



Newcastle City Council  
**ATTN: Ian Clark**  
Via NSW Planning Portal

**Our ref: TBA20-06987**

Dear Ian

**RE: PROPOSED MIXED USE DEVELOPMENT - DEMOLITION OF STRUCTURES  
ERECTION OF 14 STOREY MIXED USE INCLUDING SENIORS LIVING AND AGED CARE  
FACILITIES AT 32 UNION STREET & 309 KING STREET NEWCASTLE WEST; LOT 1 DP  
826956 - TBA20-06987 - DA2019/01169**

**GENERAL TERMS OF APPROVAL**

I refer to the above integrated development referred on 3 December 2019. 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](mailto:subsidedevelopment@customerservice.nsw.gov.au) quoting reference **TBA20-06987**.

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](mailto:subsidedevelopment@customerservice.nsw.gov.au)

Yours faithfully,

**Shane McDonald**  
**Senior Risk Engineer**  
28 April 2020

## GENERAL TERMS OF APPROVAL

Issued in accordance with Section 4.47 of the *Environmental Planning & Assessment Act 1979* for the subdivision / development of land.

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As delegate for Subsidence Advisory NSW under delegation executed 28 April 2020, 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:	<b>TBA20-06987</b>
DA:	<b>DA2019/01169</b>
Site Address:	<b>32 UNION STREET &amp; 309 KING STREET NEWCASTLE WEST</b>
Lot and DP:	<b>LOT 1 DP 826956</b>
Proposal:	<b>MIXED USE DEVELOPMENT - DEMOLITION OF STRUCTURES ERECTION OF 14 STOREY MIXED USE INCLUDING SENIORS LIVING AND AGED CARE FACILITIES</b>
Mine Subsidence District:	<b>NEWCASTLE</b>

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## 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 <b>DA2019/01169</b> 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>Submit a proposal to remove the risk of mine subsidence by a suitable means, such as grouting. This shall be substantiated by finite element analysis of the workings based on data derived from the geotechnical field investigations. Submit for acceptance by Subsidence Advisory NSW prior to commencing work a:</p> <ol style="list-style-type: none"> <li><b>Grout Design</b>; including grout locations (dimensioned in plan and elevation), and design parameters for any residual mine subsidence.</li> <li><b>Grout Implementation Plan</b>; including a site plan (showing property boundaries within 200m of the site), grout locations (dimensioned in plan and elevation), proposed bore locations, and grout designer's endorsement.</li> <li><b>Grout Verification Plan</b>; showing the location of verification holes and the grout designer's endorsement.</li> </ol> <p>Any assumptions applied to the numerical modelling shall be subject to verification (using empirical or analytical methods) and a sensitivity analysis.</p> <p>Arrange for an independent peer review of the grouting design and implementation plan by a suitably qualified engineer acceptable to Subsidence Advisory NSW.</p> <p>On completion of grouting submit a <b>Grout Verification Output Report</b> endorsed by the grout designer and site verification engineers for compliance with the accepted Grouting Plan.</p>
4.	<p>Submit plans prior to construction with a letter from a qualified structural engineer that the improvement will remain "safe, serviceable and any damage from mine subsidence shall be limited to 'very slight' in accordance with AS2870 (Damage Classification), and readily repairable". The subsidence parameters should be clearly stated</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"> <li>Mine Subsidence Parameters used for the design.</li> <li>Main building elements and materials.</li> </ol>

	<ul style="list-style-type: none"> <li>c. Risk of damage due to mine subsidence</li> <li>d. Design measures proposed to control the risks.</li> <li>e. Provide certification that the design will ensure the improvement remains “<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>”.</li> <li>f. Comment on the: <ul style="list-style-type: none"> <li>• likely building damage in the event of mine subsidence.</li> <li>• sensitivity of the design to greater levels of mine subsidence.</li> </ul> </li> </ul>
6.	Submit detailed design drawings prior to commencement construction with the design measures proposed to control the mine subsidence risk clearly highlighted and the design subsidence parameters clearly marked on the plan
<b>POST CONSTRUCTION</b>	
7.	<p>Establish 4 survey monitoring reference marks on and around the circumference of the building(s) so that building movement can be monitored should mine subsidence occur.</p> <p>At least 2 PMs or SSMS should be used as a benchmark:</p> <p>A plan with the position including Easting, Northing and RL of each 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.