

In reply please send to: **Head Office**
Our reference: **FN72-03501WO**
Your reference:
Contact: **Peter Evans (02) 4908 4391**

5 March 2013

Mr Jim Conomos
% Paynter Dixon Constructions Pty Limited
Level 2, 2 Richardson Place
NORTH RYDE NSW 2113

Dear Mr Conomos,

CATHOLIC HIGH SCHOOL DA/ 942/2012
Lot 433 DP 755266 / Lot 499 DP 755266
Buildings A, B, & C

The Members of the Mine Subsidence Board have approved the proposed development for Buildings A, B and C only, subject to the following conditions;

1. The final drawings to be submitted prior to commencement of construction, contain a certification by a qualified structural engineer, to the effect that any improvement constructed to meet the specifications of such final drawings will be safe, serviceable and repairable taking into account the following mine subsidence parameters:
 - a) Maximum ground strains of ± 3 mm/m
 - b) Maximum tilt of 4 mm/m
2. Structural separation of all unit blocks from breezeway/walk ways.
3. All brick walls to be fully articulated to meet mine subsidence design, geotechnical conditions of the site and the requirements of the Building Code of Australia. The location of articulation joints are to be clearly shown on plans and elevations. It is recommended that full height openings be incorporated in the design.
4. Attention is to be given to internal finishes to ensure they have been installed in accordance to relevant codes and standards. Particular attention is to be given to tiled areas. Avoid the use of brittle materials liable to damage from mine subsidence.
5. Drainage/sewer design needs to provide for mine subsidence effects determined in the geotechnical report. This may necessitate the use of flexible joints, shorter lengths, or additional downpipes and drainage points. Underground services shall be located to facilitate ease of repair or replacement. Services located under the building are minimised.
6. Roads and driveways are to be constructed in bitumen or flexible pavement. If concrete areas are required, specific design is to be provided to demonstrate that any damage will be of a slight classification. Concrete design would need to include full articulation and separation/sacrificial sections where appropriate.
7. Upon completion of construction, work as executed certification by a qualified structural engineer is to be forwarded to the Board confirming construction was in accordance with the plans submitted.

This approval is current for two (2) years.

NEWCASTLE

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PICTON

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SINGLETON

The Central Business Centre
Unit 6, 1 Pitt Street
Singleton 2330
PO Box 524 Singleton 2330
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WYONG

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30 Hely Street
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HEAD OFFICE

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Quality
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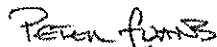
24 Hour

Emergency Service
Free Call 1800 248 083

Please note that this conditional approval excludes buildings D to R as the applicant is currently unable to provide preliminary design information to satisfy the Board's requirements.

If you have any queries concerning this matter please contact me.

Yours faithfully



Peter Evans

Subsidence Risk Engineer

cc: Ms Heidi Cox
Wyong Shire Council
PO Box 20
WYONG NSW 2259

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Telephone: 1300 NSW RFS
e-mail: csc@rfs.nsw.gov.au

Headquarters
Locked Bag 17
Granville NSW 2142

Facsimile: 8741 5433



The General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

Your Ref: DA/942/2012
Our Ref: D12/2620
DA12112185589 MH

ATTENTION: Emily Goodworth

27 March 2013

Dear Sir/Madam

**Integrated Development for 433 & 499//755266 48-54 Carters Road Lake
Munmorah NSW 2259**

I refer to your letter dated 4 March 2013 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

The Service has reviewed the submitted amendments and raises no objections subject to compliance with our previous terms of approval dated 10 December 2012.

For any queries regarding this correspondence please contact Mark Hawkins on 1300 NSW RFS.

Yours sincerely

A handwritten signature in black ink, which appears to read "W Sketchley", is enclosed in a rectangular box.

Wayne Sketchley
A/Team Leader - Development Assessment

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Telephone: 1300 NSW RFS
e-mail: csc@rfs.nsw.gov.au

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Locked Bag 17
Granville NSW 2142

Facsimile: 8741 5433



The General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

Your Ref: DA/942/2012
Our Ref: D12/2620
DA12112185589 MH

ATTENTION: Emily Goodworth

10 December 2012

Dear Sir/Madam

**Integrated Development for 433 & 499//755266 48-54 Carters Road Lake
Munmorah NSW 2259**

I refer to your letter dated 20 November 2012 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants. To achieve this, the following conditions shall apply:

1. At the commencement of building works and in perpetuity the entire property not including the area denoted as an Ecological Endangered Community on the Site Analysis Plan numbered DBB2301 and dated 29-12-2012 shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

3. Internal roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

4. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

5. New construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.

Landscaping

6. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Mark Hawkins on 1300 NSW RFS.

Yours sincerely



Michelle Streater
A/Team Leader - Development Assessment

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.



Department of
Primary Industries
Office of Water

Contact: Aigis Sutas
Phone: 02 4348 5014
Fax:
Email: aigis.sutas@water.nsw.gov.au
Our ref: 20 ERM2013/0015
Our file:
Your ref: 942/2012

The General Manager
Wyong Shire Council
PO Box 20
Wyong NSW 2259

Attention: Emily Goodworth

4 April 2013

Dear Ms Goodworth,

**Re: Integrated Development Referral – General Terms of Approval
DA 942/2012 – Lake Munmorah Catholic High School - filling and earthworks on
waterfront land.
48 - 54 Carters Road LAKE MUNMORAH (Lot 433 DP 755266 & Lot 499 DP 755266).**

I refer to your original referral dated 28 November 2012 and additional information dated 6 March 2013 regarding the above integrated Development Application (DA). Attached, please find the Office of Water's General Terms of Approval (GTA) for works requiring a controlled activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 91A (3) of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the Office of Water requests that these GTA be included (in their entirety) in Council's development consent. Please also note the following:

- The Office of Water should be notified if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works on waterfront land (which includes (i) the bed of any river together with any land within 40 metres inland of the highest bank of the river, or (ii) the bed of any lake, together with any land within 40 metres of the shore of the lake, or (iii) the bed of any estuary, together with any land within 40 metres inland of the mean high water mark of the estuary).
- Once notified, the Office of Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed works are part of Council's proposed consent conditions and do not appear in the original documentation.
- The Office of Water should be notified if Council receives an application to modify the development consent and the modifications change any activities on waterfront land.
- The Office of Water requests notification of any legal challenge to the consent.



Department of
Primary Industries
Office of Water

The definition of waterfront land under the WM Act includes wetlands. The Swamp Sclerophyll Forest on Coastal Floodplains Endangered Ecological Community is considered a wetland, and thereby is defined as waterfront land.

As the controlled activity to be carried out on waterfront land cannot commence before the applicant applies for and obtains a controlled activity approval, the Office of Water recommends the following condition be included in the development consent:

"The Construction Certificate will not be issued over any part of the site requiring a controlled activity approval until a copy of the approval has been provided to Council".

The attached GTA are not the controlled activity approval. The applicant must apply (to the Office of Water) for a controlled activity approval **after consent** has been issued by Council and **before** the commencement of any work or activity on waterfront land.

Finalisation of a controlled activity approval can take up to eight (8) weeks from the date the Office of Water receives all documentation (to its satisfaction). Applicants must complete and submit (to the undersigned) an application form for a controlled activity approval together with any required plans, documents, the appropriate fee and security deposit or bank guarantee (if required by the Office of Water) and proof of Council's development consent.


Application forms for the controlled activity approval are available from the undersigned or from the Office of Water's website:

www.water.nsw.gov.au [Water licensing](#) [Approvals](#) [Controlled activities](#)

The Office of Water requests that Council provide a copy of this letter to the applicant.

The Office of Water also requests that Council provides the Office of Water with a copy of the determination for this development application as required under section 91A (6) of the EPA Act.

Yours Sincerely



Algis Sutas
Senior Water Regulatory Officer
Office of Water



General Terms of Approval

for work requiring a controlled activity approval
under s91 of the Water Management Act 2000

Our Reference: 20 ERM2013/0015 File No:
Site Address: 48 - 54 Carters Road LAKE MUNMORAH NSW (Lot 433 DP 755266 & Lot 499 DP 755266).
DA Number: 942/2012
LGA: Wyong Shire Council

Number	Condition
Plans, standards and guidelines	
1	These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to 942/2012 and provided by Council to NSW Office of Water. Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.
2	Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the lake (including wetlands) identified.
3	The consent holder must prepare or commission the preparation of: (i) Vegetation Management Plan providing for restoration of the Swamp Sclerophyll Forest on Coastal Floodplain Endangered Ecological Community and a 10m Vegetated Riparian Zone. (ii) Works Schedule (iii) Erosion and Sediment Control Plan (iv) Soil and Water Management Plan (v) Amendments to Site Master Plan to incorporate a 10m Vegetated Riparian Zone adjacent to the Swamp Sclerophyll Forest on Coastal Floodplain Endangered Ecological Community to be restored. (vi) Amendments to Bushfire Hazard Assessment Report to provide for a 10m Vegetated Riparian Zone adjacent to the Swamp Sclerophyll Forest on Coastal Floodplain Endangered Ecological Community to be restored.
4	All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. All plans and documents must be prepared in accordance with the NSW Office of Water's guidelines located at www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx (i) Vegetation Management Plans (ii) Laying pipes and cables in watercourses (iii) Riparian Corridors



Department of
Primary Industries
Office of Water

Our Reference: 20 ERM2013/0015 File No:
Site Address: 48 - 54 Carters Road LAKE MUNMORAH NSW (Lot 433 DP 755266 & Lot 499 DP 755266).
DA Number: 942/2012
LGA: Wyong Shire Council

Number	Condition
	(iv) In-stream works (v) Outlet structures (vi) Watercourse crossings
5	The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.
Rehabilitation and maintenance	
6	The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the NSW Office of Water.
7	The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.
Reporting requirements	
8	The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to the NSW Office of Water as required.
Security deposits	
9	The consent holder must provide a security deposit (bank guarantee or cash bond) - equal to the sum of the cost of complying with the obligations under any approval - to the NSW Office of Water as and when required.
Access-ways	
10	N/A
11	The consent holder must not locate ramps, stairs, access ways, cycle paths, pedestrian paths or any other non-vehicular form of access way in a riparian corridor other than in accordance with a plan approved by the NSW Office of Water.
Bridge, causeway, culverts, and crossing	
12	N/A
13	N/A
Disposal	
14	N/A
Drainage and Stormwater	



Department of
Primary Industries
Office of Water

Our Reference: 20 ERM2013/0015

File No:

Site Address: 48 - 54 Carters Road LAKE MUNMORAH NSW (Lot 433 DP 755266 & Lot 499 DP 755266).

DA Number: 942/2012

LGA: Wyong Shire Council

Number.	Condition
15	The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by the NSW Office of Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by the NSW Office of Water.
16	The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the NSW Office of Water.
Erosion control	
17	The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the NSW Office of Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.
Excavation	
18	The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
19	N/A
Maintaining river	
20	N/A
21	N/A
River bed and bank protection	
22	The consent holder must clearly mark (by installation of appropriate fencing and interpretive signage), protect and maintain a riparian corridor with a width of 10 metres measured horizontally landward from for the length of the site directly affected by the controlled activity in accordance with a plan approved by the NSW Office of Water.
23	The consent holder must establish a riparian corridor along the defined edge of the Swamp Sclerophyll Forest on Coastal Floodplains Endangered Ecological Community in accordance with a plan approved by the NSW Office of Water.
Plans, standards and guidelines	
24	N/A
25	N/A
26	N/A
27	N/A
END OF CONDITIONS	