ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER


PAGE 3 ITEM-33 Attachment A: Current Amended Plans

PAGE 15 ITEM-33 Attachment B: Draft Schedule of Conditions

PAGE 27 ITEM-33 Attachment C: Processing Chronology

DISTRIBUTED UNDER SEPARATE COVER
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ITEM-33 Attachment A: Current Amended Plans
The Plan Centre is a member of.

The Plan Centre

E-mail: mail@plancentre.com.au

www.plancentre.com.au

(02) 4952 7500

153 Lambton Road
Broadmeadow NSW 2292

The Plan Centre is a member of.

TREE PROTECTION

- Preliminary investigation to be undertaken within tree protection zone before major site works.
- Identifying any major root systems in the area.
- If major tree root structures found, tree protection measures to be adopted.
- Tree pruning to be approved by arborist.

PROTECTION MEASURES TO BE ADOPTED.

- Preliminary investigation along proposed edge of pier around roots to allow footings to building work to a depth of 600mm below surface to bridge over roots.
- Identifying any major root systems in the area.
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UNIT 12

Waste Containers

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TREATMENT PLANS

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PROTECTION MEASURES TO BE ADOPTED.
Multi Dwelling

Site Plan - Upper Level

项目的制定

1:100

AMENDMENTS: DA2B - 17/04/20

- TREE PROTECTION
  - Maintain Tree 2 to back boundary as requested
  - Implement Tree Protection measures as recommended by Arborist

- UNITS 12
  - Change ground floor structure to be a raised timber floor with strip footings to allow for tree protection measures.

AMENDMENTS: DA3 - 25/05/20

- BULK AND SCALE
  - REDUCE UNIT SIZE FOR UNIT 1, 2, 7 & 8 AND REMOVE TOP FLOOR AREAS TO HAVE A 2 STOREY STREETSCAPE CHARACTER SIMILAR TO EXISTING DA APPROVED UNITS

- ADJUST UNIT 6 TO ACHIEVE 3M BACK BOUNDARY SETBACK

- ADJUST SITE TO ACHIEVE 25% COUNCIL LANDSCAPING

AMENDMENTS: DA4 - 06/08/20

- ADJUST UNIT PLANS AFTER NEIGHBOUR CONSULTATION MEETING

- REDUCED BACK TO 10 UNITS

PRIVACY

- ADDITIONAL PRIVACY MEASURES AS DISCUSSED WITH NEIGHBOURS.
- North side Units 7 to 12
  - Additional privacy screens added to first windows facing side boundary. Screens to be minimum 1500mm above floor level as per DCP 3.03.03 Amenity H. Visual Privacy
  - OR
  - Windows facing side boundary adjusted to all have 1500mm sill heights to maintain privacy.
UNIT LETTERBOXES
MAX 1200mm HIGH
FEATURE BRICK FRONT WALLS
IN GARDEN BED AREAS
SELECTED WEATHERBOARDS
WITH R2 WALL INSULATION
VERTICAL CLADDING WITH
R2 WEATHERBOARDS
SELECTED ALUMINIUM WINDOWS
TO BASIX REQUIREMENTS

BOUNDARY
RIDGE HEIGHT
GUTTER HEIGHT
BUILDING HEIGHTS FOR
FRONT UNITS
SELECTED RETAINING WALL
UNDER BOUNDARY FENCE
1800 HIGH COLORBOND
BOUNDARY FENCING

BOUNDARY
RIDGE HEIGHT
GUTTER HEIGHT
BUILDING HEIGHTS FOR
REAR UNITS
SELECTED RETAINING WALL
UNDER BOUNDARY FENCE
1800 HIGH COLORBOND
BOUNDARY FENCING

PRIVACY SCREENS TO FIRST FLOOR
WINDOWS TO COUNCIL REQUIREMENTS

GOSFORD ROAD
NATURAL GROUND LEVEL

PROJECT:
DRAWING:
JOB No:
CLIENT:
LOCATION:
STAGE:
ISSUE:
DWG No:
SCALE:

USE ORIGINAL DRAWINGS ONLY. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALING FROM DRAWINGS. CHECK ALL DIMENSIONS AND LEVELS ONSITE PRIOR TO ORDERING OF MATERIALS OR COMMENCEMENT OF WORK.

AMENDMENTS: DA2B - 17/04/20
TREE PROTECTION
Maintain Tree 2 to back boundary as requested
Implement Tree Protection measures as recommended by Arborist
Units 12
Change ground floor structure to be a raised timber floor with strip footings to allow for tree protection measures.

AMENDMENTS: DA3 - 25/05/20
BULK AND SCALE
REDUCE UNIT SIZE FOR UNIT 1, 2, 7 & 8 AND REMOVE TOP FLOOR AREAS TO HAVE A 2 STOREY STREETSCAPE CHARACTER SIMILAR TO EXISTING DA APPROVED UNITS
ADJUST UNIT 6 TO ACHIEVE 3M BACK BOUNDARY SETBACK
ADJUST SITE TO ACHIEVE 25% COUNCIL LANDSCAPING

AMENDMENTS: DA2 - 25/03/20
PRIVACY
ADDITIONAL PRIVACY MEASURES AS DISCUSSED WITH NEIGHBOURS.
North side Units 7 to 12
Additional privacy screens added to first windows facing side boundary. Screens to be minimum 1500mm above floor level as per DCP 3.03.03 Amenity H. Visual Privacy OR Windows facing side boundary adjusted to all have 1500mm sill heights to maintain privacy.

AMENDMENTS: DA4 - 06/08/20
ADJUST UNIT PLANS AFTER NEIGHBOUR CONSULTATION MEETING
REDUSED BACK TO 10 UNITS

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DAC 18/08/2020 – DA2019/01146 – 106 - 108 GOSFORD ROAD,
ADAMSTOWN – MULTI DWELLING HOUSING - DEMOLITION OF
EXISTING DWELLINGS, ERECTION OF TEN DWELLINGS AND
STRATA SUBDIVISION

ITEM-33 Attachment B: Draft Schedule of Conditions
Application No: DA2019/01146

Land: Lot 1943 DP 755247
      Lot 2 DP 333722

Property Address: 106 Gosford Road Adamstown NSW 2289
                  108 Gosford Road Adamstown NSW 2289

Proposed Development: Multi dwelling housing - erection of 10 dwellings, strata subdivision and demolition of existing dwellings

SCHEDULE 1

APPROVED DOCUMENTATION

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

<table>
<thead>
<tr>
<th>Plan No / Supporting Document</th>
<th>Version</th>
<th>Prepared by</th>
<th>Dated</th>
</tr>
</thead>
<tbody>
<tr>
<td>A01 Site Plan</td>
<td>4</td>
<td>The Plan Centre</td>
<td>06/08/2020</td>
</tr>
<tr>
<td>A02 Site Details &amp; Elevations</td>
<td>4</td>
<td>The Plan Centre</td>
<td>06/08/2020</td>
</tr>
<tr>
<td>A03 Unit Plans – 1 &amp; 2</td>
<td>4</td>
<td>The Plan Centre</td>
<td>06/08/2020</td>
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<tr>
<td>A04 Unit Plans – 3, 4, 5 &amp; 6</td>
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<td>06/08/2020</td>
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<td>A05 Unit Plans – 7, 8, 9, 10, 11 &amp; 12</td>
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<td>06/08/2020</td>
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<td>A06 Unit Elevations – 7, 8, 9, 10, 11 &amp; 12</td>
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<td>06/08/2020</td>
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<tr>
<td>DA01, DA02, DA03 Landscape Plans</td>
<td>C</td>
<td>Octopus Garden design</td>
<td>August 2020</td>
</tr>
<tr>
<td>Arborist Report</td>
<td></td>
<td>Abacus Tree Services</td>
<td>13/04/2020</td>
</tr>
</tbody>
</table>

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

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

2. A total monetary contribution of $28,500.00 is to be paid to the City of Newcastle, pursuant to Section 7.12 of the Environmental Planning and Assessment Act 1979, such contribution to be payable prior to the issue of a Construction Certificate in respect of the proposed development.
Note:

a) This condition is imposed in accordance with the provisions of the City of Newcastle’s Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019.

b) The City of Newcastle’s Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019 permits deferred or periodic payment of levies in certain circumstances. A formal modification of this condition will be required to enter into a deferred or periodic payment arrangement.

c) The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

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

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

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

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

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

5. 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. Details are to be included in documentation for a Construction Certificate application.

6. Roof water from the proposed new work is to be directed to the proposed water tank and be 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 are to be designed in accordance with the Plumbing Code of Australia (National Construction Code Volume 3). Details are to be included in documentation for a Construction Certificate application.

7. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to City of Newcastle’s drainage system by means of an interallotment drainage line or underground pipe directly to the street gutter. Details are to be included in documentation for a Construction Certificate application.

8. All stormwater runoff from the proposed development is to be managed in accordance...
with the requirements of Element 7.06 ‘Stormwater’ of Newcastle Development Control Plan 2012, the associated Technical Manual and AS/NZS 3500.3 *Plumbing and drainage Part 3 Stormwater drainage*, as indicated on the stormwater management concept plan prepared by MPC Consulting Engineers (Drg. No. 200127 dated 07/08/20). Details are to be included in documentation for a Construction Certificate application.

9. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required by the conditions of this consent are to be detailed on a landscape plan and specification. The plan and specification are to be prepared in accordance with the provisions of Newcastle Development Control Plan 2012 and is to include details of the following:

   a) cross sections through the site
   b) proposed contours or spot levels
   c) botanical names
   d) quantities and container size of all proposed trees
   e) shrubs and ground cover
   f) details of proposed soil preparation
   g) mulching and staking
   h) treatment of external surfaces and retaining walls where proposed
   i) drainage, location of taps and
   j) appropriate maintenance periods.

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

10. 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.

11. A residential, commercial vehicular crossing is to be constructed across the road 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 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
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 applied for and approved before the issue of a Construction Certificate.

12. A separate application must be lodged and consent obtained from Council for all works within the road reserve pursuant to Section 138 of the *Roads Act 1993 (NSW)*, before the issue of a Construction Certificate. The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

13. The existing street trees (Council ID: 4181123, 4181124, 4181125) are approved to be removed, subject to arrangements being made for the removal of the street tree by contacting Council's City Greening Services. All tree removal works are to be carried out by Council at the Developer's expense.

14. Four (4) street trees are required to be planted as compensation for the removal of the existing trees. A fee, to be determined by contacting Council's City Greening Services, is to be paid to Council for the required compensatory planting and evidence of the payment of the required fee is to be included in the documentation for a Construction Certificate application.

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

15. The developer designing and constructing the following works in connection with the proposed development within the Gosford Road public road reserve, adjacent to the site, at no cost to Council and in accordance with Council’s guidelines and design specifications:

   a) Remove redundant laybacks
   b) Kerb and gutter where lay backs removed replacement
   c) New driveway crossing
   d) Foot paving
   e) Street trees and tree guards

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

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

16. Building demolition is to be planned and carried out in accordance with Australian Standard 2601:2001 - *The Demolition of Structures*.

17. Tree removal and retention shall be carried out in accordance with the Arborist Report prepared by Abacus Tree Services dated 13 April 2020.

18. 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 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 City of Newcastle and the owners/occupiers of neighbouring premises prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number(s) and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor. Notification to owners/occupiers of neighbouring premises shall also include City of Newcastle’s contact telephone number (49742000) and the SafeWork 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.

19. 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.

20. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.

21. 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).

22. 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 must 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.

23. An application is to be made to and approved by 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 shall 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 must be given to SafeWork NSW.

24. 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.

25. All building work must be carried out in accordance with the provisions of the National Construction Code.

26. 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.

27. 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.

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

29. 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.

30. The removal of any asbestos material during the demolition phase of the development is to be in accordance with the requirements of SafeWork NSW.
31. 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.

32. 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 Council’s Customer Enquiry Counter, Wallsend Library or the Master Builders Association Newcastle.

33. 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.

34. 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 must 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. 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.

35. 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.

36. 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.

37. During construction works, an assessment of acid sulfate soil potential is to be undertaken in the area of excavation. If acid sulfate soils are found to be present, soils are to be treated in accordance with the New South Wales Acid Sulfate Soil Management Advisory Committee’s ‘Acid Sulfate Soil Manual’.

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

38. 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.
39. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to Council’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.

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

41. A copy of the stormwater drainage design plans approved with the Construction Certificate with ‘work as executed’ levels indicated, shall be submitted to the Principal Certifying Authority and to The City of Newcastle prior to the issue of an Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.

42. The water management measures as indicated on the submitted plans and Statement of Environmental Effects and/or as modified under the terms of this consent are to be implemented and the nominated fixtures and appliances are to be installed and operational prior to issue of an Occupation Certificate.

43. A Landscape Practical Completion Report is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate consistent with the approved landscape plan. 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.

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

44. The premise/s is/are allocated the following street address/es in accordance with Council’s House Numbering Policy and the Surveying and Spatial Regulation.

<table>
<thead>
<tr>
<th>Unit Number on plan</th>
<th>Council Allocated Street Addresses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>House Number</td>
</tr>
<tr>
<td>Proposed Unit 1</td>
<td>7/106</td>
</tr>
<tr>
<td>Proposed Unit 2</td>
<td>8/106</td>
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<td>Proposed Unit 3</td>
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</tr>
<tr>
<td>Proposed Unit 9</td>
<td>3/106</td>
</tr>
<tr>
<td>Proposed Unit 10</td>
<td>4/106</td>
</tr>
</tbody>
</table>

45. All garbage bins are to be returned to individual garages on the same day after collection.
ADVISORY MATTERS

□ 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.

□ Any approval for fences on side boundaries, common to other private properties, is independent of any consent or agreement which may be required of any adjoining owner under the provisions of the *Dividing Fences Act 1991* (NSW).

□ 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.

□ Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Clause 149 of the *Environmental Planning and Assessment Regulation 2000* (NSW).

□ 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.

END OF CONDITIONS
SCHEDULE 2

REASONS FOR THE DETERMINATION & CONSIDERATION OF COMMUNITY VIEWS

The determination decision was reached for the following reasons:

- The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being; *Newcastle Local Environmental Plan 2012* (NLEP) and applicable State Environmental Planning Policies.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the *Newcastle Development Control Plan 2012* (NDCP).
- The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
- The proposed development has appropriate management and mitigation of impacts through conditions of consent.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- The proposed development is a suitable and planned use of the site and its approval is within the public interest.

REASONS WHY THE CONDITIONS HAVE BEEN IMPOSED

The following conditions are applied to:

- Confirm and clarify the terms of Council’s determination;
- Identify modifications and additional requirements that will result in improved compliance, development and environmental outcomes;
- Prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- Set standards and measures for acceptable environmental performance; and
- Provide for the ongoing management of the development.
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER


ITEM-33 Attachment C: Processing Chronology
## PROCESSING CHRONOLOGY

**DA2019/01146 – 106-108 Gosford Road Adamstown**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>22 October 2019</td>
<td>Application lodged</td>
</tr>
<tr>
<td>31 October - 18</td>
<td>Public Notification period. 17 submission received.</td>
</tr>
<tr>
<td>November 2019</td>
<td>Public Voice Committee Meeting. Following Public Voice, further</td>
</tr>
<tr>
<td></td>
<td>submissions, a community petition and a slideshow presentation were</td>
</tr>
<tr>
<td></td>
<td>received expressing continued concerns regarding the proposal.</td>
</tr>
<tr>
<td>17 March 2020</td>
<td>Amended plans submitted. Changes to the proposal included the provision</td>
</tr>
<tr>
<td></td>
<td>of privacy screens to windows of habitable rooms facing neighbours;</td>
</tr>
<tr>
<td></td>
<td>increased landscaped area and retention of a large tree along the</td>
</tr>
<tr>
<td></td>
<td>rear boundary</td>
</tr>
<tr>
<td>25 March 2020</td>
<td>Amended plans submitted. Changes to the proposal included a reduction</td>
</tr>
<tr>
<td></td>
<td>in the number of three-storey dwellings. The amended plans were not</td>
</tr>
<tr>
<td></td>
<td>re-notified as it was decided that the amended proposal resulted in</td>
</tr>
<tr>
<td></td>
<td>reduced impact to neighbouring residents. The amended plans however</td>
</tr>
<tr>
<td></td>
<td>were made publicly viewable on CN’s website.</td>
</tr>
<tr>
<td>17 April 2020</td>
<td>Amended plans submitted. Changes to the proposal included a reduction</td>
</tr>
<tr>
<td></td>
<td>in the number of three-storey dwellings. The amended plans were not</td>
</tr>
<tr>
<td></td>
<td>re-notified as it was decided that the amended proposal resulted in</td>
</tr>
<tr>
<td></td>
<td>reduced impact to neighbouring residents. The amended plans however</td>
</tr>
<tr>
<td></td>
<td>were made publicly viewable on CN’s website.</td>
</tr>
<tr>
<td>21 May 2020</td>
<td>Development Applications Committee</td>
</tr>
<tr>
<td>26 May 2020</td>
<td>Amended plans submitted. Changes to the proposal included reducing the</td>
</tr>
<tr>
<td></td>
<td>height of the front dwellings from three-storey to two-storey. The</td>
</tr>
<tr>
<td></td>
<td>roof-form has been amended to reduce visual impact to neighbours. The</td>
</tr>
<tr>
<td></td>
<td>rear setback and landscaped area have increased to now comply with</td>
</tr>
<tr>
<td></td>
<td>NDCP 2012.</td>
</tr>
<tr>
<td>27 May - 16 June</td>
<td>Public Notification period. 60 submission received.</td>
</tr>
<tr>
<td>2020</td>
<td></td>
</tr>
<tr>
<td>21 July 2020</td>
<td>Public Voice Committee Meeting</td>
</tr>
<tr>
<td>07 August 2020</td>
<td>Amended plans submitted. Changes to the proposal included a decrease</td>
</tr>
<tr>
<td></td>
<td>in the overall number of dwellings from 12 to 10, with all dwellings</td>
</tr>
<tr>
<td></td>
<td>being reduced to 2 storey. Therefore, no 3 storey dwelling are</td>
</tr>
<tr>
<td></td>
<td>proposed as part of the application. The amended plans were not re-</td>
</tr>
<tr>
<td></td>
<td>notified however were made publicly viewable on CN’s website.</td>
</tr>
<tr>
<td>10 August 2020</td>
<td>CN staff held a meeting with the applicant and the 2 speakers from</td>
</tr>
<tr>
<td></td>
<td>the previous Public Voice Committee Meeting.</td>
</tr>
</tbody>
</table>