

117 Bull Street, Newcastle West, NSW, 2302

T: (02) 4908 4300 | 24 Hour Emergency Service: 1800 248 083 (Free Call)

City of Newcastle
ATTN: Leah Lindsay & William Toose
mail@ncc.nsw.gov.au & NSW Planning Portal

FN70-02925
TBA19-04135 & TSUB19-00543

cc: Crescent Newcastle Pty Ltd
Richard Anderson

Mark Purdy

Dear Newcastle Council

CONDITIONS MET LETTER - TBA1904135 & TSUB19-00543 - 11-17 MOSBRI CR, THE HILL - LOT 121 DP 845921

Thank you for providing Subsidence Advisory NSW with the following documentation:

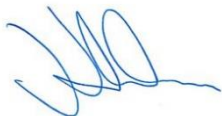
1. Discussion and review of DgS Reports after meeting with GAPL and comment on slope stability prepared by Coffey, Ref number 754-NTLGE220504-AM.Rev2, dated 24/08/2020, pages 1-11.
2. Further Addendum to Worst-Case Mine Subsidence Grouting Plan Assessment for the Proposed Multi-Story Building Re-Development at 11-17 Mosbri Crescent, The Hill prepared by DGS, Ref number COF-009/2a, dated 22 August 2020, pages 1-5.

Subsidence Advisory NSW will consider Conditions 4, 6a and 6b from our letter of conditional approval dated Wednesday, 16 October 2019 to have been met following confirmation from Crescent Newcastle Pty Ltd that the implementation of the proposed grouting strategy is able to be completed lawfully (including Crescent Newcastle Pty Ltd obtaining any necessary permission, authority or consent to carry out the grouting outside of the site boundary) and subsequent satisfactory completion of and compliance with the actions outlined in the two documents listed above.

Conditions 5a, 5b and 7 are yet to be satisfied.

If you have any queries concerning this matter, please contact me at subsidedevelopment@customerservice.nsw.gov.au or on (02) 4908 4300.

Yours sincerely



John Johnston
Manager, Subsidence Risk Evaluation and Regulation
12 January 2021

Newcastle City Council
ATTN: William Toose & Leah Lindsay
Via Email: mail@ncc.nsw.gov.au

Our ref: TBA19-04135 & TSUB19-00543

Dear William & Leah

DA 2019/00061 - 11-17 MOSBRI CRESCENT THE HILL; LOT 1 DP 204077

I am writing regarding the proposed development at 11-17 Mosbri Crescent, The Hill, ref. FN93-00355N0.

Following a recent meeting with the applicant, Subsidence Advisory NSW has issued 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.

The conditions of approval require the mine subsidence risk to be effectively eliminated prior to the commencement of construction. This will require, but not necessarily be limited to, the emplacement of grout into the mine voids.

Please note a construction certificate will not be issued for the proposed development until the relevant conditions have been met and SA NSW receives certification confirming that any works required by SA NSW have occurred in accordance with the attached conditions of approval.

Once relevant documentation to meet the conditions in Schedule 2 is available, please submit via email to SA-Risk@customerservice.nsw.gov.au quoting reference **TBA19-04135 & TSUB19-00543**.

This satisfies the approval of Subsidence Advisory NSW under *section 22 of the Coal Mine Subsidence Compensation Act 2017*.

Please contact me on (02) 4908 4300 or at SA-Risk@customerservice.nsw.gov.au if you have any questions or wish to discuss.

Yours faithfully,



Kieran Black
Technical Manager
16 October 2019

GENERAL TERMS OF APPROVAL

Issued in accordance with Section 4.46 of the *Environmental Planning & Assessment Act 1979* for the subdivision / development of land.

As delegate for Subsidence Advisory NSW under delegation executed 3 October 2019, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

SCHEDULE 1

Ref:	TBA19-04135 & TSUB19-00543
DA:	2019/00061
Site Address:	11-17 MOSBRI CRESCENT THE HILL
Lot and DP:	LOT 1 DP 204077
Proposal:	152 X 2-3 BEDROOM APARTMENTS AND 20 X 3 BEDROOM TERRACE HOUSES ACROSS 4 BUILDINGS UP TO 9 STOREYS AND STRATA SUBDIVISION
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>
3.	<p>Subsidence Advisory NSW is to be notified of any changes to lot numbering and the registered DP number.</p>
PRIOR TO COMMENCEMENT OF CONSTRUCTION	
4.	<p>SA NSW requires any potential mine subsidence risk to be effectively eliminated.</p> <p>Submit a proposal for SA NSW acceptance limit the risk of subsidence such that any improvements will be safe, serviceable and any damage from mine subsidence limited to very slight (in accordance with AS2870 -Damage Classification). This assessment shall consider the potential for non-conventional subsidence given the sites topography.</p> <p>The proposal shall include, but not necessarily be limited to, grouting of the mine voids. "Bulk" grouting of mine voids and any other measure that SA NSW deems necessary may be required to satisfy this condition.</p>
5a.	<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> <p>Any ancillary structures or services identified in the subdivision plan shall be designed with flexible joints and remain safe, serviceable and repairable using mine subsidence design parameters acceptable to Subsidence Advisory NSW.</p> <p>Subdivision roadworks identified in the identified in the subdivision plan shall be designed as a flexible pavement with a bitumen or asphalt treated surface over one or more unbound base courses in accordance with the relevant Australian Standards and Codes of Practice.</p> <p>If 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 mining</p>

	subsidence.
5b.	<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.
6a.	<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,</p> <p>but not necessarily be limited to grouting of the mine voids. Any other measures that SA NSW deem necessary may also be included in the proposal.</p>
6b.	<p>SA NSW requires that the risk of subsidence in the Borehole seam be limited to the extent that the proposed development will remain safe, serviceable and any damage will be limited to “very slight” (in accordance with AS2870 -Damage Classification).</p> <p>Submit a proposal acceptable to SA NSW that satisfies this requirement. The proposal shall include, but not necessarily be limited to grouting of the mine voids and structural engineered design. Any other measures that SA NSW deem necessary may also be included in the proposal.</p>
7.	<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>

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.