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Newcastle City Council
ATTN: William Toose
Via NSW Planning Portal

**Our ref: TBA22-03784 & TSUB22-00355
FN92-03750N0**

Dear William

**RE: PROPOSED MODIFICATION TO MIXED-USE TWO TOWER DEVELOPMENT AND 1
INTO 4 STRATUM SUBDIVISION AT 1-19 NATIONAL PARK STREET NEWCASTLE
WEST; LOT 1171 DP 858465, LOT 1181 DP 596950, LOT 1 DP 741514, LOT 100 DP
612505 & LOT 99 DP 1134475 – TBA22-03784 & TSUB22-00355 - MA2022/00286**

GENERAL TERMS OF APPROVAL

I refer to the above integrated development referred on 29 September 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 are available, please submit via email to subsidedevelopment@customerservice.nsw.gov.au quoting reference **TBA22-03784 & TSUB22-00355**

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,



Shane McDonald
Senior Risk Engineer
17 October 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 17 October 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:	TBA22-03784 & TSUB22-00355
DA:	MA2022/00286
Site Address:	1-19 NATIONAL PARK STREET NEWCASTLE WEST
Lot and DP:	LOT 1171 DP 858465, LOT 1181 DP 596950, LOT 1 DP 741514, LOT 100 DP 612505 & LOT 99 DP 1134475
Proposal:	MODIFICATION TO MIXED-USE TWO TOWER DEVELOPMENT AND 1 INTO 4 STRATUM 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 MA2022/00286 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	
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 Horizontal Tensile Strain: 1 mm/m b) Maximum Tilt: 2 mm/m c) Maximum Radius of Curvature (hogging): 10 Km <p>These parameters are subject to Subsidence Advisory NSW’s acceptance that grouting of the mine workings has been completed and verified in accordance with Coffey report “<i>Proposed Multistorey Development, 1-19 National Park St Newcastle West Mine Subsidence, specification for mine grouting and verification works</i>”, dated 9 April 2020</p>
4.	<p>On completion of grouting submit a Grout Verification Output Report endorsed by the grout designer and site verification engineers for compliance with the accepted Grouting Plan.</p>
5.	<p>Submit an “Engineering Impact Statement” prior to commencement of detailed design for acceptance by Subsidence Advisory NSW, 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.

6.	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 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 outlined above.
POST CONSTRUCTION	
7.	<p>Establish 4 survey monitoring reference marks on and around the circumference of the building(s) so that structure movement can be monitored should mine subsidence occur.</p> <p>A plan with the position including Easting, Northing and RL of each of the monitoring reference marks and original RLs are to be forwarded to Subsidence Advisory NSW.</p>
8.	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.

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.