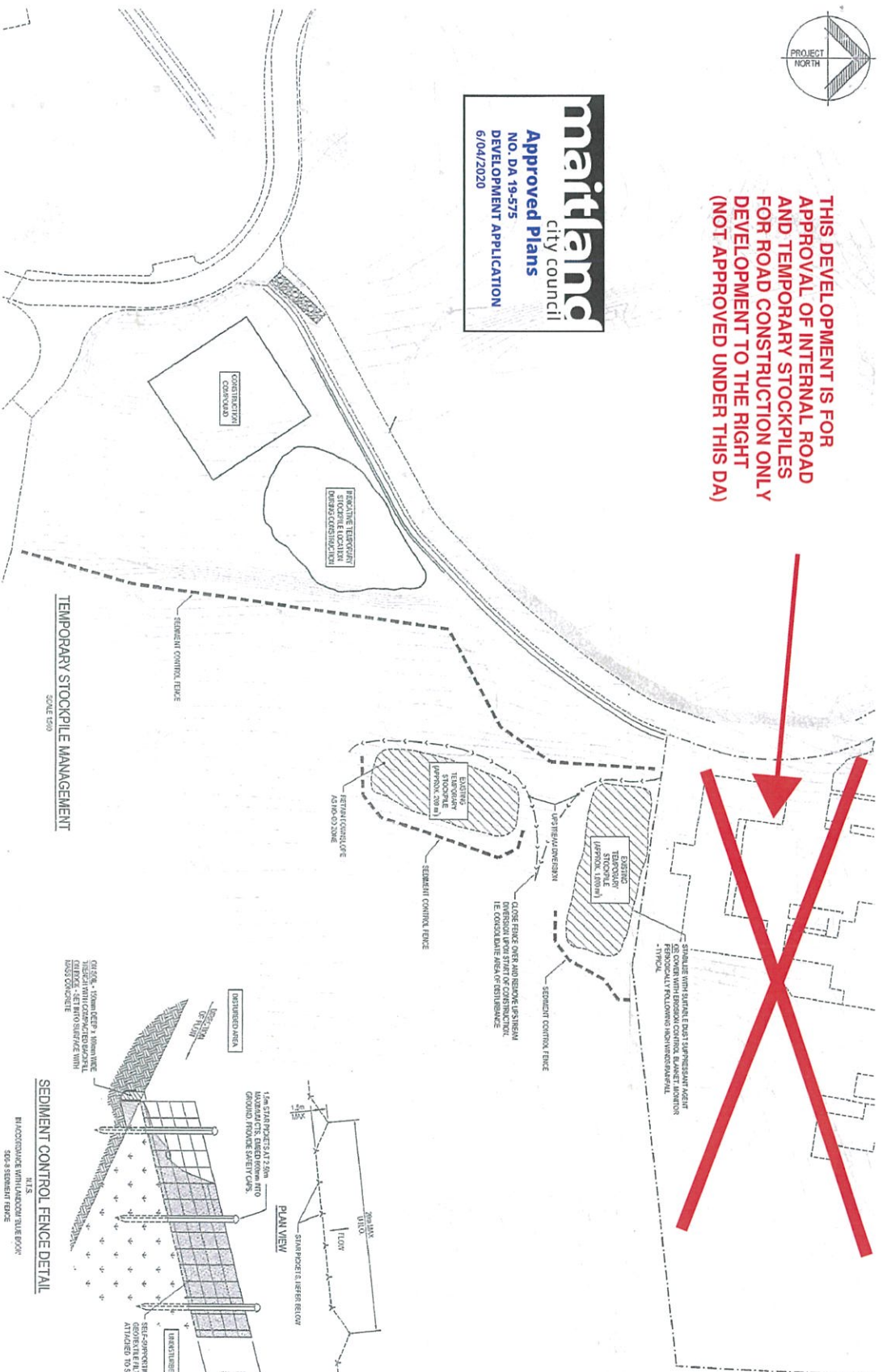


**APPENDIX D – LIST OF
DEVELOPMENT APPROVALS and DA
19-575 – LINK ROAD APPROVAL
PLAN**

DA Number	Description	Determination date approval/Modification date approval/withdrawn or refused applications
08-2335	Masterplan	14.7.09, 23.3.10 and 15.9.11, 26.4.17 and 14.11.17
DA09-1398	Stage 1A Civil works, landscaping, utility connections and demolition	11.5.2010 and 25.1.2011
DA09-2696	Stage 1B – 10 Seniors Living Units	24.8.2010
DA10-2285	Stage 2 – 16 Seniors Living Villas	25.1.2011 and 13.2.2013
DA10-2765	Stage 1 – Residential Precinct – 14 x 2 storey dwellings	30.5.2011
DA10-2960	Re-development of Morpeth House	26.11.2011 and 23.1.14
DA11-0538	44 Seniors Villas	13.11.2011 and 31.1.13, 23.4.13 and 21.12.17
DA 11-1455	Community Title Subdivision and Staged Subdivision	15.11.2011, 23.4.2013, 31.1.2013 and 21.12.17
DA11-1215	Stage 2 Residential Precinct – 29 dwellings	Withdrawn
DA12-1458	Stage 4 – 36 Seniors Villas	9.10.2012 and 27.11.2012
DA13-1122	Stage 5 – 56 Seniors Villas	27.1.2015 and 30.3.16, 5.7.16, 22.6.16, 6.12.16 and 17.11.17
DA 16-2399	Storm water Management Basin	24.5.17
DA 16-2332	Stage 7 – 54 Seniors Living Villas and associated infrastructure	13.6.17 and 31.8.17 and 14.12.17
DA 17-2239	Stage 6 – Seniors Housing (28 Villas)	26.6.18 and 14.5.19
DA 18-1593	Temporary Use of land (5 events per year)	5.7.2019
18-1740	Seniors Housing – adaptive re-use of Robinson House and the Wardens Residence	Under assessment (awaiting redesign)
DA 18-1999	14 Seniors Villas – Oval Precinct	Under assessment (awaiting re-design)
DA 18-2086	Residential Care Facility	Under assessment (subject of this report)
DA 19-575	Road (Lodged 5.7.19)	Internal link roadway between Morpeth House and Closebourne precinct - approved 6.4.2020
DA 19-957	Recreational van storage	Refused by NSW Heritage Council and withdrawn by the Applicant – 26.3.2020



Approved Plans
NO. DA 19-575
DEVELOPMENT APPLICATION
6/04/2020



Sydney | Perth | Melbourne | Central Coast

5 Macdonald Street, Brooklands NSW 2212
T: +61 2 4941 0000 E: info@pattyspectrum.au

PROJECT

MORPETH HOUSE HERITAGE ESTATE
MORPETH ROAD, MORPETH NSW

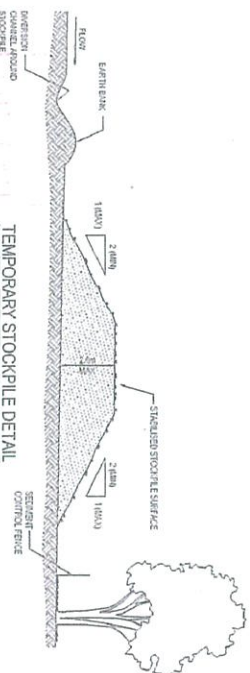
MORPETH ROAD, MORPETH NSW

LEND LEASE PRIMELIFE RETIREMENT VILLAGE (CLOSEBOURNE) PTY LTD

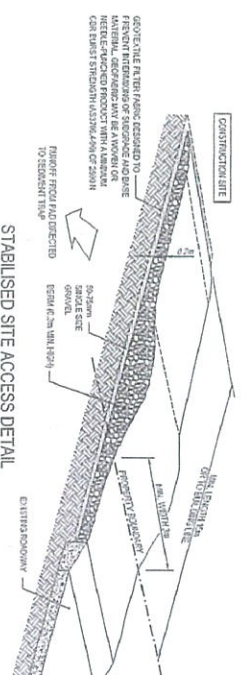
EXISTING CONTOUR
EXISTING SPOTLEVEL
SEDIMENT CONTROL FENCE
REFER TO DETAIL
STABILISED SHITE ACCESS,
REFER TO DETAIL
UPSTREAM DIVERSION
BOUNDARY LINE
EXISTING FENCE
EXISTING TREE

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Internal link road
DA 19-575



TEMPORARY STOCKPILE MANAGEMENT



SEDIMENT CONTROL FENCE DETAIL

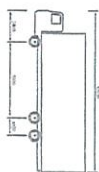
NOT FOR CONSTRUCTION

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LEGEND

- EXISTING CONTIGUA
EXISTING PROTECT
DESIGN CORNER
DOCKLAND LINE
EXISTING FENCE
EXISTING TREE

VEHICLE DIAGRAM



HEAVY GOODS VEHICLE DIMS
OVERALL WIDTH 2500mm
MAX TRUCK WIDTH 2500mm
KERN TO CLEAR TURNING DIMS 1725mm

Internal link road
DA 19-575

Internal link road
DA 19-575 EXIT

VEHICLE SWEEP PATH ANALYSIS

VEHICLE SWEEP PATH ANALYSIS

FOR APPROVAL	WHEEL TRACK
DRIVELINE	DRIVELINE
DRIVELINE	DRIVELINE
DRIVELINE	DRIVELINE

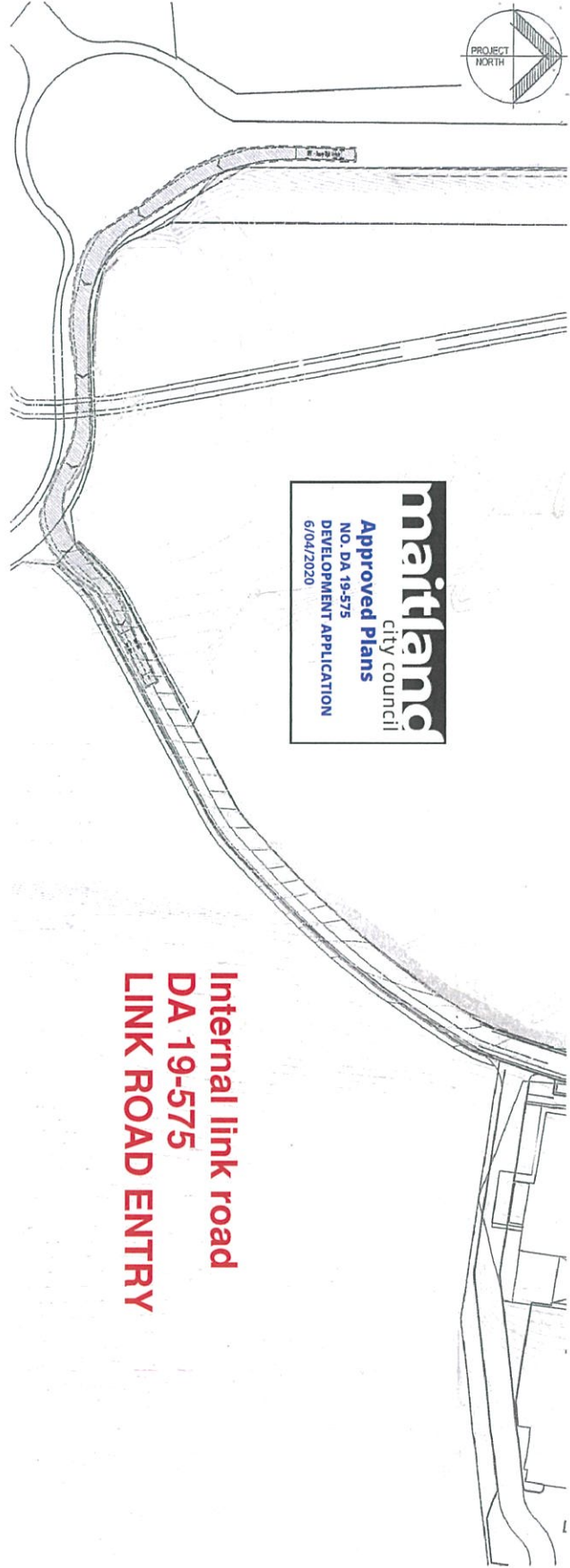
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12607 DA-2002 G

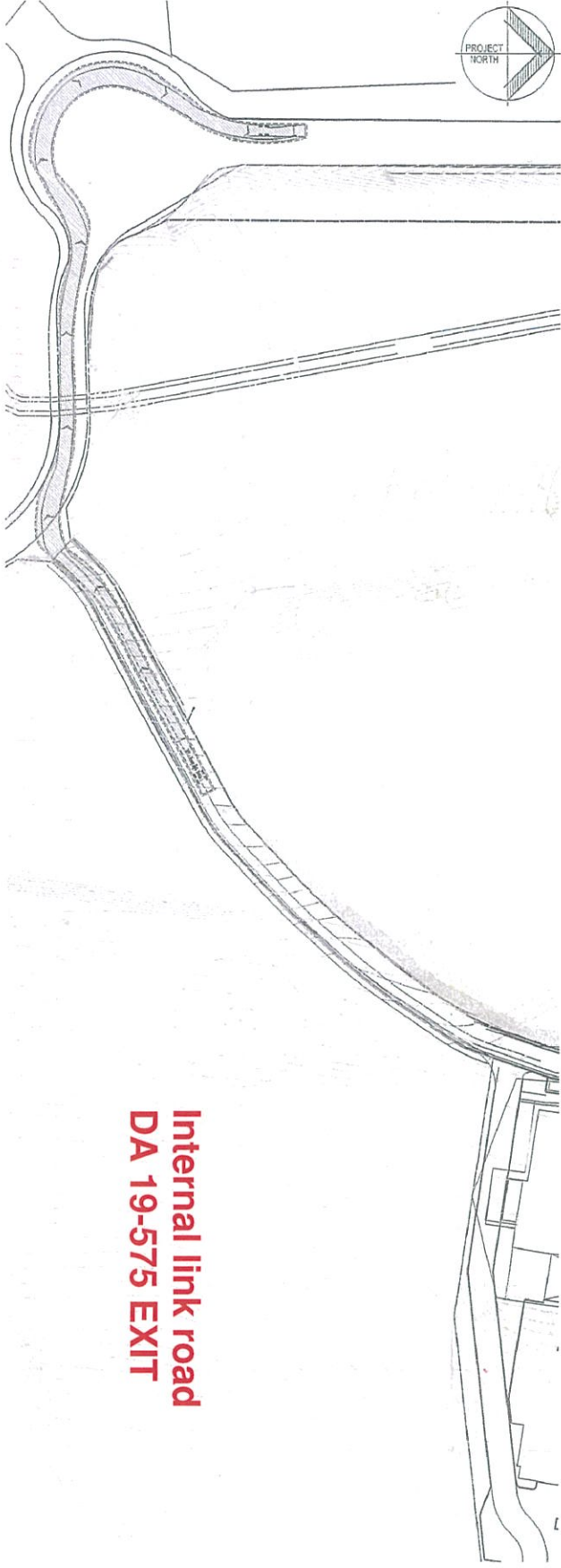
maitland
City Council
Approved Plans
NO. DA 19-575
DEVELOPMENT APPLICATION
6/04/2020

Internal link road
DA 19-575
LINK ROAD ENTRY

VEHICLE SWEEP PATH ANALYSIS - A1



VEHICLE SWEEP PATH ANALYSIS - A1

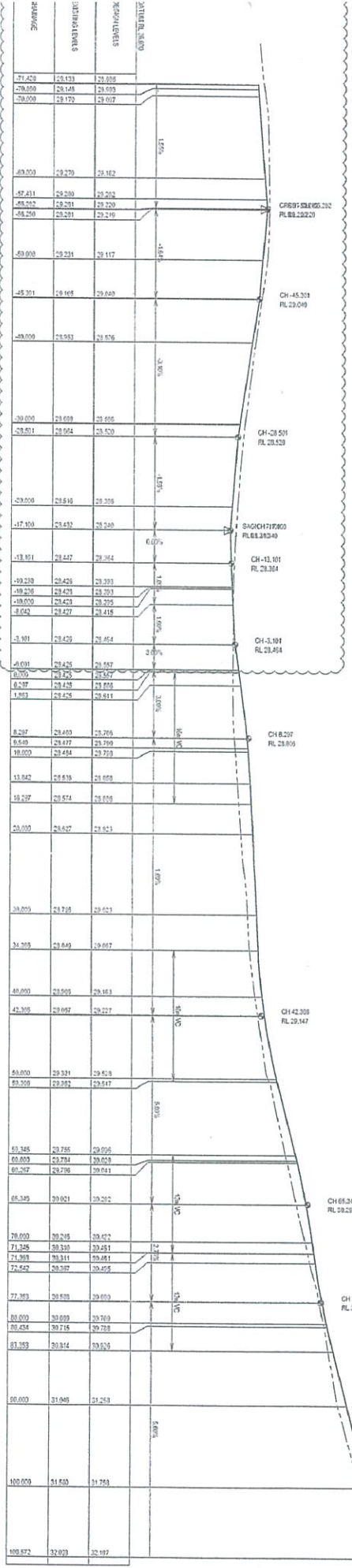




Sydney | Perth | Melbourne | Central Coast
34 Hays Street, Newcastle NSW 2230
T: 01 4911 9900 E: info@lindsaydynan.com.au
PROJECT
MOREPETH HOUSE HERITAGE ESTATE
MOREPETH ROAD, MOREPETH NSW

CLIENT
LEND LEASE PRIME/LIFE RETIREMENT
VILLAGE (CLOSEBOURNE) PTY LTD

INDICATIVE DESIGN LEVELS, FINAL VERTICAL CURVES
IN COLLABORATION WITH AGED CARE FACILITY
TO BE UNDERTAKEN DURING DETAILED DESIGN



NOTICE OF DETERMINATION

DEVELOPMENT APPLICATION

Environmental Planning and Assessment Act, 1979 as amended

APPLICANT: Bruce Gould (LendLease Retirement)
365 Morpeth Road
MORPETH NSW 2321

Pursuant to Section 4.18 of the Environmental Planning and Assessment Act, 1979 notice is hereby given of the determination by the Council of the City of Maitland of Application No DA/2019/575 relating to the land and development described as follows:

LAND: 361 Morpeth Road MORPETH

LOT/DP NUMBER: Lot 7 DP 270740

DEVELOPMENT: Road- Internal Link Road between Morpeth House and Closebourne House

DETERMINATION: Granting of consent subject to the conditions specified in and annexed to this notice.

CONSENT TO OPERATE FROM: 6 April 2020

CONSENT TO LAPSE ON 6 April 2025



PER GENERAL MANAGER

Right of Review:

Section 8.2 of the *Environmental Planning and Assessment Act 1979* provides that the applicant may request the Council to review the determination. The request must be made in writing within six months after the date as specified in this notice of determination, together with payment of the appropriate fee (See Note below).

Note: a request to review the determination of a development application pursuant to section 8.2 of the *Environmental Planning and Assessment Act 1979* can only be undertaken where the consent authority is Council, other than:

- a) A determination to issue or refuse to issue a complying development certificate, or
- b) A determination in respect of designated development, or
- c) A determination in respect to integrated development, or
- d) A determination made by the council under section 116E in respect of an application by the Crown.

Right of Appeal:

If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act, 1979, gives you the right to appeal to the Land and Environment Court within six months after the date on which you receive this notice.

285 - 287 High Street
Maitland NSW 2320

t 02 4934 9700
f 02 4933 3209

info@maitland.nsw.gov.au
maitland.nsw.gov.au

All correspondence should be directed to: General Manager P.O. Box 220 Maitland NSW 2320

Schedule of Conditions DA/2019/575

CLOSEBOURNE INTERNAL ROADWAY – DA 19-575

Reason for Conditions

The following conditions are applied to:

- *Confirm and clarify the terms of Council's Approval;*
- *Identify minor modifications and additional requirements that will result in improved compliance, development and environmental outcomes; and*
- *Draw to the attention of the applicant and owner their responsibility to comply with the requirements of various legislation including but not limited to the Environmental Planning and Assessment Act, 1979, Local Government Act 1993; relevant Regulations; Building Code of Australia, Australian Standards and Local Policies relating to development works, building construction and protection and enhancement of public health and the environment.*

APPROVED PLANS AND DOCUMENTATION

1. The development shall be carried out in accordance with the stamped approved plans and documentation as detailed in the following schedule and any amendments arising through conditions to this consent or as shown in red colour on the plans:

Plan Ref No.	Sheet No.	Revn No.	Revision Date	Prepared by: (consultant)
Access Road plan (marked up)	DA 2001	M	12.2.2020	Lindsay Dynan
Temporary Stockpile Management and Sediment and Erosion Control Plan	DA 2000	K	26.6.19	Lindsay Dynan
Vehicle swept path analysis	DA 2002	G	26.6.19	Lindsay Dynan
Longitudinal sections	DA 2003	F	26.6.19	Lindsay Dynan

CERTIFICATES

2. Prior to the commencement of works an application for a Construction Certificate shall be submitted to, and be approved by, the Accredited Certifier.
3. The Applicant shall submit to Council, 'Notice of Appointment of Principal Certifying Authority' at least two (2) days prior to the commencement of construction works.
4. The Applicant shall submit to Council 'Notice of Commencement' form at least two (2) days prior to the commencement of construction works.

5. Prior to the issue of an Occupation Certificate/Certificate of Practical Completion all conditions of development consent shall be complied with.

CONTAMINATION/ENVIRONMENTAL CONTROLS

6. In the event of an undisclosed or unidentified contamination being found on-site or any potentially contaminating infrastructure (e.g. underground storage tanks) or soils (e.g. staining, odours, asbestos) being identified on site (not previously identified), a qualified and experienced consultant must inspect, review and advise on remediation or mitigation prior to further works occurring. Council must be notified if this occurs and must be provided with any resulting reports and recommendations.
7. Targeted removal of any contaminants must be undertaken to a Licensed Landfill Authority and any remediation works must meet the standards required under State Environmental Planning Policy No 55 – Remediation of Land.
8. All waste material that arises as result of the works shall be classified according to NSW EPA Guidelines prior to removal from the site. All waste material must be disposed of at a Licensed Landfill Authority approved for that purpose. *Note: if contaminated soil or other waste is transported to a site unlawfully, the owner of the waste, the transporter and owner of the land receiving the waste are guilty of an offence.*
9. During the extraction, removal and transportation of material associated with the work, the person having the benefit of the consent shall ensure that airborne dust is contained within the work site or transport vehicles, and does not impact on the amenity of the surrounding environment. Dust control measures (eg., fine water spraying) shall be employed during excavation and construction works to prevent the emission of dust and other impurities into the surrounding environment. Dust control measures shall be managed by the Principal Certifying Authority in conjunction with the relevant contractors on the site.

EARTHWORKS

10. Filling material shall be limited to the following:
- (a) Virgin excavated natural material (VENM);
 - (b) Excavated natural material (ENM) certified as such in accordance with the *Protection of the Environment Operations (Waste) Regulation*;
 - (c) Material subject to Waste Exemption under the *Protection of the Environment Operations (Waste) Regulation* and recognised by the NSW Environment Protection Authority as being 'fit for the purpose' with respect to the development, the subject of this application.

Note: under no circumstances shall contaminated fill material including, but not limited to putrescible wastes (such as timber, paper, green waste, food etc), oil products (including petrol, bitumen, asphaltic concrete etc), plastic and the like be deposited on the land unless expressly authorised by this Development consent.

11. Where ENM, or material the subject of waste recovery exemption is used, the applicant shall ensure that detailed records are kept identifying the source of the material and its composition. Such records are to be provided to Council upon completion of the filling.
12. A copy of the current development consent for the site to which the material is proposed to be distributed must be provided to the Principal Certifying Authority at the commencement of works on the site. A copy of this consent must be held on site while the work is being carried out and made available for inspection, upon request, by Council officers.

EROSION CONTROLS

13. The property shall be protected against soil erosion, such that sediment is not carried from the construction site by the action of stormwater, wind or "vehicle tracking". Should any soil or sediment escape from the building site (for example, from vehicle tyres) it shall be cleaned off the roadway or gutter immediately to ensure it cannot enter the drainage system. These controls shall be effectively managed throughout the construction and post construction phase.

GENERAL TERMS OF APPROVAL HERITAGE COUNCIL OF NSW

14. The works are to be undertaken in accordance with the General Terms of Approval of the Heritage Council of NSW **attached to this Determination.**

ACOUSTIC

15. Unless otherwise approved by Council in writing, all works identified in this consent shall be carried out between the hours of:
 - a. 7.00am to 6.00pm Monday to Friday
 - b. 7.00am to 5.00pm Saturday

Any work performed on Sunday's or Public Holidays that may cause offensive noise, as defined under the *Protection of the Environment Operations Act 1997*, is prohibited. Power operated tools are not permitted to be used on a Sunday or Public holiday.

ROADS (WITHIN PROPERTY)

16. **Prior to the issue of the Occupation Certificate** a link road between Morpeth House precinct and Closebourne House precinct shall be designed and constructed in accordance with the approved Civil Works Plan and Council's Manual of Engineering Standards. The internal road configuration and construction details shall be determined by an engineer and shall provide for the following:
 - (a) carriageway widths that cater for projected traffic volumes, RFS and parking requirements and vehicle manoeuvrability;
 - (b) infrastructure including a suitable pavement with light coloured asphaltic concrete or reinforced concrete wearing surface and concrete kerb and

- gutter as indicated in the approved plans to Council's Manual of Engineering Standards); and
- (c) A pedestrian footpath 1.5m wide including ramps to link the existing footpath in accordance with the approved Civil Works Plan.

STORMWATER DRAINAGE

17. **Prior to the issue of the Construction Certificate**, a detailed stormwater drainage plan shall be prepared and designed in accordance with Council's Manual of Engineering Standards. The design shall be generally based on the civil works plan by Lindsay Dynan approved in the documents schedule and in accordance with Council's Manual of Engineering standards and shall provide for the following stormwater requirements:

- (a) A major/minor system shall be provided to convey stormwater within and from upstream of the road.
- (b) An emergency overland flow path for major storm events, that is directed to the public drainage system.
- (c) Final discharge of collected stormwater runoff shall be piped to the site's drainage system.

CIVIL WORKS

18. **Prior to the issue of a Construction Certificate** for the internal roads and drainage works, an engineering design shall be prepared, for approval.
19. **Prior to the issue of an Occupation Certificate** all works and certification associated with the Construction Certificate shall be completed.

SITE CONSIDERATIONS

20. All excavations and backfilling shall be executed safely, in accordance with appropriate professional standards and shall be properly guarded and protected to prevent the works from being dangerous to life or property.
21. Rubbish generated from the development is to be suitably contained on site at all times. No rubbish shall be stockpiled in a manner which facilitates the rubbish to be blown off site.
22. If the work:
- i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - ii) involves the enclosure of a public place
- a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

23. A sign must be erected in a prominent position on the work:

- i) stating that unauthorised entry to work site is prohibited, and
- ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted during work hours.

Any such sign is to be removed when the work has been completed.

Note: This condition does not apply to:

- i) *building work carried out inside an existing building, or*
- ii) *building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.*

24. The site is to be cleared of all building refuse and spoil immediately after completion of the works to a Licensed Landfill Authority.

25. Suitable and adequate measures are to be applied to restrict public access to the site and construction works, materials and equipment.

ADVICES

The following advice is limited in scope and should not be understood to encompass all areas of responsibility of the consent holder, relating to the development.

- A. You are advised that this Development Consent includes General Terms of Approval from the Office of Environment & Heritage (Heritage Council of NSW) and includes conditions relevant to this determination.
- B. You are advised that in regard to potential soil erosion from the construction site, such pollution of the environment is an offence under the *Protection of the Environment & Operations (POEO) Act* and may incur infringement fines.
- C. You (or the owner) are advised to notify Council in writing, of any existing damage to the street infrastructure (including landscaping) along the frontage of the property, prior to commencement of construction. The absence of such notification signifies that no damage exists. Where necessary repairs are carried out by Council, the owner of the property shall be held liable for the cost of those repairs.
- D. You are advised that there may be design matters in relation to the drainage *concept* plan that warrant further attention prior to the issue of the Construction Certificate.
- E. You are advised that the issue of this development consent does not amount to a

release, variation or modification by Council of any covenant or easement applicable to this property and that Council will not be held responsible when action on this consent results in any loss or damage by way of breach of matters relating to title of the property.

- F. You are advised that compliance with the requirements of the Disability Discrimination Act, (DDA) applies to works on this site. It should be noted that compliance with the Building Code of Australia does not necessarily meet the requirements of the DDA.

Belinda Martin
Senior Development Planner
Planning and Environment
Maitland City Council

By email: Belinda.Martin@maitland.nsw.gov.au

Dear Ms Martin

**HERITAGE COUNCIL OF NSW – GENERAL TERMS OF APPROVAL
INTEGRATED DEVELOPMENT APPLICATION**

Address: Lot 7 DP 270740 – 361 Morpeth Road, Morpeth.
SHR item: Morpeth House, Closebourne House, adjoining Chapels and Diocesan Registry Group, SHR No 00375
Proposal: Construction of internal link road between Morpeth House and Closebourne House.

IDA application no: IDA/2019/074, received 1 August 2019

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above integrated development application. In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following general terms of approval are granted:

APPROVED DEVELOPMENT

1. Development must be in accordance with:

a) Engineering drawings, prepared by Lindsay Dynan as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: Aged Care Facility Access Road			
DA-2000	Temporary Stockpile Management Sediment & Erosion Control Plan	26/06/19	K
DA-2001	Civil Works Plan Amended by Local Council	12/02/20	M
DA-2002	Vehicle Swept Path Analysis Aged Care Access	26/06/19	G
DA-2003	Longitudinal Sections	26/06/19	F

b): Statement of Environment Effects Link Road and Temporary Fill Stockpiles Closebourne Village by Catalyze Property Consulting dated June 2019.

EXCEPT AS AMENDED BY THE BELOW GENERAL TERMS OF APPROVAL:

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124
P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

ROAD MATERIALS, KERB, GUTTERING AND FOOTPATH FINISHES

2. All roadside kerbing must sit flush with the road surface to ensure the pastoral nature of the open Closebourne landscape is maintained and the colour and texture of the kerbing must be selected to avoid strong contrasts with adjacent road, footpath and grass surfaces.
3. The proposed road treatment must be a light colour asphalt and the footpath treatment must be a light colour exposed aggregate (both to match existing road colour).
Reason: To ensure significant landscape values and the rural setting of the site are maintained.

SITE PROTECTION

4. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.
Reason: To ensure significant fabric including vegetation is protected during construction.

HERITAGE INTERPRETATION PLAN

5. An interpretation plan must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate/ Government certification.
6. The interpretation plan must detail how information on the history and significance of the site will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
7. The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate
Reason: Interpretation is an important part of every proposal for works at heritage places.

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

8. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.
Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

ABORIGINAL OBJECTS

9. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until Department of Planning, Industry and Environment has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.
Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

10. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

SECTION 60 APPLICATION

11. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

Advice

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of Appeal

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

If you have any questions regarding these general terms of approval, please contact Katrina Stankowski, STL, Regional Heritage Assessments North at Heritage NSW, on 9873 8569 or Katrina.stankowski@environment.nsw.gov.au.

Yours sincerely



Cheryl Brown
Manager, Northern Region
Heritage NSW
Department of Premier and Cabinet
As Delegate of the Heritage Council of NSW

Click or tap to enter a date.