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**DAC 17/05/22 - 32-38 GEORGETOWN ROAD GEORGETOWN & 2  
TURNER STREET GEORGETOWN - MA2021/00497 - SECTION 4.55  
(2) MODIFICATION TO DA2015/0546 – FOUR STOREY MIXED USE  
DEVELOPMENT – CHANGE OF USE FROM RESIDENTIAL FLAT  
BUILDING TO SENIORS LIVING 'IN-FILL SELF-CARE HOUSING'.**

<b>PAGE 3</b>	<b>ITEM-8</b>	<b>Attachment A:</b>	Submitted Plans
<b>PAGE 23</b>	<b>ITEM-8</b>	<b>Attachment B:</b>	Draft Schedule of Conditions
<b>PAGE 38</b>	<b>ITEM-8</b>	<b>Attachment C:</b>	Processing Chronology

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DEVELOPMENT – CHANGE OF USE FROM RESIDENTIAL FLAT  
BUILDING TO SENIORS LIVING 'IN-FILL SELF-CARE HOUSING'.**

**ITEM-8**      **Attachment A:**      Submitted Plans

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# DEVELOPMENT APPLICATION

S4.55 MODIFICATION  
DA 0546/2015



# SENIORS LIVING

32-36 GEORGETOWN RD, 2 TURNER ST GEORGETOWN  
DEC 2021

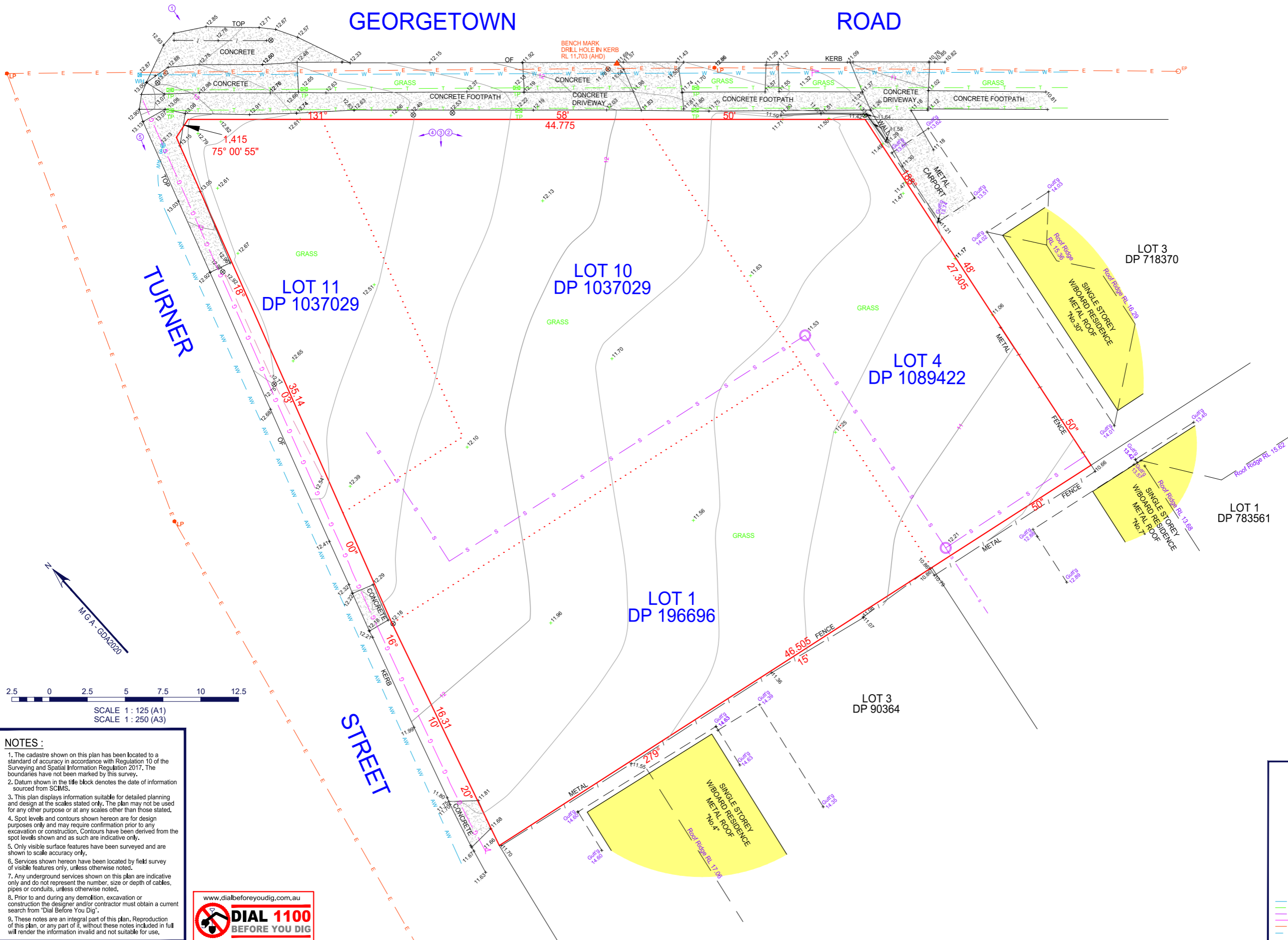
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O'CONNELL ARCHITECTURE  
& DESIGN



# GEORGETOWN ROAD



Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5

**NOTES:**

- The cadastre shown on this plan has been located to a standard of accuracy in accordance with Regulation 10 of the Surveying and Spatial Information Regulation 2017. The boundaries have not been marked by this survey.
- Datum shown in the title block denotes the date of information sourced from SCIMS.
- This plan displays information suitable for detailed planning and design at the scales stated only. The plan may not be used for any other purpose or at any scales other than those stated.
- Spot levels and contours shown hereon are for design purposes only and may require confirmation prior to any excavation or construction. Contours have been derived from the spot levels shown and as such are indicative only.
- Only visible surface features have been surveyed and are shown to scale accuracy only.
- Services shown hereon have been located by field survey of visible features only, unless otherwise noted.
- Any underground services shown on this plan are indicative only and do not represent the number, size or depth of cables, pipes or conduits, unless otherwise noted.
- Prior to and during any demolition, excavation or construction the designer and/or contractor must obtain a current search from 'Dial Before You Dig'.
- These notes are an integral part of this plan. Reproduction of this plan, or any part of it, without these notes included in full will render the information invalid and not suitable for use.



LEGEND	
	CONTOUR
	FENCING
	SEWER MANHOLE
	TOP OF BANK
	POLE POWER
	GUIDE POST
	POLE LIGHT
	PHOTO LOCATION & DIRECTION
	WATER METER
	TELEPHONE
	SINGLE CONCRETE PIT
	STOP VALVE
	WATER HYDRANT
	SIGN POST
	INTERNAL BOUNDARY

**UNDERGROUND SERVICES**  
 NOT LOCATED BY SURVEY - APPROXIMATE LOCATION ONLY  
 SOURCE - DIAL BEFORE YOU DIG

- W - APPROXIMATE WATER MAIN LOCATION
- T - APPROXIMATE LOCATION OF UNDERGROUND NBN / TELSTRA CABLES
- S - APPROXIMATE SEWER MAIN LOCATION
- G - APPROXIMATE GAS MAIN LOCATION
- E - APPROXIMATE ELECTRICITY OVERHEAD POWER
- AW - APPROXIMATE ABANDONED WATER LOCATION

TITLE:	PLAN SHOWING DETAIL AND LEVELS OVER LOT 4 IN DP1089422, LOT 10 & 11 IN DP1037029 & LOT 1 IN DP196696
LOCATION:	No. 32-36 GEORGETOWN ROAD GEORGETOWN
CLIENT:	OAK TREE RETIRMENT VILLAGES



• LAND & PROPERTY SURVEYS  
 • PROJECT MANAGEMENT  
 • LAND DEVELOPMENT  
 • 3D LASER SCANNING  
 • ENGINEERING & INFRASTRUCTURE SURVEYS  
 • STRATA & COMMUNITY TITLE SURVEYS  
 • VOLUMETRIC SURVEYS & MODELLING  
 • DRONE SURVEYS & IMAGERY

51 GEORGETOWN RD, GEORGETOWN NSW 2298 T 02 4960 1111 W www.psurveys.com.au  
 PO BOX 1273, NEWCASTLE NSW 2300 E enquiry@psurveys.com.au

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Revision	Amendment	Date
A	INITIAL ISSUE	06/08/2021
B		
C		
D		
E		

SCALE	A1 - 1:125 A3 - 1:250	ORIGINAL SIZE	A1	HORIZ DATUM	MGA E 381330.962 N 6358056.047	SOURCE	SCIMS 28/07/21	JOB / REF NO.	22032
DO NOT SCALE				VERT DATUM	AHD RL 10.383	SOURCE	SCIMS 28/07/21	SHEET NO.	1 OF 1
SURVEYOR: LT DRAWN: RL				CONTOUR INTERVAL:	0.25	DATE:		06/08/2021	
SHANNON WILSON REGISTERED SURVEYOR				CAD REF:	22032_DET_A.dwg	REVISION:		A	



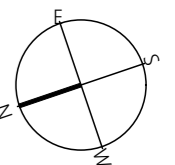
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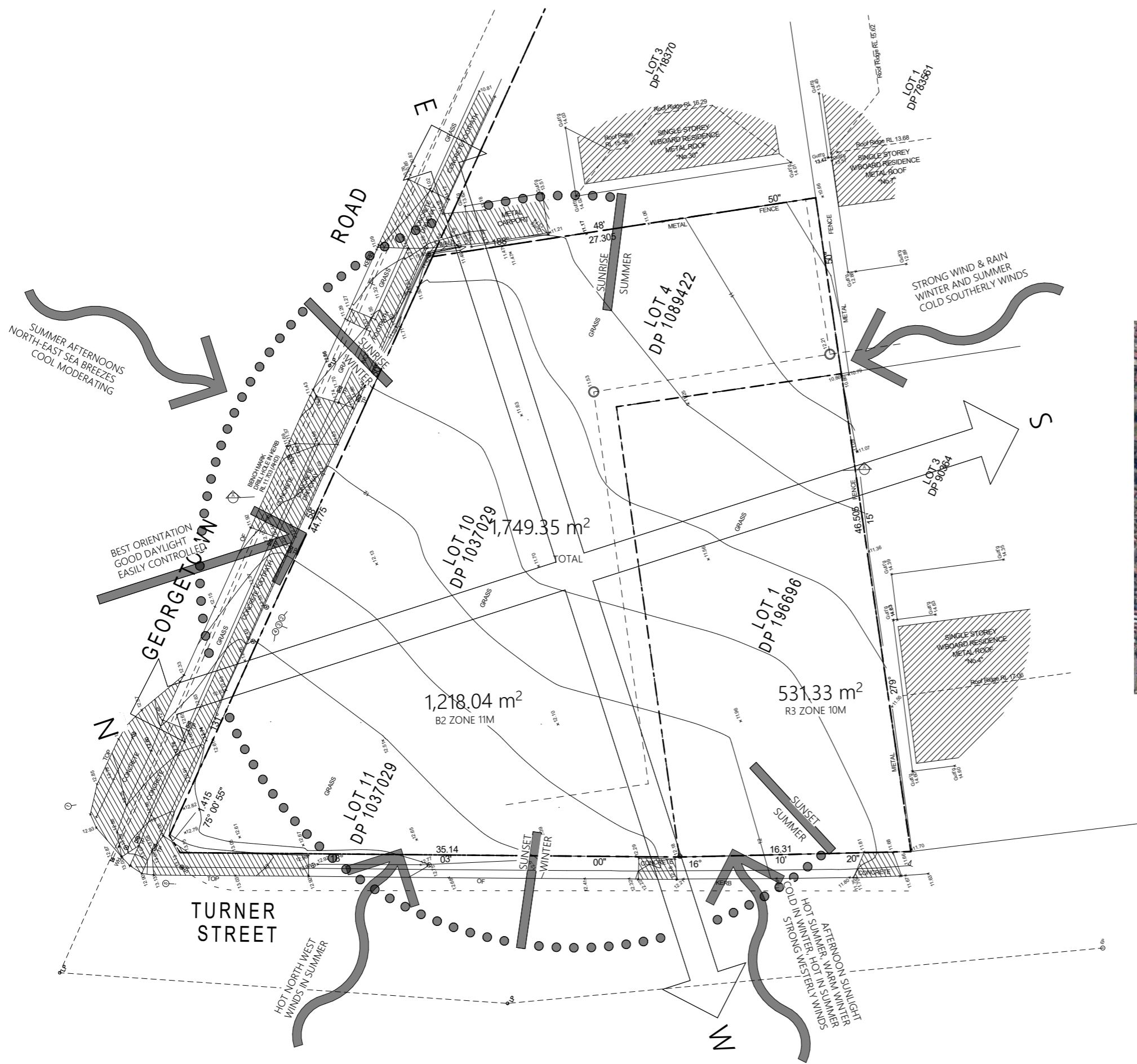
AERIAL PHOTO  
 (SIX MAPS) 1:500

PROJECT: SENIORS LIVING  
 LOCATION: 32-36 GEORGETOWN RD  
 2 TURNER STREET,  
 GEORGETOWN  
 CLIENT: OAKTREE  
 PROJECT No: 2081B

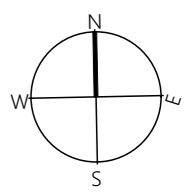
DRAWING: 03 AERIAL PHOTO  
 SCALE: @ A3  
 DATE: 5-4-22  
 ISSUE: B



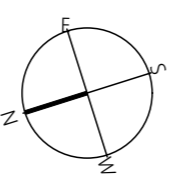
SITE AREA: 1749.2M2  
 ALLOWABLE FSR: 0.9:1, 1.5:1  
 ALLOWABLE GFA- APPROX 2305.26M2  
 ALLOWABLE HEIGHT- 10M, 11M  
 ZONE B2, R3



CONTEXT PHOTO NTS



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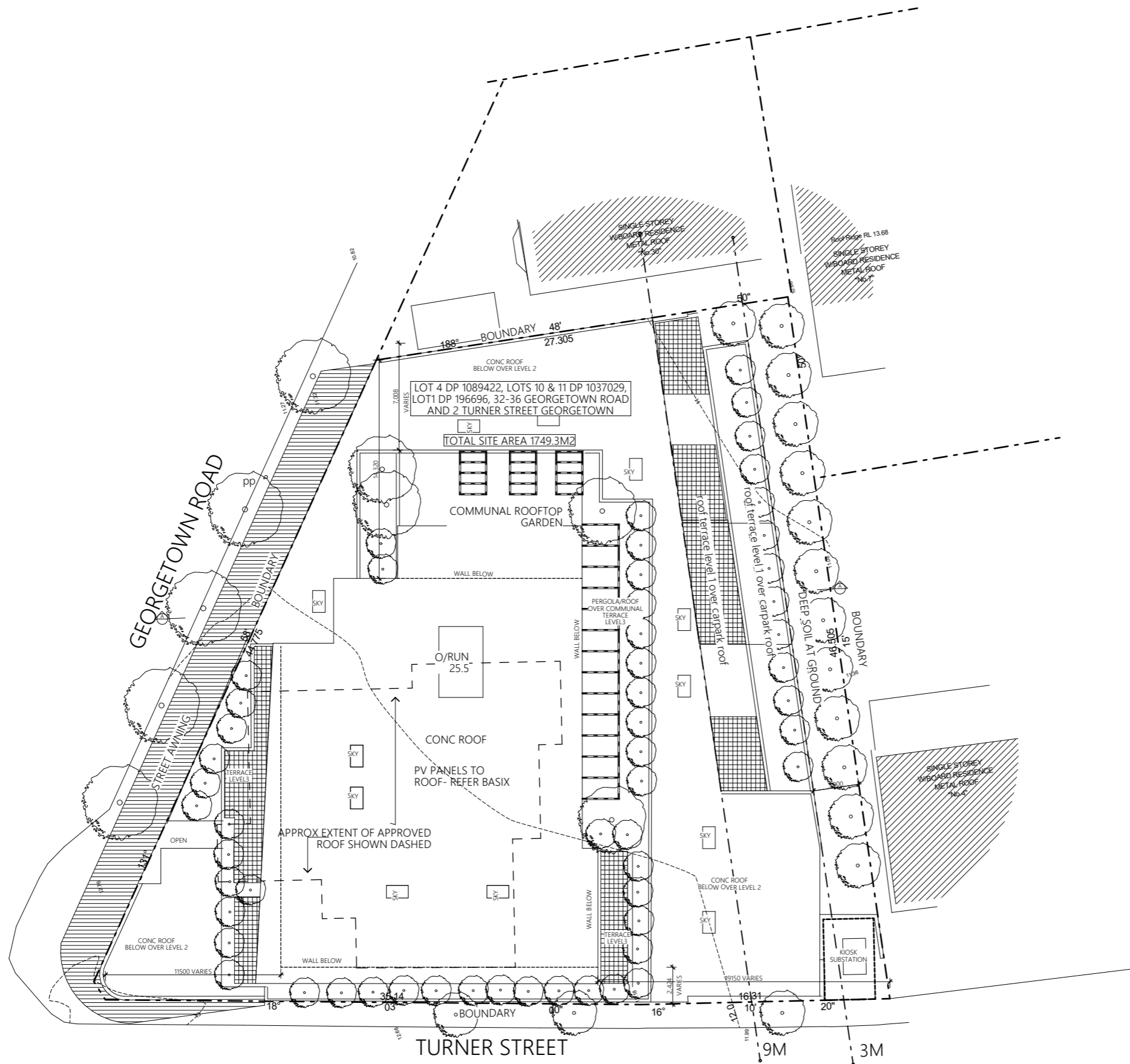


SITE ANALYSIS PLAN 1:300

PROJECT: SENIORS LIVING  
 LOCATION: 32-36 GEORGETOWN RD  
 2 TURNER STREET,  
 GEORGETOWN  
 CLIENT: OAKTREE  
 PROJECT No: 2081B

DRAWING: 04 SITE ANALYSIS  
 SCALE: @ A3  
 DATE: 5-4-22  
 ISSUE: B





DA APPROVED:

22 UNITS

2 x 3b

18 x 2b

2 x 1b

44 beds

315M2 cafe & shops

35 CARS

(4 COMMERCIAL, 2 cafe)

FSR: approx 1.48:1 refer planning report

PROPOSED

22 units

4 X 1B

15 X 2B

3 X 3B

43 beds

43 beds= 21.5 cars req (sepp)

CAFE req 2 cars (as APPROVED)

plus 49m2 shop @ 1 per 40 = 2

gfa approx 2739m2

SITE: 1749.3M2

FSR approx 1.56:1

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SITE AND ROOF PLAN 1:300

PROJECT: SENIORS LIVING

LOCATION: 32-36 GEORGETOWN RD  
2 TURNER STREET,  
GEORGETOWN

CLIENT: OAKTREE

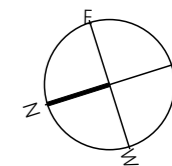
PROJECT No: 2081B

DRAWING: 05 SITE ROOF PLAN

SCALE: @ A3

DATE: 5-4-22

ISSUE: B





SHOP 49M2  
 CAFE 69M2  
 LOUNGE/COMMON: 118M2  
 TOTAL GFA 236M2

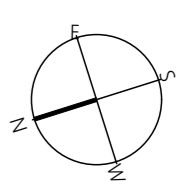
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GROUND 1:200

PROJECT: SENIORS LIVING  
 LOCATION: 32-36 GEORGETOWN RD  
 2 TURNER STREET,  
 GEORGETOWN  
 CLIENT: OAKTREE  
 PROJECT No: 2081B

DRAWING: 06 GROUND FLOOR  
 SCALE: @ A3  
 DATE: 5-4-22  
 ISSUE: B



# LEVEL 1

UNIT#	BEDS	M2 INT	M2 EXT	XVENT	3HRSUN
101	1	74	18.1	N	Y
102	2	96.4	22.2	N	Y
103	3	130.6	41.4	N	N
104	1+	82.3	24.5	N	N
105	2+	109	45.7	Y	N
106	2	107	19.3	Y	Y
107	2	93.2	14.5	N	Y
108	2	93.2	14.5	N	Y
109	2	93.2	32.7	Y	Y
110	2	104.8	33.3	Y	Y

NOTE: EXTERNAL AREAS EXCL PLANTER BEDS

GFA: 1100M2



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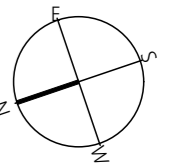


OAK TREE  
 RETIREMENT VILLAGES

LEVEL 1 1:200

PROJECT: SENIORS LIVING  
 LOCATION: 32-36 GEORGETOWN RD  
 2 TURNER STREET,  
 GEORGETOWN  
 CLIENT: OAKTREE  
 PROJECT No: 2081B

DRAWING: 07 LEVEL 1  
 SCALE: @ A3  
 DATE: 5-4-22  
 ISSUE: B DRAFT



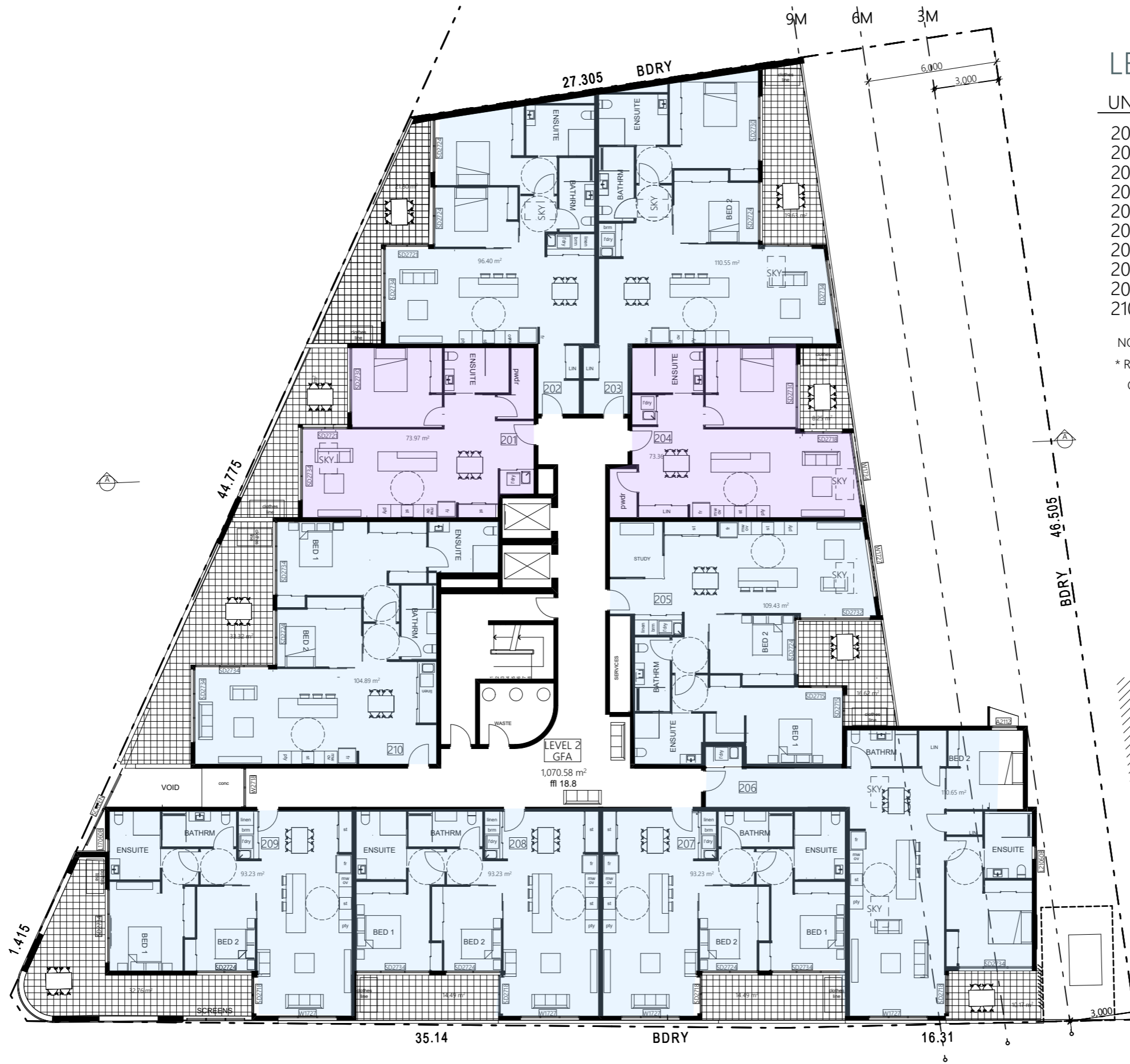
# LEVEL 2

UNIT#	BEDS	M2 INT	M2 EXT	XVENT	3HRSUN
201	1	74	18.1	Y*	Y
202	2	96.4	22.2	Y*	Y
203	2	110.5	19.6	Y*	Y*
204	1	73.3	8.25	Y*	Y*
205	2+	109	17.1	Y	Y*
206	2	107	19.3	Y	Y
207	2	93.2	14.5	N	Y
208	2	93.2	14.5	N	Y
209	2	93.2	32.7	Y	Y
210	2	104.8	33.3	Y	Y

NOTE: EXTERNAL AREAS EXCL PLANTER BEDS

\* REFERS TO VENTILATED ROOF WINDOW SOLUTION

GFA: 1070.5M2



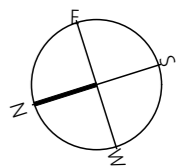
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LEVEL 2 1:200

PROJECT: SENIORS LIVING  
 LOCATION: 32-36 GEORGETOWN RD  
 2 TURNER STREET,  
 GEORGETOWN  
 CLIENT: OAKTREE  
 PROJECT No: 2081B

DRAWING: 08 LEVEL 2  
 SCALE: @ A3  
 DATE: 5-4-22  
 ISSUE: B



# LEVEL 3

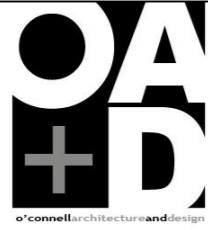
UNIT#	BEDS	M2 INT	M2 EXT	XVENT	3HR SUN
301	3	132	54.8	Y	Y
302	3	128	39.9	Y	Y
COM		99	222.8	Y	Y

NOTE: PRIVATE EXTERNAL AREAS  
EXCL PLANTER BEDS, COMMON EXTERNAL  
INCLUDES GARDEN BEDS

GFA: 333.2M2  
(EXCLUDES INDOOR/OUTDOOR ROOM, INCLUDES GYM)



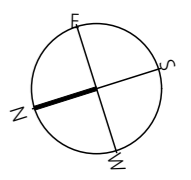
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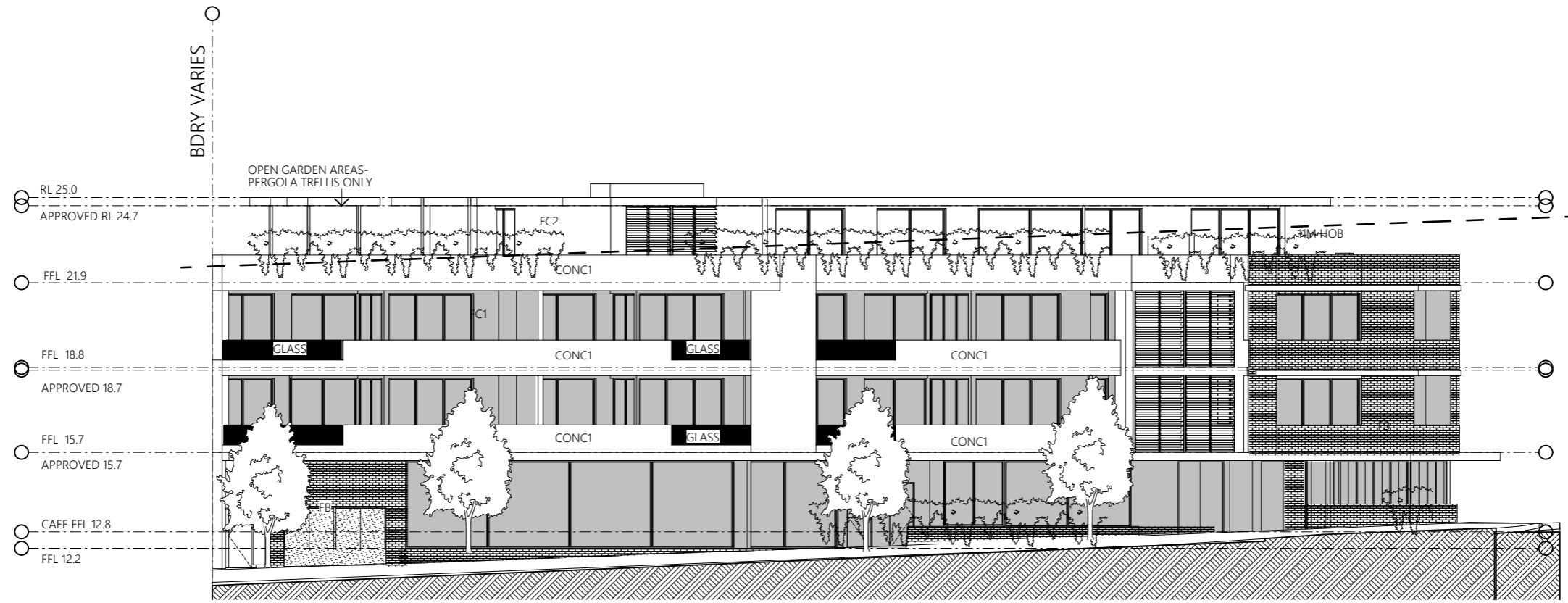


## LEVEL 3, ROOFTOP TERRACE 1:200

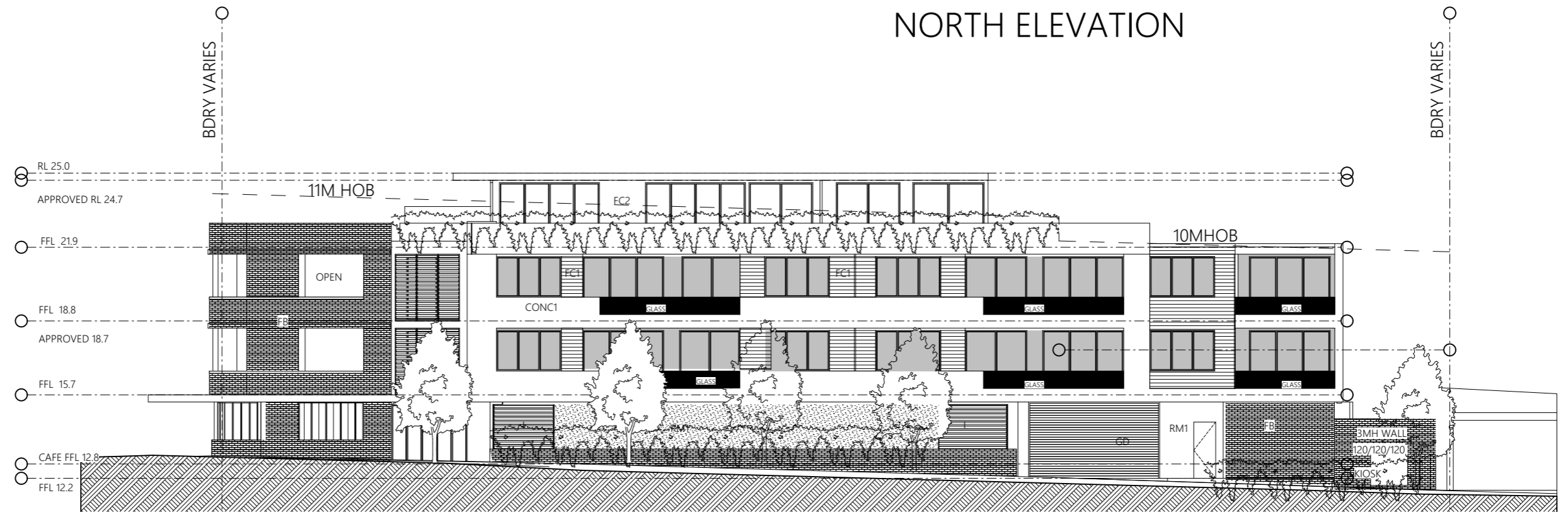
PROJECT: SENIORS LIVING  
LOCATION: 32-36 GEORGETOWN RD  
2 TURNER STREET,  
GEORGETOWN  
CLIENT: OAKTREE  
PROJECT No: 2081B

DRAWING: 09 LEVEL 3/ ROOF  
SCALE: @ A3  
DATE: 5-4-22  
ISSUE: B





NORTH ELEVATION



WEST ELEVATION

ELEVATIONS 1:200 @A3

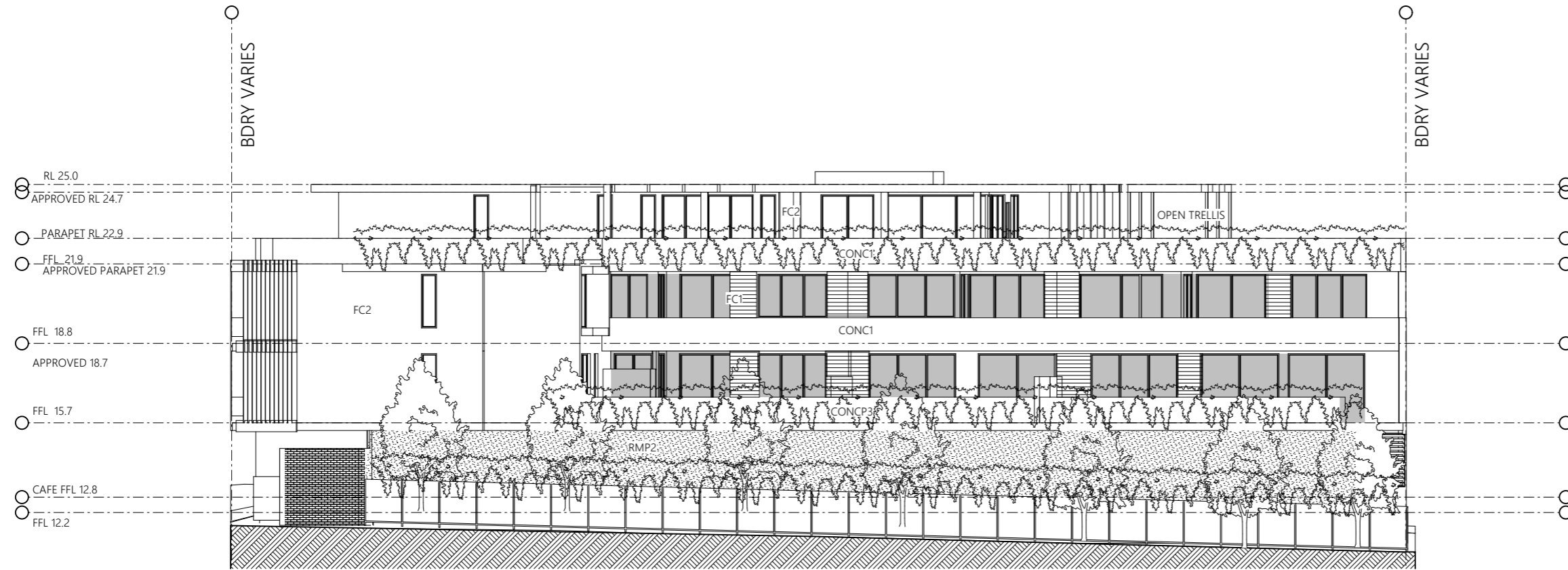
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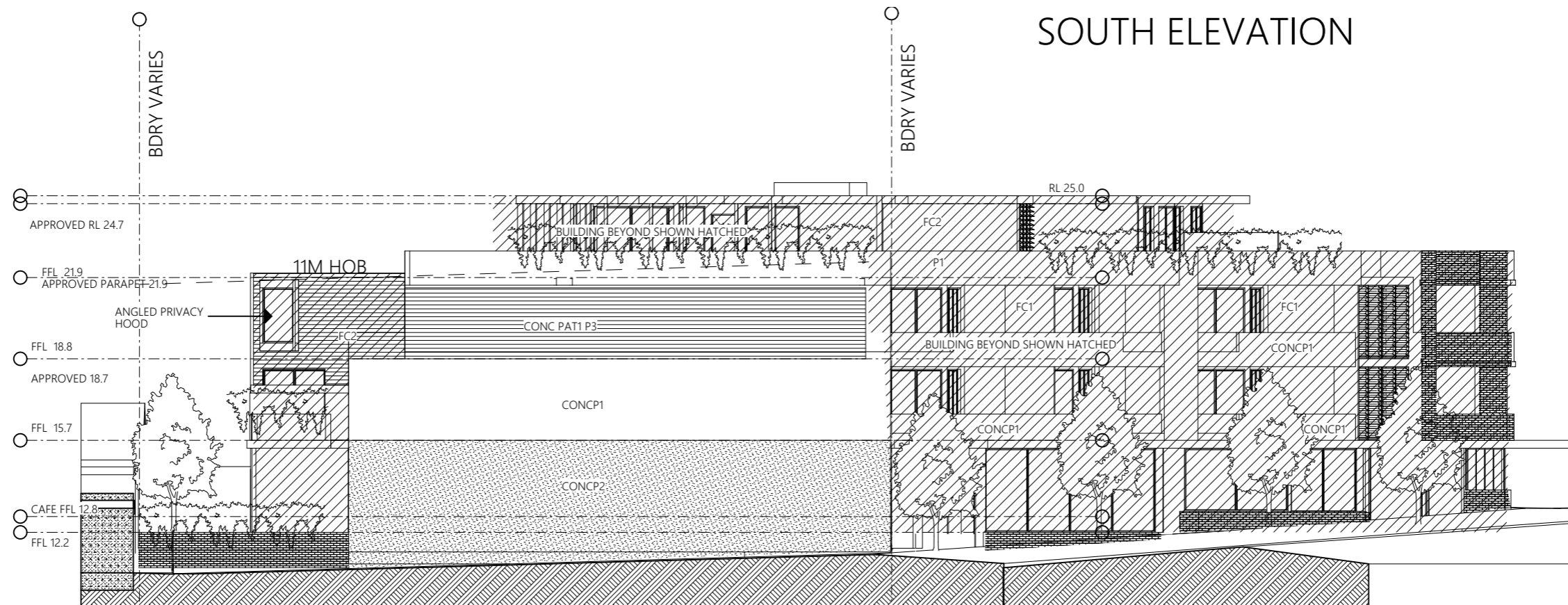
FB: PGH BLACK AND TAN  
 FC1: STRIA OR SIMILAR CFC CLADDING- DULUX TIMELESS GREY  
 FC2: MATRIX- DULUX DOMINO  
 RM1: RENDERED BLOCKWORK- DULUX DOMINO  
 CONC1: PRECAST CONC PAINT DULUX SNOWY MOUNTAIN QTR  
 CONC2: PRECAST CONC PAINT DULUX DOMINO  
 CONC1P3: PRECAST CONC WITH HORIZONTAL TEXTURE,  
 PAINT DULUX TIMELESS GREY

PROJECT: SENIORS LIVING  
 LOCATION: 32-36 GEORGETOWN RD  
 2 TURNER STREET,  
 GEORGETOWN  
 CLIENT: OAKTREE  
 PROJECT No: 2081B

DRAWING: 10 ELEVATIONS  
 SCALE: @ A3  
 DATE: 5-4-22  
 ISSUE: B



SOUTH ELEVATION



ELEVATIONS 1:200 @A3

EAST ELEVATION

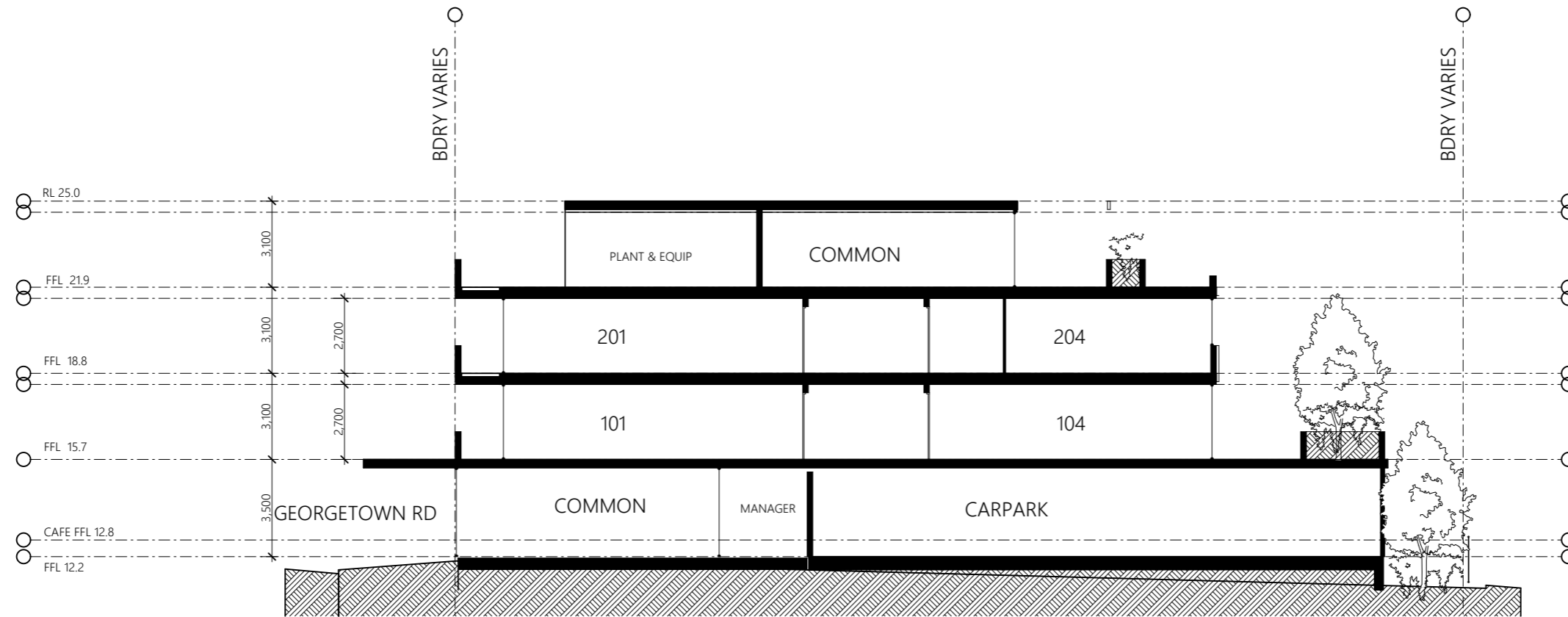
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FB: PGH BLACK AND TAN  
 FC1: STRIA OR SIMILAR CFC CLADDING- DULUX TIMELESS GREY  
 FC2: MATRIX- DULUX DOMINO  
 RM1: RENDERED BLOCKWORK- DULUX DOMINO  
 CONCP1: PRECAST CONC PAINT DULUX SNOWY MOUNTAIN QTR  
 CONCP2: PRECAST CONC PAINT DULUX DOMINO  
 CONCPAT1P3: PRECAST CONC WITH HORIZONTAL TEXTURE,  
 PAINT DULUX TIMELESS GREY

PROJECT: SENIORS LIVING  
 LOCATION: 32-36 GEORGETOWN RD  
 2 TURNER STREET,  
 GEORGETOWN  
 CLIENT: OAKTREE  
 PROJECT No: 2081B

DRAWING: 11 ELEVATIONS  
 SCALE: @ A3  
 DATE: 5-4-22  
 ISSUE: B



SECTION AA 1:200

Suite 6.03, Level 6, 233 Castlereagh St  
Sydney, NSW 2000



**BASIX Certificate Summary**

ASSESSOR DETAILS	
Name:	Padraig Healy
Direct Number:	0498 051 209
Office:	(02) 9281 8555
AAO:	ABSA
Assessor Number:	101026
Project Name:	E21213
Software:	BERSPRO - v4.4.06
Date:	8/12/2021
BASIX Certificate Number:	1264476M
Group Certificate Number:	0006904190
Client Name:	Oaktree Group Pty Ltd
Client Phone:	-
Client Email:	sagar@oaktreegroup.com.au

**NCC COMPLIANCE**

Building compliance is required to comply with the 'New South Wales Additions' in the NCC 2019 - Volume 1.

- Building thermal construction in accordance with part J1.2
- If metal, framed sarking of R0.2 is required between stud and cladding as a thermal break
- Loss of ceiling insulation is compensated for by increased roof insulation in accordance with Part J1.3(c)
- Any roof lights, windows, doors and exhaust fans are sealed in accordance with Part J3
- Any new air-conditioning system is installed in accordance with Parts J5.2(a), J5.2(b), J5.2(c), J5.2(d), J5.2(f) & J5.2(g)
- Any new mechanical ventilation system is installed in accordance with Part J5.3.
- Any new miscellaneous exhaust system is installed in accordance with Part J5.4.
- Any new heated hot water system is installed in accordance with Part J7.2
- Any new energy monitoring equipment is installed in accordance with Part J8.3.

Suite 6.03, Level 6, 233 Castlereagh St  
Sydney, NSW 2000



**BASIX TECHNICAL NOTES - Defaults if not determined**

- Medium coloured external walls
- Walls to common areas modelled as external with zero solar absorbance
- All ensuites are treated as conditioned
- Spaces without an openable window / door are included in the zone which they are accessed
- No mechanical heating or cooling appliances are modelled, including ceiling fans

**NATHERS TECHNICAL NOTES - Defaults if not determined**

- Models rated with no downlights
- Light coloured roof for temperate or cool climates
- Kitchens / wet areas tiled
- All other internal areas carpet
- Sealed vents to wet areas / laundry / kitchen
- Single story dwellings within 10m modelled as obstruction
- Double story dwellings within 20m modelled as obstruction
- Structures located at South are not modelled as obstruction

**BASIX Certificate Commitments:**

Water	Pass - 40%
Rainwater Tank:	5,000L
Connected to:	Landscape & car wash bay
Water Taps:	5-star WELS
Showerheads:	3-star WELS (6-7.5 L/min)
Toilet Flusher:	4-star WELS
Dishwasher:	3-Star WELS
Swimming Pool	Shaded
Fire Sprinkler Test Water	Contained in a closed loop/system

Thermal Comfort	Pass - Star Overall Average
Glazing:	Fixed/Sliding Glazing
Units: All	Units: All
Thermal Specs: Total system U-value of 5.4 & SHGC 0.58 (+/- 10%)	Thermal Specs: Total system U-value of 5.4 & SHGC 0.49 (+/- 10%)
External Walls:	Type: FC Cladded
Inter-Tenancy:	Type: Hebel
Internal Walls:	Type: Stud
Sus Floors:	Type: Concrete
Ceiling Cavity:	Plasterboard
Exposed Roof:	Concrete

Suite 6.03, Level 6, 233 Castlereagh St  
Sydney, NSW 2000



Energy	Pass - 41%	
Common Areas:	Lighting	LED's with motion sensors Plant rooms to have manual switch Hallways on timeclock A/C to gym on timeclock Carpark supply & exhaust with CO monitor and VSD fan
	Ventilation	39 kWp
	Solar Panels	VVVF and regenerative drive
	Lifts Motor	Gas central hot water system
Dwellings:	Hot Water	VRV/VRV with COP/EER <3.5
	Heating/Cooling	LED's
	Lighting	Bathroom & laundry ducted to façade and interlocked to light Kitchen fan ducted to façade on manual switch
	Ventilation	Induction cooktop & electric oven 3.5-star dishwasher; 1.5-star dryer
	Appliances	Fridge Space

BASIX SUMMARY

Ref: E21213-BASIX Summary-r1



Page 4 of 3

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PROJECT: SENIORS LIVING

LOCATION: 32-36 GEORGETOWN RD  
2 TURNER STREET,  
GEORGETOWN

CLIENT: OAKTREE

PROJECT No: 2081B

DRAWING: 12 SECTION AA

SCALE: @ A3

DATE: 5-4-22

ISSUE: B



PROPOSED



DA APPROVED 3D

AMENDMENT PROVIDES A MODERN INTERPRETATION OF ORIGINAL FACADE INSTEAD OF A REPRODUCTION- UTILISE FACE BRICK, REFERENCE THE ORIGINAL EXTENT AND SCALE OF THE CORNER BUILDING, WITHOUT MIMICKING.

OTHER MATERIALS, ELEMENTS, SCALE SUBSTANTIALLY THE SAME AS APPROVED- TOP FLOOR BUILT FORM MOVED AWAY FROM STREET EDGE OF BUILDING TO FURTHER MINIMISE IMPACT, RELOCATE COMMUNAL AREA AWAY FROM CORNER.

ACTIVE FRONTAGE RETAINED WITH ADDITIONAL PLANTING OPPORTUNITIES NEAR LOBBY AREA. LOBBY MORE CENTRALLY LOCATED AT STREET LEVEL/CARPARK LEVEL ELIMINATING NEED FOR PEDESTRIAN RAMP.

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OAK TREE  
RETIREMENT VILLAGES

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PROJECT: SENIORS LIVING  
LOCATION: 32-36 GEORGETOWN RD  
2 TURNER STREET,  
GEORGETOWN  
CLIENT: OAKTREE  
PROJECT No: 2081B

DRAWING: 13 3D VIEW  
SCALE: @ A3  
DATE: 5-4-22  
ISSUE: B



APPROVED

PROPOSED

TOP FLOOR BULK MOVED FURTHER FROM CORNER AND AWAY FROM STREET EDGE

OPPORTUNITIES FOR ADDITIONAL PLANTING TO ROOFTOP EDGE ALONG TURNER STREET

ADDITIONAL PLANTING OPPORTUNITIES ON TURNER STREET DUE TO REMOVAL OF 2ND DRIVEWAY CROSSING



AMENDMENT TO PROVIDE A MODERN INTERPRETATION OF ORIGINAL FACADE INSTEAD OF A REPRODUCTION- UTILISE FACE BRICK, REFERENCE THE ORIGINAL EXTENT AND SCALE OF THE CORNER BUILDING, WITHOUT MIMICKING.

RETAIN CAFE CORNER- STREET AWNING AND STREET TREES AS PER ORIGINAL DA.

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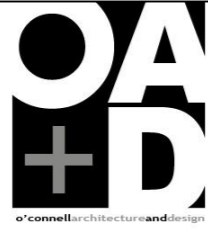
PROJECT: SENIORS LIVING  
LOCATION: 32-36 GEORGETOWN RD  
2 TURNER STREET,  
GEORGETOWN  
CLIENT: OAKTREE  
PROJECT No: 2081B

DRAWING: 14 3D VIEW  
SCALE: @ A3  
DATE: 5-4-22  
ISSUE: B



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PROJECT: SENIORS LIVING

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LOCATION: 32-36 GEORGETOWN RD  
 2 TURNER STREET,  
 GEORGETOWN

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CLIENT: OAKTREE

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PROJECT No: 2081B

DRAWING: 15 3D VIEW

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SCALE: @ A3

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DATE: 5-4-22

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ISSUE: B



NOMINATED ARCHITECT  
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PROJECT: SENIORS LIVING

LOCATION: 32-36 GEORGETOWN RD  
 2 TURNER STREET,  
 GEORGETOWN

CLIENT: OAKTREE

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**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**DAC 17/05/22 - 32-38 GEORGETOWN ROAD GEORGETOWN & 2  
TURNER STREET GEORGETOWN - MA2021/00497 - SECTION 4.55  
(2) MODIFICATION TO DA2015/0546 – FOUR STOREY MIXED USE  
DEVELOPMENT – CHANGE OF USE FROM RESIDENTIAL FLAT  
BUILDING TO SENIORS LIVING 'IN-FILL SELF-CARE HOUSING'.**

**ITEM-8            Attachment B:        Draft Schedule of Conditions**

**DISTRIBUTED UNDER SEPARATE COVER**



Application No:	MA2021/00497 – Section 4.55 (2) modification to DA
Land:	Lot 4 DP 1089422, Lot 1 DP 196696, Lot 11 DP 1037029 & Lot 10 DP 1037029.
Property Address:	32 Georgetown Road, 34 Georgetown Road, 38 Georgetown Road, and 2 Turner Street, Georgetown NSW 2298.
Proposed Development:	Modification to approved mixed used development including the change of use from a residential flat building to seniors living 'in-fill self-care housing', and alterations and additions to commercial premises, and café.

### 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/ Analysis Plan	04 / Issue B	Kelly O'Connell	5/04/2022
Ground Floor Plan	06 / Issue B	Kelly O'Connell	5/04/2022
Level 1 Floor Plan	07 / Issue B	Kelly O'Connell	5/04/2022
Level 2 Floor Plan	08 / Issue B	Kelly O'Connell	5/04/2022
Level 3 Floor Plan / Roof	09 / Issue B	Kelly O'Connell	5/04/2022
Roof Plan	05 / Issue B	Kelly O'Connell	5/04/2022
Elevations (North & West)	10 / Issue B	Kelly O'Connell	5/04/2022
Elevations (South & East)	11 / Issue B	Kelly O'Connell	5/04/2022
Section AA	12 / Issue B	Kelly O'Connell	5/04/2022
Site Survey	Sheet 1 of 1 / Ref No: 22032	Positive Survey Solutions	6/08/2021
Landscape Plan	1.01,1.02,1.03,1.04 &1.05 / Issue B	FRED St Pty Ltd	14/12/2021
Landscape Specification Plan	1.06 & 1.07 / Issue B	FRED St Pty Ltd	14/12/2021
Stormwater Management Plan – Drainage Plan	Sheet 1 / Issue C	SurDevel Pty Ltd	21/10/2015
Waste Management Plan	32-36 Georgetown Road	MRA Consulting Group	14/12/2021
Stormwater & Detention plan	Sheet 2 / Issue B	SurDevel Pty Ltd	21/10/2015
BASIX Certificate	1264476M_02	Credwell Energy	13/12/2021
Disability Access Report	LP_21308	Lindsay Perry Access	14/12/2021
Acoustic Assessment	Ref:212129R/29606	Spectrum Acoustics	6/12/2021

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. A total monetary contribution of \$104,925.67 is to be paid to the City of Newcastle, pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979*, such contribution to be payable prior to the issue of a Construction Certificate in respect of the proposed development.

Note:

- i) This condition is imposed in accordance with the provisions of the City of Newcastle's *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019*.
- ii) The City of Newcastle's *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019* permits deferred or periodic payment of levies in certain circumstances. A formal modification of this condition will be required to enter into a deferred or periodic payment arrangement.
- iii) The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

CPI quarterly figures are released by the ABS on a date after the indexation quarter and, as a guide, these approximate dates are as follows:

Indexation quarters	Approximate release date
September	Late October
December	Late January
March	Late April
June	Late July

Any party intending to act on this consent should contact City of Newcastle's Customer Enquiry Centre for determination of the indexed amount of contribution on the date of payment.

3. Roof water from the proposed new work is to be directed to the proposed on-site detention (minimum size 35m<sup>3</sup>) and water tank (minimum size 15m<sup>3</sup>) 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 tanks and plumbing is to be installed in accordance with Australian standard AS 3500, the relevant plumbing regulations and the requirements of Hunter Water Corporation. Full details are to be included in documentation for a Construction Certificate application.
4. Prior to the release of the relevant Construction certificate the Principal Certifier shall ensure that the approved construction certificate plans nominate a maximum RL height of 25.7 as per the approved Development Applications Plans.
5. The proposed awning is to be designed in a manner that is consistent with Element 7.10 'Street Awnings and Balconies' of the Newcastle Development Control Plan 2012. The design will need to consider the existing Ausgrid power poles and the impact on any RMS Signs or infrastructure (Separate approvals maybe require from Ausgrid/RMS).



Under awning lighting is to be provided to the area's Lighting category in accordance with AS1158. The design of the awning should allow for street tree planting. Full details are to be included in documentation for any Construction Certificate application.

Note: A separate application and approval under Section 138 of the Roads Act 1993 is required for awnings extending over public roads.

6. An electronic copy of a dilapidation report, prepared by a suitability qualified person, is to be submitted to the Principal Certifier prior to the issue of a Construction Certificate. The dilapidation report is to document and contain a photographic record of the condition of the adjoining buildings, infrastructure and roads.
7. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to City of Newcastle's drainage system by means of an interallotment drainage line or underground pipe directly to the street gutter. Details are to be included in documentation for a Construction Certificate application.
8. All stormwater runoff from the proposed development being managed in accordance with the requirements of Element 7.06 'Stormwater' of Newcastle Development Control Plan 2012, the associated Technical Manual and the latest issue of AS 3500.3 as applicable, and as indicated on the stormwater management concept plan prepared by SurDevel Job Ref. No. 1783 Dwg. No. 1783-1 & 1783-2 Stormwater Management Plan, Sheet 1 of 2 & 2 of 2 Rev C dated 21/10/15. Full details are to be included in documentation for a Construction Certificate application.
9. All new impervious surfaces, including driveways and paved areas are to be drained to the nominated discharge controls. Details are to be included in documentation for a Construction Certificate application.
10. A structural engineer is to determine the location and depth of the proposed underground tank and On Site Detention and certify that it will not adversely affect any building foundation footings or slabs when the tank is empty. Stormwater Management Plan is to be designed in accordance with current *NDCP Section 7.06 Stormwater Management* and *The City of Newcastle's Stormwater and Water Efficiency Technical Manual*. Full details are to be included with documentation for a construction certificate.
11. A Maintenance Manual for all water quality devices is to be prepared in accordance with Council's Stormwater and Water Efficiency for Development Technical Manual (Updated 2013). The Maintenance Manual is to address maintenance issues concerning the water quality devices including routine monitoring and regular maintenance and be kept on site at all times. Establishment and maintenance of the water quality devices in accordance with the Maintenance Manual prepared by the applicant is to be completed prior to occupation of this site for the intended use.
12. The proposed floodlighting of the premises is to be designed, positioned, and installed, including shielding and orientation of the lighting fixture, so as to not give rise to obtrusive light, interfere with traffic safety or detract from the amenity of surrounding properties in accordance with *Australian Standard 4282:1997 - Control of the obtrusive effects of outdoor lighting*. Full details are to be included in the documentation for a Construction Certificate application.
13. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required by the conditions of this consent are to be detailed on a comprehensive landscape plan and specification. The plan and specification are to be prepared in accordance with the provisions of Newcastle Development Control Plan 2012 and is to include details of the following:
  - a) cross sections through the site
  - b) proposed contours or spot levels

- c) botanical names
- d) quantities and container size of all proposed trees
- e) shrubs and ground cover
- f) details of proposed soil preparation
- g) mulching and staking
- h) treatment of external surfaces and retaining walls where proposed
- i) drainage, location of taps and
- j) maintenance periods.

The plan and specification are to be prepared by a qualified landscape designer and be included in documentation for a Construction Certificate application.

14. The applicant is to comply with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in the locality as a result of the increased intensity of land use proposed. A copy of the Corporation's compliance certificate (refer Section 50 *Hunter Water Act 1991*) is to be included in documentation for a Construction Certificate application.
15. Facilities are to be provided within the proposal for the storage of garbage. Full details are to be included in documentation for a Construction Certificate application.
16. Erosion and sediment control measures are to be implemented prior to the commencement of works and be maintained during the period of construction in accordance with the details set out on an Erosion and Sediment Control Plan that is to be submitted for approval with the Construction Certificate application. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.
17. A residential vehicular crossing is to be constructed across the road reserve to each dwelling, 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 6m 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 2m by 2.5m splay within the property boundary, of the driveway entrance.
  - d) The proposed driveway is to be a minimum of 3m 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.

18. A separate application is to be lodged and consent obtained from the City of Newcastle for all works within the road reserve pursuant to Section 138 of the *Roads Act 1993*.

The consent is to be obtained, or other satisfactory arrangements confirmed in writing from the City of Newcastle, before the issue of a Construction Certificate.

19. On-site parking accommodation is to be provided for a minimum of 32 vehicles (2 spaces are to be for visitor parking and 4 spaces for retail/commercial spaces) and 12 secured bicycle spaces (Class 2) and such be set out in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle Development Control Plan 2012.

During off-peak retail/commercial business hours, the 4 commercial/retail car parking spaces shall be shared as residential visitor parking. Full details are to be included in documentation for a Construction Certificate application.

20. The car parking and vehicular access is to be designed to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities. Full details are to be included in documentation for a Construction Certificate application.
21. All proposed driveways, parking bays, loading bays and vehicular turning areas are 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 and being properly maintained. Full details are to be included in documentation for a Construction Certificate application.
22. A suitable traffic management device in the form of Stop and Give Way to pedestrians and incoming vehicles is to be installed within the property in an appropriate location for the exiting vehicles, and such to be constructed in accordance with AS/NZS 2890.1:2004: Parking facilities – Off-street car parking. Full details are to be included in documentation for a Construction Certificate application.
23. The Developer designing and constructing the following works in connection with the proposed development within the Georgetown Rd and Turner St frontages of the public road reserve, adjacent to the site, at no cost to Council and in accordance with Council's guidelines and design specifications:
- i. Construct new footpath along Georgetown Rd and new footpath along Turner St frontages to Council specifications. The footpath to extend 3m beyond the property boundary.
  - ii. Install new street trees and grass verge as indicated on the Architectural plans
  - iii. Remove all redundant driveways, install new kerb and gutter and repair any road works.
  - iv. Install new stormwater connections for the development
  - v. Install any required parking and mandatory signage
  - vi. Repair any damages caused during construction.
  - vii. Attain approval for the proposed awning and provide adequate under awning lighting.

Engineering design plans and specifications for the works being undertaken within the public road reserve are required to be prepared by a suitably qualified practising civil engineer with experience and competence in the related field and submitted to Council for approval pursuant to Section 138 of the *Roads Act 1993 (NSW)*. The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

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

24. 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 Certifier before construction is commenced.

25. A survey certificate prepared by a Registered Surveyor is to be submitted to the Principal Certifier upon completion of the floor slab formwork, before concrete is poured, to verify that the siting of the building in relation to adjacent boundaries is in accordance with the development consent.
26. Plans of any proposed traffic management devices, linemarking, and signposting works on existing or proposed public roads being submitted to Council and approved by the Newcastle City Traffic Committee prior to those works being undertaken.
27. 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 ground floor construction, confirming that the floor levels are in accordance with the approved levels.
  - b) On completion of each subsequent floor level, confirming that the floor levels are in accordance with the approved levels.
  - c) When the roof has been completed, confirming that the building does not exceed the approved levels.
28. 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*.
29. 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*.

30. 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.

31. 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.
32. 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.
33. 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.
34. 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.

35. 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.

36. 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*.
37. 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.

38. All building work is to be carried out in accordance with the provisions of the National Construction Code.
39. 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.
40. All roof and surface waters are to be conveyed to the street gutter by way of a sealed pipe system, extending through the footway to City of Newcastle requirements, in accordance with Element 7.06 '*Stormwater*' of Newcastle Development Control Plan 2012.
41. Prior to the commencement of work, a 3.0m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction, to reduce the potential for soil erosion. Sand or soil is not to be stockpiled on the all-weather vehicle access.
42. All necessary measures are to be undertaken to control dust pollution from the site. These measures must include, but not are limited to:
  - a) Restricting topsoil removal
  - b) Regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion)
  - c) Alter or cease construction work during periods of high wind and
  - d) Erect green or black shade cloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.
43. All external items of air conditioning plant are to be screened or positioned in such a manner as to not detract from the visual presentation of the building.
44. The premises are to be constructed, including the installation of all equipment, fixtures and fittings, in accordance with the requirements of *Australian Standard 4674:2004 - Design, construction and fit-out of food premises*.

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

45. 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 an Occupation Certificate for the proposed development.
46. Appropriate acoustic treatment is to be implemented in accordance with the recommendations set out in the report prepared by Spectrum Acoustics, dated 6 December 2021. Written final certification confirming the recommended acoustic treatment has been implemented in accordance with the requirements of the above report is to be submitted to the Principal Certifier and Council prior to the issue of an Occupation Certificate. The acoustic treatment shall also ensure that noise emissions from all plant and equipment meets all regulatory requirements.

Note: The acoustic consultant may need to be involved during the construction process in order to ensure final certification is achieved.

47. 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.

48. On-site car parking accommodation is to be provided for a minimum of 32 vehicles (2 spaces are to be for visitor parking and 4 spaces for retail/commercial spaces) and 12 secured bicycle spaces (Class 2) and during off-peak retail/commercial business hours, the 4 commercial/retail car parking spaces shall be shared as residential visitor parking and such being set out in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent.
49. The proposed retail/commercial parking bays are to be permanently marked out on the pavement surface and/or clearly indicated by means of signs. The signs are to indicate that during off-peak retail/commercial business hours, the 4 commercial/retail car parking spaces shall be shared as residential visitor parking.
50. 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 the City of Newcastle with Occupation Certificate documentation.
51. All works within the road reserve required by this consent are to be completed prior to the issue of an Occupation Certificate.
52. A copy of the stormwater drainage design plans approved with the Construction Certificate with 'work as executed' levels indicated, shall be submitted to the Principal Certifier and to The City of Newcastle prior to the issue of an Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.
53. The water management measures as indicated on the submitted plans and Statement of Environmental Effects and/or as modified under the terms of this consent are to be implemented and the nominated fixtures and appliances are to be installed and operational prior to issue of an Occupation Certificate.
54. The whole of the land known as Lot 4 DP 1089422, Lot 10 DP 1037029, Lot 11 DP1037029, and Lot 1 DP 196696 are to be consolidated into a single title.

Documentary evidence of the lodgement for registration of a survey plan of consolidation with NSW Government Land & Property Information being submitted to Council prior to the issuing of an Occupation Certificate for the proposed development.

55. A Landscape Practical Completion Report is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate. The report is to verify that all landscape works have been carried out in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application and is to verify that an effective maintenance program has been commenced.
56. The premises are to be identified by the provision of house numbers on the building exterior and mailbox such that they are clearly visible from the road frontage.

The minimum numeral height is to be 75mm.

57. Appropriate arrangements being made for the collection of garbage (recyclable and non-recyclable) from within the development and such arrangements being in place prior to the occupation of the premise the subject of this development application. Under no circumstances are garbage bins to be presented to Turner street or Georgetown Road

for kerbside collection.

58. Prior to issue of an Occupation Certificate, the food business is to notify the relevant enforcement agencies, under the Food Act 2003 and (for licensed food businesses) under the Food Regulation 2010. Notification is to be provided to the City of Newcastle and the NSW Food Authority.

Note: To arrange notification of the food business with the City of Newcastle, go to [www.newcastle.gov.au](http://www.newcastle.gov.au) <<http://www.newcastle.gov.au>> and download a copy of the 'Council Food Business Notification Form' or contact City of Newcastle's Environmental Health Services on (02) 4974 2525. To notify with the NSW Food Authority go to [www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au) <<http://www.foodnotify.nsw.gov.au>> and follow the instructions

## **CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT**

59. The driveway crossing, parking areas and stormwater management system are to be properly maintained for the life of the development.
60. A minimum of 2 of proposed on-site parking bays are to be made available for the use of casual visitors to the premises and such spaces under no circumstances to be subdivided, leased, or controlled by or on behalf of particular unit owners or residents.
61. The parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading, and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.
62. A Landscape Establishment Report is to be submitted to the City of Newcastle following completion of a three-month maintenance period, verifying that satisfactory maintenance of the landscape works has been undertaken and any necessary rectification measures have been carried out.
63. The use and occupation of the premises is not to give rise to the emission of any 'air impurity' as defined under the Protection of the Environment Operations Act 1997, that interferes unreasonably with the amenity of neighbouring premises and/or other sensitive receivers.

Should Council consider that unreasonable levels of air impurities have been emitted from the premises, the owner/occupier will be required to engage a suitably qualified consultant to recommend measures to control emissions of air impurities to an acceptable level and such measures being implemented within a nominated time period. Furthermore, written certification from the suitably qualified consultant will be required to be submitted to Council confirming that air impurity emissions from the premises do not interfere unreasonably with the amenity of neighbouring premises and/or other sensitive receptors before the expiration of the nominated period.

64. The use and occupation of the premises, including all plant and equipment installed thereon, is not to give rise to any offensive noise, as defined under the Protection of the Environment Operations Act 1997.

Should Council consider offensive noise has emanated from the premises, the owner/occupier of the premises will be required to submit an acoustic assessment prepared by a suitably qualified acoustical consultant recommending appropriate acoustic measures necessary to ensure future compliance with this condition and will be required to implement such measures within a nominated period. Furthermore, written certification from the said consultant confirming the recommended acoustic measures have been satisfactorily implemented will be required to be submitted to



Council prior to the expiration of the nominated period.

65. Proposed parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.
66. Any liquid wastes from the premises, other than stormwater are to be either discharged to the sewers of the Hunter Water Corporation in accordance with an approved Trade Waste Agreement or collected and disposed of by a licensed waste transport contractor in accordance with the Department of Environment and Climate Change 'Waste Classification Guidelines Part 1: Classifying Waste'.
67. The applicant is to contact CN GIS Specialist, Strategy and Engagement Team to obtain finalised unit numbering.
68. Waste collection from the proposed development being restricted to 7.00am and 6.00pm daily.
69. The hours of operation or trading of the retail and commercial premises are to be not more than from:

DAY	START	FINISH
Monday	7.00 am	6.00 pm
Tuesday	7.00 am	6.00 pm
Wednesday	7.00 am	6.00 pm
Thursday	7.00 am	6.00 pm
Friday	7.00 am	6.00 pm
Saturday	7.00 am	6.00 pm
Sunday	8.00 am	4.00 pm

## 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.
- Retaining walls not clearly noted on the approved plans or outside of the parameters of 'exempt development', as specified in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, are to be subject to a separate development application. An application in this regard is to be approved prior to any works relating to such a retaining wall taking place.

- An application is to be submitted to the City of Newcastle for the removal or pruning of any trees located more than three metres from the dwelling wall, measured from the centre of the trunk to the footings of the dwelling, excluding carports and pergolas.
- Any approval for fences on side boundaries, common to other private properties, is independent of any consent or agreement which may be required from any adjoining owner under the provisions of the *Dividing Fences Act 1991*.
- 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).
- 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 standard variations made under Clause 4.6 of the *Newcastle Local Environmental Plan 2012* has considered and accepted. The proposed building height variation is considered acceptable in the particular circumstances of this case.

### 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.



**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**DAC 17/05/22 - 32-38 GEORGETOWN ROAD GEORGETOWN & 2  
TURNER STREET GEORGETOWN - MA2021/00497 - SECTION 4.55  
(2) MODIFICATION TO DA2015/0546 – FOUR STOREY MIXED USE  
DEVELOPMENT – CHANGE OF USE FROM RESIDENTIAL FLAT  
BUILDING TO SENIORS LIVING 'IN-FILL SELF-CARE HOUSING'**

**ITEM-8**            **Attachment C:**    Processing Chronology

**DISTRIBUTED UNDER SEPARATE COVER**



**PROCESSING CHRONOLOGY**

**MA2021/00497– 32 - 38 Georgetown Road and 2 Turner Street Georgetown**

22 December 2021		Application lodged
10 January to the 25 January 2022	-	Application notified in accordance with CN's Community Participation Plan (CPP)
4 January 2022	-	Internal referrals commenced: UDRP, Engineering, Waste Services and City Greening (All internal departments supported the proposal subject to conditions).
4 January 2022	-	External referrals commenced: Ausgrid
10 January 2022	-	Waste Service referral received
23 February 2022	-	Application presented to Urban Design Review Panel.
11 April 2022		Engineering referral received
17 March, 1 April & 12 April 2022	-	Referral response received from Ausgrid – No objections raised.
30 March 2022	-	Request for additional information in response to suggestions received from UDRP
6 April 2022	-	Additional information received from applicant in response to UDRP meeting
17 May 2022	-	Development Applications Committee meeting