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24 Hour Emergency Service: 1800 248 083 (Free Call)

Newcastle City Council
ATTN: William Toose
Via NSW Planning Portal

**Our ref: TBA22-00673
FN70-02925N0**

Dear William

**RE: PROPOSED DEVELOPMENT CONSISTING OF 161 X 1, 2 OR 3 BEDROOM
APARTMENT AND 11 X 3 BEDROOM TERRACE HOUSES SPREAD ACROSS 4
SEPARATE BUILDINGS ON THE SITE AT 11-17 MOSBRI CRESCENT THE HILL; LOT 1
DP 204077 - TBA22-00673 - DA2019/00061**

GENERAL TERMS OF APPROVAL

I refer to the above integrated development referred on 1 March 2022. 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 **TBA22-00673**.

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
Senior Risk Engineer
9 March 2022

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 9 March 2022, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

SCHEDULE 1

Ref:	TBA22-00673
DA:	DA2019/00061
Site Address:	11-13 MOSBRI CRESCENT THE HILL
Lot and DP:	LOT 1 DP 204077
Proposal:	PROPOSED DEVELOPMENT CONSISTING OF 161 X 1, 2 OR 3 BEDROOM APARTMENT AND 11 X 3 BEDROOM TERRACE HOUSES SPREAD ACROSS 4 SEPARATE BUILDINGS ON THE SITE
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 DA2019/00061 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	
3a.	<p>SA NSW requires any subsidence risk due to a potential collapse in the Yard seam workings to be effectively eliminated.</p> <p>Submit a proposal acceptable to SA NSW to remove the risk of subsidence that could cause damage that would exceed the threshold of safety, serviceability and very slight damage (in accordance with AS2870 -Damage Classification). The proposal shall include grouting and may include other mitigation methods if required through design or by SA NSW.</p>
3b.	<p>SA NSW requires that the risk of subsidence in the Borehole seam be managed to the extent that the threshold of safety, serviceability and very slight damage (in accordance with AS2870 -Damage Classification) will not be exceeded.</p> <p>Submit a proposal acceptable to SA NSW that satisfies this requirement. The proposal shall include grouting and may include other mitigation methods if required through design or by SA NSW.</p>
4.	<p>Prescribed Design Parameters</p> <p>By geotechnical investigation and analysis, recommend mine subsidence parameters where it can be demonstrated to the satisfaction of SA NSW that the proposed structure(s) can be designed to be “<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>”.</p>

5.	<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. 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.
6.	<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 “<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 accepted by SA NSW.</p>
7.	<p>The design submitted for approval under Condition 6 shall consider (but is not limited to) the following points:</p> <ol style="list-style-type: none"> Be developed from the design accompanying the development application to SA NSW with drawings dated 16 December 2021 (Rev F & G). Include sufficient drawing plans, long-sections, elevations and details, to fully describe the work and proposed mine subsidence mitigation measures. Include design mitigation measures to reduce the transfer of horizontal strain into building structures. Include design mitigation measures to relieve excessive strains into building structures. Include an additional grade for tilt due to mine subsidence, in excess of the minimum Code requirements for structures including pipes, gutters and wet areas. For underground pipes or conduits allow for flexible joints, flexible bedding surround and flexible building connections and penetrations. Ensure there is sufficient capacity in any storage structure for tilt due to mine subsidence. Locate underground structures to facilitate ease of repair and replacement. Ensure internal finishes are installed in accordance with relevant codes and standards and industry best practice guidelines with additional provision for mine subsidence. Ensure there is suitable provision for articulation jointing in building elements. All control joints including articulation for mine subsidence are to be shown on the design plans and elevations, Ensure there is provision for isolation joints between adjoining structures. For example, between a building and adjacent paving. All roads, driveways and pavement areas are to be designed as flexible structures with an asphalt surface. Where a concrete surface course is required it shall be designed to include expansion and crack control joints or sacrificial sections, to minimise the risk of damage from mine subsidence. Mitigation measures to reduce the risk of damage to any other design feature of the surface development that the consultant considers may be susceptible to mine subsidence movements.

POST CONSTRUCTION	
8.	<p>Survey monitoring points are to be permanently fixed to at least 4 structures so that building movement can be monitored should mine subsidence occur. Details are to be forwarded to Subsidence Advisory NSW.</p> <p>The AHD of the points is to be referenced to the State Survey Mark SS51658 and two of the Permanent Survey marks on the following list:</p> <ul style="list-style-type: none"> • PM38140 • PM19796 • PM19797 • PM19798
9.	<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.