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**DAC 21/02/2023 – 13 WILTON STREET MEREWETHER –
DA2022/00438 - SEMI-DETACHED DWELLING - INCLUDING
DEMOLITION OF EXISTING STRUCTURES**

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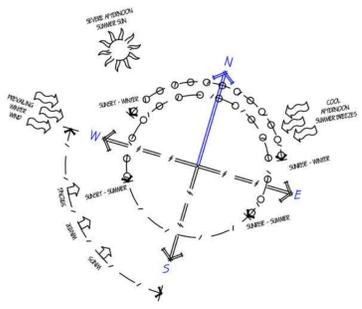
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DA2022/00438 - SEMI-DETACHED DWELLING - INCLUDING
DEMOLITION OF EXISTING STRUCTURES**

ITEM-1 Attachment A: Submitted Plans

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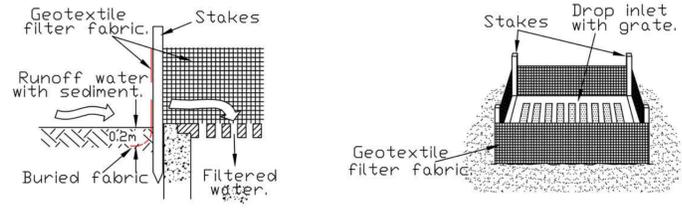




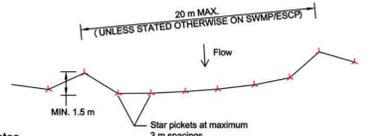
SITE ANALYSIS PLAN

EROSION AND SEDIMENT CONTROL NOTES

- GENERAL INSTRUCTIONS**
- THIS PLAN IS TO BE READ IN CONJUNCTION WITH THE ENGINEERING PLANS, AND ANY OTHER PLANS OR WRITTEN INSTRUCTIONS THAT MAY BE ISSUED AND RELATING TO DEVELOPMENT AT THE SUBJECT SITE.
 - THE SITE SUPERINTENDENT WILL ENSURE THAT ALL SOIL AND WATER MANAGEMENT WORKS ARE LOCATED AS INSTRUCTED IN THIS SPECIFICATION.
 - ALL BUILDERS AND SUB-CONTRACTORS WILL BE INFORMED OF THEIR RESPONSIBILITIES IN MINIMISING THE POTENTIAL FOR SOIL EROSION AND POLLUTION TO DOWNSLOPE LANDS AND WATERWAYS.
- CONSTRUCTION SEQUENCE**
- THE SOIL EROSION POTENTIAL ON THIS SITE SHALL BE MINIMISED. HENCE WORKS SHALL BE UNDERTAKEN IN THE FOLLOWING SEQUENCE:
 - INSTALL SEDIMENT FENCES
 - UNDERTAKE SITE DEVELOPMENT WORKS IN ACCORDANCE WITH THE ENGINEERING PLANS. PHASE DEVELOPMENT SO THAT LAND DISTURBANCE IS CONFINED TO AREAS OF WORKABLE SIZE.
- EROSION CONTROL**
- DURING WINDY CONDITIONS, LARGE, UNPROTECTED AREAS WILL BE KEPT MOIST (NOT WET) BY SPRINKLING WITH WATER TO KEEP DUST UNDER CONTROL.
 - FINAL SITE LANDSCAPING WILL BE UNDERTAKEN AS SOON AS POSSIBLE AND WITHIN 20 WORKING DAYS FROM COMPLETION OF CONSTRUCTION ACTIVITIES.
- FENCING**
- STOCKPILES WILL NOT BE LOCATED WITHIN 2 METRES OF HAZARD AREAS, INCLUDING LIKELY AREAS OF CONCENTRATED OR HIGH VELOCITY FLOWS SUCH AS WATERWAYS, WHERE THEY ARE BETWEEN 2 AND 5 METRES FROM SUCH AREAS. SPECIAL SEDIMENT CONTROL MEASURES SHOULD BE TAKEN TO MINIMISE POSSIBLE POLLUTION TO DOWNSLOPE WATERS, E.G. THROUGH INSTALLATION OF SEDIMENT FENCING.
 - ANY SAND USED IN THE CONCRETE CURING PROCESS (SPREAD OVER THE SURFACE) WILL BE REMOVED AS SOON AS POSSIBLE AND WITHIN 10 WORKING DAYS FROM PLACEMENT.
 - WATER WILL BE PREVENTED FROM ENTERING THE PERMANENT DRAINAGE SYSTEM UNLESS IT IS RELATIVELY SEDIMENT FREE, I.E. THE CATCHMENT AREA HAS BEEN PERMANENTLY LANDSCAPED AND/OR ANY LIKELY SEDIMENT HAS BEEN FILTERED THROUGH AN APPROVED STRUCTURE.
 - TEMPORARY SOIL AND WATER MANAGEMENT STRUCTURES WILL BE REMOVED ONLY AFTER THE LANDS THEY ARE PROTECTING ARE REHABILITATED.
- OTHER MATTERS**
- ACCEPTABLE RECEPTORS WILL BE PROVIDED FOR CONCRETE AND MORTAR SLURRIES, PAINTS, ACID WASHINGS, LIGHT-WEIGHT WASTE MATERIALS AND LITTER.
 - RECEPTORS FOR CONCRETE AND MORTAR SLURRIES, PAINTS, ACID WASHINGS, LIGHT-WEIGHT WASTE MATERIALS AND LITTER ARE TO BE EMPTIED AS NECESSARY. DISPOSAL OF WASTE SHALL BE IN A MANNER APPROVED BY THE SITE SUPERINTENDENT.
- SITE INSPECTION & MAINTENANCE**
- EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSPECTED AFTER RAINFALL EVENTS TO ENSURE THAT THEY OPERATE EFFECTIVELY. REPAIR AND OR MAINTENANCE SHALL BE UNDERTAKEN AS REQUIRED.



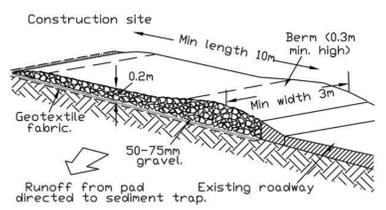
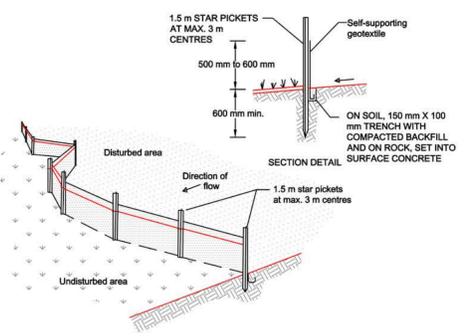
Geotextile Filter Fabric Drop Inlet Sediment Trap.



Construction Notes

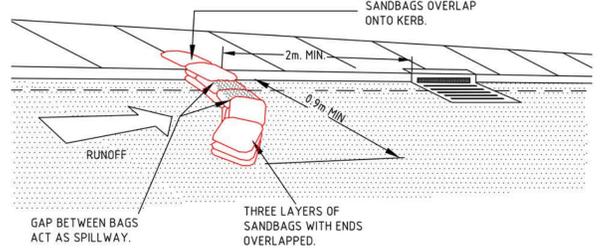
- CONSTRUCT SEDIMENT FENCE AS CLOSE AS POSSIBLE TO PARALLEL TO THE CONTOURS OF THE SITE.
- DRIVE 1.5 METRE LONG STAR PICKETS INTO GROUND, 3 METRES APART.
- DIG A 150 MM DEEP TRENCH ALONG THE UPSLOPE LINE OF THE FENCE FOR THE BOTTOM OF THE FABRIC TO BE ENTRENCHED.
- BACKFILL TRENCH OVER BASE OF FABRIC.
- FIX SELF-SUPPORTING GEOTEXTILE TO UPSLOPE SIDE OF POSTS WITH WIRE TIES OR AS RECOMMENDED BY GEOTEXTILE MANUFACTURER.
- JOIN SECTIONS OF FABRIC AT A SUPPORT POST WITH A 150 MM OVERLAP.

SEDIMENT CONTROL FENCE

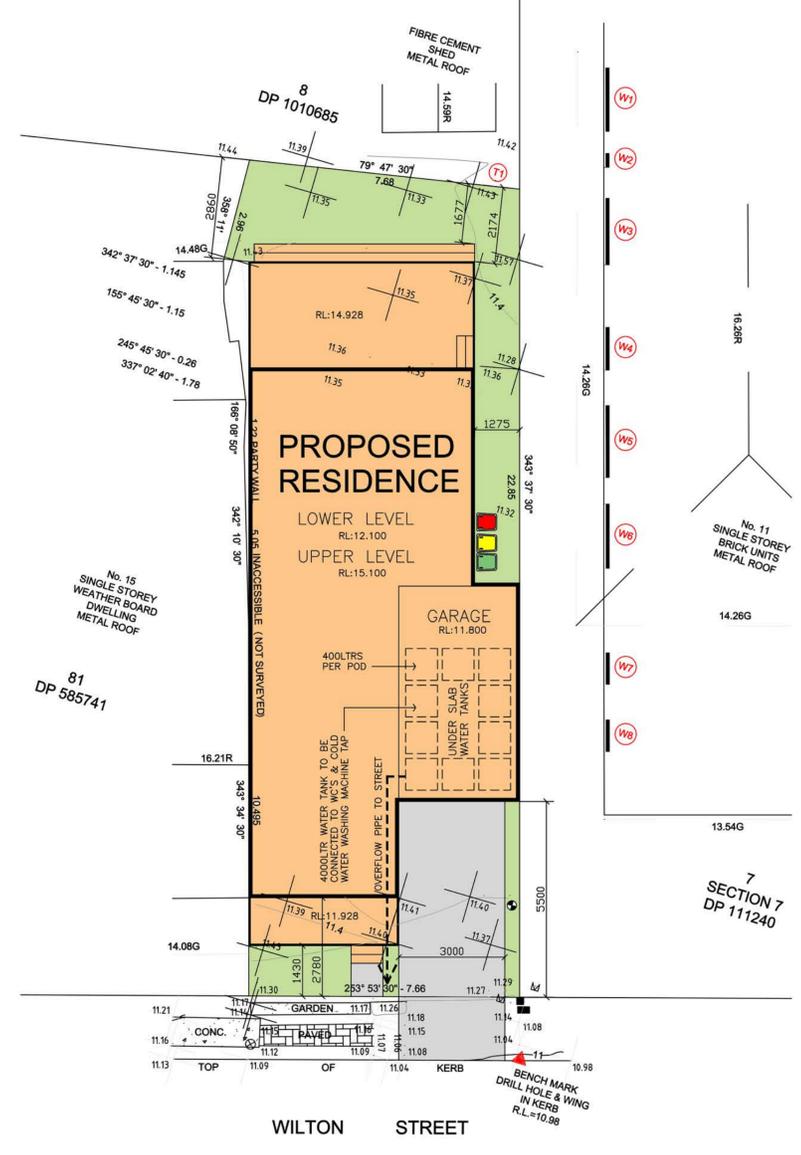


TEMPORARY CONSTRUCTION EXIT

MAINTENANCE
THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH PREVENTS TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS OF WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL GRAVEL AS CONDITIONS DEMAND AND REPAIR AND / OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT (SPILLED, DROPPED, WASHED) OR TRACKED ONTO PUBLIC RIGHTS OF WAY MUST BE REMOVED IMMEDIATELY.

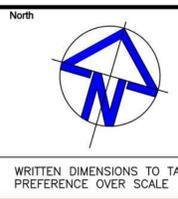


SANDBAG KERB INLET SEDIMENT TRAP



SITE PLAN

www.dialbeforeyoudig.com.au



Client
MR T. & MRS B. MURPHY

Site Address
**LOT 82, DP 585741
13 WILTON STREET
MEREWETHER NSW 2291**

0 1 2 4 6 8 10
SCALE 1:100

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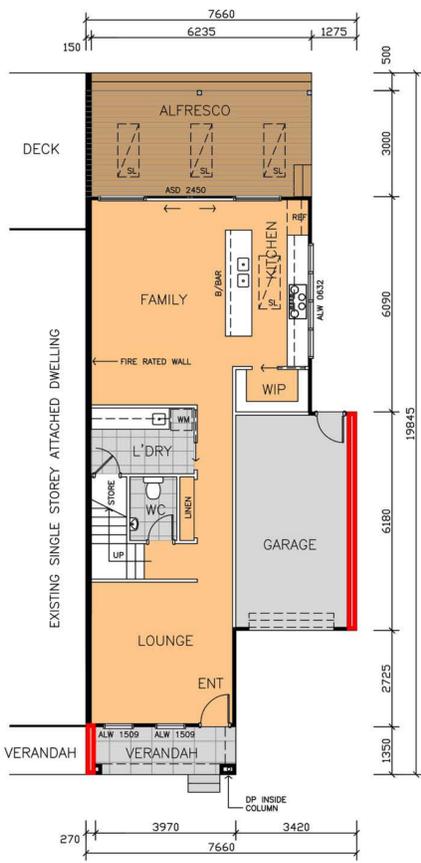
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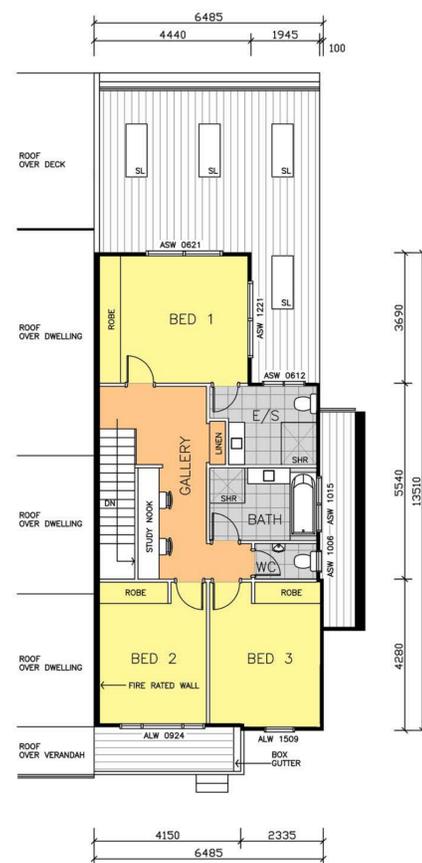
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PLANNING • DEVELOPMENT • CONSTRUCTION

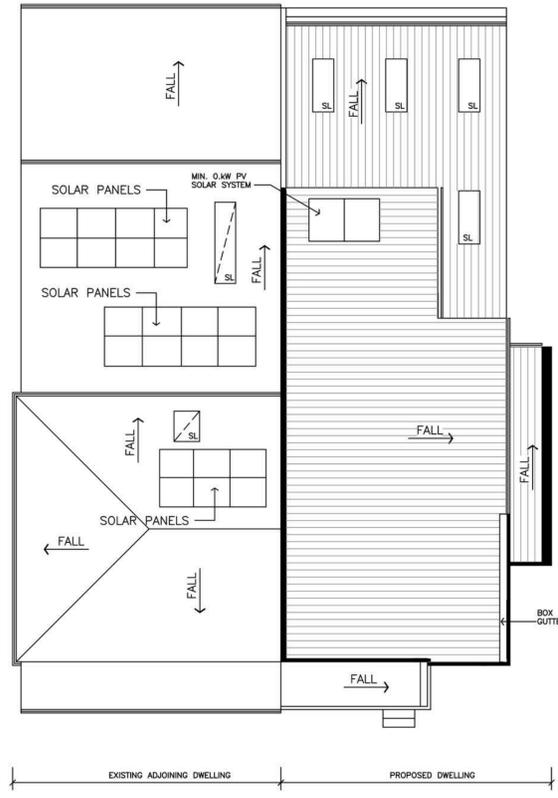
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SITE ANALYSIS PLAN/ SITE PLAN					
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NLC	10.08.2022	1:100		CBT	12.08.2022
Designed	Project No.	Dwg. No.	Issue		
CBT	TD_22/032	DA_01	B		



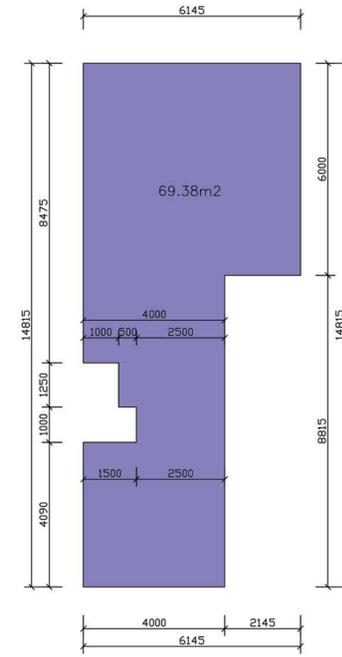
LOWER LEVEL



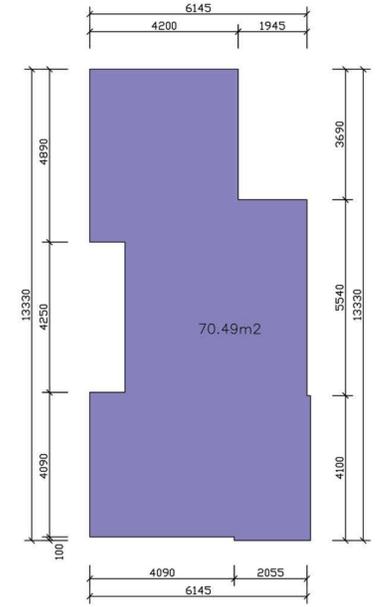
UPPER LEVEL



ROOF LAYOUT

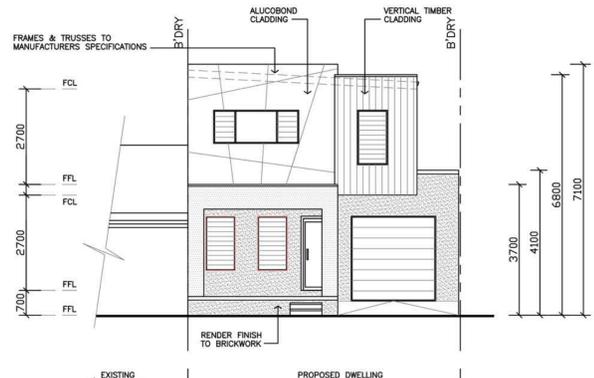


FSR LOWER LEVEL

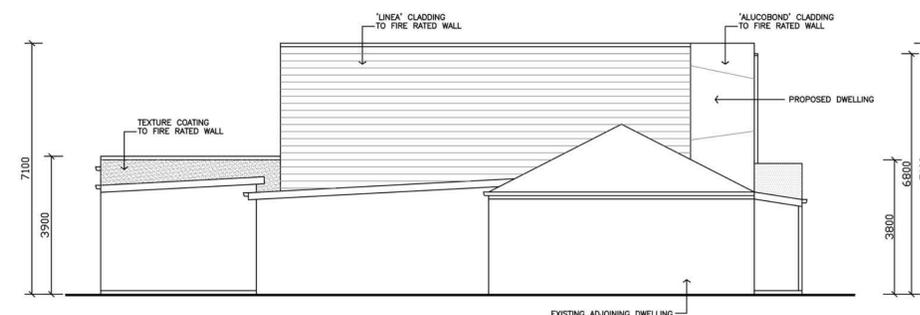


FSR UPPER LEVEL

LOWER LEVEL: 76.83 M2
 UPPER LEVEL: 79.10 M2
 GARAGE: 20.94 M2
 PATIO: 5.73 M2
 ALFRESCO: 19.15 M2
 TOTAL: 201.75 M2



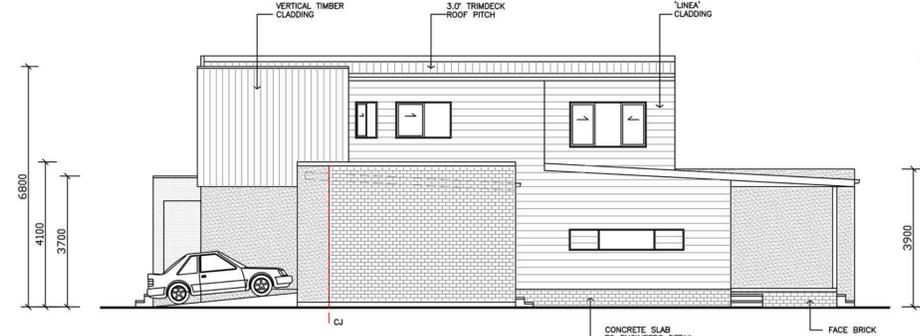
SOUTHERN ELEVATION



WESTERN ELEVATION



NORTHERN ELEVATION



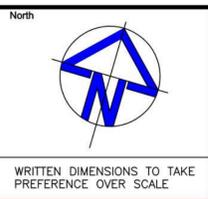
EASTERN ELEVATION

April 2022		BSA Reference: 16972
Building Sustainability Assessments enquiries@buildingustainability.net.au www.buildingsustainability.net.au		
Important Note		
The following specification was used to achieve the thermal performance values indicated on the Assessor Certificate. If the proposed construction varies to those detailed below then the Assessor and NHERS certificates will no longer be valid. Assessments assume that the BCA provisions for building sealing & ventilation are complied with at construction.		
In NSW both BASiX & the BCA variations must be complied with, in particular the following:		
- Thermal construction in accordance with Vol 1 Section J1.2 or Vol 2 Part 3.12.1.1		
- Thermal breaks for Class 1 dwellings in accordance with Part 3.12.1.2(a) & 3.12.1.4(a)		
- Floor insulation for Class 1 dwellings as per Part 3.12.1.5(a)(i), (ii) & (c), (d), (e) & (f)		
- Building sealing in accordance with Section J3 or Part 3.12.3.1 to 3.12.3.6		
Thermal Performance Specifications (does not apply to garage)		
External Wall Construction	Added Insulation	
Brick Veneer & Lightweight	R2.0	
Internal Wall Construction	Added Insulation	
Plasterboard on studs	R2.0 to walls adjacent to roofspace and garage	
Ceiling Construction	Added Insulation	
Plasterboard	R3.5 to ceilings adjacent to roof space	
Roof Construction	Colour (Solar Absorbance)	Added Insulation
Metal	Any	Foil + R1.0 blanket
Floor Construction	Covering	Added Insulation
Concrete	As drawn (if not noted default values used)	None
Timber	As drawn (if not noted default values used)	R2.0 to floors where open below
Timber	As drawn (if not noted default values used)	R2.0 to floors adjacent to garage
Windows	Glass and frame type	U SHGC Area sq m Detail
ALM-001-01 A	Aluminium Type A Single clear	6.70 0.51-0.63 As drawn
ALM-002-01 A	Aluminium Type B Single clear	6.70 0.63-0.77 As drawn
Type A windows are awning windows, bifolds, casements, 88° turn windows, entry doors, french doors		
Type B windows are double hung windows, sliding windows & doors, fixed windows, stacker doors, louvers		
Skylights Glass and frame type U SHGC Area sq m Detail		
Double glazed in aluminium frames 4.20 0.72 As drawn		
U and SHGC values are according to AFRC. Alternate products may be used if the U value is lower & the SHGC is within the range specified		
Shade elements (eaves, verandahs, awnings etc)		
All shade elements modelled as drawn		
Ceiling Penetrations (downlights, exhaust fans, flues etc)		
Modelled as drawn and/or to comply with the ventilation and sealing requirements of the BCA.		
Ducting is modelled at 150mm. No insulation losses from downlighting have been modelled.		
Additional Notes		
NI		

13 Wilton Street Merewether			
SUMMARY OF BASIX COMMITMENTS			
This is a summary of the BASIX Commitments as detailed in the BASIX Certificate. Refer to the CURRENT BASIX Certificate for Complete details. For definitions refer to basix.nsw.gov.au			
WATER COMMITMENTS			
Fixtures			
3 Star Shower Heads	Yes		
3 Star Kitchen / Basin Taps	Yes	3 Star Toilet	Yes
Alternative Water			
Minimum Tank Size (L)	2000	Collected from Roof Area (m2)	30
Tank Connected To:			
All Toilets	Yes	Laundry W/M Cold Tap	Yes
One Outdoor Tap	Yes		
THERMAL COMFORT COMMITMENTS - Refer to TPA Specification on plans			
ENERGY COMMITMENTS			
Hot Water	Gas Instantaneous	6 Star	
Cooling System	Living	1 Phase A/C Zoned	EER 3.0 - 3.5
	Bedrooms	1 Phase A/C Zoned	EER 3.0 - 3.5
Heating System	Living	1 Phase A/C Zoned	EER 3.0 - 3.5
	Bedrooms	1 Phase A/C Zoned	EER 3.0 - 3.5
1 x Bathroom	Fan ducted to exterior		Manual on/off
Kitchen	Fan ducted to exterior		Manual on/off
Laundry	Fan ducted to exterior		Manual on/off
Natural Lighting	Window/Skylight in Kitchen	Yes	
	Window/Skylight in Bathrooms/Toilets	Yes to 3	
Artificial Lighting	Number of Living/Dining rooms	All Dedicated	Yes
	Kitchen	Yes Dedicated	Yes
(rooms to be primarily lit by fluorescent or LED lights)	All Bathrooms/Toilets	Yes Dedicated	Yes
	Laundry	Yes Dedicated	Yes
	All Hallways	Yes Dedicated	Yes
OTHER COMMITMENTS			
Outdoor clothes line	Yes	Ventilated refrigerator space	Yes
Stove/Oven		Gas cooktop & electric oven	
Alternative Energy	Photovoltaic System: 0.2kW		

ISSUE FOR DA

Issue	Description	Date	Drawn	Chkd
B	ADDITIONAL SHADOW DIAGRAMS ADDED	12.08.22	NLC	CBT
A	ISSUE FOR DA	10.03.22	NLC	CBT



Client: MR T. & MRS B. MURPHY
 Site Address: LOT 82, DP 585741
 13 WILTON STREET
 MEREWETHER NSW 2291

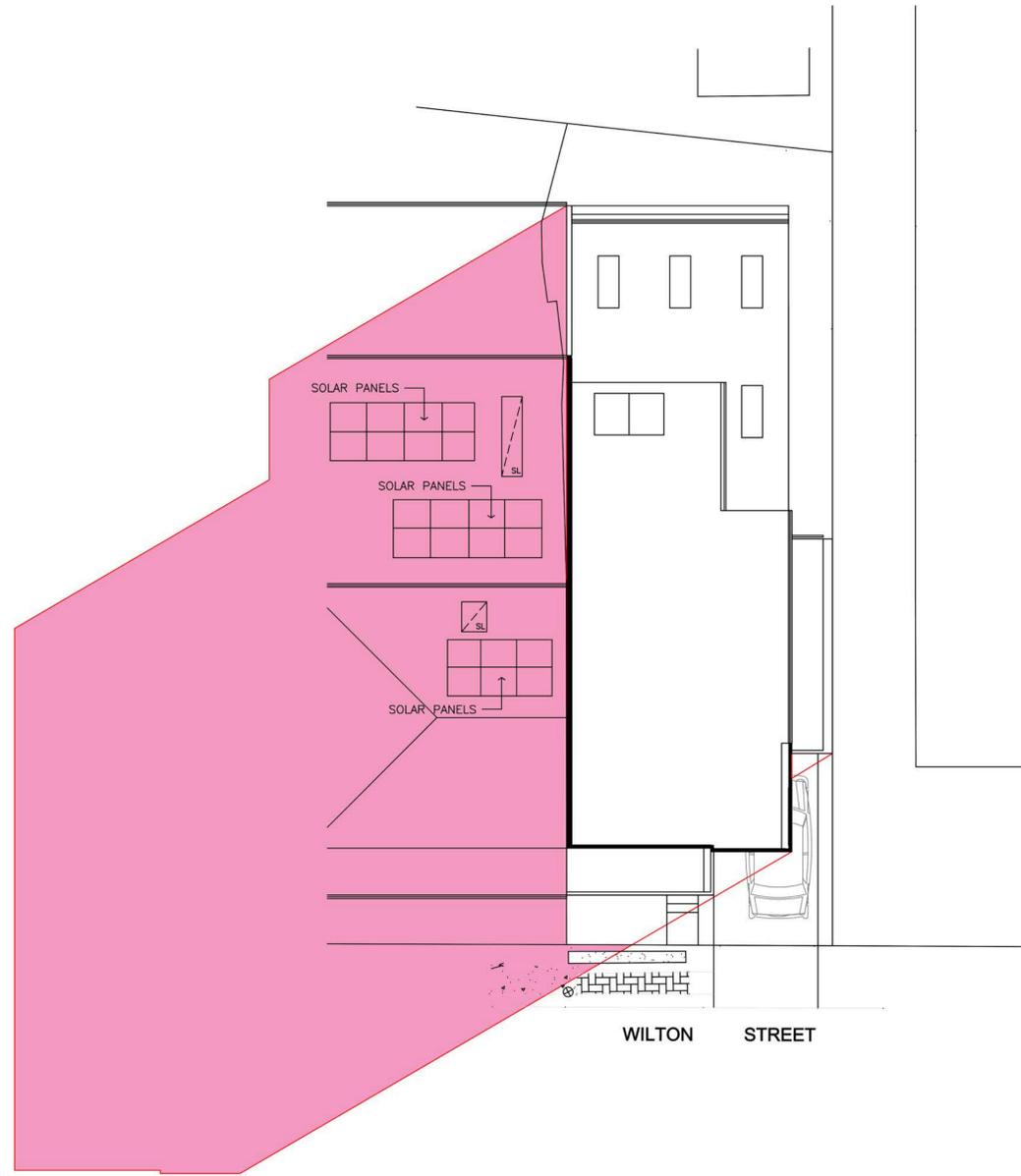
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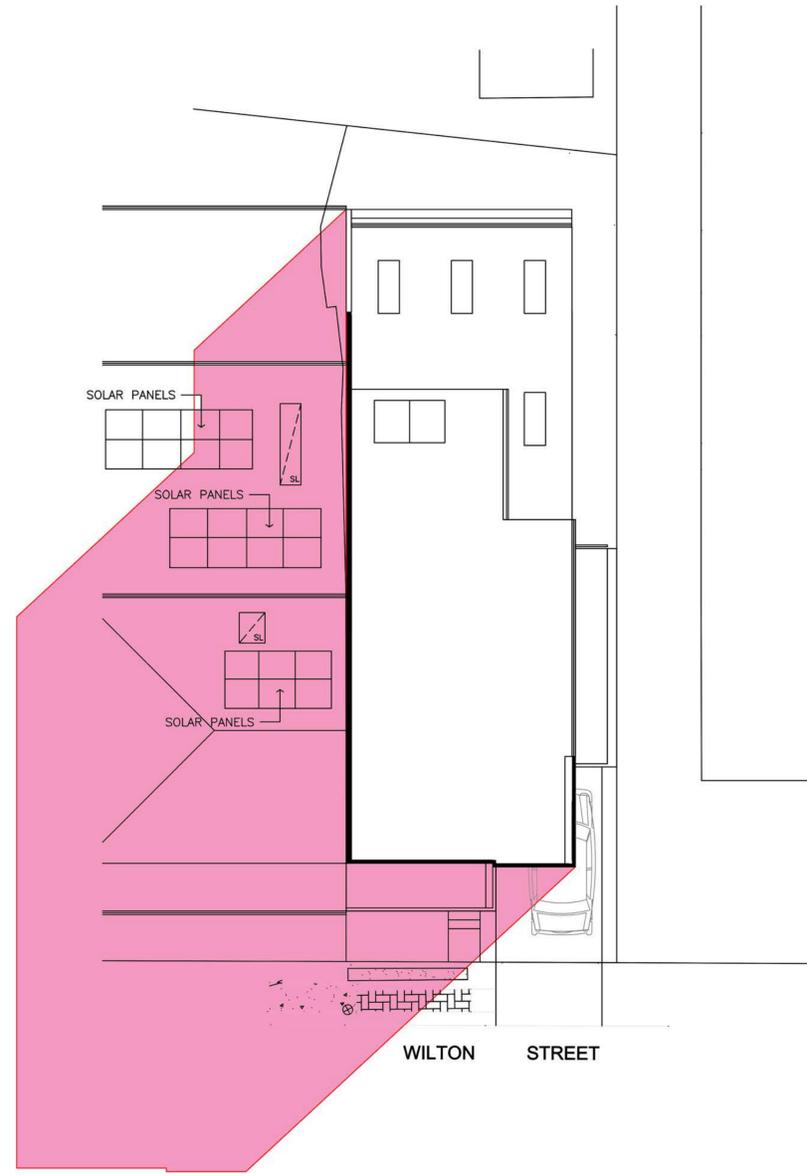


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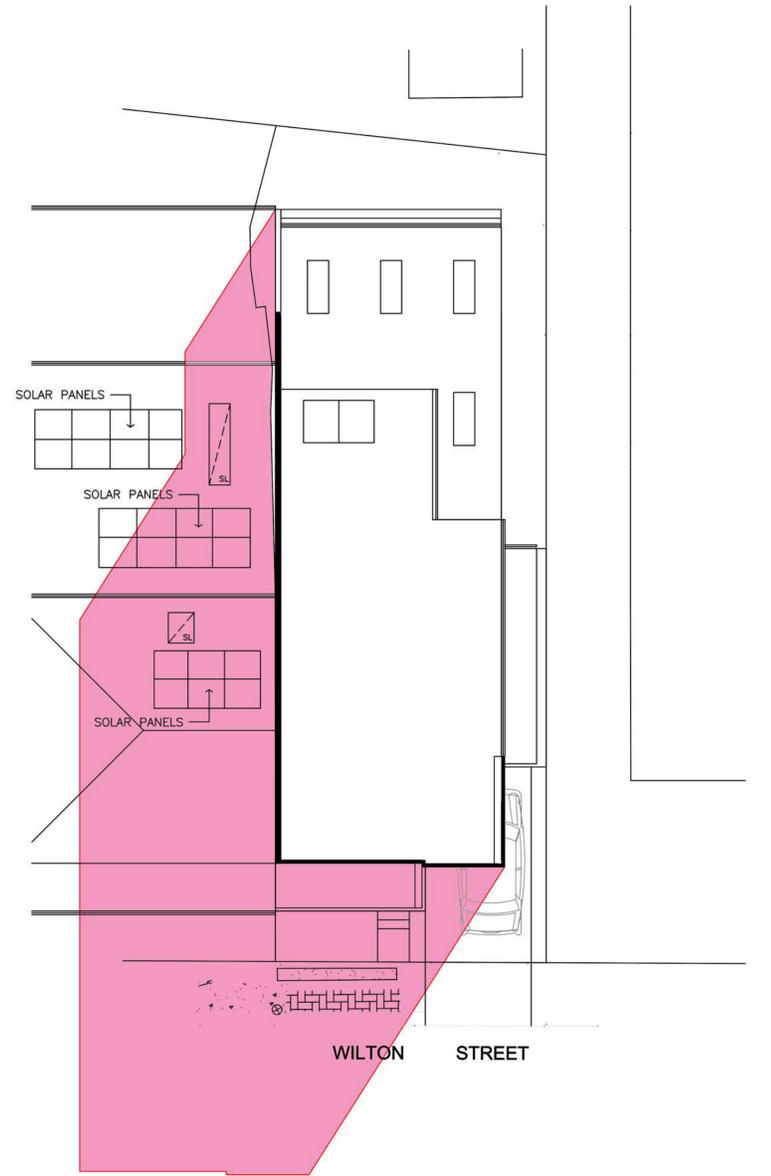
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NLC	10.08.2022	1:100			12.08.2022
Designed	Project No.	Dwg. No.	Issue		
CBT	TD_22/032	DA_02	B		



SHADOW DIAGRAMS FOR JUNE 21 AT 9:00am

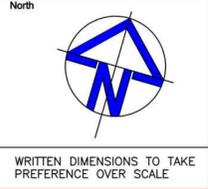


SHADOW DIAGRAMS FOR JUNE 21 AT 10:00am



SHADOW DIAGRAMS FOR JUNE 21 AT 11:00am

Issue	Description	Date	Drawn	Chkd
B	ADDITIONAL SHADOW DIAGRAMS ADDED	12.08.22	NLC	CBT
A	ISSUE FOR DA	10.03.22	NLC	CBT



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Site Address
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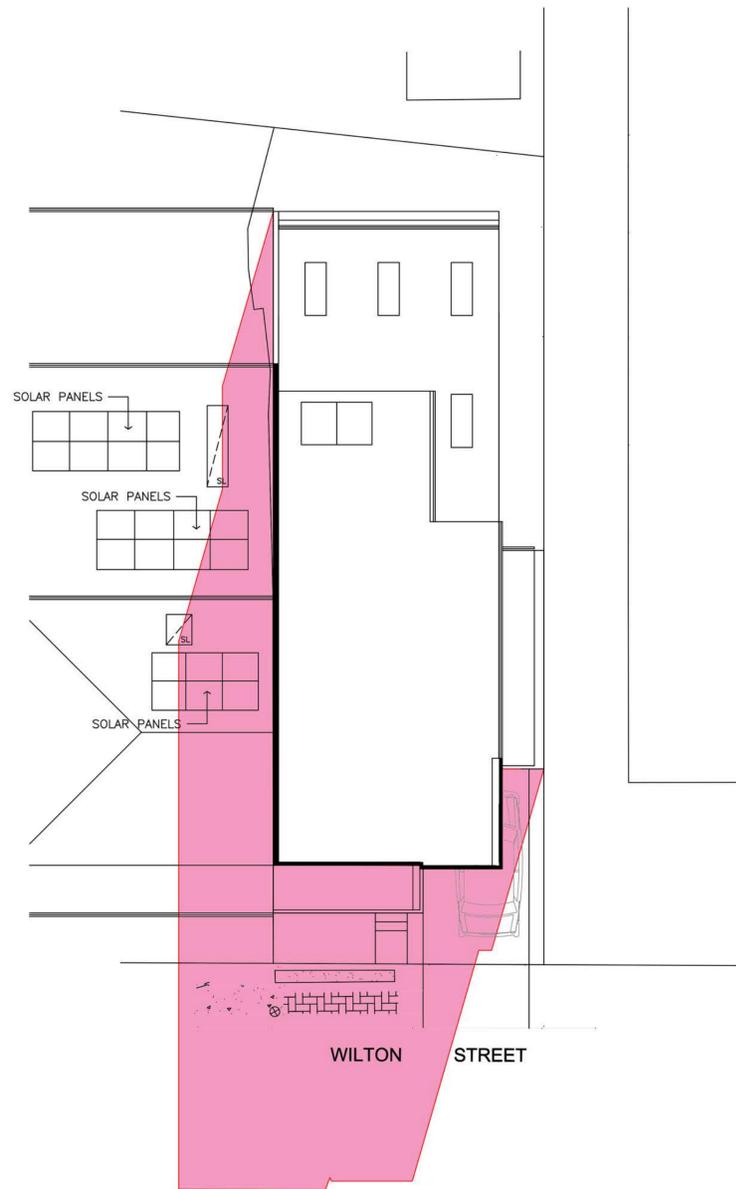
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Drawing Title
SHADOW DIAGRAMS FOR 21 JUNE AT 9, 10 & 11am

Drawn	Date	Scale	A1	Checked	Date
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Designed	Project No.	Dwg. No.	Issue
CBT	TD_22/032	DA_03	B

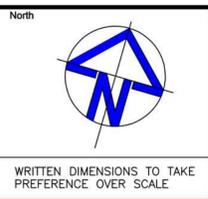


SHADOW DIAGRAMS FOR JUNE 21 AT 12:00pm



SHADOW DIAGRAMS FOR JUNE 21 AT 1:00pm

Issue	Description	Date	Drawn	Chkd
B	ADDITIONAL SHADOW DIAGRAMS ADDED	12.08.22	NLC	CBT
A	ISSUE FOR DA	10.03.22	NLC	CBT



Client
MR T. & MRS B. MURPHY

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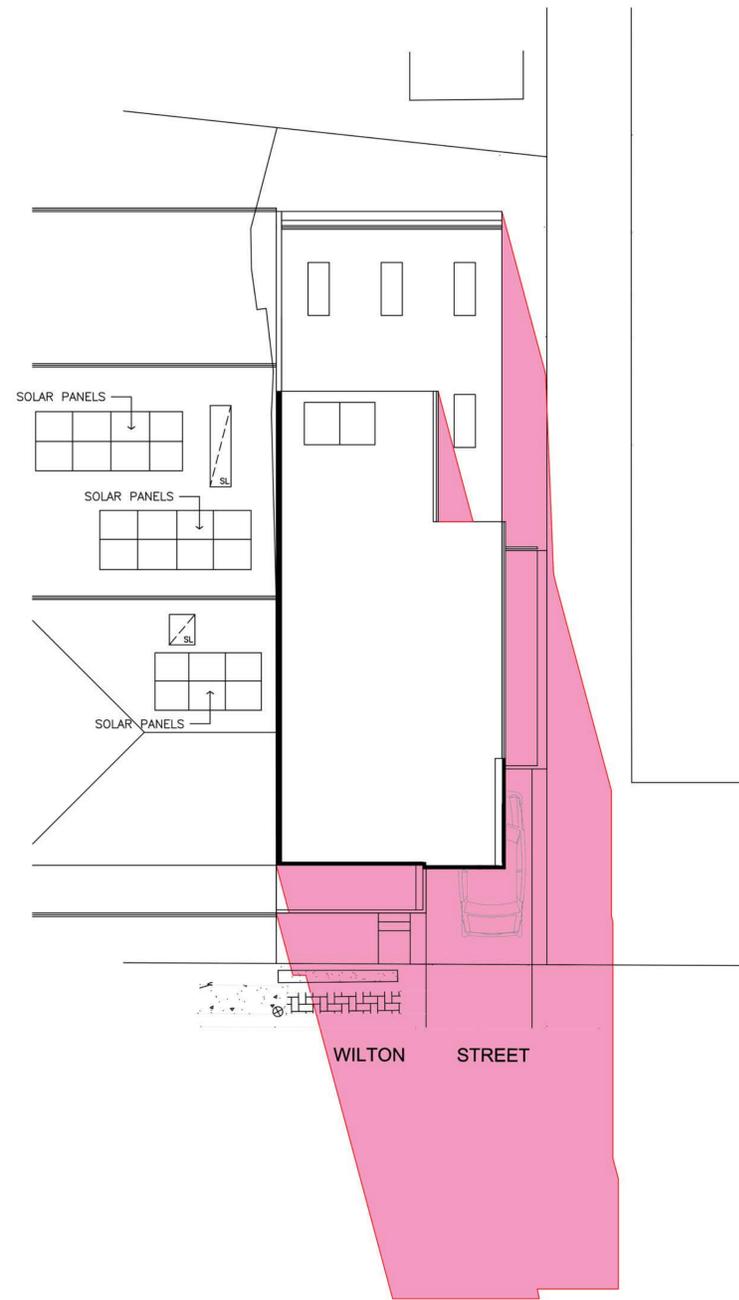
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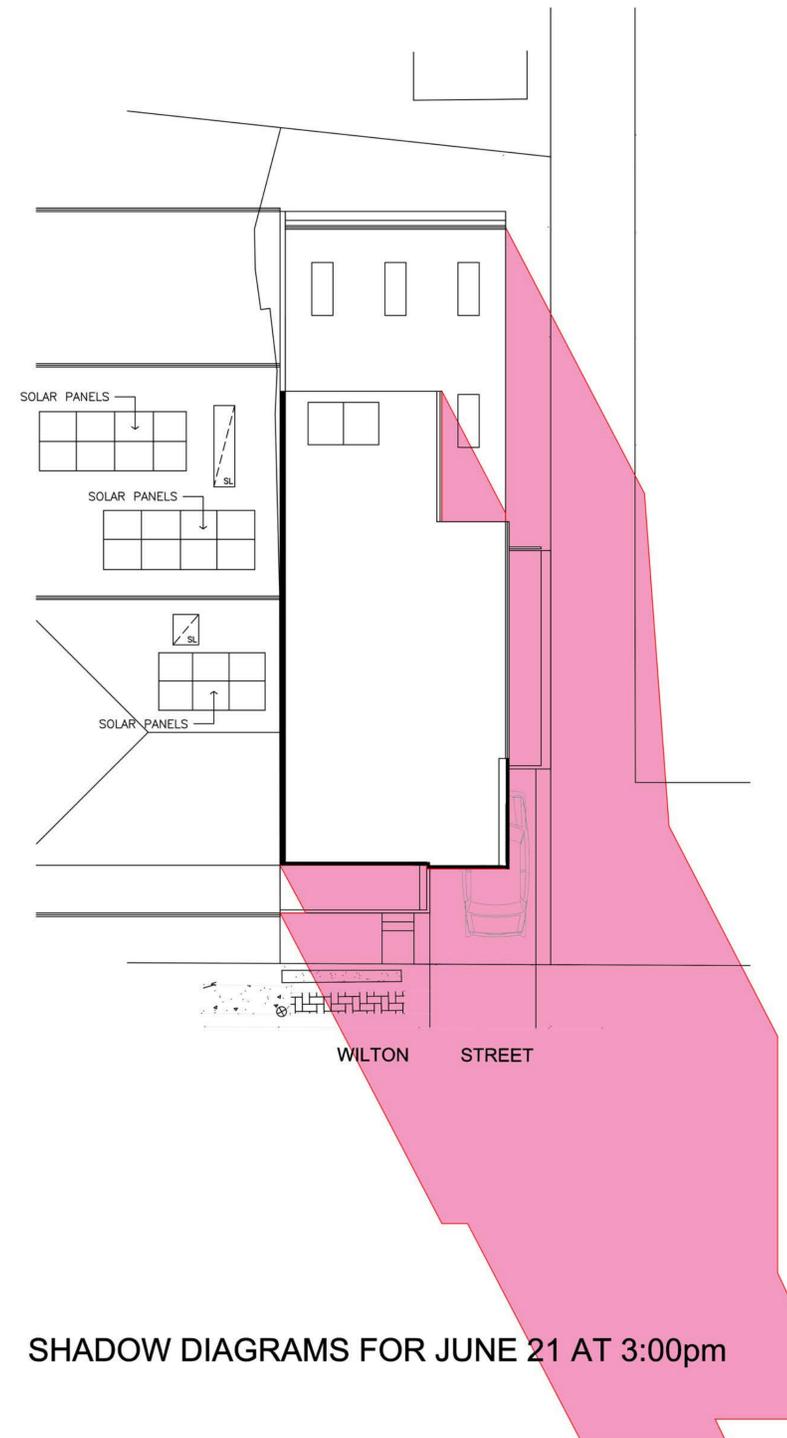
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Drawing Title					
SHADOW DIAGRAMS FOR 21 JUNE AT 12 & 1pm					
Drawn	Date	Scale	A1	Checked	Date
NLC	10.08.2022	1:100		CBT	12.08.2022
Designed	Project No.	Dwg. No.	Issue		
CBT	TD_22/032	DA_04	B		

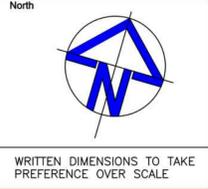


SHADOW DIAGRAMS FOR JUNE 21 AT 2:00pm



SHADOW DIAGRAMS FOR JUNE 21 AT 3:00pm

Issue	Description	Date	Drawn	Chkd
B	ADDITIONAL SHADOW DIAGRAMS ADDED	12.08.22	NLC	CBT
A	ISSUE FOR DA	10.03.22	NLC	CBT



Client
MR T. & MRS B. MURPHY

Site Address
**LOT 82, DP 585741
13 WILTON STREET
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SHADOW DIAGRAMS FOR 21 JUNE AT 2 & 3pm					
Drawn	Date	Scale	A1	Checked	Date
NLC	10.08.2022	1:100		CBT	12.08.2022
Designed	Project No.	Dwg. No.	Issue		
CBT	TD_22/032	DA_05	B		



ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 21/02/2023 – 13 WILTON STREET MEREWETHER –
DA2022/00438 - SEMI-DETACHED DWELLING - INCLUDING
DEMOLITION OF EXISTING STRUCTURES**

ITEM-1 Attachment B: Draft Schedule of Conditions

DISTRIBUTED UNDER SEPARATE COVER



Application No:	DA2022/00438
Land:	Lot 82 DP 585741
Property Address:	13 Wilton Street Merewether NSW 2291
Proposed Development:	Semi-detached dwelling - including demolition of existing structures

SCHEDULE 1

Approved Documentation

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

Plan No / Supporting Document	Reference / Version	Prepared by	Dated
Site Analysis Plan / Site Plan	DA_01, Issue B	Toner Design	12/08/2022
Floor Plans, Elevations and Basix Requirements	DA_02, issue B	Toner Design	12/08/2022
BASIX Certificate	1191180S_02	Building Sustainability Assessments	19/04/2022

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

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

2. Roof water from the proposed new work is to be directed to the proposed water tank with a minimum capacity of 4000 litres and being reticulated to any new toilet cisterns and cold water washing machine taps, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch any new toilet cisterns and laundry taps to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be designed in accordance with the Plumbing Code of Australia (National Construction Code Volume 3). Full details are to be included in documentation for a Construction Certificate application.
3. The upper floor level window openings on the northern elevation are to be amended to highlight window openings with a minimum window sill height of 1.5m measured from the finished floor level. Full details are to be included in documentation for a Construction Certificate application.
4. The proposed colours and finishes to the boundary wall along the western elevation of the second floor are to be treatment of Linea Cladding and/or Alucobond Cladding in a grey colour palette. Full details are to be included in documentation for a Construction Certificate application.

5. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to City of Newcastle's drainage system by means of an underground pipe directly to the street gutter. Details are to be included in documentation for a Construction Certificate application.
6. Consent is not given to undertake works to the party wall. The proposed structures are to be independently supported and a certificate from a qualified and practising Structural Engineer is to be obtained, confirming that the proposed works are able to be supported independently of the party wall, and must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The required structural engineers certificate is to state that the design is independently supported and does not rely on the party wall for lateral or vertical support. It is not sufficient for a Structural Engineer to state that the works will impose no additional load on the party wall.

7. A report / certificate from an appropriately qualified and practising structural engineer, certifying the structural adequacy of the adjoining property at No. 15 Wilton Street, Merewether, which certifies ability to withstand the proposed works and outlines any measures required to be implemented to ensure that no damage will occur to adjoining premises during the course of the works, must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The measures outlined in the certified report must be complied with at all times.

Under no circumstances shall the party or common wall be extended or altered without the prior written consent of the adjoining owner. Any such extension of the party wall shall be noted on title by way of appropriate easement or Section 88B instrument.

8. The floor level of all proposed buildings or building additions is to be verified on plans for a Construction Certificate application to be 12.1m AHD dwelling floor levels, 11.8m AHD garage floor level Australian Height Datum.
9. The second storey of the proposed building is to be a flood refuge in a Probable Maximum Flood event and is to be structurally certified by a professional engineer, ensuring that the building is able to withstand the hydraulic loading due to flooding from the Probable Maximum Flood (Flood Level reduced level 12.1m Australian Height Datum, Maximum Flow Velocity of floodwaters 1.5m/s). Full details are to be included in documentation for a Construction Certificate application.

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

10. Certification is to be prepared by a Registered Surveyor and submitted to the Principal Certifier at the stages of construction indicated:
 - a) Prior to works commencing, delineating the location of the party wall.
 - b) On completion of ground floor construction, confirming that the floor levels are in accordance with the approved levels.
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. The demolition works are to be undertaken in accordance with Australian Standard 2601:2001 - The Demolition of Structures and the following requirements:
- a) prior to commencement of demolition works a competent person shall determine the presence of hazardous substances impacted by the proposed demolition works in accordance with Section 1.6.1 of AS2601:2001 and where required produce a Hazardous Substances Management Plan
 - b) demolition works shall be conducted in accordance with any required Hazardous Substances Management Plan. A copy of the Plan shall be kept on-site for the duration of the proposed development and a copy is to be held in the possession of the landowner
 - c) 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
 - d) a copy of all waste disposal receipts are to be kept in the possession of the landowner and made available to authorised Council Officers upon request
 - e) seven working days notice in writing is to be given to 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, and
 - f) 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.
13. 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.
14. 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 approval to position the container on the adjacent public road in accordance with the Council's adopted Building Waste Container Policy.
15. 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.
16. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.
17. 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.
18. A rigid and durable sign is to be erected in a prominent position 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, if any, for any building work and 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, and must be removed when the work has been completed.

Note: This does not apply in relation to building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

19. Building work must be carried out in accordance with the requirements of the Building Code of Australia.
20. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
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. If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil are to be provided.
23. 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 Council reserves, including the road reserve, is not permitted.
24. A residential vehicular crossing is to be constructed across the road reserve, in accordance with the following criteria:
 - a) Constructed in accordance with City of Newcastle's A1300 - Driveway Crossings Standard Design Details.
 - b) In the case of a single car garage/parking space, the driveway crossing, within the road reserve, is to be a maximum of 3.0m wide.
 - c) Letterboxes, landscaping and any other obstructions to visibility are to be kept clear of or limited in height to 1.2m, in the 2.0m by 2.5m splay within the property boundary, each side of the driveway entrance.
 - d) The proposed driveway is to be a minimum of 3.0m clear of the trunk of any tree within the road reserve.
 - e) The proposed driveway is to be a minimum of 750mm clear of the centre of any pole or obstruction within the road reserve and 1.0m clear of any drainage pit.

These works are not approved until consent under Section 138 of the *Roads Act 1993*

has been granted by the City of Newcastle.

25. 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*, prior to the commencement of works.
26. 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.
27. 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.

28. Council's '*Prevent Pollution*' sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary, so it is clearly visible to the public, or at other locations on the site as otherwise directed by Council, for the duration of demolition and construction work.

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.

29. 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.
30. Where the proposed development involves the destruction or disturbance of any survey monuments, those monuments affected are to be relocated, at no cost to the City of Newcastle, by a Surveyor registered under the *Surveying and Spatial Information Act 2002*.
31. 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.

32. The following waste management measures are to be implemented during construction:
 - a) waste container of at least one cubic metre capacity shall be provided, maintained and regularly serviced from the commencement of operations until the completion of the building for the reception and storage of waste generated by the construction of the building and associated waste
 - b) the waste container is to be, at minimum, constructed with a 'star' picket (corners) and weed control mat (sides), or equivalent. The matting is to be securely tied to the pickets
 - c) appropriate provision is to be made to prevent wind blown rubbish leaving the site

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)

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

33. All commitments listed in the relevant BASIX certificate for the development are to be satisfactorily completed prior to the issue of an Occupation Certificate. Should there be any changes to the specifications of the dwelling that have implications for compliance with the approved certificate, except where restricted or excluded by any other condition of consent, an amended BASIX Certificate can be relied upon as having complied with this condition. A copy of any amended BASIX Certificate is to be provided to the City of Newcastle with Occupation Certificate documentation
34. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a condition that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to City of Newcastle's satisfaction prior to the completion of demolition work or prior to the issue of any Occupation Certificate in respect of development involving building work.
35. All works within the road reserve required by this consent are to be completed prior to the issue of an Occupation Certificate.
36. The premises are to be identified by the provision of house numbers on the building exterior and mailbox such that they are clearly visible from the road frontage.

The minimum numeral height is to be 75mm.

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.
- Any approval for fences on side boundaries, common to other private properties, is independent of any consent or agreement which may be required from any adjoining owner under the provisions of the *Dividing Fences Act 1991*.
- Prior to commencing any building works, the following provisions of 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 Newcastle City Council is to be notified of the appointment; and

- c) Newcastle City Council is to be given at least two days notice of the date intended for commencement of building works.
- Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Section 37 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* (NSW).
 - 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.
 - For the purpose of applying the provisions of the National Construction Code for class 1, 2, 3, 4, 9a (health care) and 9c (aged care) buildings, it is advised that the proposed building is located in a Flood Hazard Area and the:
 - a) Defined Flood Level (DFL) is 11.8m Australian Height Datum (AHD)
 - b) Flood Hazard Level is 12.1m AHD (Freeboard is 300mm above DFL)
 - c) Maximum Flow Velocity of floodwaters for the Defined Flood Event is 1.5m/s
 - A person who is aware or believes that he or she has discovered or located a relic not identified and considered in the supporting documents for this approval, in any circumstances (including where works are carried out in reliance on an exception under section 139(4)), excavation or disturbance must cease in the affected area(s) and the Heritage Council must be notified in accordance with section 146 of the *Heritage Act 1977*. Depending on the nature of the discovery, additional assessment and approval under the *Heritage Act 1977* may be required prior to the recommencement of excavation in the affected area(s).

Note: Heritage NSW can be contacted on 02 9873 8500 or heritagemailbox@environment.nsw.gov.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 upon which the person has discovered a relic except in accordance with a gazetted exception or an excavation permit issued by the Heritage Council of NSW.

- If any Aboriginal objects are discovered which are not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be notified in accordance with section 89A of the *National Parks and Wildlife Act 1974* (NPW Act). Depending on the nature of the discovery, additional assessment and approval under the NPW Act may be required prior to works continuing in the affected area(s). Aboriginal objects in NSW are protected under the NPW Act. Unless the objects are subject to a valid Aboriginal Heritage Impact Permit, work must not recommence until approval to do so has been provided by Heritage NSW.

Note: Heritage NSW can be contacted on 02 9873 8500 or heritagemailbox@environment.nsw.gov.au. An 'Aboriginal object' is any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains. It is an offence under the provisions of the

National Parks and Wildlife Act 1974 (NPW Act) for a person to harm or desecrate an Aboriginal object, with defence from prosecution and certain activities exempt as prescribed under the NPW Act.

END OF CONDITIONS

SCHEDULE 2

REASONS FOR THE DETERMINATION & CONSIDERATION OF COMMUNITY VIEWS

The determination decision was reached for the following reasons:

- The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being; *Newcastle Local Environmental Plan 2012* (NLEP) and applicable State Environmental Planning Policies.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the *Newcastle Development Control Plan 2012* (NDCP).
- The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
- The proposed development has appropriate management and mitigation of impacts through conditions of consent.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- The proposed development is a suitable and planned use of the site and its approval is within the public interest.
- The City of Newcastle has considered and accepted the proposed development standard variation made under Clause 4.4 of the *Newcastle Local Environmental Plan 2012*. The proposed 28% variation is considered acceptable in the particular circumstances of this case as the variation will not significantly obstruct significant view corridors and not result in negative privacy issues.
- Any issues raised in submission have been taken into account in the assessment report and where appropriate conditions of consent have been included in the determination.

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 21/02/2023 – 13 WILTON STREET MEREWETHER –
DA2022/00438 - SEMI-DETACHED DWELLING - INCLUDING
DEMOLITION OF EXISTING STRUCTURES**

ITEM-1 **Attachment C:** Processing Chronology

DISTRIBUTED UNDER SEPARATE COVER



PROCESSING CHRONOLOGY

DA2022/00438 – 13 Wilton Street Merewether

28 April 2022	-	Application lodged
4 May 2022	-	Application notified in accordance with CN's Community Participation Plan (CPP)
4 August 2022	-	Request for additional information
29 November 2022	-	Follow up Request for additional information
14 December 2022	-	Additional information received