**Conditions**

**Development Description:**

**Subdivision – Vegetation removal, earthworks, the reinterpretation of a dam, the construction of roads, landscaping works and a staged Torrens title subdivision to create 375 residential lots, four open space lots, one super lot and a residue lot**

**General Conditions**

1. **Approved Plans and Supporting Documentation**

The development must be carried out generally in accordance with the approved plans and supporting documentation listed below, except where amended by other conditions of this consent:

1. Plans Reference:

(i) Subdivision Plans

|  |  |  |  |
| --- | --- | --- | --- |
| **Drawing Number/Name** | **Prepared By** | **Issue** | **Date** |
| Drawing No. 16800-SV-P1 Sheet 1 ‘Notification Plan’ | Vince Morgan Surveyors | A | 19 January 2022 |
| Drawing No. 16800-SV-P1(T) Sheet 1 ‘Notification Plan (Incl Topo)’ | Vince Morgan Surveyors | A | 19 January 2022 |
| Drawing No. 11018512 DA300 ‘Cover Sheet’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA301 ‘General Notes, Index & Legend’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA302 ‘Layout Plan’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA311 ‘Engineering Plan Sheet 1’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA312 ‘Engineering Plan Sheet 2’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA313 ‘Engineering Plan Sheet 3’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA314 ‘Engineering Plan Sheet 4’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA315 ‘Engineering Plan Sheet 5’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA316 ‘Engineering Plan Sheet 6’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA317 ‘Engineering Plan Sheet 7’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA320 ‘Typical Cross Sections Sheet 1’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA321 ‘Typical Cross Sections Sheet 2’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA331 ‘Road Longitudinal Sections Sheet 1’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA332 ‘Road Longitudinal Sections Sheet 2’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA333 ‘Road Longitudinal Sections Sheet 3’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA334 ‘Road Longitudinal Sections Sheet 4’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA335 ‘Road Longitudinal Sections Sheet 5’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA336 ‘Road Longitudinal Sections Sheet 6’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA337 ‘Road Longitudinal Sections Sheet 7’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA338 ‘Road Longitudinal Sections Sheet 8’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA339 ‘Road Longitudinal Sections Sheet 9’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA340 ‘Road Longitudinal Sections Sheet 10’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA341 ‘Road Longitudinal Sections Sheet 11’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA350 ‘Dam 6 Decommissioning’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA351 ‘Dam 6 Decommissioning Section 6A, 6B & 6C’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA401 ‘Bulk Earthworks Cut & Fill Sheet 1’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA402 ‘Bulk Earthworks Cut & Fill Sheet 2’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA403 ‘Bulk Earthworks Cut & Fill Sheet 3’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA404 ‘Bulk Earthworks Cut & Fill Sheet 4’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA405 ‘Bulk Earthworks Cut & Fill Sheet 5’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA406 ‘Bulk Earthworks Cut & Fill Sheet 6’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA407 ‘Bulk Earthworks Cut & Fill Sheet 7’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA420 ‘Site Sections Sheet 1’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA421 ‘Site Sections Sheet 2’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA422 ‘Site Sections Sheet 3’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA423 ‘Site Sections Sheet 4’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA424 ‘Site Sections Sheet 5’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA425 ‘Site Sections Sheet 6’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA426 ‘Site Sections Sheet 7’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA427 ‘Site Sections Sheet 8’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA428 ‘Site Sections Sheet 9’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA501 ‘Site Establishment – Phase 1 Sheet 1’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA502 ‘Site Establishment – Phase 1 Sheet 2’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA511 ‘Soil & Water Management Plan – Phase 2 Sheet 1’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA512 ‘Soil & Water Management Plan – Phase 2 Sheet 2’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA513 ‘Soil & Water Management Plan – Phase 2 Sheet 3’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA514 ‘Soil & Water Management Plan – Phase 2 Sheet 4’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA515 ‘Soil & Water Management Plan – Phase 2 Sheet 5’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA516 ‘Soil & Water Management Plan – Phase 2 Sheet 6’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA517 ‘Soil & Water Management Plan – Phase 2 Sheet 7’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA521 ‘Soil & Water Management Plan – Phase 3 Sheet 1’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA522 ‘Soil & Water Management Plan – Phase 3 Sheet 2’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA523 ‘Soil & Water Management Plan – Phase 3 Sheet 3’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA524 ‘Soil & Water Management Plan – Phase 3 Sheet 4’ | J Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA525 ‘Soil & Water Management Plan – Phase 3 Sheet 5’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA526 ‘Soil & Water Management Plan – Phase 3 Sheet 6’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA527 ‘Soil & Water Management Plan – Phase 3 Sheet 7’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA550 ‘Soil Water Management Plan Notes’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA551 ‘Soil Water Management Plan Notes’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA711 ‘Signage & Linemarking Plan Sheet 1’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA712 ‘Signage & Linemarking Plan Sheet 2’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA713 ‘Signage & Linemarking Plan Sheet 3’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA714 ‘Signage & Linemarking Plan Sheet 4’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA715 ‘Signage & Linemarking Plan Sheet 5’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA716 ‘Signage & Linemarking Plan Sheet 6’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512 DA717 ‘Signage & Linemarking Plan Sheet 7’ | Wyndham Prince | 3 | 22 February 2022 |
| Drawing No. 11018512SK51 ‘Southern Valley – Proposed Bus Stop Locations’ | Wyndham Prince |  | 16 February 2023 |
| Drawing No. L-SD-00 ‘Cover Sheet’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-01 ‘Context Plan’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-02 ‘Site Plan and Adjoining Context Plan’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-03 ‘Overall Landscape Plan’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-03.1 ‘Sth Valley / Sth Heights Bus Servicing’ | Arterra Landscape Architects | A | 13 March 2023 |
| Drawing No. L-SD-04 ‘Tree Planting Plan’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-05 ‘Landscape Plan – Western Central Valley’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-06 ‘Landscape Plan – Eastern Central Valley Plan B’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-07 ‘Landscape Plan – Northern Open Space’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-08 ‘CPW Keyline Corridor – Section A’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-09 ‘CPW Keyline Corridor – Section B’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-10 ‘CPW Retaining Walls Road 65 – Section C’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-11 ‘CPW Keyline Corridor + Dam 4 Sectional Elevations’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-12 ‘Landscape Street Sections’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-13 ‘Landscape Street Sections’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-14 ‘Landscape Street Sections’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-15 ‘Landscape Street Sections’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-16 ‘Landscape Street Sections’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-17 ‘Site Sections A and B’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-18 ‘Site Sections C and D’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-19 ‘Indicative Planting and Images’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-20 ‘Indicative Material and Character Images’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-21 ‘Path Strategy Plan’ | Arterra Landscape Architects | A | 2 March 2022 |
| Drawing No. L-SD-21.2 ‘Path Strategy Plan & Bus Servicing’ | Arterra Landscape Architects | A | 13 March 2023 |
| Drawing No. T-21 ‘Tree Retention Value Plan’ | Arterra Landscape Architects | A | 10 February 2022 |
| Drawing No. T-22 ‘Tree Protection and Removal Plan’ | Arterra Landscape Architects | A | 10 February 2022 |

(ii) Grose Vale Road Upgrade Plans

|  |  |  |  |
| --- | --- | --- | --- |
| **Drawing Number/Name** | **Prepared By** | **Issue** | **Date** |
| Drawing No. 11018512/DA1000 ‘Cover Sheet’ | J Wyndham Prince | 3 |  |
| Drawing No. 11018512/DA1001 ‘Layout Plan’ | J Wyndham Prince | 2 | 22 February 2022 |
| Drawing No. 11018512/DA1002 ‘Engineering Plan Sheet 1’ | J Wyndham Prince | 2 | 22 February 2022 |
| Drawing No. 11018512/DA1003 ‘Road Longitudinal Section Sheet 1’ | J Wyndham Prince | 1 | 31 January 2022 |
| Drawing No. 11018512/DA1004 ‘Typical Section and Details’ | J Wyndham Prince | 2 | 22 February 2022 |
| Drawing No. 11018512/DA1005 ‘Pavement Plan Sheet 1’ | J Wyndham Prince | 2 | 7 February 2022 |
| Drawing No. 11018512/DA1006 ‘Pavement Plan Sheet 2’ | J Wyndham Prince | 2 | 22 February 2022 |
| Drawing No. 11018512/DA1007 ‘Soil and Water Management Plan Sheet 1’ | J Wyndham Prince | 2 | 22 February 2022 |
| Drawing No. 11018512/DA1008 ‘Soil and Water Management Plan Notes 2’ | J Wyndham Prince | 1 | 31 January 2022 |
| Drawing No. 11018512/DA1009 ‘Linemarking and Signposting Plan Sheet 1’ | J Wyndham Prince | 1 | 31 January 2022 |
| Drawing No. 11018512/DA1010 ‘Linemarking and Signposting Plan Sheet 2’ | J Wyndham Prince | 1 | 31 January 2022 |
| Drawing No. 11018512/DA1011 ‘Catchment Plan & Drainage Sheet 1’ | J Wyndham Prince | 1 | 31 January 2022 |
| Drawing No. 11018512/DA1012 ‘Road Widening Sheet 1’ | J Wyndham Prince | 1 | 31 January 2022 |

1. Documents Reference:

|  |  |  |  |
| --- | --- | --- | --- |
| **Document Name/Reference** | **Prepared By** | **Issue** | **Date** |
| ‘Heritage Interpretation Strategy’ (Reference No. SH125) | Urbis | 01 | July 2016 |
| ‘Heritage Impact Statement – Southern Valley, Redbank’ (Reference No. SH1361) | Urbis | 02 | 10 March 2022 |
| ‘Aboriginal Heritage Impact Statement’ | Kelleher Nightingale Consulting Pty Ltd |  | 31 January 2022 |
| ‘Construction Noise and Vibration Assessment’ Report (Reference No. RWDI#2103115) | RWDI Australia Pty Ltd | A | 2 March 2022 |
| ‘Redbank Southern Valley – Stormwater Management Strategy’ (Reference No. 110185-12) | J Wyndham Prince | B | 9 February 2022 |
| ‘Redbank Southern Valley – Biodiversity Development Assessment Report’ (Reference No. 18SYD – 18744) | Eco Logical Australia | 4 | 1 March 2022 |
| ‘Redbank Southern Valley – Riparian Assessment’ (Reference No. 21SYD-18744) | Eco Logical Australia | 5 | 1 March 2022 |
| ‘Grose Vale Road Upgrade West – Biodiversity Assessment’ Report (Reference No. 1327 Grose Vale Road West – Assessment V1) | Molino Stewart | Final | 24 February 2022 |
| ‘Impact Assessment – Amendment – Dam No 6 Removal’ (Reference No. 1793dam6c) | Bio Engineered Solutions | C | 17 February 2022 |
| ‘Detailed Site Investigation – Southern Valley’ (Reference No. 0484202\_S011172 S010943) | ERM | 1.0 | 11 February 2022 |
| ‘Southern Valley – Redbank Development – Report on Geotechnical Investigation’(Reference No. 12261/35-AA-R2) | Geotechnique Pty Ltd | R2 | 14 February 2022 |
| ‘Proposed Dam, Southern Valley – Redbank Development – Geotechnical Recommendations’ (Reference No. 12261/35-AB-R1) | Geotechnique Pty Ltd | R1 | 14 February 2022 |
| ‘Aboricultural Impact Assessment – Redbank – Southern Valley DA’ Report (Reference No. AIA-01) | Arterra Landscape Architects | A | 23 February 2022 |
| ‘Topsoil Management at Redbank’ | Arterra Landscape Architects |  | 18 May 2023 |
| ‘Bushfire Hazard Assessment Report’ (Reference No. 21.07.223) | Control Line Consulting |  | 2 July 2021 |
| ‘Road Safety Audit – Southern Valley, Redbank’ (Reference No. BTE-220068-Final\_Rev\_D) | BTE Consulting | 2 | 21 December 2022 |

No works other than those approved are permitted by this consent.

**Note:** This consent permits the staging of the development in terms of both Subdivision Works Certificates and Subdivision Certificates. Any applications for a staged Subdivision Works Certificate (construction) or Subdivision Certificate (registration) shall clearly detail the allotments covered and demonstrate the availability of infrastructure and services.

Staged Subdivision Works Certificates and staged Subdivision Certificates can define different lot and road groupings provided infrastructure and services are provided.

1. **Integrated Development – General Terms of Approval**

The following General Terms of Approval, as referred to under Section 4.50 of the *Environmental Planning and Assessment Act 1979*, are attached and form part of the consent conditions for this approval:

* 1. Heritage Council – The General Terms of Approval (Reference No. CNR-38729) dated 4 July 2022 are attached and form part of this consent.
  2. NSW Rural Fire Service – The General Terms of Approval (Reference No. DA20220428007370-Original-1) dated 6 September 2022 are attached and form part of the conditions of this consent.
  3. Department of Planning and Environment – Water – The General Terms of Approval (Reference No. IDAS-2022-10292) and dated 7 March 2023 are attached and form part of this consent.

1. **Appointment of a Principal Certifier and Commencement of Work**

Any civil works associated with this consent must not commence before the following matters are addressed:

a) a Subdivision Works Certificate has been issued;

b) a Principal Certifier has been appointed;

c) the Principal Certifier has provided notification to Council of its appointment no later than two days before the subdivision works are proposed to commence; and

d) the person having the benefit of the consent has given at least two day's notice to Council of the person's intention to commence the subdivision work.

1. **Aboriginal Heritage Impact Permit**

All works associated with the development must be undertaken in accordance with the relevant Aboriginal Heritage Impact Permits (AHIP) issued by the Office of Environment and Heritage under Section 90 of the *National Parks and Wildlife Act 1974*.

1. **Section 6.4 Certificates Required**

The accredited certifier shall provide copies of all Section 6.4 Certificates issued under the *Environmental Planning and Assessment Act 1979* relevant to this development to Council within seven days of issuing the certificate.

**Note:** A registration fee applies.

1. **Civil Works Specification Compliance**

All civil construction works required by this consent shall be in undertaken accordance with Hawkesbury Development Control Plan 2002 – Appendix E ‘Civil Works Specification’ and Part E Chapter 8 ‘Redbank at North Richmond’. Inspections shall be carried out and Compliance Certificates issued by Council or an Accredited Certifier.

Where works within the development site relate to existing or proposed future Council infrastructure assets, inspections shall be carried out and Compliance Certificates issued by Council.

1. **Refund of Security Bonds**

Written application to Council for the release of held security bonds may be made upon the completion of the relevant works. Security bonds will be released subject to the works being completed in accordance with Hawkesbury Development Control Plan 2002 – Appendix E 'Civil Works Specification' and to the satisfaction

of Council.

1. **Works on Public Land – Not Permitted Without Approval**

No work can be undertaken within public lands (i.e. roads, reserves, parks etc.) without the prior written consent of Council or other relevant authority. In this regard the person having benefit of the consent is to contact Council prior to the commencement of any design works or the preparation of a Traffic Management/Control Plan.

The developer must bear the cost of all works associated with the development that occurs on public land, including the restoration of damaged areas and comply with any other conditions required by Council.

1. **Roads Act 1993 Approval**

An approval under Section 138 of the Roads Act 1993 is required from the relevant Roads Authority before any work is carried out within a public road.

The contractor undertaking the subdivision construction work is responsible for instructing sub-contractors or service authority providers of this requirement. Contact Council’s Development Engineer if it is unclear whether a separate Road Opening Permit is required.

1. **Operations and Maintenance Manual**

One hardcopy set and an electronic file of the operations and maintenance manual for the constructed stormwater quality management system and structures must be submitted to the Council prior to the dedication of land to Council in accordance with the Voluntary Planning Agreement (VPA) between Hawkesbury City Council, Roads and Maritime Services, Eric Nominees Australia Pty Ltd atf the Redbank Unit Trust, Mararch Dev (Richmond) Pty Ltd, Wengor Dev (Richmond) Pty Ltd, Hatt Pty Ltd and BD NSW (MR) Project O007 Pty Ltd and BD NSW (MR) Project O007 Unit Trust dated 20 August 2014 (as updated). The manual shall detail constructed structures, inspection regimes and desired maintenance schedules.

1. **Open Space – Embellishment and Dedication of Open Space**

The open space reserves shall be embellished and dedicated in accordance with the Voluntary Planning Agreement (VPA) between Hawkesbury City Council, Roads and Maritime Services, Eric Nominees Australia Pty Ltd atf the Redbank Unit Trust, Mararch Dev (Richmond) Pty Ltd, Wengor Dev (Richmond) Pty Ltd, Hatt Pty Ltd and BD NSW (MR) Project O007 Pty Ltd atf BD NSW (MR) Project O007 Unit Trust dated 20 August 2014 (as updated).

An Assets Register shall be prepared and submitted to Council prior to the dedication of assets to Council. The Assets Register is to consist of the following:

* Asset Handover Report,
* Works As Executed (WAE) drawings,
* Asset Inventory as per template in electronic (Excel) format,
* Electronic DWG/DXF (CAD Files) with projections (GDA 1994 MGA Zone 56),
* Survey data, levels,
* Spatial/GIS data, and
* Financial data.

The Assets Register shall detail all assets within the open space area to be dedicated to Council, including the type, brand/manufacturer, quantity, size, material, colour if relevant and replacement values of the assets.

Data shall be submitted to Council in electronic Excel format with the issue of the WAE drawings. The Excel spreadsheets shall contain information as detailed in Form B of Council’s ‘Asset Handover Process Procedure’.

**Prior to Issue of a Subdivision Works Certificate (All Stages)**

The conditions within this section of the consent must be complied with or addressed prior to the issue of any Subdivision Works Certificate relating to the approved development, whether by Council or a Registered Certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Subdivision Works Certificate.

Details demonstrating compliance with the above requirement must be submitted for approval prior to issue of the Subdivision Works Certificate. One set of printed plans and an electronic copy of the plans are required to be submitted with the Subdivision Works Certificate application.

1. **Subdivision Works Certificate Required**

Before any works are carried out a Subdivision Works Certificate or Roads Act Approval as relevant must be obtained for this development covering:

1. Earthworks;
2. Retaining walls;
3. Dam decommissioning;
4. Traffic Control;
5. Road and associated works;
6. Driveway crossings;
7. Stormwater drainage;
8. Dam interpretation as waterbodies;
9. Temporary water management facilities (quantity and quality control);
10. Erosion and sedimentation control; and
11. Landscaping.

The plans and accompanying information submitted with the Subdivision Works Certificate must comply with the conditions included in the consent.

**Note:** If the Subdivision Works Certificate is issued by a Certifier that is not Council it will be necessary to lodge the Subdivision Works Certificate and other approved documents with Council within two days of such approval (a registration fee is payable upon lodgement).

1. **Compliance Report**

Prior to the issue of a Subdivision Works Certificate, the Applicant or any party acting upon this consent shall submit to the Certifier a report addressing compliance with all relevant conditions required prior to the issue of a Subdivision Works Certificate of this consent.

1. **Biodiversity – Ecosystem and Species Credits Retirement**

Prior to the release of the Stage 1 Subdivision Works Certificate or the removal of any vegetation, the class and number of ecosystem and species credits detailed in Section 9.5 and Appendix E of the ‘Redbank Southern Valley – Biodiversity Development Assessment Report’ (Reference No. 18SYD – 18744 Rev ‘4’) prepared by Eco Logical Australia and dated 1 March 2022 must be retired to offset biodiversity impacts of the development:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Ecosystem Credit Summary (Number and class of biodiversity credits to be retired)** | | | | | |
| Name of Plant Community Type/ID | Name of threatened ecological community | Area of impact | HBT Cr | No HBT Cr | Total credits to be retired |
| 849 – Cumberland Shale Plains Woodland | Cumberland Plain Woodland in the Sydney Basin Bioregion | 4.0 | 31 | 16 | **47** |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **849 – Cumberland Shale Plains Woodland** | **Like-for-like credit retirement options** | | | | | |
| Name of offset trading group | Trading group | Zone | HBT | Credits | IBRA region |
| Cumberland Plain Woodland in the Sydney Basin Bioregion. This includes PCT’s: 849, 850 | - | 849\_Poor | No | 14 | Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo.  or  Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site. |
|  | Cumberland Plain Woodland in the Sydney Basin Bioregion. This includes PCT’s: 849, 850 | - | 849\_Degraded | Yes | 31 | Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo.  or  Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site. |
|  | Cumberland Plain Woodland in the Sydney Basin Bioregion. This includes PCT’s: 849, 850 | - | 849\_DNG | No | 2 | Cumberland, Burragorang, Pittwater, Sydney Cataract, Wollemi and Yengo.  or  Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site. |

|  |  |  |  |
| --- | --- | --- | --- |
| **Species Credit Summary** | | | |
| Species | Vegetation Zone/s | Area/Count | Credits |
| ***Myotis macropus*** */ Southern Myotis* | 849\_Poor, 849\_Degraded | 3.5 | **32.0** |

|  |  |  |
| --- | --- | --- |
| **Credit Retirement Options – Like-for-like credit retirement options** | | |
| ***Myotis macropus*** */ Southern Myotis* | Spp | IBRA subregion |
| **Myotis macropus** / Southern Myotis | Any in NSW |

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem and species credits as calculated by the BAM Credit Calculator (BAM-C)1.

A Retirement Certificate from the NSW Department of Planning and Environment and/or a Statement confirming payment into the Biodiversity Conservation Fund from the Biodiversity Conservation Trust to demonstrate compliance with this condition must be provided to the Council prior to issue of the Stage 1 Subdivision Works Certificate or the removal of any vegetation.

1. **Department of Planning and Environment – Water – Controlled Activity Approval**

A Controlled Activity Approval must be obtained from the Department of Planning and Environment – Water for this development. The Subdivision Works Certificate plans and documentation must demonstrate that the development satisfies the requirements of the Controlled Activity Approval and any plans endorsed by the Department of Planning and Environment – Water.

Evidence of the Controlled Activity Approval and compliance with the requirements of the Department of Planning and Environment – Water must be provided to the Certifier prior to the release of the Subdivision Works Certificate.

1. **Security Bond**

Prior to the issue of a Subdivision Works Certificate or an approval under the *Roads Act 1993* or *Local Government Act 1993*, a security bond of **$100,000.00** must be submitted to Council to guarantee the protection of the road pavement and other public assets adjacent to the site.

The bond is to cover any restoration required within Council’s roads resulting from deterioration caused by construction traffic through the construction of the development, and failure to complete any works in the public road reserve.

The bond can be in the form of an unconditional bank guarantee or cash deposit.

The Bond is recoverable upon written application to Council on completion of the works, subject to satisfactory restoration of any damages to public assets. Fees for the lodgement of the bond apply in accordance with Council’s Fees and Charges schedule.

Detail satisfying the above criteria must submitted to the Certifier prior to issue of Subdivision Works Certificate.

1. **Long Service Levy Payment**

The payment of a long service levy is required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986*. Evidence that the levy has been paid is to be submitted to the Certifier prior to the issue of any Subdivision Works Certificate.

**Note:** All building works valued at $250,000 or above are subject to the payment of a long service levy at the rate of 0.25%. Payments can be made at Long Service Payments Corporation offices or most councils.

1. **Heritage – Heritage Interpretation Implementation Plan**

A detailed site wide Heritage Interpretation Plan that includes the Keyline element corridor, Dam 6, open space areas, Cumberland Plain Woodland and irrigation corridors, must be prepared in accordance with the approved plans, the recommendations of the 'Heritage Interpretation Strategy' (Reference No. SH125) prepared by Urbis and dated July 2016 and Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005). The Heritage Interpretation Implementation Plan and supporting plans and documentation shall be submitted to Heritage Council of NSW (or its Delegate) for approval with the Section 60 Application.

The interpretation plan must detail how information on the history and significance of Yobarnie Keyline Farm will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project. Interpretive media may include retention and display of examples of removed fabric, signage, three-dimensional modelling, soundscapes, public art and development of heritage walks.

The approved Heritage Interpretation Plan is to be submitted to the Certifier prior to the Subdivision Works Certificate.

1. **Dilapidation Survey – Damage to Public Infrastructure**

A Dilapidation Survey and Report (including photographic record) must be prepared detailing the pre-developed condition of public infrastructure (roads, drainage, poles, utility boxes, pits etc.) adjacent to the development (Yobarnie Avenue, Irrigator Drive, Ploughmans Boulevarde, Contour Way, Harrington Drive and Grose Vale Road for the length of the overall Redbank site). Particular attention must be paid to accurately recording any pre-developed damaged areas so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development.

Details demonstrating compliance with the above requirements must be submitted to the Certifier prior to issue of the Subdivision Works Certificate. Where Council is not the Certifier, a copy of the Dilapidation Survey and Report must be lodged with Council prior to the issue of the Subdivision Works Certificate.

**Note:** The developer may be held liable for all damage to public infrastructure adjacent to the site, where such damage is not accurately recorded and demonstrated as pre-existing under the requirements of this condition.

The developer shall bear the cost of carrying out works to restore all public infrastructure damaged as a result of the carrying out of the development, and no Subdivision Certificates shall be released for this development until damage caused as a result of the carrying out of the development is rectified.

1. **Dilapidation Survey – Private Properties (Neighbouring Properties)**

A Dilapidation Report of adjoining properties, including 1, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23 and 25 Central Close, shall be prepared and submitted to the Certifier prior to the release of the Subdivision Works Certificate. The report shall detail the physical condition of any improvements on these properties (buildings, fences or driveways).

The report is to be prepared by an appropriately qualified person. A copy of the report is to be provided to Council, if Council is not the Certifier, prior to the issue of the Subdivision Works Certificate.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

In the event that access for undertaking the Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access, advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

**Note:** This documentation is for record keeping purposes only, and may be used by an Applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the Applicant’s and the adjoining owner’s interest for it to be as full and detailed as possible.

1. **Construction Management Plan**

A Construction Management Plan shall be submitted to the Certifier prior to the issue of the Subdivision Works Certificate. The Construction Management Plan shall include the following:

1. Summary: The Plan shall include a concise (maximum three page) summary of key points from all documentation.
2. Background: The Plan shall provide details of the works including the extent, staging and proposed timing of the works.
3. Consultation: The Plan shall outline the proposed manner in which adjoining property owners will be kept advised of the timeframes for the completion of each phase of development/construction process and the establishment of a protocol for complaints handling and management.
4. Traffic: A detailed Traffic Management Plan shall be provided in accordance with the ‘Traffic Management Plan’ condition requirements.
5. Noise: Details shall be provided to demonstrate how the works will be undertaken in accordance with the Interim Construction Noise Guideline published the NSW Environment Protection Authority (EPA).
6. Vibration: Details shall be provided in accordance with the Vibration condition requirements.
7. Erosion and Sediment Control: Plans detailing the erosion and sediment control measures for the site shall be provided.
8. Dust: Details shall be provided in accordance with the Dust Management Measures condition requirements.
9. Waste: Details shall be provided in accordance with the Waste Management Plan condition requirements.
10. Water Quality Assessment and Monitoring: A report shall be provided detailing planned water quality monitoring targets and procedures.
11. Heritage and Archaeological Management: Details of any site specific heritage and archaeological management requirements are to be provided.
12. Ecological Impact Mitigation Measures: Details of any site specific ecological impact mitigation measures are to be provided.

An ‘Unexpected Finds Protocol’, including stop work procedures, shall also be developed to manage any unexpected archaeological or contamination finds.

1. **Traffic Management Plan**

A detailed Traffic Management Plan must be prepared detailing how construction vehicles will safely enter and exit the site in a practical manner whilst minimising any negative effects on the surrounding roads and community. The Traffic Management Plan must include the following:

1. Construction access to the site is to be solely from Grose Vale Road;
2. A temporary bitumen sealed haulage road is to be constructed and maintained to the satisfaction of the Principal Certifier from Grose Vale Road for a distance of 50m until the completion of all subdivision work;
3. The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site;
4. All loaded vehicles entering or leaving the site must have their loads covered;
5. The proposed method of access to and egress from the site for vehicles is to be safe and practical; and
6. Any associated Traffic Control Plans are to be prepared in accordance with the Roads and Maritime Services (Transport For NSW) publication ‘Traffic Control at Worksites’ prepared by an appropriately qualified person.

Details demonstrating compliance with the above requirements shall be submitted to the Certifier for approval prior to the issue of the relevant Subdivision Works Certificate.

1. **Traffic Control Plan**

A Traffic Control Plan prepared in accordance with the Roads and Maritime Services’ publication ‘Traffic Control at Worksites’ is to be prepared by an appropriately qualified person and submitted to Council for approval prior to the release of the Subdivision Works Certificate.

1. **Soil and Water Management Plan**

The Applicant must submit to and obtain approval from the Certifier of a Soil and Water Management Plan (SWMP) prior to issue of a Subdivision Works Certificate. The SWMP must take into account the requirements of Landcom’s publication 'Managing Urban Stormwater – Soils and Construction (2004)' and shall contain, but not be limited to:

a) Clear identification of site features, constraints and soil types;

b) Details of a strategy for phasing of construction works so that land disturbances are confined to areas of a manageable size and kept to a minimum;

c) Erosion and Sediment Control Plans shall be provided for three phases of construction:

(i) prior to commencement of works;

(ii) during bulk earthworks;

(iii) post drainage construction;

d) Any temporary sediment basins shall be as a minimum designed to a five day 85th percentile rainfall event and soil type in calculations shall be confirmed by a geotechnical engineer;

e) Erosion and Sediment Control Plans shall provide site-specific management measures, including details of short and long-term measures to be employed to minimise soil erosion and the discharge of sediment to land and/or waters including the locations and capacities of sediment fencing/straw bales, temporary sediment basins, sediment filters, filter barriers and other controls;

f) A strategy for the progressive re-vegetation and rehabilitation of disturbed areas of earth as rapidly as practicable after completion of the earthworks;

g) Identification of all potential sources of water pollution and a detailed description of the remedial action to be taken or management systems to be implemented to minimise emissions of these pollutants from all sources within the subject site;

h) Measures to handle, test, treat, re-use and dispose of stormwater and contaminated water and soil;

i) Procedures for the re-use, treatment and disposal of water from sedimentation basins; and

j) A program for reporting on the effectiveness of the operational and construction sedimentation and erosion control system against performance goals.

1. **Topsoil Management Plan**

A Topsoil Management Plan shall be prepared by a suitably qualified and experienced environmental consultant and submitted to the Certifier prior to the issue of the Subdivision Works Certificate. The Topsoil Management Plan shall demonstrate the following:

a) The extent of protected areas where existing topsoil is to be preserved in situ including areas which adjoin the tree protection zones of existing trees being retained.

b) Confirmation that excavated topsoil will be re-used on-site in accordance with the document ‘Topsoil Management at Redbank’ prepared by Arterra Landscape Architects and dated 18 May 2023.

c) That in parkland areas, the topsoil will be spread to a minimum depth of 300mm and that in the road verges the topsoil will be placed at a minimum depth of 100-150mm (subject to surface fittings for utilities clearance), with an additional 8m2 at 600mm depth (subject to utilities line clearance) for each street tree.

1. **Construction Water Quality Assessment and Monitoring Plan**

A Construction Water Quality Assessment and Monitoring Plan for construction works shall be prepared by a suitably qualified and experienced environmental consultant and submitted to the Certifier prior to the issue of the Subdivision Works Certificate. The plan shall include:

1. A detailed description of water quality monitoring to be undertaken during the pre-construction and construction stages of the development including base line monitoring, identification of locations where monitoring will be carried out and procedures for analysing the degree of contamination of potentially contaminated water.
2. An analysis of potential areas of contaminated soils at the site and measures to control the disturbance of such soils in order to protect water quality.
3. Assessment of the negative effects of runoff from disturbed areas on local waterways during storm events specifically looking at the size of disturbed areas, volume of runoff, the amount of both coarse and fine material carried by runoff and the size of receiving waterway.
4. Recommendations to the maximum area of disturbed area that should be permitted at any one time in order safeguard local waterways from permanent adverse effects during construction.
5. **Vibration Management**

All plant and equipment to be used or installed on the premises must comply with the vibration limits specified in ‘Assessing Vibration: A Technical Guideline’ prepared by the NSW Environment Protection Authority, at the boundary of any affected receiver.

A vibration compliance letter from an appropriately qualified acoustic consultant eligible for membership of the Association of Australian Acoustic Consultants must be submitted to the Certifier as part of the Construction Management Plan required prior to the release of the Subdivision Works Certificate. This letter must certify that all plant and equipment operating simultaneously on the site, including all proposed plant and the equipment, will comply with the requirements of this condition.

1. **Management of Dust**

All reasonable measures to minimise dust generated during construction are to be implemented. This includes but is not limited to:

* 1. Clearly defined stop work thresholds whereby work onsite will be ceased with the exception of water trucks. Thresholds must be provided that relate to velocity and direction of wind;
  2. Dust screen installation and maintenance around the perimeter of the site for the duration of the works;
  3. The use of water trucks to regularly wet down areas;
  4. The stabilisation of stockpiles; and
  5. A definition of the maximum allowable height and batters of stockpiles.

Dust management measures are to be incorporated into the Construction Management Plan to be submitted to the Certifier prior to the issue of the Subdivision Works Certificate.

1. **Waste Management Plan**

A Waste Management Plan is required to be prepared:

a) identifying all waste (including excavation, demolition and construction waste materials) that will be generated by the work on the site;

b) identifying the quantity of waste material to be:

(i) reused onsite;

(ii) recycled onsite and off-site;

(iii) disposed of off-site;

c) if waste materials are to be reused or recycled onsite – specify how the waste material will be reused or recycled onsite; and

d) if waste materials are to be disposed of or recycled off-site – specify the contractor who will be transporting the materials and the waste facility or recycling outlet to which the materials will be taken.

Garbage receptacles must be provided at the work site before works begin and must be maintained until the works are completed. The garbage receptacles must have tight filling lids.

The Waste Management Plan is to be prepared and submitted to the Certifier prior to the issue of the Subdivision Works Certificate.

1. **Earthworks – Cut, Fill and Grading**

All earthworks and filling on the site must comply with the following:

1. No fill material is to be imported to the site. Existing stockpiles and material within the Redbank site are to be used for the earthworks.
2. Topsoil shall only be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping.
3. All disturbed areas are to be stabilised/revegetated as soon as practicable after the completion of the earthworks as follows:
   * 1. Minimum 300mm surface layer of topsoil in open space areas,
     2. Minimum 100mm surface layer of topsoil across urban lots,
     3. Minimum 100-150mm topsoil across road verges (subject to surface fittings for utilities clearance).
4. Where the maximum grade of the fill batter exceeds a ratio of three horizontal to one vertical (3:1), retaining walls, stoneflagging or terracing shall be constructed;
5. All fill within the site shall be placed in layers not exceeding 300mm thickness and compacted to achieve a minimum dry density ratio of 98% when tested in accordance with Australian Standard AS1289 ‘Methods of testing soils for engineering purposes’ unless otherwise specified.

Details, plans and documentation satisfying the above requirements are to be submitted to the Certifier for approval prior to the issue of the Subdivision Works Certificate.

1. **Earthworks – Staging**

The approved earthworks and landfilling is to be carried out in stages so as to minimise the area disturbed at any given time. The staging plan for the earthworks is to incorporate measures for the stabilisation of completed areas prior to works commencing in the following stage.

A Staging Plan satisfying the above criteria is to be submitted to the Certifier prior to the issue of the Subdivision Works Certificate.

1. **Retaining Wall Design**

All retaining walls, including footings and ag. lines, must be located wholly within private property where constructed on boundaries with Council land and road reserves.

Where retaining walls are proposed on abutting private lots, either single-tier or two-tier retaining walls may be utilised. The two-tier retaining walls shall have the upper retaining wall wholly located within the uphill lot, and the lower retaining wall located within the downhill lot, with a suitable offset provided between the faces of the retaining walls.

The uphill lot will have full responsibility for the retention and maintenance of the upper wall, with the downhill lot having full responsibility for the retention and maintenance of the lower wall, as defined by positive covenants in perpetuity.

Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing structure. Any retaining walls within Council roads and public reserves must not be visibly higher than 1.6m (top of ground at base to top of wall).

Details demonstrating compliance with the above requirements must be submitted to the Certifier for approval prior to issue of a Subdivision Works Certificate.

1. **Structural Engineer’s Design – Retaining Walls**

Any retaining walls having a height exceeding 600mm associated with the development are required to be designed by a suitably qualified and practicing structural engineer. The design must be submitted to the Certifier prior to issue of the Subdivision Works Certificate.

1. **Dams – Dam Safety Committee – No Declared Dams**

Evidence shall be provided to the Certifier demonstrating that Dam No. 6 will not be classified as a ‘declared dam’ under Section 4 of the Dams Safety Regulation 2019 prior to the release of the Subdivision Works Certificate.

1. **Dams – Dam Construction Requirements**

The re-interpreted Dam No. 6 is to be designed as a permanent waterbody to satisfy Part D Chapter 6 and Appendix E of the Hawkesbury Development Control Plan 2002. The final design shall comply with the following requirements:

a) The waterbody shall be benched from shallower to deeper sections;

b) Planting around the permanent waterbodies shall be extensive and shall enhance their wetland qualities.

c) Fencing around the permanent waterbodies shall be limited to safety purposes in relation to play areas and shall be implemented in such a manner that it does not cause any adverse visual impact to the setting of the permanent waterbody.

The approved plans and details satisfying the requirements of this condition are to be provided to the Certifier prior to the issue of the Subdivision Works Certificate.

1. **Stormwater – Detailed Drainage Design**

A detailed drainage design of the subdivision must be submitted. The detailed plan must:

a) be generally in accordance with approved plans under this Development Consent;

b) indicate the method of disposal of all stormwater and must include existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines;

c) be designed to cater for a minimum of 5 year Average Recurrence Interval (ARI) storm event;

d) show details of any overflow drainage paths and that they be designed to cater for the 100 year ARI storm event;

e) stormwater discharge points to swales/drainage channels/watercourses must be protected against erosion; and

g) comply with the Hawkesbury Development Control Plan 2002 – Appendix E ‘Civil Works Specification’ and Australian Standard AS3500 'Plumbing and Drainage' unless a variation is specifically noted and approved by the concept drainage plan.

In the event the 100 year ARI overland surcharge flow cannot be contained within the roadway the pipe may be designed for the 20 year ARI.

Details demonstrating compliance with the above requirements must be submitted to the Certifier for approval prior to issue of a Subdivision Works Certificate.

1. **Stormwater – Overland Flow**

The development shall not create adverse impacts to neighbouring properties in relation to overland flow and must meet the following requirements:

a) water flowing from the property must not be redirected or concentrated to adjoining properties;

b) water flowing into the property from adjoining lots shall not be impeded or diverted; and

c) water flow shall follow the natural flow directions without increasing velocity.

Details demonstrating compliance with the above requirements shall be shown in the detailed drainage plan and provided to the Certifier prior to the issue of a Subdivision Works Certificate.

1. **Stormwater – Inter-allotment Drainage**

Any lots that do not drain directly to Council's stormwater drainage systems are be provided with an easement and inter-allotment drainage system that comply with Hawkesbury Development Control Plan 2002 – Appendix E ‘Civil Works Specification’ and Australian Standard AS3500 ‘Plumbing and Drainage’. Council is to be the party empowered to release, vary or modify the easement.

Grated surface inlet pits, with a minimum size of 450mm by 450mm, shall be constructed at the lowest point of each lot that discharges at the rear into the public reserve. Either a single lot discharge outlet and scour pad is required at the outlet point within an easement OR an inter-allotment line connecting these lots to the stormwater pipeline within the public reserve.

The inter-allotment drainage details are to be included in the detailed drainage plan to be provided to the Certifier prior to the issue of a Subdivision Works Certificate.

1. **Stormwater – Water Quality**

Detailed design of the water quality elements, including modelling to demonstrate that the water quality targets required by Section 8.3.5 of Part E Chapter 8 of the Hawkesbury Development Control Plan 2002 are achieved, is to be provided to the Certifier prior to the release of the Subdivision Works Certificate.

1. **Stormwater – Stormwater Discharge to Natural Watercourse or Legal Point of Discharge**

Stormwater discharge points to a natural watercourse or other legal point of discharge must be protected against erosion. Details demonstrating compliance with these requirements shall be shown in the detailed drainage plan and provided to the Certifier prior to the issue of a Subdivision Works Certificate.

1. **Stormwater – Energy Dissipators**

Energy dissipators shall be designed and constructed at the point of discharge of stormwater from the site, in accordance with Hawkesbury Development Control Plan 2002 – Appendix E ‘Civil Works Specification’ and relevant Austroads Guides.

Details demonstrating compliance with the above shall be provided submitted to the Certifier for approval prior to the issue of a Subdivision Works Certificate.

1. **Stormwater – Temporary Water Management Facility (Quantity and Quality Control)**

Where required a temporary water management facility is to be provided to manage the stormwater quantity and quality run-off from the development prior to release into downstream receiving waterways. This control is required to mitigate any potential negative impacts on downstream waterways.

To satisfy this requirement the developer must design, construct and maintain a temporary water management facility to control all flows from the development to pre-development condition for all storm events from 1:1 to 1:100 year Average Recurrence Interval (ARI).

In addition, upon 80% of dwelling construction within the development the facility must be upgraded for water quality treatment in addition to water quantity control.

A detailed Water Management Design Report for the temporary water quantity and quality elements is to be provided, together with modelling to demonstrate that the water quantity and quality requirement of the Hawkesbury City Council Development Control Plan 2002 – Appendix E – ‘Civil Works Specification’ are achieved. The summary design details are to be included on the submitted plans for a Subdivision Works Certificate along with an electronic copy of the design models to the Certifying Authority.

The temporary water facility must be retained and maintained by the developer until the permanent Council water management facility is operational.

Detail satisfying the above criteria is to be submitted to the Certifier for approval prior to issue of a Subdivision Works Certificate.

1. **Stormwater – Structural Engineer’s Design – Deep Pits**

All pits deeper than 3m must be designed and certified by a suitably qualified and practicing structural engineer and satisfy the requirements of AS3600:2009 ‘Concrete Structures’. Pits deeper than 1.2m must have step irons and pits deeper than 1.8m are to be reinforced concrete.

All pits must have grates in accordance with Council’s Standard Drawings as specified in Hawkesbury Development Control Plan 2002 – Appendix E ‘Civil Works Specification’.

Details demonstrating compliance with these requirements shall be shown in the detailed drainage plan and provided to the Certifier prior to the issue of a Subdivision Works Certificate.

1. **Safer by Design Evaluation**

To address 'Crime Prevention Through Environmental Design' principles, minimise the opportunity for crime and ensure public safety, the development shall incorporate the following design changes:

1. Measures are to be installed to prevent access into large drainage pipe, headwall and pit structures;
2. Safety fences around stormwater basin/facilities are to be installed; and
3. Safety fences are to be installed along retaining structures where the vertical drop exceeds 1m.

Details satisfying the above criteria are to be submitted to the Certifier for approval prior to issue of a Subdivision Works Certificate.

1. **Public Lighting Design Brief**

The developer must submit a Public Lighting Design Brief to Council for approval for the provision of street lighting on all new public roads dedicated to Council prior to the release of a Subdivision Works Certificate. The street lighting design plan must be prepared by an accredited service provider for contestable works in NSW and submitted to the energy provider for approval.

All street lighting must comply with the electricity service provider's Street Lighting Policy and illumination requirements. All costs associated with the installation of street lighting must be borne by the developer.

Details demonstrating compliance with the above requirements must be submitted to the Certifier prior to issue of a Subdivision Works Certificate.

1. **Signposting and Line Marking Plan**

A detailed plan for all signage and linemarking must be approved by the Local Traffic Committee. The approved plan must be submitted with the design plans for the Subdivision Works Certificate.

This plan needs to show street name signs and posts, regulatory signs and posts (such as no parking or give way signs), directional signs and posts (such as chevron signs), speed limit signs and posts and line marking where required. This plan must also show the swept paths of both ‘design’ and ‘check’ vehicles.

Thermoplastic line marking must be used for any permanent works. Any temporary line marking must be removed with a grinder once it is no longer required; it cannot be painted over.

For existing public roads, signs and line marking may require separate/specific approval from the Local Traffic Committee.

Street name signs and posts must be provided in accordance with the Council's Development Control Plan 2002 – Appendix E ‘Civil Works Specification’.

Details demonstrating compliance with the above requirements must be submitted to the Certifier prior to the issue of a Subdivision Works Certificate.

1. **Road Naming Application**

A written application for road naming must be submitted to Hawkesbury City Council for approval. The road names proposed must comply with requirements of the NSW Geographical Names Board and Council.

The application must nominate three suggested names per road, in order of preference, and the source of the names proposed.

Fees are payable for this service as specified in Council’s Fees and Charges Policy.

1. **Roads – Infrastructure Upgrades – Grose Vale Road**

The upgrading of infrastructure within the road reserve of Grose Vale Road is required to service the development. This upgrading work must be carried out at the developer's expense, including all alterations of public infrastructure where necessary.

The following upgrading works within Grose Vale Road are required:

1. Reconstruction of Grose Vale Road to the satisfaction of Council for the section specified on the approved plans (including but not limited to the Landscaping Plans);
2. The road shoulders are to be sealed and have a minimum width of 2m;
3. The minimum pavement width for the Grose Vale Road upgrade construction (carriageway – exclusive of road shoulders) must be 7m wide unless specifically approved otherwise by Council in writing;
4. The northern area of road verge within Grose Vale Road for the remaining length of the development’s frontage shall be provided with a maximum 2.5% gradient for a minimum width of 1.5m to allow the future construction of a footpath.
5. Separate left-turn only and right-turn only lanes to Grose Vale Road must be provided on Road No. 60 at the intersection of Road No. 60 and Grose Vale Road.

Due to the narrow width of the road reserve a Road Safety Audit must be undertaken on the design which looks at vehicular, cyclist and pedestrian safety. The audit shall be undertaken in accordance with Roads and Maritime Services’ (RMS) ‘Guidelines for Road Safety Audit Practices’ July 2011. Outcomes of the audit are to be incorporated into the design to the satisfaction of Council.

Details satisfying the above requirements are to be included in the plans and documentation submitted to Council for the Local Traffic Committee.

Local Traffic Committee approval is required prior to the release of any Roads Act Approval for Grose Vale Road.

1. **Roads – Road and Drainage Design**

Road and drainage plans must be prepared by a suitably qualified and experienced civil engineer in accordance with Part E Chapter 8 ‘Redbank at North Richmond’ and Appendix E ‘Civil Works Specification’ of the Hawkesbury Development Control Plan 2002. The plans must be submitted to the Certifier for approval. All road and drainage works must then be constructed in accordance with Council's construction standards at no cost to Council.

All stormwater pipes within the road reserves and within drainage easements intended to be dedicated to Council must be reinforced concrete pipes and installed generally to the HS3 standard in accordance with the current edition of AS3725 ‘Design for Installation of Buried Concrete Pipe’.

Details demonstrating compliance with the above requirements is to be submitted to the Certifier for approval prior to issue of a Subdivision Works Certificate.

1. **Roads – Kerb Design**

All kerb to be used within the development shall comply with Table 6.9 of Part I of the Hawkesbury Development Control Plan 2002 – Appendix E ‘Civil Works Specification’.

Details of compliance are to be shown on the plans to be submitted to the Certifier prior to the release of the Subdivision Works Certificate.

1. **Engineer Designed Pavement – Residential**

The vehicle pavement must be designed by a suitably, qualified and practicing civil/geotechnical engineer and certified to be satisfactory for the expected traffic loadings from a development of this size and type. The pavement must to comply with Australian Standard AS3727 'Guide to residential pavements'.

Where it is proposed to use recycled materials instead of virgin quarried materials in road construction, the construction shall comprise polymer modified bitumen seal or rubber seal on top of primer seal as second coat seal prior to asphalt overlay.

Details of the above are to be incorporated on plans submitted to the Certifier prior to the issue of the Subdivision Works Certificate.

1. **Roads – Rural Fire Service Requirements**

The roads must be designed to satisfy Condition 3 of the General Terms of Approval (Reference No. DA20220428007370-Original-1) issued by the Rural Fire Service and dated 6 September 2022. Details of compliance are to be shown on the plans to be submitted to the Certifier prior to the release of the Subdivision Works Certificate.

1. **Roads – Road Verge Formation**

The grading, trimming, topsoiling and turfing of the road verges fronting and within the development site is required to ensure a gradient between 2% and 4% falling from the boundary to the top of kerb is provided. This work must include the construction of any retaining walls necessary to ensure complying grades within the road verge area. All retaining walls, associated footings and subsoil drainage must be contained wholly within the private property. Any necessary adjustments or relocation of services is also required to be carried out to the requirement of the relevant service authority. All service pits and lids must match the finished surface level.

The full road verge between the back of kerb and lot boundary must be turfed, except where varied by the approved civil and landscaping plans.

Details demonstrating compliance with the above requirements must be submitted to the Certifier prior to the release of the Subdivision Works Certificate.

1. **Roads – Temporary Turning Head/Cul-de-sac Design**

Where required temporary cul-de-sacs with 8.5m turning radius or turning heads in accordance with Council’s standard drawing SD7 (as detailed in Hawkesbury Development Control Plan 2002 – Appendix E ‘Civil Works Specification’) must be provided at the end of roads that are to be continued at a later stage. An easement for access is to be created on any lots affected by the temporary turning head.

Details demonstrating compliance with the above requirements must be submitted to the Certifier for approval prior to issue of a Subdivision Works Certificate.

1. **Roads – Road Reserve Backfill**

Backfill of all trenches including sewer that is within the zone of influence of the pavement shall be stabilised sand compacted to 98% standard. Details satisfying this requirement are to be provided on the plans submitted to the Certifier prior to the issue of the Subdivision Works Certificate.

1. **Service Conduits**

Service conduits to each of the new allotments are to be laid in strict accordance with the relevant service authority’s requirements. Services must be shown on the engineering plans. All services must be located along the road verge, except for sewer which can be located within new allotments subject to the relevant service authority’s requirements and approvals.

Details demonstrating compliance with the above requirements must be submitted to the Certifier for approval prior to the issue of a Subdivision Works Certificate.

1. **Public Reserves – Physical Barriers**

Physical barriers (i.e. bollards/fences) are to be provided between the road reserve and public reserves (parks). Access to the public reserves for Council maintenance vehicles must be provided and have a lockable entrance.

Details demonstrating compliance with the above requirements are to be submitted to Council’s Parks and Recreation Section for approval. Evidence of Council’s approval of the detailed Landscaping Plan must be provided to the Certifier prior to the release of the Subdivision Works Certificate for landscaping.

1. **Public Reserve – Path Construction**

All paths to be constructed within the public reserves shall be in accordance with Part E Chapter 8 of the Hawkesbury Development Control Plan 2002 ‘Redbank at North Richmond’. All paths within the public reserves are to be constructed of concrete with steel reinforcement.

1. **Landscaping Plan**

A detailed landscaping plan must be prepared by a suitably qualified architect, landscape designer/architect or professional landscape consultant and provided to Council’s Parks and Recreation Section for approval. These plans and strategies are to detail the following:

1. Street trees are to be provided within the grass verges of the Promenade, Ridgetop and Southern Heights Precincts generally in accordance with:
   * 1. Drawing No’s L-SD-03 Rev ‘A’ ‘Overall Landscape Plan’, L-SD-04 Rev ‘A’ ‘Overall Tree Planting Plan’ and L-SD-19 Rev ‘A’ ‘Indicative Planting and Images’ which were prepared by Arterra Design Pty Ltd and dated 2 March 2022,
     2. Part E Chapter 8 of the Hawkesbury Development Control Plan 2002 ‘Redbank at North Richmond’, and
     3. Hawkesbury Development Control Plan 2002 – Appendix E ‘Civil Works Specification’.

The trees are to be advanced specimens with a minimum pot size of 45L. Each tree must be provided with appropriate tree root barriers, soil capacity and a minimum 1.2m clear trunk.

1. Footpaths and shared paths are to be provided in accordance with Drawing No. L-SD-21 ‘Path Strategy Plan’ Rev ‘A’ prepared by Arterra Landscape Architects and dated 2 March 2022.
2. The landscaping plans must be updated to incorporate the requirements of the General Terms of Approval (Reference No. CNR-38729) issued by the Heritage Council and dated 4 July 2022. An amended Planting Schedule is to be provided indicating that all Hoop Pines (*Araucaria cunninghamii*) will be installed with a minimum pot size of 300L and an amended landscaping plan is to be provided indicating that the spacing of the Keyline plantings of Hoop Pine around the perimeter path of the larger open space area is to be no closer than the spacing of Keyline plantings of Hoop Pine as street trees.
3. The batter servicing Sandstone Park shown in Drawing No. L-SD-09 Rev ‘A’ ‘CPW Keyline Corridor – Section B’ prepared by Arterra Design Pty Ltd and dated 2 March 2022 shall be fitted with a proprietary erosion control web/geo-fabric and planted with dense native vegetation.
4. Revegetation and mitigation measures are to be implemented in accordance with:

Sections 8.5 and 8.6 of the ‘Redbank Southern Valley – Biodiversity Development Assessment Report’ (Reference No. 18SYD – 18744 Rev ‘4’) prepared by Eco Logical Australia and dated 1 March 2022,

Section 6 of the ‘Redbank Southern Valley – Riparian Assessment’ (Reference No. 21SYD-18744 Rev ‘5’) prepared by Eco Logical Australia and dated 1 March 2022, and

Section 5 of the ‘Grose Vale Road Upgrade West – Biodiversity Assessment’ Report (Reference No. 1327 Grose Vale Road West – Assessment V1 Rev ‘Final’) prepared by Molino Stewart and dated 24 February 2022.

Native vegetation of local provenance shall be used in re-vegetation works.

1. The open space corridors shall be designed to provide opportunities for fauna movement along the drainage lines, particularly for frog and micro-bat species.
2. An Unexpected Encounter – Microbats Protocol shall be developed in accordance with Section 5 of the ‘Grose Vale Road Upgrade West – Biodiversity Assessment’ Report (Reference No. 1327 Grose Vale Road West – Assessment V1 Rev ‘Final’) prepared by Molino Stewart and dated 24 February 2022.
3. Design, materials and colours of all fencing, retaining walls, paving, driveways, pathways, maintenance tracks, physical barriers, removable bollards, shelters, seating, decking, parking furniture, street furniture and interpretation signs shall be provided.
4. All signage shall be designed in accordance with the requirements of Council’s Parks and Recreation Section and the approved Heritage Interpretation Implementation Plan.

Evidence of Council’s approval of the detailed Landscaping Plan must be provided to the Certifier prior to the release of the relevant Subdivision Works Certificate for landscaping.

1. **Works Within Road Verge**

Infrastructure works are required to be undertaken within the road verges of the development. This work must be carried out at the developer’s expense, including all alterations of public infrastructure where necessary, and is to include the following:

1. Construction of paved shared bicycle pathways and/or footpaths in accordance with Part E Chapter 8 of the Hawkesbury Development Control Plan 2002 ‘Redbank at North Richmond’, Hawkesbury Development Control Plan 2002 – Appendix E ‘Civil Works Specification’ and Drawing No. L-SD-21 ‘Path Strategy Plan’ Rev ‘A’ prepared by Arterra Landscape Architects and dated 2 March 2022.
2. The northern area of the road verge within Grose Vale Road shall be provided with a maximum 2.5% gradient for a minimum width of 1.5m to allow the future construction of a footpath;
3. Removal of poor quality soil to a depth of 150mm within the road verge and replacement with rich topsoil and placement of turf (couch or buffalo variety);
4. Street tree planting is to be provided in accordance with the approved Landscape Plans; and
5. A minimum of four bus stops are to be provided within the Redbank site. The bus stops must be designed to satisfy the ‘Bus Stop Wayfinding’ Specifications issued by Transport For NSW and the requirements of Busways, with an extent of construction to include the provision of hard ground surface elements only at the time of subdivision of an adjacent urban lot stage, without signposting, structures and seating as timing of an operational bus route is subject to separate approval by Transport For NSW.

Details satisfying the above requirement must be submitted to the Certifier for approval prior to the issue of a Subdivision Works Certificate for the relevant stage of the development.

1. **Roads – Temporary Turning Head/Cul-de-sac Decommissioning**

Where applicable a temporary turning head decommissioning plan must be submitted with details for any temporary infrastructure (road, drainage, utilities, street lights, landscaping, signage etc.) located within the road reserve or associated easement that is to be removed or relocated to a permanent location.

Details satisfying the above requirement must be submitted to the Certifier for approval prior to the issue of a Subdivision Works Certificate for the relevant stage of the development.

1. **Stormwater – Temporary Water Management Facility Decommissioning**

Where applicable a water management facility or temporary basin decommissioning plan is required to be submitted to the Certifier. The plan must address dewatering, desilting and sediment waste assessment for contamination and disposal methods.

The plan must provide for the removal of temporary drainage works and the permanent drainage connection to the street drainage system.

Details satisfying the above requirement must be submitted to the Certifier for approval prior to the issue of a Subdivision Works Certificate for the relevant stage of the development.

**Prior to Commencement of Works (All Stages)**

1. **Principal Certifier – Details**

The applicant shall advise Council of the name, address and contact number of the Principal Certifier in accordance with Section 6.6(2)(b) (formerly Section 81A(2)(b)) of the Environmental Planning and Assessment Act 1979.

1. **Notice of Commencement**

No work shall commence until a notice of commencement has been provided to Council. This notice is to be provided not less than two days from the date on which it is proposed to commence work associated with this Development Consent. The notice must also contain:

a) details of the appointment of a Principal Certifier providing name, address and telephone number; and

b) details of the name, address and licence details of the contractor.

1. **Principal Certifier Site Sign**

A sign must be erected in a prominent position on any 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;

b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and

c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the remediation, building and civil construction work is being carried out, but must be removed when the work has been completed.

1. **Site Meeting – Inspection**

A site meeting with Council’s Development Engineer, developer and the contractor must be held prior to the commencement of work on site.

The meeting is to introduce and exchange contacts, establish the inspection regime, notification procedures for inspection, certification requirements and clarify other procedures.

1. **Heritage Council – General Terms of Approval**

An application under Section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Copies of the approved documentation issued by the Heritage Council, including the Section 60 Approval issued under the *Heritage Act 1977*, shall be provided to the Certifier prior to the commencement of any works.

1. **Aboriginal Heritage Impact Permit**

Evidence of the obtainment of Aboriginal Heritage Impact Permits (AHIP) from the Office of Environment and Heritage shall be to be provided to the Certifier prior to the commencement of works.

1. **Photographic Archival Recording**

A photographic archival recording of the site showing the topography of the site with extant keyline features, including Dam No.6, historic irrigation swales and associated dam infrastructure, must be prepared and submitted to Council prior to the commencement of works.

This recording must be undertaken in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006).

1. **Restriction of Site Access**

The site is to be secured by a fence, in accordance with NSW SafeWork requirements, to prevent unauthorised access during the period of all works.

Entry and exit points shall be secured at all times to prevent the unauthorised entry of vehicles and to ensure the site manager can control and prevent dumping of waste and potentially contaminated material whilst any fill material is being imported or managed onsite.

1. **Toilet Facilities**

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

a) be a standard flushing toilet connected to a public sewer; or

b) be attached to an approved on-site effluent disposal system; or

c) be a temporary chemical closet that is regularly maintained; and

d) appropriate facilities for the disposal of sanitary items are to be provided within the toilet.

1. **Implementation of Soil and Water Management Plan**

The measures required in the Soil and Water Management Plan (SWMP) approved by the Certifier must be implemented prior to the commencement of works.

The measures required under the SWMP must be implemented as a priority over general construction works. The controls must be maintained at all times during each stage of the development and checked for adequacy daily. The controls must not be removed until the development is completed and the disturbed areas have been stabilised.

Maintenance must include but is not limited to ensuring:

a) all sediment fences, sediment traps and socks are properly placed and are working effectively and,

b) drains, gutters and roads are maintained clear of sediment at all times.

**Note:** It is an offence under the *Protection of the Environment Operations Act 1997* to allow soil or other pollutants to fall or be washed into any waters or be placed where it is likely to fall or be washed into any waters. Substantial penalties may be issued for any offence.

1. **Traffic Management Devices**

All traffic management devices shall be installed and maintained in accordance with the approved Traffic Management and Control Plans.

1. **Support and Protection for Neighbouring Buildings**

If an excavation associated with the approved development extends below the level of the base of the footings of a building on an adjoining property the person having the benefit of this consent must at that person's own expense:

a) protect and support the adjoining premises from possible damage from the excavation;

b) where necessary, underpin the adjoining premises to prevent any such damage; and

c) provide a minimum seven days written notice to the owners/occupiers of adjoining properties giving details of the excavation and the proposed method of support of the excavated area.

The proponent is liable for any part of the cost of work carried out for the purposes of this condition whether carried out on the development site or on any adjoining land.

1. **Sydney Water – Section 73 Compliance Certificate**

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained. Application must be made through an authorised Water Servicing Coordinator. For details refer to Sydney Water's website:

[www.sydneywater.com.au](http://www.sydneywater.com.au)

Following application, a 'Notice of Requirements' will be forwarded detailing water extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The 'Notice of Requirements' must be submitted to the Certifier and Principal Certifier prior to the commencement of works.

**During Construction (All Stages)**

1. **Construction Hours**

The clearing of land, running of machinery, demolition, excavation, earthworks, civil works, building works and the delivery of building materials shall be carried out between the following hours:

a) between 7am and 6pm, Mondays to Fridays inclusive;

b) between 8am and 4pm, Saturdays;

c) no work on Sundays and public holidays; and

d) works may be undertaken outside these hours where:

(i) the delivery of vehicles, plant or materials is required outside these hours by the Police or other authorities;

(ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and

(iii) a variation is approved in advance in writing by Council.

1. **Out of Hours Work Permits**

Where it is necessary for works to occur outside of the hours approved by this consent, an application must be made to Council for a temporary approval for extended hours. If approval is issued the development must be carried out in accordance with any requirements of that approval.

1. **Inspections by Certifier**

Inspections shall be carried out and Compliance Certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan 2002 – Appendix E ‘Civil Works Specifications’ – Part II, Table 1.1.

Where works within the development site or an adjoining private property, relates to existing or proposed future Council infrastructure assets, inspections shall be carried out and Compliance Certificates issued by Council.

1. **Implementation of Construction Management Plan**

All aspects of the Construction Management Plan must be implemented and maintained until the completion of works.

1. **Construction Noise**

The works must be undertaken in accordance with the Interim Construction Noise Guideline published by the NSW Environment Protection Authority (EPA).

1. **Site Management – Site Management During Construction**
   1. All civil works must incorporate the recommendations of Sections 4.4, 5.3 and 6.3 of the ‘Construction Noise and Vibration Assessment’ Report (Reference No. RWDI#2103115 Rev ‘C’) prepared by RWDI Australia Pty Ltd and dated 2 March 2022.
   2. All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

c) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.

d) Copies of receipts stating the following must be given to the Principal Certifier:

(i) the place to which waste materials were transported;

(ii) the name of the contractor transporting the materials; and

(iii) the quantity of materials transported off-site and recycled or disposed of.

e) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

f) During construction:

(i) all vehicles entering or leaving the site must have their loads covered;

(ii) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads; and

(iii) any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to the public.

1. All reasonable measures to minimise dust generated during construction are to be implemented.
2. All loading and unloading associated with construction activity must be accommodated on site.
3. At the completion of the works, the work site must be left clear of waste and debris.
4. **Site Management – Flora and Fauna**

The following measures are to be undertaken to minimise flora and fauna impacts during construction:

a) The felling of hollow-bearing trees is to be conducted under the supervision of a fauna ecologist to ensure appropriate animal welfare procedures are taken, particularly for threatened species. Hollows of high quality or with fauna recorded residing within shall be sectionally dismantled and all hollows shall be inspected for occupation, activity and potential for reuse.

b) If any fauna species, a nest or roost are located during development works, then works should cease until safe relocation can be advised by a fauna ecologist.

c) Usable sections of cleared trees shall be relocated into Sandstone Park, Lot 2344 or the riparian buffer zone to increase available habitat for ground-dwelling mammals.

d) Mitigation measures are to be implemented in accordance with:

(i) Sections 8.5 and 8.6 of the ‘Redbank Southern Valley – Biodiversity Development Assessment Report’ (Reference No. 18SYD – 18744 Rev ‘4’) prepared by Eco Logical Australia and dated 1 March 2022,

(ii) Section 6 of the ‘Redbank Southern Valley – Riparian Assessment’ (Reference No. 21SYD-18744 Rev ‘5’) prepared by Eco Logical Australia and dated 1 March 2022, and

(iii) Section 5 of the ‘Grose Vale Road Upgrade West – Biodiversity Assessment’ Report (Reference No. 1327 Grose Vale Road West – Assessment V1 Rev ‘Final’) prepared by Molino Stewart and dated 24 February 2022.

Native vegetation of local provenance shall be used in re-vegetation works.

f) The decommissioning and removal of Dam No. 6 shall be undertaken in accordance with the recommendations of the ‘Impact Assessment – Amendment – Dam No 6 Removal’ (Reference No. 1793dam6c Rev ‘C’) Report prepared by Bio Engineered Solutions and dated 17 February 2022.

g) Nest boxes should be installed in the retained vegetation to replace hollows removed at a minimum ratio of 1:1 (i.e. one nest box for each hollow removed) in accordance with Section 8 of the ‘Redbank Southern Valley – Biodiversity Development Assessment’ Report (Reference No. 18SYD – 18744 Rev ‘4’) prepared by Eco Logical Australia and dated 1 March 2022. Boxes shall be chosen to match the likely target species of each hollow. Boxes shall be installed prior to clearing works to allow fauna to move/be relocated to nest boxes prior to removal of hollow-bearing trees.

1. **Tree Protection**

Trees identified for retention are to be protected in accordance with the recommendations detailed in Section 3 and Appendix 4.1 of the ‘Aboricultural Impact Assessment – Redbank – Southern Valley DA’ Report (Reference No. AIA-01 Rev ‘A’) prepared by Arterra Landscape Architects and dated 23 February 2022.

An AQF Level 5 Consulting Arborist must be engaged to supervise work within the Tree Protection Zones (TPZ), provide advice regarding tree protection and monitor compliance.

A copy of the Aboricultural Impact Assessment – Redbank – Southern Valley DA Report must be available on-site prior to the commencement of works and throughout the entirety of the project. Hold points for the marking, protection, removal, inspection and certification of trees are to be established. Upon the completion of each stage of the tree protection and removal works, the work is to inspected and certified by the Project Arborist and the next stage may commence.

All tree pruning and works must be undertaken in accordance with Australian Standard AS4373:2007 ‘Pruning of amenity trees’ and NSW WorkCover’s ‘Code of Practice for the Amenity Tree Industry (1998)’. Tree protection measures must be installed in accordance with Australian Standard AS4970:2009 ‘Protection of trees on development sites’ and the recommendations of the Aboricultural Impact Assessment – Redbank – Southern Valley DA Report.

1. **Vegetation Waste**

Vegetation waste resulting from the approved clearing of the site shall be salvaged to be re-used onsite as habitat or chipped and/or mulched. Tree trunks are to be recovered for use as habitat, posts, firewood or other appropriate uses. Non-salvageable material such as roots, stumps or declared weed species shall be disposed of to an appropriate waste facility.

No vegetative material is to be disposed of by burning.

1. **Demolition – General**

All demolition works must be carried out in accordance with the following:

a) All demolition work shall be carried out strictly in accordance with Australian Standard AS2601 'The Demolition of Structures';

b) Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current SafeWork 'Demolition License' and WorkCover 'Class 2' (Restricted) Asbestos License and comply with WorkCover's ‘Guide to Working with Asbestos’;

c) Site safety/security fencing shall be provided prior to commencement of any work onsite and shall be removed only when all hazards, including site waste, have been removed. The site safety/security fencing shall comply with the following Australian Standards:

(i) Demolition Sites – Australian Standard AS2601 'The Demolition of Structures';

(ii) Construction Sites – Australian Standard AS4687 'Temporary Fencing and Hoardings';

(iii) Ongoing Site Safety/Security – Australian Standard AS1725 - 'Chain-link Fabric Security Fencing and Gates';

d) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water;

e) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during works. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council;

f) Demolition activity shall not cause damage to or adversely affect the structural integrity of adjoining buildings;

g) Waste must be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation;

h) no material is to be burnt on site.

1. **Asbestos Handling**

If asbestos is encountered during any work, measures must be in place in accordance with WorkCover NSW guidelines and the Occupation Health and Safety Regulation 2001. Work shall not commence or continue until all the necessary safeguards required by WorkCover NSW are fully in place.

Only contractors who are appropriately licensed for asbestos disposal by WorkCover NSW may carry out the removal and disposal of asbestos from demolition and construction sites.

Prior to commencing the removal of any structures containing asbestos, a commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring 400mm x 300mm shall be erected in a prominent visible position on the site in accordance with Australian Standard AS1319 'Safety Signs for the Occupational Environment'.

The person entitled to act on this consent shall notify adjoining residents in writing five days prior to the demolition.

Asbestos waste must only be disposed of at a landfill site authorised to receive such waste. All receipts and supporting documentation must be retained in order to verify lawful disposal and are to be made available to Hawkesbury City Council on request.

1. **Contamination and Remediation Works**

Any remediation work shall be undertaken in accordance with:

 State Environmental Planning Policy (Resilience and Hazards) 2021;

 The guidelines (if any) in force under the Contaminated Land Management Act 1997;

 National Environment Protection (Assessment of Site Contamination) Measure;

* Environment Protection Authority’s ‘Waste Classification Guidelines Part 1: Classifying Waste (2014)’; and

 ‘Detailed Site Investigation – Southern Valley’ (Reference No. 0484202\_S011172 S010943 Rev ‘1.0’) prepared by ERM and dated 11 February 2022.

A Notice of Remediation must be given to Council at least 30 days before the commencement of any remediation work. The Notice of Remediation must be in writing and be consistent with Section 4.13 of State Environmental Planning Policy (Resilience and Hazards) 2021. The notice must also include contact details of the remediation contractor responsible for ensuring compliance of the remediation work.

Any remediation work must be completed under the supervision of an appropriately qualified consultant.

Any stockpiling of contaminated material must be located away from any construction activities. To ensure that contaminates do not leach into surrounding soils testing is to be undertaken to validate that any stockpilled material has not contaminated the surrounding area.

Within 30 days after the completion of the remediation works a Notice of Completion including a Validation Report must be submitted to Council verifying that the site has been fully remediated in accordance with the recommendations of the report. This notice must:

 be in writing and signed by the person who carried out the work,

 provide the person’s name, address and business telephone number,

 provide details of the person’s qualifications to carry out the work,

 specify, by reference to its property description and street address, the land on which the work was carried out,

 state when the work was completed,

 specify the uses of the land, and the substances, that contaminated it in such a way as to present a risk of harm to human health or some other aspect of the environment,

 briefly describe the method of remediation used in the work,

 specify the guidelines that were complied with in the work, and

 specify the standard of remediation achieved (in the light of the use of the land).

The Notice of Completion must be prepared by an appropriately qualified person and state that the residential lots are unconditionally suitable for residential use and the open space lots are unconditionally suitable for recreational use.

1. **Classification of Excavated Soils**

Any soils excavated from the subject site are to be classified under the Environment Protection Authority’s ‘Waste Classification Guidelines Part 1: Classifying Waste (2014)’. Testing is required prior to offsite disposal.

All waste materials must be removed to appropriately licensed waste facilities by a suitably qualified contractor in accordance with the Waste Classification Guidelines.

Details of any soil excavation, transportation and disposal works must be reported to Council by a suitably qualified consultant. If required this is to be submitted as part of the validation reporting for the development.

1. **Waste Disposal**

All records demonstrating the lawful disposal of waste must be retained and kept readily accessible on the construction site for inspection by regulatory authorities such as Council and the Environmental Protection Authority.

1. **Topsoil and Stockpiles of Materials**

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.

1. **Earthworks – General Requirements**

All earthworks on site must comply with the following:

1. No fill material is to be imported to the Redbank site. Existing stockpiles and material within the site are to be used for the earthworks.
2. The level of fill shall not exceed the levels shown on the approved Development Consent plans. A certificate or Works As Executed Plan prepared by a Registered Surveyor confirming compliance with this requirement is to be submitted to the Principal Certifier upon the completion of the earthworks.
3. Topsoil shall be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping;
4. Once the topsoil has been removed the natural batter should be suitably stepped, scarified or roughened to prevent slipping and the fill is to be keyed in to hold the toe of the fill batter in place; The landfill shall be completed in stages to minimise the area exposed at any one time. Each section is to be stabilised by grassing immediately prior to moving onto the next section.
5. Where the maximum grade of the fill batter exceeds a ratio of three horizontal to one vertical (3:1), retaining walls, stoneflagging or terracing shall be constructed;
6. All fill shall be placed in accordance with the standards specified in Table 5.1 of Australian Standard AS3798 'Guidelines on Earthworks for Commercial and Residential Developments'.
7. All fill, including existing fill, must be compacted with a compaction ratio of 98% as specified in Table 5.1 of Australian Standard AS 3798 'Guidelines on Earthworks for Commercial and Residential Developments'.
8. All disturbed areas are to be stabilised/revegetated as soon as practicable after the completion of the earthworks as follows:
   * 1. Minimum 300mm surface layer of topsoil in open space areas,
     2. Minimum 100mm surface layer of topsoil across urban lots,
     3. Minimum 100-150mm topsoil across road verges (subject to surface fittings for utilities clearance).
9. The Topsoil Management Plan approved under this consent.
10. **Sandstone – Crushing, Grinding or Separating Works**

The crushing, grinding or separating of sandstone for use in roads must be undertaken in accordance with the recommendations of Sections 4.4, 5.3 and 6.3 of the ‘Construction Noise and Vibration Assessment’ Report (Reference No. RWDI#2103115 Rev ‘C’) prepared by RWDI Australia Pty Ltd and dated 2 March 2022.

The crushing of sandstone works shall not exceed a capacity of 150 tonnes per day or 30,000 tonnes per annum.

Any sandstone crushing operations must be undertaken and any resulting material must be stored more than 40m from any waterbodies and 250m from any dwelling houses.

1. **Water Quality Monitoring**

Results from water quality monitoring shall be provided to the Principal Certifier on a monthly basis at a minimum or on request from the Principal Certifier to identify any maintenance required for necessary remedial action to ensure the facilities are operating in accordance with the design.

1. **Road Drainage, Sewer and Service Conduit Crossings**

Drainage lines, sewer lines and services conduit crossings must be placed across carriageways in accordance with the following:

* 1. Drainage Lines:Any stormwater drainage crossing of carriageways must be installed prior to placing of the sub-base course pavement material.  Any variation to this requirement is subject to prior written approval from the Council.
  2. Sewer and Service Conduits:Sewer lines and services conduit crossings must be placed across the carriageways prior to the placing of any sub-base pavement material.  A copy of the services installation plans must be submitted to the Principal Certifier prior to the placement of sub-base pavement material.  Any variation to this requirement is subject to prior written approval from the Council.

1. **Effective Construction**

All staged and partial road construction work shall incorporate any necessary service adjustments, temporary drainage, turning head and other ancillary work as required by Council to make the construction effective.

1. **Provision of Sewer**

Sewerage reticulation, including junctions, shall be constructed to each residential lot in the subdivision.

1. **Heritage – Unexpected Historical Archaeological Relics**

The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

1. **Heritage – Aboriginal Objects**

Should any Aboriginal objects be discovered at any stage during the implementation of this consent which are not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the affected area(s) is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until the Heritage Council of NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

**Prior to Issue of a Subdivision Certificate (All Stages)**

1. **Subdivision Certificate – Final Plan of Subdivision and 88B Instrument**

Prior to the release of the Subdivision Certificate it will be required to submit:

a) four paper prints of the final plan of subdivision prepared to the requirements of NSW Registry Services (formerly known as Land Titles Office) and incorporating Council approved road names;

b) the original and three paper copies of the 88B Instrument and Administration Sheet; and

c) all certificates and supplementary information required by this consent.

A Subdivision Certificate Release Fee shall be paid in accordance with Council’s adopted Fees and Charges at the time of lodgement of the linen plan.

1. **Redbank – Satisfaction of Voluntary Planning Agreement**

All relevant Development Contributions, Bank Guarantees and commitments as required by the Voluntary Planning Agreement (VPA) between Council, Roads and Maritime Services, Eric Nominees Australia Pty Ltd atf the Redbank Unit Trust, Mararch Dev (Richmond) Pty Ltd, Wengor Dev (Richmond) Pty Ltd, Hatt Pty Ltd and BD NSW (MR) Project O007 Pty Ltd atf BD NSW (MR) Project O007 Unit Trust dated 20 August 2014 (as updated) are to be provided and associated documentary evidence of same is to be forwarded to Council. The documentation provided to Council is to include:

a) details of the number of lots for which the Subdivision Certificate is sought;

b) details of the cumulative number of lots for which Subdivision Certificates have been issued in the Redbank at North Richmond development as a whole; and

c) an explanation as to how the provisions of the VPA have been satisfied for both (a) and (b) above.

1. **Defects Maintenance Bond**

A defects maintenance bond to the value of **$100,000.00** must be submitted to Hawkesbury City Council prior to issue of the Subdivision Certificate. The bond will be held for a minimum defect liability period of six months from the date of registration of the Subdivision Certificate at Land Registry Services upon which the road and associated infrastructure is dedicated to Council. The maintenance period may be extended to allow for the completion of necessary maintenance or in the case of bonded works until the completion of bonded works.

The bond is refundable on application to Council and upon satisfactory final inspection.

1. **Security Bond – Temporary Turning Heads (Cul-de-Sacs)**

A security bond must be provided for each temporary turning head constructed in order to guarantee the maintenance and subsequent decommissioning of the temporary turning heads. The security bond must also include the cost of any extension and completion of incomplete infrastructure and landscaping works required along the lot frontages of cul-de-sacs, e.g. footpath/shared pathway, landscaping, street trees, drainage.

A written quotation from a registered contractor with itemised cost break-up of the works is required to be submitted for Council acceptance. Upon Council acceptance, a bond to the value of 150% of the cost of decommissioning works must be submitted prior to issue of Subdivision Certificate.

The bond is refundable upon completion of the works and satisfactory inspection and certification by Council’s Development Engineer.

A written application for bond release is required to be submitted upon completion of works.

1. **Completion of Works Required by Subdivision Works Certificate**

All subdivision works for the development must be completed in accordance with the approved Subdivision Works Certificate, approved plans, supporting documentation and to the satisfaction of the Principal Certifier.

1. **Subdivision Certificate Review**

Prior to the submission of a Subdivision Works Certificate application a draft copy of the final plan, administration sheet and Section 88B instrument (where applicable) must be submitted to Council in order to establish that all conditions have been complied with.

Street addresses for the lots within this subdivision will be allocated as part of this preliminary check process, for inclusion on the administration sheet.

1. **Compliance Report**

Prior to the issue of a Subdivision Certificate, the Applicant, or any party acting upon this consent, shall submit to the Principal Certifier a report addressing compliance with all relevant conditions required prior to the issue of a Subdivision Certificate of this consent.

1. **Rural Fire Service – General Terms of Approval**

Evidence that the General Terms of Approval (Reference No. DA20220428007370-Original-1) issued by the Rural Fire Service and dated 6 September 2022 have been satisfied shall be provided to the Principal Certifier prior to the issue of a Subdivision Certificate.

1. **Remediation – Notice of Completion**

Where remediation works have been undertaken, a Notice of Completion prepared by an appropriately qualified person must be submitted to the Principal Certifier to confirm the completion of the works.

This Notice of Completion must be provided prior to the issue of a Subdivision Certificate.

1. **Remediation – Validation**

A Validation Report must be prepared by an appropriately qualified person and state that the

a) residential lots are unconditionally suitable for residential use; and

b) the reserves and land to be dedicated to Council is unconditionally suitable for recreational use.

This validation must be provided to the Principal Certifier prior to the issue of any Subdivision Certificate.

1. **Works As Executed Plans – Subdivision**

‘Works As Executed’ Plans must be submitted to the Principal Certifier by a Registered Surveyor prior to the release of the Subdivision Certificate. The Works As Executed dimensions and levels must be shown in red on a copy of the approved Subdivision Works Certificate plans. As a minimum the plan must show:

a) compliance with the approved design plans of all road and drainage works within Council land, road reserves and drainage easements (including connection into the subject lots, surface and invert levels of all pits, invert levels and sizes of all pipelines);

b) certification from a Registered Surveyor that all stormwater pipes and other services are wholly within a road to be registered as a public road or an appropriate easement;

c) compliance with the approved design plans of paved areas within rights of carriageway and road reserve;

d) the extent, depth and final levels of filling;

e) the location of all underground service conduits; and

f) all deviations from the approved civil engineering plans.

The Works As Executed plan must be provided in a format compatible with the Geographic Information System (GIS) of the Council to assist with the Council asset management database.

All levels must relate to Australian Height Datum (AHD).

1. **Confirmation of Pipe Locations**

A letter from a registered surveyor must be provided with the works as executed plans certifying that all pipes and drainage structures are located within the proposed drainage easements.

1. **Temporary** **Water Management Facility** **Compliance**

A compliance certificate from a suitably qualified person stating that the temporary water management facility has been constructed and complies with the approved design plan is required to be submitted.

1. **Plan of Management – Temporary Water Management Facility**

A Plan of Management for the temporary water quantity and quality management facilities shall be submitted to and approved by Council. The Plan of Management shall set out all design and operational parameters for the facilities including design levels, hydrologic and hydraulic details, inspection and maintenance regime and procedures.

1. **Lot Drainage to Council Reserve**

The allotments must be provided with drainage infrastructure designed to the satisfaction of Council’s engineering standards and as detailed in the Subdivision Works Certificate documentation. The installation of drainage infrastructure shall be completed in accordance with the Subdivision Works Certificate documentation prior to release of the Subdivision Certificate.

1. **Easements and Restrictions**

Lots affected by new easements must be burdened with easements and restrictions on the use of land to the satisfaction of the Principal Certifying Authority and the relevant utility provider prior to release of the Subdivision Certificate.

1. **Positive Covenant Requirements – Stormwater**

A positive covenant with Council shall be created pursuant to Section 88B of the *Conveyancing Act 1919* as follows:

 All future dwellings on the allotments are to have a minimum of 50% of the roof area drained to a rainwater tank(s). The rainwater tank or tanks are to have a minimum capacity of 3,000 litres and must be plumbed for at least one domestic internal use (toilet flushing and/or laundry use).

Council only will be entitled to release or modify the instrument. All costs associated with the instrument, including any legal costs payable by Council, are to be paid by the owner or applicant.

1. **Restriction of User Requirements – Vehicular Access**

The creation of a restriction to user with Council is required for Lots 2201 to 2227 pursuant to Section 88B of the *Conveyancing Act 1919* as follows:

* No vehicular access from Grose Vale Road is to be provided to properties adjoining this road. All vehicular access to these properties is to be provided from Irrigator Drive (Road No. 51) only.

Council only will be entitled to release or modify the instrument. All costs associated with the instrument, including any legal costs payable by Council, are to be paid by the owner or applicant.

1. **Restriction of User Requirements – Building Restriction**

The creation of a restriction to user with Council is required for Lots 2201 to 2227 pursuant to Section 88B of the *Conveyancing Act 1919* as follows:

* No buildings, habitable or otherwise, shall be constructed within 5m of the rear boundary of the properties that back onto Grose Vale Road.

Council only will be entitled to release or modify the instrument. All costs associated with the instrument, including any legal costs payable by Council, are to be paid by the owner or applicant.

1. **CCTV Inspection of Stormwater Pipes**

All stormwater pipes within road reserves and within drainage easements that are to become public assets must be inspected by CCTV. The CCTV must be carried out after all earthworks and road pavement works within the locality of the pipelines has been completed. A copy of the CCTV inspection must be recorded and submitted to the Principal Certifier. Damaged pipes must either be replaced or repaired to the satisfaction of the Principal Certifier.

1. **Road Infrastructure –Signposting and Line Marking**

All signposting and line marking works are to be completed in accordance with an approved Signposting and Line Marking Plan prior to the release of the Subdivision Certificate for the relevant stage. Line marking works must be completed on both the first layer and second layer of asphalt where applicable.

Shared pedestrian and bicycle paths are to be marked and sign posted in accordance with current Council standards and relevant Australia Standards

1. **Road Infrastructure – Street Lighting**

The street lighting works are to be completed in accordance with the approved plan prior to the issue of a Subdivision Certificate.

1. **Dedication of Splay Corners**

The owner shall dedicate minimum 4m by 4m splay corners at the intersection of all roads to Council. The dedication is to be shown on a plan of subdivision prepared for the property and is to be undertaken at the developer’s cost.

The plan of subdivision showing the dedication shall be registered with Land Registry Services prior to the issue of the Subdivision Certificate.

1. **Road Infrastructure – Street Signs**

Street name signs shall be provided at the junction of the new roads prior to the issue of the Subdivision Certificate.

1. **Geotechnical Report**

A suitably qualified Geotechnical Engineer's report must be submitted to the Principal Certifier with the Subdivision Certificate application. The report must include the following:

a) the classification of the proposed lots in accordance with the Australian Standard AS2870 'Residential Slabs and Footings' or subsequent amendments;

b) the classification of the lots in relation to risk of slope instability; and

c) the required site preparation and construction constraints within the building envelope of the lot appropriate to the assessed risk of slope instability.

1. **Engineer’s Certification**

All retaining walls over 600mm high and structurally designed pits are to be certified on completion by a suitably qualified and experienced Structural Engineer. This certification must be provided to the Principal Certifier prior to the release of the Subdivision Certificate.

1. **Dams – Dam Certification**

The re-interpreted Dam No. 6 as a waterbody is to certified by a suitably experienced and registered engineer as being structurally sound and constructed in accordance with Part D Chapter 6 and Appendix E of the Hawkesbury Development Control Plan 2002. Details are to be provided to the Principal Certifier prior to the issue of the Subdivision Certificate.

1. **Biodiversity Compliance Certification**

Prior to the issue of a Subdivision Certificate the Applicant must submit the following to Council:

* 1. Dam Decommissioning Certificate – Details prepared by the project ecologist outlining fauna rescue and relocation undertaken during the dewatering of the dams.
  2. Tree Removal and Fauna Protection – Details prepared by the project ecologist demonstrating compliance with the re-vegetation and mitigation measures detailed in:

(i) Sections 8.5 and 8.6 of the ‘Redbank Southern Valley – Biodiversity Development Assessment Report’ (Reference No. 18SYD – 18744 Rev ‘4’) prepared by Eco Logical Australia and dated 1 March 2022,

(ii) Section 6 of the ‘Redbank Southern Valley – Riparian Assessment’ (Reference No. 21SYD-18744 Rev ‘5’) prepared by Eco Logical Australia and dated 1 March 2022, and

(iii) Section 5 of the ‘Grose Vale Road Upgrade West – Biodiversity Assessment’ Report (Reference No. 1327 Grose Vale Road West – Assessment V1 Rev ‘Final’) prepared by Molino Stewart and dated 24 February 2022.

1. **Completion of Landscaping**

Landscaping works are to be completed in accordance with the approved landscaping plans, the Heritage Interpretation Plan approved by the Heritage Council, Vegetation Strategy and Plan, Weed Management Strategy and the Voluntary Planning Agreement (VPA) between Hawkesbury City Council, Roads and Maritime Services, Eric Nominees Australia Pty Ltd atf the Redbank Unit Trust, Mararch Dev (Richmond) Pty Ltd, Wengor Dev (Richmond) Pty Ltd, Hatt Pty Ltd and BD NSW (MR) Project O007 Pty Ltd atf BD NSW (MR) Project O007 Unit Trust dated 20 August 2014.

All landscaping works are to be certified on completion by a suitably qualified and experienced Landscape Architect. This certification must be provided to the Principal Certifier prior to the release of the Subdivision Certificate.

1. **Service Conduits**

Service conduits to each of the new lots, laid in accordance with the relevant service authority's requirements, are required to be provided. The location of services is to be shown on the engineering drawings.

1. **Subdivision Certificate – Sydney Water Section 73 Compliance Certificate**

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be provided confirming satisfactory arrangements have been made for the provision of water and sewer services to the Principal Certifier prior to issue of the Subdivision Certificate. The certificate must refer to this development consent and the lots covered created under the relevant stage.

**Note:** The certificate must clearly state that water and sewerage services are connected.

1. **Subdivision Certificate – Energy Provider Certificate**

Documentary evidence from an Energy Provider confirming that satisfactory arrangements have been made to serve the proposed development shall be provided to the Principal Certifier prior to the issue of the Subdivision Certificate.

1. **Subdivision Certificate – Telecommunication Certificate**

Telecommunications infrastructure shall be installed to comply with the following:

a) the requirements of the *Telecommunications Act 1997;*

b) for a fibre ready facility, the NBN Co’s standard specifications current at the time of installation; and

c) for a line that is to connect a lot to telecommunications infrastructure external to the premises, the line is to be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of installation, the development must be provided with all necessary pits, pipes and conduits to accommodate the future connection of optic fibre technology telecommunications.

A certificate from all relevant service providers that the telecommunications infrastructure is installed in accordance with all applicable legislation shall be submitted to the Principal Certifier.

1. **Environmental Information for Purchasers**

Environmental information shall be developed for inclusion within the Information Packages for purchasers of the properties. This documentation should detail that:

* Companion animals, particularly cats, should be controlled to restrict nocturnal movement so as to prevent predation upon native fauna and competition with the Spotted-tailed Quoll;
* A number of frog species occur onsite, in particular in areas adjacent to Redbank Creek and the former farm dams onsite. Residents should be mindful of chemicals and pesticides entering any watercourses or wetland systems;
* The use of native vegetation for private gardens can provide valuable animal habitat and food sources.

A copy of this information shall be provided to Council prior to the release of the Subdivision Certificate.

1. **Dedication of Land to Council**

Road reserves, including any road widening in Grose Vale Road to provide for a minimum 10m road reserve from the centreline of Grose Vale Road, must be dedicated to Council on the final Subdivision Plans submitted to the Principal Certifier for the Subdivision Certificate.

Any open space reserves shall be embellished and dedicated to Hawkesbury City Council in accordance with the Voluntary Planning Agreement (VPA) between Hawkesbury City Council, Roads and Maritime Services, Eric Nominees Australia Ply Ltd atf the Redbank Unit Trust, Mararch Dev (Richmond) Ply Ltd, Wengor Dev (Richmond) Ply Ltd, Halt Ply Ltd and BD NSW (MR) Project 0007 Ply Ltd alf BD NSW (MR) Project O007 Unit Trust dated 20 August 2014.

All road reserves, roads, footpaths and public assets shall be dedicated to Council at no cost.

1. **Completion of Staged Subdivision Works**

All subdivision works for the relevant stage must be completed in accordance with approved plans, specifications and to the satisfaction of Council prior to the issue of the Subdivision Certificate.

1. **Works as Executed Plans for Staged Subdivision Works**

Works as Executed (WAE) plans for the staged subdivision works prepared and certified by a Registered Surveyor must be submitted to the Principal Certifier prior to issue of a staged Subdivision Certificate.

1. **Bond for Temporary Water Management Facility Decommissioning**

A security bond for the decommissioning of a temporary water management facility is required to provide surety to Council that when the permanent street drainage network is constructed downstream and stormwater from the development can be connected to this permanent facility, the temporary facility (including all associates re-work to pits, pipes structure) will be decommissioned.

A written quotation from a registered contractor with detail cost break up of decommissioning work is required to be provided for Council acceptance. Upon Council acceptance, a bond to the value of 150% of the cost of decommissioning works must be submitted prior to the issue of the staged Subdivision Certificate.

The bond is refundable upon completion of the works and satisfactory inspection and certification by Council’s Development Engineer.

1. **Completion of Infrastructure Upgrading Works – Grose Vale Road**

All upgrading works to Grose Vale Road must be completed in accordance with plans and specifications, as well as to the satisfaction of Council, prior to issue of the Subdivision Certificate for the 277th residential lot.

1. **Completion of Infrastructure Upgrading Works – Provision of Bus Stops**

A minimum of four bus stops satisfying the requirements of Condition 62(e) of this consent are to be provided within the Redbank site in accordance with the approved plans and specifications, as well as to the satisfaction of Council and Busways.

Three bus stops are to be provided prior to issue of the Subdivision Certificate for the 278th residential lot, whilst the fourth bus stop is to be provided prior to issue of the Subdivision Certificate for the 333rd residential lot. Installation of later signposting, structures and seating to all four bus stops is to be provided subject to the operational commencement of a bus route by Transport For NSW and prior to issue of the Subdivision Certificate for the 375th residential lot.

**Notes**

* + 1. **Operation of Consent**

This consent operates from the determination date shown on the top of this notice and will lapse unless the development is commenced within five years from the date endorsed on this consent.

* + 1. **Compliance with Consent**

Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.

* + 1. **Approvals within the Road Reserve**

Private Certifiers do not have any authority to issue Engineering Approvals or carry out inspections for works on public roads under the *Roads Act 1993*.

* + 1. **Excavation – European Archaeology**

Should any unrecorded objects of European heritage be discovered, works within the vicinity of the object must cease. The discovery must be reported and the advice of a qualified heritage practitioner sought to determine the significance of the object, element or site and provide clear strategies for management. Depending on the significance of the object uncovered, an archaeological assessment and Excavation Permit under the *Heritage Act 1997* may be required before further work can continue.

* + 1. **Dial Before You Dig**

Prior to commencement of work, the free national community service 'Dial Before You Dig' shall be contacted on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.

* + 1. **Utilities and Services**

Utilities, services and other infrastructure potentially affected by the works shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the development shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required.

The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

The applicant is advised to consult with:

a) Sydney Water Corporation Limited;

b) the relevant electricity supply authority;

c) the relevant gas supply authority; and

d) the local telecommunications carrier

… regarding their requirements for the provision of services to the development and the location of existing services that may be affected by the works either onsite or on the adjacent public roads.

* + 1. **Security Bond/ Bank Guarantee Requirement**

A security bond may be submitted in lieu of a cash bond. The security bond must:

* Be in favour of Hawkesbury City Council;
* Be issued by a financial institution or other accredited underwriter approved by, and in a format acceptable to, Council (for example, a bank guarantee or unconditional insurance undertaking);
* Have no expiry date;
* Reference the development application, condition and matter to which it relates;
* Be equal to the amount required to be paid;
* Be itemised, if a single security bond is used for multiple items.

A 50% mark will be applied over the Council accepted estimated costs or quotations for any bonded works to account for cost variation and price escalation.

In addition a security administration fee is payable for each security bond in accordance with Council’s current fees and charges schedule.

* + 1. **Workplace Health and Safety**

All work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any SafeWork Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that warn the public to keep out of the site, and provide a contact telephone number for enquiries.

Further information and details can be obtained from the SafeWork website:

<https://www.safework.nsw.gov.au/>

* + 1. **Works on Public Land – Public Liability Insurance**

Any person or contractor undertaking works on public land must take out a Public Risk Insurance policy with a minimum cover of $10 million in relation to the occupation of public land and the undertaking of approved works within Council's road reserve or public land, as approved by this consent.

The policy is to note, and provide protection/full indemnification for Council, as an interested party. A copy of the policy must be submitted to Council prior to commencement of any works. The policy must be valid for the entire period that the works are being undertaken.

* + 1. **Incident Reporting – Environmental Management**

The proprietor shall notify, immediately after occurrence, Council and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment.

* + 1. **Discovery of Contamination**

Should any new information come to light during the works which has the potential to alter previous conclusions about contamination, the works must cease immediately and contact should be made with Council. Works must not recommence onsite until directed by Council.

* + 1. **Acid Sulfate Soils – Monitoring of Excavation During Works**

All excavations are to be monitored to ensure that acid sulphur soils are not encountered during works. Signs that may indicate the presence of acid sulphur soils include:

a) change in colour of the soil into grey and green tones;

b) effervescence;

c) the release of sulphur smelling gases such as sulphur dioxide or hydrogen sulphide; and

d) lowering of the soil Ph by at least one unit.

Should any of the above indicators be present excavation work on the site is to stop and Council is to be notified to determine what action is required to be taken before work may commence.