

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC - 20/02/2024 - 21 FLOWERDALE AVENUE, MEREWETHER
DWELLING HOUSE - ANCILLARY DEVELOPMENT - DA2023/00865**

- 7.1 **Attachment A:** Submitted Plans - 21 Flowerdale Avenue,
Merewether

- 7.1 **Attachment B:** Draft Schedule of Conditions - 21 Flowerdale
Avenue, Merewether

- 7.1 **Attachment C:** Processing Chronology - 21 Flowerdale Avenue,
Merewether

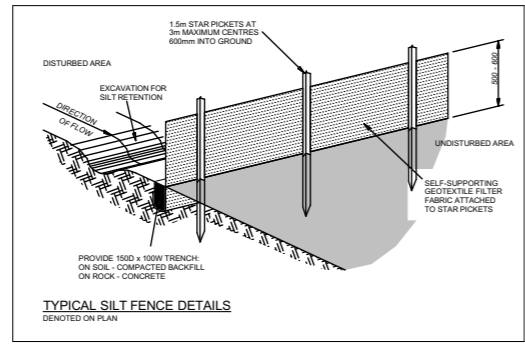
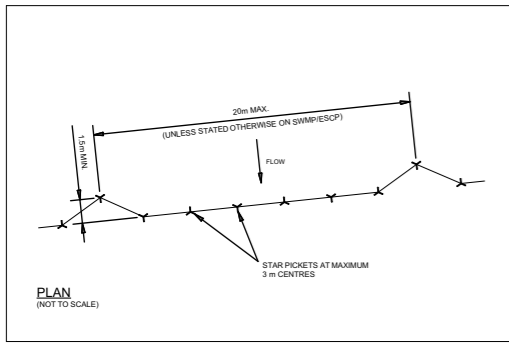
DISTRIBUTED UNDER SEPARATE COVER

INTENTIONAL BLANK PAGE

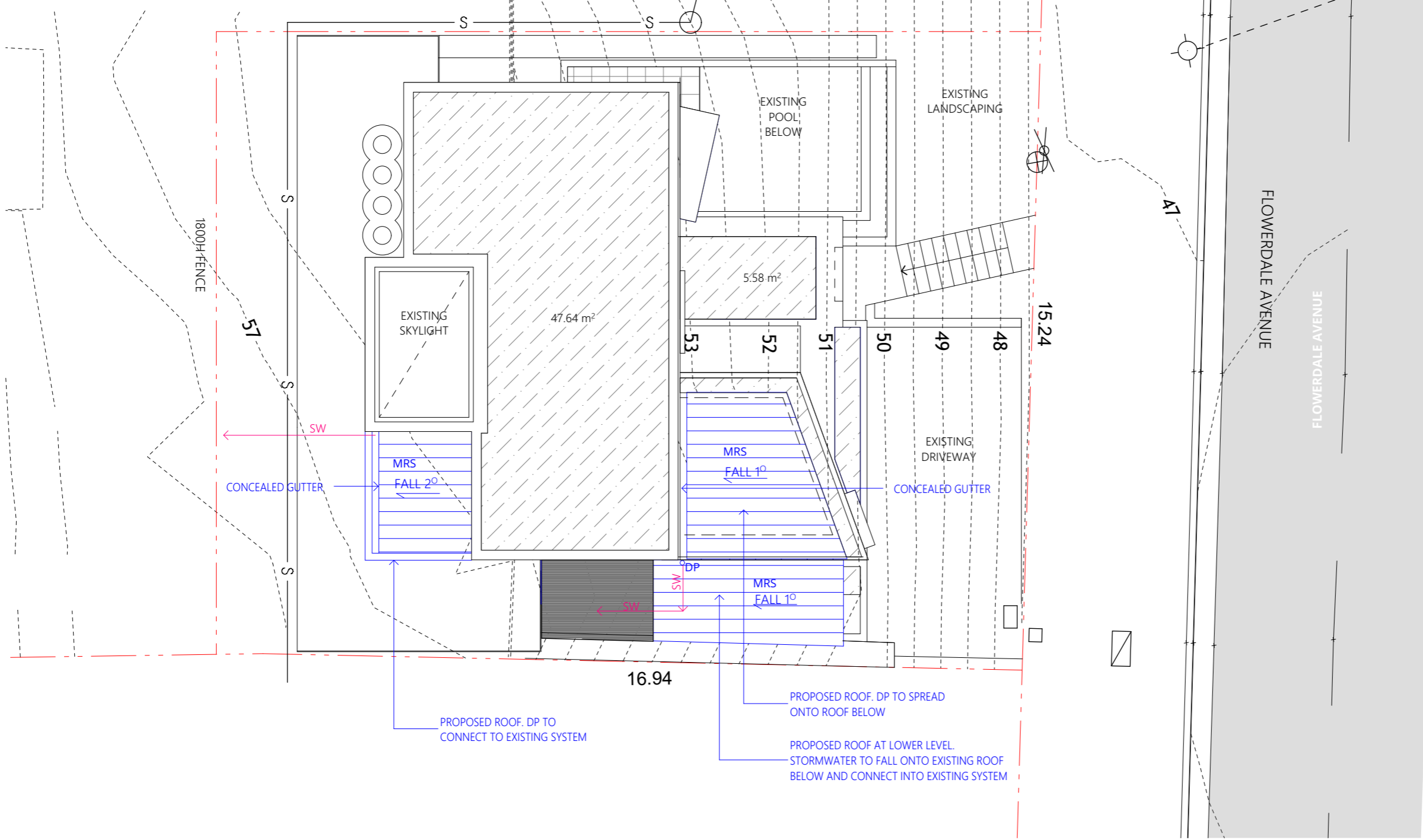
DISTRIBUTED UNDER SEPARATE COVER

Information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Drawings are to be read in conjunction with all contract documents. Use figured dimensions only. Do not scale from drawings. The accuracy of content and format for copies of drawings issued electronically cannot be guaranteed. The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.
 P:\2023\2023-009 Caruana House Alts & Add\02 Drawings\02_b Working Files\2023-009 Caruana HouseAlts and Add_25 _DA.bprn.bprn

- MRS METAL ROOF SHEETING



Sediment Control Plan



P +61 2 4969 3631
 E HELLO@SDARCH.COM.AU
 A SUITE 1, LEVEL 1, 187 UNION ST, THE JUNCTION NSW 2291
 SDARCH.COM.AU

ISSUE	DESCRIPTION	BY	CHK	DATE
01	For Approval	RM	JC	22/08/2023
02	For Approval	RM	JC	8/09/2023

PROJECT
 CARUANA HOUSE

CLIENT
 LOUISE AND LOU CARUANA

DRAWING
 Site & Stormwater Plan

PROJECT NO.
 2023-009

LOCATION
 21 Flowerdale Avenue Merewether NSW 2291 AU

DRAWING NO.
 DA 002

ISSUE NO.
 02

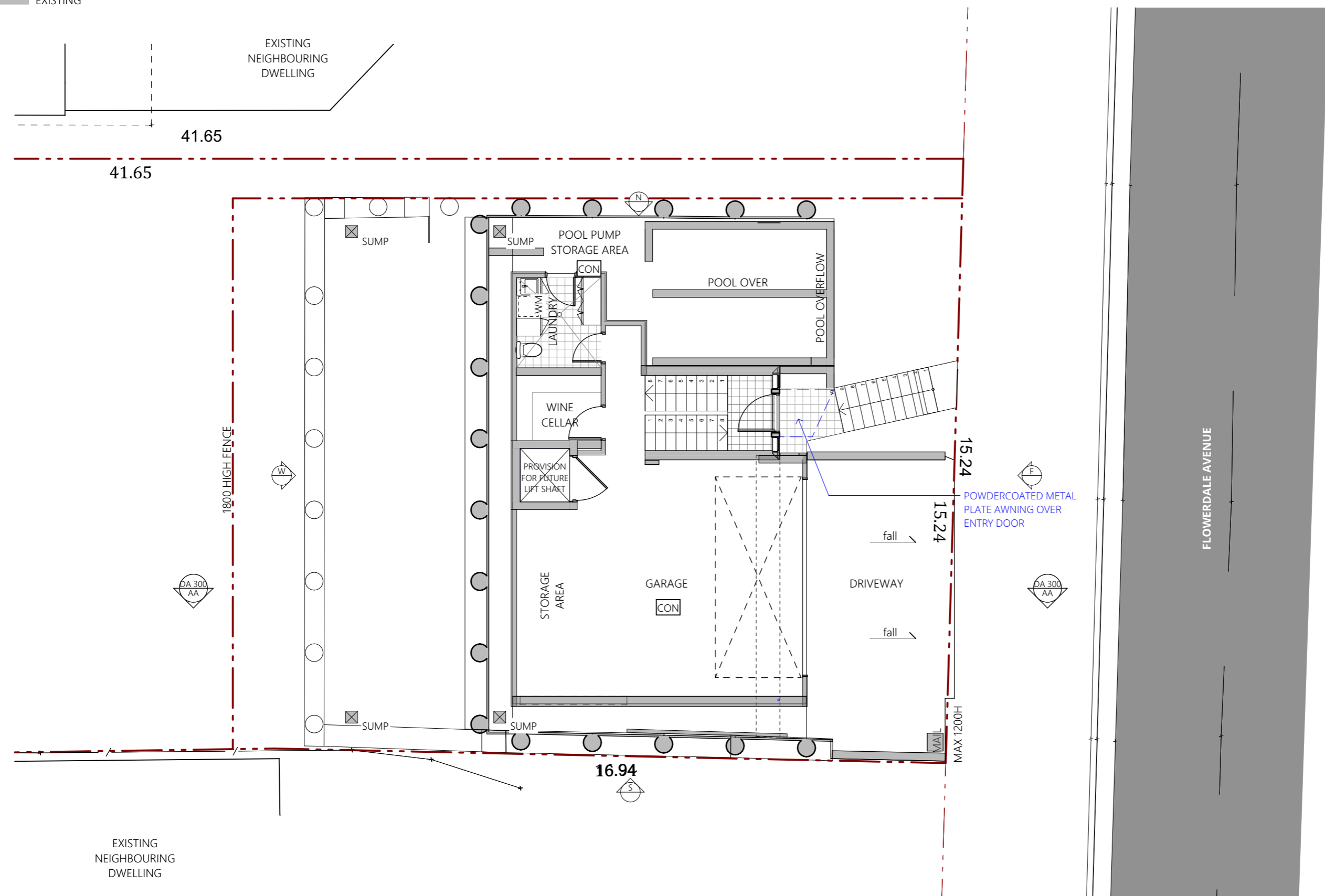
SCALE
 1:100@A3



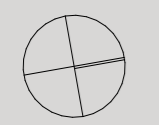
Information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Drawings are to be read in conjunction with all contract documents. Use figured dimensions only. Do not scale from drawings. The accuracy of content and format for copies of drawings issued electronically cannot be guaranteed. The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.
 P:\2023\2023-009 Caruana House Alts & Adds\02 Drawings\02_b Working Files\2023-009 Caruana HouseAlts and Add_25_DA.bprn.bprn

- CON CONCRETE
- SUMP SUMP
- WM WASHING MACHINE

PROPOSED
 EXISTING



GROUND FLOOR PLAN 1:100



P +61 2 4969 3631
 E HELLO@SDARCH.COM.AU
 A SUITE 1, LEVEL 1, 187 UNION ST, THE JUNCTION NSW 2291
 SDARCH.COM.AU

ISSUE	DESCRIPTION	BY	CHK	DATE
01	For Approval	RM	JC	22/08/2023
02	For Approval	RM	JC	8/09/2023

PROJECT
 CARUANA HOUSE

CLIENT
 LOUISE AND LOU CARUANA

DRAWING
 Ground Floor Plan

PROJECT NO.
 2023-009

LOCATION
 21 Flowerdale Avenue Merewether NSW 2291 AU

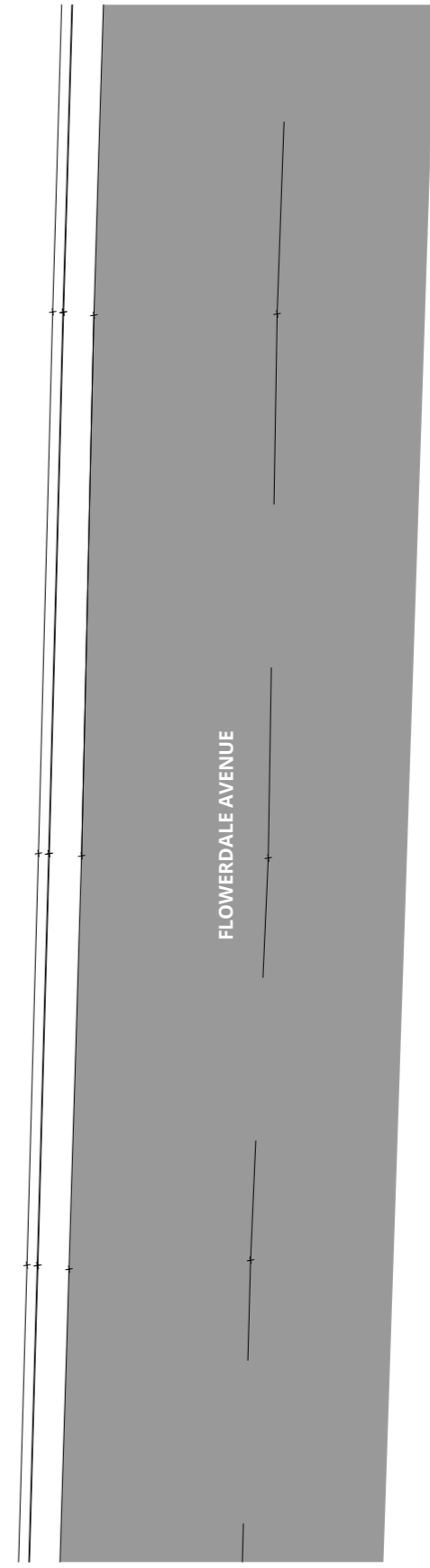
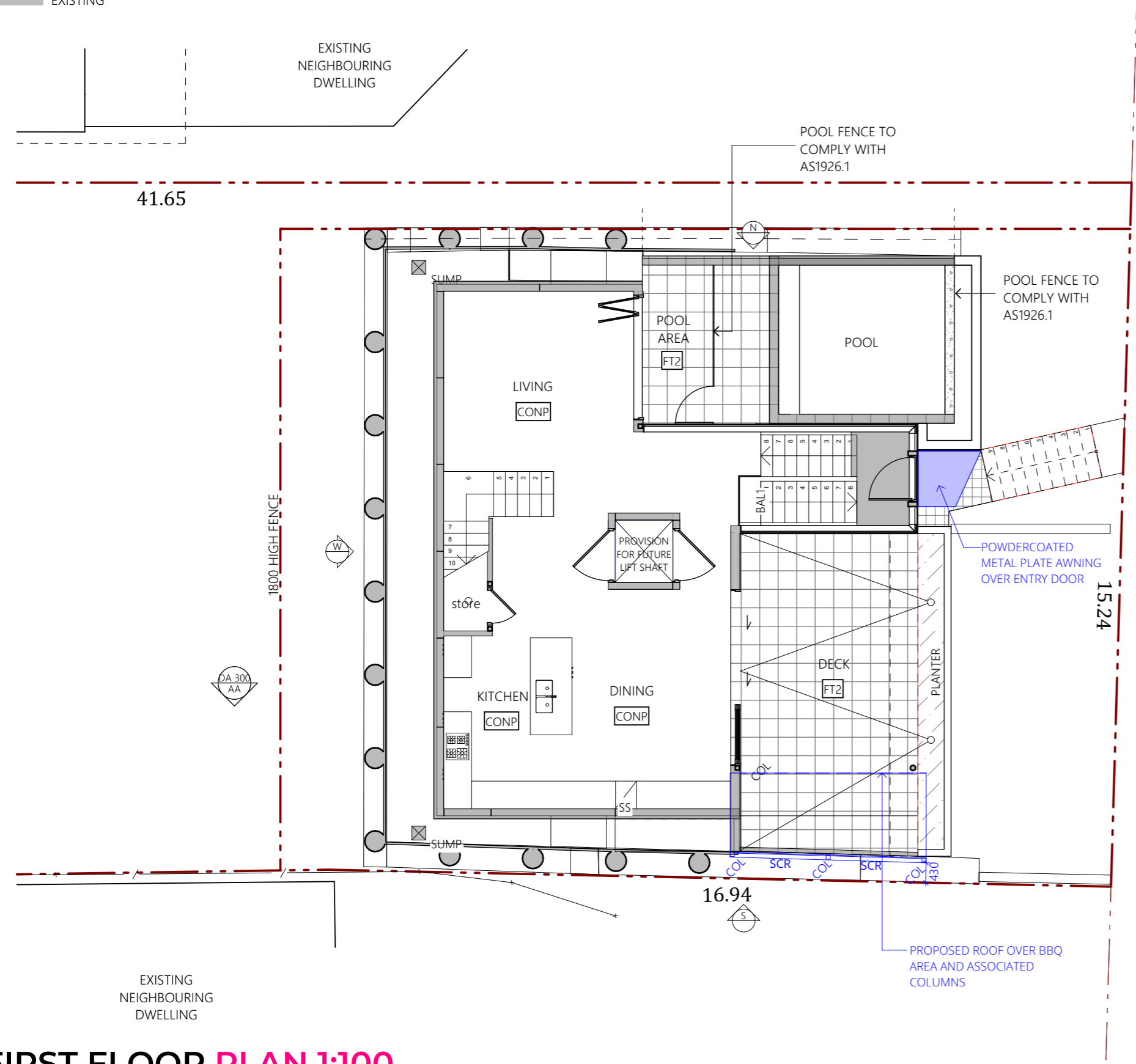
DRAWING NO. DA 100
 ISSUE NO. 02
 SCALE 1:100@A3



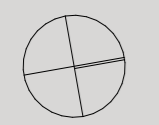
Information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Drawings are to be read in conjunction with all contract documents. Use figured dimensions only. Do not scale from drawings. The accuracy of content and format for copies of drawings issued electronically cannot be guaranteed. The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.
 P:\2023\2023-009 Caruana House Alts & Add\02 Drawings\02_b Working Files\2023-009 Caruana HouseAlts and Add_25_DA.bprn.bprn

- BAL1 BALUSTRADE
- COL COLUMN
- CONP POLISHED CONCRETE
- SCR SCREEN - EXTERNAL
- SS SEWER STACK
- SUMP SUMP

PROPOSED
 EXISTING



FIRST FLOOR PLAN 1:100



P +61 2 4969 3631
 E HELLO@SDARCH.COM.AU
 A SUITE 1, LEVEL 1, 187 UNION ST, THE JUNCTION NSW 2291
 SDARCH.COM.AU

ISSUE	DESCRIPTION	BY	CHK	DATE
01	For Approval	RM	JC	22/08/2023
02	For Approval	RM	JC	8/09/2023

PROJECT
 CARUANA HOUSE

CLIENT
 LOUISE AND LOU CARUANA

DRAWING
 First Floor Plan

PROJECT NO.
 2023-009

LOCATION
 21 Flowerdale Avenue Merewether NSW 2291 AU

DRAWING NO.
 DA 101

ISSUE NO.
 02

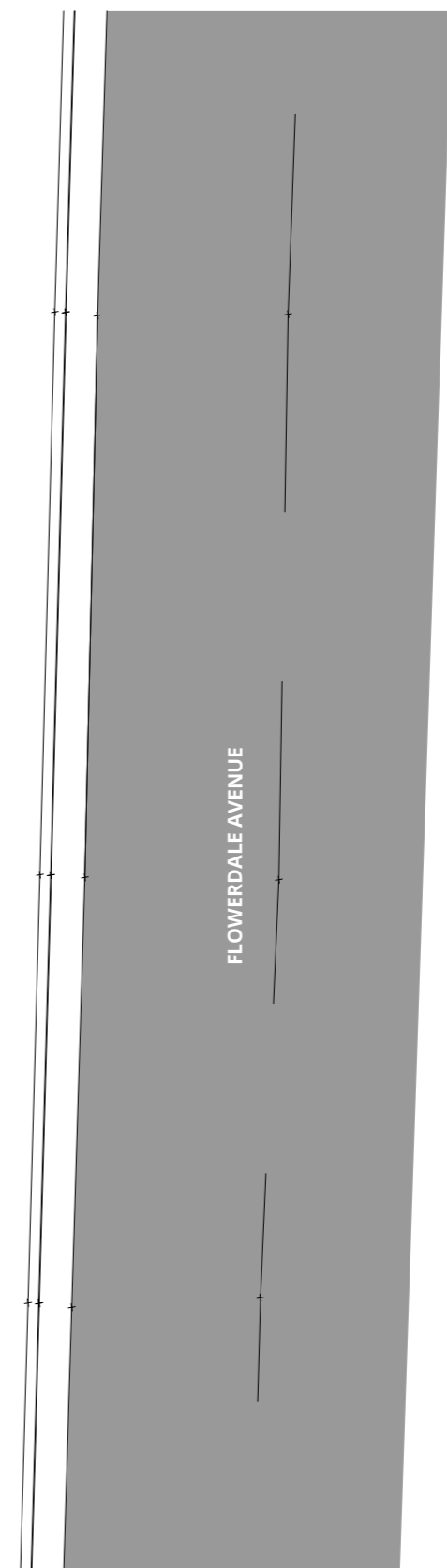
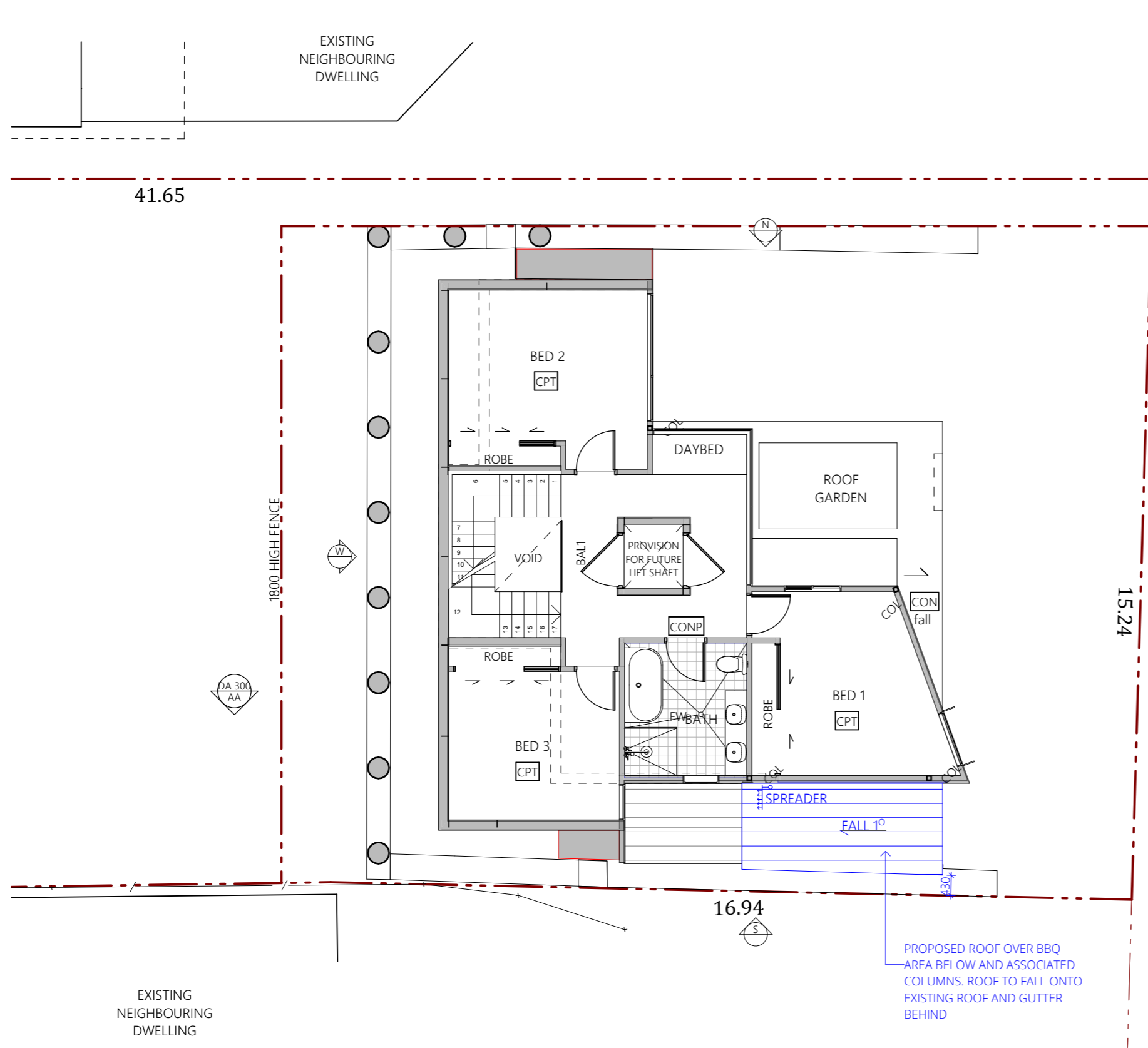
SCALE
 1:100@A3



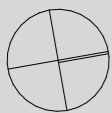
Information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Drawings are to be read in conjunction with all contract documents. Use figured dimensions only. Do not scale from drawings. The accuracy of content and format for copies of drawings issued electronically cannot be guaranteed. The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.
 P:\2023\2023-009 Caruana House Alts & Add\02 Drawings\02_b Working Files\2023-009 Caruana House Alts and Add_25 _DA_bprn.bpr

- BAL1 BALUSTRADE
- COL COLUMN
- CON CONCRETE
- CONP POLISHED CONCRETE
- CPT CARPET
- FW FLOOR WASTE

PROPOSED
 EXISTING



SECOND FLOOR PLAN 1:100



P +61 2 4969 3631
 E HELLO@SDARCH.COM.AU
 A SUITE 1, LEVEL 1, 187 UNION ST, THE JUNCTION NSW 2291
 SDARCH.COM.AU

ISSUE	DESCRIPTION	BY	CHK	DATE
01	For Approval	RM	JC	22/08/2023
02	For Approval	RM	JC	8/09/2023

PROJECT
 CARUANA HOUSE
 CLIENT
 LOUISE AND LOU CARUANA

DRAWING
 Second Floor Plan
 PROJECT NO.
 2023-009

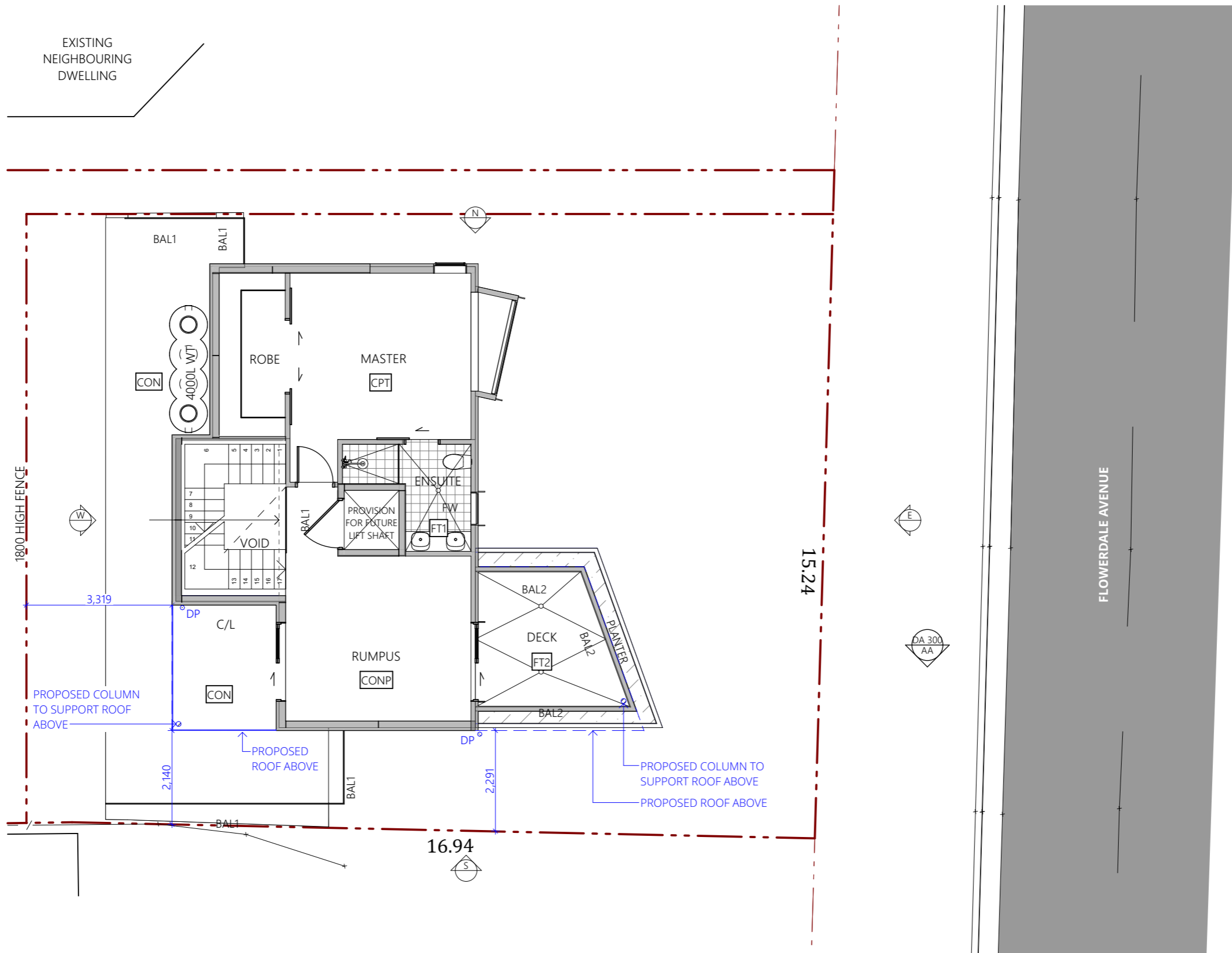
LOCATION
 21 Flowerdale Avenue Merewether NSW
 2291 AU
 DRAWING NO.
 DA 102
 ISSUE NO.
 02
 SCALE
 1:100@A3



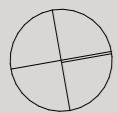
Information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Drawings are to be read in conjunction with all contract documents. Use figured dimensions only. Do not scale from drawings. The accuracy of content and format for copies of drawings issued electronically cannot be guaranteed. The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.
 P:\2023\2023-009 Caruana House Alts & Adds\02 Drawings\02_b Working Files\2023-009 Caruana HouseAlts and Add_25 _DA.bprn

- BAL1 BALUSTRADE
- BAL2 BALUSTRADE TYPE 2
- CON CONCRETE
- CONP POLISHED CONCRETE
- CPT CARPET
- DP DOWNPIPE
- FW FLOOR WASTE

PROPOSED
 EXISTING



THIRD FLOOR PLAN 1:100



P +61 2 4969 3631
 E HELLO@SDARCH.COM.AU
 A SUITE 1, LEVEL 1, 187 UNION ST, THE JUNCTION NSW 2291
 SDARCH.COM.AU

ISSUE	DESCRIPTION	BY	CHK	DATE
01	For Approval	RM	JC	22/08/2023
02	For Approval	RM	JC	8/09/2023

PROJECT
 CARUANA HOUSE
 CLIENT
 LOUISE AND LOU CARUANA

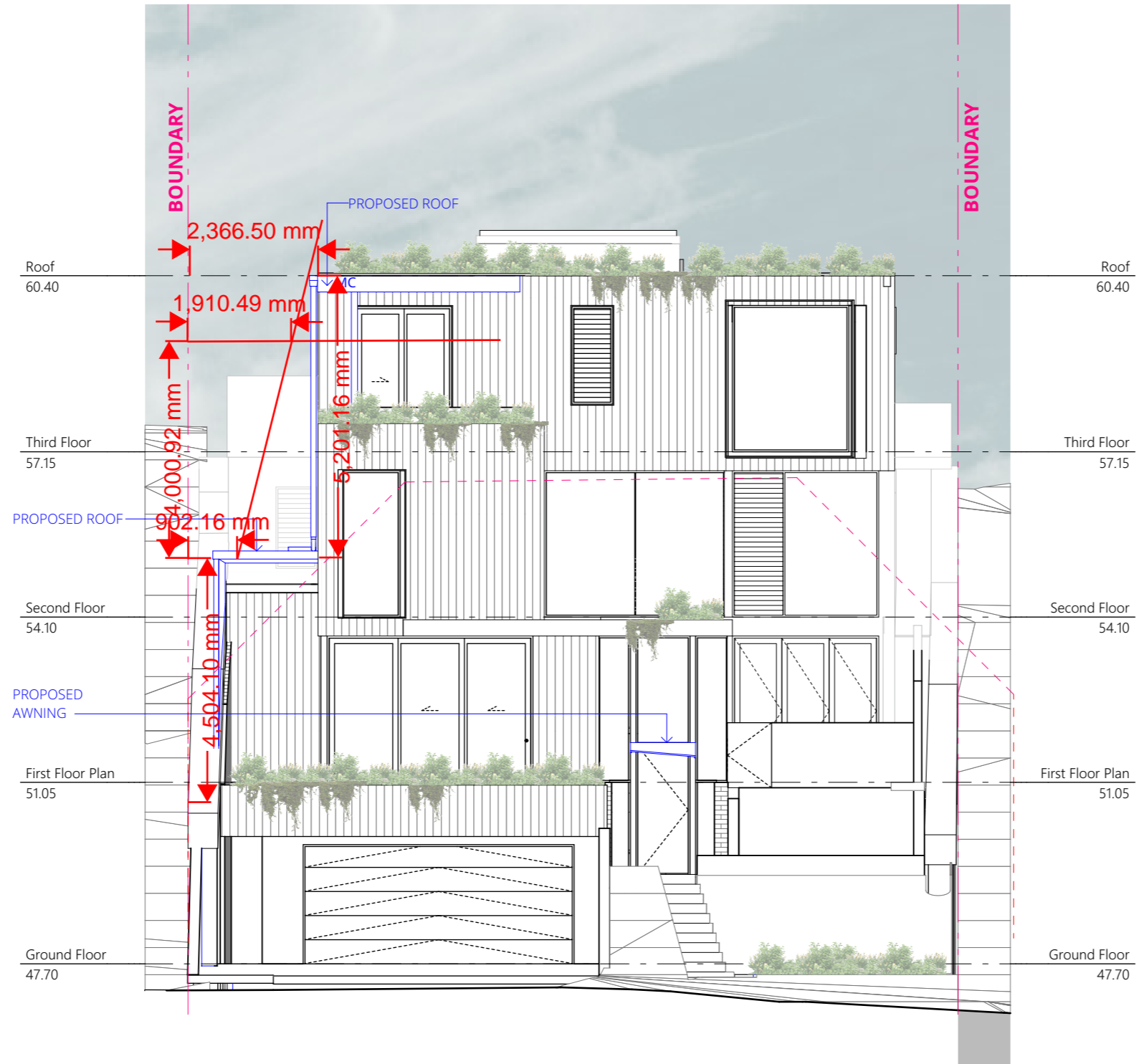
DRAWING
 Third Floor Plan
 PROJECT NO.
 2023-009

LOCATION
 21 Flowerdale Avenue Merewether NSW
 2291 AU
 DRAWING NO.
 DA 103
 ISSUE NO.
 02
 SCALE
 1:100@A3

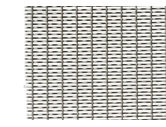

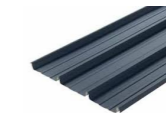


PROPOSED
 EXISTING

Information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Drawings are to be read in conjunction with all contract documents. Use figured dimensions only. Do not scale from drawings. The accuracy of content and format for copies of drawings issued electronically cannot be guaranteed. The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.
 P:\2023\2023-009 Caruana House Alts & Add\02 Drawings\02_b Working Files\2023-009 Caruana HouseAlts and Add_25_DA_bprn.bprn



MATERIALS AND FINISHES BOARD

- 
SCR
SCREEN - EXTERNAL WOVEN WIRE OR SIMILAR
- 
MC
METAL CLADDING
- 
MRS
METAL ROOF SHEETING COLOUR & PROFILE TO MATCH EXISTING

NORTH ELEVATION 1:100

P +61 2 4969 3631
 E HELLO@SDARCH.COM.AU
 A SUITE 1, LEVEL 1, 187 UNION ST, THE JUNCTION NSW 2291
 SDARCH.COM.AU

ISSUE	DESCRIPTION	BY	CHK	DATE
01	For Approval	RM	JC	22/08/2023
02	For Approval	RM	JC	8/09/2023

PROJECT
 CARUANA HOUSE

CLIENT
 LOUISE AND LOU CARUANA

DRAWING
 Elevations 01

PROJECT NO.
 2023-009

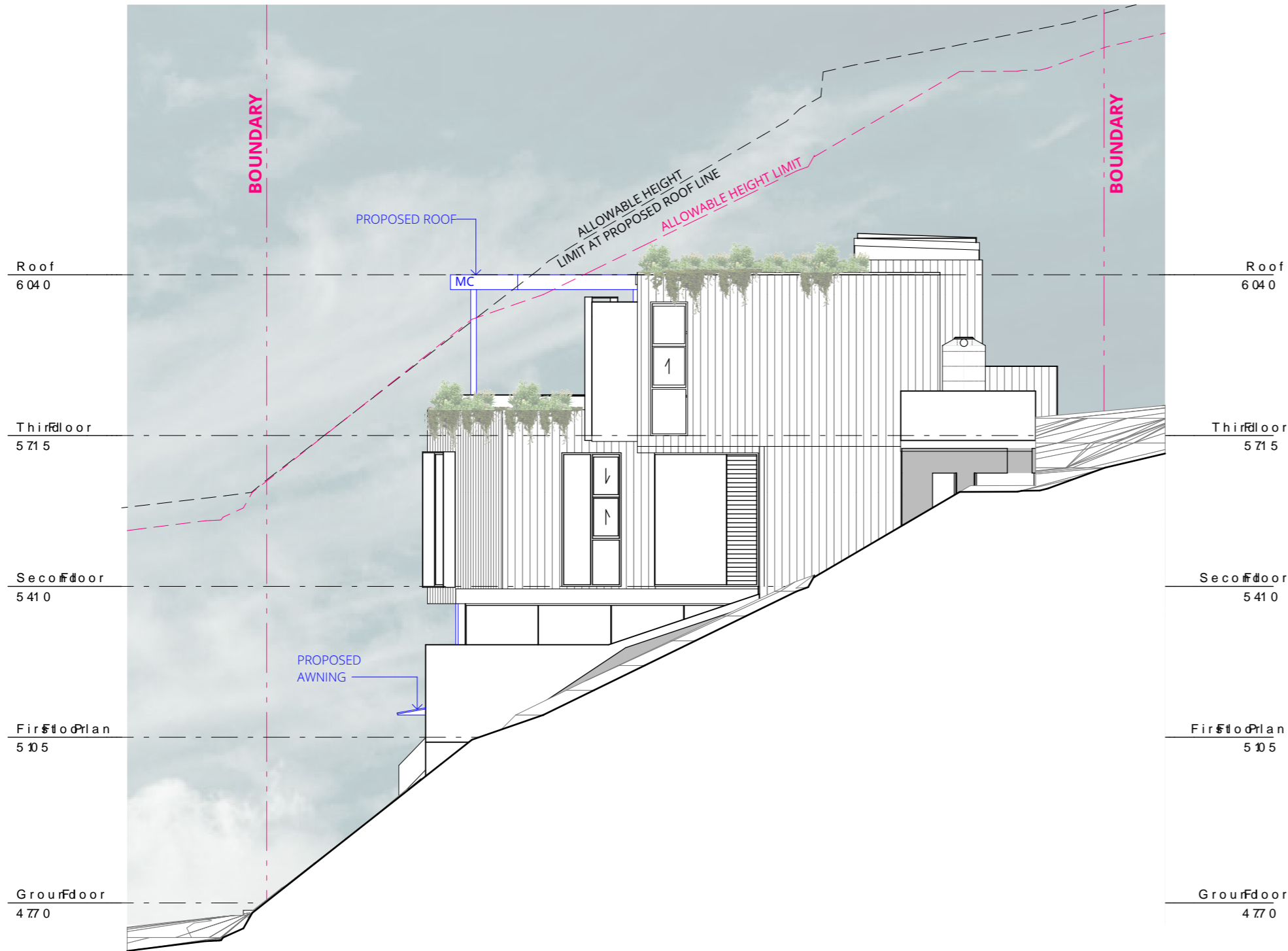
LOCATION
 21 Flowerdale Avenue Merewether NSW
 2291 AU

DRAWING NO. DA 200
 ISSUE NO. 02
 SCALE 1:100@A3

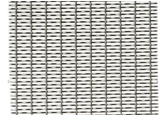

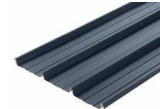


PROPOS
 EXISTIN

Information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Drawings are to be read in conjunction with all contract documents. Use 4 J X U B G P H Q V R S T W not scale from drawings. The accuracy of content and format for copies of drawings issued electronically cannot be guaranteed. The completion of the issue details checked and authorised section below is con 4 U P D W E R Q K H status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.
 P:\2023\2023-009 Caruana House Alts & Add\02 Drawings\02_b Working Files\2023-009 Caruana HouseAlts and Add_25_DA_bprn.bpr



MATERIALS AND FINISHES BOARD

- 
SCR
SCREEN - EXTERNAL WOVEN WIRE OR SIMILAR
- 
MC
METAL CLADDING
- 
MRS
METAL ROOF SHEETING COLOUR & PROFILE TO MATCH EXISTING

WEST ELEVATION 1:100

P +61 2 4969 3631
 E HELLO@SDARCH.COM.AU
 A SUITE 1, LEVEL 1, 187 UNION ST, THE JUNCTION NSW 2291
 SDARCH.COM.AU

ISSUE	DESCRIPTION	BY	CHK	DATE
01	For Approval	RM	JC	22/08/2023
02	For Approval	RM	JC	8/09/2023

PROJECT
 CARUANA HOUSE

CLIENT
 LOUISE AND LOU CARUANA

DRAWING
 Elevations 02

PROJECT NO.
 2023-009

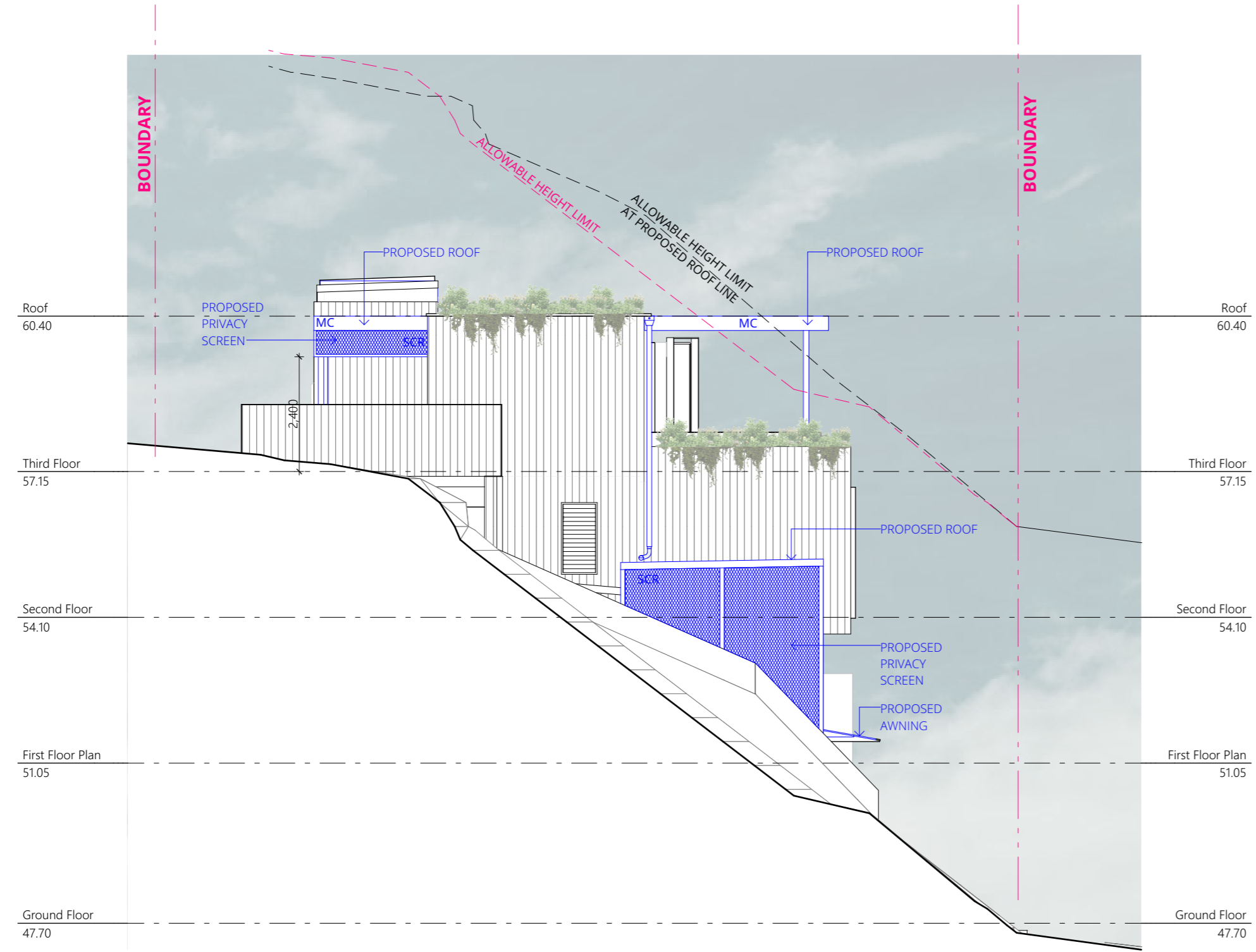
LOCATION
 21 Flowerdale Avenue Merewether NSW
 2291 AU

DRAWING NO. DA 201
 ISSUE NO. 02
 SCALE 1:100@A3

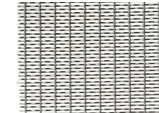
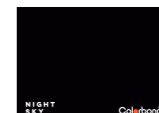
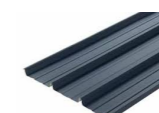


Information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Drawings are to be read in conjunction with all contract documents. Use figured dimensions only. Do not scale from drawings. The accuracy of content and format for copies of drawings issued electronically cannot be guaranteed. The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.
P:\2023\2023-009 Caruana House Alts & Add\02 Drawings\02_b Working Files\2023-009 Caruana HouseAlts and Add_25_DA_bpn.bpn

PROPOSED
EXISTING



MATERIALS AND FINISHES BOARD

-  SCR SCREEN - EXTERNAL WOVEN WIRE OR SIMILAR
-  MC METAL CLADDING
-  MRS METAL ROOF SHEETING COLOUR & PROFILE TO MATCH EXISTING

EAST ELEVATION 1:100

P +61 2 4969 3631
E HELLO@SDARCH.COM.AU
A SUITE 1, LEVEL 1, 187 UNION ST, THE JUNCTION NSW 2291
SDARCH.COM.AU

ISSUE	DESCRIPTION	BY	CHK	DATE
01	For Approval	RM	JC	22/08/2023
02	For Approval	RM	JC	8/09/2023

PROJECT
CARUANA HOUSE

CLIENT
LOUISE AND LOU CARUANA

DRAWING
Elevations 03

PROJECT NO.
2023-009

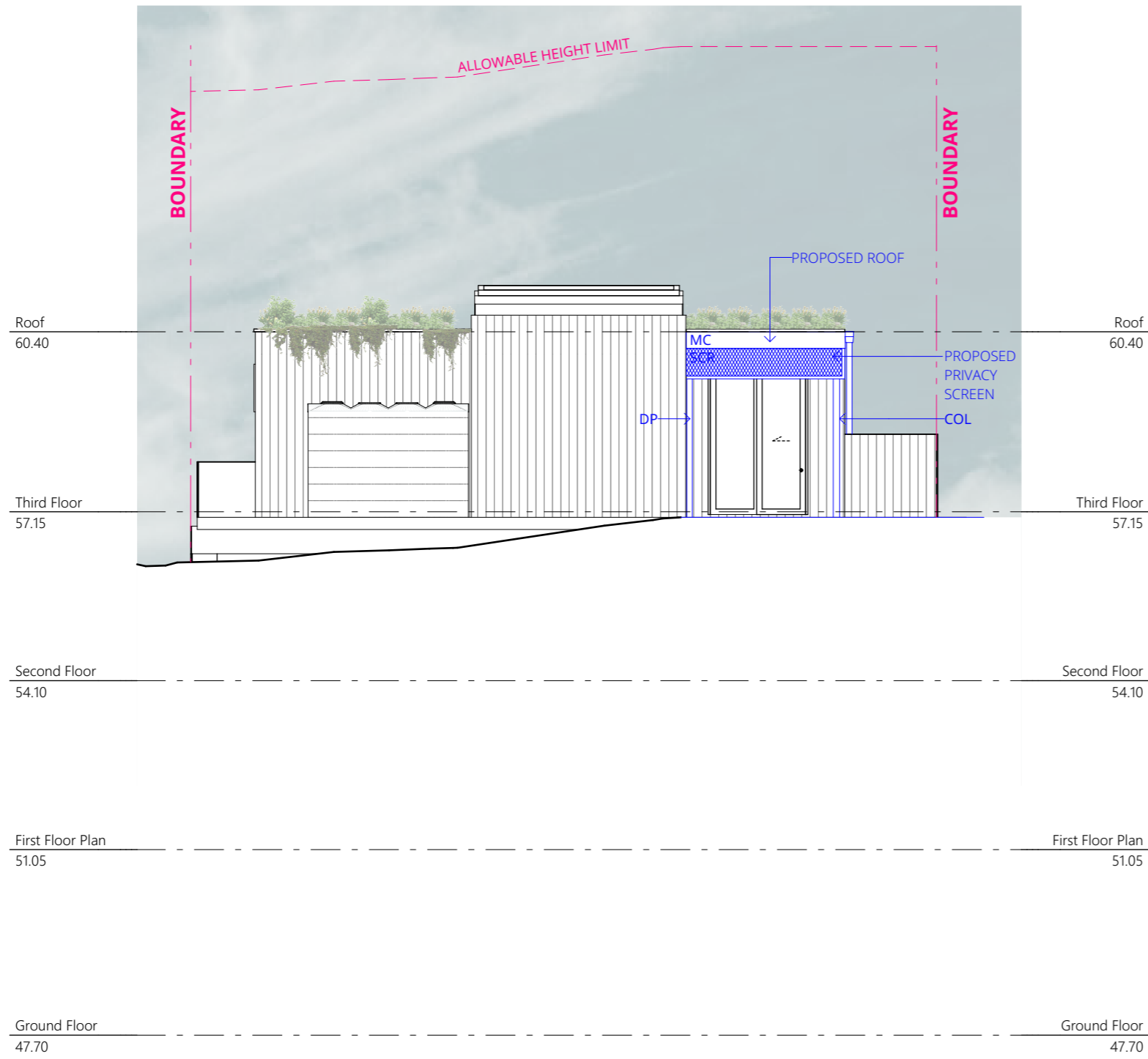
LOCATION
21 Flowerdale Avenue Merewether NSW
2291 AU

DRAWING NO. DA 202
ISSUE NO. 02
SCALE 1:100@A3

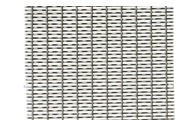

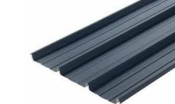


PROPOSED
 EXISTING

Information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Drawings are to be read in conjunction with all contract documents. Use figured dimensions only. Do not scale from drawings. The accuracy of content and format for copies of drawings issued electronically cannot be guaranteed. The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.
 P:\2023\2023-009 Caruana House Alts & Add\02 Drawings\02_b Working Files\2023-009 Caruana HouseAlts and Add_25_DA_bpr.bpr



MATERIALS AND FINISHES BOARD

- 
SCR
SCREEN - EXTERNAL WOVEN WIRE OR SIMILAR
- 
MC
METAL CLADDING
- 
MRS
METAL ROOF SHEETING COLOUR & PROFILE TO MATCH EXISTING

SOUTH ELEVATION 1:100

P +61 2 4969 3631
E HELLO@SDARCH.COM.AU
A SUITE 1, LEVEL 1, 187 UNION ST, THE JUNCTION NSW 2291
SDARCH.COM.AU

ISSUE	DESCRIPTION	BY	CHK	DATE
01	For Approval	RM	JC	22/08/2023
02	For Approval	RM	JC	8/09/2023

PROJECT
 CARUANA HOUSE

CLIENT
 LOUISE AND LOU CARUANA

DRAWING
 Elevations 04

PROJECT NO.
 2023-009

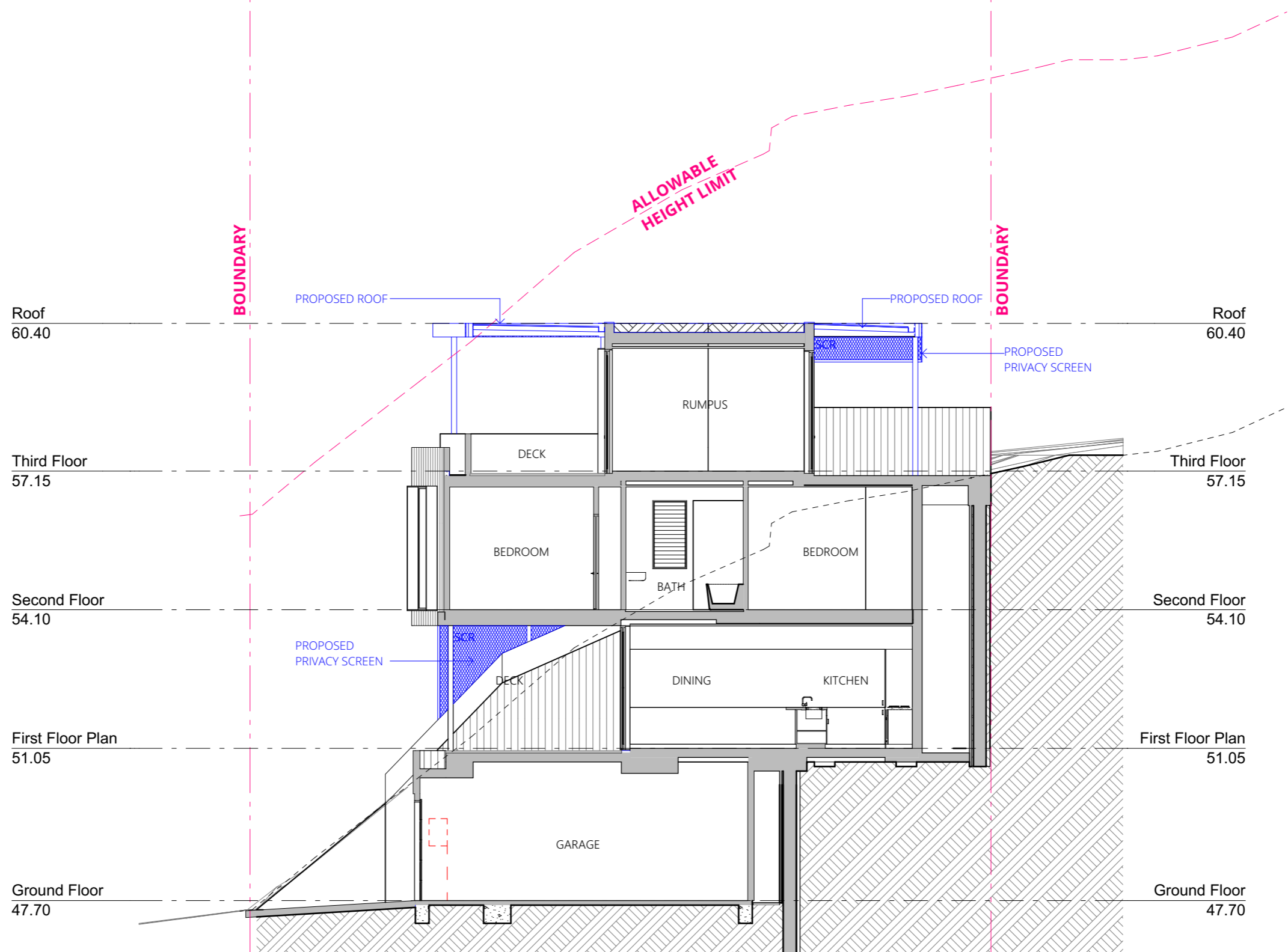
LOCATION
 21 Flowerdale Avenue Merewether NSW
 2291 AU

DRAWING NO. DA 203
 ISSUE NO. 02
 SCALE 1:100@A3



PROPOSED
 EXISTING

Information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work. Drawings are to be read in conjunction with all contract documents. Use figured dimensions only. Do not scale from drawings. The accuracy of content and format for copies of drawings issued electronically cannot be guaranteed. The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.
 P:\2023\2023-009 Caruana House Alts & Add\02 Drawings\02_b Working Files\2023-009 Caruana HouseAlts and Add_25_DA_bprn.bpr



SECTION A-A 1:100

P +61 2 4969 3631
 E HELLO@SDARCH.COM.AU
 A SUITE 1, LEVEL 1, 187 UNION ST, THE JUNCTION NSW 2291
 SDARCH.COM.AU

ISSUE	DESCRIPTION	BY	CHK	DATE
01	For Approval	RM	JC	22/08/2023
02	For Approval	RM	JC	8/09/2023

PROJECT
CARUANA HOUSE

CLIENT
LOUISE AND LOU CARUANA

DRAWING
Sections

PROJECT NO.
2023-009

LOCATION
21 Flowerdale Avenue Merewether NSW
2291 AU

DRAWING NO. DA 300
ISSUE NO. 02
SCALE 1:100@A3





INTENTIONAL BLANK PAGE

DISTRIBUTED UNDER SEPARATE COVER



DRAFT SCHEDULE OF CONDITIONS

Application number	DA2023/00865
Land	Lot 59 DP 1258042
Property	21 Flowerdale Avenue Merewether
Description of development	Dwelling House - Alterations and Additions

Reasons for approval

- The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being; *Newcastle Local Environmental Plan 2012* (NLEP) and applicable State Environmental Planning Policies.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the Newcastle Development Control Plan 2012 (NDCP).
- The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
- The proposed development has appropriate management and mitigation of impacts through conditions of consent.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- The proposed development is a suitable and planned use of the site and its approval is within the public interest.
- Council has considered and accepted the proposed variation to the Height of Buildings standard made under Clause 4.6 of the *Newcastle Local Environmental Plan 2012*. The proposed 14.1% variation is considered acceptable in the particular circumstances of this case as the variation will not significantly *overshadow the neighbouring properties, obstruct significant view corridors, or result in negative privacy issues*.
- No objections were received and no negative neighbour impacts are anticipated.

Terms and Reasons for Conditions

GENERAL CONDITIONS

Condition

1. Approved plans and documentation

The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Approved plans				
Plan number	Revision number	Plan title	Drawn by	Date of plan
DA 002	Iss. 02	Site & Stormwater Plan	Space Design Architecture	08/09/2023
DA 100	Iss. 02	Ground Floor Plan	Space Design Architecture	08/09/2023
DA 101	Iss. 02	First Floor Plan	Space Design Architecture	08/09/2023
DA 102	Iss. 02	Second Floor Plan	Space Design Architecture	08/09/2023
DA 103	Iss. 02	Third Floor Plan	Space Design Architecture	08/09/2023
DA 200	Iss. 02	Elevations 01	Space Design Architecture	08/09/2023
DA 201	Iss. 02	Elevations 02	Space Design Architecture	08/09/2023
DA 202	Iss. 02	Elevations 03	Space Design Architecture	08/09/2023
DA 203	Iss. 02	Elevations 04	Space Design Architecture	08/09/2023
DA 300	Iss. 02	Sections	Space Design Architecture	08/09/2023

In the event of any inconsistency between conditions of this development consent and plans/supporting documents referred to above, the conditions of this development consent prevail.

Condition reason: to ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition

2. Controlling stormwater - sealed pipe

Before the issue of the first construction certificate for the development (i.e. whether for part or whole of a building), details are to be provided demonstrating that stormwater will be conveyed to the existing property stormwater drains by way of a sealed pipe system. The existing drains are to be checked for adequacy and cleared of any obstructions. Full details are to be included in the construction certificate documentation.

Condition reason: to control stormwater runoff.

BEFORE BUILDING WORK COMMENCES

Condition

3. **Compliance with Home Building Act (if applicable)**

In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

Condition reason: prescribed condition EP&A Regulations 2021 (Section 69).

DURING BUILDING WORK

Condition

4. **Checking finished levels - surveyor**

During building work, certification is to be prepared by a Registered Surveyor and submitted to the principal certifier when the roof has been completed, confirming that the building does not exceed the approved levels.

Condition reason: to ensure finished roof levels equal approved plans.

5. **Compliance with BCA**

Building work must be carried out in accordance with the requirements of the Building Code of Australia.

Condition reason: prescribed condition - EP&A Regulation (Section 69).

6. **Site signage - site and building work**

During site work and/or building work, a rigid and durable sign is to be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, before the commencement of the work:

- a) showing the name, address and telephone number of the Principal Certifier for building work and subdivision work, and
- b) showing the name, address and telephone number of the Principal Contractor, if any, for any building work and a telephone number on which the Principal Contractor may be contacted at any time for business purposes, and
- c) stating that unauthorised entry to the work site is prohibited, and
- d) being erected in a prominent position that can be read easily by anyone in any public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, and must be removed when the work has been completed.

Note: This does not apply in relation to building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or Crown building work certified to comply with the *Building Code of Australia* under the Act, Part 6.

Condition reason: prescribed condition.

7. **Containing materials and plant**

During building work, all building materials, plant and equipment is to be placed on the site of the development, to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Newcastle City Council reserves, including the road reserve, is not permitted.

Condition reason: to contain materials and plant and protect the public.

8. **Limits on noise**

During building/demolition work, generation of noise that is audible at residential premises is to be restricted to the following times:

- Monday to Friday, 7:00 am to 6:00 pm and
- Saturday, 8:00 am to 1:00 pm.

No noise from construction/demolition work is to be generated on Sundays or public holidays.

Condition reason: to protect the residential amenity of neighbours.

9. **Pollution prevention signage**

During site work and/or building work, a Newcastle City Council '*Prevent Pollution*' sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary, so it is clearly visible to the public, or at other locations on the site as otherwise directed by the Newcastle City Council for the duration of demolition and construction work.

Note: The sign can be obtained by presenting your development application receipt at Newcastle City Council's Customer Enquiry Centre, Wallsend Library or the Master Builders Association Newcastle.

Condition reason: to require pollution prevention signage.

10. **Containing waste**

During site work and/or building work, and at a minimum, the following measures are to be implemented:

- a) A waste container of at least one cubic metre capacity is to be provided, maintained and regularly serviced from the commencement of operations until the completion of the

building, for the reception and storage of waste generated by the construction of the building and associated waste.

- b) The waste container is to be, at minimum, constructed with a 'star' picket (corners) and weed control mat (sides), or equivalent. The matting is to be securely tied to the pickets.
- c) Provision is to be made to prevent wind-blown rubbish leaving the site; and
- d) Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

Note: Fines may be issued for pollution/littering offences under the *Protection of the Environment Operations Act 1997*.

Condition reason: to require waste management on site.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition

11. **Public infrastructure - rectification of damage**

Before the issue of the first occupation certificate for the development (i.e., whether for part or whole of a building), any public infrastructure (including all public footways, foot paving, kerbs, gutters and road pavement) damaged during the works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) are to be immediately fully repaired following the damage, to a condition that provides for safe use by pedestrians and vehicles, to the written satisfaction of Council, and at no cost to Council.

Condition reason: to ensure rectification of any damage to public infrastructure.

DEMOLITION WORK BEFORE DEMOLITION WORK COMMENCES

Condition

12. Toilets on site

Before site work and/or demolition work commences, toilet facilities are to be available or provided at the work site and maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet is to:

- a) be a standard flushing toilet connected to a public sewer, or
- b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
- c) be a temporary chemical closet approved under the Local Government Act 1993.

Condition reason: to require provision of toilet facilities on site.

DURING DEMOLITION WORK

Condition

13. Demolition standards - Australian Standards

Building demolition is to be planned and carried out in accordance with *Australian Standard 2601:2001 - The Demolition of Structures*.

Condition reason: to comply with Australian standards.

14. Containing waste

During site work and/or demolition work, and at a minimum, the following measures are to be implemented:

- a) A waste container of at least one cubic metre capacity is to be provided, maintained and regularly serviced from the commencement of operations until the completion of the building, for the reception and storage of waste generated by the construction of the building and associated waste.
- b) The waste container is to be, at minimum, constructed with a 'star' picket (corners) and weed control mat (sides), or equivalent. The matting is to be securely tied to the pickets.
- c) Provision is to be made to prevent wind-blown rubbish leaving the site; and
- d) Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

Note: Fines may be issued for pollution/littering offences under the *Protection of the Environment Operations Act 1997*.

Condition reason: to require waste management on site on site.

15. **Demolition - protecting services**

During demolition work, the demolisher is to ensure that all services (i.e. water, telecommunications, gas, electricity, sewerage etc) are disconnected in accordance with the relevant authority's requirements prior to demolition.

Condition reason: to protect services during demolition.

16. **Demolition - material management**

During demolition work, the demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.

Any waste containers used in association with the proposed demolition are to be located on the site where possible.

Note: Where this is not feasible, an application is to be made for the Newcastle City Council's approval to position the container on the adjacent public road in accordance with Newcastle City Council's adopted Building Waste Container Policy.

Condition reason: to protect public spaces during demolition.

17. **Demolition - waste management**

During demolition work, any demolition/waste building materials that are not suitable for recycling are to be disposed of at Newcastle City Council's Summerhill Waste Management Facility or other approved site.

Condition reason: to require waste disposal and maximise reuse on site.

18. **Site signage - site and building work**

During site work and/or demolition work, a rigid and durable sign is to be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, before the commencement of the work:

- a) showing the name, address and telephone number of the Principal Certifier for building work and subdivision work, and
- b) showing the name, address and telephone number of the Principal Contractor, if any, for any building work and a telephone number on which the Principal Contractor may be contacted at any time for business purposes, and
- c) stating that unauthorised entry to the work site is prohibited, and
- d) being erected in a prominent position that can be read easily by anyone in any public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, and must be removed when the work has been completed.

Note: This does not apply in relation to building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the

building, or Crown building work certified to comply with the *Building Code of Australia* under the Act, Part 6.

Condition reason: prescribed condition.

19. Pollution prevention signage

During demolition work, a Newcastle City Council 'Prevent Pollution' sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary, so it is clearly visible to the public, or at other locations on the site as otherwise directed by the Newcastle City Council for the duration of demolition and construction work.

Condition reason: to require pollution prevention signage.

ON COMPLETION OF DEMOLITION WORK

Condition

20. Relocation of survey monuments

On completion of demolition work, where the proposed development involves the destruction or disturbance of any survey monuments, those monuments affected are to be relocated at no cost to Newcastle City Council, by a surveyor registered under the *Surveying and Spatial Information Act 2002*.

Condition reason: to ensure relocation of survey marks.

Advisory Matters

- A person who is aware or believes that he or she has discovered or located a relic not identified and considered in the supporting documents for this approval, in any circumstances (including where works are carried out in reliance on an exception under section 139(4)), excavation or disturbance must cease in the affected area(s) and the Heritage Council must be notified in accordance with section 146 of the *Heritage Act 1977*. Depending on the nature of the discovery, additional assessment and approval under the *Heritage Act 1977* may be required prior to the recommencement of excavation in the affected area(s).

Note: Heritage NSW can be contacted on 02 9873 8500 or heritagemailbox@environment.nsw.gov.au. A 'relic' is any deposit, object or material evidence that relates to the settlement of New South Wales, not being Aboriginal settlement, and is of State or local significance. It is an offence under the provisions of the *Heritage Act 1977 (NSW)* for a person to disturb or excavate any land upon which the person has discovered a relic except in accordance with a gazetted exception or an excavation permit issued by the Heritage Council of NSW.

- If any Aboriginal objects are discovered which are not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be notified in accordance with section 89A of the *National Parks and Wildlife Act 1974 (NPW Act)*. Depending on the nature of the discovery, additional assessment and approval under the NPW Act may be required prior to works continuing in the affected area(s). Aboriginal objects in NSW are protected under the NPW Act. Unless the objects are subject to a valid Aboriginal Heritage Impact Permit, work must not recommence until approval to do so has been provided by Heritage NSW.

Note: Heritage NSW can be contacted on 02 9873 8500 or heritagemailbox@environment.nsw.gov.au. An 'Aboriginal object' is any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains. It is an offence under the provisions of the *National Parks and Wildlife Act 1974 (NPW Act)* for a person to harm or desecrate an Aboriginal object, with defence from prosecution and certain activities exempt as prescribed under the NPW Act.

- Failure to comply with the conditions of consent constitutes a breach of the *Environmental Planning and Assessment Act 1979*, which may be subject to a penalty infringement notice (i.e. 'on-the-spot fine') or prosecution.
- It is an offence under the provisions of the *Protection of the Environment Operations Act 1997* to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice (i.e. 'on-the-spot fine') or prosecution.
- It is recommended that, prior to commencement of work, the free national community service 'Dial before you Dig' be contacted on 1100 or by fax on 1200 652 077 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.
- Any necessary alterations to public utility installations are to be at the developer/demolisher's

expense and to the requirements of Newcastle City Council and any other relevant authorities. Newcastle City Council and other service authorities should be contacted for specific requirements prior to the commencement of any works.

- Prior to commencing any building works, the following provisions of Division 6.2 of the Environmental Planning and Assessment Act 1979 are to be complied with:
 - a) A Construction Certificate is to be obtained; and
 - b) A Principal Certifier is to be appointed for the building works and Newcastle City Council is to be notified of the appointment; and
 - c) Newcastle City Council is to be given at least two days notice of the date intended for commencement of building works.
- Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to an existing building, any Occupation Certificate is to be obtained from the Principal Certifier appointed for the proposed development. An application for any Occupation Certificate must contain the information set out in Section 37 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* (NSW).



INTENTIONAL BLANK PAGE

DISTRIBUTED UNDER SEPARATE COVER

PROCESSING CHRONOLOGY

DA2023/00865 – 21 Flowerdale Avenue Merewether

19 September 2023	-	Application lodged
26 September to 10 October 2023	-	Application notified in accordance with CN's Community Participation Plan (CPP)
08 January 2024	-	Assessment report and draft conditions finalised.
27 February 2024	-	Development Applications Committee meeting