



City of Newcastle

**ATTN: Amanda Gale**

Via Email: [mail@ncc.nsw.gov.au](mailto:mail@ncc.nsw.gov.au)

**Our ref: TBA19-06161**

Dear Amanda

**RE: PROPOSED ALTERATIONS & ADDITIONS TO EDUCATION FACILITY - EARLY CHILDHOOD CENTRE (DP/12//560852) & ADDITION OF MULTIPLE BUILDINGS ON REAR OF SITE (DP/131//262057) AT 30 VISTA PARADE KOTARA; LOT 12 DP 560852 & LOT 131 DP 262057 – TBA19-06161- DA2019/00966**

**GENERAL TERMS OF APPROVAL**

I refer to the above integrated development referred on 4 September 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 is available, please submit via email to [SA-Risk@customerservice.nsw.gov.au](mailto:SA-Risk@customerservice.nsw.gov.au) quoting reference **TBA19-06161**.

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](mailto:SA-RiskEng@customerservice.nsw.gov.au).

Yours faithfully,

**Melanie Fityus  
Senior Risk Engineer**

18 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.

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As delegate for Subsidence Advisory NSW under delegation executed 18 October 2019, 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>TBA19-06161</b>
DA:	<b>DA2019/00966</b>
Site Address:	<b>30 VISTA PARADE KOTARA</b>
Lot and DP:	<b>LOT 12 DP 560852 &amp; LOT 131 DP 262057</b>
Proposal:	<b>ALTERATIONS &amp; ADDITIONS TO EDUCATION FACILITY - EARLY CHILDHOOD CENTRE (DP/12//560852) &amp; ADDITION OF MULTIPLE BUILDINGS ON REAR OF SITE (DP/131//262057)</b>
Mine Subsidence District:	<b>NEWCASTLE</b>

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## SCHEDULE 2

### GENERAL TERMS OF APPROVAL

<b>GENERAL</b>							
<b>Plans, Standards and Guidelines</b>							
<b>1.</b>	<p>These General Terms of Approval (GTAs) only apply to the development described in the plans and associated documentation relating to <b>DA2019/00966</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>						
<b>2.</b>	<p>This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.</p>						
<b>PRIOR TO COMMENCEMENT OF CONSTRUCTION</b>							
<b><u>EARLY EDUCATION CENTRE ONLY</u></b>							
<b>3.</b>	<p><b>Prescribed Design Parameters</b></p> <p>Provide certification from a qualified structural engineer that the proposed structure is capable of remaining “safe” if subjected to the worst-case subsidence parameters outlined below:</p> <table style="margin-left: 40px;"> <tr> <td>a) Maximum Horizontal Strains (+/-):</td><td>11.8 tensile /17.8 compressive mm/m</td></tr> <tr> <td>b) Maximum Tilt:</td><td>53.3 mm/m</td></tr> <tr> <td>c) Maximum Radius of Curvature:</td><td>1.5 km</td></tr> </table>	a) Maximum Horizontal Strains (+/-):	11.8 tensile /17.8 compressive mm/m	b) Maximum Tilt:	53.3 mm/m	c) Maximum Radius of Curvature:	1.5 km
a) Maximum Horizontal Strains (+/-):	11.8 tensile /17.8 compressive mm/m						
b) Maximum Tilt:	53.3 mm/m						
c) Maximum Radius of Curvature:	1.5 km						
<b>4.</b>	<p>Submit the final detailed design drawings for acceptance by SA NSW prior to commencement of construction which includes the required certifications noted above.</p>						
<b>POST CONSTRUCTION</b>							
<b>5.</b>	<p>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.</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.



City of Newcastle  
**ATTN: Amanda Gale**  
Via Email: [mail@ncc.nsw.gov.au](mailto:mail@ncc.nsw.gov.au)

**Our ref: TSUB19-00774**

Dear Amanda

**RE: PROPOSED 2 INTO 3 LOT SUBDIVISION AT 30 VISTA PARADE KOTARA; LOT 12 DP 560852 & LOT 131 DP 262057 – TSUB19-00774 – DA2019/00966**

**GENERAL TERMS OF APPROVAL**

I refer to the above integrated development referred on 9 September 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 is available, please submit via email to [SA-Risk@customerservice.nsw.gov.au](mailto:SA-Risk@customerservice.nsw.gov.au) quoting reference **TSUB19-00774**.

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](mailto:SA-RiskEng@customerservice.nsw.gov.au).

Yours faithfully,

**Melanie Fityus**  
**Senior Risk Engineer**  
15 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.

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As delegate for Subsidence Advisory NSW under delegation executed 15 October 2019, 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>TSUB19-00774</b>
DA:	<b>DA2019/00966</b>
Site Address:	<b>30 VISTA PARADE KOTARA</b>
Lot and DP:	<b>LOT 12 DP 560852 &amp; LOT 131 DP 262057</b>
Proposal:	<b>2 INTO 3 LOT SUBDIVISION</b>
Mine Subsidence District:	<b>NEWCASTLE</b>

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## SCHEDULE 2

### GENERAL TERMS OF APPROVAL

<b>GENERAL</b>							
<b>Plans, Standards and Guidelines</b>							
<b>1.</b>	<p>These General Terms of Approval (GTAs) only apply to the subdivision development described in the plans and associated documentation relating to <b>DA2019/00966</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>						
<b>2.</b>	<p>This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.</p>						
<b>3.</b>	<p>Subsidence Advisory NSW is to be notified of any changes to lot numbering and the registered DP number.</p>						
<b>SITE WORKS</b>							
<b>4.</b>	<p>The proposed structure(s) associated with subdivision preliminary works shall be designed to be “<i>safe, serviceable and any damage from mine subsidence shall be limited to ‘slight’ damage in accordance with AS2870 (Damage Classification), and readily repairable</i>” using the subsidence parameters outlined below:</p> <table style="margin-left: 40px;"> <tr> <td>a) Maximum Horizontal Strains (+/-):</td><td>11.8 tensile /17.8 compressive mm/m</td></tr> <tr> <td>b) Maximum Tilt:</td><td>53.3 mm/m</td></tr> <tr> <td>c) Maximum Radius of Curvature:</td><td>1.5 km</td></tr> </table> <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 subsidence.</p>	a) Maximum Horizontal Strains (+/-):	11.8 tensile /17.8 compressive mm/m	b) Maximum Tilt:	53.3 mm/m	c) Maximum Radius of Curvature:	1.5 km
a) Maximum Horizontal Strains (+/-):	11.8 tensile /17.8 compressive mm/m						
b) Maximum Tilt:	53.3 mm/m						
c) Maximum Radius of Curvature:	1.5 km						
<b>5.</b>	<p>Approval under Clause 22 of the <i>Coal Mine Subsidence Compensation Act 2017</i> is also required for the erection of all improvements on the land. As a guide, improvements shall comply with Subsidence Advisory NSW nominated Surface Development Guidelines, or otherwise assessed on merit.</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.



## NSW RURAL FIRE SERVICE

Newcastle City Council  
PO Box 489  
NEWCASTLE NSW 2300

Your reference: DA2019/00966  
Our reference: DA-2019-03138

**ATTENTION:** E. Gale

Date: Monday 24 February 2020

Dear Sir/Madam,

### Integrated Development Application

s100B – SFPP – Infill – School

12//560852 & 131//262057 – 30 VISTA PARADE KOTARA 2289 NSW Australia, 12//560852 & 131//262057 – 30 VISTA PARADE KOTARA 2289

I refer to your correspondence dated 06/09/2019 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

### General Conditions

The proposed Asset Protection Zones and Bushfire Construction Levels have been nominated by Newcastle Bushfire Consulting and demonstrated in accordance with the modelling under Method 2 as stipulated in the Australian Standard 'AS3959-2009 Construction of buildings in bushfire prone areas' and applying conservatively the NSW Rural Fire Service Community Resilience Fact Sheet 'Short Fire Run – Methodology for Assessing Bushfire Risk for Low Risk Vegetation'. The following conditions are based on the acceptance of the methodology of the performance based solutions found in the supporting document 'Bushfire Assessment Report – Proposed School Alterations/Additions – Lot 12 DP 560852 & Lot 131 DP 262057, 30 Vista Parade, Kotara South', prepared by Newcastle Bushfire Consulting, Rev. 2, dated 11/10/2019 & the letter 'Revised Bushfire Assessment St James Primary School - DA2019-00966 – 30 Vista Parade Kotara', by Newcastle Bushfire Consulting, dated 19 February 2020.

### Asset Protection Zones

***The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants. To achieve this, the following conditions shall apply:***

#### **Condition 1**

At the commencement of building works and in perpetuity, the property northeast of Block D and I shall be managed for a distance of 27 metres as an inner protection area and 20 metres as an outer protection area; as

#### Postal address

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

#### Street address

NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555  
F (02) 8741 5550  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

outlined within section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection 2006 and the NSW Rural Fire Service's document Standards for Asset Protection Zones.

#### **Condition 2**

At the commencement of building works and in perpetuity, the property southeast of Block I and A shall be managed for a distance of 23 metres as an inner protection area as outlined within section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection 2006 and the NSW Rural Fire Service's document Standards for Asset Protection Zones.

#### **Construction Standards**

***The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:***

##### **Condition 3**

The proposed building works excepting the office shall comply with BAL-12.5 in accordance with AS 3959-2009 Building in Bushfire-Prone Areas and the construction requirements of Planning for Bush Fire Protection (2006) Appendix 3 (amended May 2010).

##### **Condition 4**

The proposed office additions shall comply with BAL-19 in accordance with AS 3959-2009 Building in Bushfire-Prone Areas and the construction requirements of Planning for Bush Fire Protection (2006) Appendix 3 (amended May 2010).

#### **Access Requirements**

***The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:***

##### **Condition 5**

A minimum 12 metre radius turning area shall be installed within the asset protection zone located east of the classrooms, to support firefighting access.

#### **Water and Utility Services**

***The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:***

##### **Condition 6**

Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

#### **Landscaping Assessment**

***The intent of measures is for landscaping. To achieve this, the following conditions shall apply:***

##### **Condition 7**

Landscaping of the site should comply with following principles of Appendix 5 of 'Planning for Bush Fire Protection 2006':

- Suitable impervious areas are provided immediately surrounding the building such as courtyards, paths and driveways.
- Grassed areas, mowed lawns or ground cover plantings are provided in close proximity to the building.
- Planting is limited in the immediate vicinity of the building.
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs should be isolated or located in small clusters).
- Landscape species are chosen in consideration needs of the estimated size of the plant at maturity.
- Species are avoided that have rough fibrous bark, or which keep/shed bark in long strips or retain dead material in their canopies.
- Smooth bark species of tree are chosen which generally do not carry a fire up the bark into the crown.
- Planting of deciduous species is avoided which may increase fuel at surface/ ground level (i.e. leaf litter).
- Climbing species are avoided to walls and pergolas.
- Combustible materials such as woodchips/mulch and flammable fuel are stored away from the building.
- Combustible structures such as garden sheds, pergolas and materials such timber garden furniture are located way from the building.



- Low flammability vegetation species are used.

#### **Emergency and Evacuation Planning Assessment**

*The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:*

##### **Condition 8**

The school shall have all buildings incorporated in the emergency management plan with specific consideration for bushfire.

For any queries regarding this correspondence, please contact Joshua Calandra on 1300 NSW RFS.

Yours sincerely,

Nika Fomin

**Manager Planning & Environment Services**

**Planning and Environment Services**



NSW RURAL FIRE SERVICE

# BUSH FIRE SAFETY AUTHORITY

SFPP - Infill - School

12//560852 & 131//262057 - 30 VISTA PARADE KOTARA 2289 NSW Australia, 12//560852 &  
131//262057 - 30 VISTA PARADE KOTARA 2289

RFS Reference: DA-2019-03138

Your Reference: DA2019/00966

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

**Nika Fomin**

Manager Planning & Environment Services  
Planning and Environment Services

Monday 24 February 2020