

RECOMMENDED CONDITIONS OF CONSENT

General Conditions

•	BCA compliance
	The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.
	Condition reason: To ensure that the applicant is aware that the development consent does not automatically comply with the provisions set by the Building Code of Australia.
•	Building position
	The proposed building is to be constructed in the position and at the levels as nominated on the approved plans or as stipulated by a condition of this consent, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
•	Protection of existing public infrastructure
	Approval is given subject to the location of, protection of, and/or any necessary approved modifications to any existing public utilities situated within or adjacent to the subject property. Any necessary adjustment or modification of existing services is to be undertaken in accordance with the requirements of the relevant authority, at the Developer's expense.
	Condition reason: To ensure existing public utilities within or adjacent to the site are located, protected or adjusted accordingly.
•	General D15 requirements to be reinforced
	Works in the vicinity of public infrastructure must comply with the following requirements: <ul style="list-style-type: none"> • No portion of any habitable structure may be erected within one metre of public infrastructure over the subject site. All structures shall be designed and sited such that all structure loads will be transferred to the foundation material outside of the zone of influence of any public infrastructure. • The driveway concrete slab must contain construction joints or removable paving within one metre from the sewer, to enable council to remove and reinstate without destruction, and limit the scale of removal whilst undertaking construction works on the sewer. Council will not be responsible for the reinstatement of plantings, unauthorised structures or decorative surfacing in the vicinity of the pipe in the event of pipe excavation or other maintenance works. • Any fencing erected across the sewer main shall be designed and constructed with removable panels and footings located at least 1.0 metre horizontally clear of sewer main. • Trees and other landscaping that will grow to over one metre in height at maturity are not permitted to be planted within one metre of the sewer to prevent the tree roots intruding into sewer mains and internal sewer pipes. Landscaping over the sewer shall be of a minor nature designed to ensure they do not damage or interfere with any part of the pipeline. • Deep soil planting zones are not permitted within one metre of the sewer to ensure adequate protection of council's public sewer infrastructure.
	Condition reason: To ensure Council's Development Design Specification D15 is complied with.
•	Red Imported Fire Ants
	The importation of any of the following fire ant carrier material from invasive ant biosecurity zones must be in accordance with the current NSW Biosecurity orders available at

	<p>www.dpi.nsw.gov.au and meet the requirements of NSW Department of Primary Industries:</p> <ul style="list-style-type: none"> • organic mulch, compost, growing media, manure, soil and anything with soil on it, hay, chaff, or silage; • potted plants; • turf; • agricultural equipment or earth-moving equipment; • mining and quarrying materials; • grass; • vegetation and clippings; or • other fire ant carrier material identified within the order. <p>Prior to the importation of each material type, the supplier must provide the receiver and the Principal Certifier or Council with the relevant form and/or certificate as identified within the order. All material shall meet the requirements of the relevant form/certificate.</p> <p>It is an offence under the Biosecurity Act 2015 if this material comes from within 5 kilometres of a known invasive ant infested area (e.g. identified Fire Ant Biosecurity Zones in Queensland), or any other place at which the person knows, or ought reasonably to know, that an invasive ant has been detected, unless the carrier material has been managed and treated to reduce the risk and meets the certification requirements listed in the order.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Waste Management (fill and spoil)</p> <p>The Principal Certifier must be satisfied that all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> • All excavated material removed from the site has been classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility, and the classification, and the volume of material removed must be reported to the Principal Certifier. • All fill material imported to the site must be: <ul style="list-style-type: none"> ○ Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the Protection of the Environment Operations Act 1997, and/or ○ A material identified as being subject to a resource recovery exemption by the NSW EPA. ○ A combination of Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 and a material identified as being subject to a resource recovery exemption by the NSW EPA. <p>All VENM or waste-derived fill material subject to a resource recovery exemption must be accompanied by documentation as to the material's compliance and must be provided to the Principal Certifier or Council on request.</p> <p>Condition reason: To ensure waste is not contaminated and is safe for future occupants.</p>
•	<p>Unexpected Finds – Contaminated Land</p> <p>An Unexpected Finds Protocol shall be prepared by a suitably qualified person to the satisfaction of the Principal Certifier that addresses how any unexpected or suspicious materials with the potential to be wastes or relate to contamination will be managed. Should these materials be discovered, all sitework must cease immediately. No works shall be undertaken until the required investigations have been completed and any permits or approvals obtained where required to the satisfaction of the Principal Certifier.</p> <p>Condition reason: To ensure unexpected finds are managed appropriately to protect health and safety.</p>
	<p>Vegetation management</p>

•	<p>Clearing of trees and vegetation shall be limited to those trees and vegetation listed in the Arborist Report and trees identified to be retained in the Arborist Report shall be retained and protected for the life of the development, unless otherwise approved by Council's General Manager or their delegate.</p> <p>Condition reason: To ensure the protection of retained trees</p>
•	<p>Fauna management</p> <p>Management of Bush-stone Curlew must be undertaken in accordance with the approved Bush Stone-Curlew Impact Assessment and Management Plan.</p> <p>Condition reason: To avoid and minimise impacts to threatened fauna.</p>
•	<p>Remedial Works and Validation (Report Compliance)</p> <p>All remediation and validation works are to be carried out in accordance with any approved Remedial Action Plan, NSW Environment Protection Authority (EPA) contaminated land statutory guidelines, and where required Interim Site Audit Advice. Any variation to the proposed remediation strategy shall be approved in writing by the Principal Certifier, and where required a NSW EPA Accredited Site Auditor, prior to the commencement of such work.</p> <p>Condition reason: To ensure works have been completed in accordance with the approved Remedial Action Plan.</p>
•	<p>Remedial Works and Validation (Completion)</p> <p>On completion of any remediation and validation works, and prior to commencement of construction works or issue of occupation certificate, a site remediation and validation report, and where required Environmental Management Plan, prepared by a suitably qualified environmental consultant in accordance with NSW Environment Protection Authority (EPA) contaminated land statutory guidelines shall be submitted to the satisfaction of Council's General Manager or delegate, and where required a NSW EPA Accredited Site Auditor, confirming that the site is suitable for the proposed use. The report must be accompanied by the Contamination Report Summary Table available at https://www.tweed.nsw.gov.au/ContaminatedLand</p> <p>Condition reason: To ensure works have been completed in accordance with the approved Remedial Action Plan.</p>
•	<p>Dewatering controls in place – Environmental Health</p> <p>The applicant shall arrange for a site inspection to be carried out with Council's Environmental Health Officer and key representatives involved in the dewatering activity including consultants and personnel responsible under any Dewatering Management Plan approved by Council's General Manager or delegate. Such site inspection shall be arranged and carried out prior to the commencement of any offsite dewatering activity occurring.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Dewatering controls in place – Stormwater</p> <p>Prior to the commencement of dewatering operations, the applicant or their nominated representative shall consult with Council's Roads and Stormwater Unit in respect to the most appropriate method of connection of the dewatering system to Council's stormwater drainage system. The applicant or their nominated representative shall comply with any and all directions as may be provided by Council's Roads and Stormwater Unit.</p> <p>Condition reason: To protect local services.</p>
•	<p>s305, s306 & s307 Letter or Requirement/Certificate of Compliance</p> <p>A Section 306 Letter of Requirement under Sections 305, 306 and 307 of the Water Management Act 2000, for each stage of the development, is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.</p>

	<p>The following are the current estimates of the s64 charges applicable for water and sewer: Water - \$385,518.40 Sewer - \$376,751.25</p> <p>Condition reason: A Letter of Requirement OR Certificate of Compliance is required to capture developer contributions and/or s68 systems works that will be required for the proposed development prior to Construction Certificate issue.</p>																																					
•	<p>Section 7.11 Contributions</p> <p>Payment of the following contributions pursuant to Section 7.11 of the Act and the relevant Contribution Plan.</p> <p>A construction certificate shall NOT be issued by a Certifying Authority unless all Section 7.11 Contributions have been paid and the Certifying Authority has sighted Council's receipt confirming payment.</p> <p>A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT</p> <p>These charges include indexation provided for in the Section 7.11 Contribution Plan and will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 7.11 Contribution Plan current at the time of the payment.</p> <p>A copy of the Section 7.11 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.</p> <p>Note: All Section 7.11 Contribution payments are non-refundable.</p> <table><tr><td>a.</td><td>Contribution Plan No 4 - Tweed Road Contribution Plan:</td><td></td></tr><tr><td></td><td>280.8 trips @ \$1,177.18 per trip (\$815.00 base rate + \$362.18 indexation)</td><td>\$330,550.82</td></tr><tr><td></td><td>CP04 Road Contributions (1-Tweed Heads)</td><td></td></tr><tr><td>b.</td><td>Contribution Plan No 5 - Local Open Space:</td><td></td></tr><tr><td></td><td>44.1666 ETs @ \$826.87 per ET (\$502.00 base rate + \$324.87 indexation)</td><td>\$36,520.03</td></tr><tr><td></td><td>CP05 (Local OS) Casual Open Space</td><td></td></tr><tr><td>c.</td><td>Contribution Plan No 5 - Local Open Space:</td><td></td></tr><tr><td></td><td>44.1666 ETs @ \$901.79 per ET (\$575.00 base rate + \$326.79 indexation)</td><td>\$39,828.99</td></tr><tr><td></td><td>CP05 (Local OS) Structured Open Space</td><td></td></tr><tr><td>d.</td><td>Contribution Plan No 11 - Tweed Shire Library Facilities:</td><td></td></tr><tr><td></td><td>44.1666 ETs @ \$1,214.47 per ET (\$792.00 base rate + \$422.47 indexation)</td><td>\$53,639.01</td></tr><tr><td></td><td>CP11 Libraries</td><td></td></tr></table>		a.	Contribution Plan No 4 - Tweed Road Contribution Plan:			280.8 trips @ \$1,177.18 per trip (\$815.00 base rate + \$362.18 indexation)	\$330,550.82		CP04 Road Contributions (1-Tweed Heads)		b.	Contribution Plan No 5 - Local Open Space:			44.1666 ETs @ \$826.87 per ET (\$502.00 base rate + \$324.87 indexation)	\$36,520.03		CP05 (Local OS) Casual Open Space		c.	Contribution Plan No 5 - Local Open Space:			44.1666 ETs @ \$901.79 per ET (\$575.00 base rate + \$326.79 indexation)	\$39,828.99		CP05 (Local OS) Structured Open Space		d.	Contribution Plan No 11 - Tweed Shire Library Facilities:			44.1666 ETs @ \$1,214.47 per ET (\$792.00 base rate + \$422.47 indexation)	\$53,639.01		CP11 Libraries	
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	e.	Contribution Plan No 12 - Bus Shelters:	
		44.1666 ETs @ \$90.41 per ET (\$60.00 base rate + \$30.41 indexation)	\$3,993.10
		CP12 Bus Shelters	
	f.	Contribution Plan No 13 - Eviron Cemetery:	
		44.1666 ETs @ \$165.17 per ET (\$101.00 base rate + \$64.17 indexation)	\$7,294.99
		CP13 Cemeteries	
	g.	Contribution Plan No 15 - Developer Contributions for Community Facilities:	
		44.1666 ETs @ \$2,290.45 per ET (\$2,083.00 base rate + \$207.45 indexation)	\$101,161.38
		CP15 Comm Facilities	
	h.	Contribution Plan No 18 - Council Administration Offices and Technical Support Facilities:	
		44.1666 ETs @ \$2,849.51 per ET (\$1,759.90 base rate + \$1,089.61 indexation)	\$125,853.16
		CP18 Council Admin Facilities	
	i.	Contribution Plan No 22 - Cycleways:	
		44.1666 ETs @ \$672.93 per ET (\$447.00 base rate + \$225.93 indexation)	\$29,721.03
		CP22 Cycleways	
	j.	Contribution Plan No 26 - Shirewide Regional Open Space:	
		44.1666 ETs @ \$1,553.45 per ET (\$1,031.00 base rate + \$522.45 indexation)	\$68,610.67
		CP26 (Regional OS) Casual	
	k.	Contribution Plan No 26 - Shirewide Regional Open Space:	
		44.1666 ETs @ \$5,452.59 per ET (\$3,619.00 base rate + \$1,833.59 indexation)	\$240,822.23
		CP26 (Regional OS) Structured	
Condition reason: To ensure the approved development provides for any increase in demand for community infrastructure the development generates in accordance with Section 7.11 EP&A Act.			
•	Detailed Landscaping Plan – Native species		
	A Detailed Landscaping Plan containing no priority weed species and with a minimum 80% of total plant numbers comprised of true form local native species to the Tweed Shire (this		

	<p>does not include cultivated and/or hybrid species) is to be submitted and approved by the Principal Certifier.</p> <p>Local native species are to comprise appropriate species selected from the Tweed Shire Native Species Planting Guide available online at: http://www.tweed.nsw.gov.au/environment/native-plants-wildlife/native-plants</p> <p>Condition reason: To ensure landscaping is compliant.</p>
•	<p>Submission of Construction Environmental Management Plan (CEMP)</p> <p>A Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Principal Certifier for each stage of the development. The CEMP shall be consistent with the Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004). A copy of the approved plan shall be submitted to Council. The Plan shall address, but not be limited to, the following matters where relevant:</p> <ul style="list-style-type: none"> • Hours of work; • Contact details of site manager; • Traffic and pedestrian management; • Noise and vibration management; • Construction waste management; • Erosion and sediment control; and, • Flora and fauna management. <p>Where construction work is to be undertaken in stages, the Proponent may, subject to agreement with the Certifier (Council or a Registered Certifier), stage the submission of the Construction Environmental Management Plan (CEMP) consistent with the staging of activities relating to that work. The Proponent shall submit a copy of the approved plan to Council.</p> <p>Condition reason: To ensure an appropriate Construction Environmental Management Plan (CEMP) is prepared and submitted to Council for endorsement.</p>
•	<p>Minimum grading of fill</p> <p>All fill is to be graded at a minimum of 1% so that it drains to the street or other approved permanent drainage system and where necessary, perimeter drainage is to be provided. The construction of any retaining wall or cut/fill batter must at no time result in additional runoff or ponding occurring within neighbouring properties.</p> <p>Catch drains shall be provided on the top side of all retaining walls in accordance with Council's Development Design Specification D6 – Site Regrading.</p> <p>All earthworks shall be contained wholly within the subject land.</p> <p>Condition reason: To ensure minimum grade of 1% is provided to all allotments, plus applicable drainage.</p>
•	<p>Certificate of adequacy – retaining walls</p> <p>The Certifier (Council or a Registered Certifier) is to be provided with a certificate of adequacy of design, signed by a practising Structural Engineer on all proposed retaining walls. The certificate must also address any loads or possible loads on the wall from structures adjacent to the wall and be supported by Geotechnical assessment of the founding material.</p> <p>Condition reason: To ensure retaining walls have been designed to an appropriate standard.</p>
•	<p>Site filling and associated drainage</p> <p>Site filling and associated drainage is to be designed to address drainage on the site as well as existing stormwater flows onto or through the site, and minimising the impact of</p>

	<p>filling on local drainage. Detailed engineering plans of fill levels and perimeter drainage shall be submitted to and approved by Council's General Manager or delegate.</p> <p>Condition reason: To ensure stormwater flows through a site are properly managed.</p>
•	<p>Submission of Traffic Control Plan</p> <p>A Traffic Control Plan in accordance with AS 1742 and the latest version of the Transport for NSW (TfNSW) publication "Traffic Control at Work Sites" shall be prepared by a TfNSW accredited person and shall be submitted to the Principal Certifier. Safe public access shall be provided at all times.</p> <p>Condition reason: To ensure applicable Traffic Control plan is prepared and submitted for endorsement.</p>
•	<p>Application for water access during construction from a hired standpipe</p> <p>Where water is to be drawn from Councils reticulated system, the proponent shall:</p> <ul style="list-style-type: none"> •Make application for the hire of a Tweed Shire Council metered standpipe including Council's nomination of point of extraction. •Where a current standpipe approval has been issued application must be made for Council's nomination of a point of extraction specific to the development. <p>Payment of relevant fees in accordance with Councils adopted fees and charges.</p> <p>Condition reason: To ensure an application is made to TSC to hire a standpipe when access to water is required during construction.</p>
•	<p>Construction Site Management Plan</p> <p>A construction site management plan must be prepared and provided to the Principal Certifier for each stage of the development.</p> <p>The plan must include the following matters:</p> <ol style="list-style-type: none"> a) The location and materials for protective fencing and hoardings on the perimeter of the site; b) Provisions for public safety; c) Pedestrian and vehicular site access points and construction activity zones; d) Details of construction traffic management including: <ol style="list-style-type: none"> i) Proposed truck movements to and from the site; ii) Estimated frequency of truck movements; and iii) Measures to ensure pedestrian safety near the site; e) Details of bulk earthworks to be carried out; f) The location of site storage areas and sheds; g) The equipment used to carry out works; h) The location of a garbage container with a tight-fitting lid; i) Dust, noise and vibration control measures; j) The location of temporary toilets; k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ol style="list-style-type: none"> i) AS 4970 – Protection of trees on development sites; ii) An applicable Development Control Plan; iii) An arborist's report approved as part of this consent <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p>Condition reason: To ensure an appropriate Construction Site Management Plan is prepared and submitted to the Principal Certifier.</p>
•	<p>Car park floodlighting</p> <p>Any car parking floodlighting shall not spill beyond the boundaries of the site. Lighting shall comply with AS 4282 and other relevant Australian Standards. A plan of the lighting shall be approved by the Principal Certifier.</p>

	Condition reason: To ensure there are no lighting impacts on adjoining properties.
•	<p>Water servicing for developments containing more than four dwellings and medium density/integrated developments</p> <p>The development is required to provide a single bulk water service at the road frontage. Individual metering beyond this point shall be managed by the property owner. Applications for the bulk water meter shall be made to the supply authority detailing the size in accordance with Plumbing Code of Australia (PCA) and BCA requirements.</p> <p>Note: The Environmental Planning and Assessment Act 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.</p> <p>Condition reason: To ensure appropriate water service is provided to Medium density/integrated developments, excluding developments containing less than four attached or detached dwellings</p>
•	<p>Waste Management Plan – an approved document of this consent</p> <p>A waste management plan for each stage of the development must be provided to the Principal Certifier.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Waste Management Plan requirements</p> <p>A waste management plan for the development for each stage of the development must be prepared and provided to the Principal Certifier.</p> <p>The plan must be prepared</p> <p>a) in accordance with</p> <ol style="list-style-type: none"> the Environment Protection Authority's Waste Classification Guidelines as in force from time to time, and a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out, and <p>b) include the following information—</p> <ol style="list-style-type: none"> the contact details of the person removing waste, an estimate of the type and quantity of waste, whether waste is expected to be reused, recycled or sent to landfill, the address of the disposal location for waste. <p>A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.</p> <p>Condition reason: To ensure the required information is contained in the Waste Management Plan.</p>
•	<p>External lighting plan</p> <p>Plans detailing external lighting must be prepared by a suitably qualified person.</p> <p>The lighting plan must be consistent with the approved plans and documents, and the following requirements:</p> <ol style="list-style-type: none"> comply with AS 1158: Lighting for Roads and Public Spaces; comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting lighting must be placed at all entrances to, and exits from the premises lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas; lighting must not interfere with traffic safety; lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and

	<p>g) external lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance.</p> <p>h) Relevant council development control plan.</p> <p>The lighting plan must be submitted to the Principal Certifier: Note – All above documents refer to the version in effect at the time the consent is granted</p> <p>Condition reason: To ensure safe operation of the premises and protect the amenity of the local area.</p>
•	<p>Managing noise with acoustic treatment (Design Compliance)</p> <p>The proposed mechanical design for the site shall be reviewed by an acoustic consultant during the design phase to ensure that all required treatments as specified within the Environmental Noise Impact Report for 25-27 Boyd St prepared by Spectrum Acoustics dated November 2024 (Ref: 242409-10593-R1) have been incorporated into the design. Written confirmation of compliance from the acoustic consultant shall be submitted to the satisfaction of Council's General Manager or delegate.</p> <p>Condition reason: To ensure compliance with the approved acoustic report and protect amenity of occupants.</p>
•	<p>Detailed Stormwater Management Plan (SWMP) for permanent stormwater treatment</p> <p>Permanent stormwater quality treatment shall be provided in accordance with the following:</p> <ul style="list-style-type: none"> • The construction certificate application shall include a detailed Stormwater Management Plan (SWMP) for the occupational or use stage of the development prepared in accordance with Section D7.B2 of Council's Development Design Specification D7 - Stormwater Quality. • Permanent stormwater quality treatment shall comply with Council's Development Design Specification D7 - Stormwater Quality. • It is encouraged that Water Sensitive Urban Design principles such as bio-retention facilities in accordance with "Water By Design" guidelines (being a program of the South East Queensland Healthy Waterways Partnership) are utilised, instead of installing an "end of line" proprietary Gross Pollutant Device. • Specific requirements to be detailed include: <ul style="list-style-type: none"> o Shake down area shall be installed within the property, immediately prior to any construction vehicles entering or exiting the site, prior to any works being undertaken. o Where possible, runoff from all hardstand areas, (including car parking and hardstand landscaping areas and excluding roof areas) must be treated to remove oil and sediment contaminants prior to discharge to the public realm, with treatment provisions designed in accordance with Council's Development Design Specification D7 – Stormwater Quality, Section D7.12. Engineering details of proposed treatment measures, including maintenance schedules, shall be submitted with a s68 Stormwater Application for approval before the issue of a construction certificate. • Roof water does not require treatment, and should be discharged downstream of treatment devices, or the treatment devices must be sized accordingly. <p>Condition reason: To ensure applicable Stormwater Management Plan (SWMP) for stormwater quality treatment is submitted with Construction Certificate application.</p>
•	<p>Peak stormwater discharge limited to 200 l/s/ha</p> <p>The peak stormwater flow rate that may be discharged from the site to the public realm, in events of intensity up to the 1% AEP design storm, shall be 200 l/s/ha. This can be achieved by On site stormwater detention (OSD) utilising above and or below ground storage. OSD devices including discharge control pits (DCP) are to comply with standards in the current version of The Upper Parramatta River Catchment Trust "On-</p>

	<p>Site Stormwater Detention Handbook" except that permissible site discharge (PSD) and site storage requirements (SSR) in the handbook do not apply to Tweed Shire.</p> <p>All stormwater must initially be directed to the DCP. Details are to be submitted with the S68 stormwater application.</p> <p>Condition reason: To ensure that on site stormwater detention (OSD) is provided (as applicable), in accordance with the Upper Parramatta River Catchment Trust</p>
•	<p>S68 Application to be Lodged Prior to commencement of works</p> <p>Before the commencement of works, a Section 68 application shall be submitted together with any prescribed fees (including inspection fees) and approved by Council for works that involve any of the following:</p> <ul style="list-style-type: none"> • Any water, sewerage, on site sewerage management system, or stormwater drainage works; • Installation of stormwater treatment and quality control devices; • Erosion and sediment control works; and <p>Any works that is likely to disturb or impact upon water, sewer or drainage infrastructure (e.g., extending, relocating or lowering of pipeline)</p> <p>Condition reason: To ensure regulatory approval is obtained for Water, sewerage, stormwater drainage, sediment and erosion control works.</p>
•	<p>Erosion and Sediment Control</p> <p>Erosion and Sediment Control shall be provided in accordance with the following:</p> <ul style="list-style-type: none"> • The Construction Certificate Application must include a detailed erosion and sediment control plan prepared in accordance with Section D7.07 of Development Design Specification D7 - Stormwater Quality. • Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with Tweed Shire Council Development Design Specification D7 - Stormwater Quality and its Annexure A - Code of Practice for Soil and Water Management on Construction Works. <p>Condition reason: To ensure sediment and erosion control is adequately addressed as per Council's standards prior to issue of the construction certificate.</p>
•	<p>Erosion and sediment control plan</p> <p>An erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to:</p> <ol style="list-style-type: none"> a) Council's relevant development control plan, b) the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and c) the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time). <p>Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways</p>
•	<p>Works in the Road Reserve</p> <p>Application shall be made to Tweed Shire Council under Section 138 of the Roads Act 1993 for works pursuant to this consent located within the road reserve. Application shall include (but not limited to) engineering plans and specifications undertaken in accordance with Council's Development Design and Construction Specifications for the following required works:</p> <ul style="list-style-type: none"> • Vehicular access: construction of new driveway access. • Removal of the existing redundant vehicular crossing in Boyd St, and replacement with a concrete footpath to match existing. • Landscaping and streetscaping including two (2) locally occurring native species street

	<p>trees on the Brett Street frontage road reserve, planted in accordance with Council's engineering specifications and standard drawings including drawing number SD701. Street trees are to comply with Development Design Specification D14 Landscaping public spaces and in particular D14.08.3C Tree planting and Location and D15 Works in proximity. Tree species are to be <i>Harpullia pendula</i> (Tulipwood), <i>Waterhousea floribunda</i> (Weeping Lilly Pilly) or similar equivalent to tie in with existing street tree species.</p> <p>The above mentioned engineering plan submission must include copies of compliance certificates relied upon and details relevant to but not limited to the following:</p> <ul style="list-style-type: none"> • Road works/furnishings • Stormwater drainage • Water and sewerage works • Sediment and erosion control plans • Location of all services/conduits • Traffic Control Plan (as applicable) • Landscaping and streetscape works
	<p>Condition reason: To ensure works within the road reserve comply with s138 of the Roads Act 1993, relevant Australian Standards and Council's Design Specifications</p>
•	<p>Approval & bond for ground anchors</p> <p>Council will not permit ground anchors (to retain sacrificial sheet piling for basement excavations) within Council or neighbouring private property or within 200mm of the subject site's property boundary, without prior consent from Council or the applicable neighbouring property owner being obtained. If the land is owned by Council, approval is required from the General Manager or delegate.</p> <p>Before the commencement of works for the basement, the Proponent must enter into a contract regarding liability for the ground anchors and lodge an application under Section 138 of the Roads Act (with applicable fee) plus a bond for each road frontage (as per Council's current fees and charges). This bond will be refunded upon the removal of the ground anchors to the satisfaction of Council. If the ground anchors are not removed prior to the occupation/use of the development, the bond shall be forfeited to Council</p> <p>Condition reason: To protect Council and private property.</p>
•	<p>Long Service Levy Payments</p> <p>In accordance with Section 6.14 of the Environmental Planning and Assessment Act 1979 (as amended), a construction certificate for building works shall NOT be issued until any Long Service Levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid (as applicable). Council is an authorised agent to accept payment directly. Where payment has been made elsewhere, proof of payment is to be provided.</p> <p>Condition reason: To ensure the long service levy is paid.</p>

Before building work commences

•	<p>Erosion and sediment controls in place</p> <p>Before any site work commences, the principal certifier or Council (where a principal certifier is not required), must be satisfied the erosion and sediment controls are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p>
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	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
•	Separate consent from Council under Section 138 of the Roads Act 1993 Notwithstanding the issue of this development consent, separate consent from Council under Section 138 of the Roads Act 1993, must be obtained prior to any works taking place on a public road including the construction of a new (or modification of the existing) driveway access (or modification of access). Applications for consent under Section 138 must be submitted on Council's standard application form and be accompanied by the required attachments and prescribed fee. Condition reason: To ensure s138 is obtained, prior to works commencing, as applicable.
•	Imported fill in accordance with <i>Protection of the Environment Operations Act 1997</i> and NSW Environment Protection Authority (EPA) requirements All imported fill material shall be from an approved source. Prior to commencement of filling operations details of the source of the fill, description of material, proposed use of material and confirmation that further blending, crushing or processing is not to be undertaken shall be submitted to the satisfaction of Council's General Manager or delegate. All imported fill must be in accordance with <i>Protection of the Environment Operations Act 1997</i> and NSW Environment Protection Authority (EPA) requirements. Condition reason: To ensure the appropriate importation of fill from an approved source.
•	Existing concrete footpath The existing concrete footpath is to be saw cut, removed and dowelled to facilitate the construction of the new concrete driveway access. Condition reason: To ensure existing footpath is managed appropriately.
•	Maintaining a copy of approvals on site at all times The developer/contractor is to maintain a copy of the development consent and Construction Certificate approval including plans and specifications on the site at all times. Condition reason: To advise that approval documents need to be available on site at all times.
•	Initial Dilapidation Report prior to commencement of works A Dilapidation Report detailing the current general condition (including the structural condition) of the adjoining buildings/sites, infrastructure, roads and driveways is to be prepared and certified by a suitably qualified and experienced structural engineer. The Report (supported by recent photos) is to be submitted to and accepted by the Principal Certifier and Council (and a copy of the report provided to the respective property owner, as applicable to that property), prior to commencement of ANY works on the site. Condition reason: To ensure applicable Dilapidation Reports are done (and accepted) prior to the commencement of works.
•	Dewatering approval Prior to the commencement of work, dewatering approvals (if required) under the <i>Water Management Act 2000</i> are to be obtained from Water NSW and copies of such approvals are to be provided to the Principal Certifier. Condition reason: To ensure required approvals are in place.
•	Notification of Dewatering Activities Where any pumps used for dewatering operations are proposed to be operated on a 24-hour basis, the owners of adjoining premises shall be notified accordingly prior to commencement of such operations. Condition reason: To protect the amenity of the surrounding area

•	<p>Excavating below footings of adjoining land</p> <p>It is a condition of this approval that, if an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land or is likely to effect the integrity of the adjoining land, the person causing the excavation to be made must comply with the following:</p> <ul style="list-style-type: none"> • The person must, at the person's own expense: • preserve and protect the building / property from damage; and • if necessary, underpin and support the building in an approved manner. <p>The person must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work.</p> <p>Condition reason: To ensure a reduced impact of development on the adjoining property</p>
•	<p>Existing infrastructure to be located prior to commencement of work</p> <p>The proponent shall accurately locate and identify any existing sewer main, stormwater line or other underground infrastructure within or adjacent to the site and the Principal Certifier advised of its location and depth prior to commencing works and ensure there shall be no conflict between the proposed development and existing infrastructure prior to start of any works.</p> <p>Condition reason: To ensure existing underground infrastructure is located prior to any subdivision or building work is commenced.</p>
•	<p>Establish tree protection measures</p> <p>Before building work commences a minimum AQF Level 5 arborist must be appointed to supervise the implementation arboricultural protection measures including (but not limited) installation of tree protection fencing as detailed in the Arborist Report, unless otherwise approved by the Principal Certifier.</p> <p>Condition reason: To ensure protection of retained trees.</p>
•	<p>Establishment of Bush-stone Curlews management measures</p> <p>Before commencement of works, all pre-start Bush-stone Curlew management measures must be enacted in accordance with the Bush-stone Curlew Impact Assessment and Management Plan unless otherwise approved by the Principal Certifier.</p> <p>Condition reason: To ensure threatened fauna on-site are protected.</p>
•	<p>Sign providing applicable contact details to be installed</p> <p>Where prescribed by the provisions of the Environmental Planning and Assessment Regulation 2021, 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:</p> <ul style="list-style-type: none"> • showing the name, address and telephone number of the Principal Certifier for the work, and • showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and • stating that unauthorised entry to the site is prohibited. <p>Any such sign is to be maintained while the building work is being carried out but must be removed when the work has been completed.</p> <p>Condition reason: To ensure compliance with legislative requirements.</p>
•	<p>Temporary builders toilet</p> <p>A temporary builder's toilet is to be provided prior to commencement of work at the rate of one closet for every 15 persons or part of 15 persons employed at the site. Each toilet provided must be:</p> <ul style="list-style-type: none"> • a standard flushing toilet connected to a public sewer, or

	<ul style="list-style-type: none"> • if that is not practicable, an accredited sewage management facility approved by the council.
	Condition reason: To ensure adequate sanitary facilities are provided for construction workers.
•	Consideration of DDA requirements Please note that while the proposal, subject to the conditions of approval, may comply with the provisions of the Building Code of Australia for persons with disabilities your attention is drawn to the Disability Discrimination Act which may contain requirements in excess of those under the Building Code of Australia. It is therefore recommended that these provisions be investigated prior to start of works to determine the necessity for them to be incorporated within the design. Condition reason: Awareness condition advising owners/applicants to consider potential DDA issues.

During building work

•	Discovery of relics and Aboriginal objects While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered: <ul style="list-style-type: none"> a. the work in the area of the discovery must cease immediately; b. the following must be notified <ul style="list-style-type: none"> i. for a relic – the Heritage Council; or ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85. Site work may recommence at a time confirmed in writing by: <ul style="list-style-type: none"> a. for a relic – the Heritage Council; or b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85. Condition reason: To ensure the protection of objects of potential significance during works.
•	Dewatering requirements (Location) All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded to the satisfaction of Council's General Manager or delegate to prevent the emission of offensive noise as a result of their operation. Condition reason: To protect the amenity of the surrounding area.
•	Dewatering requirements (Odour) All waters pumped from the site in the dewatering process are to be treated with an effective deodoriser to the satisfaction of Council's General Manager or delegate to neutralise any offensive odours. The point of discharge shall be approved by Council's General Manager or delegate prior to installation and shall include a water sampling outlet. Condition reason: To protect the amenity of the surrounding area.
•	Dewatering requirements (Pump) Pumps used for dewatering operations are to be electrically operated. Diesel pumps are not permitted unless otherwise approved by Council's General Manager or delegate. Condition reason: To protect the amenity of the surrounding area.
	Acid Sulfate Soil Management Plan

•	<p>All works shall be carried out in accordance with any approved Acid Sulfate Soils Investigation and Management Plan or to the satisfaction of Council's General Manager or delegate.</p> <p>Condition reason: To protect the local environment.</p>
•	<p>Managing noise with acoustic treatment (Report Compliance)</p> <p>The development shall be carried out in accordance with the provisions of the Noise Level Impact Assessment for 25-27 Boyd St prepared by Spectrum Acoustics dated November 2024 (Ref: 242409-10593-R1) or to the satisfaction of Council's General Manager or delegate.</p> <p>Condition reason: To ensure structures are constructed in accordance with the relevant Australian Standards and approved reports.</p>
•	<p>Dewatering</p> <p>Council's Environmental Health Officer shall be advised within 24 hours in the event of detection of any failure associated with the dewatering activity being carried out on the site.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Dewatering Management Plan – Responsible Persons</p> <p>The names and 24-hour contact phone numbers of the site manager, project manager, and all other persons provided with responsibilities under the provisions of the approved Dewatering Management Plan shall be provided to Council's Environmental Health Officer prior to the commencement of dewatering operations.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Dewatering – Stormwater Drainage Network</p> <p>Prior to the commencement of dewatering operations, an examination of the quantity of pre-existing sediment within the stormwater drainage network that is intended to receive the dewatering discharge shall be undertaken by methods considered acceptable to Council's Roads and Stormwater Unit. Closed circuit television (CCTV) footage and a report of the findings of the examination shall be provided to Council's Roads and Stormwater Unit prior to the commencement of de-watering operations.</p> <p>Condition reason: To protect services and the amenity of the local area.</p>
•	<p>Dewatering – Water Quality Criteria</p> <p>No offsite dewatering shall commence until Council's Environmental Health Officer is satisfied that the quality of water to be discharged will comply with any agreed water quality criteria.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Dewatering Management Plan</p> <p>The development shall be undertaken in accordance with any approved Dewatering Management Plan. A copy of the Plan shall be provided to the site manager, project manager and all other persons provided with responsibilities under the provisions of the Plan. In addition, a copy of the Plan shall be kept onsite while dewatering operations are being carried out.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Dewatering – Monitoring</p> <p>The frequency of the monitoring regime for the various parameters as listed within the approved Dewatering Management Plan shall be amended at the direction of Council's General Manager or delegate.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Dewatering - Monitoring during rainfall events</p> <p>Hourly inspections extending over a 24-hour period of the stormwater discharge network that is receiving dewatering discharge shall be undertaken at the responsibility of the</p>

	<p>project manager during rainfall events. If the combined stormwater and dewatering flows are exceeding the capacity of the stormwater network, dewatering must temporarily cease until the peak flows from the catchment have subsided.</p> <p>Condition reason: To protect services and the amenity of the local area.</p>
•	<p>Dewatering – Completion Inspection</p> <p>Upon completion of the dewatering operations, the applicant shall arrange for an inspection of any dewatering connection point to Council's stormwater system with Council's Roads and Stormwater Unit. The applicant shall comply with any directions issued by Council's Roads and Stormwater Unit in respect to the dewatering connection point.</p> <p>Condition reason: To protect services and the amenity of the local area.</p>
•	<p>Tree protection measures</p> <p>During building works all tree protection measures must be undertaken under the supervision of the appointed project arborist generally in accordance with Arborist Report and in accordance with the Australian Standard for Protection of Trees on Development Sites AS4970-2009.</p> <p>Condition Reason: To protect retained trees.</p>
•	<p>Management of Bush-stone Curlews</p> <p>During building work, all during construction management measures must be adhered to in accordance with the Bush-stone Curlew Impact Assessment and Management Plan unless otherwise approved by Council's General Manager or their delegate.</p> <p>Condition Reason: To ensure threatened fauna on-site are protected.</p>
•	<p>Basix Certificate</p> <p>The development is to be carried out in accordance with the current BASIX certificate and schedule of commitments approved in relation to this development consent.</p> <p>Condition reason: To ensure the development Complies with the BASIX certificate</p>
•	<p>Noise and vibration – an approved document of this consent</p> <p>While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Placing fill hydraulically</p> <p>No filling is to be placed hydraulically within twenty metres (20m) of any boundary that adjoins private land that is separately owned. Fill adjacent to these boundaries is to be placed mechanically.</p> <p>No filling of any description is to be deposited, or remain deposited, within adjacent properties.</p> <p>Condition reason: Provides criteria on filling a site, including using hydraulic methods.</p>
•	<p>Site compaction</p> <p>The use of vibratory compaction equipment including high impact methods (other than handheld devices) within 100m of any existing dwelling house, building or structure is strictly prohibited.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Removing material from site</p> <p>No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Council's General Manager or delegate.</p> <p>Condition reason: To ensure material remains on site unless approval is given.</p>
	<p>Keeping surrounding road carriageways are to be kept clean</p>

•	<p>The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material deposited on the roadway by construction vehicles will be at the Developers expense and any such costs are payable prior to the issue of an Occupation Certificate.</p> <p>Condition reason: To ensure surrounding road carriageways are to be kept clean</p>
•	<p>Earthworks to Level 1</p> <p>All earthworks and filling shall be carried out in accordance with AS 3798 (current version) to a Level 1 inspection regime and testing in accordance with Table 8.1.</p> <p>The earthworks and filling shall also be undertaken in accordance with the recommendations provided in the <i>Geotechnical Investigation</i> and monitored by a Registered Geotechnical Testing Consultant.</p> <p>Notwithstanding earthworks and filling, the frequency of field density tests for trenches, including all trenches for services, shall be undertaken in accordance with Table 8.1 of AS 3798 (current version).</p> <p>Condition reason: Ensures that Level 1 certification is undertaken in accordance with AS 3798</p>
•	<p>BCA compliance</p> <p>All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia.</p> <p>Condition reason: To ensure BCA compliance</p>
•	<p>Excavation & backfilling</p> <p>Excavation</p> <ul style="list-style-type: none"> • All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with Work Health and Safety Regulation 2017. • All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property. <p>Condition reason: To ensure all excavation work is carried out safely</p>
•	<p>Application for new water meter and/or service</p> <p>The Applicant shall submit and obtain approval for a property service and/or water meter for Lot 1 DP 843470, from the existing water main in Brett Street. The connection shall be undertaken by Tweed Shire Council, with all the applicable costs and application fees paid by the applicant.</p> <p>Condition reason: Application for a new water meter and/or service for the proposed development.</p>
•	<p>Hours of Work</p> <p>Site work (including the switching on and operation of plant, machinery and vehicles) must only be carried out between the following times -</p> <p>For remediation and construction works from 7.00 am to 6.00 pm on Monday to Friday.</p> <p>For remediation and construction works from 8.00 am to 1.00 pm on Saturday.</p> <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p>Condition reason: To protect the amenity of the surrounding area</p>
	Deliveries

•	<p>While site work is being carried out, deliveries of material and equipment must only be carried out between—</p> <p>7.00am to 6.00pm on Monday to Friday 8.00am to 1.00pm on Saturday</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Inspection of s68h2 permanent Stormwater Quality Control Device</p> <p>During construction, a “Satisfactory Inspection Report” is required to be issued by Council for all s68h2 permanent Stormwater Quality Control Devices, prior to backfilling. The proponent shall liaise with Councils Engineering Division to arrange a suitable inspection.</p> <p>Condition reason: To advise builder the permanent quality control device will require inspection prior to back filling.</p>
•	<p>Waste Management</p> <p>While site work is being carried out:</p> <p>a) all waste management must be undertaken in accordance with the waste management plan, and</p> <p>b) upon disposal of waste, records of the disposal must be compiled and provided to the Principal Certifier, detailing the following:</p> <p>i) The contact details of the person(s) who removed the waste</p> <p>ii) The waste carrier vehicle registration</p> <p>iii) The date and time of waste collection</p> <p>iv) A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill</p> <p>v) The address of the disposal location(s) where the waste was taken</p> <p>vi) The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.</p> <p>If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council.</p> <p>Condition reason: To ensure waste is not contaminated and is safe for future occupants.</p>
•	<p>Noise and vibration requirements</p> <p>The development shall be carried out in accordance with current NSW Environment Protection Authority construction noise guidelines. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment during demolition and construction works.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
•	<p>Obstruction of pedestrian or traffic movement</p> <p>If the work involved in the erection or demolition of a building:</p> <p>(a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or</p> <p>(b) building involves the enclosure of a public place,</p> <p>a hoarding or fence must be erected between the work site and the public place in accordance with the WorkCover Authority of NSW Code of Practice and relevant Australian Standards.</p> <p>Where necessary the provision for lighting in accordance with AS 1158 - Road lighting and provision for vehicular and pedestrian traffic in accordance with AS 1742 shall be provided. Any such hoarding, fence or awning is to be removed prior to the issue of an occupation certificate.</p> <p>Application shall be made to Tweed Shire Council including associated fees for approval prior to any structure being erected within Councils road reserve.</p> <p>Condition reason: To ensure public safety</p>

•	Overflow relief gully
	Overflow relief gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.
	Condition reason: To ensure compliance with AS/NZS 3500.
•	Plumbing and Drainage
	Council is to be given 24 hours' notice for any of the following inspections prior to the next stage of construction: <ul style="list-style-type: none"> • internal drainage, prior to slab preparation; • water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting; • external drainage prior to backfilling. completion of work and prior to occupation of the building.
	Condition reason: To give sufficient notice of inspection.
•	Plumbing and Drainage Permit
	<ul style="list-style-type: none"> • A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work. • The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the Plumbing Code of Australia and AS/NZS 3500.
	Condition reason: To ensure compliance with AS/NZS 3500
•	Provide clearance to an easement, sewer main, sullage and stormwater disposal drains
	No portion of the structure may be erected over any existing sullage or stormwater disposal drains, easements, sewer mains, or proposed sewer mains.
	Condition reason: Protection of existing and proposed drainage.
•	Water supply SOU
	An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.
	Condition reason: To ensure means of controlling water supply in SOUs
•	Removal of waste material
	The builder must provide an adequate waste service to ensure that all waste material is suitably contained and secured within an area on the site and removed from the site at regular intervals for the period of construction/demolition to ensure no material is capable of being washed or blown from the site.
	Condition reason: To ensure proper handling of waste.
•	Site access
	It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with SafeWork NSW requirements and <i>Work Health and Safety Regulation 2017</i> .
	Condition reason: To protect the public
•	Site Management
	All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from: <ul style="list-style-type: none"> • Noise, water or air pollution. • Dust during filling operations and also from construction vehicles. • Material removed from the site by wind.
	Condition reason: To protect the amenity of the local area.
	Storage of building material

•	Building materials used in the construction of the development are not to be deposited or stored on Council's footpath or road reserve unless prior approval is obtained from Council.
	Condition reason: To ensure safety within public places
•	Waste Management (Burning)
	The burning off of trees and associated vegetation felled by clearing operations or builders' waste is prohibited. Such materials shall either be recycled or disposed of in a manner acceptable to Council's General Manager or delegate.
	Condition reason: To protect the amenity of the local area.
•	Waste management (Development Control Plan)
	All waste shall be collected, stored, and disposed of in accordance with the provisions of Tweed Shire Council Development Control Plan Section A15 - Waste Minimisation and Management.
	Condition reason: To ensure proper handling of waste.
•	Works to be carried out in accordance with applicable approvals
	All proposed works are to be carried out in accordance with the conditions of development consent, any approved Management Plans, approved Construction Certificate, plans, drawings and specifications.
	Condition reason: To ensure compliance with development consent

Before issue of an occupation certificate

•	Any damage caused to public infrastructure to be rectified prior to issue of any Certificate
	Prior to Occupation of the building, any damage caused to public infrastructure (e.g. roads, footpaths, water and sewer mains, power and telephone services etc.) during construction of the development shall be repaired in accordance with Council's Development Design and Construction Specifications.
	Condition reason: Prior to the issue of any Occupation Certificate, any damage caused to public infrastructure is to be repaired by the applicant.
•	S138 Satisfactory Inspection Report
	Before the issue of an Occupation Certificate, the applicant shall produce a copy of the "Satisfactory Inspection Report" issued by Council for all works required under Section 138 of the Roads Act 1993.
	Condition reason: To ensure the development is carried out within the road reserve as proposed and compliant with Council guidelines.
•	Structural integrity of retaining structures greater than 1.2m
	All retaining walls must be certified by a Qualified Structural Engineer verifying the structural integrity of the retaining wall after construction. Certification from a suitably qualified engineer experienced in structures is to be provided to the Principal Certifier or Council (if appointed) prior to the issue of an Occupation Certificate.
	Condition reason: To ensure structural integrity of the retaining structure
•	Final Dilapidation Report after the completion of works
	Upon completion of all works on the site and before the issue of an Occupation Certificate, a Dilapidation Report is to be prepared and certified by a suitably qualified and experienced structural engineer detailing the current general and structural condition of adjoining buildings/sites, infrastructure, roads and driveways.

	<p>The Dilapidation Report (supported by photos cross referenced to the original Dilapidation Report) shall take into consideration the findings of the original Dilapidation Report and advise if any damages have occurred that could be attributed to the work the subject of this development consent. If damages have occurred, the Principal Certifier and Council is to be provided with evidence that the damages have been repaired to the satisfaction of the certifying structural engineer OR that alternative mutually agreeable arrangements (i.e. between the Developer and the affected property owner) have been finalised, before the issue of a Subdivision Certificate.</p> <p>A copy of the Dilapidation Report is to be provided to and endorsed by the Principal Certifier and to Council.</p> <p>Condition reason: To ensure applicable Dilapidation Reports are done (and accepted) at the completion of works.</p>
•	<p>Noise and Vibration – Post Construction</p> <p>Prior to an Occupation Certificate being issued, a Post Construction Noise Impact Compliance Assessment report prepared by a suitably qualified acoustic consultant shall be prepared and submitted for consideration and approval by Council's General Manager or delegate.</p> <p>The assessment report shall consider the Noise Impact and Acoustic Assessment for 25-27 Boyd St prepared by Spectrum Acoustics dated November 2024 (Ref: 242409-10593-R1) and any addendum(s) or amendment(s) to this report as approved by Council's General Manager or delegate, and include any recommended noise amelioration measures to be carried out by the applicant.</p> <p>The applicant shall carry out any such recommendations as provided within the Post Construction Noise Impact Compliance Assessment report to the satisfaction of the General Manager or delegate within 30 days from the date of the acoustic assessment, provided that the General Manager or delegate may extend the time period for the carrying out of any recommended acoustic treatment to a date which may be determined by the General Manager or delegate.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>BASIX Schedule of Commitments</p> <p>Before the issue of an occupation certificate adequate proof and/or documentation is to be submitted to the Principal Certifier to identify that all commitment on the BASIX "Schedule of Commitments" have been complied with.</p> <p>Condition reason: To ensure compliance with the BASIX certificate</p>
•	<p>Commencement of Occupation or Use</p> <p>A person must not commence occupation or use of the whole or any part of a new building or structure (within the meaning of Section 6.9 and 6.10 unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units).</p> <p>Condition reason: To ensure the development is completed and complies with the development Consent</p>
•	<p>Final inspection report – plumbing and drainage</p> <p>Before issue of an Occupation Certificate, a final inspection report is to be obtained from Council in relation to the plumbing and drainage works.</p> <p>Condition reason: To ensure compliance with AS3500</p>
•	<p>Partial / Whole Occupation Certificate Timing</p> <p>A Partial or Whole Occupation Certificate is to be obtained prior to the Occupation or the commencement of the use of the building.</p>

	<p>Within 5 years from the date of issue of any Partial Occupation Certificate for part of a building an Occupation Certificate for the “Whole Building” must be applied for and obtained from the nominated Principal Certifying Authority.</p> <p>Condition reason: To ensure an occupation certificate is obtained within a reasonable time frame</p>
•	<p>Permanent Stormwater Quality Control Device</p> <p>Before the issue of an Occupation Certificate, the applicant shall produce a copy of the “Satisfactory Inspection Report” issued by Council for all s68h2 permanent Stormwater Quality Control Devices.</p> <p>Condition reason: To ensure a stormwater quality control device has been installed prior to the issue of an Occupation Certificate.</p>
•	<p>Creation of applicable 88B Instrument – maintenance of stormwater management system</p> <p>The creation of a Positive Covenant and Restrictions As To User as may be applicable under Section 88B of the Conveyancing Act including (but not limited to) the following:</p> <ul style="list-style-type: none"> • The creation of a Positive Covenant and associated Restriction on Title relevant to the proposed stormwater on site detention system. • Positive Covent over the subject land for the perpetual maintenance requirements associated with the stormwater on site detention system. A detailed site-specific Maintenance Schedule is to be produced by the designer and must form part of the Positive Covenant. • A Restriction As To User to ensure the stormwater on site detention system is not altered or prevented from operating in a safe and efficient manner. <p>The creation of a Positive Covenant relevant to all water quality control features on the site, to ensure a perpetual maintenance regium is implemented. All such features are to have a maintenance schedule prepared by the installer/manufacture and included in the Positive Covent.</p> <p>Condition reason: To ensure stormwater management systems are adequately maintained in perpetuity with a site specific stormwater maintenance schedule.</p>
•	<p>s305, s306 & s307 Certificate of Compliance</p> <p>A Certificate of Compliance under Sections 305, 306 and 307 of the Water Management Act 2000, for each stage of the development, is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.</p> <p>The following are the current estimates of the s64 charges applicable for water and sewer: Water - \$385,518.40 Sewer - \$376,751.25</p> <p>Condition reason: A Certificate of Compliance is required to capture developer contributions and/or s68 systems works that will be required for the proposed development prior to Occupation Certificate issue.</p>
•	<p>All Conditions To Be Met</p> <p>Prior to the issue of a Whole Occupation Certificate, all conditions of consent are to be met.</p> <p>Condition reason: To ensure the development complies with the consent</p>
•	<p>Hot Water Installations</p> <p>Hot Water Installations</p> <p>All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-</p> <ul style="list-style-type: none"> • 45°C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and

	<ul style="list-style-type: none"> • 50°C in all other classes of buildings. <p>A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.</p> <p>Condition reason: To ensure the hot water is at a suitable temperature.</p>
•	<p>Works to be Completed in Accordance With Approved Management Plans</p> <p>Before the issue of an Occupation Certificate, all works/actions/inspections etc required at that stage by other conditions or any approved Management Plans or the like shall be completed in accordance with those conditions or plans.</p> <p>Condition reason: To ensure the approved development is clearly documented and proceeds in accordance with a set of approved plans which outlined the development, impact mitigation, compliance and desired outcomes.</p>
•	<p>Streetscape and Landscaping work completion</p> <p>All landscaping and streetscaping works are to be completed in accordance with the approved Detailed Landscape Plan and Streetscape Works Plans prior to the issue of an Occupation Certificate for the building.</p> <p>Condition reason: To ensure amenity and landscaping outcomes are achieved.</p>
•	<p>Certification of acoustic measures</p> <p>Before the issue of an occupation certificate for each Stage, a suitably qualified person must provide details demonstrating compliance to the principal certifier that the acoustic measures have been installed in accordance with the acoustic report approved under this consent</p> <p>Condition reason: To ensure compliance with the approved acoustic report and protect amenity of occupants</p>
•	<p>Removal of waste upon completion</p> <p>Before the issue of an occupation certificate:</p> <p>a) all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan, and</p> <p>b) written evidence of the waste removal must be provided to the satisfaction of the Principal Certifier.</p> <p>Condition reason: To protect the amenity of the local area.</p>
•	<p>Reinstatement of road pavement, kerb and gutter and footpaths</p> <p>Redundant road pavement, kerb and gutter or foot paving including any existing disused vehicular laybacks/driveways or other special provisions shall be removed and the area reinstated to match adjoining works in accordance with Councils Development Design and Construction Specifications</p> <p>Condition reason: To ensure the development is compliant with Council guidelines</p>
•	<p>Tree protection works</p> <p>Before issue of occupation certificate the nominated Project Arborist shall provide to the Principal Certifier a certification report that includes the following information:</p> <p>a. Confirmation that all works have been undertaken in accordance with Australian Standard AS4970 - 2009 Protection of trees on development sites, industry best standards, Arborist Report, conditions of this consent details of any remedial actions recommended by the Project Arborist to avoid/minimise disturbance of retained vegetation.</p> <p>b. Brief assessment of the condition of the trees, details of any deviations from approved essential tree protection management actions/measures and if applicable evaluation of any remedial actions undertaken to mitigate impact on existing vegetation as a result of project works.</p> <p>Condition reason: To ensure works were undertaken appropriately and to provide a status report on retained trees.</p>

Occupation and ongoing use

•	Waste Collection Hours
	The servicing of waste facilities shall be limited to between the hours of 7.00am to 6.00pm Monday to Saturday and 8.00am to 6.00pm Sunday and Public Holidays unless otherwise approved by Council's General Manager or delegate.
	Condition reason: To protect the amenity of the local area.
•	External Lighting
	All externally mounted artificial lighting, including security lighting, shall be operated and maintained in accordance with the approved plans.
	All external lighting must comply with the Australian Standard AS4282:2019 <i>Control of the obtrusive effects of outdoor lighting</i> and be shielded to the satisfaction of Council's General Manager or delegate where necessary or required to prevent the spill of light or glare creating a nuisance to neighbouring or adjacent premises. Externally mounted lighting shall not spill beyond the boundary of the site.
•	Managing Amenity Impacts
	The use shall be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust, odours, or the like.
	Condition reason: To protect the amenity of the local area.
•	Managing Noise – Mechanical Equipment
	Swimming pool pumps, air conditioning units, heat pump water systems and the like shall not be operated if it can be heard in a habitable room of a residence during restricted hours or at other times should the noise from the article be deemed to be offensive as defined within the <i>Protection of the Environment Operations Act 1997</i> .
	Condition reason: To protect the amenity of the local area.
•	Mechanical Plant - Location and Acoustic Treatment
	All air conditioning units and other mechanical plant or equipment are to be located so that any noise impact due to their operation which may be or is likely to be experienced by any neighbouring premises is minimised. Notwithstanding this requirement all air conditioning units and other mechanical plant and or equipment is to be acoustically treated or shielded where considered necessary to the satisfaction of Council's General Manager or delegate such that the operation of any air conditioning unit, mechanical plant and or equipment does not result in the emission of offensive or intrusive noise.
	Condition reason: To ensure operational noise levels do not unreasonably impact on the amenity of adjoining and nearby premises.
•	Landscaping
	Landscaping must be maintained and kept in good condition in perpetuity for the life of the development the subject of the development consent, and generally be in accordance with the approved landscaping. Landscape areas shall not be replaced by impervious surfaces including artificial turf or hardstand paving to maintain adequate stormwater infiltration and deep soil zones on site
	Condition reason: To ensure landscaping outcomes are achieved and for compliance with site coverage controls.
	Waste management (Development Control Plan)

<ul style="list-style-type: none"> • 	<p>All waste shall be collected, stored, and disposed of in accordance with the provisions of Tweed Shire Council Development Control Plan Section A15 - Waste Minimisation and Management.</p> <p>Condition reason: To ensure appropriate waste management to protect human health and the environment.</p>
<ul style="list-style-type: none"> • 	<p>Waste management</p> <p>All wastes shall be collected, stored, and disposed of in accordance with any approved Waste Management Plan or to the satisfaction of Council's General Manager or delegate.</p> <p>Condition reason: To ensure appropriate waste management to protect human health and the environment.</p>