



Lake Macquarie City Council
DEVELOPMENT ASSESSMENT AND COMPLIANCE
ATTN: AMBER MURRAY
Via Email: council@lakemac.nsw.gov.au

Our ref: TBA17-43693L1 & TSUB17-03659L1

Dear Amber

RE: APPLICATION TO MODIFY CONSENT - BUILDING PRODUCTS WAREHOUSE AND SHOWROOM, BULKY GOODS PREMISES, RESTAURANT, SIGNAGE, DEMOLITION AND CONSOLIDATION/SUBDIVISION, AS A STAGED DEVELOPMENT AT

4B SOUTH STREET, WINDALE, 20 PACIFIC HIGHWAY, BENNETTS GREEN;

LOT 10 DP 1013486, LOT 11 DP 1013486, LOT 12 DP 1013486, LOT 13 DP 1013486, LOT 14 DP 1013486, LOT 1 DP 1214343 - TBA17-43693L1 & TSUB17-03659L1 - DA 251/2013/A

GENERAL TERMS OF APPROVAL

I refer to the above integrated development referred on 16 July 2018 Attached, please find Subsidence Advisory NSW's General Terms of Approval (GTA) for the development of land as detailed above.

Please note conditions are detailed under Schedule 2, I have also attached stamped plans. This satisfies the approval of the 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 John.Johnston@finance.nsw.gov.au

Yours faithfully,

John Johnston
Senior Risk Engineer
19 July 2018

GENERAL TERMS OF APPROVAL

Issued in accordance with s.91A of the *Environmental Planning & Assessment Act 1979* for the subdivision / development of land.

As delegate for Subsidence Advisory NSW under delegation executed 4 May 2018, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

SCHEDULE 1

Ref: **TBA17-43693L1 & TSUB17-03659L1**

DA: **DA 251/2013/A**

Site Address: **4B SOUTH STREET, WINDALE, 20 PACIFIC HIGHWAY, BENNETTS GREEN**

Lot and DP: **LOT 10 DP 1013486, LOT 11 DP 1013486, LOT 12 DP 1013486, LOT 13 DP 1013486, LOT 14 DP 1013486, LOT 1 DP 1214343**

Proposal: **APPLICATION TO MODIFY CONSENT - BUILDING PRODUCTS WAREHOUSE AND SHOWROOM, BULKY GOODS PREMISES, RESTAURANT, SIGNAGE, DEMOLITION AND CONSOLIDATION/SUBDIVISION, AS A STAGED DEVELOPMENT**

Mine Subsidence District: **LAKE MACQUARIE**

SCHEDULE 2 GENERAL TERMS OF APPROVAL

GENERAL	
Plans, standards and guidelines	
1.	<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 (DA/251/2013/A).</p> <p>Note: 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 will have to be submitted to Subsidence Advisory NSW.</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>The proposed structure(s) is to be designed to be “<i>safe, serviceable and any damage from mine subsidence shall be limited to ‘very slight’ in accordance with AS2870 (Damage Classification) and readily repairable</i>” using the subsidence parameters outlined below:</p> <ul style="list-style-type: none"> a) Maximum vertical subsidence: 200mm b) Maximum Horizontal Strains: (+/-): 1 mm/m c) Maximum Tilt: 3 mm/m d) Maximum Radius of Curvature: 12 km
4.	<p>Submit an “Engineering Impact Statement” prior to commencement of detailed design for acceptance by SANSW, which shall identify the:</p> <ul style="list-style-type: none"> a. Mine Subsidence Parameters used for the design. b. Main building elements and materials. c. Risk of damage due to mine subsidence d. Design measures proposed to control the risks. e. 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 “<i>Engineering Impact Statement</i>”, for acceptance by Subsidence Advisory NSW prior to commencement of construction. It shall include certification by a qualified structural engineer to the effect that the improvements will remain “<i>safe, serviceable and any damage from mine subsidence shall be limited to ‘very slight’ damage in accordance with AS2870 (Damage Classification), and readily repairable</i>” taking into consideration the mine subsidence parameters outlined above.</p>

POST CONSTRUCTION	
6.	Upon completion of construction, works-as-executed certification by a qualified engineer is to be forwarded to the 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.