

DETERMINATION AND STATEMENT OF REASONS

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DETERMINATION	22 June 2026
DATE OF PANEL DECISION	22 June 2026
DATE OF PANEL MEETING	16 June 2026
PANEL MEMBERS	Alison McCabe (Chair), Roberta Ryan, Stephen Leathley
APOLOGIES	None
DECLARATIONS OF INTEREST	Sue George – Conflict of duties declared due to Council interest in the Development Application Peree Watson - Conflict of duties declared due to Council interest in the Development Application Anne McGowan - Conflict of duties declared due to Council interest in the Development Application

Papers circulated electronically on 1 June 2026.

MATTER DETERMINED

PPSHCC-325 – Singleton – DA 8/2024/236/1 at Pepper Close, Hunterview - Staged Sub-Division - Eighty-Eight (88) Lot Torrens Title Subdivision and Associated Civil Works Including Drainage, Site Earthworks, Vegetation Removal, Open Space Park Area and Landscaping undertaken in Seven (7) Stages (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel deferred this matter on 19 March 2025 for further information regarding eleven (11) matters. The matters primarily related to:

- Biodiversity Assessment and Management of avoided land
- Traffic Assessment and Identification of impacts and mitigation measures if needed
- Identification of social infrastructure
- Lot description
- Revision of Conditions

The applicant prepared additional information responding to the above, including further traffic assessment and information from their ecologist, and an amended masterplan and social infrastructure map.

Council prepared three (3) additional memos:

- Addendum E – Addressing the matters of the deferral
- Addendum F – Ecology Review
- Addendum G – Relating to Traffic Impacts

The Panel also sought details of recent subdivision approvals in the immediate area, and what conditions were imposed regarding the New England Highway and Bridgman Road intersection.

The Panel has considered the additional information.

The Panel is satisfied that the biodiversity matters have now been addressed and that the biodiversity outcomes are appropriate, noting the requirements for offsets, vegetation management plans, and ongoing management in accordance with the plan have been conditioned.

The traffic assessment indicates the proposed development will impact upon the New England Highway and Bridgman Road intersection. The Council advised that they are collecting 7.11 contributions for this intersection and have prepared draft intersection design plans. While the Panel has advised that the 7.11 contribution plan has the work programmed for 2028, this is wholly reliant on adequate funding — which has not been obtained.

The Council memo indicates that, based on the GHD Traffic and Transportation Strategy for Singleton LGA, that the intersection has limited capacity. TfNSW has indicated that the development of 218 dwellings would trigger the need for an upgrade.

Council, in 2024, imposed a condition requiring either a VPA or an upgrade to the intersection on two (2) subdivisions (DA 2022/363 and DA2022/364) at Pioneer Road, Huntview, for some 384 lots. A VPA for a monetary contribution was entered into without any timeframe for the delivery of the intersection.

This development will impact the intersection. It is understood that there are some 964 lots either approved or proposed in the area. 25% of this yield is in the order of 241 lots. The Panel has advised that the approved subdivisions have yet to be acted upon.

It is the Panel's view that only 22 lots should be permitted from this subdivision until the intersection is upgraded. This is within what is understood to be the capacity of the intersection and ultimately provides for the upgrading of the intersection prior to the release of additional lots to mitigate impacts. A condition to this effect has been included.

The remaining issues have been satisfactorily addressed, and the revised conditions are appropriate. The subdivision is consistent with the policy framework and will provide much needed opportunities for housing and can be supported.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979* subject to the condition at Schedule 2 and the addition of the following condition at 49A.

49A. INTERSECTION UPGRADE

Prior to the issue of any Subdivision Certificate for more than 22 lots, the intersection of the New England Highway and Bridgman Road, is to be upgraded to the satisfaction of Singleton Council and Transport for NSW.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the following reasons:

- i. The proposed development is consistent with the policy framework applying to the area being planned area for urban subdivision
- ii. The impacts arising from the proposed development can be appropriately managed and mitigated including through conditions of consent
- iii. The proposed development will provide opportunity for additional housing for the town

CONDITIONS

The Development Application was approved subject to the conditions at Schedule 2 and the addition of the following condition:

- Condition 49A – requiring the upgrade of the New England Highway and Bridgman Road intersection for more than 22 lots

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the written submission made during public. The Panel notes that issues of concern included:

- Minimal services and infrastructure available in locality, specifically childcare, medical and local shopping options
- Erosion and sediment control

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Roberta Ryan
 Stephen Leathley	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-325 – Singleton – DA 8/2024/236/1
2	PROPOSED DEVELOPMENT	Staged Sub-Division - Eighty-Eight (88) Lot Torrens Title Subdivision and Associated Civil Works Including Drainage, Site Earthworks, Vegetation Removal, Open Space Park Area and Landscaping undertaken in Seven (7) Stages
3	STREET ADDRESS	Pepper Close, Hunterview 2330
4	APPLICANT/OWNER	Focus Town Planning Singleton Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Biodiversity and conservation) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - Singleton Local Environmental Plan 2013 - Draft environmental planning instruments: Nil - Development control plans: - Singleton Development Control Plan 2014 - Planning agreements: Nil - Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> - Coastal zone management plan: Nil - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council Assessment Report: 13 February 2026 - Addendum Report: 01 June 2026 - Written submissions during public exhibition:1 - Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Initial Briefing: 15 April 2025 <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan <u>Council assessment staff</u>: Julia Ryl, Sarah Hyatt, Sarah Boyton, Mary-Anne Crawford <u>Applicant representatives</u>: Dwight Graham, Scott Day, Angela Besant <u>Department staff</u>: Leanne Harris, Holly McCann - Site inspection: - Alison McCabe (Chair): 7 May 2024 - Roberta Ryan: 7 May 2024

		• Applicant briefing: 17 March 2026 ○ <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Stephen Leathley ○ <u>Council assessment staff</u>: Amanda Schaffer, Marlie Caban ○ <u>Independent Consultant Planner</u>: Sarah Hyatt ○ <u>Applicant representatives</u>: Scott Day, Angela Besant, Dwight Graham, Marion Lourens, Mark Wiblem, Frances Lang ○ <u>Department staff</u>: Carolyn Hunt, Holly McCann, Gail Fletcher • Council briefing to discuss Council's recommendation: 17 March 2026 ○ <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Stephen Leathley ○ <u>Council assessment staff</u>: Amanda Schaffer, Marlie Caban, Emily Riley ○ <u>Department staff</u>: Carolyn Hunt, Holly McCann, Gail Fletcher • Applicant briefing: 17 March 2026 ○ <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Stephen Leathley ○ <u>Council assessment staff</u>: Amanda Schaffer, Marlie Caban, ○ <u>Independent Consultant Planner</u>: Sarah Hyatt ○ <u>Applicant representatives</u>: Scott Day, Angela Besant, Dwight Graham, Marion Lourens, Mark Wiblem, Frances Lang ○ <u>Department staff</u>: Carolyn Hunt, Holly McCann • Final briefing to discuss Council's recommendation: 16 June 2026 ○ <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Stephen Leathley ○ <u>Council assessment staff</u>: Amanda Schaffer, Marlie Caban, Emily Riley, Paul Smith ○ <u>Independent Consultant Planner</u>: Sarah Hyatt and Lauren Perkins ○ <u>Department staff</u>: Carolyn Hunt, Holly McCann
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Addendum Council Assessment Report (uploaded to the portal on 01 June 2026)

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

1. APPOINTMENT OF PRINCIPAL CERTIFYING AUTHORITY AND ISSUE OF SUBDIVISION WORKS CERTIFICATE

Work shall not commence in connection with this Development Consent until:

- a) A Subdivision Works Certificate for the proposed Subdivision Works has been issued by:
 - i. the Consent Authority (Singleton Council); or
 - ii. a Certifying authority holding B1 accreditation; and
- b) The person having the benefit of the development consent has appointed Council as the Principal Certifying Authority for the proposed Subdivision Works; and
- c) The person having the benefit of the development consent has given at least two (2) days notice to the Council of the person's intention to commence the erection of the building.

Note: Appointment of Council as the Principal Certifying Authority for subdivision works will be subject to the payment of a fee for the service in accordance with Council's current Fees and Charges document.

Reason: To ensure the development complies with the requirement to appoint a Principal Certifier and gain a Construction Certificate.

2. ROADS ACT APPROVAL

Any work within a public road must be inspected and approved by Council under the Roads Act 1993 as the Roads Authority. The applicant is to submit an application in order to obtain a permit with conditions prior to starting any works on the Council Road Reserve.

3. LAND REMEDIATION (NO AUDITOR ENGAGED)

The site is to be remediated and validated in accordance with the recommendations set out within the Contamination Preliminary Site Investigation Report, prepared by EP Risk, dated 15 August 2024 revision V2.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions or recommendations about site contamination must be immediately notified to the Principal Certifier. Any required variations to the Remedial Action Plan must be documented and approved by a suitably qualified environmental consultant, with a copy of the documentation provided to Singleton Council.

Reason: To ensure compliance with requirements of Remedial Action Plan for contaminated sites.

4. ERECTION OF SIGNAGE

This section applies to a development consent for development involving building work, subdivision work or demolition work.

It is a condition of the development consent that a sign must be erected in a prominent

position on a site on which building work, subdivision work or demolition work is being carried out—

- a. showing the name, address and telephone number of the principal certifier for the work, and
showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
- c. stating that unauthorised entry to the work site is prohibited.

The sign must be—

- a. maintained while the building work, subdivision work or demolition work is being carried out, and
- b. removed when the work has been completed.

This section does not apply in relation to—

- c. 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
- d. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

5. Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved Plans

Engineering Plans prepared by Northrop

Job # NL233144

Cover Sheet	DA-C01.01	F	2/6/25
Proposed Subdivision Masterplan	DA-C01.21	K	14/4/26
Construction staging plan – stage 1 works	DA-C01.22	C	6/6/25
Construction staging plan – stage 2 works	DA-C01.23	C	6/6/25
Construction staging plan – stage 3 works	DA-C01.24	C	6/6/25
Construction staging plan – stage 4 works	DA-C01.25	C	6/6/25
Construction staging plan – stage 5 works	DA-C01.26	C	6/6/25
Construction staging plan – stage 6 works	DA-C01.27	B	2/6/25
Construction staging plan – stage 7 works	DA-C01.28	B	2/6/25
Operational & Community land	DA-C01.30	B	10/6/25
Typical Road Cross Sections – Sheet 1	DA-C01.31	F	2/6/25
Typical Road Cross Sections – Sheet 2	DA-C01.32	E	2/6/25
Typical Road Cross Sections – Sheet 3	DA-C01.33	B	2/6/25

Erosion and Sediment Control Plan	DA-C02.01	G	6/6/25
Erosion and Sediment Control Details	DA-C02.11	F	2/6/25
Bulk Earthworks Cut and Fill Plan	DA-C03.01	H	6/6/25
Bulk Earthworks Sections – Sheet 1	DA-C03.11	F	2/6/25
Bulk Earthworks Sections – Sheet 2	DA-C03.12	F	2/6/25
Siteworks and Stormwater Management Plan – Sheet 1	DA-C04.01	H	5/6/25
Siteworks and Stormwater Management Plan – Sheet 2	DA-C04.02	I	6/6/25
Alignment Control Plan	DA-C05.01	F	2/6/25
Longitudinal Sections – Sheet 1	DA-C04.11	F	2/6/25
Longitudinal Sections – Sheet 2	DA-C04.12	F	2/6/25
Longitudinal Sections – Sheet 3	DA-C04.13	F	2/6/25
Longitudinal Sections – Sheet 4	DA-C04.14	F	2/6/25
Longitudinal Sections – Sheet 5	DA-C04.15	F	2/6/25
Longitudinal Sections – Sheet 6	DA-C04.16	F	2/6/25
Longitudinal Sections – Sheet 7	DA-C04.17	D	2/6/25
Details	DA-C09.01	F	2/6/25
Riparian Offset Plan	DA-R01.01	C	6/6/25

Landscape Plans Prepared by Terras Landscape Architects

Cover Page	DA L000	G	6/6/25
Site Plan	DA L010	G	6/6/25
Key Diagram	DA L101	G	6/6/25
Landscape Plan Area 1	DA L102	G	6/6/25
Landscape Plan Area 2	DA L103	G	6/6/25
Landscape Plan – Park	DA L104	G	6/6/25
Landscape Plan Area 3	DA L105	G	6/6/25
Entry Feature 1 Detail	DA L106	F	31/1/25
Plant Palette	DA L201	G	6/6/25
Plant Palette 2	DA L202	G	6/6/25
Material Palette	DA L203	F	31/1/25
Playground Equipment Palette	DA L204	G	6/6/25

Approved Documents

Aboriginal Cultural Heritage Report	McCardle Cultural Heritage P/L	November 2007
Aboriginal Heritage Due Diligence of archaeological items Area C	Insite Heritage P/L	Undated
Aboriginal Heritage Due Diligence – Proposed Sewer Servicing report	Insite Heritage P/L	24/4/25
Acoustic Report Rev: R1	Spectrum Acoustics	12/08/24
Biodiversity Development Assessment Report Rev: V1	MJD Environmental	12/09/24
Bushfire Report Rev: V2	MJD Environmental	02/09/24
Contamination Preliminary Site Investigation Rev V2	EP Risk	15/08/24
Traffic Impact Assessment Report Rev: 002	Bitzios Consulting	14/08/24
Waste Management Plan	Focus Town Planning	13/09/24
Amended Engineering Design Report ref 2333144 Rev E	Northrop	31/01/2025

In the event of any inconsistency between the approved plans and documents, the approved **Plans** prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

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

6. General Terms of Approval

The following approval bodies have given general terms of approval in relation to the development:

1. NSW RFS, reference DA20241001004034-S38-1, dated 9/10/2025.
2. NSW DCCEEW – Water, reference IDAS-2025-10599, dated 26/11/2025.
3. Ausgrid, reference TRIM 2017/37/52, dated 16/10/2024.

A copy of the General Terms of Approval is attached to this notice of determination. The development shall be undertaken in accordance with conditions specified by the approval body contained in Schedule 2 of this consent.

Reasons: To provide the relevant General Terms of Approval.

7. STAGING

The works are to be constructed in accordance with the following Stages:

Stage	Proposed Works
1	14 Lots – Construction of Biofiltration Detention Basin
2	10 Lots
3	11 Lots
4	10 Lots and Modification to existing Biofiltration Detention Basin (constructed as part of DA8.2020.20.1).
5	11 Lots
6	15 Lots
7	17 Lots and Provision of Open Space / Playground

SUBDIVISION WORK

BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

8. REMOVAL OF TOPSOIL

Prior to the issue of a Subdivision Works Certificate, details of topsoil removal and stockpiling locations shall be submitted to the Principal Certifying Authority for approval.

Topsoil shall only be stripped from approved areas and shall be stockpiled for reuse during site rehabilitation and landscaping in the first instance or removed off-site to a location approved by the Principal Certifying Authority. Stockpiles of topsoil, sand, aggregate, spoil, or other material stored on the site that is capable of being moved by running water shall be stored clear of any drainage line or easement, natural watercourse, footpath, kerb, and/or road surface. Suitable sediment and erosion control devices shall be installed prior to the stockpile being created. The stockpile shall be treated so its surface is erosion-resistant to wind and water action.

9. DRAINAGE DESIGN

Prior to the issue of a Subdivision Works Certificate, the applicant shall submit a Stormwater Management Report and details of stormwater disposal with supporting calculations for the development to the Certifying Authority for approval.

The stormwater design shall be prepared in accordance with Singleton Development Engineering design specifications and current Australian Rainfall and Runoff standards. The applicant shall demonstrate that the development will not increase the limits of upstream and downstream flooding for floods over the range of 1 in 1 year to the 1 in 100-year Average Recurrence Interval (ARI) storm events by the inclusion of on-site stormwater detention controls. Additionally, the provision of a water quality control system to treat the stormwater runoff from the development as outlined in Council's DCP water quality performance guidelines. A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property. Details of on-site storage and the method of controlled release from the site and connection to an approved drainage system in accordance with Council's Development Engineering Specifications and Wetland manual.

The detailed plans, stormwater modelling (DRAINS), specifications and copies of the calculations, including existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development are to be prepared by a suitably qualified and experienced person in the field of hydrology and hydraulics and submitted to Council. Plans are to be approved prior to the release of a Subdivision Works Certificate.

All drainage works for the respective stage required by this consent shall be completed prior to the issue of a Subdivision Certificate.

10. PROVISION OF FOOT PAVING, CYCLEWAY AND NATURE TRAIL

Foot paving and Cycleway

The provision, at no cost to Council, of concrete foot paving and cycleway as shown on approved plans. The footpath is to be 1.5m wide and is to include a minimum 100mm depth, 25MPA concrete with SL72 reinforcement and to be constructed on a 75mm compacted road base on compacted subgrade and the cycleway is to be 2.5m wide and is to include a minimum 125mm depth 25MPA concrete with SL72 reinforcement constructed on 75mm compacted road base on compacted subgrade.

All connections and crossings should be designed and constructed to encourage safe and correct use by cyclists. Pram ramps are to be constructed at intersections and crossings and at any point to provide disability continuity. Expansion joints and dummy joints for footpaths are to be at 1.5m and 4.5m

spacing and for the cycleway are to be at 2.5m and 7.5m spacing respectively. Broom finish to be provided transverse to the pavement. All other details are to be in accordance with Singleton Council's construction specifications.

Nature Trail

A Maintenance Bond for the full cost of nature trail works will be issued by the Applicant to Council for a duration of 2 years upon completion of the works (Reason: 2 years is to allow adequate time for rainfall events to identify any integrity issues with the trail and to be addressed with the bond.)

The final selection of material to be used for the pavement finish of the nature trail as shown on the Site Plan drawing number DA-C01.21, Revision K dated 14/4/26, instead of concrete, will need to be approved to the satisfaction of Council's Engineer prior to the issue of the SWC. (Reason: there will be a wide range of products with different costs and availability for review by the applicant and for acceptance by Council. This is a separate exercise not affecting the environmental assessment of the project and appropriately discussed between the engineers for the applicant and Council in due course prior to construction.)

All Foot Paving and Nature Trail works for the respective stages are to be completed prior to the issue of a Subdivision Certificate. Plans showing location and alignment of the Nature Trail for the respective stage are to be approved prior to the issue of a Subdivision Works Certificate.

The construction of the foot paving, cycleway and Nature Trail are to be staged in accordance with the road construction staging plans. The footpaths are to link to future stages.

Note: The service allocation trenches and tree planting location are to be in accordance with Council's current DCP.

11. ROAD CONSTRUCTION

Prior to the issue of a Subdivision Works Certificate, the applicant is to supply detailed drawings for the respective stage of any proposed road construction to the Principal Certifying Authority for approval. The applicant shall design and construct the works in accordance with Council's Development Engineering Specifications, this condition and Austroads guidelines. Note the applicant will be required to enter into a works agreement with Council under Section 138 of the Roads Act for any works within an existing public road.

The required civil works shall include:

- a) Provide roads, kerb and gutter and associated stormwater systems for the full frontage of all lots in the development.
- b) Road widths are to be in accordance with Schedule 2 – Street and Road standards in the Singleton Development Control Plan 2014.
- c) Pioneer Road is to be upgraded to a Collector Street standard in accordance with Schedule 2 – Street and Road Standards of the Singleton Development Control Plan 2014, extending from the Cheal Street intersection to the end of proposed Lot 24. The upgrade must include all associated infrastructure and stormwater drainage systems. These road widening works are to be completed as part of Stage 1 of the development.
- d) Pioneer Road pavement design for 1x10⁷ ESA's with a wearing course of AC14, minimum thickness 40mm over 7mm primer seal.
- e) Cheal Street, Rourke Street, Lambkin Street, Harpur Street and Broomfield Crescent pavement design for 5x10⁵ ESA's with wearing course of AC10, minimum thickness 30mm over 7mm primer seal.
- f) Maximum longitudinal grade of roads should be 15%.
- g) The provision of additional civil works at no cost to Council necessary to ensure satisfactory transition to existing works.
- h) The design and construction of all subdivision works in accordance with Singleton DCP and Council's Development Engineering Specifications.

- i) Provide a pavement design for all roads to Council for approval.
- j) Minimise the number of drainage discharge points.
- k) Road reserves, up to the boundaries shall be fully turfed and other disturbed areas are to be seeded, fertilised and hay mulched or similar on completion of regrading works. Disturbed areas are to be progressively revegetated with exposed areas kept to a workable minimum.
- l) Signs and pavement markings are to be provided in accordance with relevant Australian standards for all Roads.

(**Note:** Refer to Singleton Development Engineering Design specification-documentation section for detailed drawing requirements)

All works for the respective stage are to be completed prior to the issue of a Subdivision Certificate.

Reason: To ensure the work complies with the Road Act 1993.

12. ARCHITECT DESIGNED LANDSCAPING

Prior to the issue of a Subdivision Works Certificate, detailed landscaping plans for the respective stage are to be submitted to and approved by Council for street tree planting and road verge turfing and other landscaping works for the development.

The landscaping design is to be prepared by a suitably qualified landscape architect and is to be in accordance with the Singleton Development Control Plan and approved by Council's Parks, Recreation and Facilities team.

Landscaping is to be implemented in accordance with the plans approved by Council. All landscaping works are to be completed prior to the issue of the Subdivision Certificate.

A three-year maintenance period will apply for all landscaping works, and Council will require a bond as security equal to the amount of 5% of the landscape construction works to ensure that plantings are properly maintained and established at handover at the end of the maintenance period.

Landscape construction works include the provision and maintenance of all landscaping for a period of three years following the issue of the Subdivision Certificate for the relevant stage. This includes street tree planting, full turfing of road verges from the back of kerbs to the property boundaries, and the revegetation of all disturbed areas.

The staging of the landscape works is to reflect the staging of the road construction staging plans.

13. HOUSE STORMWATER OUTLETS

Install house stormwater outlets through the kerb in accordance with Singleton Council's Engineering Construction Guidelines, with particular reference to Section 12.

14. WATER AND SEWER SERVICES – COMPLIANCE REQUIREMENTS

Prior to the issue of the Subdivision Works Certificate, an application is to be made for the respective stage to Council's Water and Sewer Group for requirements for compliance with *Section 307, Water Management Act (NSW) 2000*.

In response of this application, Council's Water and Sewer Group will issue a Notice of Requirements under Section 306 of the *Water Management Act (NSW) 2000*, which will detail conditions, that must be satisfied.

15. RETAINING WALLS

A structural engineering report and plans that address the proposed retaining walls within the property boundaries, prepared by a qualified practising Structural Engineer, must be provided for the respective stage prior to the issue of a Subdivision Works Certificate. The report and plans must be prepared to make provision for the following:

- a) All components of any retaining walls, including subsoil drainage, must be located entirely within the property boundaries.
- b) Retaining walls are not to exceed 1m in height.
- c) Retaining walls greater than 600mm in height need to incorporate drainage measures and have a design life of not less than 50 years.
- d) Be mindful when designing retaining walls as a building used for the purpose of residential accommodation will need to be further than 1.3m from a retaining wall greater than 900mm in height.
- e) Retaining walls should not prevent the construction of boundary fencing.
- f) Timber retaining walls will not be accepted.
- g) Any existing or proposed retaining walls that provide support to the road reserves must be adequate to withstand the loadings that could be reasonably expected from within the constructed roads and footpath areas, including normal traffic and heavy construction and earth-moving equipment, based on a design life of fifty (50) years.
- h) Provide relevant geotechnical/subsurface conditions of the site, as determined by full geotechnical investigation.

Details submitted in association with the Subdivision Works Certificate application are to demonstrate compliance with this requirement. The details are to be approved by the Principal Certifying Authority as satisfying this requirement prior to the issue of a Subdivision Works Certificate.

16. FILLING

Prior to the issue of a Subdivision Works Certificate, earthwork construction plans for the respective stage are to be submitted to the PCA for approval. All earthworks are to be constructed in accordance with Australian Standard 3798-2007, "Guidelines on Earthworks for Commercial and Residential Developments".

Any alterations to existing surface levels on the site shall be undertaken in such a manner as to ensure that no additional surface water is drained onto or impounded on adjoining properties. If engineered fill is to be placed on the site, it shall be placed in accordance with Council's Development Engineering Specifications and Australian Standard AS 3798 'Guidelines on Earthworks for Commercial and Residential Developments'.

(Note: Refer to Singleton Development Engineering Design specification-documentation section for detailed drawing requirements).

17. GEOTECHNICAL ASSESSMENT

Prior to the issue of a Subdivision Works Certificate, a geotechnical assessment is to be carried out by a suitably qualified geotechnical engineer and a report is to be submitted to the Principal Certifying Authority for approval.

Any works undertaken in relation to the development shall embody all the relevant recommendations of the Geotechnical Report. Where the geotechnical report requires inspections, a suitably qualified geotechnical engineer shall inspect the works at the stages specified in the report.

Prior to the issue of a Subdivision Works Certificate, all construction and engineering plans shall be certified by the suitably qualified civil engineer as being designed in accordance with the approved Geotechnical Report.

18. VEGETATION MANAGEMENT PLAN

Prior to the issue of the subdivision works certificate for the respective stage, the applicant shall submit a vegetation management plan to Council for approval for the proposed works within and adjacent to the riparian corridors and for the land zoned R1 (which is to be managed by Council as Operational Land). Note this is required to be provided for with the Controlled Activity Approval.

19. ENGINEERING PLAN CHECKING FEES

Upon submission of an application for Subdivision Works Certificate for a respective stage to be issued by Council as the Certifying Authority the applicant is to submit payment to Council in accordance with the Singleton Council Fees and Charges. The amount will be calculated in accordance with the development approval and Councils current fees and charges.

20. WATER AND SEWER SERVICING STRATEGY

Prior to issue of a subdivision works certificate the applicant is required to obtain approved designs for the proposed water and sewer network based on the approved water and sewer servicing strategies available from the property owner. Note that the development will rely on infrastructure delivered by ISOA Group the developers of 133 Pioneer Road Hunterview. As such the applicant is required to consult with the developer regarding timing for delivery of required infrastructure, and any cost sharing arrangement which would apply.

21. COMPLIANCE WITH ACOUSTIC REPORT

Before the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant to be in accordance with any requirements and recommendations of the approved acoustic report prepared by [insert name] dated [insert date] reference [insert reference].

Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.

Reason: To ensure appropriate noise attenuation measures are used.

22. 7.11 CONTRIBUTIONS (SECTION 94)

A monetary contribution is to be paid to Council for the provision of 87 additional lots, pursuant to Section 7.11 of the *Environmental Planning & Assessment Act 1979* and the Singleton Local Infrastructure Contributions Plan towards the provision of the following public facilities:

Catchment 1 – Singleton and the North

Total over 7 stages:

Infrastructure Category	Per Lot/Dwelling	Total \$
Plan Administration	\$ 2,969.00	\$258,303.00
Town Centre Upgrades	\$3,009.00	\$261,783.00
Road works	\$10,702.00	\$931,074.00
Shared paths	\$721.00	\$62,727.00
Public Open Space and Recreation Facilities	\$1586.00	\$137,982.00
Community Facilities	\$1,013.00	\$88,131.00
Total	\$20,000.00	\$1,740,000.00

Stage 1: 14 lots

Infrastructure Category	Per Lot/Dwelling	Total \$
Plan Administration	\$ 2,969.00	\$41,566.00
Town Centre Upgrades	\$3,009.00	\$42,126.00
Road works	\$10,702.00	\$149,828.00
Shared paths	\$721.00	\$10,094.00
Public Open Space and Recreation Facilities	\$1586.00	\$22,204.00
Community Facilities	\$1,013.00	\$14,182.00
Total	\$20,000.00	\$280,000.00

Stage 2: 10 lots

Infrastructure Category	Per Lot/Dwelling	Total \$
Plan Administration	\$ 2,969.00	\$29,690.00
Town Centre Upgrades	\$3,009.00	\$30,090.00
Road works	\$10,702.00	\$107,020.00
Shared paths	\$721.00	\$7,210.00
Public Open Space and Recreation Facilities	\$1586.00	\$15,860.00
Community Facilities	\$1,013.00	\$10,130.00
Total	\$20,000.00	\$200,000.00

Stage 3 : 11 lots

Infrastructure Category	Per Lot/Dwelling	Total \$
Plan Administration	\$ 2,969.00	\$32,659.00
Town Centre Upgrades	\$3,009.00	\$33,099.00
Road works	\$10,702.00	\$117,722.00
Shared paths	\$721.00	\$7,931.00
Public Open Space and Recreation Facilities	\$1586.00	\$17,446.00
Community Facilities	\$1,013.00	\$11,143.00
Total	\$20,000.00	\$220,000.00

Stage 4: 10 lots

Infrastructure Category	Per Lot/Dwelling	Total \$
Plan Administration	\$ 2,969.00	\$29,690.00
Town Centre Upgrades	\$3,009.00	\$30,090.00
Road works	\$10,702.00	\$107,020.00
Shared paths	\$721.00	\$7,210.00
Public Open Space and Recreation Facilities	\$1586.00	\$15,860.00
Community Facilities	\$1,013.00	\$10,130.00
Total	\$20,000.00	\$200,000.00

Stage 5: 11 lots

Infrastructure Category	Per Lot/Dwelling	Total \$
Plan Administration	\$ 2,969.00	\$32,659.00
Town Centre Upgrades	\$3,009.00	\$33,099.00
Road works	\$10,702.00	\$117,722.00
Shared paths	\$721.00	\$7,931.00
Public Open Space and Recreation Facilities	\$1586.00	\$17,446.00
Community Facilities	\$1,013.00	\$11,143.00
Total	\$20,000.00	\$220,000.00

Stage 6: 15 lots

Infrastructure Category	Per Lot/Dwelling	Total \$
Plan Administration	\$ 2,969.00	\$44,535.00
Town Centre Upgrades	\$3,009.00	\$45,135.00
Road works	\$10,702.00	\$160,530.00
Shared paths	\$721.00	\$10,815.00
Public Open Space and Recreation Facilities	\$1586.00	\$23,790.00
Community Facilities	\$1,013.00	\$15,195.00
Total	\$20,000.00	\$300,000.00

Stage 7: 17 lots (less a one lot credit) = 16 lots

Infrastructure Category	Per Lot/Dwelling	Total \$
Plan Administration	\$ 2,969.00	\$47,504.00
Town Centre Upgrades	\$3,009.00	\$48,144.00
Road works	\$10,702.00	\$171,232.00
Shared paths	\$721.00	\$11,536.00
Public Open Space and Recreation Facilities	\$1586.00	\$25,376.00
Community Facilities	\$1,013.00	\$16,208.00
Total	\$20,000.00	\$320,000.00

Payment of the above amount must apply to Development Applications as follows:

- a) Subdivision and building work - **prior to the issue of the Subdivision Certificate for each stage.**

Note: The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount must be indexed at the time of actual payment in accordance with the applicable Index.

23. Dam Dewatering Plan

Prior to the issue of a SWC, the applicant must prepare, submit to Council and obtain approval for a Dam Dewatering Plan for the existing farm dam that will be removed as a result of the proposal. The Dam Dewatering Plan must address the dewatering process for the removal and filling of dams. Details of the dewatering process are to include, but are not limited to; the proposed method of water disposal, schedule of works relating to the draining and filling of dams, proposed method for capturing and rescuing fauna, proposed relocation sites for fauna, protocol for injured fauna and environmental protection measures (i.e. sediment and erosion control and weed control).

24. Vegetation Management Plan

Prior to the issue of any SWC, the applicant must prepare, submit to Council and obtain approval for a Vegetation Management Plan (VMP) for the area to be revegetated with native shrubs and small trees. The VMP must be prepared by a suitably qualified and experienced Ecologist. The VMP must be for a minimum of (five) years. The primary objective of the plan must be weed management, regeneration of native vegetation and if necessary replanting. Implementation of the VMP must commence immediately following issue of the SWC. In preparing and implementing the VMP the following criteria must be addressed:

- a. A suitably qualified and experienced professional bush regeneration contractor must be engaged to carry out any revegetation planting, restoration and maintenance weed control specified in the VMP. The minimum qualifications and experience required for the bush regeneration contractor are a TAFE Certificate IV in Conservation and Land Management (or equivalent) and three years demonstrated experience (for site supervisor) and a TAFE Certificate 2 in Conservation and Land Management and one year demonstrated experience (for other personnel).
- b. A site plan must be prepared at an appropriate scale, clearly showing the area to which the VMP applies, existing vegetation and extent of dominant weed infestations.
- c. A description of existing native vegetation, assessment of ability to regenerate and rehabilitation methods must be provided.
- d. A schedule of works must be prepared detailing the sequence and duration of works necessary for the regeneration, any revegetation and maintenance works. All primary weed control must be undertaken in the first year following commencement of the VMP, with secondary weed control undertaken in the second year following commencement of the VMP. Maintenance weed control must continue for the duration of the VMP. If natural regeneration has not

occurred within one (1) year of implementation of the VMP then replanting must occur. Replanting density is to be 1 tree per 10 m², 1 shrub or small tree per 3 m² and 3 ground cover plants per 1m². A minimum of 90% survival rate of plantings is required, with replacement planting to occur if required to achieve this.

- e. Targets for primary, secondary and maintenance phases of the VMP for exotic cover, native canopy cover, native midstorey cover and native ground cover must be at least:

Maintenance Phase	Exotic cover	Native canopy cover	Native midstorey cover	Native ground cover
Primary	Less than 25%	At least 10% or replanting is required	At least 10% or replanting is required	At least 40%
Secondary	Less than 10%	At least 15% or replanting is required	At least 15% or replanting is required	At least 50% cover
Maintenance	Less than 5%	At least 20% or replanting is required	At least 20% or replanting is required	At least 50% cover

If targets are not met by the end of the maintenance phase, additional works are required so that targets are achieved before works can progress to the next maintenance phase.

- f. The location and type of fencing or other suitable method of restricting access of livestock into the area to which the VMP applies must be identified if livestock are to be kept on the lot.
- g. Photo monitoring points, details of plan survival, occurrence of natural regeneration and weed density must be used as part of the monitoring of the area and included in each monitoring report.

BEFORE SUBDIVISION WORK COMMENCES

25. SOIL AND WATER MANAGEMENT PLAN

Prior to any work commencing, the applicant shall prepare a Soil and Water Management Plan for the respective stage, that is compatible with the Construction Management and Traffic Management Plan referred to in this Development Consent. The plan must be submitted to and approved by the Principal Certifying Authority as satisfying these matters prior to the commencement of works.

The Soil and Water Management Plan shall incorporate the following matters:

- a) Minimise the area of soils exposed at any one time.
- b) Conservation of topsoil.
- c) Identify and protect proposed stockpile locations.
- d) Preserve existing vegetation. Identify revegetation techniques and materials.
- e) Prevent soil, sand, and sediments from leaving the site in an uncontrolled manner.
- f) Control surface water flows through the site in a manner that:
 - i. Diverts clean runoff around disturbed areas.
 - ii. Minimises slope gradient and flow distance within disturbed areas.
 - iii. Ensures surface run-off occurs at non-erodible velocities.
 - iv. Ensures disturbed areas are promptly rehabilitated.
- g) Sediment and erosion control measures in place before work commences.
- h) Materials are not tracked onto the road by vehicles entering or leaving the site.
- i) Details of drainage to protect and drain the site during works.

The requirements of the Soil and Water Management Plan shall be in place prior to the commencement of demolition works and/or construction works and shall be maintained throughout the demolition and/or construction process.

26. CONSTRUCTION MANAGEMENT PLAN

Prior to any work commencing, the applicant shall prepare a construction management plan. The plan must be submitted to and approved by the Principal Certifying Authority prior to the commencement of works.

The construction management plan shall include:

- a) Details of sedimentation and erosion control
- b) Details of haulage routes approved by Council
- c) Details of dust mitigation and access roads.
- d) Location and phone number of the site office.
- e) Traffic Management, including:
 - i. Traffic Control Plans
 - ii. Managing Construction Vehicular Movements
- f) Name and phone number of the site supervisor.

Note: All trucks and machinery must be free from all foreign material where such material is likely to cause pollution. An area must be set aside for the cleaning of any concrete agitator trucks.

27. TRAFFIC MANAGEMENT PLAN

Prior to any work commencing, a Traffic/Pedestrian Management Plan in accordance with the current version of the TfNSW Traffic Control at Work Sites manual is to be prepared and endorsed by a suitably qualified person. The plan must be submitted to and approved by the Principal Certifying Authority prior to the commencement of works.

The Traffic/Pedestrian Management Plan is to be established prior to any alterations to ensure the safety of the normal flow of traffic on the road or deviation of pedestrians.

The design and implementation of any Traffic Guidance Schemes (TGS's) within the Traffic/Pedestrian Management Plan must only be undertaken by person/persons who hold 'Prepare a Work Zone Traffic Management Plan' certification. The TGS must include the name, signature and certificate number of the accredited person. A copy of the TGS is to be held on-site at all times.

28. HOARDING AND CONSTRUCTION SITE SAFETY FENCING

Construction site safety fencing and/or hoarding shall be provided in accordance with WorkCover requirements. Such fencing and/or hoarding shall be erected wholly within the property boundary unless prior approval from Council is obtained.

Council approval is required to install hoarding, site fencing or overhead protective structures over or adjoining a public place i.e. a footpath or a Public Reserve. No work shall commence until written approval is obtained.

29. SERVICE RELOCATIONS

The applicant shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to the commencement of any works.

30. DILAPIDATION REPORT

Prior to any work commencing, a dilapidation report is to be submitted to Council. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development.

31. CONSTRUCTION AND MAINTENANCE BOND

Prior to the commencement of any works, a construction bond equal to 5% of the total value of all civil works for the respective stage must be paid to Council. Evidence of the contract price for all construction works is to be submitted to enable Council to assess and confirm the appropriate bond amount. The bond must be in favour of Council and cover all aspects of the proposed civil construction activities. Upon completion of the civil works, the bond will be retained to address any failures or

Any uninjured fauna should be relocated to nearby bushland. Any nocturnal fauna should be kept in a suitable cage in a shaded location until dusk, and then released into nearby bushland. If juvenile fauna are discovered in hollows after a tree is felled, they are to be taken into the care of an organisation such as the Native Animal Trust Fund.

Injured fauna should be assessed by the ecologist, and euthanised if their injuries are such that the ecologist considers that they are unlikely to survive. If injured fauna are likely to survive, they should be taken to a vet for treatment. After treatment, fauna should be taken to an organisation such as the Native Animal Trust Fund for care until they can be released.

defects identified during the 12-month maintenance period, which commences from the date of Subdivision Certificate approval.

32. SEDIMENT AND EROSION CONTROL

The control of erosion and the prevention of silt discharge into drainage systems and waterways will be necessary in accordance with Council's Development Engineering Specifications. Sediment and erosion control measures are to be implemented prior to the commencement of any earthworks and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas. A sediment and erosion control plan is to be approved prior to the issue of a Subdivision Works Certificate.

33. PROTECTION OF TREES TO BE RETAINED

The area beneath the canopies of the trees to be retained must be fenced prior to the commencement of works. The fencing must encompass the maximum possible area covered by the drip line of the canopy, and must remain in place until the completion of building works. The fencing should be a minimum of 1.8 metres high chain-link or welded mesh fencing. The fencing is to be maintained for the duration of the building works.

Services should be located to avoid disturbing tree roots. Trenches required for the installation of services should be located outside of the fenced area.

All areas within the perimeter of the safety fencing are to be covered with woodchip mulch to a depth of 100mm. All steep gradients unable to be effectively covered with mulch are to be protected with hessian cloth to be kept at a moisture level sufficient to ensure the preservation of tree root systems.

Tree protection signage is required to be attached to each tree protection zone, displayed in a prominent position.

Written confirmation of hollow bearing tree removal must be provided to council confirming fauna species detected during tree removal activities and any relocation actions and injuries that occurred.

34. SOFT FELLING OF HOLLOW BEARING / HABITAT TREES AND INSTALLATION OF ARTIFICIAL HOLLOWES

A hollow bearing/habitat tree survey must be undertaken by a fauna ecologist in the week prior to the felling of any trees. During the survey, the ecologist is to tap the tree, by banging the base of each tree with a mallet or using a similar method, to encourage any fauna to vacate. An observation period of

at least 5 minutes per tree is required to observe the emergence of any fauna, and observations must be noted. All hollow bearing/habitat trees must be marked as part of the survey.

All surrounding trees that are not hollow bearing or habitat trees must be cleared at least one day prior to felling of any hollow bearing/habitat trees.

Equipment used to fell hollow bearing or habitat trees must be capable of slowly lowering the trees to the ground. A qualified fauna ecologist must be present during the felling of the trees. The fauna ecologist must have the appropriate skills and equipment to perform euthanasia if necessary. Immediately prior to felling, each hollow bearing/habitat tree should be tapped or gently shaken with the equipment followed by an observation period of at least one minute to watch for the emergence of any fauna. The tree should be tapped again, followed by a second observation period of at least one minute. If fauna appear during the observation period, the ecologist should encourage the fauna to relocate. If no fauna appear, the tree is to be lowered to the ground slowly and gently. The hollows of the felled tree should be inspected for fauna by the ecologist after it has settled.

A suitably qualified ecologist must install or supervise installation of artificial hollows within areas of retained vegetation. Artificial hollows are to be installed at a ratio of 1:1 for every hollow bearing tree to be removed (not tree hollow) to adjust for the credit obligation requirements around hollow bearing trees.

Installation is to occur within retained RE1 Public Recreation lands to the east and must occur at least one month prior to on ground clearing works with artificial hollows installation to be consistent with the Biodiversity Conservation Trust Guideline for Artificial Hollows, August 2020 ([BCT Guideline for Artificial Hollows](#)).

Each artificial hollow / nest box must also have a unique identifying number that can be read from the ground.

A plan must be provided to council for approval showing:

- locations of artificial hollows / nest box installed.
- identifying numbers.
- Detail on target species for each artificial hollow / nest box.

Council will review the plan and provide written advice to the project manager confirming whether the condition requirements have been met. Removal of designated hollow bearing trees can occur once written confirmation regarding artificial hollow installation has been provided to the council project officer.

35. CARE OF NATIVE FAUNA FOUND IN FELLED TREES

Any uninjured fauna should be relocated to nearby bushland. Any nocturnal fauna should be kept in a suitable cage in a shaded location until dusk, and then released into nearby bushland. If juvenile fauna are discovered in hollows after a tree is felled, they are to be taken into the care of an organisation such as the Native Animal Trust Fund.

Injured fauna should be assessed by the ecologist, and euthanised if their injuries are such that the ecologist considers that they are unlikely to survive. If injured fauna are likely to survive, they should be taken to a vet for treatment. After treatment, fauna should be taken to an organisation such as the Native Animal Trust Fund for care until they can be released.

36. Biodiversity Credit Retirement – Ecosystem Credits (like-for-like)

Before any construction commences, Ecosystem Credits identified in the table below must be retired to offset impacts of the approved development.

Ecosystem Credits				
Plant Community Type	Offset Trading Group	HBT	Offset Credits	IBRA Region
3315 Central Hunter Ironbark-Spotted Gum – Forest	Central Hunter Ironbark-Spotted Gum – Grey Box Forest in the NSW North Coast and Sydney Basin Bioregions. This includes PCTs: 1604, 3315	Yes	16	Hunter, Ellerston, Karuah Manning, Kerabee, Liverpool Range, Peel, Tomalla, Upper Hunter, Wyong and Yengo. OR Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.
3315 Central Hunter Ironbark-Spotted Gum – Forest	Central Hunter Ironbark-Spotted Gum – Grey Box Forest in the NSW North Coast and Sydney Basin Bioregions. This includes PCTs: 1604, 3315	No	144	Hunter, Ellerston, Karuah Manning, Kerabee, Liverpool Range, Peel, Tomalla, Upper Hunter, Wyong and Yengo. OR Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.

The requirement to retire credits outlined above may be satisfied by paying the equivalent amount of funds into the Biodiversity Conservation Fund relevant to the above trade information, as calculated within the biodiversity offsets assessment method calculator.

Evidence of credit retirement, or payment into the Biodiversity Conservation Fund confirming the above credit outcomes have been satisfied **must be provided** to the responsible council officer **prior to construction** works commencing.

37. Biodiversity Credit Retirement – Species Credits

Before any construction work commences, species credits identified in the table below must be retired to offset impacts of the approved development.

Species Credits			
Candidate Species	Like for like	Credits	IBRA Subregion
Squirrel Glider <i>Petaurus norfolcensis</i>	Squirrel Glider <i>Petaurus norfolcensis</i>	16	Any in NSW
Brush-tailed Phascogale <i>Phascogale tapoatafa</i>	Brush-tailed Phascogale <i>Phascogale tapoatafa</i>	16	Any in NSW

The requirement to retire credits outlined above may be satisfied by paying the equivalent amount of funds into the Biodiversity Conservation Fund relevant to the above trade information, as calculated within the biodiversity offsets assessment calculator.

Evidence of credit retirement, or payment into the Biodiversity Conservation Fund confirming the above credit outcomes have been satisfied **must be provided** to the responsible council officer **prior to construction works** commence.

38. ROAD REPORT CONDITION

Before any work commences, the applicant/contractor is to prepare a road condition report for approval if material is brought or removed from the development site. The report is to identify any existing problems with the roadway along an agreed haul route (excluding State Controlled Roads). The report is to contain the location of existing deficiencies of the roadway with site photos of the route especially at areas where turning movements will occur.

On completion of works, the agreed haul route shall be subject to a joint inspection by the applicant and Council Officers to identify any further damage that has occurred. If any additional damage has occurred, all rectification works shall be at the applicant's expense, to the satisfaction of Council.

Reason: To account for any damage to Council roads by the development works.

39. TRAFFIC MANAGEMENT PLAN

Before any work commences, a Traffic Management Plan is to be prepared by a suitably qualified person in accordance with Australian Standard AS1742.3 and the TfNSW Traffic Control at Work Sites manual (latest version) and provided to the Principal Certifier. The Traffic Management Plan is to be established on site prior to any works starting to ensure the safety of the normal flow of traffic on the road or deviation of pedestrians.

Reason: To account for any impacts to local traffic by the works.

40. LOCAL TRAFFIC COMMITTEE

The prescribed traffic control devices or traffic control facilities that are included within the project require review by Singleton Council's Local Traffic Committee and subsequent approval by Council.

Local Traffic Committee meets every 3 months, generally in February, May, August and November with the recommendations being taken to the following month's Council meeting for approval. Information relating to prescribed traffic control devices or traffic control facilities must be provided to Council a minimum of six (6) weeks prior to a Local Traffic Committee Meeting.

Reason: To ensure Local Traffic Committee approval can be granted where required.

41. TEMPORARY CLOSET REQUIREMENTS

A temporary closet shall be provided on site from the commencement of building work. No inspections will be made until the closet is installed.

A temporary closet shall be:-

- a) A water closet connected to the sewerage system to Council approval; or
- b) A water closet connected to an approved septic tank; or A chemical closet supplied by a contractor approved by Council.

Reason: to ensure temporary closets are provided as required.

DURING SUBDIVISION WORK

42. NOISE – CONSTRUCTION SITES

The operating noise level of construction site operations, including machinery, plant and equipment when measured at any affected premises, shall be evaluated and comply with the requirements of the NSW Office of Environment and Heritage publication "Interim Construction Noise Guideline" July 2009.

Approved Construction Times

The approved hours for construction of this development are:

Monday to Friday - 7.00am to 6.00pm. Saturday

– 8am to 1pm.

No construction work shall take place on Sundays or Public Holidays.

Reason: To specify when works are able to be undertaken and to minimise construction noise impacts on surrounding environment.

43. DISCOVERY OF RELICS AND ABORIGINAL OBJECTS

While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered: a) the work in the area of the discovery must cease immediately; b) the following must be notified i) for a relic – the Heritage Council; or ii) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. Site work may recommence at a time confirmed in writing by: a) for a relic – the Heritage Council; or b) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Reason: To ensure the protection of objects of potential significance during works.

44. ABORIGINAL HERITAGE MITIGATION MEASURES

Exclusion fencing shall be installed and maintained during construction, in accordance with the mitigation measures included in the Aboriginal Heritage Due Diligence of archaeological items Area C report prepared by Insite Heritage and as approved by this consent.

Reason: To ensure the protection of objects of potential significance during works.

45. SEDIMENT AND EROSION CONTROL

The control of erosion and the prevention of silt discharge into drainage systems and waterways will be necessary in accordance with Council's Development Engineering Specifications, Landcom's 'Soil and Construction – Managing Urban Stormwater - Current edition, and the approved Soil and Water Management Plan. Sediment and erosion control measures are to be implemented prior to the commencement of any earthworks and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

46. DUST SUPPRESSION

During the extraction, removal, and transportation of material associated with the works, the person having the benefit of the consent shall ensure that airborne dust is contained within the work site or transport vehicles, and does not impact on the amenity of the surrounding environment.

Effective environmental controls and practices shall be implemented and maintained to the satisfaction of Council.

47. TREE PROTECTION AND PROTECTIVE FENCING

All tree protection fencing and signage as required by Condition 33, must remain in place until completion of construction works.

Stockpiling or storage or mixing of materials (including soil), vehicle parking, disposal of liquids, machinery repairs, refuelling and the siting of any new offices or sheds must not occur within the drip line of retained trees/the land mapped as 'avoidance area' and the zoned RE1 – Public Recreation during any stage of the development.

48. NEST BOXES

Nest boxes must be installed if hollow bearing trees are removed, at a ratio of at least 2 boxes per hollow. Nest boxes must be installed in mature retained trees on the lot/the RE1 zone. Evidence that this has occurred must be provided to Council's Ecologist for approval prior issue of the SC.

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

49. SUBDIVISION CERTIFICATE

An application for a Subdivision Certificate must be submitted to Council. The application is to include the Administration Sheet, final plan of subdivision, Section 88B Instrument, and all necessary supporting documentation to facilitate approval of the Subdivision Certificate.

49A. INTERSECTION UPGRADE

Prior to the issue of any Subdivision Certificate for more than 22 lots, the intersection of the New England Highway and Bridgman Road, is to be upgraded to the satisfaction of Singleton Council and Transport for NSW.

50. STREET LIGHTING

Prior to the issue of a Subdivision certificate, Street lighting is to be provided to all roads and pathways within the site for the respective stage. The lighting is to be designed in accordance with *Australian Standard AS1158 part 1.2-Street Lighting* and the requirements of Ausgrid. All design and installation are to be at the applicant's expense. Street lighting is to be staged in accordance with the staging of the road construction staging plan.

51. FENCING

A 1.8-metre-high Colorbond 'Evergreen' (or equivalent) fence must be provided along all residential lot boundaries adjoining a public reserve, drainage reserve, or future public space, including Lots 21 to 24. The fence must be constructed in accordance with the manufacturer's specifications and completed prior to the issue of the Subdivision Certificate.

52. DAMAGE CAUSED DURING CONSTRUCTION

Prior to the issue of a Subdivision Certificate, the applicant will repair any damage to a public road or associated structures such as kerb and gutter, drains, footpath, and utility services caused as a consequence of the development works. Any remediation work is to be completed to Council's satisfaction.

53. SITE CLASSIFICATION

Prior to the issue of a Subdivision certificate, the applicant shall provide Council as the Principal Certifying Authority, with a site report from a qualified Geotechnical Engineer detailing the site classification in accordance with the provisions of AS 2870.1 1988 and a fill diagram showing depth and location of fill where applicable.

54. QUALITY ASSURANCE

Prior to the issue of a Subdivision certificate, the applicant is to submit a digital copy of all test results required to confirm compliance with Council's Development Engineering Specifications.

55. DRAINAGE EASEMENT

The applicant must provide inter-allotment drainage easements in accordance with Singleton Council's Engineering Design Guidelines for any proposed lots that do not naturally drain to the road. The drainage system, including the construction of pipelines and grated yard inlet pits, must be designed and constructed in accordance with Council's Development Engineering Specifications. Full details are to be submitted to and approved by Council prior to the release of the Subdivision Certificate.

Note:

- a) A suitable 88B instrument creating the easement, in accordance with the requirements of the Conveyancing Act 1919, shall be submitted to Council prior to the issue of a Subdivision Certificate.
- b) Construction shall be completed prior to the issue of a Subdivision Certificate.

56. WORK AS EXECUTED PLANS

Work-As-Executed (WAE) Plans must be prepared and submitted to the Principal Certifying Authority prior to the issue of the Subdivision Certificate. The WAE plans must be submitted in both PDF and DWG formats, with the DWG file compatible with Council's Geographic Information System (GIS), and prepared in accordance with Council's specifications for WAE plan submissions.

Council's WAE plan specifications are available on the Council website. Alternatively, applicants may contact Council's GIS department to request a copy of the specifications or to seek further clarification.

57. POWER SUPPLY

Prior to the issue of a Subdivision certificate, the applicant will provide documentary evidence from Ausgrid that satisfactory arrangements have been made for the provision of power to all lots and:

- Provide a provision for easements in favour of Ausgrid over private land for existing and proposed power lines and where the development required the relocation of power lines for other assets of Ausgrid.
- The provision of a grid-based underground electricity supply to each of the resultant lots on the subdivision.

58. COMMUNICATIONS SUPPLY

Prior to the issue of a Subdivision certificate, the applicant shall provide documentary evidence from NBNCo that satisfactory arrangements have been made for the supply of communication services to each of the proposed lots and have satisfied any requirements for the National Broadband Network.

59. CCTV INSPECTION

Prior to the issue of a subdivision certificate, the applicant is to conduct a CCTV investigation of the constructed sewer and piped street drainage stormwater lines at no cost to the Council. A second CCTV investigation is to be carried out within the maintenance period of 12 months. The investigation is to be carried out by a suitably qualified professional in the field with the results submitted to Council Development Engineering for approval. Any damage to the network is to be rectified by the applicant to the satisfaction of Council.

60. DEDICATION OF ROAD

Prior to the issue of a Subdivision certificate, the proposed public roads within the development shall be dedicated to Council at no cost. The public roads shall be delineated on the final plan of development and submitted with the application for a Subdivision Certificate.

Road names are to be lodged with Council's Spatial Information Officer for approval prior to the issue of the Subdivision Certificate.

61. STREET NUMBERING

Prior to the issue of the Subdivision Certificate, a Council-assigned street number is to be allocated to each lot. Information on Council's property addressing and street numbering requirements can be sourced by contacting Council's Land and Assets Management Systems Team.

62. EASEMENTS TO BE DETAILED ON LINEN PLANS

Linen plans deposited with Council for release must contain appropriate easements to protect public infrastructure on private land (water, sewer, drainage, electricity etc.) and access.

63. 88B INSTRUMENT

The Section 88B instrument will be submitted to Council with all relevant signatures and company seals (where applicable) prior to endorsement of the linen plan of subdivision and issue of the Subdivision Certificate. Alternatively, Council will accept, at their discretion, a copy of the Section 88B instrument with an accompanying letter from the acting solicitor or surveyor giving an undertaking that the Section 88B Instrument will be signed and submitted as presented to Council, unaltered, and registered with the linen plan of subdivision.

64. MAINTENANCE AND DEFECT LIABILITY PERIOD

Prior to the issue of the Subdivision Certificate, the applicant must provide written confirmation to Council's representative that all works have been completed in accordance with Council approvals. The applicant is also responsible for arranging an inspection of the works by the Certifying Authority following the expiry of the 12-month maintenance and defect liability period. During this period, the applicant is responsible for maintaining the works and carrying out any necessary repairs or modifications resulting from defects in materials or workmanship. If the works are deemed satisfactory at the final inspection, any bond lodged for the construction works will be returned by Council.

65. COMPLIANCE CERTIFICATE

Prior to the issue of a subdivision certificate, the applicant is to submit an engineering compliance certification prepared by a suitably qualified practising engineer indicating that all drainage / structural works have been carried out in accordance with the approved plans. The compliance certification is to be submitted to Council's Development Engineering unit.

66. VEGETATION MANAGEMENT PLAN

A monitoring report on the progress of the Vegetation Management Plan's implementation shall be prepared and submitted to Council upon completion of the primary planting, and prior to the issue of an SC.

67. DAM DE-WATERING

Before the issue of a Subdivision Certificate, the applicant must submit to Council a report demonstrating that the dewatering of the dam has been undertaken in accordance with the approved Dam Dewatering Plan.

- confirmation that dewatering was completed in accordance with the approved methodology;
- details of timing and duration of dewatering;
- measures implemented to manage water quality and sediment; and
- photographic evidence of completed works.

68. WATER AND SEWER CONTRIBUTIONS

Prior to the release of a Subdivision Certificate, the applicable water and sewer contributions must be paid for the respective stage. Water Directorate Guidelines are used to calculate the charges which reflect the additional water and sewer loadings generated by the development.

The value of the contributions will be included in Water and Sewer Group's Notice of Requirements in response to the developer's application for a certificate of compliance as under Section 307, Water Management Act 2000 (NSW)

69. WATER AND SEWER CERTIFICATE OF COMPLIANCE

Prior to the issue of a Subdivision Certificate for the respective stage, a certificate of compliance with requirements of Section 307, Water Management Act 2000 (NSW) must be obtained from Council's Water and Sewer group.

A Section 307 Certificate will be issued, upon application to the Water and Sewer Group, after all requirements detailed in the Section 306 Notice of Requirements have been satisfied.

70. ENTRY FEATURE WALLS AND 88B INSTRUMENT

The subdivision entry feature walls shall be located within proposed Lots 1 and 21 and an 88B instrument shall apply to each Lot, specifying they're to remain until Stage 7 is completed.

The applicant is to maintain the entry feature walls whilst they remain in place and will not obstruct replacement of walls with fencing if the future owner of Lots 1 and 21 choose to do so, once the development is built out.

71. TEMPORARY ASSET PROTECTION ZONES

A letter from Singleton Council, Acting Manager Infrastructure Services dated 16 June 2025 The letter advises that:

"Council grants owners consent for an APZ to be created over Council owned land being a portion of Lot 8 DP 1196266 Pioneer Road Hunterview. This is specifically to support The Applicants proposal for the creation of lots 21, 22, 23 and 24 in the proposed subdivision of Lot 643 DP 1313681.

Conditions:

1. The Applicant (Singleton Council) will be responsible for obtaining any development consent for the subdivision of Lot 643 DP 1313681 and any Bush Fire Safety Authority from the Rural Fire Service (RFS).
2. The APZ will be on the terms required by the RFS Planning for Bushfire Protection 2019 and any Bush Fire Safety Authority issued under Section 100B of the Rural Fires Act 1997.
3. The APZ will be enacted upon the registration of lots 21, 22, 23 and 24 in the proposed subdivision
4. The applicant will register a restrictive covenant over these parcels of land via an 88B Instrument, in which the relevant lots will be burdened with a requirement for ongoing maintenance of the APZ
5. The Applicant is responsible for all costs associated with the granting of the APZ including the preparation of any plans and documentation and registration on title.
6. The Applicant is responsible for any environmental offsets or costs for impacts on vegetation resulting from the creation of the APZ."

ONGOING LANDUSE

72. VEGETATION MANAGEMENT PLAN

A monitoring report on the progress of the Vegetation Management Plan's implementation shall be prepared and submitted to Council at six monthly intervals until the end of the 5 year's maintenance period. A final report shall also be submitted upon completion of the maintenance period.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [*Conditions of development consent: advisory notes*](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Subdivision work must not be carried out until a subdivision works certificate, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Singleton Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to: the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Hunter and Central Coast Regional Planning Panel.