DAC 18/08/2020 – DA2020/00123 – 15 CLYDE STREET STOCKTON – DWELLING HOUSE ALTERATIONS AND ADDITIONS INCLUDING DEMOLITION OF OUTBUILDING

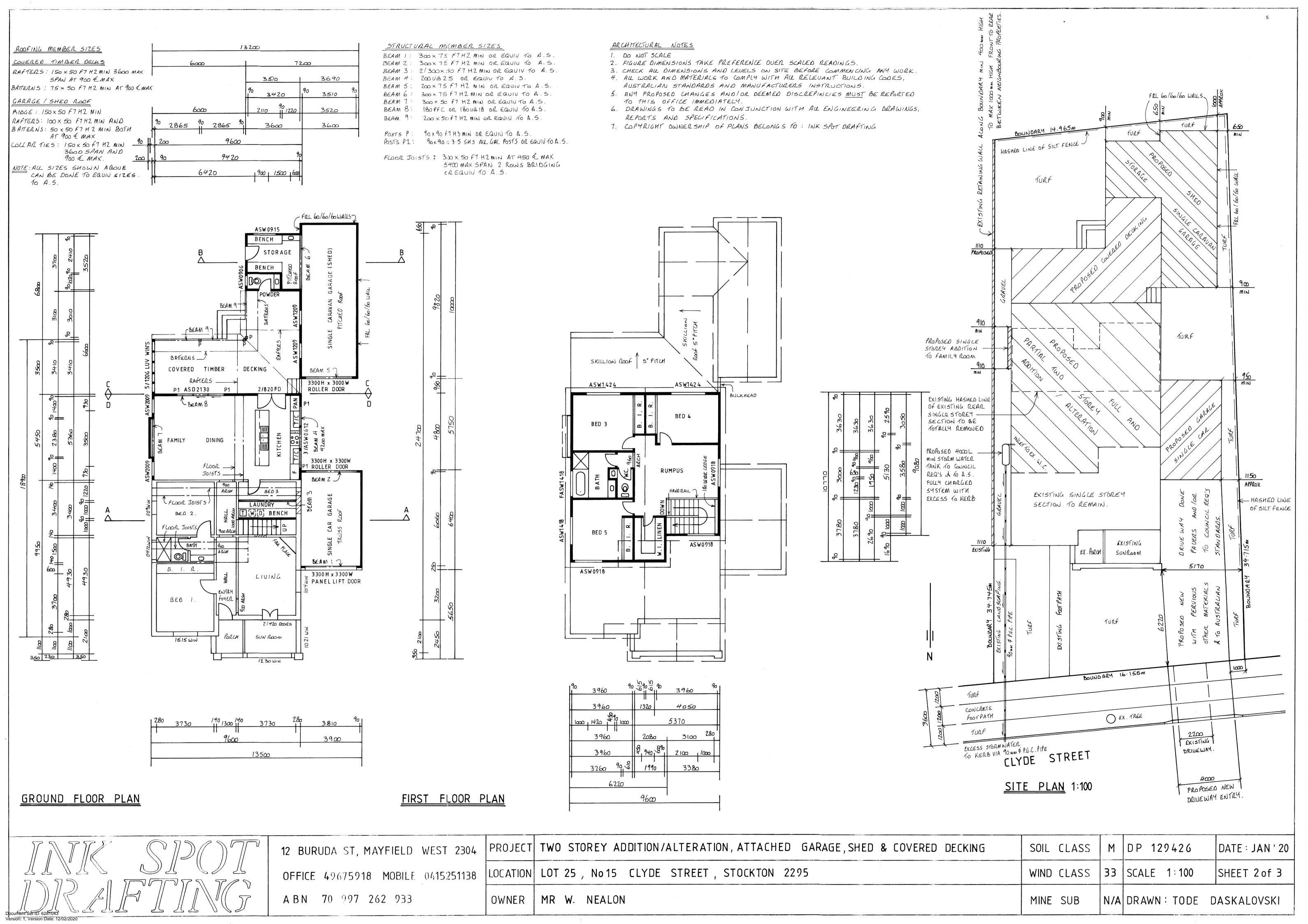
PAGE 3 ITEM-27 Attachment A: Submitted Plans

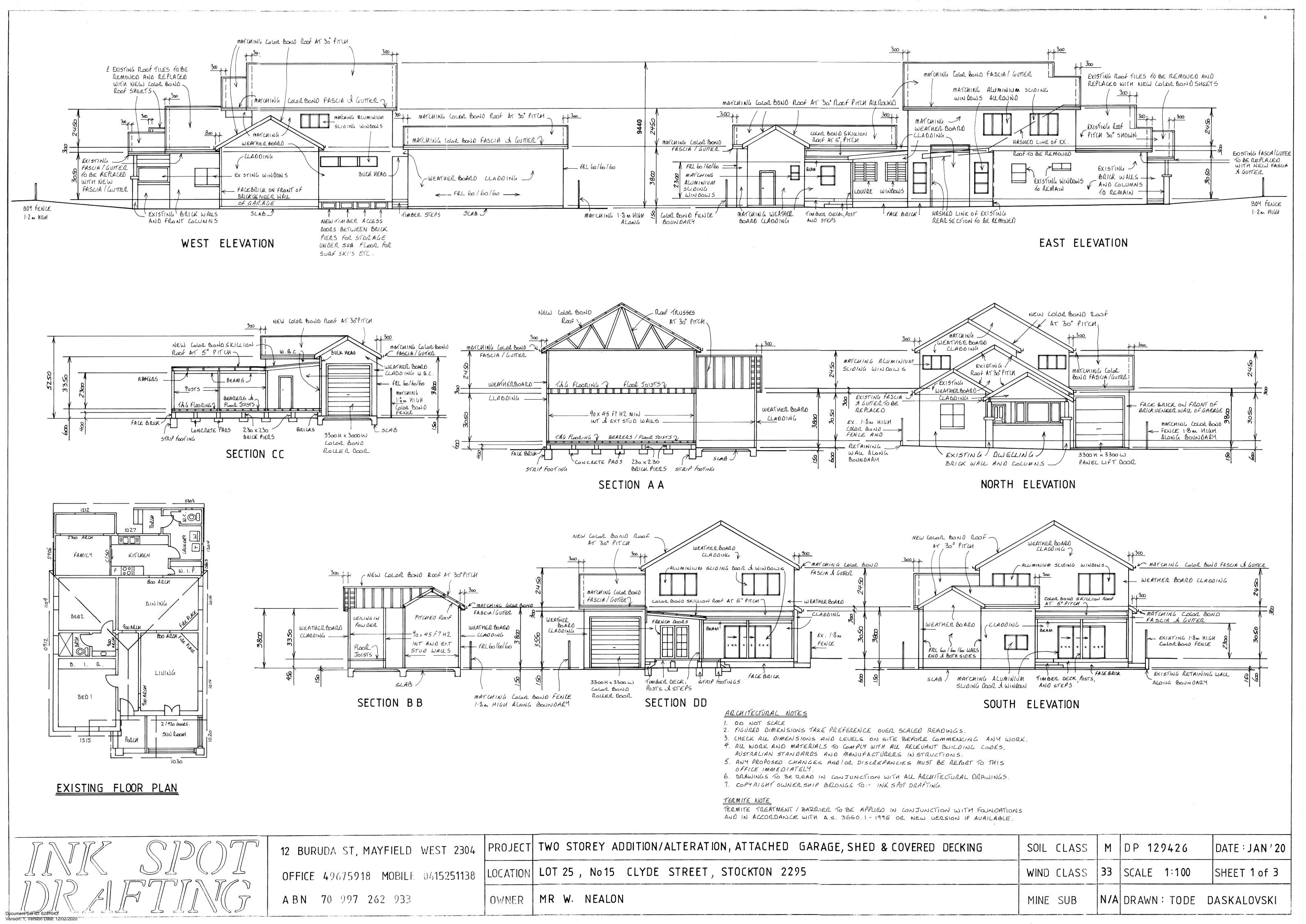
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ITEM-27 Attachment A: Submitted Plans





11 June, 2020

Our Ref: 36899/17727

Wayne Nealon 15 Clyde Street STOCKTON NSW 2295 wayne.nealon@jhg.com.au

Surveying & Land Development Consultants

Level 1 | 19 Stockton Street | Nelson Bay NSW 2315 PO Box 378 | Nelson Bay NSW 2315

Phone: 02 4984 2606

Email: admin@northpointsurveys.com.au

ABN: 52 041 968 075



RE: REPORT ON SURFACE & BUILDING HEIGHTS LOT 25 DP 129426, NO. 15 CLYDE STREET, STOCKTON

A Topographical Survey of the site locating existing site features, surface levels, services and the existing structures was carried out on 2 June, 2020 (copy attached)

Based on this Survey and the building plans, prepared by Ink Spot Drafting dated January 2020, we have calculated the proposed building levels to the Australian Height Datum (AHD).

The existing floor level was located by survey and found to be at Reduced Level (RL) 5.39 AHD. Based on this floor level then using the floor to ceiling & floor thickness shown in the building plans, we calculate the various levels of the two-storey part of the building to be as follows:

Ground Floor Level = RL 5.39 (by survey)

First Floor = RL 8.75 (5.39 + 3.05 + 0.3)

Top Plate = **RL 11.19** (8.74 + 2.45)

The height of the Roof Ridge may vary depending on construction methods and materials used. Allowing for 0.2m thickness for the roof truss, battens, sarking, Colorbond and ridge cap and with the 30° roof pitch proposed over the 9.6 metre span, we estimate the roof ridge to be:

Roof Ridge = **RL 14.16** $((^{9.6}/_2 \times \tan 30) + 0.2 + 11.19)$

The surface level located by srvey below the roof ridge is RL 4.93 to the North & RL 4.72 to the South.

The maximum ridge height is, therefore 9.44 **metres** (14.16 – 4.72).

Therefore, the variation from the allowable 8.5 metres is **11.05** % ($(^{9.44}/_{8.5}x100)$ -100)

The overall roof height could be reduced by varying construction methods and/or materials. For example a smaller floor width between the upper and lower floors or a shallower roof pitch would decrease the overall height of the building.

Should you require any additional information or clarification, please contact the undersigned at your earliest convenience.

Yours faithfully

North Point Surveys (NSW) Pty Ltd

Andrew Daly (Director) Surveyor Registered Under

The Surveying and Spatial Information Act 2002

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(NSW) P/L FOR THE PROJECT FOR WHICH IT WAS

CONTOURS DRAWING TITLE DATUM SCALE TOPOGRAPHICAL & BOUNDARY SURVEY AHD 0.5m 1: 100 (A2) SURVEYOR/ASSISTANT PROPERTY DETAILS SURVEY DATE 02/06/2020 TD / N/A LOT 25 DP 129426 PLOT DATE DRAWN/CHKD BY No.15 CLYDE STREET, STOCKTON CO / AED 09/06/2020 FILENAME 36899 TS.dwg **NEALON**

NP NORTH POINT SURVEYS (NSW) PTY LTD. ATF NORTH POINT SURVEYS TRUST ABN 52 041 968 075

Email: admin@northpointsurveys.com.au

SURVEYING AND LAND DEVELOPMENT CONSULTANTS
Level 1 | 19 Stockton Street | Nelson Bay NSW 2315
PO Box 378 | Nelson Bay NSW 2315
Phone: 02 4984 2606

36899 TS

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PROVIDED.

DAC 18/08/2020 – DA2020/00123 – 15 CLYDE STREET STOCKTON – DWELLING HOUSE ALTERATIONS AND ADDITIONS INCLUDING DEMOLITION OF OUTBUILDING

ITEM-27 Attachment B: Draft Schedule of Conditions

DRAFT SCHEDULE OF CONDITIONS



Application No: DA2020/00123

Land: Lot 25 DP 129426

Property Address: 15 Clyde Street Stockton NSW 2295

Proposed Development: Dwelling house - alterations and additions including

demolition of outbuilding

SCHEDULE 1

APPROVED 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.

Plan No / Supporting Document	Reference / Version	Prepared by	Dated
Site & Floor Plans	Sheet 1 of 3	Ink Spot Drafting	Jan 2020
Elevations & Sections	Sheet 2 of 3	Ink Spot Drafting	Jan 2020
Survey Report	36899/17727	North Point Surveys	11/6/2020
Topographical & Boundary Survey	36899 TS 1 of 1	North Point Surveys	9/6/2020
BASIX Certificate	A369269	Newcastle Bushfire Consulting	4/2/2020

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 CONSTRUCTION CERTIFICATE

2. Roof water from the proposed new work is to be directed to the proposed water tank (minimum capacity 4,000 litres) and being reticulated to any new toilet cisterns and cold water washing machine taps, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch any new toilet cisterns and laundry taps to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be designed in accordance with the Plumbing Code of Australia (National Construction Code Volume 3). Full details are to be included in documentation for a Construction Certificate application.

3. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to Council's drainage system by means of an underground pipe directly to the street gutter. Full details are to be included in documentation for a Construction Certificate application.

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

- 4. A rigid and durable sign is to be erected 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 for any building work and also including 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.

5. 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.
- 6. Building demolition is to be planned and carried out in accordance with *Australian Standard 2601:2001 The Demolition of Structures*.
- 7. 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 City of Newcastle and to the demolisher prior to commencement of work.
- 8. 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;

- 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 City of Newcastle officers upon request;
- d) Seven working days' notice in writing is to be given to the City of Newcastle 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.
- 9. Any waste containers used in association with the proposed demolition are to be located on the site where possible. Where this is not feasible, an application is to be made for the City of Newcastle's approval to position the container on the adjacent public road in accordance with City of Newcastle's adopted Building Waste Container Policy.
- 10. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.
- 11. The following waste management measures are to be implemented during construction:
 - a) waste container of at least one cubic metre capacity shall 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) appropriate 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* (NSW)

- 12. A Registered Surveyor's certificate detailing the setting out of the proposed building on the site, including the relationship of the set-out building to property boundaries, is to be submitted to the Principal Certifying Authority before construction is commenced.
- 13. Certification is to be prepared by a Registered Surveyor and submitted to the Principal Certifier at the stages of construction indicated:

- a) On completion of the First-floor level, confirming that the floor level is in accordance with the approved level (8.75m Australian Height Datum AHD).
- b) When the roof has been completed, confirming that the building does not exceed the approved level (14.16m AHD).
- 14. 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 City of Newcastle reserves, including the road reserve, is not permitted.
- 15. 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.
- 16. 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.

17. City of Newcastle'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 the City of Newcastle, 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.

- 18. 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.
- 19. All building work is to be carried out in accordance with the provisions of the National Construction Code.
- 20. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force, such a contract of insurance is to be in force before any building work authorised to be carried out by this consent commences.
- 21. All roof and surface waters are to be managed in accordance with Element 7.06 'Stormwater' of Newcastle Development Control Plan 2012.
- 22. A residential vehicular crossing is to be constructed across the road reserve, in accordance with the following criteria:
 - a) Constructed in accordance with Council's A1300 Driveway Crossings Standard Design Details.
 - b) The driveway crossing, within the road reserve, shall be a maximum of 4 metres wide.

- c) Letterboxes, landscaping and any other obstructions to visibility should be kept clear of or limited in height to 1.2 metre, in the 2 metre by 2.5 metre splay within the property boundary each side of the driveway entrance.
- d) The proposed driveway shall be a minimum of 3 metres clear of the trunk of any tree within the public reserve.
- e) The proposed driveway shall be a minimum of 750mm clear of the centre of any pole or obstruction within the public reserve and 1 metre clear of any drainage pit.

These works are not approved until consent under Section 138 of the Roads Act 1993 (NSW) has been granted by Council. An application under Section 138 is to be applied for and approved before the commencement of any construction works on the site the subject of this development application.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

- 23. All commitments listed in the relevant BASIX certificate for the development are to be satisfactorily completed prior to the issue of an Occupation Certificate. Should there be any changes to the specifications of the dwelling that have implications for compliance with the approved certificate, except where restricted or excluded by any other condition of consent, an amended BASIX Certificate can be relied upon as having complied with this condition. A copy of any amended BASIX Certificate is to be provided to Council within fourteen days of receipt.
- 24. 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.
- 25. All works within the road reserve required by this consent are to be completed prior to the issue of an Occupation Certificate.
- 26. Prior to the issue of an Occupation Certificate, smoke alarms shall be installed in the existing dwelling, in accordance with the provisions of the National Construction Code.

ADVISORY MATTERS

- 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 (ie '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 (ie 'on-the-spot fine') or prosecution.

- Prior to commencing any building works, the following provisions of Part 6 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 the City of Newcastle is to be notified of the appointment; and
 - c) The City of Newcastle 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 a building, an Occupation Certificate is to be obtained
 from the Principal Certifier appointed for the proposed development. An application for
 an Occupation Certificate is to contain the information set out in Clause 149 of the
 Environmental Planning and Assessment Regulation 2000.

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 proposed development is, subject to the recommended conditions, consistent with the objectives of the Newcastle Development Control Plan 2012 (NDCP).
- Council has considered and accepted the variation to the building height development standard under Clause 4.6 of the Newcastle Local Environmental Plan 2012. The proposed variation is considered acceptable in the particular circumstances of this case as the variation will not significantly impact the neighbouring properties in terms of bulk, scale, privacy, overshadowing and view loss.
- 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.

DAC 18/08/2020 – DA2020/00123 – 15 CLYDE STREET STOCKTON – DWELLING HOUSE ALTERATIONS AND ADDITIONS INCLUDING DEMOLITION OF OUTBUILDING

ITEM-27 Attachment C: Processing Chronology

THE CITY OF NEWCASTLE Report to Development Applications Committee Meeting on 18 August 2020



PROCESSING CHRONOLOGY

DA2020/00123 - 15 CLYDE STREET STOCKTON

12 February 2020 Application lodged

6 March 2020 Public notification of application (14 days)

7 May 2020 Further information requested – survey levels

to confirm exceedance of height limit

15 June 2020 Further information received from applicant

justifying the variation to the FSR and survey report confirming existing and proposed

levels