

Department of Planning Industry and Environment

ATTN: Andrew Watson

Via NSW Planning Portal

cc: Ramboll - Belinda Sinclair

Our ref: TBA21-02320

FN09-20447N1

Dear Andrew

RE: PROPOSED CONSTRUCTION OF A FOUR-STOREY COMMERCIAL BUILDING, INTERNAL FIT OUT WORKS INCLUDING CAFÉ AND OFFICE SPACES, AT GRADE CAR PARK, WATER TANKS, LANDSCAPING WORKS AND SIGNAGE AT 46 FITZROY STREET CARRINGTON (65 DENISON ST); LOT 33 DP 1078910 - TBA21-02320 - DA 10689

GENERAL TERMS OF APPROVAL

I refer to the above integrated development referred on 30 June 2021. 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 **TBA21-02320**.

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,



Melanie Fityus

On behalf of Shane McDonald

Senior Risk Engineer

27 September 2021

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 27 September 2021, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

SCHEDULE 1

Ref:	TBA21-02320
DA:	DA 10689
Site Address:	46 FITZROY STREET CARRINGTON (65 DENISON ST)
Lot and DP:	LOT 33 DP 1078910
Proposal:	CONSTRUCTION OF A FOUR-STOREY COMMERCIAL BUILDING, INTERNAL FIT OUT WORKS INCLUDING CAFÉ AND OFFICE SPACES, AT GRADE CAR PARK, WATER TANKS, LANDSCAPING WORKS AND SIGNAGE
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 DA 10689 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>Prescribed Design Parameters</p> <p>Provide certification from a qualified structural engineer that the proposed structure is capable of remaining “safe, serviceable and any damage from mine subsidence shall be limited to ‘very slight’ damage in accordance with AS2870 (Damage Classification), and readily repairable” if subjected to the subsidence parameters outlined below:</p> <ol style="list-style-type: none"> Maximum Horizontal Tensile Strain: 4.8 mm/m Maximum Horizontal Compressive Strains: 3.8 mm/m Maximum Tilt: 9.8 mm/m Maximum Radius of Curvature: 2.3 km
4.	<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"> Mine Subsidence Parameters used for the design. Main building elements and materials. Risk of damage due to mine subsidence Design measures proposed to control the risks. Provide certification that the design will ensure the improvement remains “safe, serviceable and any damage from mine subsidence shall be limited to ‘very slight’ in accordance with AS2870 (Damage Classification), and readily repairable”. 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.
5.	<p>Submit a final design incorporating the design methodology contained in the “Engineering Impact Statement”, 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 improvements will remain “safe, serviceable and any damage from mine subsidence shall be limited to ‘very slight’ damage in accordance with AS2870 (Damage Classification), and readily repairable” taking into consideration the mine subsidence parameters outlined above.</p>

POST CONSTRUCTION	
6.	Establish 4 survey monitoring reference marks on and around the circumference of the building(s) so that building movement can be monitored should mine subsidence occur. A plan with the position including Easting, Northing and RL of each monitoring reference marks and original RLs are to be forwarded to Subsidence Advisory NSW.
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.

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.