



Newcastle City Council
ATTN: Ian Clark
Via Email: mail@ncc.nsw.gov.au

Our ref: TBA19-06682

Dear Ian

**RE: PROPOSED TOURIST AND VISITOR ACCOMODATION – CHANGE OF USE AND
ALTERATIONS AND ADDITIONS AT 163, 169 – 185 HUNTER STREET NEWCASTLE;
LOT 1 DP 610140 & LOT 1 DP 749729 – TBA19-06682 - DA 2019/01150
GENERAL TERMS OF APPROVAL**

I refer to the above integrated development referred on 31 October 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 SA-Risk@customerservice.nsw.gov.au quoting reference **TBA19-06682**.

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 SA-RiskEng@customerservice.nsw.gov.au

Yours faithfully,

Shane McDonald
Senior Risk Engineer
21 November 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 21 November 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:	TBA19-06682
DA:	2019/01150
Site Address:	163, 169 – 185 HUNTER STREET NEWCASTLE
Lot and DP:	LOT 1 DP 610140 & LOT 1 DP 749729
Proposal:	TOURIST AND VISITOR ACCOMODATION – CHANGE OF USE AND ALTERATIONS AND ADDITIONS
Mine Subsidence District:	NEWCASTLE

SCHEDULE 2

GENERAL TERMS OF APPROVAL

GENERAL	
Plans, Standards and Guidelines	
1.	These General Terms of Approval (GTAs) only apply to the development described in the plans and associated documentation relating to DA2019/01150 and provided to Subsidence Advisory NSW. Any amendments or subsequent modifications to the development may render these GTAs invalid. 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.
2.	This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.
PRIOR TO COMMENCEMENT OF CONSTRUCTION	
3.	Prescribed Design Parameters 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: a) Maximum vertical subsidence: 100 mm b) Maximum Horizontal Strains (over length of structure): (+/-): 0.5 mm/m c) Maximum Horizontal Strain (over 15m): 1mm/m d) Maximum Tilt: 2 mm/m e) Maximum Radius of Curvature: 10 km
4.	Submit an “Engineering Impact Statement” prior to commencement of detailed design for acceptance by SA NSW, which shall identify the: 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. Provide certification that the design will ensure the improvement remains “<i>safe, serviceable and any damage from mine subsidence shall be limited to ‘slight’ in accordance with AS2870 (Damage Classification), and readily repairable</i>”. f. Comment on the: • likely building damage in the event of mine subsidence. • sensitivity of the design to greater levels of mine subsidence.
5.	The design submitted for approval under Section 22 of the Coal Mine Subsidence Compensation Act 2017 shall incorporate the design methodology contained in the “<i>Engineering Impact Statement</i>”, for acceptance by SA NSW prior to commencement of

	construction. It shall include certification by a qualified structural engineer 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.
6.	The final design is to be submitted for acceptance by Subsidence Advisory NSW prior to the commencement of any construction work and shall: a) Be developed from design accompanying the DA, dated 30 June 2017. b) Include sufficient drawing plans, long-sections, elevations and details, to fully describe the work and proposed mine subsidence mitigation measures. c) Include design mitigation measures to reduce the transfer of horizontal strain into building structures. d) Include design mitigation measures to relieve excessive strains into building structures. e) 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. f) For underground pipes or conduits allow for flexible joints, flexible bedding surround and flexible building connections and penetrations. g) Ensure there is sufficient capacity in any storage structure for tilt due to mine subsidence. h) Locate underground structures to facilitate ease of repair and replacement. i) Ensure internal finishes are installed in accordance with relevant codes and standards and industry best practice guidelines with additional provision for mine subsidence. j) 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. k) Ensure there is provision for isolation joints between adjoining structures. For example, between a building and adjacent paving. l) All roads, driveways and pavement areas, as shown on the approved plans, are to be designed as flexible structures with an asphalt surface. 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 subsidence.
POST CONSTRUCTION	
7.	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.