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FN01-07008L0  
TBA23-00624

Marija Popovic  
[marija\\_popovic@yahoo.com](mailto:marija_popovic@yahoo.com)

Dear Marija Popovic

**RE PROPOSED DUAL OCCUPANCY AT 44 CADAGA ROAD GATESHEAD; LOT 499 DP 224374; TBA23-00624**

## NOTICE OF DETERMINATION

I refer to the application detailed above. Subsidence Advisory NSW has determined to grant approval under section 22 of the *Coal Mine Subsidence Compensation Act 2017*.

Approval has been granted, subject to the conditions set out in the attached determination under Schedule 2. The stamped approved plans are attached.

Once relevant documentation to meet the conditions in Schedule 2 is available, please email through to [subsidedevelopment@customerservice.nsw.gov.au](mailto:subsidedevelopment@customerservice.nsw.gov.au) quoting reference **TBA23-00624**.

Should you have any questions about the determination, I can be contacted by phone on 02 4908 4300 or via email at [subsidedevelopment@customerservice.nsw.gov.au](mailto:subsidedevelopment@customerservice.nsw.gov.au).

Yours faithfully,



**Shane McDonald**  
**Senior Risk Engineer**

20 March 2023

## DETERMINATION

Issued in accordance with section 22 of the *Coal Mine Subsidence Compensation Act 2017*

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As delegate for Subsidence Advisory NSW under delegation executed 20 March 2023 approval is for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

Determination Date: 20 March 2023

Approval to Lapse on: 20 March 2028

The conditions of approval are imposed for the following reasons:

- a) To confirm and clarify the terms of Subsidence Advisory NSW approval.
- b) To minimise the risk of damage to surface development from mine subsidence.



**Shane McDonald**  
**Senior Risk Engineer**

20 March 2023

## **SCHEDULE 1**

Application No: **TBA23-00624**  
Applicant: **MARIJA POPOVIC**  
Site Address: **44 CADAGA ROAD GATESHEAD**  
Lot and DP: **LOT 499 DP 224374**  
Proposal: **DUAL OCCUPANCY**  
Mine Subsidence District: **LAKE MACQUARIE**

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## SCHEDULE 2

### CONDITIONS OF APPROVAL

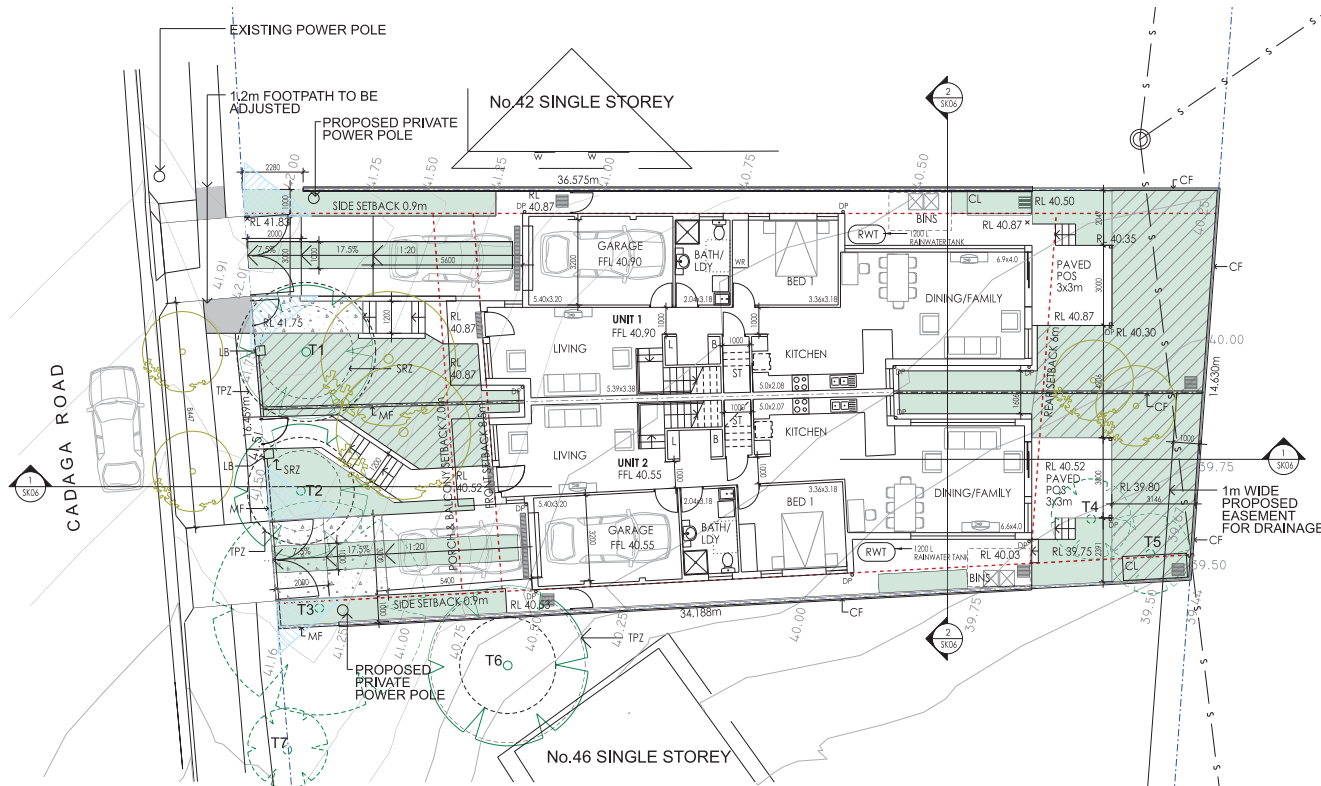
<b>GENERAL</b>							
<b>Plans, Standards and Guidelines</b>							
<b>1.</b>	<p>The development being undertaken strictly in accordance with the details set out on the application form, any information submitted with the application and the plans submitted, as amended or as modified by the conditions of this approval.</p> <p><b>Note:</b> Any proposal to modify the terms or conditions of this approval, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application for consideration by Subsidence Advisory NSW. If amendments to the design result in the development not remaining substantially the same as that approved by this approval, a new application must be submitted to Subsidence Advisory NSW.</p>						
<b>2.</b>	<p>This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.</p>						
<b>PRIOR TO COMMENCEMENT OF CONSTRUCTION</b>							
<b>3.</b>	<p><b>Prescribed Design Parameters</b></p> <p>The proposed structure(s) is to be designed to be “<i>safe, serviceable and any damage from mine subsidence shall be limited to ‘slight’ in accordance with AS2870 (Damage Classification) and readily repairable</i>” using the subsidence parameters outlined below:</p> <table style="margin-left: 40px;"> <tr> <td>a) Maximum Horizontal Strains (+/-):</td><td>3 mm/m</td></tr> <tr> <td>b) Maximum Tilt:</td><td>4 mm/m</td></tr> <tr> <td>c) Minimum Radius of Curvature:</td><td>5 km</td></tr> </table>	a) Maximum Horizontal Strains (+/-):	3 mm/m	b) Maximum Tilt:	4 mm/m	c) Minimum Radius of Curvature:	5 km
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b) Maximum Tilt:	4 mm/m						
c) Minimum Radius of Curvature:	5 km						
<b>4.</b>	<p><b>Prescribed Design Parameters</b></p> <p>The proposed structure(s) is to be designed to be “safe” using the subsidence parameters outlined below:</p> <table style="margin-left: 40px;"> <tr> <td>d) Maximum Tilt:</td><td>6 mm/m</td></tr> <tr> <td>e) Minimum Radius of Curvature</td><td>3 km</td></tr> </table>	d) Maximum Tilt:	6 mm/m	e) Minimum Radius of Curvature	3 km		
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e) Minimum Radius of Curvature	3 km						
<b>5.</b>	<p>Submit a final design for acceptance by Subsidence Advisory NSW prior to commencement of construction. It shall include certification by a qualified structural engineer including a statement to the effect that the:</p> <ul style="list-style-type: none"> <li>• improvements will remain “<i>safe, serviceable and any damage from mine subsidence shall be limited to ‘slight’ damage in accordance with AS2870 (Damage Classification), and readily repairable</i>” taking into consideration the mine subsidence parameters outlined in condition 3 above.</li> <li>• improvements will remain “safe” taking into consideration the mine subsidence parameters outlined in condition 4 above.</li> </ul>						

POST CONSTRUCTION	
6.	Upon completion of construction, works-as-executed certification by a qualified engineer is to be forwarded to Subsidence Advisory NSW confirming that construction was in accordance with the plans approved by Subsidence Advisory NSW.

### 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.

20 Mar 2023  
CONDITIONS OF DA - ATTACHED  
SHANE MCDONALD  
FOR SUBSIDENCE ADVISORY NSW



1 SITE / GROUND FLOOR PLAN  
SCALE 1:100 @A1

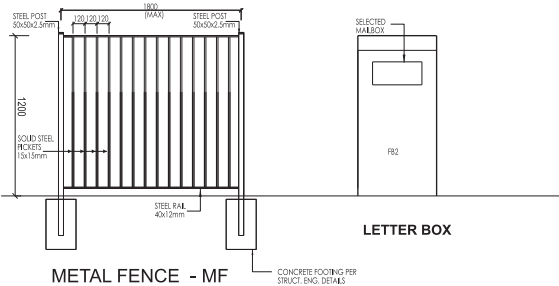
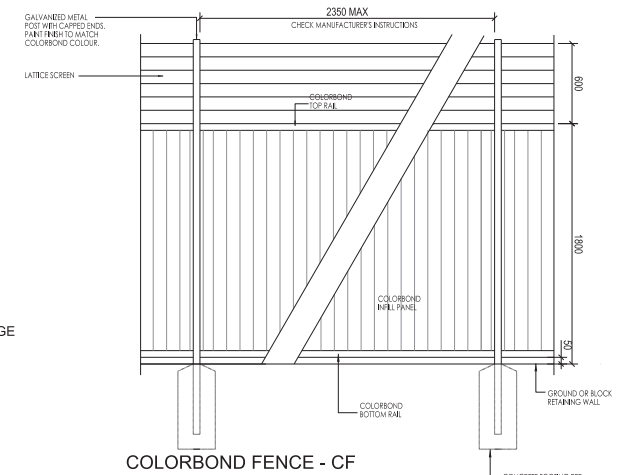
- BASIX COMMITMENTS**
- External wall  
a. cavity brick with 20mm XPS polystyrene insulation to ground floor,  
b. fibre cement cladding with R2.5 insulation to first floor
  - Windows  
a. Awning windows, aluminium framed single high solar gain low e glazing: U=5.4, SHGC=0.49  
b. Sliding windows and doors and fixed windows, aluminium framed single high solar gain low e glazing: U=5.4, SHGC=0.58
  - Internal walls  
a. plasterboard on studs,  
b. cavity brick to party wall
  - Floor  
a. concrete slab-on-ground to ground floor,  
b. framed floor to first floor
  - Ceiling plasterboard with R4.0 insulation where adjacent to roof or roof space
  - Roof metal roof with R1.0 foil backed insulation blanket,  
a. dark colour to ground floor,  
b. medium colour to first floor
  - 4 star rated taps and toilets suites throughout
  - 1200L rainwater tank to each unit, collecting at least 65m<sup>2</sup> of roof area
  - Rainwater used for garden irrigation and flushing of all toilets
  - 5 star instantaneous gas HWS
  - Provide energy efficient lighting (fluoros, compact fluoros & LEDs) throughout
  - Gas cooktop & electric oven
  - Provide a fixed outdoor clothes line (receives minimum 2hrs sunshine in winter)

**LEGEND:**

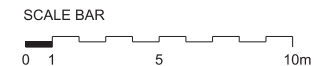
- B : BRICK CLIPBOARD  
BRW : BLOCK RETAINING WALL  
C : CONCRETE  
CC : COLOURED CONCRETE  
CF : COLORBOND FENCE 1800mm  
CL : CLOTHES LINE  
CO : CUSTOM ORB COLORBOND ROOF  
CP : CARPET  
D : DOWNPIPES  
CT : CERAMIC TILES  
G : GATE TO MATCH FENCE  
OD : GRATED DRAIN  
HW : HOT WATER UNIT  
L : LINEN CLIPBOARD  
LB : LETTER BOX  
MF : METAL FENCE 1200mm HIGH  
P : PAINT  
POS : PRIVATE OPEN SPACE  
RWT : RAIN WATER TANK  
SK : SKY TUBE  
ST : STORAGE  
T : LAUNDRY TUB  
TOW : TOP OF WALL  
WM : WARDROBE  
WM : WASHING MACHINE BY TENANT

- ☒ : GARBAGE BIN  
☐ : STORMWATER PIT  
▨ : DEEP SOIL AREA  
▨ : LANDSCAPE AREA  
▨ : POROUS PAVERS PER ARBORIST REPORT  
T# : TREE NUMBER  
PER ARBORIST REPORT  
TPZ : TREE PROTECTION ZONE  
SRZ : STRUCTURAL ROOT ZONE

- : EXISTING TREE TO BE RETAINED  
○ : EXISTING TREE TO BE REMOVED  
○ : PROPOSED NEW TREE PER LANDSCAPE PLANS  
--- : BOUNDARY LINE  
--- : SEWER LINE  
△ : 2.5 x 2m VISIBILITY TRIANGLES  
△ : EXISTING SPOT LEVELS



2 FENCE DETAILS  
SCALE 1:50 @A1



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CONDITIONS OF DA - ATTACHED  
SHANE MCDONALD  
FOR SUBSIDENCE ADVISORY NSW

