



ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 16/08/22 – 1 & 1A NOBLE STREET NORTH LAMBTON –
DA2022/00247 – SUBDIVISION – TWO LOT INTO TWO LOT
SUBDIVISION (BOUNDARY ADJUSTMENT) INCLUDING
DEMOLITION OF EXISTING STRUCTURES**

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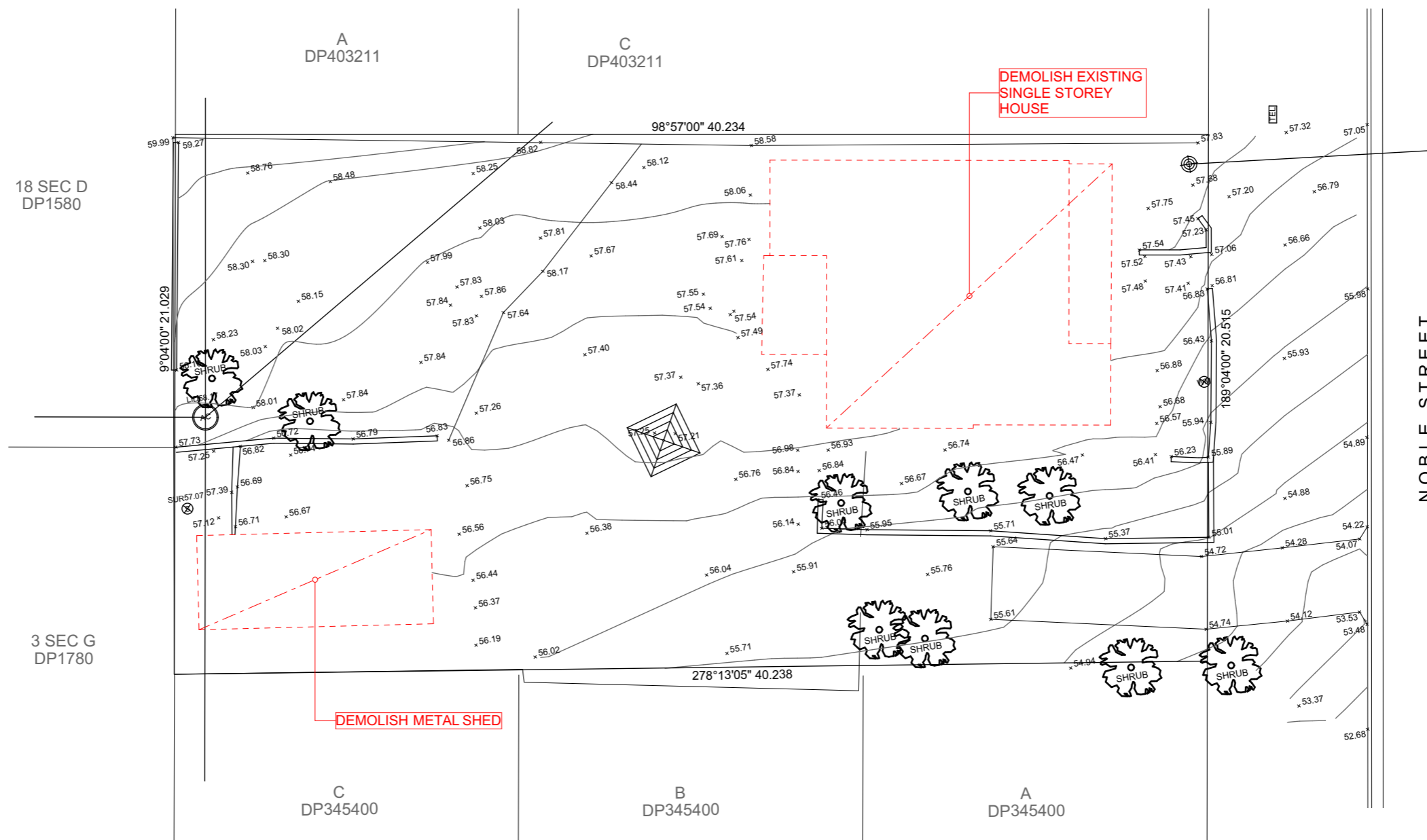
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ITEM-10 **Attachment A:** Submitted Plans

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1 DEMOLITION PLAN
1:200



Nominated Architects: Troy Zwart (NSW 6816) + Abigail Lewis (NSW 7039)
 Lewis + Zwart Pty Ltd
 35 HIGHFIELDS PARADE HIGHFIELDS NSW 2289
 ABN: 65 161 930 392
 m 0431 218 496

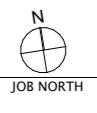
Project No: **2201**
 Project Name: **NOBLE STREET HOUSES**
 1 NOBLE STREET, NORTH LAMBTON

Client: **BRONWEN HUGHES**

Drawing Title: **DEMOLITION PLAN**
 BOUNDARY REALIGNMENT

Scale: **1:200 @ A3**
 0 1 2 5m

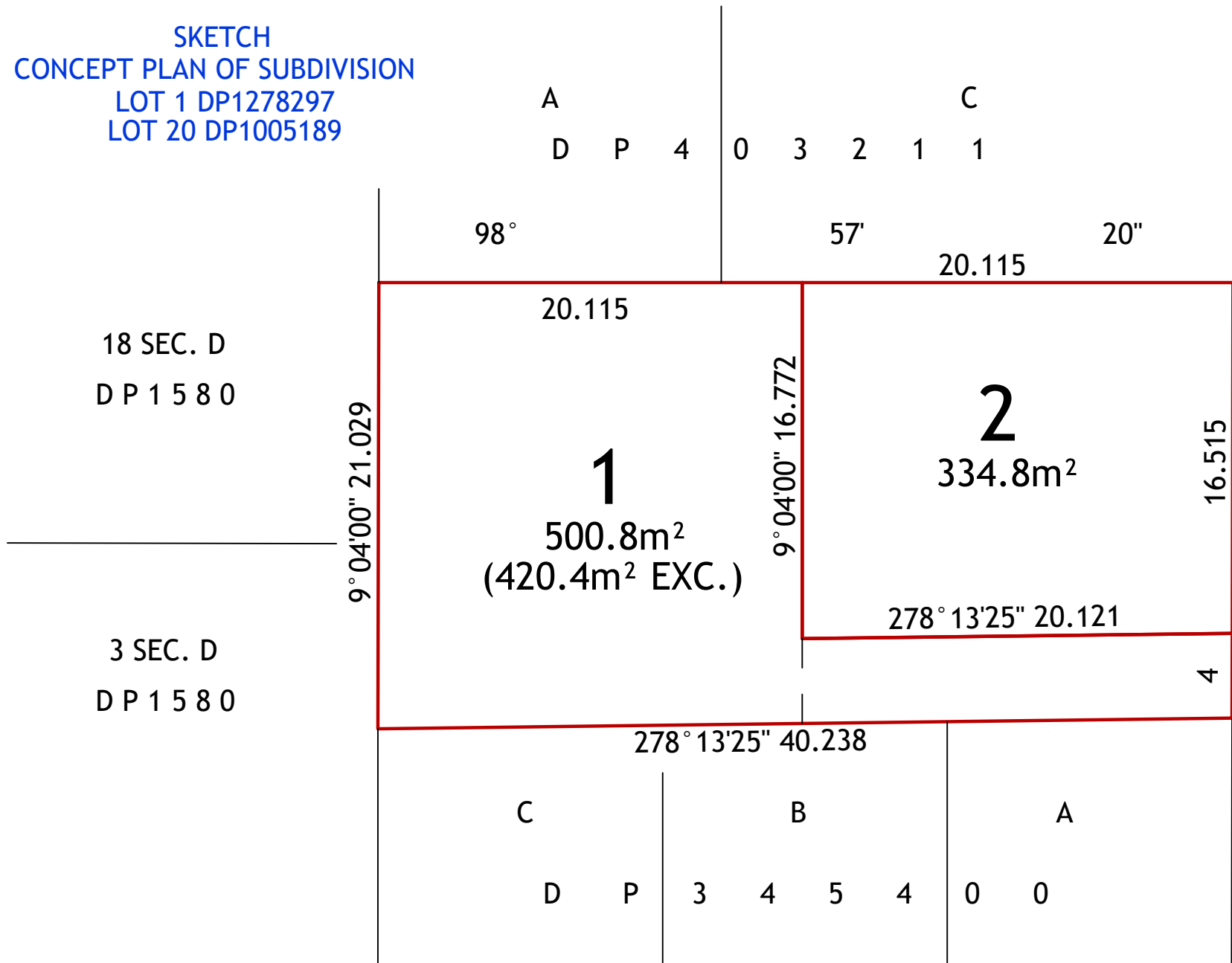
23/3/22
 21/3/22
 DATE ISSUE
 CLIENT ISSUE
 CLIENT ISSUE
 REV B A



Drawing No.: **DP01**
 Revision: **B**
 PLOT DATE: 23-Mar-22

The Builder shall check and verify all dimensions and verify all errors and omissions to the Architect. Do not scale the drawings. Drawings shall not be used for construction purposes until issued by the Architect for construction.

SKETCH
 CONCEPT PLAN OF SUBDIVISION
 LOT 1 DP1278297
 LOT 20 DP1005189



NOBLE STREET



EARTH SURVEYING
 CONSULTING SURVEYORS
 PO Box 4, NEWCASTLE NSW 2300
 02 4929 1900 0405 223133
 andrew@earthsurveying.com.au

LGA: NEWCASTLE
 LOCALITY: NORTH LAMBTON
 PARISH: NEWCASTLE
 COUNTY: NORTHUMBERLAND

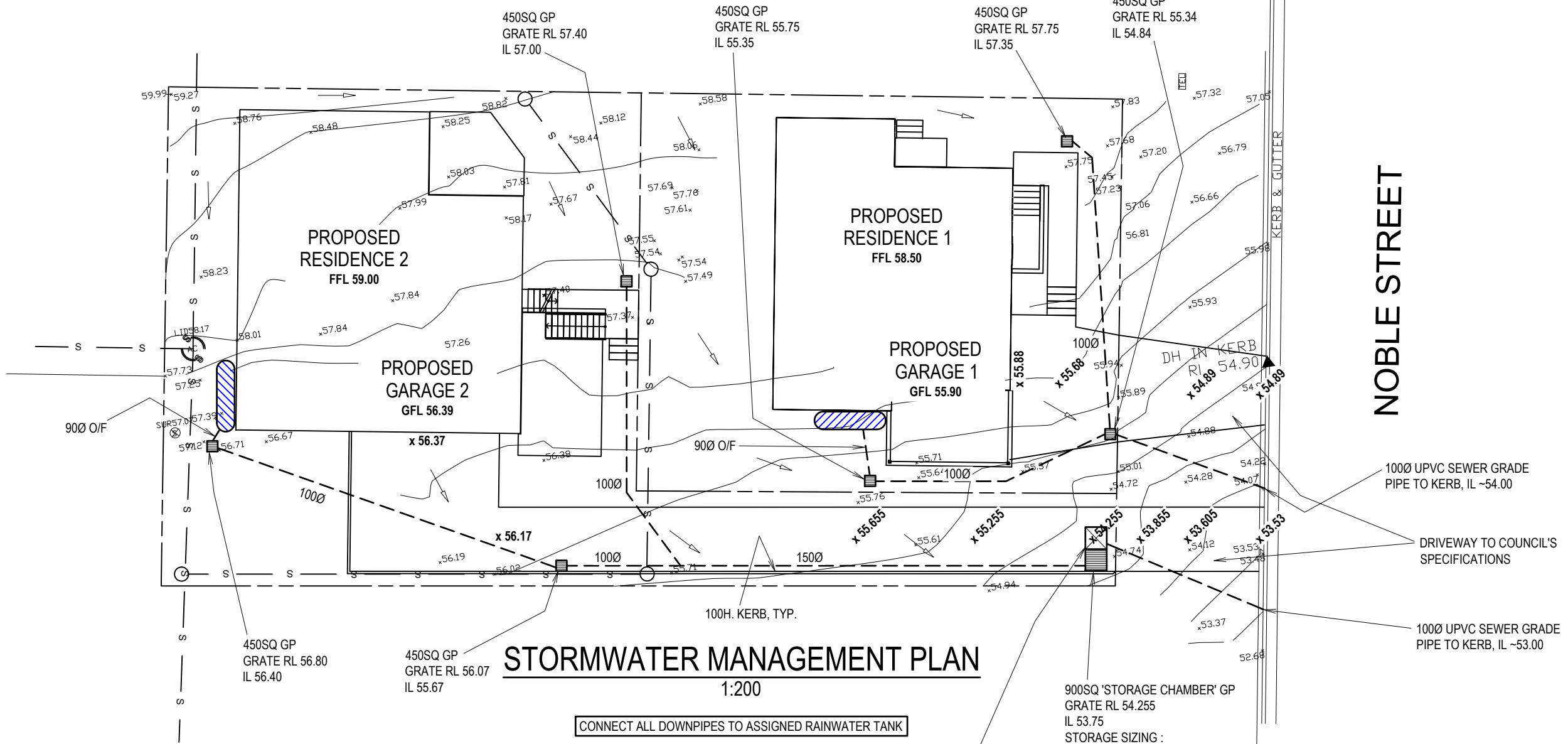
REF:140336

AR. Woodall

.....SURVEYOR

DATE:.....14.09.2021

REGISTERED UNDER THE SURVEYING ACT



STORMWATER

1. THESE DRAWINGS TO BE READ IN CONJUNCTION WITH ARCHITECTURAL DETAILS.
2. ALL WORKS IN ACCORDANCE WITH AS3500, COUNCIL DEVELOPMENT CONTROL PLANS, HWC REQUIREMENTS AND PROPRIETARY MANUFACTURER'S RECOMMENDATIONS.
3. LOCATION OF TANKS & TANK TYPES CAN BE VARIED AT OWNER'S DIRECTION.
4. ALL STORMWATER PIPES TO BE 900 STORMWATER GRADE, U.N.O. JOINTED & INSTALLED TO MANUFACTURER'S RECOMMENDATIONS.
5. ALL STORMWATER LINES TO HAVE ALL JOINTS, INC. DP CONNECTIONS, FULLY SOLVENT WELDED (AS LINES ARE 'CHARGED')
6. ALL LEVELS ARE DATUM AHD.
7. ALL LEVELS ARE FINISHED PAVEMENT OR LAWN LEVELS.
8. EXISTING LEVELS SHOWN eg. 4.79E NEW LEVELS SHOWN eg. 20.84.

LEGEND

- RL REDUCED LEVEL
- IL INVERT LEVEL
- GP GRATED PIT, LIGHT DUTY IN LANDSCAPED AREAS, MEDIUM DUTY IN TRAFFICABLE AREAS
- FFL 59.00 FINISHED FLOOR LEVEL
- GFL 56.39 FINISHED GARAGE LEVEL
- x 56.37 FINISHED SURFACE LEVEL
- 56.0E EXISTING SURFACE LEVEL, CONTOURS SHOWN ALSO EXISTING
- O/F OVERFLOW FROM RAINWATER TANK
- APPROX EXTENTS OF RETAINING WALL, APPROX HEIGHT SHOWN [1000]
- INDICATES DIRECTION OF SURFACE FLOW
- 4000L RAINWATER HARVESTING TANK

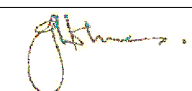
NOTE:
THE DESIGN OF THE ELEMENTS DEPICTED ON THESE PLANS HAS BEEN CARRIED OUT IN ACCORDANCE WITH THE RELEVANT SECTIONS OF THE BCA AND AUSTRALIAN STANDARDS AS REFERENCED ON THESE PLANS.

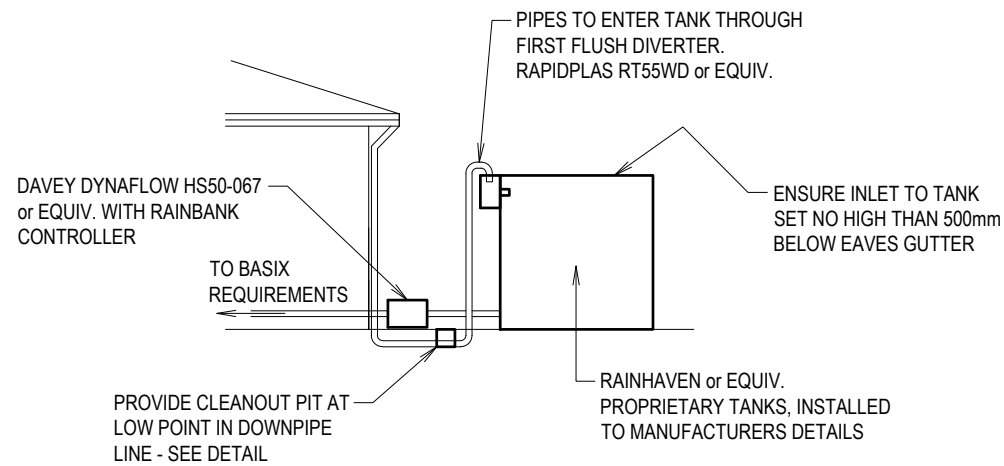
IT IS THE BUILDERS RESPONSIBILITY TO CONFIRM DEPTH & LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION AS THIS MAY AFFECT THE DESIGN.

Rev.	By	Date	Description	Des'd
A	A.H.	28.06.22	DA ISSUE	A.H.

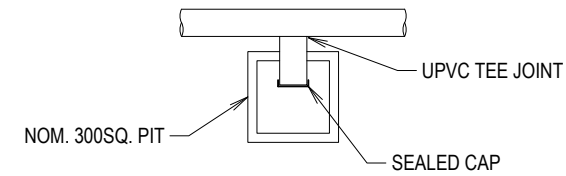
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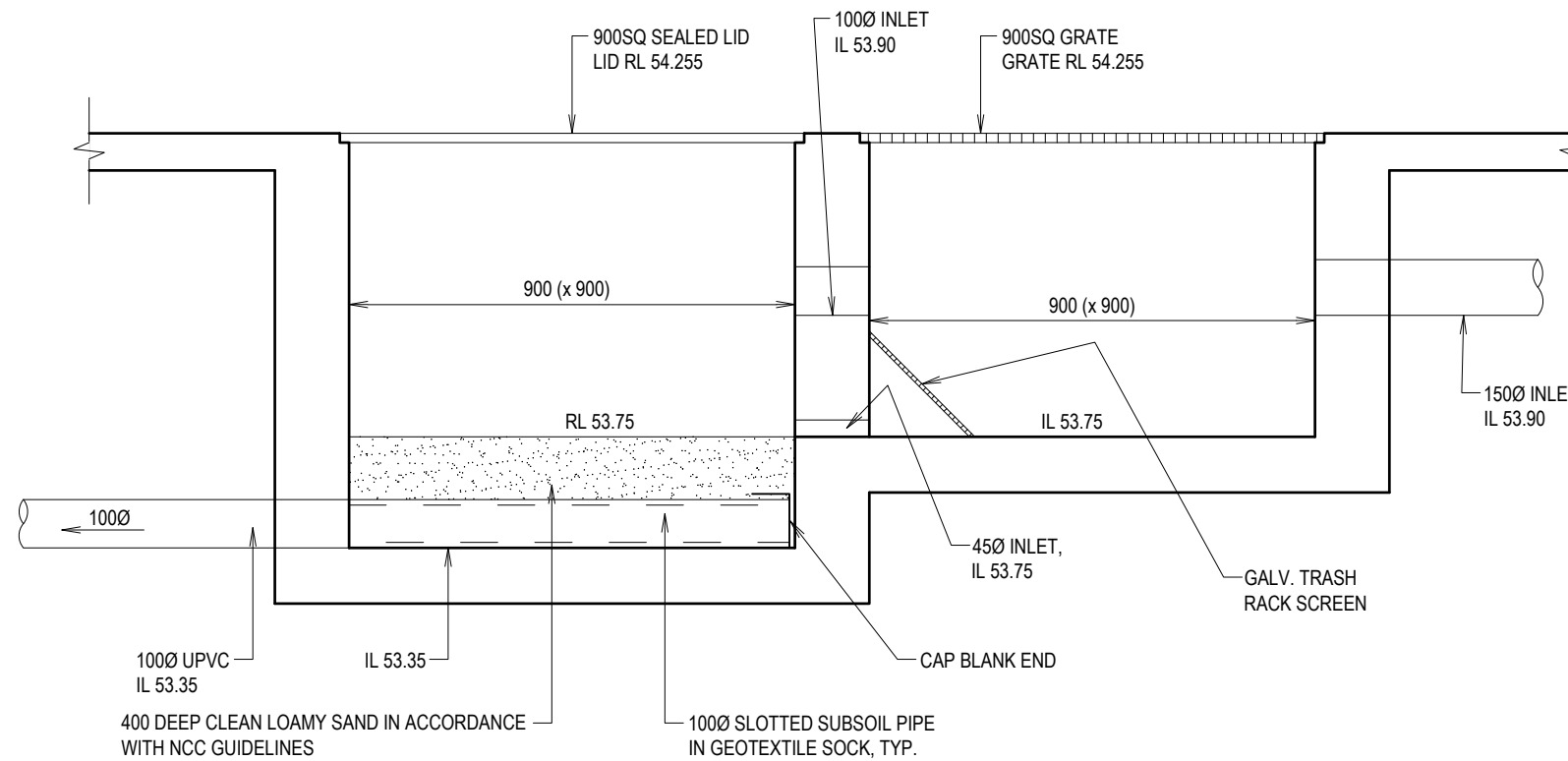
Client	HUGHES		
Project	PROPOSED DEVELOPMENT No. 1 NOBLE STREET NORTH LAMBTON		
Approved by		B.E. MIEAust CPEng	
Drawing No.	220346-SWD - 01 OF 02	Revision	A
Sheet			A3



SCHEMATIC SECTION
NTS




CLEANOUT PIT DETAIL
NTS

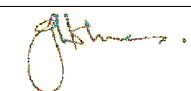


SAND FILTER AND STORAGE CHAMBER SECTION
NTS

Rev.	By	Date	Description	Des'd
A	A.H.	28.06.22	DA ISSUE	A.H.

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Client	HUGHES		
Project	PROPOSED DEVELOPMENT No. 1 NOBLE STREET NORTH LAMBTON		
Approved by		B.E. MIEAust CPEng	
Drawing No.	220346-SWD - 02 OF 02	Revision	A
Sheet			A3



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ITEM-10 **Attachment B:** Draft Schedule of Conditions

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Application No:	DA2022/00247
Land:	Lot 20 DP 1005189
Property Address:	1 Noble Street North Lambton NSW 2299
Proposed Development:	Subdivision - two into two lot Torrens Title subdivision (boundary adjustment) including demolition of existing structures.

SCHEDULE 1

Approved Documentation

1. 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.

Plan No / Supporting Document	Reference / Version	Prepared by	Dated
Demolition Plan	AP01 Rev B	Lewis & Zwart	23/03/22
Concept Subdivision Plan	Ref: 140336	Earth Surveying	14/09/21
Stormwater Management Plan	220346-SWD-01, 02	Forum Engineers	28/06/22

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

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

2. A residential vehicular crossing is to be constructed across the road reserve for access to proposed Lot 1 (battleaxe lot) , in accordance with the following criteria:
 - a) Constructed in accordance with City of Newcastle's A1300 - Driveway Crossings Standard Design Details.
 - b) The driveway crossing, within the road reserve, is to be a maximum of 3.0m wide.
 - c) Letterboxes, landscaping and any other obstructions to visibility are to be kept clear of or limited in height to 1.2m, in the 2.0m by 2.5m splay within the property boundary, each side of the driveway entrance.
 - d) The proposed driveway is to be a minimum of 3.0m clear of the trunk of any tree within the road reserve.
 - e) The proposed driveway is to be a minimum of 750mm clear of the centre of any pole or obstruction within the road reserve and 1.0m clear of any drainage pit.

These works are not approved until consent under Section 138 of the *Roads Act 1993* has been granted by the City of Newcastle. An application under Section 138 must be

lodged and consent obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Subdivision Works Certificate.

3. A residential access driveway and all associated stormwater drainage is to be constructed along the full length of the proposed battle-axe handle, meeting the following requirements:
 - a) Driveway to be constructed with a basecourse of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers,
 - b) All stormwater infrastructure associated with the access handle is to be constructed, extending to a termination pit at the west end of the access driveway as indicated on the Stormwater Management Plan submitted by Forum Engineers, drawing 220346-SWD 01 and 02, Revision A dated 28.06.2022,
 - c) An amendment to the proposed rainwater tank on Forum Engineers drawings is required, increasing the tank size to minimum 2.2kL.

Full details are to be included in documentation for a Subdivision Works Certificate application.

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK AND DURING THE CONSTRUCTION PHASE

4. Toilet facilities are to be available or provided at the work site before works begin and be 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*.
5. Building demolition is to be planned and carried out in accordance with *Australian Standard 2601:2001 - The Demolition of Structures*.
 6. A Hazardous Substances Management Plan is to be prepared by a competent person for the building(s) or parts of the building(s) proposed to be demolished in accordance with *Australian Standard 2601:2001 - The Demolition of Structures*. A copy of the Hazardous Substances Management Plan is to be provided to the Council and to the demolisher prior to commencement of work.
 7. Demolition works are to be undertaken in accordance with *Australian Standard 2601:2001 - The Demolition of Structures* and the following requirements:
 - a) Demolition works are to be conducted in accordance with the submitted Hazardous Substances Management Plan and a copy of the Hazardous Substances Management Plan is to be kept on site for the duration of the proposed development;
 - b) The removal, handling and disposal of any asbestos material is to be undertaken only by an asbestos removal contractor who holds the required class of Asbestos Licence, issued by SafeWork NSW;

- c) A copy of all waste disposal receipts are to be kept on site for the duration of the proposed development and made available to authorised Council's officers upon request;
 - d) Seven working days' notice in writing is to be given to the Council and the owners/occupiers of neighbouring premises prior to the commencement of any demolition work. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number(s) and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor. Notification to owners/occupiers of neighbouring premises is also to include City of Newcastle's contact telephone number (4974 2000) and the SafeWork NSW telephone number (4921 2900); and
 - e) On sites where asbestos materials are to be removed, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent position during asbestos removal works.
8. The demolisher is to ensure that all services (ie water, telecommunications, gas, electricity, sewerage etc), are disconnected in accordance with the relevant authority's requirements prior to demolition.
 9. 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 approval to position the container on the adjacent public road in accordance with the Council's adopted Building Waste Container Policy.

10. All demolition material incapable of being re-used in future redevelopment of the site is to be removed from the site and the site being cleared and levelled.

Note: Where reusable building materials are to be stored on site for use in future building works, such materials are to be neatly stacked at least 150 mm above the ground.

11. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.
12. Waste management is to be implemented in accordance with the approved Waste Management Plan. At a minimum, the following measures are to be implemented during the construction phase:
 - 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 windblown 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*.

13. 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.

14. All excavations and backfilling are to be executed safely and excavations are to be properly guarded and protected to prevent them from being dangerous to life and property.
15. 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 Council reserves, including the road reserve, is not permitted.
16. Any alteration to natural surface levels on the site is to be undertaken in such a manner as to ensure that there is no increase in surface water runoff to adjoining properties or that runoff is impounded on adjoining properties, as a result of the development.
17. Construction/demolition work that generates 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.

18. Council's '*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 Council, for the duration of demolition and construction work.

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

19. Erosion and sediment control measures are to be implemented prior to the commencement of works and maintained during the period of demolition and/or construction in accordance with the requirements of Managing Urban Stormwater: Soils and Construction 4th Edition - Vol. 1 (the 'Blue Book') published by Landcom, 2004. Controls are not to be removed until the site is stable with all bare areas supporting an

established vegetative cover.

20. Where the proposed development involves the destruction or disturbance of any survey monuments, those monuments affected are to be relocated, at no cost to the City of Newcastle, by a Surveyor registered under the *Surveying and Spatial Information Act 2002*.
21. All public trees that are required to be retained are to be protected in accordance with the City of Newcastle *Urban Forest Technical Manual, Part B Public Trees*.

The tree protection fencing is to remain in place and be maintained until all works have been completed, with no waste materials, washouts, equipment or machinery to be stored within the fenced area.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA CERTIFICATE

22. All works within the road reserve required by this consent are to be completed prior to the issue of a Subdivision Certificate.
23. Any redundant existing vehicular crossing is to be removed at no cost to the City of Newcastle. The road reserve and kerb is to be restored to the City of Newcastle's satisfaction. Works are to be completed prior to the issuing of a Subdivision Certificate for the proposed development.
24. The approved demolition is required to be completed prior to the issue of a Subdivision Certificate.
25. The following works shall be satisfactorily completed prior to the issue of a Subdivision Certificate:
 - a) Vehicular access from the kerb line to the usable parts of the proposed battle-axe lot
 - b) All stormwater infrastructure associated with the vehicular access in proposed Lot 1

The above works shall be carried out under a Subdivision Works Certificate.

26. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a condition that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to City of Newcastle's satisfaction prior to the completion of demolition work or prior to the issue of any Occupation Certificate in respect of development involving building work.
27. An application is to be made for a Subdivision Certificate. The application is to be supported by a digital copy (pdf format) of the survey plan of subdivision, associated administration sheets and a Section 50 Certificate from the Hunter Water Corporation.
28. An instrument under Section 88B of the *Conveyancing Act 1919*, setting out the terms of easements as required by this consent, along with related notations on the plan of subdivision, are to be submitted to the City of Newcastle for certification. The City of Newcastle is to be identified as a party whose consent is required to release, vary or modify easements.

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

29. The premises are allocated the following street addresses in accordance with City of Newcastle's *House Numbering Policy* and the *Surveying and Spatial Regulation*.

SCHEDULE – SUFFIX				
Unit/ Dwelling/ Lot Number on plan	Council Allocated Street Addresses			
	House Number	Street Name	Street Type	Suburb
Lot 1	1A	Noble	Street	New Lambton
Lot 2	1	Noble	Street	New Lambton

ADVISORY MATTERS

- Prior to commencing any subdivision works, the following provisions of Division 6.2 of the *Environmental Planning and Assessment Act 1979* (the Act) are to be complied with:
 - a) A Subdivision Works Certificate is to be obtained; and
 - b) Newcastle City Council is to be appointed as the Principal Certifier for the subdivision works (consistent with Section 6.5(3) of the Act); and
 - c) Newcastle City Council is to be given at least two days' notice of the date intended for commencement of subdivision works.
- 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 the City of Newcastle and any other relevant authorities. City of Newcastle and other service authorities should be contacted for specific requirements prior to the commencement of any works.
- 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.
- 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.

END OF CONDITIONS

SCHEDULE 2

REASONS FOR THE DETERMINATION & CONSIDERATION OF COMMUNITY VIEWS

The determination decision was reached for the following reasons:

- 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 written request to vary a development standard under Clause 4.6 of the NLEP 2012 has been assessed and is considered to be well founded and demonstrates that the proposal is compatible with the objectives of the R2 Zone and Clause 4.1 (Minimum Lot Size) of the NLEP 2012. Accordingly, the 16.3% variation to the Minimum Lot Size standard is acceptable in the circumstances of this case
- 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.

REASONS WHY THE CONDITIONS HAVE BEEN IMPOSED

The following conditions are applied to:

- Confirm and clarify the terms of Council's determination;
- Identify modifications and additional requirements that will result in improved compliance, development and environmental outcomes;
- Prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- Set standards and measures for acceptable environmental performance; and
- Provide for the ongoing management of the development.



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ITEM-10 **Attachment C:** Processing Chronology

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PROCESSING CHRONOLOGY

DA2022/00247 – 1 Noble Street North Lambton

18 March 2022	-	Application lodged
23 March to 7 April 2022	-	Application notified in accordance with CN's Public Participation Policy
5 May 2022		Additional information requested
1 July 2022	-	Additional Information received from applicant
23 August 2022	-	Development Applications Committee meeting