**ATTACHMENT A – MODIFIED CONDITIONS OF CONSENT**

Attachment A – Amended conditions of consent

**recommendation**

**Delete conditions 1, 3, 8 and 42 and replace with the amended conditions below:**

**Condition 1** – **Development in accordance with approved plans**

**Amend Condition 1 to read as follows**

The development is to be in accordance with plans and documents listed below:

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| **Plan No.** | **Description** | **Prepared by** | **Dated:** |
| 0050 Rev C | General Arrangement - Overall | Planit Consulting | 27/8/20 |
| 0051 Rev C | General Arrangement – Sheet 1 of 2 | Planit Consulting | 27/8/20 |
| 0052 Rev C | General Arrangement - Sheet 2 of 2 | Planit Consulting | 27/8/20 |
| 0200 Rev B | Finished Surface Cut and Fill Plan – Sheet 1 of 2 | Planit Consulting | 27/8/20 |
| 0201 Rev B | Finished Surface Cut and Fill Plan – Sheet 2 of 2 | Planit Consulting | 27/8/20 |

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| 0210 Rev B | Earthworks Plan Sheet 1 of 6 | Planit Consulting | 27/8/20 |
| 0211 Rev B | Earthworks Plan Sheet 2 of 6 | Planit Consulting | 27/8/20 |
| 0212 Rev B | Earthworks Plan Sheet 3 of 6 | Planit Consulting | 27/8/20 |
| 0213 Rev B | Earthworks Plan Sheet 4 of 6 | Planit Consulting | 27/8/20 |
| 0214 Rev A | Earthworks Plan Sheet 5 of 6 | Planit Consulting | 26/6/20 |
| 0215 Rev A | Earthworks Plan Sheet 6 of 6 | Planit Consulting | 26/6/20 |
| 0220 Rev B | Site Sections | Planit Consulting | 27/8/20 |
| 0230 Rev A | Retaining Wall Sections | Planit Consulting | 26/6/20 |
| 0300 Rev C | Road and Drainage Plan – Sheet 1 of 6 | Planit Consulting | 27/8/20 |
| 0301 Rev C | Road and Drainage Plan – Sheet 2 of 6 | Planit Consulting | 27/8/20 |
| 0302 Rev C | Road and Drainage Plan – Sheet 3 of 6 | Planit Consulting | 27/8/20 |
| 0303 Rev C | Road and Drainage Plan – Sheet 4 of 6 | Planit Consulting | 27/8/20 |
| 0304 Rev B | Road and Drainage Plan – Sheet 5 of 6 | Planit Consulting | 24/7/20 |
| 0305 Rev B | Road and Drainage Plan – Sheet 6 of 6 | Planit Consulting | 24/7/20 |
| 0310 Rev C | Typical Road Sections – Sheet 1 of 7 | Planit Consulting | 27/8/20 |
| 0311 Rev C | Typical Road Sections – Sheet 2 of 7 | Planit Consulting | 27/8/20 |
| 0312 Rev C | Typical Road Sections – Sheet 3 of 7 | Planit Consulting | 27/8/20 |
| 0313 Rev C | Typical Road Sections – Sheet 4 of 7 | Planit Consulting | 27/8/20 |
| 0314 Rev C | Typical Road Sections – Sheet 5 of 7 | Planit Consulting | 27/8/20 |
| 0315 Rev B | Typical Road Sections – Sheet 6 of 7 | Planit Consulting | 27/8/20 |
| 0316 Rev A | Typical Road Sections – Sheet 7 of 7 | Planit Consulting | 27/8/20 |
| 0320 Rev B | Road 01 Longitudinal Section – Sheet 1 of 2 | Planit Consulting | 24/7/20 |
| 0321 Rev B | Road 01 Longitudinal Section – Sheet 2 of 2 | Planit Consulting | 24/7/20 |

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| 0322 Rev A | Road 02 Longitudinal Section | Planit Consulting | 26/6/20 |
| 0323 Rev A | Road 03 & Melaleuca Drive Longitudinal Sections | Planit Consulting | 26/6/20 |
| 0324 Rev A | Road 04 Longitudinal Section | Planit Consulting | 26/6/20 |
| 0325 Rev A | Road 05 Longitudinal Section | Planit Consulting | 26/6/20 |
| 0326 Rev B | Road 06 Longitudinal Section – Sheet 1 of 2 | Planit Consulting | 24/7/20 |
| 0327 Rev A | Road 06 Longitudinal Section – Sheet 2 of 2 | Planit Consulting | 26/6/20 |
| 0328 Rev A | Road 07 & 08 Longitudinal Sections | Planit Consulting | 26/6/20 |
| 0329 Rev A | Road 09 Longitudinal Section | Planit Consulting | 26/6/20 |
| 0340 Rev A | Kerb Return 01 Longitudinal Section | Planit Consulting | 26/6/20 |
| 0341 Rev A | Kerb Return 02 Longitudinal Section | Planit Consulting | 26/6/20 |
| 0342 Rev A | Kerb Return 03 Longitudinal Section | Planit Consulting | 26/6/20 |
| 0410 Rev C | Proposed and Impacted Catchment Plan | Planit Consulting | 27/8/20 |
| 0420 Rev A | Typical Swale Sections | Planit Consulting | 26/6/20 |
| 0430 Rev A | Swale 01 Longitudinal Section | Planit Consulting | 26/6/20 |
| 0440 Rev A | Bio-retention & Bio-swale Details | Planit Consulting | 26/6/20 |
| 0450 Rev A | Plan of Swales – Sheet 1 of 2 | Planit Consulting | 13/8/20 |
| 0451 Rev A | Plan of Swales – Sheet 2 of 2 | Planit Consulting | 13/8/20 |
| 0500 Rev A | Sewer and Water Plan Set – Sheet 1 of 4 | Planit Consulting | 27/8/20 |
| 0501 Rev A | Sewer and Water Plan Set – Sheet 2 of 4 | Planit Consulting | 27/8/20 |
| 0502 Rev A | Sewer and Water Plan Set – Sheet 3 of 4 | Planit Consulting | 27/8/20 |
| 0503 Rev A | Sewer and Water Plan Set – Sheet 4 of 4 | Planit Consulting | 27/8/20 |
| 0510 Rev A | Sewer Pump Detail | Planit Consulting | 26/6/20 |
| 0520 Rev A | Low Pressure Catchment Plan | Planit Consulting | 26/6/20 |

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| 0530 Rev B | Regional Sewer Pump Station Network Connections | Planit Consulting | 27/8/20 |
| 0531 Rev A | Regional Sewer Pump Station Site Layout | Planit Consulting | 26/6/20 |
| 0532 Rev A | Regional Sewer Pump Station General Details | Planit Consulting | 26/6/20 |
| 0533 Rev A | Regional Sewer Pump Station Fittings Details | Planit Consulting | 26/6/20 |
| 0534 Rev A | Regional Sewer Pump Station Wet Weather Storage Details | Planit Consulting | 26/6/20 |
| 0600 Rev B | Staging Plan | Planit Consulting | 27/8/20 |
| 0610 Rev C | Stage 1 Phase A Plan | Planit Consulting | 27/8/20 |
| 0611 Rev C | Stage 1 Phase B Plan | Planit Consulting | 22/10/21 |
| 0620 Rev C | Stage 2 Plan | Planit Consulting | 22/10/21 |
| 0630 Rev B | Stage 3 Plan | Planit Consulting | 27/8/20 |
| 0640 Rev C | Stage 4 Plan | Planit Consulting | 27/8/20 |
| 0650 Rev C | Stage 5 Plan | Planit Consulting | 27/8/20 |
| 0660 Rev B | Stage 6 Plan | Planit Consulting | 27/8/20 |
| J5644\_02  Rev 02 | Acid Frogs Habitat Plan – Habitat Creation Areas for Acid Frogs | Planit Consulting | 16/6/20 |
| J5644\_03  Rev 02 | Acid Frogs Habitat Plan – Sections & Details | Planit Consulting | 16/6/20 |
| J5644\_04  Rev 02 | Acid Frogs Habitat Plan – Detailed Pond Plan & Details | Planit Consulting | 16/6/20 |
| J5644\_0501  Rev 02 | Rehabilitation Plan – Zone 1 | Planit Consulting | 16/6/20 |
| J5644\_0502  Rev 02 | Rehabilitation Plan – Zone 2 | Planit Consulting | 16/6/20 |
| J5644\_0503  Rev 02 | Rehabilitation Plan – Zone 3 | Planit Consulting | 16/6/20 |
| J5644\_0504  Rev 02 | Rehabilitation Plan – Zone 4 | Planit Consulting | 16/6/20 |
| J5644\_0505  Rev 03 | Rehabilitation Plan – Zone 5 | Planit Consulting | 27/7/20 |
|  | Landscape Sections, Section 01, Section 02 |  | 20/8/20 |
|  | Landscape Sections, Section 03 |  | 16/6/20 |
| J6539\_001 | Overall Masterplan | Planit | 27/5/20 |

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| Rev 04 |  | Consulting |  |
| J6539\_002  Rev 04 | Subdivision Plan | Planit Consulting | 27/5/20 |
| J6539\_101  Rev 03 | Overall Open Space Plan | Planit Consulting | 16/6/20 |
| J6539\_102  Rev 03 | Open Space Plan  As amended by Council on 031120 to identify “all roads are to be dedicated to Council free of cost” | Planit Consulting | 3/11/20 |
| J6539\_210  Rev 02 | Vegetation Clearing Plan | Planit Consulting | 22/5/20 |
| J6539\_001  Rev 01 | E2 Zone Buffer | Planit Consulting | 21/5/20 |
| J6682  Revision A | Rehabilitation Zones Plan – Pages 1 and 2 |  | 18/6/20 |
| SK090 Rev A | Frog Habitat Sections (sheet 1 of 2) | Planit Consulting | 20/8/20 |
| SK091 Rev A | Frog Habitat Sections (sheet 2 of 2) | Planit Consulting | 20/8/20 |
|  | **Management Plans** |  |  |
| HMC 2016.119 | Acid Sulfate Soils Management Plan Residential Subdivision | HMC  environmental consulting | November 2016 |
|  | Harvest Estate Landscape Masterplan | Planit Consulting | 28/8/2020 |
| Revision D | Harvest Estate Groundwater Management Plan | Australian Wetlands Consulting | 26/8/2020 |
| Revision C | Harvest Estate Belongil Creek Plan of Management | Australian Wetlands Consulting | 26/8/2020 |
| Revision D | Harvest Estate Acid Frog Management Plan | Australian Wetlands Consulting | 26/8/2020 |
| Version 1.3 | Harvest Estate Koala Plan of Management | Planit Consulting | 26/8/2020 |
| Version 1.3 | Harvest Estate Threatened Species Management Plan | Planit Consulting | 26/8/2020 |
| Version D | Harvest Estate Vegetation Management Plan | Planit Consulting | 27/8/2020 |
| Version E | Harvest Estate Biodiversity Conservation Management Plan | Planit Consulting | 27/8/2020 |
| Revision E | Harvest Estate Stormwater Management Plan (SWMP) | Planit Consulting | 27/8/2020 |
|  | **Documents / Reports** |  |  |
|  | West Byron Urban Release Area | Bitzios | 27 August |

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|  | (WBURA) Traffic Impact Assessment | Consulting | 2020 |
|  | Cover Letter - s34 Traffic Experts Actions Response - Villa World Pty Ltd V Byron Shire Council | Bitzios Consulting | 27 August  2020 |
|  | Harvest Estate, West Byron NSW: Cultural Heritage Assessment | Everick Heritage Consultants | October 2017 |

As subsequently amended by the following plans

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| J7148 0010 Rev C - Overall Staging Plan (28/02/25), Prepared by Planit Consulting |
| J7148 0011 Rev C - Stage 1B Plan (28/02/25), Prepared by Planit Consulting |
| J7148 0012 Rev C - Stage 2 Plan (28/02/25), Prepared by Planit Consulting |
| J7148 0013 Rev C - Stage 3 Plan (28/02/25), Prepared by Planit Consulting |
| J7148 0014 Rev C - Stage 4 Plan (28/02/25), Prepared by Planit Consulting |
| Harvest Estate Landscape Masterplan addendum (drawing J7148 dated Sept 2023), Prepared by Planit Consulting |
| J7148 SK001, Stockpile Sketch Plan, undated, Prepared by Planit Consulting |

The development is also to be carried out in accordance with any changes made pursuant to these conditions of consent. Where there is an inconsistency between any of the aforementioned plans and documents and the conditions below, the relevant condition(s) are to prevail to the extent of the inconsistency.

The approved plans and related documents endorsed with the Council stamp and authorised signature must be kept on site at all times while construction work is being undertaken.

**Condition 3 –** **Staged development**

The development is to be carried out in the following stages as per the approved staging plans (Planit Consulting, J7148 0010, Rev C. 28/02/25):

**Stage 1-A**: The environmental restoration and enhancement and landscaping works within Stage 1 and 4, including the Ewingsdale Road buffer. This is as referenced in the Rehabilitation Plan – Zone 5 (J5644-505) and is subject to the updated Landscape Plan required by condition 36.

**Stage 1-B**: Lots 1 – 18, 29 – 34, 58 - 61 and 146 including all swales and the permanent basin shown as Stage 1 works in Drawings 0610 Rev C and 0611 Rev C, noise/acoustic barriers for lots 1 to 11 and the items detailed at a) and b) below.

**Stage 2:** Lots 19 - 28, 35 – 50 including the permanent basin shown as Stage 2 works on Drawing 0620 Rev C.

**Stage 3:** Lots 51- 57,62 -71, 904, 72 – 86, 147 - 149 including all swales, shown as Stage 3 works on Drawing 0013 Rev C, the Main Drain embellishment works as described by the SWMP (Version E, 27/8/20) and Road 9 construction from the intersection with Road 01 to the boundary with the neighbouring land as shown in Drawing 0304 Rev B .

**Stage 4:** Lots 87 -145 including all swales shown as Stage 4 works on Drawing 0014 Rev C, and noise/acoustic barriers (as identified in the Environmental Noise Impact Assessment (Ref: crgref: 16147 report rev.6 CRG Acoustics 25 August 2020), subject to the detailed design requested by Conditions 36 and 38.

The development is to progress sequentially as per the stages above, with the previous stages being complete to Council’s satisfaction prior to works commencing on the next stage. A maximum of one (1) stage may be under construction at any one time.

Where roads terminate on stage boundaries, temporary turning heads in line with relevant requirements of the Northern Rivers Design Guides ([https://www.byron.nsw.gov.au/Services/Building-development/Plans-maps-and-](https://www.byron.nsw.gov.au/Services/Building-development/Plans-maps-and-guidelines/Development-Design-Manuals) [guidelines/Development-Design-Manuals](https://www.byron.nsw.gov.au/Services/Building-development/Plans-maps-and-guidelines/Development-Design-Manuals) ) and the General Terms of Approval from NSW Rural Fire Service (Schedule 1) are to be provided to facilitate turning for all vehicles.

Where conditions are required to be satisfied prior to a particular event, those conditions are the conditions relevant to the works being carried out in the stage.

The relevant conditions that are applicable to each stage are the conditions stated as being necessary for the completion of each stage in this consent., or, where pursuant to the issue of a Construction Certificate, the relevant consent authority.

**Condition 8 – Integrated approvals from other State Government Approval Bodies**

This development consent includes an Integrated development approval under Sections

4.46 and 4.47 of the *Environmental Planning and Assessment Act 1979*, being an authorisation under section 100B of the *Rural Fires Act 1997* in respect of bush fire safety of development of land for subdivision of land, and is subject to the General Terms of Approval from NSW Rural Fire Service contained in **Schedule 1** of these conditions of consent or any subsequent amendment to the GTA’s.

**Condition 42 – Engineering Construction Plans**

Three (3) copies of engineering construction plans and specifications must accompany the Subdivision Works Certificate application demonstrating compliance with Council's standards for the required engineering works.

Each set of drawings must be accompanied by a Certification Report which must be signed by a suitably qualified Civil Engineer or Registered Surveyor. The Certification Report will comprise the certificate and check lists set out in Annexure DQS-A of the [Northern Rivers](https://www.byron.nsw.gov.au/Services/Building-development/Plans-maps-and-guidelines/Development-design-manuals) [Local Government Development & Design Manuals](https://www.byron.nsw.gov.au/Services/Building-development/Plans-maps-and-guidelines/Development-design-manuals).

The information shown on the drawings must be logically collated on discrete sheets generally in accordance with Annexure DQS-B and the Sample Drawings of the Northern Rivers Local Government Development & Designs. The drawings are to provide for the following works:

1. **Full Width Road Construction**

Full width road and drainage construction for all proposed roads within the relevant stage, as per Drawing 0600 Rev B.

1. **Footpath, Cycleway and Pedestrian Refuge Construction**

Footpaths (minimum 1.2m wide), shared cycleways (minimum 2.5m wide) and pedestrian refuges are to be provided generally in accordance with Drawings 0300, 0301, 0302, 0303 and 0304, and with the Harvest Estate Landscape Masterplan. In addition, the following must be provided for:

1. a shared pathway/cycleway (minimum 2.5m wide) along the Ewingsdale Road frontage connecting to the internal path network (including extension of drainage infrastructure and safety rails/fencing) in accordance with Harvest Estate Landscape Masterplan addendum (drawing J7148 dated Sept 2023);
2. a path (minimum 1.2m wide) providing connectivity from the Road 3 cul-de- sac to the path through the open space identified in the Harvest Estate Landscape Masterplan;
3. a path (minimum 1.2m wide) providing connectivity from the Road 5 (in vicinity of CH80 Road 2) to the path through the open space identified in the Harvest Estate Landscape Masterplan;
4. a shared pathway/cycleway (minimum 2.5m wide) providing connectivity from the Road 6 (in vicinity of CH300) to the path through the open space identified in the Harvest Estate Landscape Masterplan; and
5. no pedestrian link to the western side of Road 1 (near CH0).
6. **Gutter/Verge Crossings**

Gutter/verge crossings to each of the proposed new allotments that have a fronting swale are to be provided as part of the subdivision works and extend from the edge of the road to the property boundary. Footpaths are to start and stop either side of the crossings. Cycle ways to be continuous and not start/stop for verge crossings, to give a continuous cycle way fronting lots. Typical details are to be provided for both cases.

1. **Driveway Access to Lot 2 DP 551947**

A minimum three (3) metre wide concrete (or equivalent) driveway, together with all necessary services/service conduits (water, sewer, telephone, power, stormwater) to Lot 2 DP 551947. The driveway must comply with the requirements of AS 2890.1-2004: Parking facilities, Part 1: Off-street car parking and the RFS General Terms of Approval.

1. **Driveway Access to Lots 148 & 149**

A minimum three (3) metre wide sealed driveway with passing bays, together with all necessary services/service conduits (water, sewer, telephone, power, stormwater) to the proposed dwelling sites of proposed Lots 148 & 149. The driveway must comply with the requirements of AS 2890.1-2004: Parking facilities, Part 1: Off-street car parking and the RFS General Terms of Approval. If the neighbouring development has a Subdivision Works Certificate issued which formalises a more suitable public road access point on the neighbouring land, the driveway access on the subject land may be adjusted in consultation with Byron Shire Council.

1. **Turn Around Areas**

All turn around areas are to be minimum 12 metre outer radius to suit Planning for Bushfire Protection 2019 or shall be provided in accordance with the General Terms of Approval from NSW Rural Fire Service contained in **Schedule 1** of this Notice of Determination.

1. **Service Conduits**

Service conduits to each of the proposed new allotments laid in strict accordance with the service authorities’ requirements.

1. **Street Name Signs**

Street name signs and posts to all proposed new roads.

1. **Stripping and Stockpiling**

Stripping and stockpiling of existing topsoil on site, prior to commencement of earthworks, and the subsequent re-spreading of this material together with a sufficient quantity of imported topsoil so as to provide a minimum thickness of 80mm over the allotments and footpaths and public reserves, upon completion of the development works.

1. **Inter-allotment Drainage**

Inter-allotment drainage to an approved public drainage system for each of the proposed new allotments where it is not possible to provide a gravity connection of future roof water to the fronting kerb and gutter/swale.

1. **Stormwater Drainage**

Stormwater is to be collected and discharged in accordance with Council’s standards, currently [Northern Rivers Local Government Development Design &](https://www.byron.nsw.gov.au/Services/Building-development/Plans-maps-and-guidelines/Development-design-manuals) [Construction Manuals](https://www.byron.nsw.gov.au/Services/Building-development/Plans-maps-and-guidelines/Development-design-manuals). Detailed engineering drawings of the proposed stormwater drainage system must be provided. The drawings must be accompanied by a Design Submission Checklist as set out in APPENDIX C of the Northern Rivers Local Government Handbook of Stormwater Drainage Design, which must be signed by a suitably qualified Civil Engineer or Registered Surveyor. The drawings and management plan are to include, but not be limited to, the following items:

1. Catchment plan including all contributing external catchments (included in the drawing set);
2. Hydrological and hydraulic calculations based on the methods outlined in the Queensland Urban Design Manual (QUDM) and Australian Rainfall & Runoff (AR&R) 1987. A summary of the calculations must be included on the drawings consistent with the Sample Drawings of the Northern Rivers Local Government Development & Design Manuals;
3. For existing flow paths 1, 2, 3 and 4, as per the Stormwater Management Plan (Rev E, Planit 27/8/20), it must be shown that the peak flow from the proposed development for the 5, 10, 20, 50 and 100 year ARI events, for durations from 5 minutes to 3 hours, does not exceed the existing peak flow from the site i.e. post-development flows must not exceed pre- development flows. The above must be satisfied prior to issue of a Subdivision Works certificate for Stage 1-B as part of the ‘Master’ Stormwater Management Plan;
4. Stormwater management structures/facilities that have minimum impact on Council’s maintenance program. All maintenance activities must be specified in a maintenance plan (and associated maintenance inspection forms) to be developed as part of the design procedure and included in the stormwater management plan. The maintenance plans must be submitted with each stage of the subdivision and relate to the stormwater infrastructure propose for the stage in review;
5. It must be shown that the minor event stormwater flows can be conveyed within the roadside swales and the major event is conveyed within the road reserve without entering any private land. Major flow depths on the trafficable road width and driveway crossings are to be shown to be maximum 200mm and with a velocity x depth ratio of no more than:
   * 0.4m2/s where pedestrian traffic is expected (footpath/ road).
   * 0.6m2/s where vehicular traffic is expected (where vehicle crosses swale);
6. Surcharge pits in swales are to be provided for each lot that fronts and drains to a roadside swale. The pit in the swale and a stub that provides a connection point at the lowest part of the lot is to be provided as part of the subdivision works;
7. All lots that do not front a roadside swale are to be provided with a kerb outlet. The kerb outlet is to be connected to a stub located at the lowest part of the lot. This is to be provided as part of the subdivision works;
8. As part of the Stage 1-B subdivision works certificate, the swale along the perimeter of lots 2 and 3 DP551947 is to be shown to have the capacity to safely convey the 1% AEP flows from lots 2 and 3 DP551947 and any other contributing catchment to the swale along the southern perimeter of said lots; and
9. Pits in roads are to be located outside kerb returns.
10. **Stormwater quality**

Stormwater quality must be suitable for discharge in accordance with Council's standards, currently [Chapter B3 Services of Development Control Plan 2014](https://www.byron.nsw.gov.au/files/assets/public/hptrim/land-use-and-planning-planning-local-environmental-plans-working-documents-lep-2014-amendments/24.2017.82.1-%5badopted-version%5d-byron-shire-dcp-2014-chapter-b3-services-adopted-22-march-2018-effective-12-april-2018.pdf) and [Northern Rivers Local Government Development Design & Construction Manuals](https://www.byron.nsw.gov.au/Services/Building-development/Plans-maps-and-guidelines/Development-design-manuals). The proposed water quality management devices and treatment train must have minimum impact on Council’s maintenance program. All maintenance activities must be specified in a maintenance plan (and associated maintenance inspection forms) to be developed as part of the design procedure and submitted with the subdivision works certificate documentation.

Stormwater Quality measures for each stage of development are to be shown to comply with the Council pollution reduction targets and NORBE requirement as per the Stormwater Management Plan (Rev E, Planit 27/8/20).

The arrangement of basin and swales is to generally be in line with the Stormwater Management Plan (Rev E, Planit 27/8/20), minor modifications to the layout/ sizes may be allowable subject to the satisfaction of the Certifying Authority. Detailed design for each stage is to be supported by MUSIC modelling, as well as being supported by a maintenance plan.

The detailed design must include:

* An extended detention depth;
* Depth of filter media;
* Maintenance track details from the nearest public road (for basins);
* Landscaping detail for within and surrounding the basin. Note that the plants in the bioretention basin are to be selected and certified by a landscape architect to withstand significant periods of inundation and planted at a density of 8-10 plants/ m2 to mitigate the growth of weeds on the filter area; and
* A staged approach to basin construction to suit the subdivision construction phase, lot development stage and final operations phase.

The bioretention basins are to be shown to be above the surrounding groundwater levels or appropriately lined.

1. **Access to stormwater structures**

Satisfactory access to all drainage discharge points and filter controls for maintenance purposes. Where it is proposed to discharge stormwater into the Main Drain via a pipe, provide a junction pit upstream of the discharge point at the level of the top of batter for maintenance.

1. **Filling to above the flood level**

Filling of Lots with clean suitable material to at least a level equivalent to the 1% flood level +0.5m is required. Fill levels are to be shown to be in line with the bulk earthworks levels shown Drawings 0200 and 0201 (Rev B) and the Flood Impact Assessment (Rev 0, BMT, 10/6/20).

1. **Street lighting**

The provision of street lighting to the satisfaction of Byron Shire Council and Essential Energy. Such lighting must be strategically positioned to minimise spill impacts on future dwellings within the subdivision and existing dwellings within adjacent properties.

1. **Road 4 culverts**

Prior to the issue of a Subdivision Works Certificate for Stage 3 detailed design is to be provided to the satisfaction of the Certifying Authority (i) that the culverts under Road 1 conveying the Main Drain flows have the capacity to convey the 2100 climate change 1% Annual Exceedance Probability flows with minimum 0.3m freeboard to the underside of the culvert, and (ii) that show the conveyance of stormwater flows under the extended hardstand area for the bus stops. Flow widths and depth in the minor and major events are to be addressed in line with the Northern Rivers Design Guidelines

**Delete the existing Schedule 1 and replace with the following:**

**Schedule 1: Rural Fire Service General Terms of Approval**





