



NEWCASTLE CITY COUNCIL  
**ATTN: LEAH LINDSAY**  
**BUSINESS SUPPORT OFFICER**  
Via Email: [mail@ncc.nsw.gov.au](mailto:mail@ncc.nsw.gov.au)

**Our ref: TBA17-43810N1**

Dear Ms Lindsay

**RE: DEMOLITION OF COLA ROOF STRUCTURE, ERECTION OF SCHOOL BUILDING AND  
ASSOCIATED ANCILLARY FACILITIES AT 48 BROWN ST THE HILL; LOT 1, 2 & 3 DP  
794850 - DA2017/01269**

**GENERAL TERMS OF APPROVAL**

I refer to the above integrated development referred on 12 October 2017. Attached, please find Subsidence Advisory NSW's General Terms of Approval (GTA) for the development of land as detailed above.

Please note, I have attached the conditions of approval under Schedule 2. This satisfies the approval of the Subsidence Advisory NSW under *section 15 of the Mine Subsidence Act 1961*.

Should you have any questions about the attached general terms of approval I can be contacted by phone on 4908 4328 or via email at [Shane.McDonald1@finance.nsw.gov.au](mailto:Shane.McDonald1@finance.nsw.gov.au)

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Shane McDonald'.

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

**05 December 2017**

## **GENERAL TERMS OF APPROVAL**

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

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As delegate for Subsidence Advisory NSW under delegation executed 30 November 2017, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

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### **SCHEDULE 1**

Ref: **TBA17-43810N1**

Site Address: **LOT 1, 2 & 3 DP 794850**

Proposal: **DEMOLITION OF COLA ROOF STRUCTURE, ERECTION OF SCHOOL BUILDING AND ASSOCIATED ANCILLARY FACILITIES AND SITE WORKS**

DA REF: **DA2017/01269**

Mine Subsidence District: **NEWCASTLE**

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## SCHEDULE 2

### GENERAL TERMS OF APPROVAL

<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 will have to be submitted to Subsidence Advisory NSW.</p>
<b>2.</b>	<p>Subsidence Advisory NSW records indicate that site is likely undermined by unmapped workings in the Yard Seam at 55 to 65m depth of cover and workings in the Borehole Seam at 105 to 115m depth of cover.</p> <p>By geotechnical investigation and analysis involving boreholes (with at least one borehole to the base of the Borehole Seam) recommend mine subsidence design parameters where it can be demonstrated the improvements can be designed to remain “<i>safe, serviceable and readily repairable</i>”.</p> <p>The geotechnical investigation and analysis shall contain confirmation of the depth of the seams, void heights and widths, thickness of competent rock, as well as detailing the pillar dimensions used in any analysis.</p>
<b>3.</b>	<p>Submit an “Engineering Impact Statement” prior to commencement of detailed design for acceptance by SANSW, which shall identify the:</p> <ol style="list-style-type: none"> <li>a. Mine subsidence parameters used for the design.</li> <li>b. Main building elements and materials.</li> <li>c. Design measures proposed to control the risks.</li> <li>d. Provide certification that the design will ensure the improvement remains “<i>safe, serviceable and any damage from mine subsidence shall be readily repairable</i>”.</li> <li>e. Comment on the sensitivity of the design to greater levels of mine subsidence.</li> </ol>
<b>4.</b>	<p>The design submitted for approval shall incorporate 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 readily repairable</i>” taking into consideration mine subsidence parameters accepted by Subsidence Advisory NSW.</p>
<b>5.</b>	<p>A number of permanent survey marks to AHD will be required so that building movement can be monitored should mine subsidence occur. Details are to be forwarded to <i>Subsidence Advisory NSW</i>.</p>
<b>6.</b>	<p>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.</p>

**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.

All communications to be addressed to:

Headquarters  
15 Carter Street  
Lidcombe NSW 2141

Headquarters  
Locked Bag 17  
Granville NSW 2142

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

Facsimile: 8741 5433



The General Manager  
Newcastle City Council  
PO Box 489  
NEWCASTLE NSW 2300

Your Ref: DA2017/01269  
Our Ref: D17/3651  
DA18052413219 EJ

**ATTENTION:** William Toose

25 May 2018

Dear Sir

### **Integrated Development Application - 48 Brown Street the Hill**

I refer to your correspondence dated 11 April 2018 seeking general terms of approval for the above Integrated Development Application in accordance with Clause 55(1) of the Environmental Planning and Assessment Regulation 2000.

The New South Wales Rural Fire Service (NSW RFS) has considered the information provided. General Terms of Approval, under Division 5 of the 'Environmental Planning and Assessment Act 1979', and a Bush Fire Safety Authority, under Section 100B of the 'Rural Fires Act 1997', are now issued subject to the following conditions:

#### **Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of building works and in perpetuity the entire property 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'.

### **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:

3. A Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with 'Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014'.

### **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:

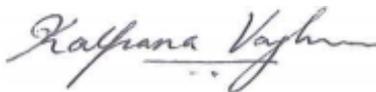
4. New construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

### **General Advice – consent authority to note**

The above recommendations for design and construction have been based upon a performance based solution in the submitted bush fire report prepared by Peak Land Management (Dated April 2018, No Reference).

Should you wish to discuss this matter please contact Emma Jensen on 1300 NSW RFS.

Yours sincerely



Kalpana Varghese

**Acting Team Leader, Development Assessment and Planning (East)**

For general information on bush fire protection please visit [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)