

Newcastle City Council  
Attn: Elle Durrant  
Via NSW Planning Portal

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Lot/DP: 31&32//864001, A&B//388647, 1//77846, 100//1098095, 1&2//331535, 98//1098034,  
96//1098068, 1//723967, 1//819134  
Address: 121-137 HUNTER ST NEWCASTLE  
DA: RE2024/00002

Dear Newcastle City Council,

### General Terms of Approval

I refer to the integrated development application detailed above, referred on 26 June 2024.

The application has been assessed and approval is granted under these General Terms of Approval (GTAs) for the proposed development, subject to the conditions detailed under Schedule 1. The plans stamped with conditional approval are attached (**Tab A**).

These GTAs are issued in accordance with Section 4.47 of the *Environmental Planning & Assessment Act 1979* for the development of land.

These GTAs only apply to the development described in the plans and associated documentation relating to RE2024/00002 on the referred date.

If the proposed development is amended or the development consent modified, Subsidence Advisory NSW must be notified in order to determine whether any variations to these GTAs are required.

To satisfy the conditions of approval please submit documentation confirming the conditions under Schedule 1 have been met via email to [subsidedevelopment@customerservice.nsw.gov.au](mailto:subsidedevelopment@customerservice.nsw.gov.au), quoting reference number TBA24-01822

Should you have any questions regarding the attached general terms of approval, please contact me on (02) 4908 4300 or at [subsidedevelopment@customerservice.nsw.gov.au](mailto:subsidedevelopment@customerservice.nsw.gov.au)

Kind Regards,



**Shaloo Puri**  
On behalf of Shane McDonald  
Senior Risk Engineer



# SCHEDULE 1

## CONDITIONS OF APPROVAL

Application No: TBA24-01822  
DA: RE2024/00002  
Applicant: NEWCASTLE CITY COUNCIL  
Lot and DP: 31&32//864001, A&B//388647, 1//77846, 100//1098095, 1&2//331535, 98//1098034, 96//1098068, 1//723967, 1//819134  
Site Address: 121-137 HUNTER ST NEWCASTLE  
Mine Subsidence District: NEWCASTLE  
Proposal: EAST END STAGE 3 AND 4 MIXED USE DEVELOPMENT  
Date: 4 October 2024

### 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 **RE2024/00002** and provided to Subsidence Advisory NSW.  
Any amendments or subsequent modifications to the development renders these GTAs invalid.
2. This approval expires 5 years after the date the approval was granted if building, engineering or construction work relating to the application has not physically commenced on the land.

### PRIOR TO COMMENCEMENT OF CONSTRUCTION

3. **Prescribed Design Parameters – Serviceability**  
Provide certification from a qualified structural engineer that the proposed structure is capable of remaining *serviceable* (as defined in section 4.7 of the Merit Assessment Policy) if subjected to the subsidence parameters outlined below:
  - a) Maximum Vertical Subsidence: 50 mm
  - b) Maximum Horizontal Strains (+/-): 1 mm/m
  - c) Maximum Tilt: 3 mm/m
  - d) Minimum Radius of Curvature: 10 km
4. **Investigation and remediation of mine workings**  
Complete the remaining investigation and remediation of the mine workings in accordance with Douglas Partners ‘Report on Grouting and Verification Plan – Newcastle East End Development – Stages 2 to 4 Hunter Street and King Street, Newcastle’; project 39826.14; dated 11 March 2019.



5.	<b>Grout Verification Output Report</b> On completion of grouting submit a <b>Grout Verification Report</b> in accordance with <b>Attachment E</b> of the Merit Assessment Policy, endorsed by the grout designer and site verification engineer for compliance with the accepted Grouting Plan to Subsidence Advisory for acceptance.
6.	<b>Structural Engineer Certification</b> Prior to commencement of works, submit an <b>Engineering Impact Statement</b> to Subsidence Advisory NSW for acceptance. The engineering impact statement must identify the following <ul style="list-style-type: none"> <li>a) Mine subsidence parameters used for the design</li> <li>b) Main building elements and materials</li> <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 meets the requirements of Condition 3.</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> <p>OR</p> Prior to commencement of works, submit a <a href="http://nsw.gov.au">Mine Subsidence Design Structural Engineer Certification Form (nsw.gov.au)</a> ( <b>Attachment F</b> of the Subsidence Advisory Merit Policy).
7.	No buildings, structures or other improvements are to be built over or adjacent to any drifts, shaft or other mine entry unless Subsidence Advisory accepts the risk of mine subsidence has been eliminated.
8.	<b>Submit Final Design</b> Prior to commencement of works, submit a final design incorporating the design methodology contained in the <b>Engineering Impact Statement</b> or <b>Mine Subsidence Structural Engineer Certification Form</b> , to Subsidence Advisory for acceptance. Certification by a structural engineer is to confirm that the requirements of Condition 3 are met.
<b>POST CONSTRUCTION</b>	
9.	<b>Survey Monitoring</b> 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. Provide a plan with the position including Easting, Northing and RL of each monitoring reference marks and original RLs to Subsidence Advisory.
10.	<b>Certification of Works</b>



	<p>Upon completion of construction, submit certification from a qualified builder or certifier that confirms construction is in accordance with the plans approved by Subsidence Advisory.</p> <p>Where structural elements identified in the <b>Engineering Impact Statement</b> or <b>Mine Subsidence Structural Engineer Certification Form</b> have been certified by an engineer, details of this certification should be included with the builder/certifier's post construction certification.</p>
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