Voice meeting and Council meeting.
14 October 2020	Meeting with Applicant in regard to articulation and materiality of the proposal and revised concept plans.
22 October 2020	Revised plans received (made publicly viewable, however further amendments noted to be required after assessment).
6 November 2020	Meeting held between CN Planning and Heritage Officers with Applicant's Architect and amendments suggested.
13 November 2020	Further discussions between CN Heritage Officer and Architect for Applicant.
18 November 2020	Amended plans provided and placed on exhibition.
1 December 2020	Public Voice meeting

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 16/02/2021 – 11 ARGYLE STREET, NEWCASTLE
- DA2020/00189 - MIXED-USE - STAGED DEVELOPMENT FOR
ALTERATIONS AND ADDITIONS AND PART CHANGE OF USE**

PAGE 3	ITEM-2	Attachment A:	Submitted Plans
PAGE 23	ITEM-2	Attachment B:	Draft Schedule of Conditions
PAGE 37	ITEM-2	Attachment C:	Processing Chronology
PAGE 40	ITEM-2	Attachment D:	General Terms of Approval - Subsidence Advisory NSW

DISTRIBUTED UNDER SEPARATE COVER





ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 16/02/2021 – 11 ARGYLE STREET, NEWCASTLE
- DA2020/00189 - MIXED-USE - STAGED DEVELOPMENT FOR
ALTERATIONS AND ADDITIONS AND PART CHANGE OF USE**

ITEM-2 Attachment A: Submitted Plans

DISTRIBUTED UNDER SEPARATE COVER



Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

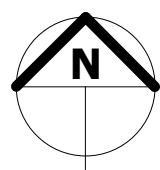
Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group



Site Analysis

PROJECT NUMBER 2018-099

DATE January 2020

STATUS Development Application

DRAWN BY BR

SCALE 1 : 500

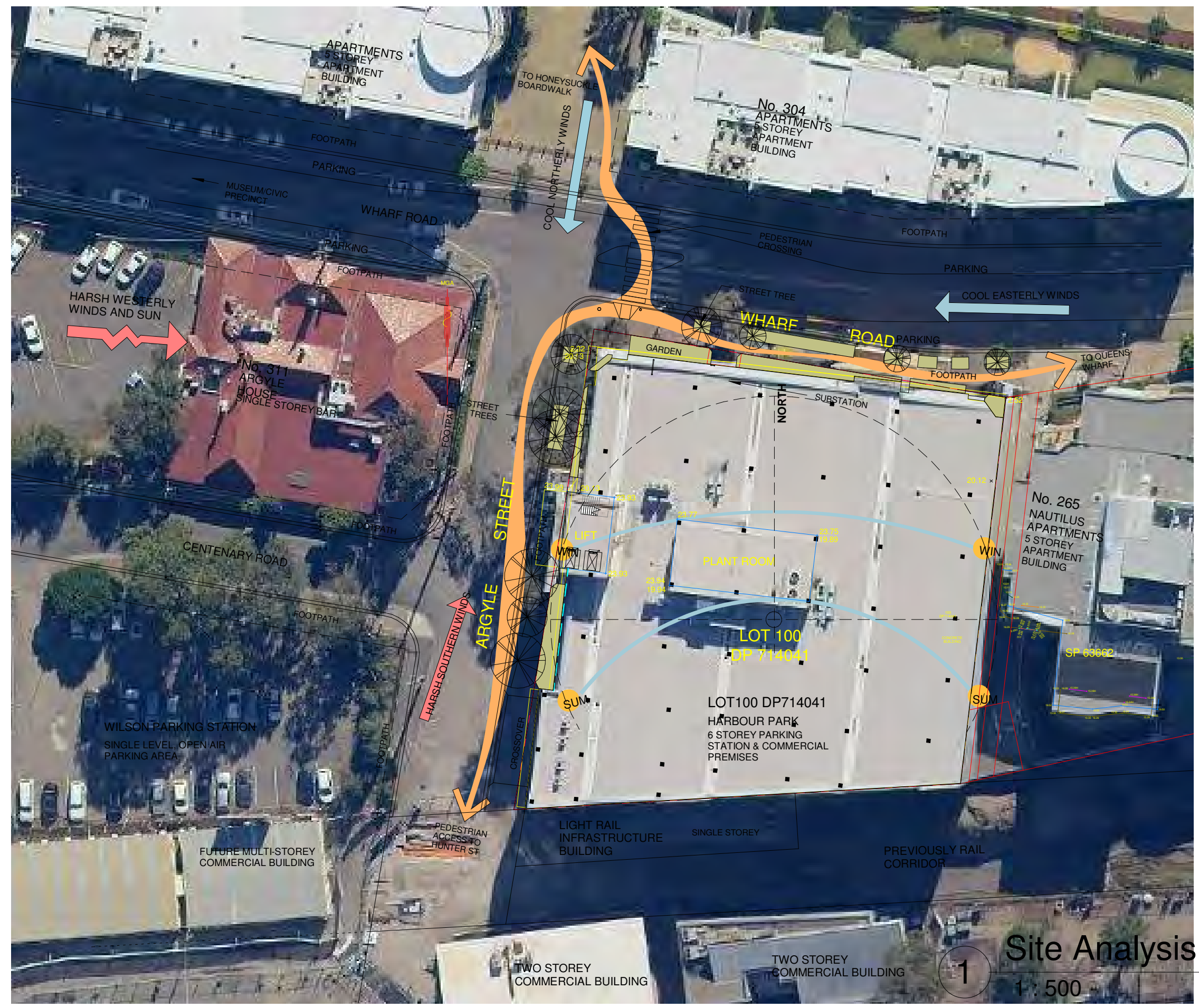
DRAWING NO.

A011



ABN 79 953 650 651 / NSW Reg No. 8357

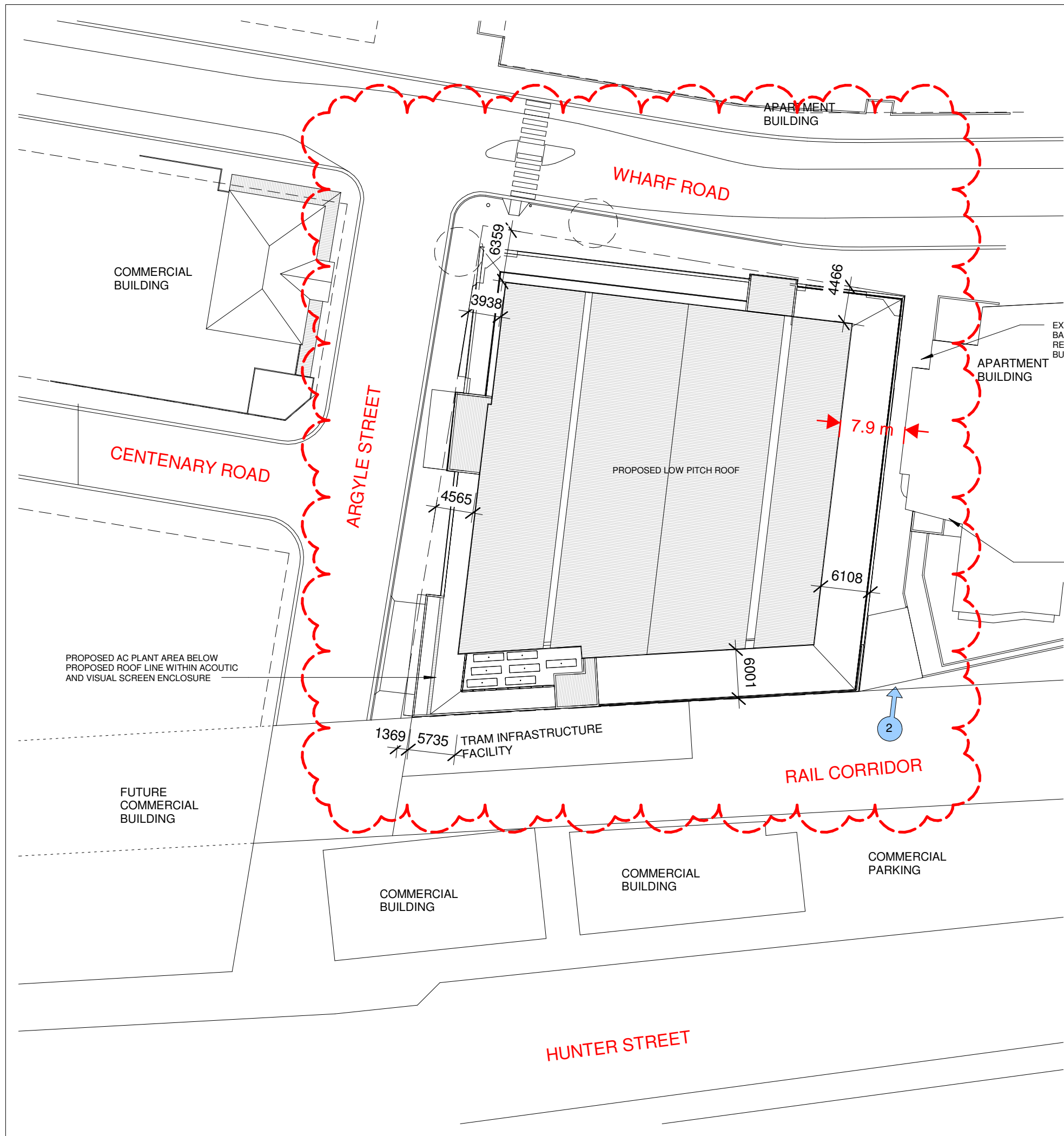
a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au



Site Analysis

1 : 500





DEVELOPMENT SUMMARY	
SITE AREA	= 2945sqm
EXISTING	
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
TOTAL GFA	= 5102sqm
FSR	= 1.7:1
PROPOSED (STAGE 1)	
LEVEL 4 OFFICE	= 1107sqm
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
LEVEL 7 OFFICE	= 1583sqm
TOTAL GFA	= 7792sqm
FSR	= 2.65:1
PROPOSED (STAGE 2)	
LEVEL 4 OFFICE	= 2400sqm
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
LEVEL 7 OFFICE	= 1583sqm
TOTAL GFA	= 9085sqm
FSR	= 3.1:1
<i>NOTE: GFA EXCLUDES PLANT ROOMS, BATHROOMS & VERTICAL CIRCULATION</i>	
PARKING REQUIREMENTS	
EXISTING GFA	= 5102 sqm
REQUIRED PARKING	= 102 SPACES
PARKING PROVIDED	= 326 SPACES
STAGE 1 GFA	= 7792 sqm
REQUIRED PARKING	= 169 SPACES
PARKING PROVIDED	= 271 SPACES
STAGE 2 GFA	= 9085 sqm
REQUIRED PARKING	= 195 SPACES
PARKING PROVIDED	= 241 SPACES
PARKING RATES PER NCC DCP	
CAR PARKING	= 1 / 50sqm GFA
MOTORBIKE PARKING	= 1 / 20 CARS
PUSHBIKE PARKING	= 1 / 200sqm GFA

Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
G	Revised L7 for review	16.12.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

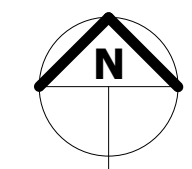
Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Site Plan

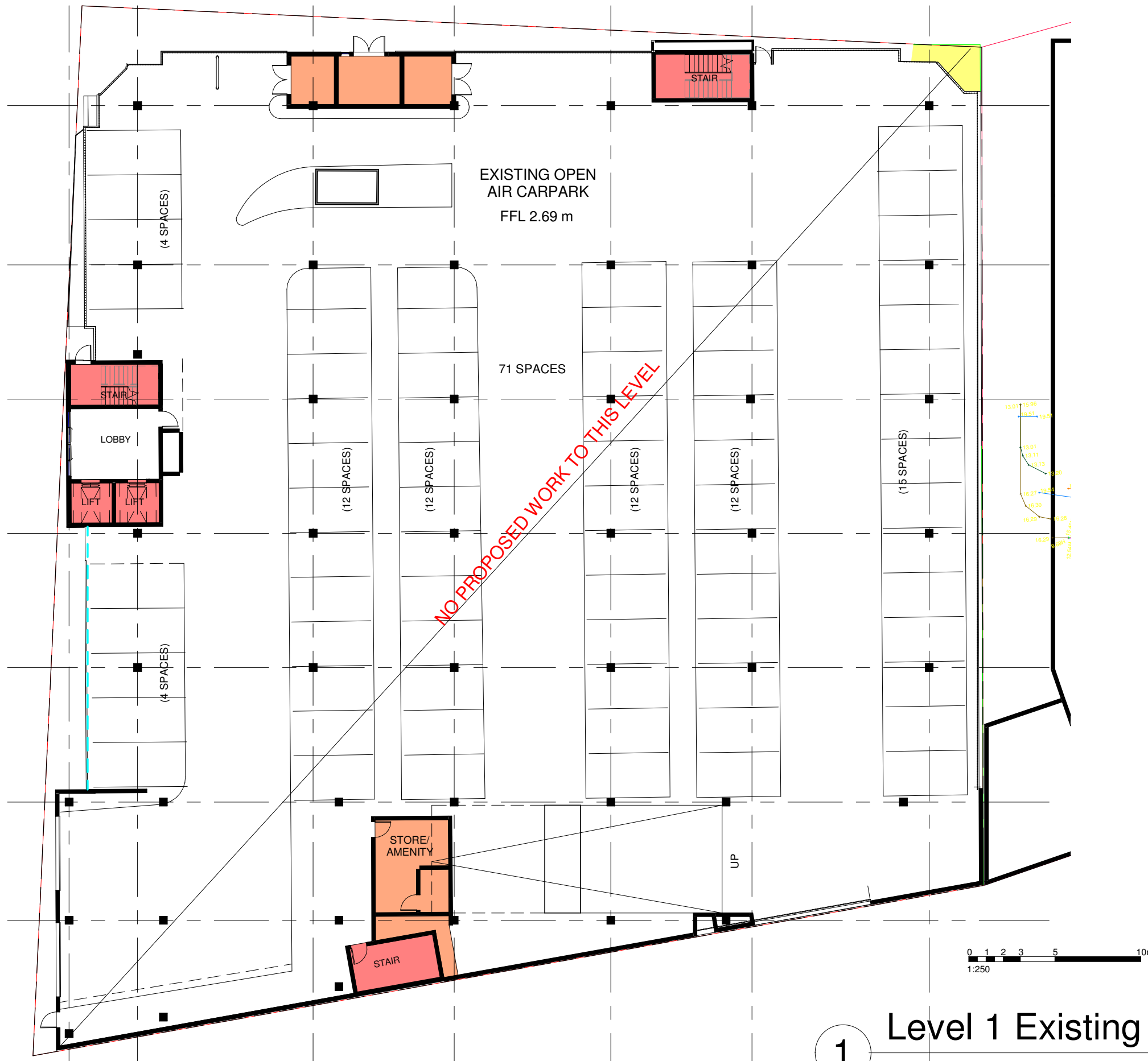
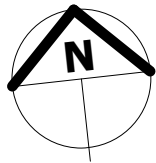
PROJECT NUMBER	2018-099
DATE	January 2020
STATUS	Development Application
DRAWN BY	BR
SCALE	1 : 500
DRAWING NO.	A100



1 Site Plan
1 : 500

RAINSFORD ARCHITECTURE + DESIGN R(AD)

ABN 79 953 650 651 / NSW Reg No. 8357
 a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au



Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Level 1 - Existing

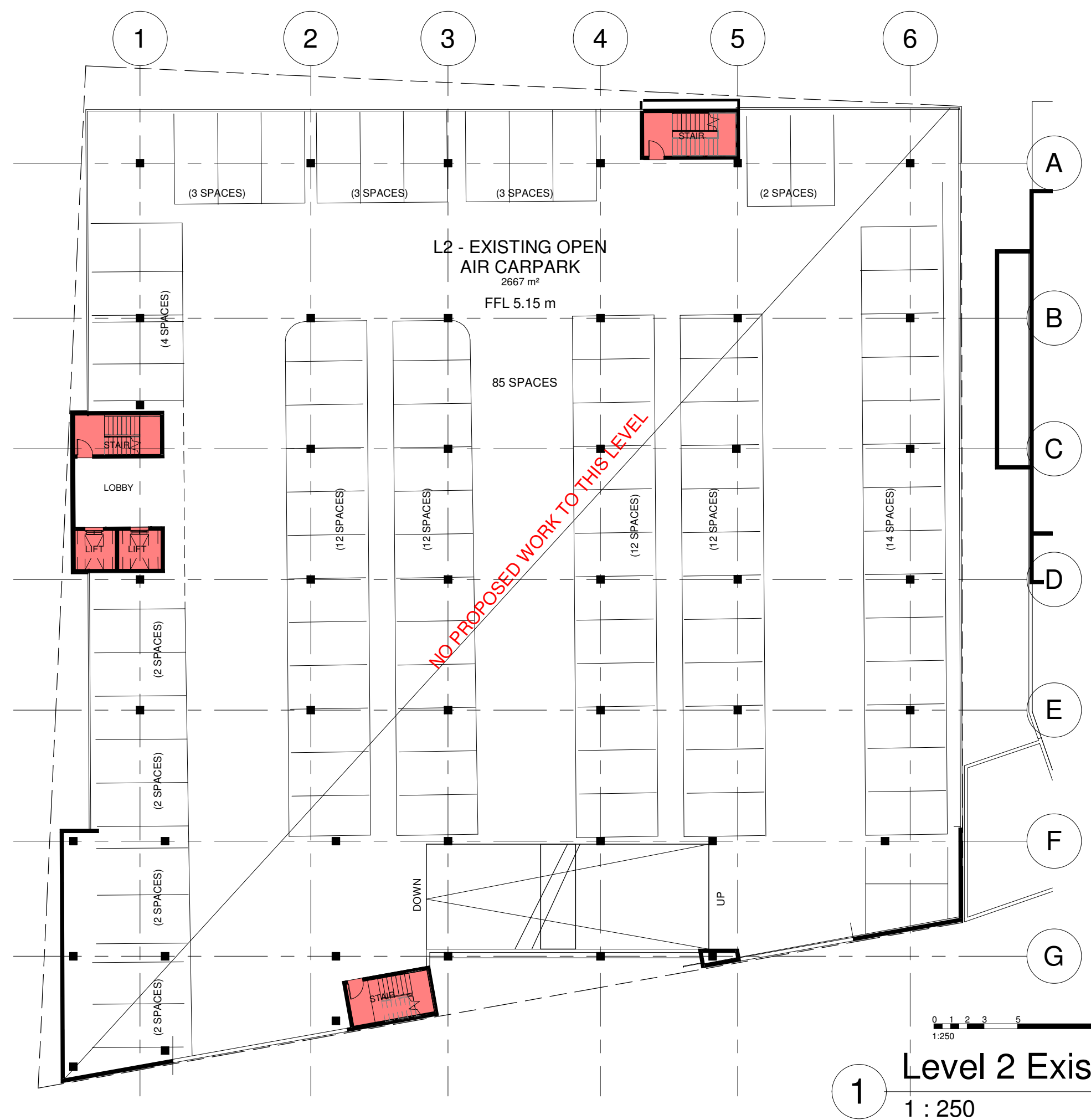
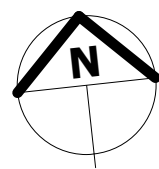
PROJECT NUMBER	2018-099
DATE	January 2020
STATUS	Development Application
DRAWN BY	BR
SCALE	1 : 250
DRAWING NO.	A110

RAINSFORD ARCHITECTURE + DESIGN R(AD)

ABN 79 953 650 651 / NSW Reg No. 8357

a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au

1 Level 1 Existing
1 : 250



1 Level 2 Existing
1 : 250

Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Level 2 - Existing

PROJECT NUMBER 2018-099

DATE January 2020

STATUS Development Application

DRAWN BY BR

SCALE 1 : 250

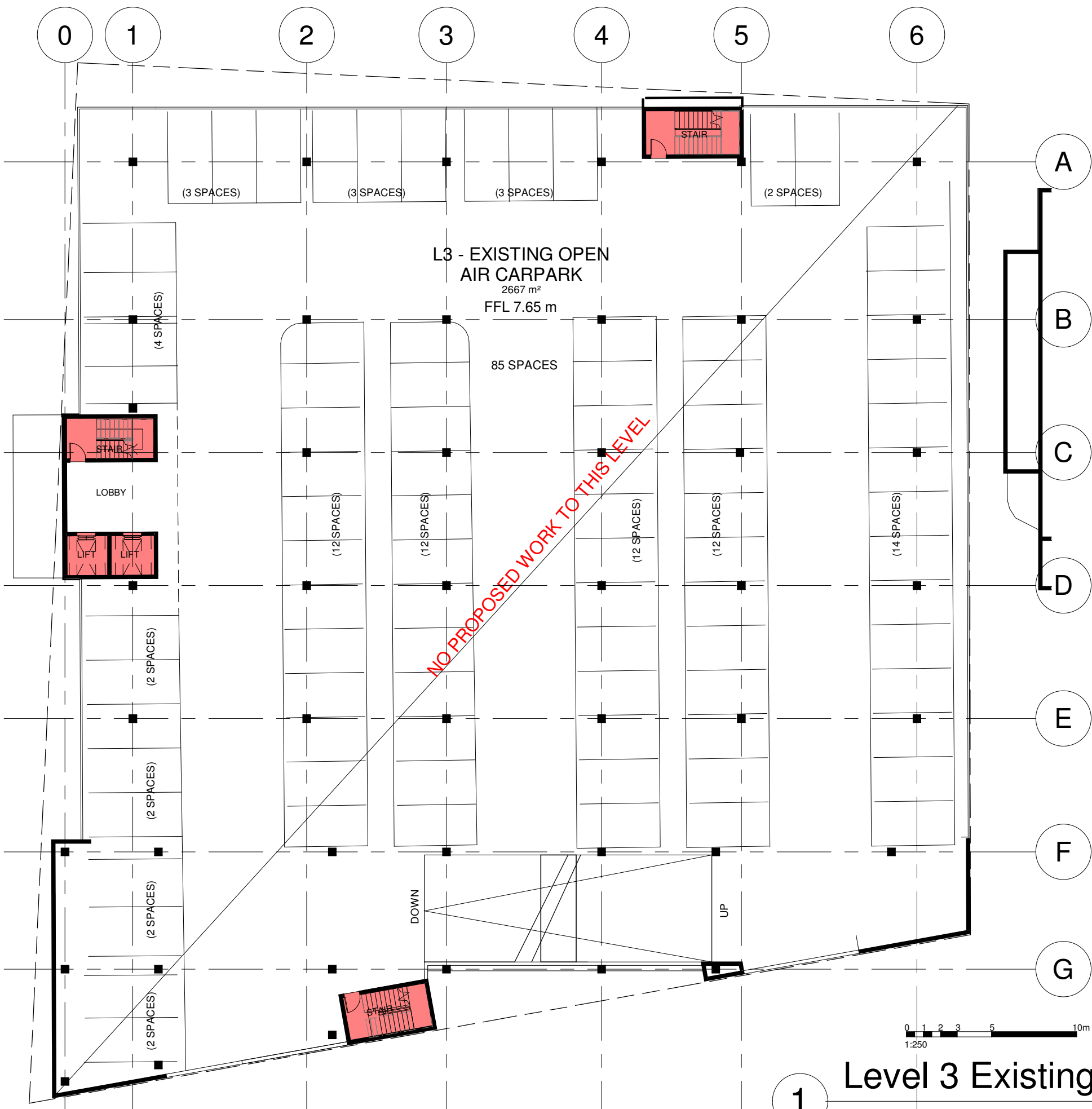
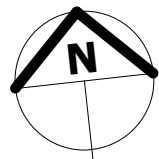
DRAWING NO.

A111



ABN 79 953 650 651 / NSW Reg No. 8357

a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au



Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Level 3 - Existing

PROJECT NUMBER 2018-099

DATE January 2020

STATUS Development Application

DRAWN BY BR

SCALE 1 : 250

DRAWING NO.

A112



ABN 79 953 650 651 / NSW Reg No. 8357

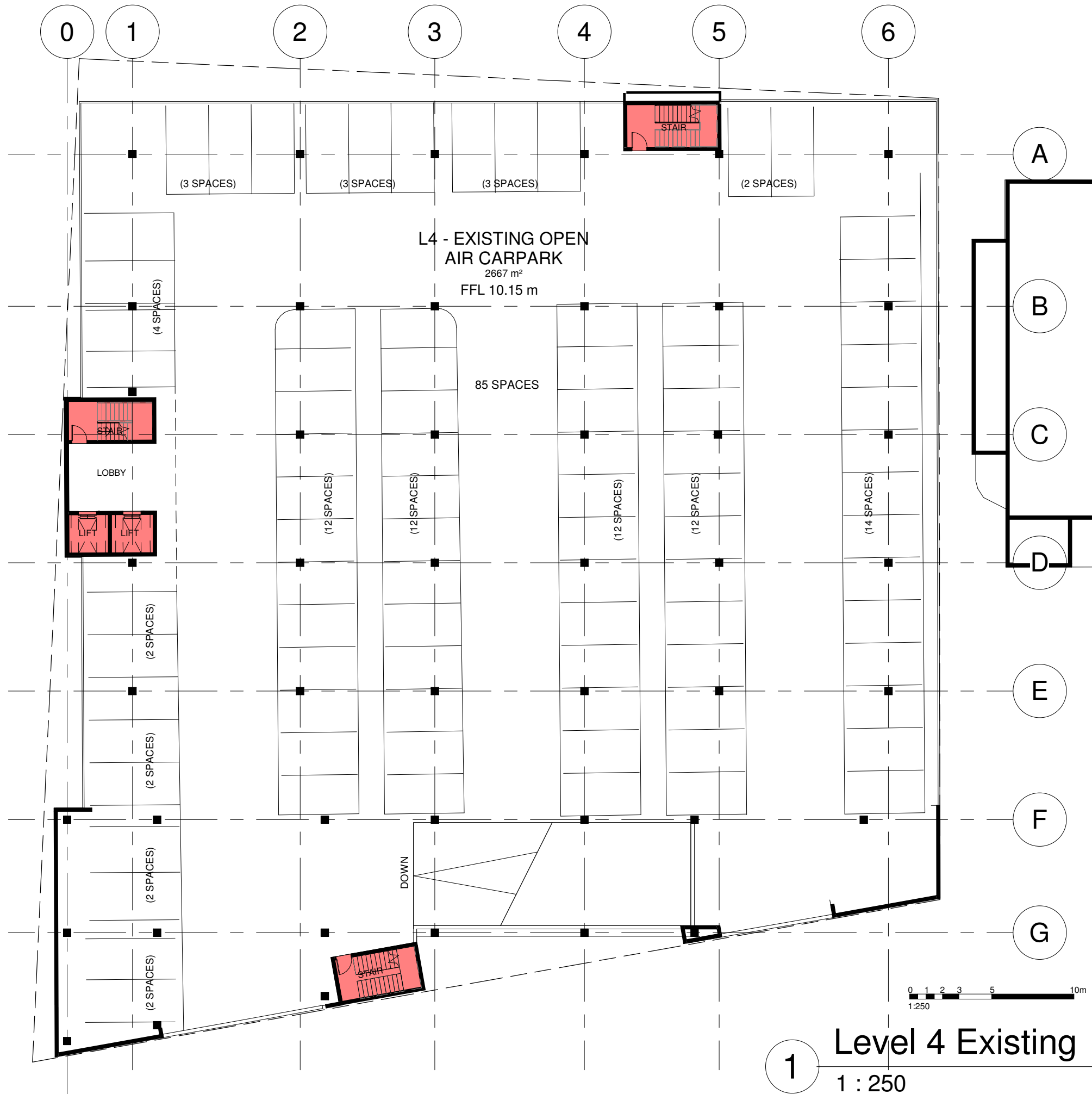
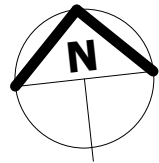
a. PO Box 261 Newcastle NSW 2300

e. studio@r-ad.com.au

m. 0419 281 574

w. www.r-ad.com.au

1 Level 3 Existing
1 : 250



Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Level 4 - Existing

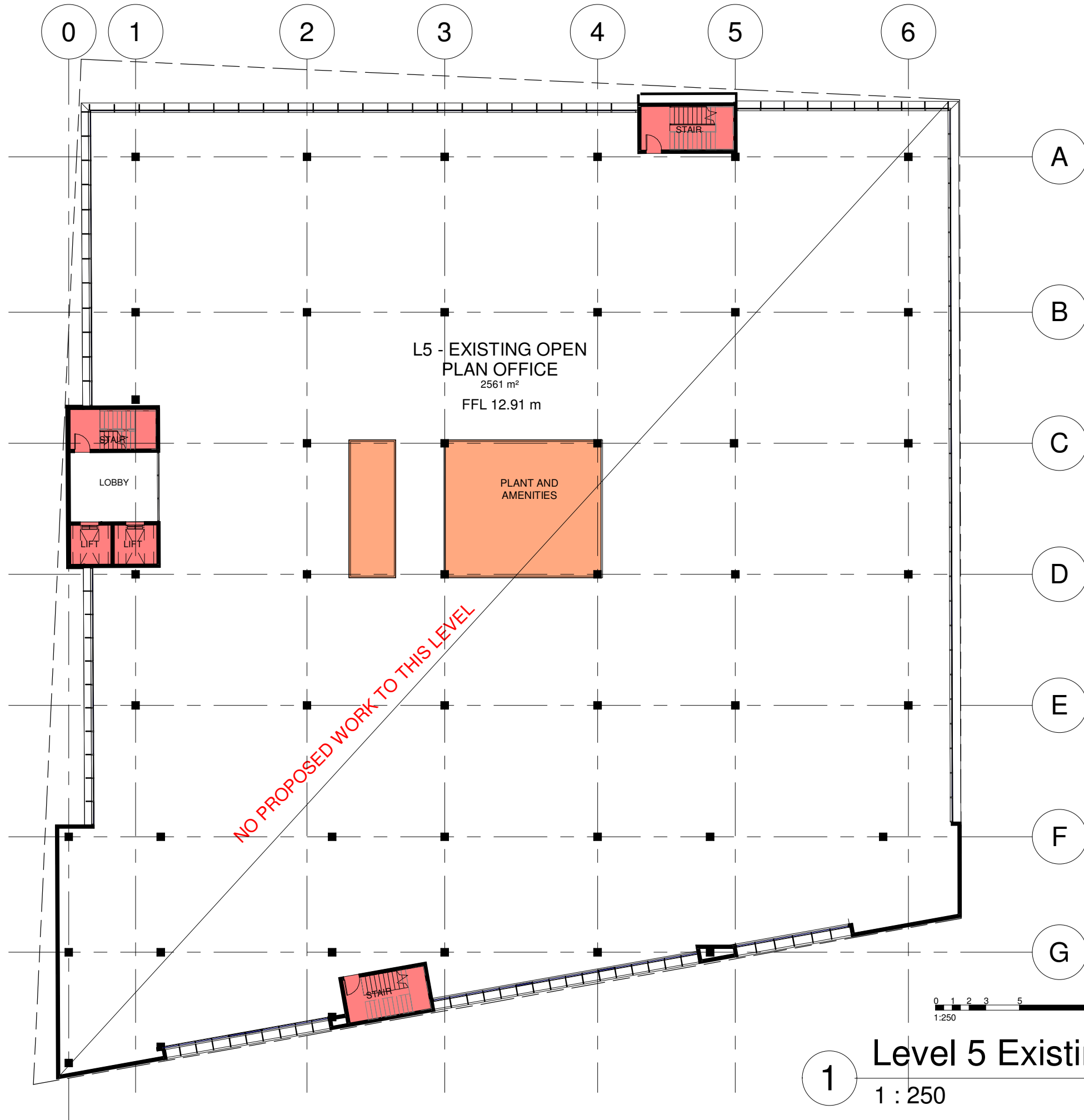
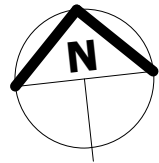
PROJECT NUMBER	2018-099
DATE	January 2020
STATUS	Development Application
DRAWN BY	BR
SCALE	1 : 250
DRAWING NO.	A113

RAINSFORD ARCHITECTURE + DESIGN R(AD)

ABN 79 953 650 651 / NSW Reg No. 8357

a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au

1 Level 4 Existing
1 : 250



Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Level 5 - Existing

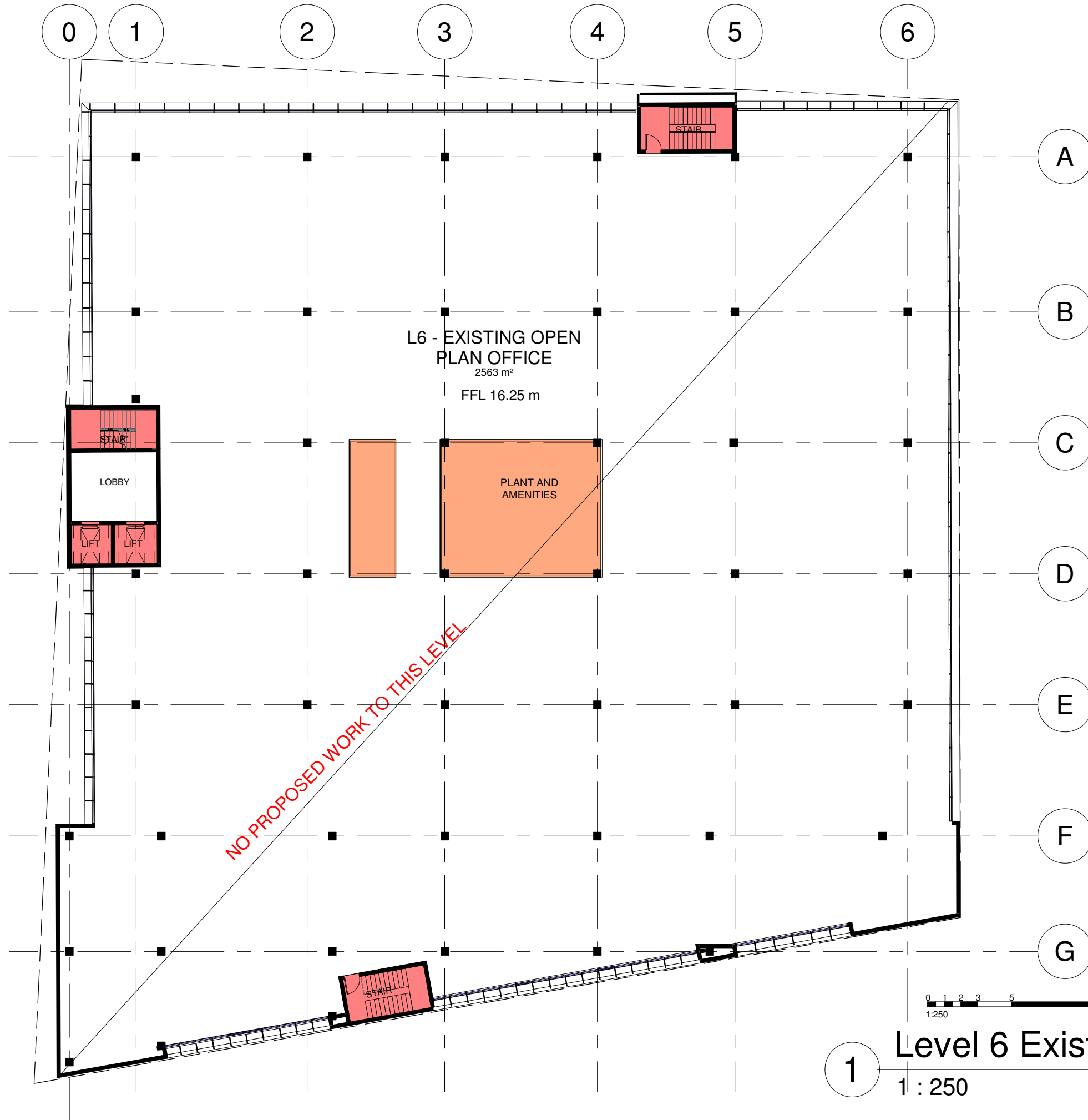
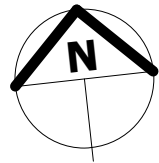
PROJECT NUMBER	2018-099
DATE	January 2020
STATUS	Development Application
DRAWN BY	BR
SCALE	1 : 250
DRAWING NO.	A114

RAINSFORD ARCHITECTURE + DESIGN R(AD)

ABN 79 953 650 651 / NSW Reg No. 8357

a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au

1 Level 5 Existing
1 : 250



1 Level 6 Existing
1 : 250

Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Level 6 - Existing

PROJECT NUMBER 2018-099

DATE January 2020

STATUS Development Application

DRAWN BY BR

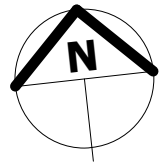
SCALE 1 : 250

DRAWING NO.

A115



ABN 79 953 650 651 / NSW Reg No. 8357
 a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au



Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Level 7/ Roof - Existing

PROJECT NUMBER 2018-099

DATE January 2020

STATUS Development Application

DRAWN BY BR

SCALE 1 : 250

DRAWING NO.

A116



ABN 79 953 650 651 / NSW Reg No. 8357

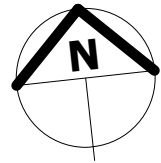
a. PO Box 261 Newcastle NSW 2300

e. studio@r-ad.com.au

m. 0419 281 574

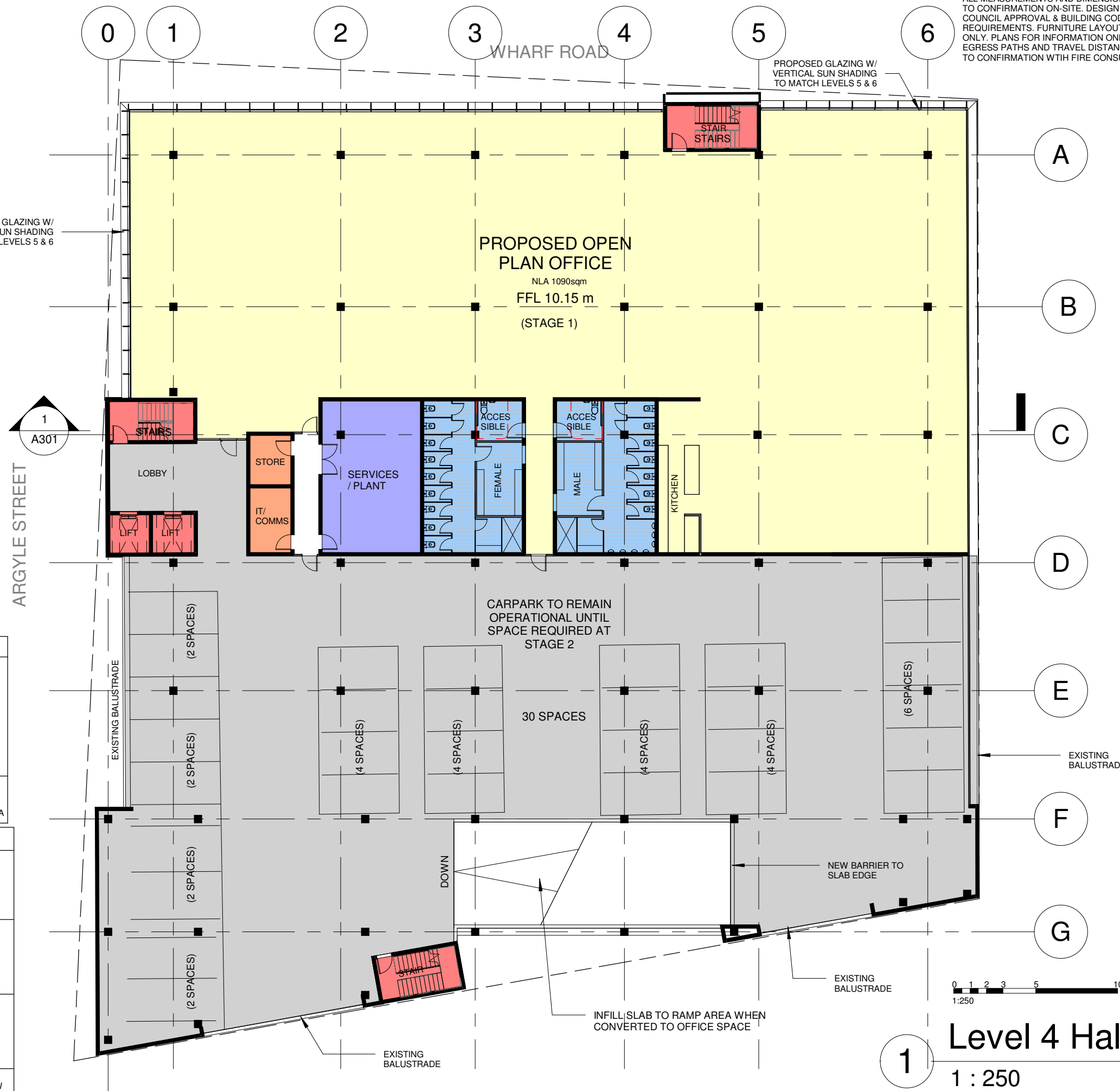
w. www.r-ad.com.au

1 Level 7 Existing
1 : 250



ALL MEASUREMENTS AND DIMENSIONS SUBJECT TO CONFIRMATION ON-SITE. DESIGN SUBJECT TO COUNCIL APPROVAL & BUILDING CODE REQUIREMENTS. FURNITURE LAYOUT INDICATIVE ONLY. PLANS FOR INFORMATION ONLY. FIRE EGRESS PATHS AND TRAVEL DISTANCES SUBJECT TO CONFIRMATION WITH FIRE CONSULTANT

Rev	Description	Date
A	Level 4 & 7 Draft	22.10.2019
B	Level 4 & 7 Concept	23.10.2019
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
H	Revised L7 for DA issue	17.12.2020



PARKING REQUIREMENTS	
EXISTING GFA	= 5102 sqm
REQUIRED PARKING	= 102 SPACES
PARKING PROVIDED	= 326 SPACES
STAGE 1 GFA	
REQUIRED PARKING	= 169 SPACES
PARKING PROVIDED	= 271 SPACES
STAGE 2 GFA	
REQUIRED PARKING	= 195 SPACES
PARKING PROVIDED	= 241 SPACES
PARKING RATES PER NCC DCP	
CAR PARKING	= 1 / 50sqm GFA
MOTORBIKE PARKING	= 1 / 20 CARS
PUSHBIKE PARKING	= 1 / 200sqm GFA

DEVELOPMENT SUMMARY	
SITE AREA	= 2945sqm
EXISTING	
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
TOTAL GFA	= 5102sqm
FSR	= 1.7:1
PROPOSED (STAGE 1)	
LEVEL 4 OFFICE	= 1107sqm
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
LEVEL 7 OFFICE	= 1583sqm
TOTAL GFA	= 7792sqm
FSR	= 2.65:1
PROPOSED (STAGE 2)	
LEVEL 4 OFFICE	= 2400sqm
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
LEVEL 7 OFFICE	= 1583sqm
TOTAL GFA	= 9085sqm
FSR	= 3.1:1
<i>NOTE: GFA EXCLUDES PLANT ROOMS, BATHROOMS & VERTICAL CIRCULATION</i>	

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Level 4 - Proposed (Stage 1)

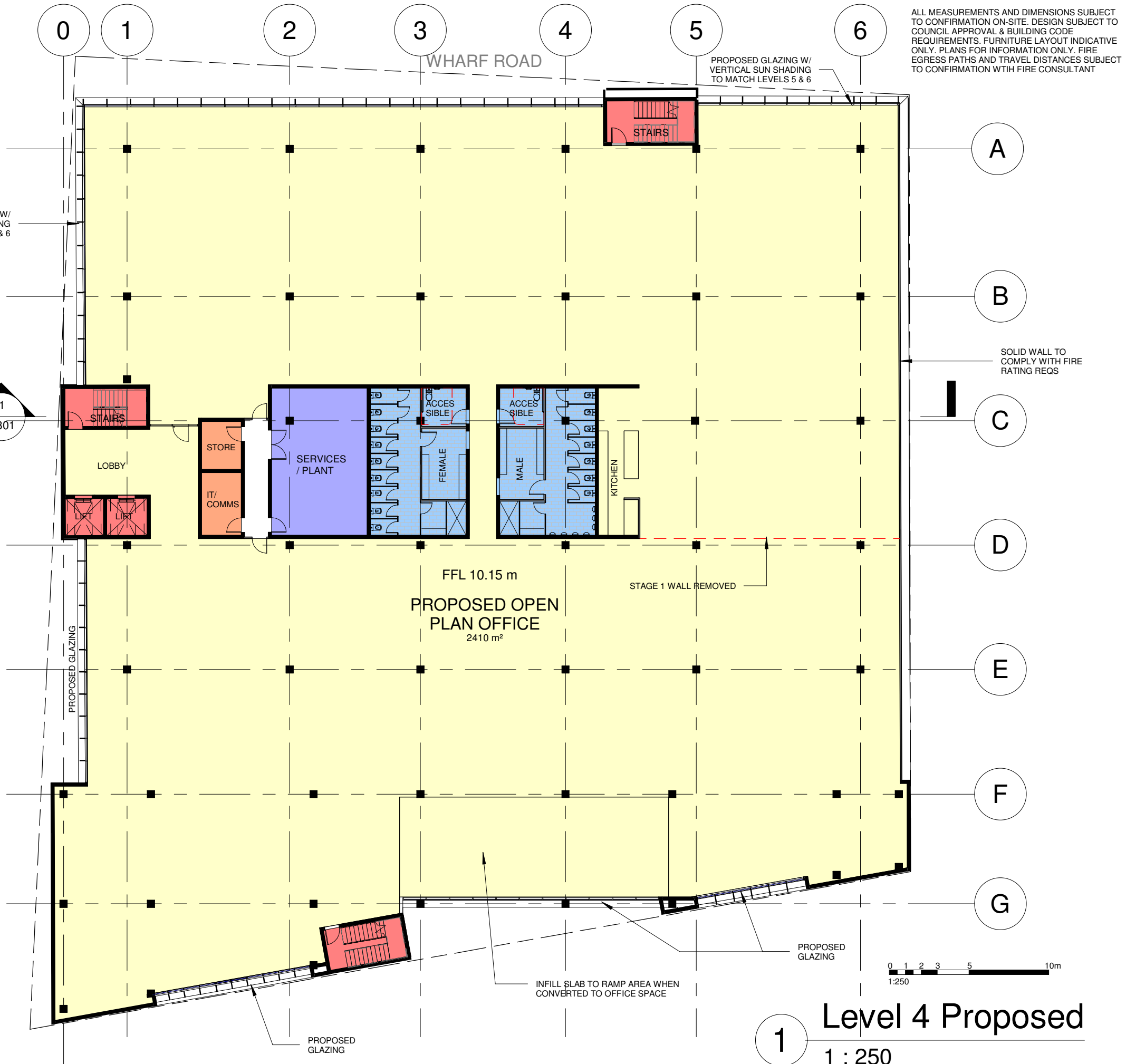
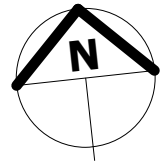
PROJECT NUMBER	2018-099
DATE	January 2020
STATUS	Development Application
DRAWN BY	BR
SCALE	1 : 250
DRAWING NO.	A123

RAINSFORD ARCHITECTURE + DESIGN (RAD)

ABN 79 953 650 651 / NSW Reg No. 8357

a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au

Level 4 Half
1 : 250



ALL MEASUREMENTS AND DIMENSIONS SUBJECT TO CONFIRMATION ON-SITE. DESIGN SUBJECT TO COUNCIL APPROVAL & BUILDING CODE REQUIREMENTS. FURNITURE LAYOUT INDICATIVE ONLY. PLANS FOR INFORMATION ONLY. FIRE EGRESS PATHS AND TRAVEL DISTANCES SUBJECT TO CONFIRMATION WITH FIRE CONSULTANT

Rev	Description	Date
B	Level 4 & 7 Concept	23.10.2019
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Level 4 - Proposed (Stage 2)

PROJECT NUMBER 2018-099

DATE January 2020

STATUS Development Application

DRAWN BY BR

SCALE 1 : 250

DRAWING NO.

A124

PARKING REQUIREMENTS	
EXISTING GFA	= 5102 sqm
REQUIRED PARKING	= 102 SPACES
PARKING PROVIDED	= 326 SPACES
STAGE 1 GFA	= 7792 sqm
REQUIRED PARKING	= 169 SPACES
PARKING PROVIDED	= 271 SPACES
STAGE 2 GFA	= 9085 sqm
REQUIRED PARKING	= 195 SPACES
PARKING PROVIDED	= 241 SPACES
PARKING RATES PER NCC DCP	
CAR PARKING	= 1 / 50sqm GFA
MOTORBIKE PARKING	= 1 / 20 CARS
PUSHBIKE PARKING	= 1 / 200sqm GFA

DEVELOPMENT SUMMARY	
SITE AREA	= 2945sqm
EXISTING	
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
TOTAL GFA	= 5102sqm
FSR	= 1.7:1
PROPOSED (STAGE 1)	
LEVEL 4 OFFICE	= 1107sqm
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
LEVEL 7 OFFICE	= 1583sqm
TOTAL GFA	= 7792sqm
FSR	= 2.65:1
PROPOSED (STAGE 2)	
LEVEL 4 OFFICE	= 2400sqm
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
LEVEL 7 OFFICE	= 1583sqm
TOTAL GFA	= 9085sqm
FSR	= 3.1:1
<small>NOTE: GFA EXCLUDES PLANT ROOMS, BATHROOMS & VERTICAL CIRCULATION</small>	

1 Level 4 Proposed
1 : 250



ABN 79 953 650 651 / NSW Reg No. 8357

a. PO Box 261 Newcastle NSW 2300
e. studio@r-ad.com.au
m. 0419 281 574
w. www.r-ad.com.au

ALL MEASUREMENTS AND DIMENSIONS SUBJECT TO CONFIRMATION ON-SITE. DESIGN SUBJECT TO COUNCIL APPROVAL & BUILDING CODE REQUIREMENTS. FURNITURE LAYOUT INDICATIVE ONLY. PLANS FOR INFORMATION ONLY. FIRE EGRESS PATHS AND TRAVEL DISTANCES SUBJECT TO CONFIRMATION WITH FIRE CONSULTANT

Rev	Description	Date
A	Level 4 & 7 Draft	22.10.2019
B	Level 4 & 7 Concept	23.10.2019
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
G	Revised L7 for review	16.12.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Level 7 - Proposed

PROJECT NUMBER 2018-099

DATE January 2020

STATUS Development Application

DRAWN BY BR

SCALE 1 : 250

DRAWING NO.

A126



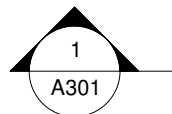
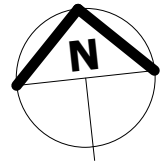
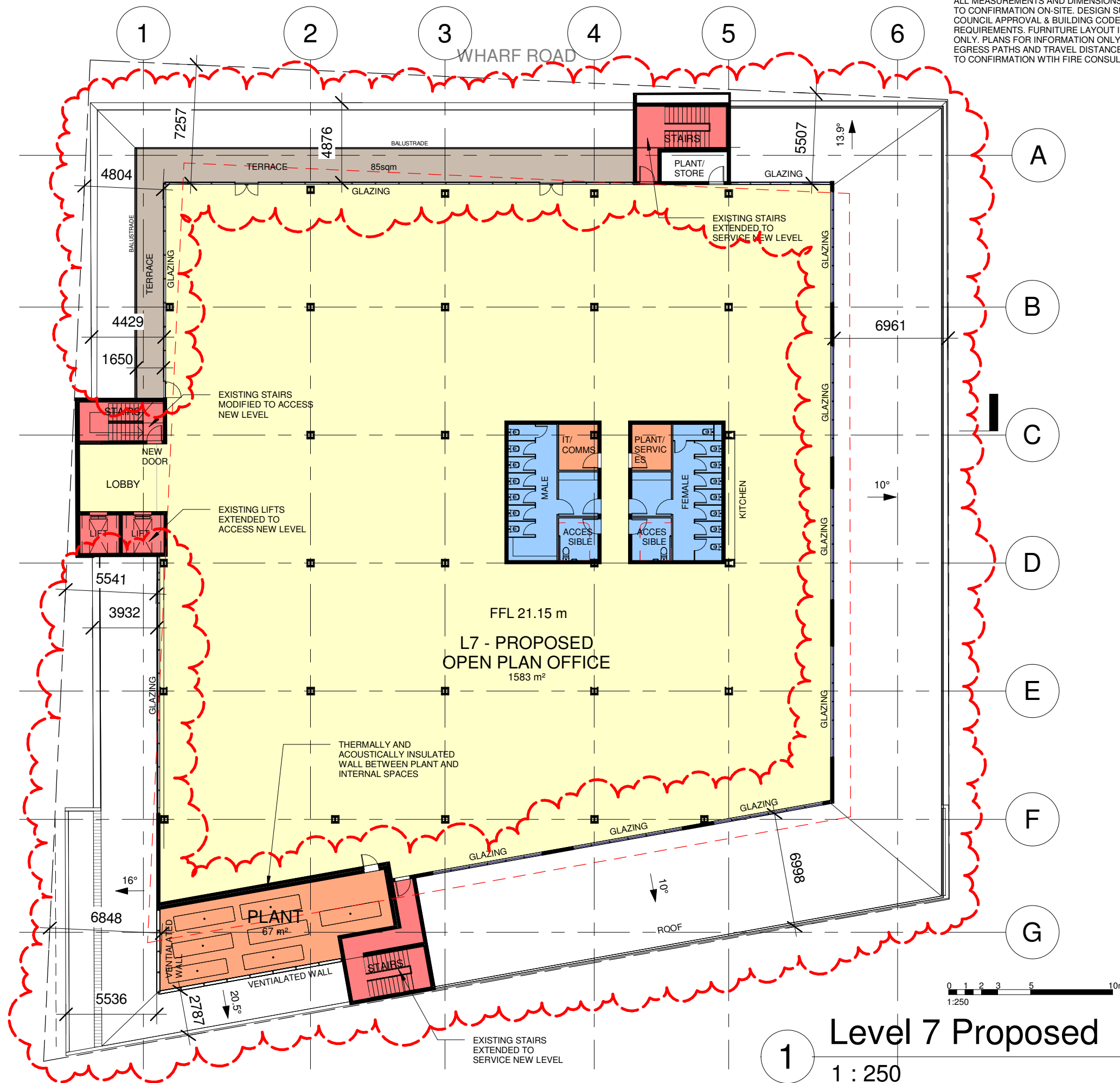
ABN 79 953 650 651 / NSW Reg No. 8357

a. PO Box 261 Newcastle NSW 2300

e. studio@r-ad.com.au

m. 0419 281 574

w. www.r-ad.com.au

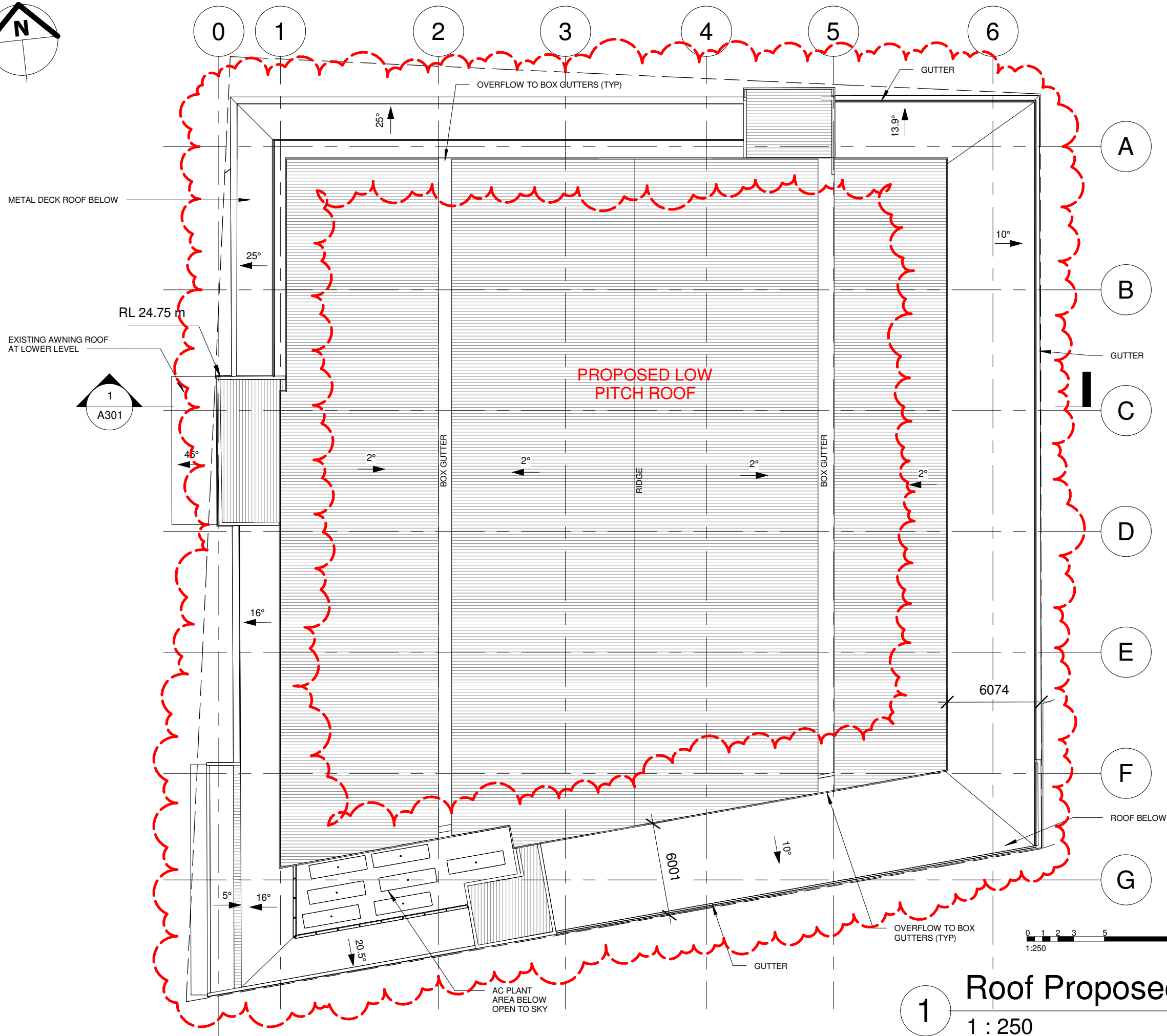
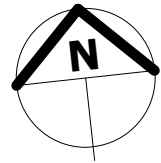


PARKING REQUIREMENTS	
EXISTING GFA	= 5102 sqm
REQUIRED PARKING	= 102 SPACES
PARKING PROVIDED	= 326 SPACES
STAGE 1 GFA	= 7792 sqm
REQUIRED PARKING	= 169 SPACES
PARKING PROVIDED	= 271 SPACES
STAGE 2 GFA	= 9085 sqm
REQUIRED PARKING	= 195 SPACES
PARKING PROVIDED	= 241 SPACES
PARKING RATES PER NCC DCP	
CAR PARKING	= 1 / 50sqm GFA
MOTORBIKE PARKING	= 1 / 20 CARS
PUSHBIKE PARKING	= 1 / 200sqm GFA

DEVELOPMENT SUMMARY	
SITE AREA	= 2945sqm
EXISTING	
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
TOTAL GFA	= 5102sqm
FSR	= 1.7:1
PROPOSED (STAGE 1)	
LEVEL 4 OFFICE	= 1107sqm
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
LEVEL 7 OFFICE	= 1583sqm
TOTAL GFA	= 7792sqm
FSR	= 2.65:1
PROPOSED (STAGE 2)	
LEVEL 4 OFFICE	= 2400sqm
LEVEL 5 OFFICE	= 2549sqm
LEVEL 6 OFFICE	= 2553sqm
LEVEL 7 OFFICE	= 1583sqm
TOTAL GFA	= 9085sqm
FSR	= 3.1:1

NOTE: GFA EXCLUDES PLANT ROOMS, BATHROOMS & VERTICAL CIRCULATION

1 Level 7 Proposed
1 : 250



Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
G	Revised L7 for review	16.12.2020
H	Revised L7 for DA issue	17.12.2020

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Commercial Alterations & Additions

11 Argyle St, Newcastle

Sentinel Property Group

Roof - Proposed

PROJECT NUMBER 2018-099

DATE January 2020

STATUS Development Application

DRAWN BY BR

SCALE 1 : 250

DRAWING NO.

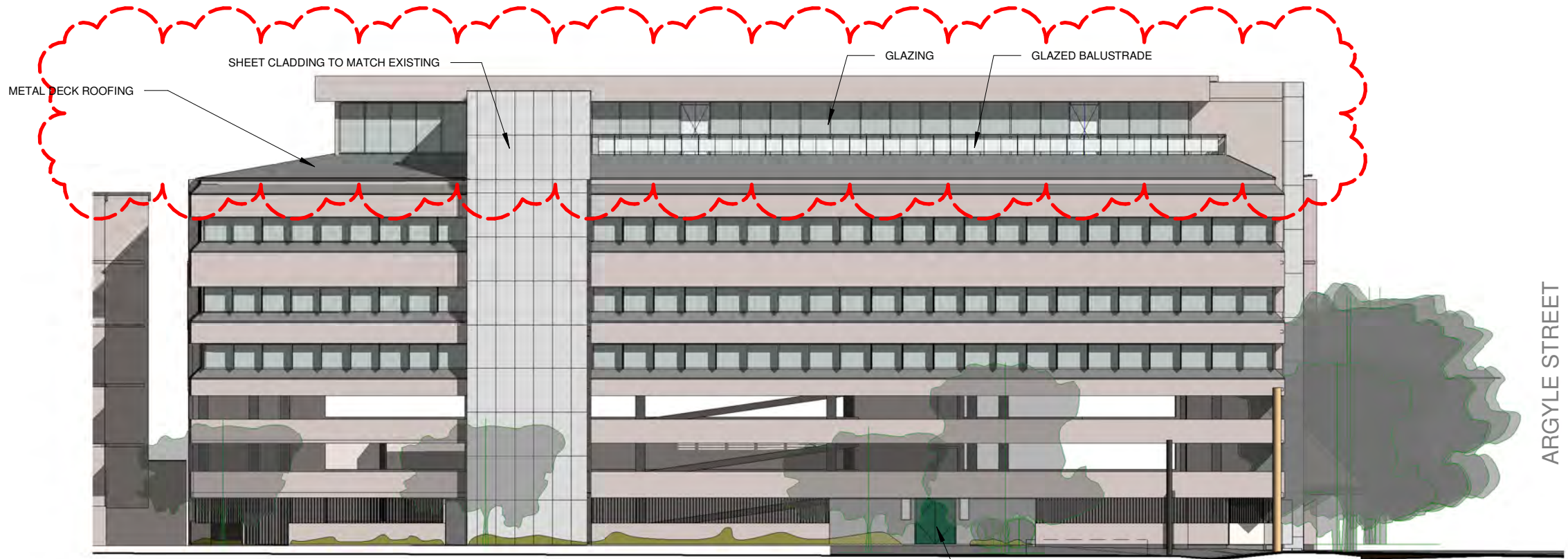
A127



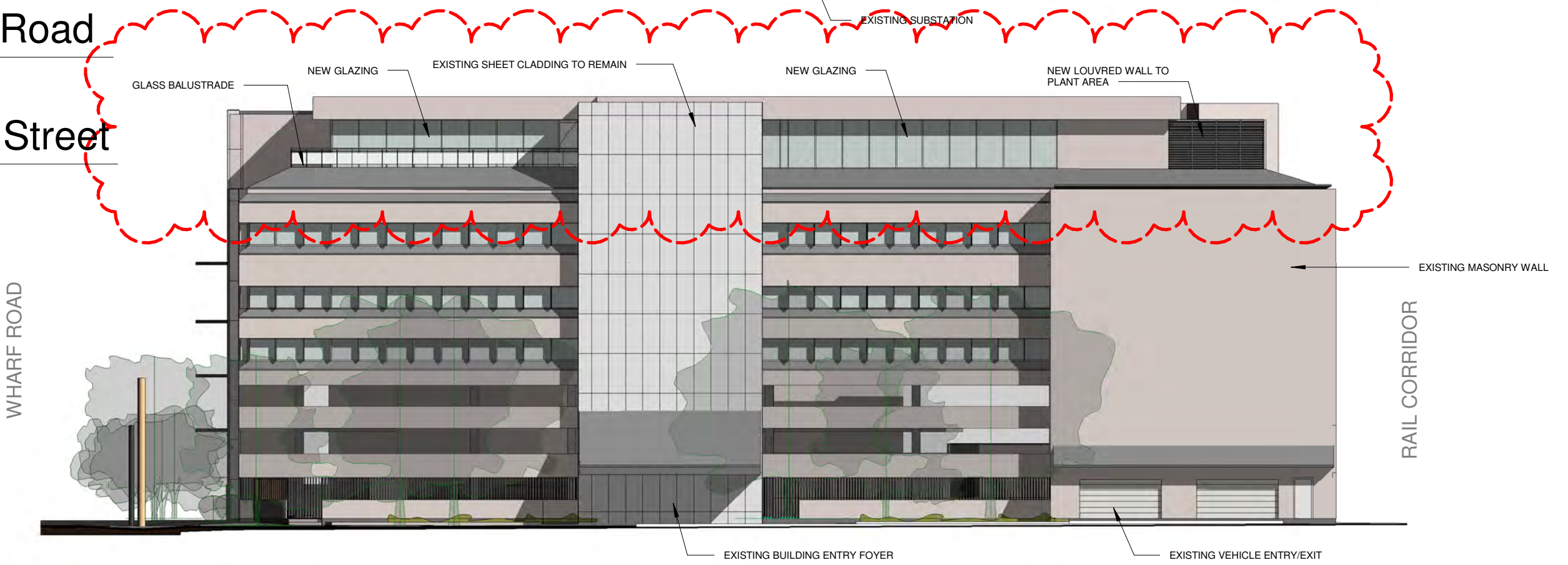
ABN 79 953 650 651 / NSW Reg No. 8357

a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au

1 Roof Proposed
1 : 250



- 1 Wharf Road
1 : 250
- 2 Argyle Street
1 : 250



Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
G	Revised L7 for review	16.12.2020
H	Revised L7 for DA issue	17.12.2020

Commercial Alterations & Additions

11 Argyle St, Newcastle - Lot 100 DP 714041

Street Elevations

Sentinel Property Group	STATUS	Development Application
PROJECT NUMBER	DRAWN BY	BR
DATE	SCALE	1 : 250
2018-099		
January 2020	DRAWING NO.	A200

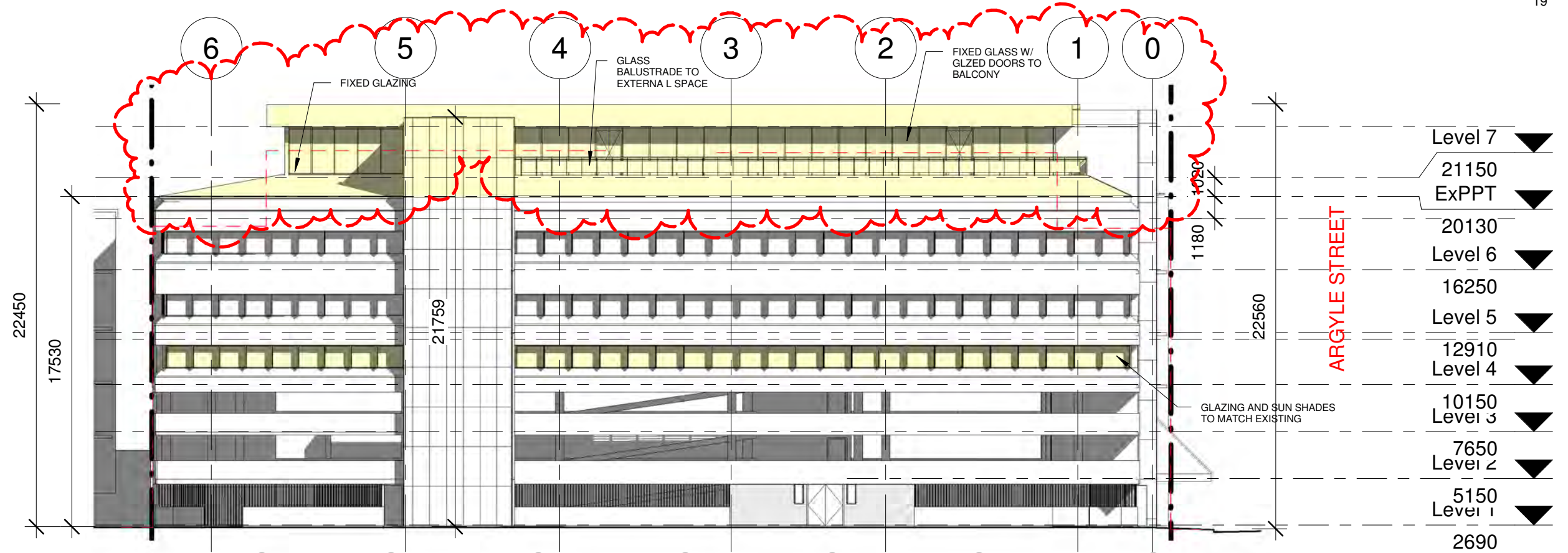
a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au

ABN 70 619 983 023

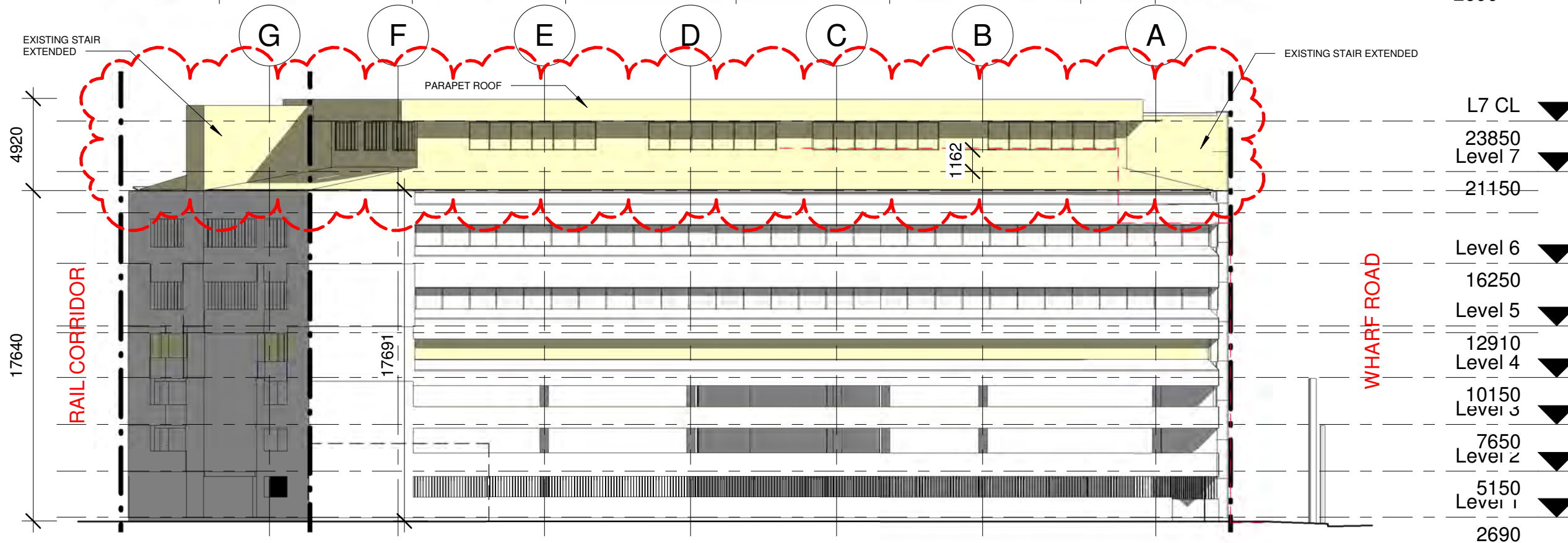
RAINSFORD ARCHITECTURE + DESIGN **R(AD)**

NOTES:
 A) YELLOW HATCH DENOTES PROPOSED NEW WORK
 B) DCP SETBACK/HEIGHT LINE SHOWN DASHED RED (TYP)

1 North
 1 : 250



2 East
 1 : 250



Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
G	Revised L7 for review	16.12.2020
H	Revised L7 for DA issue	17.12.2020

Commercial Alterations & Additions

11 Argyle St, Newcastle - Lot 100 DP 714041

Elevations

Sentinel Property Group

PROJECT NUMBER 2018-099
 DATE January 2020

STATUS Development Application
 DRAWN BY BR
 SCALE 1 : 250

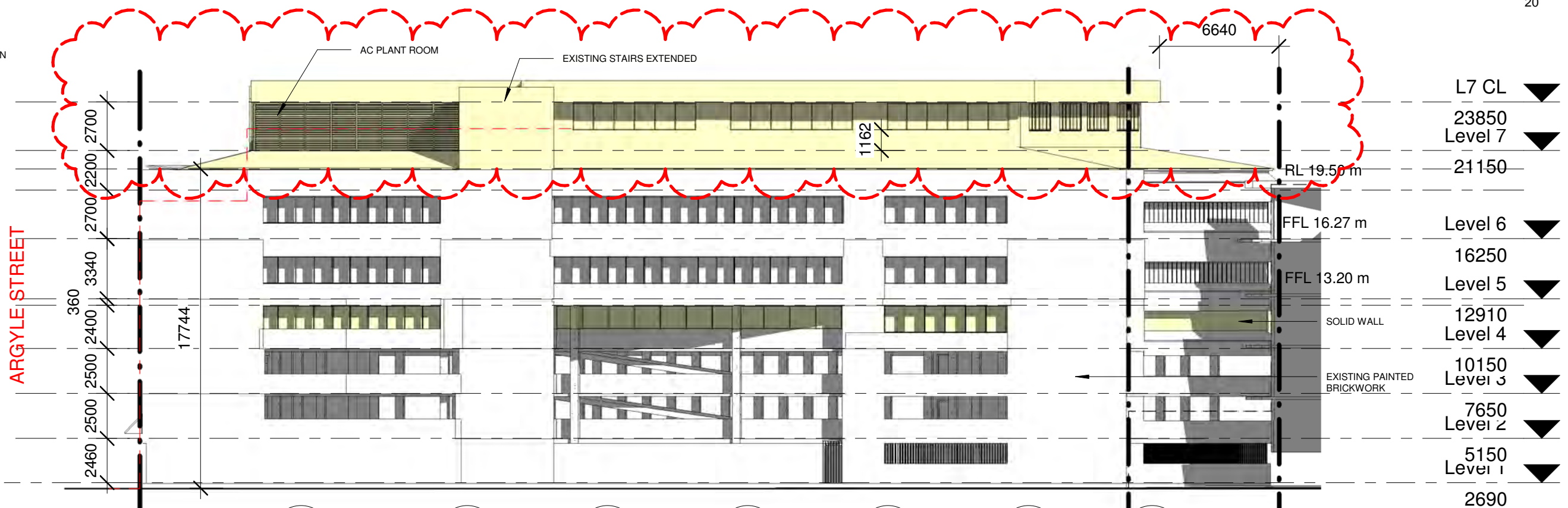
DRAWING NO. **A201**

a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au

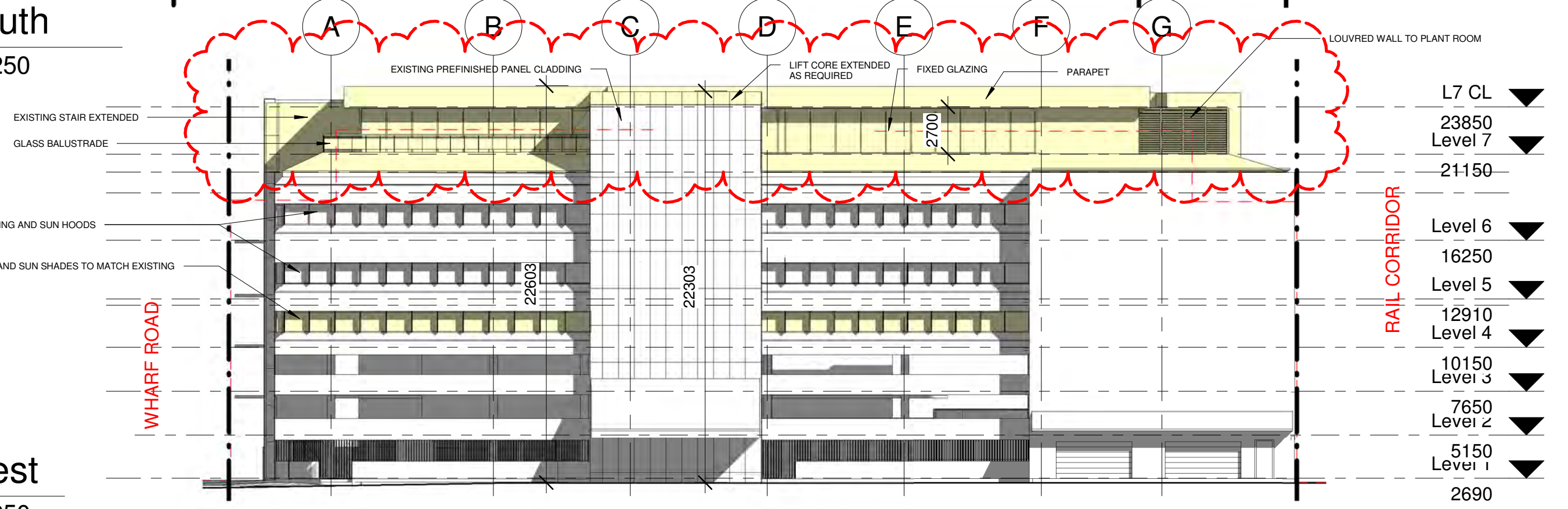
ABN 70 619 983 023

RAINSFORD ARCHITECTURE + DESIGN (RAD)

NOTES:
 A) YELLOW HATCH DENOTES PROPOSED NEW WORK
 B) DCP SETBACK/HEIGHT LINE SHOWN DASHED RED (TYP)



1 South
 1 : 250



2 West
 1 : 250

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
G	Revised L7 for review	16.12.2020
H	Revised L7 for DA issue	17.12.2020

Commercial Alterations & Additions

11 Argyle St, Newcastle - Lot 100 DP 714041

Elevations

Sentinel Property Group

PROJECT NUMBER 2018-099
 DATE January 2020

STATUS Development Application
 DRAWN BY BR
 SCALE 1 : 250

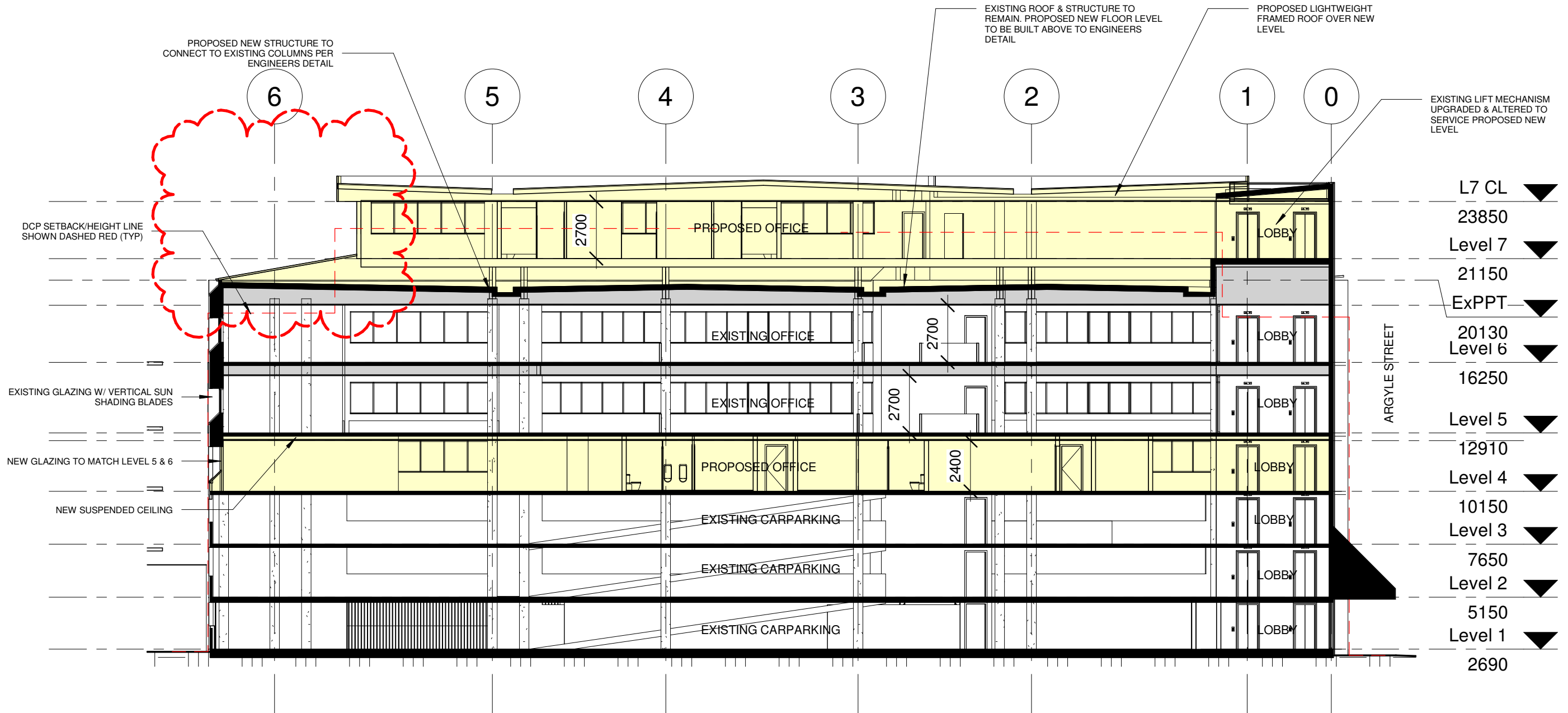
DRAWING NO. **A202**

a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au

ABN 70 619 983 023



NOTES:
A) YELLOW HATCH DENOTES PROPOSED NEW WORK
B) DCP SETBACK/HEIGHT LINE SHOWN DASHED RED (TYP)



1 Section A
 1 : 200

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
G	Revised L7 for review	16.12.2020
H	Revised L7 for DA issue	17.12.2020

Commercial Alterations & Additions
11 Argyle St, Newcastle - Lot 100 DP 714041

Sections STATUS Development Application
 DRAWN BY BR
 SCALE 1 : 200

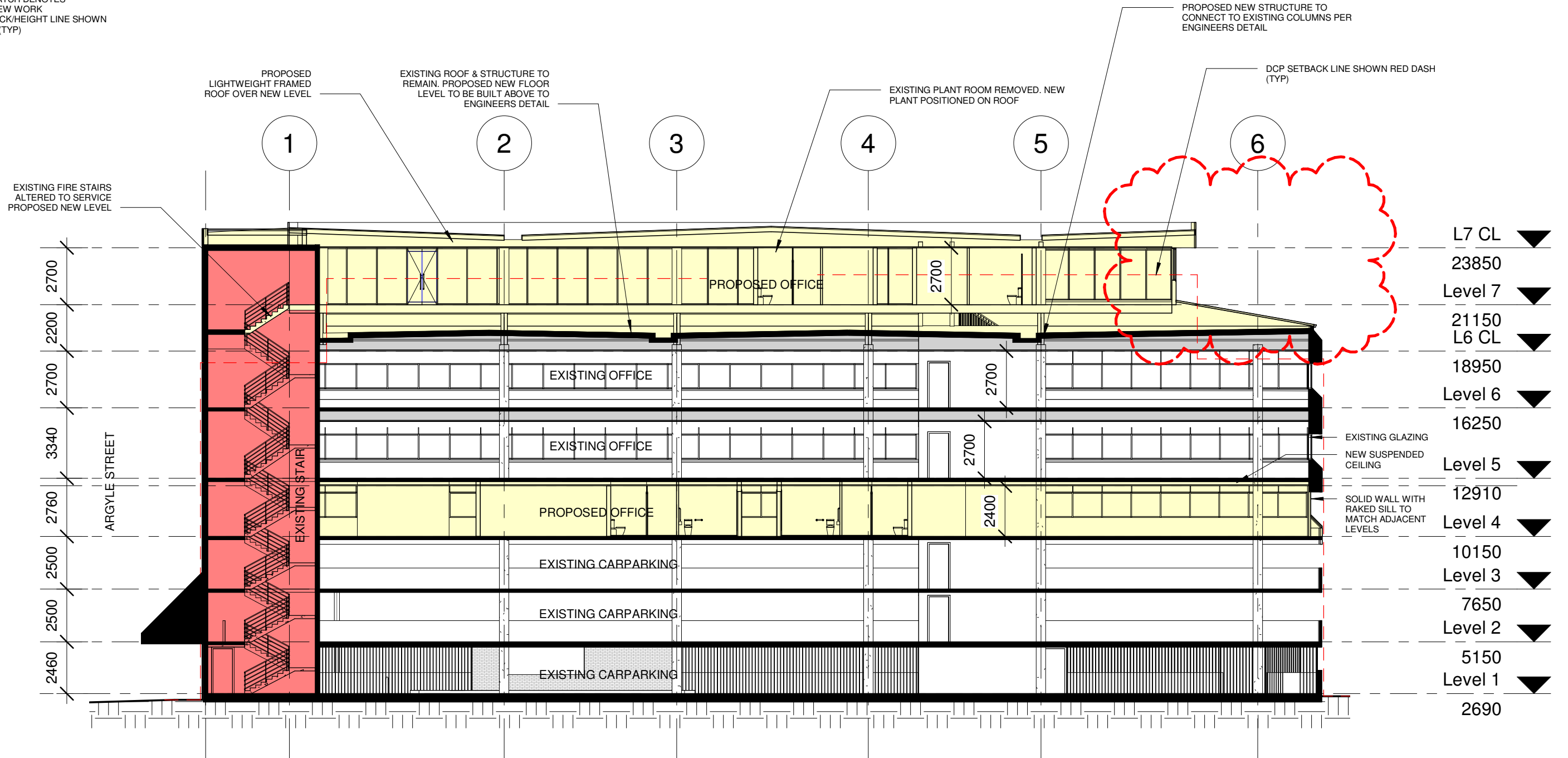
Sentinel Property Group
 PROJECT NUMBER 2018-099
 DATE January 2020 DRAWING NO. **A300**

a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au

ABN 70 619 983 023



NOTES:
A) YELLOW HATCH DENOTES PROPOSED NEW WORK
B) DCP SETBACK/HEIGHT LINE SHOWN DASHED RED (TYP)



1 Section B
 1 : 200

Check all dimensions and site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and / or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

All drawings may not be reproduced or distributed without prior permission from the architect.

Rev	Description	Date
C	Concept for Review	29.11.2019
D	Concept for Comment	11.12.2019
E	Draft DA Issue	29.01.2020
G	Revised L7 for review	16.12.2020
H	Revised L7 for DA issue	17.12.2020

Commercial Alterations & Additions
11 Argyle St, Newcastle - Lot 100 DP 714041

Sections STATUS Development Application
 DRAWN BY BR
 SCALE 1 : 200

Sentinel Property Group
 PROJECT NUMBER 2018-099
 DATE January 2020 DRAWING NO. **A301**

a. PO Box 261 Newcastle NSW 2300
 e. studio@r-ad.com.au
 m. 0419 281 574
 w. www.r-ad.com.au

ABN 70 619 983 023





ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 16/02/2021 – 11 ARGYLE STREET, NEWCASTLE - DA2020/00189
- MIXED-USE - STAGED DEVELOPMENT FOR
ALTERATIONS AND ADDITIONS AND PART CHANGE OF USE**

ITEM-2 **Attachment B:** Draft Schedule of Conditions

DISTRIBUTED UNDER SEPARATE COVER



Application No: DA2020/00189

Land: Lot 100 DP 714041

Property Address: 11 Argyle Street Newcastle NSW 2300

Proposed Development: Mixed-use - staged development for alterations and additions and part change of use

SCHEDULE 1

APPROVED DOCUMENTATION AND ADMINISTRATIVE CONDITIONS

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

Plan No / Supporting Document	Reference / Version	Prepared by	Dated
Site Plan	A100 Rev. H	Rainsford Architecture + Design	17/12/2020
Level 4 Half	A123 Rev. H	Rainsford Architecture + Design	17/12/2020
Level 4 Proposed	A124 Rev. H	Rainsford Architecture + Design	17/12/2020
Level 7 Proposed	A126 Rev. H	Rainsford Architecture + Design	17/12/2020
Roof Proposed	A127 Rev. H	Rainsford Architecture + Design	17/12/2020
Street Elevations	A200 Rev. H	Rainsford Architecture + Design	17/12/2020
Elevations	A201 Rev. H	Rainsford Architecture + Design	17/12/2020
Elevations	A202 Rev. H	Rainsford Architecture + Design	17/12/2020
Sections	A300 Rev. H	Rainsford Architecture + Design	17/12/2020
Sections	A301 Rev. H	Rainsford Architecture + Design	17/12/2020

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

- The General Terms of Approval from state authorities must be complied with prior to, during, and at the completion of the development.

The General Terms of Approval from Subsidence Advisory NSW are:

1. These General Terms of Approval (GTAs) only apply to the development described in the plans and associated documentation relating to DA2020/00189 and provided to Subsidence Advisory NSW. Any amendments or subsequent modifications to the development may render these GTAs invalid. If the proposed development is amended or the development consent modified, Subsidence Advisory NSW must be notified to determine if any variations to these GTAs are required.
2. This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.
3. Submit a proposal to remove the risk of mine subsidence by a suitable means, such as grouting. This shall be substantiated by finite element analysis of the workings based on data derived from the geotechnical field investigations. Submit for acceptance by Subsidence Advisory NSW prior to commencing work a:
 - a. Grout Design; including grout locations (dimensioned in plan and elevation), and design parameters for any residual mine subsidence.
 - b. Grout Implementation Plan; including a site plan (showing property boundaries within 200m of the site), grout locations (dimensioned in plan and elevation), proposed bore locations, and grout designer's endorsement.
 - c. Grout Verification Plan; showing the location of verification holes and the grout designer's endorsement. Any assumptions applied to the numerical modelling shall be subject to verification (using empirical or analytical methods) and a sensitivity analysis. Arrange for an independent peer review of the grouting design and implementation plan by a suitably qualified engineer acceptable to Subsidence Advisory NSW.
4. On completion of grouting submit a Grout Verification Output Report endorsed by the grout designer and site verification engineers for compliance with the accepted Grouting Plan.
5. Submit an "Engineering Impact Statement" prior to commencement of detailed design for acceptance by SA NSW, which shall identify the:
 - a. Mine Subsidence Parameters used for the design.
 - b. Main building elements and materials.
 - c. Risk of damage due to mine subsidence
 - d. Design measures proposed to control the risks.
 - e. Provide certification that the design will ensure the improvement remains "safe, serviceable and any damage from mine subsidence shall be limited to 'slight' in accordance with AS2870 (Damage Classification), and readily repairable".
 - f. Comment on the:
 - likely building damage in the event of mine subsidence.
 - sensitivity of the design to greater levels of mine subsidence.
6. The design submitted for approval under Section 22 of the Coal Mine Subsidence Compensation Act 2017 shall incorporate the design methodology contained in the "Engineering Impact Statement", for acceptance by SA NSW prior to commencement of construction. It shall include certification by a qualified structural engineer to the effect that the improvements will remain "safe, serviceable and any damage from mine subsidence shall be limited to 'slight' damage in accordance with AS2870 (Damage Classification), and readily repairable" taking into consideration the mine subsidence parameters outlined above.
7. Upon completion of construction, work-as-executed certification by a qualified engineer will be required by Subsidence Advisory NSW confirming that construction was in accordance with the plans accepted by Subsidence Advisory NSW.

A copy of the General Terms of Approval is attached to this determination notice at Schedule 3.

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

3. On-site parking accommodation is to be provided for a minimum of 241 vehicles. A minimum of 198 of these car parking spaces are to be designated exclusively to the commercial office spaces within the site. Car parking spaces are to be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle Development Control Plan 2012. Full details are to be included in documentation for a Construction Certificate application.
4. The windows proposed in the eastern elevation of the seventh floor as shown in drawing no. A201 Issue H dated 17/12/2020 are to be fully opaque. Details are to be included in documentation for any Construction Certificate.
5. Facilities are to be provided in a screened location within the premises for the storage of garbage, discarded or returnable packaging or other forms of trade wastes and arrangements are to be made for regular removal and disposal of same. The required garbage facility is to be suitable for the accommodation of City of Newcastle approved wheel type bins or bulk waste containers. Full details are to be included in documentation for a Construction Certificate application.
6. 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.
7. The applicant is to comply with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in the locality as a result of the increased intensity of land use proposed. A copy of the Corporation's compliance certificate (refer Section 50 *Hunter Water Act 1991*) is to be included in documentation for a Construction Certificate application.
8. 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.
9. A total monetary contribution of \$196,500 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:

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

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

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

10. All public trees that are required to be retained are to be protected in accordance with the City of Newcastle *Urban Forest Technical Manual, Part B Public Trees*.

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

11. 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*.
12. Building demolition is to be planned and carried out in accordance with *Australian Standard 2601:2001 - The Demolition of Structures*.
13. 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 the City of Newcastle and to the demolisher prior to commencement of work.
14. Demolition works are to be undertaken in accordance with *Australian Standard 2601:2001 - The Demolition of Structures* and the following requirements:
- a) Demolition works are to be conducted in accordance with the submitted Hazardous Substances Management Plan and a copy of the Hazardous Substances Management Plan is to 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 required class of Asbestos Licence, issued by SafeWork 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 the City of Newcastle and the owners/occupiers of neighbouring premises prior to the commencement of any demolition work. 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 is also to include City of Newcastle's contact telephone number (4974 2000) and the SafeWork NSW telephone number (4921 2900); 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.
15. The demolisher is to ensure that all services (ie water, telecommunications, gas, electricity, sewerage etc), are disconnected in accordance with the relevant authority's requirements prior to demolition.
16. Any waste containers used in association with the proposed demolition are to be located on the site where possible.
- Note: Where this is not feasible, an application is to be made for the 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.
17. 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.
18. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.
19. 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*.

20. 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.

21. 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.
22. 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.
23. 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.
24. 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.

25. 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.

26. 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.

27. Any demolition/waste building materials that are not suitable for recycling are to be disposed of at City of Newcastle's Summerhill Waste Management Facility or other approved site.
28. If construction / demolition work is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the need to enclose a public place, a hoarding or fence is to be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
29. An application is to be made to and approved by the City of Newcastle for the erection of a hoarding or part closure of the footway prior to construction being commenced. Such overhead structure or protective fence is to comply with the *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2011* and any relevant approved industry code of practice. Notice of intention of commencement is to be given to SafeWork NSW.
30. The work site is to be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
31. All building work is to be carried out in accordance with the provisions of the National Construction Code.
32. 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 the Erosion and Sediment Control Plan submitted with the application, and with the below requirements:
 - a) Control over discharge of stormwater and containment of run-off and pollutants leaving the site is to be undertaken through the installation of erosion control devices such as catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams and sediment basins and controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover; and
 - b) Erosion and sediment control measures are to be designed in accordance with the requirements of the *Managing Urban Stormwater: Soils and Construction 4th Edition - Vol. 1* (the '*Blue Book*') published by Landcom, 2004.
33. 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.
34. 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.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

35. Stormwater is to be conveyed to the existing property stormwater drains by way of a

sealed pipe system. The existing drains are to be checked for adequacy and cleared of any obstructions.

36. On-site car parking accommodation is to be provided for a minimum of 241 vehicles. A minimum of 198 of these car parking spaces are to be designated exclusively to the commercial office spaces within the site. The car parking is to be set out generally in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent.
37. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a condition that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to 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.
38. All works within the road reserve required by this consent are to be completed prior to the issue of a Occupation Certificate.

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

39. The stormwater management systems are to be properly maintained for the life of the development.
40. The hours of operation or trading of the premises are to be not more than:

DAY	START	FINISH
Monday	6am	10pm
Tuesday	6am	10pm
Wednesday	6am	10pm
Thursday	6am	10pm
Friday	6am	10pm
Saturday	6am	10pm
Sunday	8am	10pm

unless a separate application to vary the hours of operation or trading has been submitted to and approved by the City of Newcastle.

41. 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 that 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 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, verifying that 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.

42. Proposed parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.
43. Any liquid wastes from the premises, other than stormwater are to be either

discharged to the sewers of the Hunter Water Corporation in accordance with an approved Trade Waste Agreement or collected and disposed of by a licensed waste transport contractor in accordance with the Department of Environment and Climate Change 'Waste Classification Guidelines Part 1: Classifying Waste'.

44. No goods or advertising signs are to be displayed or allowed to stand on the public footpath or street.

ADVISORY MATTERS

- 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.
- 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.
- Any proposed business identification sign or advertising sign is to be designed in accordance with the provisions of Newcastle Development Control Plan 2012 and be the subject of a separate Development Application that is to be approved prior to the sign being erected or placed in position, except when such signage meets 'exempt development' criteria.
- 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.
- A Construction Certificate application for this project is to include a list of fire safety measures proposed to be installed in the building and/or on the land and include a separate list of any fire safety measures that already exist at the premises. The lists are to describe the extent, capability and basis of design of each of the measures.
- 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*.

- 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.
- An annual Fire Safety Statement in the form described in Clause 175 of the *Environmental Planning and Assessment Regulation 2000* is to be submitted to the City of Newcastle and a copy (together with a copy of the current fire safety schedule) is to be given to the Commissioner of New South Wales Fire Brigades. A further copy of the Statement (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.

END OF CONDITIONS

SCHEDULE 2

AUSGRID REQUIREMENTS

Supply of Electricity

It is recommended for the developer to engage an electrical consultant/contractor to complete an online application 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 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 overhead electricity network assets in Wharf Road and Argyle Street, 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. If the developer is concerned with the compliance issues regarding the relevant Workcover Code of Practice 2006 – Work Near Overhead Powerlines they should email Ausgrid at construction.works@ausgrid.com.au. 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. Underground Mains The works described in your notification are also in the vicinity of underground electricity assets. In addition to DBYD searches I recommend that you to conduct a ground search to locate electricity assets immediately prior to commencing work to check for updates of installed utilities. Please refer to Ausgrid's Network Standard 156 - Working near or around underground cables which can be found on Ausgrid's website at www.ausgrid.com.au and Workcover Document– 'Work Near Underground Assets'. Any alterations to Ausgrid's underground electricity mains will be Contestable Works and funded by Developer.

Existing Electricity Easements

A title search of the development site should be completed to check for existing electricity easements. If easements are present, Ausgrid must assess the proposed activity within the easement. Please direct the developer to Ausgrid's website, www.ausgrid.com.au to download our "Living with Electricity Easements" brochure.

SCHEDULE 3

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.



ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 16/02/2021 – 11 ARGYLE STREET, NEWCASTLE - DA2020/00189
- MIXED-USE - STAGED DEVELOPMENT FOR
ALTERATIONS AND ADDITIONS AND PART CHANGE OF USE**

ITEM-2 Attachment C: Processing Chronology

DISTRIBUTED UNDER SEPARATE COVER



PROCESSING CHRONOLOGY

DA 2020/00189 - 11 Argyle Street Newcastle

- 13 March 2020 - Development Application Lodged
- 20 March 2020 – 3 April 2020 - Notification of Development Application
- 1 December 2020 - Presentation of Development Application to Public Voice



ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 16/02/2021 – DA2020/00189 – 11 ARGYLE STREET, NEWCASTLE
- DA2020/00189 - MIXED-USE - STAGED DEVELOPMENT FOR
ALTERATIONS AND ADDITIONS AND PART CHANGE OF USE**

ITEM-2 Attachment D: General Terms of Approval - Subsidence Advisory NSW

DISTRIBUTED UNDER SEPARATE COVER





Subsidence Advisory

117 Bull Street, Newcastle West, NSW, 2302 | T: (02) 4908 4300
99 Menangle Street, Picton, NSW, 2571 | T: (02) 4677 6500
24 Hour Emergency Service: 1800 248 083 (Free Call)

Newcastle City Council
ATTN: Gareth Simpson
Via Email: gsimpsonl@ncc.nsw.gov.au

Our ref: TBA20-00336
FN71-02906N0

Dear Gareth

**RE: PROPOSED MIXED USE – ALTERATIONS AND ADDITIONS TO EXISTING CARPARK
AND COMMERCIAL SPACE AT 11 ARGYLE STREET NEWCASTLE; LOT 100 DP
714041 - TBA20-00336 - DA 2020/00189**

GENERAL TERMS OF APPROVAL

I refer to the above integrated development referred on 18 March 2020. Attached, please find Subsidence Advisory NSW General Terms of Approval (GTA) for the development of land as detailed above. Please note conditions are detailed under Schedule 2. The stamped approved plans are attached.

Once relevant documentation to meet the conditions in Schedule 2 is available, please submit via email to subsidedevelopment@customerservice.nsw.gov.au quoting reference **TBA20-00336**

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

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

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Melanie Fityus'.

Melanie Fityus
Senior Risk Engineer
23 September 2020

GENERAL TERMS OF APPROVAL

Issued in accordance with Section 4.47 of the *Environmental Planning & Assessment Act 1979* for the subdivision / development of land.

As delegate for Subsidence Advisory NSW under delegation executed 23 September 2020, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

SCHEDULE 1

Ref:	TBA20-00336
DA:	2020/00189
Site Address:	11 ARGYLE STREET NEWCASTLE
Lot and DP:	LOT 100 DP 714041
Proposal:	MIXED USE – ALTERATIONS AND ADDITIONS TO EXISTING CARPARK AND COMMERCIAL SPACE
Mine Subsidence District:	NEWCASTLE

SCHEDULE 2
GENERAL TERMS OF APPROVAL

GENERAL	
Plans, Standards and Guidelines	
1.	<p>These General Terms of Approval (GTAs) only apply to the development described in the plans and associated documentation relating to DA2020/00189 and provided to Subsidence Advisory NSW.</p> <p>Any amendments or subsequent modifications to the development may render these GTAs invalid.</p> <p>If the proposed development is amended or the development consent modified, Subsidence Advisory NSW must be notified to determine if any variations to these GTAs are required.</p>
2.	<p>This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.</p>
PRIOR TO COMMENCEMENT OF CONSTRUCTION	
3.	<p>Submit a proposal to remove the risk of mine subsidence by a suitable means, such as grouting. This shall be substantiated by finite element analysis of the workings based on data derived from the geotechnical field investigations. Submit for acceptance by Subsidence Advisory NSW prior to commencing work a:</p> <ol style="list-style-type: none"> a. Grout Design; including grout locations (dimensioned in plan and elevation), and design parameters for any residual mine subsidence. b. Grout Implementation Plan; including a site plan (showing property boundaries within 200m of the site), grout locations (dimensioned in plan and elevation), proposed bore locations, and grout designer's endorsement. c. Grout Verification Plan; showing the location of verification holes and the grout designer's endorsement. <p>Any assumptions applied to the numerical modelling shall be subject to verification (using empirical or analytical methods) and a sensitivity analysis.</p> <p>Arrange for an independent peer review of the grouting design and implementation plan by a suitably qualified engineer acceptable to Subsidence Advisory NSW.</p>
4.	<p>On completion of grouting submit a Grout Verification Output Report endorsed by the grout designer and site verification engineers for compliance with the accepted Grouting Plan.</p>

Continued over....

5.	<p>Submit an “Engineering Impact Statement” prior to commencement of detailed design for acceptance by SA NSW, which shall identify the:</p> <ol style="list-style-type: none"> a. Mine Subsidence Parameters used for the design. b. Main building elements and materials. c. Risk of damage due to mine subsidence d. Design measures proposed to control the risks. e. Provide certification that the design will ensure the improvement remains “<i>safe, serviceable and any damage from mine subsidence shall be limited to ‘slight’ in accordance with AS2870 (Damage Classification), and readily repairable</i>”. f. Comment on the: <ul style="list-style-type: none"> • likely building damage in the event of mine subsidence. • sensitivity of the design to greater levels of mine subsidence.
6.	<p>The design submitted for approval under Section 22 of the Coal Mine Subsidence Compensation Act 2017 shall incorporate the design methodology contained in the “Engineering Impact Statement”, for acceptance by SA NSW prior to commencement of construction. It shall include certification by a qualified structural engineer to the effect that the improvements will remain “safe, serviceable and any damage from mine subsidence shall be limited to ‘slight’ damage in accordance with AS2870 (Damage Classification), and readily repairable” taking into consideration the mine subsidence parameters outlined above.</p>
POST CONSTRUCTION	
7.	<p>Upon completion of construction, work-as-executed certification by a qualified engineer will be required by Subsidence Advisory NSW confirming that construction was in accordance with the plans accepted by Subsidence Advisory NSW.</p>

Dispute Resolution

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