

Council Reference: DA17/0800 LN20111  
Your Reference:



9 April 2019

Customer Service | 1300 292 872 | (02) 6670 2400

Abbott Constructions Pty Ltd  
C/- Zone Planning Group  
PO Box 3805  
BURLEIGH TOWN QLD 4220

tsc@tweed.nsw.gov.au  
[www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au)

Fax (02) 6670 2429  
PO Box 816  
Murwillumbah NSW 2484

Please address all communications  
to the General Manager

ABN: 90 178 732 496

Dear Sir/Madam

**Development Application DA17/0800 - demolition of existing structure and construction of a residential flat building at Lot 1 DP 378971; No. 90 Pearl Street KINGSCLIFF**

Reference is made to your Development Application regarding the above. Please find enclosed Development Consent No. DA17/0800.

Your attention, in particular, is drawn to Condition No. 19 of the attached Consent, which requires the payment of applicable contributions prior to the issue of a construction certificate. Please also note Condition No. 20 requires the lodgement of a Section 305 application prior to the issue of a Construction Certificate. The Section 305 application form can be accessed via <http://www.tweed.nsw.gov.au/Forms> under the Water Supply and Wastewater (Sewerage) heading.

**REASONS FOR THE DECISION**

The development proposal/amendment has been considered in accordance with the relevant provisions of the NSW Environmental Planning and Assessment Act 1979 and on balance is suitable to be determined by way of approval.

Community views were considered as part of the assessment in accordance with Council's Development Control Plan and the NSW Environmental Planning and Assessment Act 1979 requirements for public notification.

For further information regarding this matter please contact David OConnell on (02) 6670 2661.

Yours faithfully

A handwritten signature in black ink, appearing to read "D. Galle".

cosign

**Denise Galle**  
Team Leader Development Assessment

Enc

**NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

To: Abbott Constructions Pty Ltd  
C/- Zone Planning Group  
PO Box 3805  
BURLEIGH TOWN QLD 4220

Pursuant to Section 4.18(1)(a) of the Environmental Planning and Assessment Act 1979, notice is hereby given of the determination by the Tweed Shire Council of Development Application No. **DA17/0800** relating to land described as:

**Lot 1 DP 378971; No. 90 Pearl Street KINGSCLIFF**

to be developed in accordance with plans and details submitted for the purpose of –

**DEMOLITION OF EXISTING STRUCTURE AND CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING**

The Development Application has been determined by the granting of consent subject to the conditions described below:

**GENERAL**

1. The development shall be completed in accordance with the Statement of Environmental Effects and the following plans:
  - Proposed Site Plan (Plan No. E01 Rev C) prepared by Forgan Smith Architects and dated 25 January 2019;
  - Basement Level Plan (Plan No. E03 Rev E) prepared by Forgan Smith Architects and dated 25 January 2019;
  - Ground Level 1 Plan (Plan No. E04 Rev E) prepared by Forgan Smith Architects and dated 25 January 2019;
  - Level 2 Plan (Plan No. E05 Rev C) prepared by Forgan Smith Architects and dated 25 January 2019;
  - Level 3 Plan (Plan No. E06 Rev C) prepared by Forgan Smith Architects and dated 25 January 2019;
  - Roof Plan (Plan No. E07 Rev C) prepared by Forgan Smith Architects and dated 25 January 2019;
  - Sections (Plan No. E08 Rev C) prepared by Forgan Smith Architects and dated 25 January 2019;
  - Sections (Plan No. E09 Rev C) prepared by Forgan Smith Architects and dated 25 January 2019;
  - East Elevation (Plan No. E10 Rev C) prepared by Forgan Smith Architects and dated 25 January 2019;
  - South Elevation (Plan No. E11 Rev C) prepared by Forgan Smith Architects and dated 25 January 2019;

- North Elevation (Plan No. E12 Rev C) prepared by Forgan Smith Architects and dated 25 January 2019;
  - West Elevation (Plan No. E13 Rev C) prepared by Forgan Smith Architects and dated 25 January 2019; and
  - Proposed Line Marking and Signage Concept Plan prepared by Bitzios Consulting and dated 10 December 2018, as amended in red,
- except where varied by the conditions of this consent.

[GEN0005]

2. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.

[GEN0115]

3. 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.

[GEN0135]

4. 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 his delegate. Such site inspection shall be arranged and carried out prior to the commencement of any offsite dewatering activity occurring.

[GEN0180]

5. Structures proposed/identified within/over existing easements on the land are not approved and are to be located external to the existing easement.

[GEN0255]

6. The approved subdivision/development shall not result in any clearing of native vegetation without prior approval from the relevant authority.

[GEN0290]

7. The owner is to ensure that the proposed building is 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.

[GEN0300]

8. Prior to demolition work commencing a sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm by 300mm shall be erected in a prominent visible location on the site. The sign shall remain in place until all asbestos has been removed from the site.

[GEN0345]

9. Prior to the commencement of construction of the new structure or use of the site a 'clearance inspection' shall be conducted for the site and a 'clearance certificate' issued by a licensed asbestos assessor or competent person which states that the site 'does not pose a risk to health and safety from exposure to asbestos' in accordance with Clause 474 of the Work Health and Safety Regulation 2017. A copy of this

certificate shall be forwarded to the Principal Certifying Authority and Council within 7 days of completion of the 'clearance inspection'.

[GEN0350]

10. An easement to drain sewage benefiting Tweed Shire Council shall be created over the relocated sewer main within the basement level. The easement shall be no less than 2.0 metres wide, that extends from floor to ceiling of the basement and must contain the full width of all sewer assets within the basement.
11. Where easements in favour of Council are provided through private property no structures or part thereof may encroach into the easement. This includes (but is not limited to) roofs, awnings or eaves, gutters and any part of the building, fences/ retaining walls, screens, gates, and other services.
12. A minimum vertical clearance of 2.4m must be provided to the sewer main within the basement to allow Council access for maintenance

[GENNS01]

13. Any use of a crane or other equipment that may exceed a top RL of 49.5 metres AHD would intrude into the prescribed airspace of Gold Coast Airport, and therefore represent a "controlled activity" under the Airports (Protection of Airspace) Regulations. The proponent must obtain the approval of the Secretary, Department of Transport and Regional Services. An application for the Secretary's approval must be given to the airport lessee company (ie Gold Coast Airport Limited) at least 28 days before the intended commencement of the controlled activity.

[GENNS02]

14. Privacy screening is to be provided to all windows of habitable rooms and balconies within 6m of side and rear boundaries in accordance with the requirements of the Apartment Design Guide.

[GENNS04]

## **NSW RURAL FIRE SERVICE CONDITIONS**

The recommendations are based on the plans prepared by Forgan Smith Architects Pty Ltd, titled 'Proposed Alterations and Additions', dated September 2017 and the 'Bushfire Threat Assessment Report' prepared by Senica Consultancy Group dated 12 November 2017.

### 15. **Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

- (a) At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

### 16. **Water and Utilities**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:



- (a) Electricity and/or gas services are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

17. **Design and Construction**

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

- (a) New construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bushfire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas - 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

18. **Landscaping**

- (a) Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

[GENNS05]

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

19. Section 7.11 Contributions

Payment of the following contributions pursuant to Section 7.11 of the Act and the relevant Contribution Plan.

Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, 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 "Contribution Sheet" signed by an authorised officer of Council.

**A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT.**

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.

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.

- |   |            |
|---|------------|
| (a) Tweed Road Contribution Plan:<br>28.6 Trips @ \$1283 per Trips<br>(\$1,137 base rate + \$146 indexation)<br>CP Plan No. 4<br>Sector6_4        | \$36,694   |
| (b) West Kingscliff - Drainage:<br>0.05 HA @ \$73559 per HA<br>(\$5,664.10 base rate + \$67,894.90 indexation)<br>DCP Section B4<br>CP Plan No. 7 | \$3,677.95 |
| (c) West Kingscliff - Open Space:<br>7.25 ET @ \$3612 per ET<br>(\$1,849 base rate + \$1,763 indexation)  | \$26,187   |

DCP Section B4		
CP Plan No. 7		
(d)	Shirewide Library Facilities: 7.25 ET @ \$933 per ET (\$792 base rate + \$141 indexation) CP Plan No. 11	\$6,764
(e)	Bus Shelters: 7.25 ET @ \$71 per ET (\$60 base rate + \$11 indexation) CP Plan No. 12	\$515
(f)	Eviron Cemetery: 7.25 ET @ \$135 per ET (\$101 base rate + \$34 indexation) CP Plan No. 13	\$979
(g)	Community Facilities (Tweed Coast - North) 7.25 ET @ \$1539 per ET (\$1,305.60 base rate + \$233.40 indexation) CP Plan No. 15	\$11,158
(h)	Extensions to Council Administration Offices & Technical Support Facilities 7.25 ET @ \$2187.14 per ET (\$1,759.90 base rate + \$427.24 indexation) CP Plan No. 18	\$15,856.77
(i)	Cycleways: 7.25 ET @ \$526 per ET (\$447 base rate + \$79 indexation) CP Plan No. 22	\$3,814
(j)	Regional Open Space (Casual) 7.25 ET @ \$1215 per ET (\$1,031 base rate + \$184 indexation) CP Plan No. 26	\$8,809
(k)	Regional Open Space (Structured): 7.25 ET @ \$4264 per ET (\$3,619 base rate + \$645 indexation) CP Plan No. 26	\$30,914

[PCC0215]

20. A certificate of compliance (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 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.

Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, a Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 64 Contributions have been paid and the Certifying Authority has sighted Council's "Certificate of Compliance" signed by an authorised officer of Council.

**BELOW IS ADVICE ONLY**

The Section 64 Contributions for this development at the date of this approval have been estimated as:

Water: 5.03 ET @ \$13,926 = \$70,047.80

Sewer: 8.0 ET @ \$6,690= \$53,520.00

[PCC0265]

21. The building is to have a low reflective roof in accordance with the requirements of Gold Coast Airport Pty Ltd.

The subject land is within the Lighting Zone for Gold Coast Airport, in which use of non-reflective roof surfaces is mandatory. Any proposed use of reflective roof materials requires approval from Gold Coast Airport Pty Ltd, prior to issue of a construction certificate. (Note: Colorbond is a pre-approved material, with the exception of roof colours having solar absorption equal to or less than 0.35).

[PCC0335]

22. 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.

All earthworks shall be contained wholly within the subject land. Detailed engineering plans of cut/fill levels and perimeter drainage shall be submitted with a S68 stormwater application for Council approval.

[PCC0485]

23. A detailed Plan of Landscaping containing no priority weed species and with a minimum 80% of total plant numbers comprised of local native species to the Tweed Shire is to be submitted and approved by Council's General Manager or his delegate prior to the issue of a Construction Certificate. 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/Controls/NativeSpeciesPlanting/Landing.aspx>

The landscape plan is to include fencing detail for all proposed fencing and demonstrate compliance with the fencing controls as specified in the NSW Apartment Design Guide.

[PCC0585]

24. 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 filling on local drainage. Detailed engineering plans of fill levels and perimeter drainage shall be submitted for Council approval.

[PCC0675]

25. The basement car parking is to be protected against the inflow of water to a level of 500mm above the Design Flood Level of RL 3.3m AHD in accordance with Tweed Shire Council Development Control Plan Part A3 - Development of Flood Liable Land. This immunity shall be provided at all accesses including external stairs to the basement car park. The pump system shall be designed for a storm event with a 10 year average return interval (ARI 10) and shall have failsafe measures in place such that property (onsite and adjacent) is protected against pump failure. Consequences

of the 100 year ARI storm event must also be addressed. Details of the basement stormwater pump-out system shall be submitted to and approved by the Principle Certifying Authority prior to the issue of a Construction Certificate for Building Works.

Installed pumps must be designed and installed in accordance with Section 9 of AS/NZS3500.3.2 1998 *“National Plumbing and Drainage - Part 3.2: Stormwater Drainage - Acceptable Solutions”*

[PCC0685]

26. 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 Councils Development Design and Construction Specifications for the following required works:
- (a) Vehicular access
  - (b) Upgrade works to Pearl Street in accordance with the provisions of Guardrail Road Safety Review prepared by Bitzios Consulting and dated 14 September 2018, except where removal of on-street parking spaces to Pearl Street is proposed. Modified plans are to be submitted as part of any application under Section 138 of the Roads Act 1993 which retains on-street parking to the frontage of surrounding properties by removing the “yellow No Stopping” edge line and removal of the Chevron Linemarking adjacent to properties nos. 94 to 86 Pearl Street.

The above mentioned engineering plan submission must include copies of compliance certificates relied upon and details relevant to but not limited to the following:

- Road works/furnishings
- Stormwater drainage
- Water and sewerage works
- Sediment and erosion control plans
- Location of all services/conduits
- Traffic Control Plan (as applicable)

Where Council is requested to issue a Construction Certificate for subdivision works associated with this consent, the abovementioned works can be incorporated as part of the Construction Certificate application, to enable one single approval to be issued. Separate approval under Section 138 of the Roads Act 1993 will then NOT be required.

[PCC0895]

27. Details from a Structural Engineer are to be submitted to the Water Authority for approval for all retaining walls/footings/structures etc taking into consideration the zone of influence on the sewer main or other underground infrastructure and include a certificate of sufficiency of design prior to the determination of a construction certificate.

[PCC0935]

28. The footings and floor slab are to be designed by a practising Structural Engineer after consideration of a soil report from a NATA accredited soil testing laboratory and shall

be submitted to and approved by the Principal Certifying Authority prior to the issue of a construction certificate.

[PCC0945]

29. Waste material (soil, concrete, timber, masonry, steel and the like) generated by the development shall be disposed of in accordance with the Site Waste Management Plan Ref: 2017/05003 dated 7 September 2017.

[PCC1065]

30. Permanent stormwater quality treatment shall be provided in accordance with the following:

- (a) The Construction Certificate Application for Building Works shall include a detailed Stormwater Management Plan (SWMP) for the occupational or use stage of the development in accordance with Section D7.07 of Councils *Development Design Specification D7 - Stormwater Quality*.
- (b) Permanent stormwater quality treatment shall comply with section 5.5.3 of the Tweed Urban Stormwater Quality Management Plan and Councils Development Design Specification D7 - Stormwater Quality.
- (c) The stormwater and site works shall incorporate Water Sensitive Urban Design principles and where practical, integrated water cycle management.

[PCC1105]

31. A Construction Certificate application for works that involve any of the following:

- connection of a private stormwater drain to a public stormwater drain
- installation of stormwater quality control devices
- erosion and sediment control works

will not be approved until prior separate approval to do so has been granted by Council under Section 68 of the Local Government Act.

- a) Applications for these works must be submitted on Council's standard Section 68 stormwater drainage application form accompanied by the required attachments and the prescribed fee. The Section 68 Application must be approved by Council prior to the associated Construction Certificate being issued.
- b) Where Council is requested to issue a Construction Certificate for subdivision works associated with this consent, the abovementioned works can be incorporated as part of the Construction Certificate application, to enable one single approval to be issued. Separate approval under Section 68 of the Local Government Act will then NOT be required.

[PCC1145]

32. Erosion and Sediment Control shall be provided in accordance with the following:

- (a) 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*.
- (b) 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".

33. Medium density/integrated developments, excluding developments containing less than four attached or detached dwellings and having a Building Code classification of 1a, will be required to provide a single bulk water service at the road frontage. Individual metering beyond this point shall be managed by occupants. Application for the bulk metre shall be made to the supply authority detailing the size in accordance with NSW Code of Practice - Plumbing and Drainage and BCA requirements.

**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.

[PCC1185]

34. An application shall be lodged together with any prescribed fees including inspection fees and approved by Tweed Shire Council under Section 68 of the Local Government Act for any water, sewerage, on site sewerage management system or drainage works including connection of a private stormwater drain to a public stormwater drain, installation of stormwater quality control devices or erosion and sediment control works, prior to the issue of a Construction Certificate.

[PCC1195]

35. In accordance with Section 68 of the Local Government Act, 1993 any premises proposing to discharge wastewater into Council's sewerage system other than domestic sewage, shall submit to Council a completed Liquid Trade Waste Application for a Liquid Trade Waste Services Agreement. The Application is to be approved by the General Manager or his delegate PRIOR to the issuing of a Construction Certificate to discharge to Council's sewerage system.

[PCC1255]

36. If the development is likely to disturb or impact upon water or sewer infrastructure (eg: extending, relocating or lowering of pipeline), written confirmation from the service provider that they have agreed to the proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first.

Applications for these works must be submitted on Council's standard Section 68 Application form accompanied by the required attachments and the prescribed fee. The arrangements and costs associated with any adjustment to water and wastewater infrastructure shall be borne in full by the applicant/developer.

The Section 68 Application must be approved by Council prior to the associated Construction Certificate being issued.

[PCC1310]

37. Prior to the issue of a Construction Certificate:
- a) Application shall be made to Council under Section 305 of the Water Management Act 2000 for a certificate of compliance for development to be carried out - ie: the provision of water and sewerage to the development.
  - b) Following this, requirements shall be issued by obtained from Council under Section 306 of the Water Management Act 2000.
  - c) Following this, any works needing to be undertaken will require a further application to shall be made to and approval obtained from Council for the supply of water and



sewerage to the development under Section 68 of the Local Government Act for the relevant water / sewer works. Approval of this application will be required prior to/in conjunction with issuing the Construction Certificate.

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.

38. In accordance with Tweed Development Design Specification - D7 Stormwater Quality Part D7.12.1 a water quality treatment device (GPT or equivalent) is to be added to treat basement flows prior to pumping these flows to the proposed stormwater network. Details to be provided at Construction Certificate stage within a detailed Stormwater Management Plan (SWMP-D).
39. A detailed Waste Management Plan which complies with Tweed Shire Council Development Control Plan Section A15- Waste Minimisation and Management is to be submitted to Council for the written approval of the General Manager or his delegate prior to the issue of a Construction Certificate. The Waste Management Plan must outline how residents will manage waste and recycling throughout occupancy of the proposed development and demonstrate through illustrated plans how the calculated number of bins will be stored and presented at kerbside for weekly collection. Should insufficient storage or street frontage be available for collection, an alternative waste management solution may need to be developed.
40. An application under s68 of the Local Government Act 1993 to carry out sewer reconstruction works must be submitted to Council for approval prior to the issue of a Construction Certificate. The development plans and supporting information must include the following:
  - a) Where sewer reconstruction work, including bypass pumping, requires access to and works on private land, written consent of the affected landholder is required prior to approval of any Construction Certificate or Sec.68 application. As part of the Section 68 application to undertake sewer works, the applicant shall be required to provide engineering details on how they propose to divert the existing sewer during works. This shall include as a minimum:
    - Existing sewer protection works during basement construction,
    - Detail regarding the planned methodology for bypass pumping and associated works for continuous operation of sewerage system upstream of the affected sewer, for the duration of the works;
    - Bypass pump details (ie: maximum flow, backup power supply for power interruptions, pump blockage or failure procedures, etc). The sewer bypass strategy must ensure that the Peak Wet Weather Flow (PWWF)
    - Sewer overflow containment strategy (ie: for during live connections or in emergencies);
    - Proposed construction scheduling program details for the timing of sewerage system works including hold points and Council inspections (ie: live sewer cutins, installation of bypass pumping system, pipeline inspections prior to backfill and/ or connection, and pipe commissioning/ connection.)
    - Emergency response plan including detailed procedures for 24 hour pump operation, Sewerage spills, Council access to site and Emergency contacts.

- b) Any relocation works need to ensure all required design standards (cover, grade, position) are still met and that the capacity/functionality of the asset is not reduced. All costs associated with the relocation of assets are to be funded by the Applicant.
- c) The sewer must be in an open area, with no enclosed rooms, goods, waste bins, materials, fixed plant or machinery, gates, screens, structures or anything that may inhibit Council staff or equipment access to the sewer.
- d) The sewer must be readily accessible and protected against damage from people and vehicles.
- e) The reconstructed portion of the sewer main shall be replaced with Ductile Iron Epoxy Lined (DIEL) pipe and labelled as "Tweed Shire Council Wastewater Pipeline" on the outside of the pipe. The pipeline shall be raised slightly off the floor of the cavity at each collar for protection and to keep pipeline out of any possible pooling water.
- g) Each pipe piece penetrating the external basement wall is to extend a minimum of 300mm and joined by a short SP/SO piece 600mm long to provide flexibility for any differential vertical movement. The pipeline shall be ductile iron epoxy lined, fitted with a centrally mounted puddle flange, and cast into the wall on line level and grade to match the existing sewer and the future sewer location.
- h) At the northern end of the sewer relocation, the new sewer shall be extended to the existing manhole in 92 Pearl Street. At the southern end of the sewer relocation the existing sewer pipe shall be joined to the new pipe by a 600mm long adaptor using flexible couplings at each end. This adaptor shall be a specially fabricated eccentric taper to match the internal and external diameters of the new and existing pipes, while maintaining a straight grade along the pipe invert level, without lips or gaps. A minimum of two flexible joints are required between the external wall and the manhole;
- i) Directional rodding access point shall be provided internally at the house connection location, pointing upstream. The rodding access shall extend to the surface level at a location that is easy to access (ie: external to units).
- j) Continual sewerage services must be maintained for all properties upstream of or connected to the affected sewer, for the duration of the works. Bypass sewage pumping must be carried out under Council supervision, with 48 hours' notice to be provided prior to any required inspections. Inspection fees will apply.
- k) Interlocking and removable paving/ panels over the pipeline within 1 meter horizontal clearance from the pipe centreline for ease of access to the pipeline must be shown on the construction plans. Any flooring or paving shall be designed so it can be removed and reinstated without destruction, and the scale of removal is reasonably limited. Access covers shall be trafficable load rating and be designed for ease of lifting by 1-2 persons. Keyholes shall be compatible with Gatic standard lid lifters and the weight of each lid shall be no more than 25 Kg.
- l) Concrete cavities must be of water tight construction to prevent ground water ingress. Solid removable covers shall be installed over the cavity, sealed against stormwater ingress. The cavity shall be graded to have a recess low point (sump) with a pump or other means as approved by TSC to remove any water from pooling. The concrete cavity shall be no deeper than 2.0 meters and no less than 1.8 meters wide to allow adequate access to the sewer.

- m) The S68 application will provide copies of plans, long section and cross sectional details of the realigned pipelines by a certified NER Engineer for assessment by Council's Water & Wastewater Unit. The long section shall show that the sewer will be laid in the same position as it is currently and must have a grade of no less than 1 in 450. Drops, nil grade, or backfall within the sewer pipeline will not be accepted.
- n) Sewer depth and actual location must be surveyed and confirmed on site and recorded on construction plans prior to construction.
- o) A 350mm to 400mm diameter hole is required within the sheet piling at the location where the sewer extension pipeline are proposed. A flexible sleeve shall be provided within the sheet piling to allow for movement of the pipelines.
- p) Updated Architects plans are to be submitted with S68 application.

[PCCNS01]

- 41. The proposed sewer infrastructure on the Civil Works Plan submitted are considered to be preliminary and are subject to change to meet Council requirements.
- 42. Architects plans shall demonstrate that a minimum of 2.4 metres clearance is provided on the carpark entrance and within the basement for Council plant to access the sewer.
- 43. Owner's consent for works in each of the properties impacted by sewer connection works is required prior to construction certificate.
- 44. Plans shall show an easement around the sewer so that it is readily accessible and protected against damage from people and vehicles.

[PCCNS02]

### **PRIOR TO COMMENCEMENT OF WORK**

- 45. 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 Certifying Authority 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.
- [PCW0005]
- 46. An application is to be made to Council to temporarily "cap off" the existing building sewerage house drainage from Council's sewerage system, prior to any demolition work commencing. A Plumbing and Drainage Works on Private Land application form shall be submitted to Tweed Shire Council and payment of fees in accordance with Councils adopted fees and charges.
- [PCW0045]
- 47. 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.
- [PCW0125]
- 48. The erection of a building in accordance with a development consent must not be commenced until:

- (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
- (b) the person having the benefit of the development consent has:
  - (i) appointed a principal certifying authority for the building work, and
  - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
- (c) the principal certifying authority has, no later than 2 days before the building work commences:
  - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
  - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
  - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
  - (ii) notified the principal certifying authority of any such appointment, and
  - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.

[PCW0215]

49. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing.

[PCW0225]

50. Residential building work:

- (a) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
  - (i) in the case of work for which a principal contractor is required to be appointed:
    - \* in the name and licence number of the principal contractor, and
    - \* the name of the insurer by which the work is insured under Part 6 of that Act,
  - (ii) in the case of work to be done by an owner-builder:
    - \* the name of the owner-builder, and
    - \* if the owner-builder is required to hold an owner builder permit under that Act, the number of the owner-builder permit.

- (b) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (1) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

[PCW0235]

51. 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:

- (a) a standard flushing toilet connected to a public sewer, or
- (b) if that is not practicable, an accredited sewage management facility approved by the council

[PCW0245]

52. **Where prescribed by the provisions of the Environmental Planning and Assessment Regulation 2000**, 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 certifying authority for the work, and
- (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 site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

[PCW0255]

53. 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:

- (a) The person must, at the person's own expense:
  - (i) preserve and protect the building / property from damage; and
  - (ii) if necessary, underpin and support the building in an approved manner.
- (b) 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.

[PCW0765]

54. A Dilapidation Report detailing the current general condition (including the structural condition) of the adjoining buildings/sites, infrastructure 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 Certifying Authority prior to commencement of ANY works on the site.

[PCW0775]

55. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area, where required. These measures are to be in accordance with the approved erosion and sedimentation control plan and adequately maintained throughout the duration of the development.

In addition to these measures the core flute sign provided with the stormwater approval under Section 68 of the Local Government Act is to be clearly displayed on the most prominent position of the sediment fence or erosion control device which promotes awareness of the importance of the erosion and sediment controls provided.

This sign is to remain in position for the duration of the project.

[PCW0985]

56. Any alterations to approved plans shall be provided to Council's General Manager or his delegate for approval prior to construction.
57. Excavation, shoring and dewatering of the approved works must be considered when undertaking works. Any permits required to undertake dewatering shall be obtained prior to commencing. The applicant shall conduct a thorough site assessment to determine trench safety for the approved works.
58. Should any part of the sewerage reticulation infrastructure be damaged by the registered proprietor or by any person who is a servant, workman, tenant, invitee, employee, or agent of the registered proprietor Tweed Shire Council will repair the damage at the cost of the registered proprietor.

[PCWNS01]

## **DURING CONSTRUCTION**

59. All proposed works are to be carried out in accordance with the conditions of development consent, any approved Management Plans, approved Construction Certificate, drawings and specifications.

[DUR0005]

60. During construction, all works required by other conditions or approved management plans or the like shall be installed and operated in accordance with those conditions or plans.

[DUR0015]

61. Should any Aboriginal object or cultural heritage (including human remains) be discovered all site works must cease immediately and the Tweed Byron Local Aboriginal Land Council (TBLALC) Aboriginal Sites Officer (on 07 5536 1763) are to be notified. The find is to be reported to the Office of Environment and Heritage. No works or development may be undertaken until the required investigations have been completed and any permits or approvals obtained, where required, in accordance with the National Parks and Wildlife Act, 1974.

[DUR0025]

62. Commencement of work, including the switching on and operation of plant, machinery and vehicles is limited to the following hours, unless otherwise permitted by Council:

Monday to Saturday from 7.00am to 6.00pm

No work to be carried out on Sundays or Public Holidays



The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

63. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:
- A. Short Term Period - 4 weeks.
- $L_{Aeq, 15 \text{ min}}$  noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.
- B. Long term period - the duration.
- $L_{Aeq, 15 \text{ min}}$  noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.
- [DUR0215]
64. 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 his delegate so as to prevent the emission of offensive noise as a result of their operation.
- [DUR0225]
65. The wall and roof cladding is to have low reflectivity where they would otherwise cause nuisance to the occupants of buildings with direct line of sight to the proposed building.
- [DUR0245]
66. Pumps used for dewatering operations are to be electrically operated. Diesel pumps are not to be used unless otherwise approved by the Tweed Shire Council General Manager or his delegate.
- [DUR0255]
67. 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 (as in force on the date the application for the relevant construction certificate was made).
- [DUR0375]
68. Provision shall be made for the collection of builder's solid waste in accordance with the following requirements:
- (a) A temporary builder's waste chute is to be erected to vertically convey builder's debris to a bulk container.
- (b) The chute shall be located in a position approved by the Principal Certifying Authority.
- (c) A canopy shall be provided to the chute outlet and container to reduce the spillage of materials and nuisance caused by dust.
- [DUR0385]
69. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.

[DUR0395]

70. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 6.6 of the Environmental Planning and Assessment Act 1979.

[DUR0405]

71. 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 WorkCover NSW requirements and Work Health and Safety Regulation 2011.

[DUR0415]

72. Excavation

- (a) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with WorkCover 2000 Regulations.
- (b) 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.

[DUR0425]

73. If the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
- (b) building involves the enclosure of a public place,

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.

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/subdivision certificate.

Application shall be made to Tweed Shire Council including associated fees for approval prior to any structure being erected within Councils road reserve.

[DUR0435]

74. All demolition work is to be carried out in accordance with the provisions of Australian Standard AS 2601 "The Demolition of Structures" and to the relevant requirements of the WorkCover NSW, Work Health and Safety Regulation 2017.

The proponent shall also observe the guidelines set down under the Department of Environment and Climate Change publication, "A Renovators Guide to the Dangers of Lead" and the Workcover Guidelines on working with asbestos.

[DUR0645]

75. All earthworks and filling shall be carried out in accordance with AS 3798 (current version) Guidelines on earthworks for commercial and residential developments to a

Level 1 inspection regime and testing in accordance with Table 8.1. of AS3798 (current version) - Guidelines on earthworks for commercial and residential developments.

[DUR0795]

76. The use of vibratory compaction equipment (other than hand held devices) within 100m of any existing dwelling house, building or structure is strictly prohibited.

[DUR0815]

77. 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.

[DUR0905]

78. 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 from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Occupation Certificate.

[DUR0995]

79. 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:

- Noise, water or air pollution.
- Dust during filling operations and also from construction vehicles.
- Material removed from the site by wind.

[DUR1005]

80. 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 Councils General Manager or his delegate.

[DUR1015]

81. Access to the building for people with disabilities shall be provided and constructed in accordance with the requirements of Section D of the Building Code of Australia. Particular attention is to be given to the deemed-to-satisfy provisions of Part D-3 and their requirement to comply with AS1428.

[DUR1685]

82. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.

[DUR1795]

83. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired in accordance with Councils Development Design and Construction Specifications prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.

[DUR1875]

84. Where existing kerb or footpath is to be removed for driveway laybacks, stormwater connections, kerb ramps or any other reason, the kerb or footpath must be sawcut on each side of the work to enable a neat and tidy joint to be constructed.  
[DUR1905]
85. During construction, a “satisfactory inspection report” is required to be issued by Council for all works required under Section 138 of the Roads Act 1993. The proponent shall liaise with Councils Engineering Division to arrange a suitable inspection.  
[DUR1925]
86. No portion of the structure may be erected over any existing sullage or stormwater disposal drains, easements, sewer mains, or proposed sewer mains.  
[DUR1945]
87. 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.  
[DUR2015]
88. The builder must provide an adequate trade 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.  
[DUR2185]
89. Appropriate arrangements to the satisfaction of Council's General Manager or his delegate shall be provided for the storage and removal of garbage and other waste materials.  
[DUR2205]
90. Hazardous or industrial waste must be stored and disposed of in a manner to minimise its impact on the environment including appropriate segregation for storage and separate disposal by a waste transporter licensed by the NSW Environment Protection Authority.  
[DUR2215]
91. 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.  
[DUR2315]
92. 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.  
[DUR2445]
93. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
- (a) internal drainage, prior to slab preparation;
  - (b) water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
  - (c) external drainage prior to backfilling.

(d) completion of work and prior to occupation of the building.

[DUR2485]

94. Plumbing

- (a) A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.
- (b) 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.

[DUR2495]

95. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.

[DUR2505]

96. All water plumbing pipes concealed in concrete or masonry walls shall be fully lagged.

[DUR2525]

97. Back flow prevention devices shall be installed wherever cross connection occurs or is likely to occur. The type of device shall be determined in accordance with AS 3500.1 and shall be maintained in working order and inspected for operational function at intervals not exceeding 12 months in accordance with Section 4.7.2 of this Standard.

[DUR2535]

98. 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.

[DUR2545]

99. 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:-

- \* 45°C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
- \* 50°C in all other classes of buildings.

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

[DUR2555]

100. All surface waters other than stormwater shall be directed to Council approved pre-treatment facilities before discharge to the sewerage system. Details are to be submitted to and approved by the Tweed Shire Council General Manager or his delegate prior to installation.

[DUR2725]

101. The Applicant shall submit the appropriate 'Application for Water Service Connection' to Council's Water Unit to facilitate a property service water connection for Lot 1 DP 378971, from the existing water main in Pearl Street. The connection shall be undertaken by Tweed Shire Council, with all applicable costs and application fees paid by the Applicant.

[DUR2800]

102. Written notice shall be provided to the 'regulator' at least 5 days before the removalist commences licensed asbestos removal work in accordance with Clause 466 of the Work Health and Safety Regulation 2017.

103. Prior to demolition of the structure is commenced all asbestos material shall be identified and removed from the site by an asbestos removalist who is licenced to carry out the work by NSW Safe Work. All asbestos waste shall be disposed at a facility that is licenced to receive asbestos waste (all receipts related to disposal must be kept on site and provided to Council Authorised Officer upon request).

[DURNS01]

104. To ensure that the building and any associated structures are correctly positioned on the site, a report prepared by a registered surveyor is to be submitted to the principal certifying authority at footing stage and at the completion of the building indicating that the building, retaining walls and the like have been correctly positioned and at the correct height, on the site.

[DURNS01]

105. All works shall comply with AS2601-2001 Demolition of Structures and the Work Health and Safety Regulation 2011.

[DURNS02]

106. Site dewatering operations shall be carried out in compliance with the Acid Sulfate Soil and Dewatering Management Plan prepared by HMC Environmental Ref: HMC2017.184 and dated October 2017.

[DURNS03]

107. During construction access to the sewer must be available to maintain and re-construct as and when required.

108. Continual sewerage services must be maintained for all properties upstream of or connected to the affected sewer, for the duration of the works.

109. Any damage to any property or services shall be the responsibility of the constructor. Reinstatement shall be to the relevant authorities or property owner's satisfaction and at the constructors cost.

[DURNS01]

110. Works in the vicinity of public infrastructure must comply with the following requirements;

- a) No portion of any structure may be erected within any easement or within one metre where no easement exists for 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.
- b) Any fencing erected across the sewer main shall be designed and constructed with removable panels and footings located at least 1.0 metres horizontally clear of sewer main.
- c) Trees and other landscaping that will grow to over one metre in height at maturity are not permitted within the sewer easement or within one metre of the sewer if no easement exists, 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.

[DURNS02]



## **PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

111. Prior to 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.

[POC0005]

112. 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).

[POC0205]

113. A final occupation certificate is not to be issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been assessed by a properly qualified person and was found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building.

[POC0225]

114. A final occupation certificate must be applied for and obtained within 6 months of any Interim Occupation Certificate being issued, and all conditions of this consent must be satisfied at the time of issue of a final occupation certificate (unless otherwise specified herein).

[POC0355]

115. Prior to the issue of a final occupation certificate adequate proof and/or documentation is to be submitted to the Principal Certifying Authority to identify that all commitment on the BASIX "Schedule of Commitments" have been complied with.

[POC0435]

116. Prior to 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.

[POC0745]

117. 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.

[POC0755]

118. Prior to 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.

[POC0985]

119. Prior to the occupation or use of any building and prior to the issue of any occupation certificate, including an interim occupation certificate a final inspection report is to be obtained from Council in relation to the plumbing and drainage works.

[POC1045]

120. Prior to the issue of a final Occupation Certificate, all conditions of consent are to be met.

[POC1055]

121. At the completion of the earthworks/filling and prior to the issue of the Occupation Certificate (including interim), an appropriately qualified practising professional Geotechnical Engineer shall provide an Engineering Certification that clearly states All earthworks and filling have been inspected to a Level 1 standard in accordance with AS 3798 (current version) - Guidelines on earthworks for commercial and residential developments.
- [POCNS01]
122. All car parking spaces are to be clearly signed with visitor for the visitor car parking spaces and unit numbers for the tandem car parking spaces. Adjoining tandem car parking spaces are to be allocated to the same unit.
- [POCNS02]
123. Prior to the issue of an Occupation Certificate, Council requires a legal arrangement which will burden current and future owners of the property to permit Council to maintain, and re-construct these works as and when required. That is, twenty-four hour access is required to repair, maintain and reconstruct the sewer.
124. An easement to drain sewage benefiting Tweed Shire Council shall be created over the relocated sewer main within the basement level. The easement shall be no less than 2.0 metres wide, that extends from floor to ceiling of the basement and must contain the full width of all sewer assets within the basement. The terms of the easement must be included in the Section 88B instrument. All costs associated with the creation and registration of this easement shall be borne by the developer.
125. Prior to the issue of an occupation certificate, the applicant shall produce a copy of the satisfactory inspection report issued by Council for each inspection of the sewer works required by the conditions of the s68 sewer works approval.
126. Prior to the issue of an occupation certificate, the applicant shall provide to Council all works as executed drawings and CCTV inspection reports for the completed sewer relocation works required by the conditions of the s68 sewer works approval.

[POCNS01]

## USE

127. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust and odours or the like.
- [USE0125]
128. All externally mounted 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 the General Manager or his 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.
- [USE0175]
129. All externally mounted artificial lighting, including security lighting, is to be shielded to the satisfaction of the General Manager or his delegate where necessary or required so as to prevent the spill of light or glare creating a nuisance to neighbouring or adjacent premises.

[USE0225]

130. All wastes shall be collected, stored and disposed of in accordance with any approved Waste Management Plan or to the satisfaction of the General Manager or his delegate.

[USE0875]

The reasons for the imposition of conditions are to minimise any adverse impact the development may cause and to give effect to the objectives of the Environmental Planning and Assessment Act, 1979.

The application was determined on: **4 April 2019**  
The consent to operate from: **9 April 2019**  
The consent to lapse on 5 April 2024 unless commenced prior to that date.

### **RIGHT OF APPEAL**

If you are dissatisfied with this decision Section 8.7 and 8.10 of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

**Signed on behalf of the Tweed Shire Council**



cosign

Denise Galle, Team Leader Development Assessment  
5 April 2019

## SECTION 7.11 AND OTHER DEVELOPER CONTRIBUTIONS SHEET

### THIS FORM MUST ACCOMPANY PAYMENT OF CONTRIBUTIONS TO COUNCIL

**Development:** demolition of existing structure and construction of a residential flat building  
**Development Consent No.** DA17/0800  
**Location:** Lot 1 DP 378971; No. 90 Pearl Street KINGSCLIFF  
**Applicant:** Abbott Constructions Pty Ltd  
 C/- Zone Planning Group  
 PO Box 3805  
 BURLEIGH TOWN QLD 4220  
**Owner:** Millicent Sports Management Pty Ltd  
**Date:** 5 April 2019  
**Paid by:**

Contribution Payable	S7.11 Contribution Plan Number/ Sector	Area CP5 Only	Units/lots or rate/ha	Rate (valid until ___/___/___)	Amount	Rate at Time of Payment after ___/___/___	Amount at Time of Payment \$	Receipt Number	Charge Control	Bank Account
TRCP - KINGSCLIFF	4/6		Trips @ \$1,283.00	5/4/2020	\$36,694.00				Sector6_4	1
WEST KINGSCLIFF DRAINAGE	7		HA @ \$73,559.00	5/4/2020	\$3,677.95				Drainage	1
WEST K'CLIFF OPEN SPACE	7		ET @ \$3,612.00	5/4/2020	\$26,187.00				StructOS_7	1
LIBRARIES	11		ET @ \$933.00	5/4/2020	\$6,764.00				ResDev11	1
BUS SHELTERS	12		ET @ \$71.00	5/4/2020	\$515.00				Over10ET	1
CEMETERIES	13		ET @ \$135.00	5/4/2020	\$979.00				ResDev13	1
COMMUNITY FAC NORTH	15		ET @ \$1,539.00	5/4/2020	\$11,158.00				ComFacNth	1
COUNCIL ADMIN - TECH SUPPORT	18		ET @ \$2,187.14	5/4/2020	\$15,856.77				Shirewide	1
CYCLEWAYS	22		ET @ \$526.00	5/4/2020	\$3,814.00				Shirewid22	1
CASUAL OPEN SPACE - REGIONAL	26	1	ET @ \$1,215.00	5/4/2020	\$8,809.00				CasOS26	1
STRUCTURE OPEN SPACE - REGIONAL	26	1	ET @ \$4,264.00	5/4/2020	\$30,914.00				StrucOS26	1
<b>TOTAL AMOUNT DUE</b>					<b>\$145,368.72</b>					

**Please forward receipt to**

**Name:** .....

**Address:** .....  
.....  
.....

**METHODS OF PAYMENT**

**IN PERSON**

You can pay your Section 7.11 Developer Contributions in person at the Tweed Shire Council's Murwillumbah Office. Payments can be made by cash, cheque, money order (or EFTPOS (debit card or credit card).

We accept Mastercard or Visa. Please note that a surcharge will apply to all payments made via credit card.

**Receipting Hours** Monday - Friday, 8.30am - 4.00pm

**BY MAIL**

Please make all cheques payable to Tweed Shire Council. All cheques must be crossed 'Not Negotiable'. Post dated cheques will not be accepted.

Mail payments to: **PO Box 816, Murwillumbah NSW 2484**



THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA17/0800



**SITE AREA: 1125,982 sqm**

<b>Gross Floor Area:</b>	Ground Floor Level:	388sqm
	First Floor Level:	388sqm
	Second floor Level:	388sqm
	measured to the inside face of the outer walls and includes the area of lift and stairs at each level.	
<b>Total (approx.):</b>	<b>1,164sqm</b>	
<b>Floor Space Ratio:</b>	<b>1.03 : 1</b>	

Proposed Site Plan 1:300



These drawings & items are copyright and are not to be used or reproduced without the prior written permission of the architect. Subject to authority and Code approvals, design development and engineering

Draw Title  
**Proposed Site Plan**  
 Kingscliff Apartments  
 90 Pearl Street Kingscliff Q

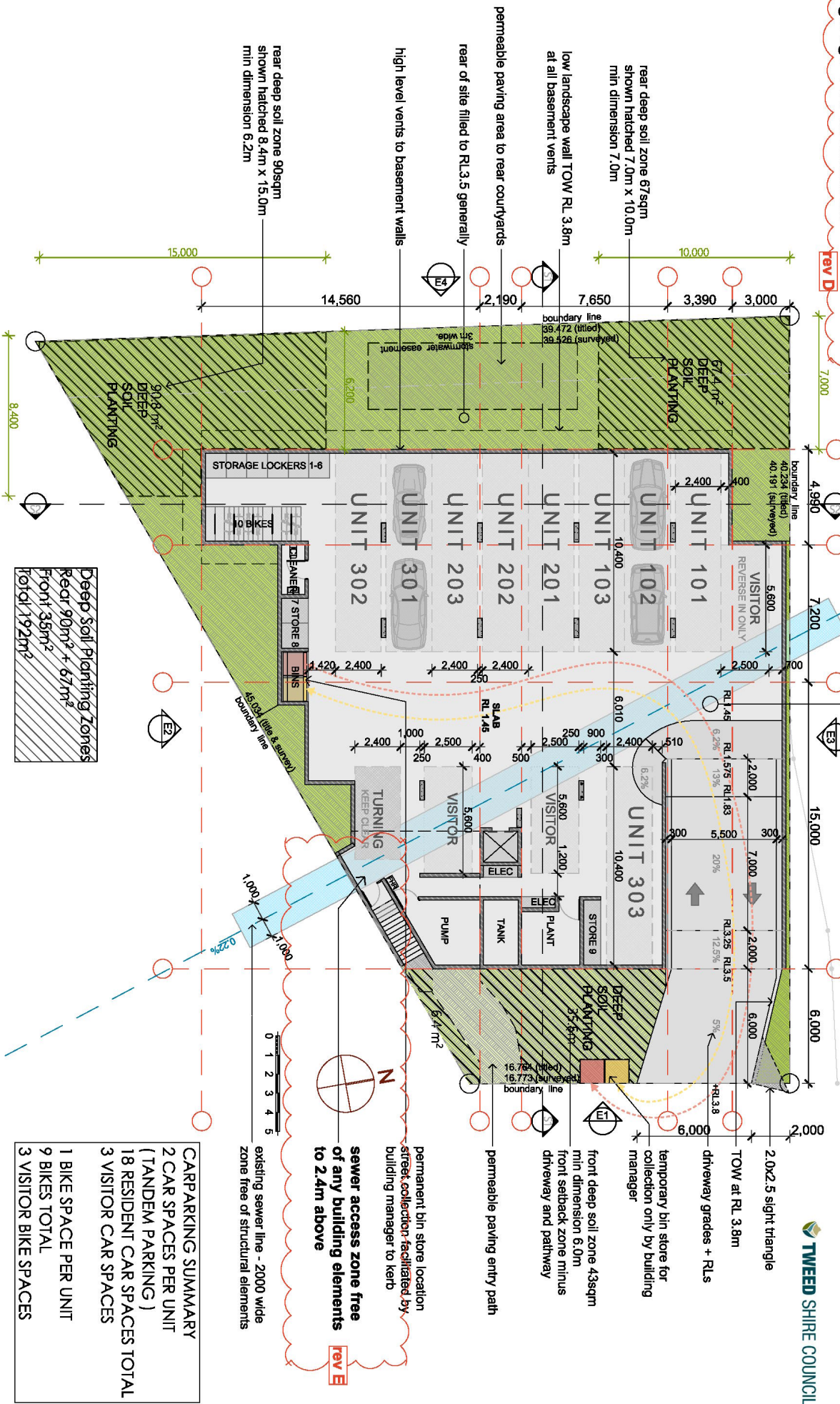
Drawn/Checked  
**E01**  
 Date  
 25/01/2018  
 Drawn/Checked  
 GFS

revision  
**C**

**Forgan Smith Architects**  
 (Old) Pty Ltd  
 BOMA 1288 28 Ashmore Road Burdall Qld  
 ph (07) 5580 0199  
 admin@forgan-smith.com.au  
 A.C.N. 082 057 770



**2.4m head clearance to be maintained to sewer easement and access ramp. Clear of all overhead services such as plumbing, a/c / electrical and garage door mechanisms**



**Deep Soil Planting Zones**  
 Rear 90m<sup>2</sup> + 67m<sup>2</sup>  
 Front 35m<sup>2</sup>  
 Total 192m<sup>2</sup>

CARPARKING SUMMARY	
2	CAR SPACES PER UNIT (TANDEM PARKING)
18	RESIDENT CAR SPACES TOTAL
3	VISITOR CAR SPACES
1	BIKE SPACE PER UNIT
9	BIKES TOTAL
3	VISITOR BIKE SPACES

**sewer access zone free of any building elements to 2.4m above**

permanent bin store location street collection facilitated by building manager to rear

permeable paving entry path

front deep soil zone 43sqm min dimension 6.0m front setback zone minus driveway and pathway

temporary bin store for collection only by building manager

driveway grades + RLS

TOW at RL 3.8m

2.0x2.5 sight triangle

existing sewer line - 2000 wide zone free of structural elements

These drawings & items are copyright and are not to be used or reproduced without the written permission of the architect. Subject to architect and Code approvals, design development and engineering

Draw Title  
**Basement Level Plan**  
 Kingscliff Apartments  
 90 Pearl Street Kingscliff Q

Drawn  
**E03**  
 Date 25/01/2018  
 Drawn GZ  
 Checked GRS

**Forgan Smith Architects**  
 (Old) Pty Ltd  
 BOMA 1288 28 Ashmore Road Burdall Qld  
 ph (07) 5580 0199  
 adm@forgan-smith.com.au

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA17/0800

**TWEED SHIRE COUNCIL**





THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA17/0800



operable privacy screens to balcony openings  
sill height min 1000 above FFL

internal unit storage areas  
2.5m<sup>2</sup>  
fixed external screening to  
western habitable windows

framed pergola structure to provide privacy  
and definition to private open space

setbacks to outermost  
projections

fixed external screening to northern windows  
operable privacy screens to balcony openings  
sill height min 1000 above FFL  
operable privacy screens to balcony openings

clear glass balustrade to east face  
of balconies.  
front balconies 1.15m wide

framed pergola structure to define entry and provide  
privacy to communal open spaces from balconies above

operable privacy screens to balcony openings  
sill height min 1000 above FFL

These drawings & items are copyright and are not to be used or reproduced without the written permission of the architect. Subject to architect and Code approvals, design development and engineering

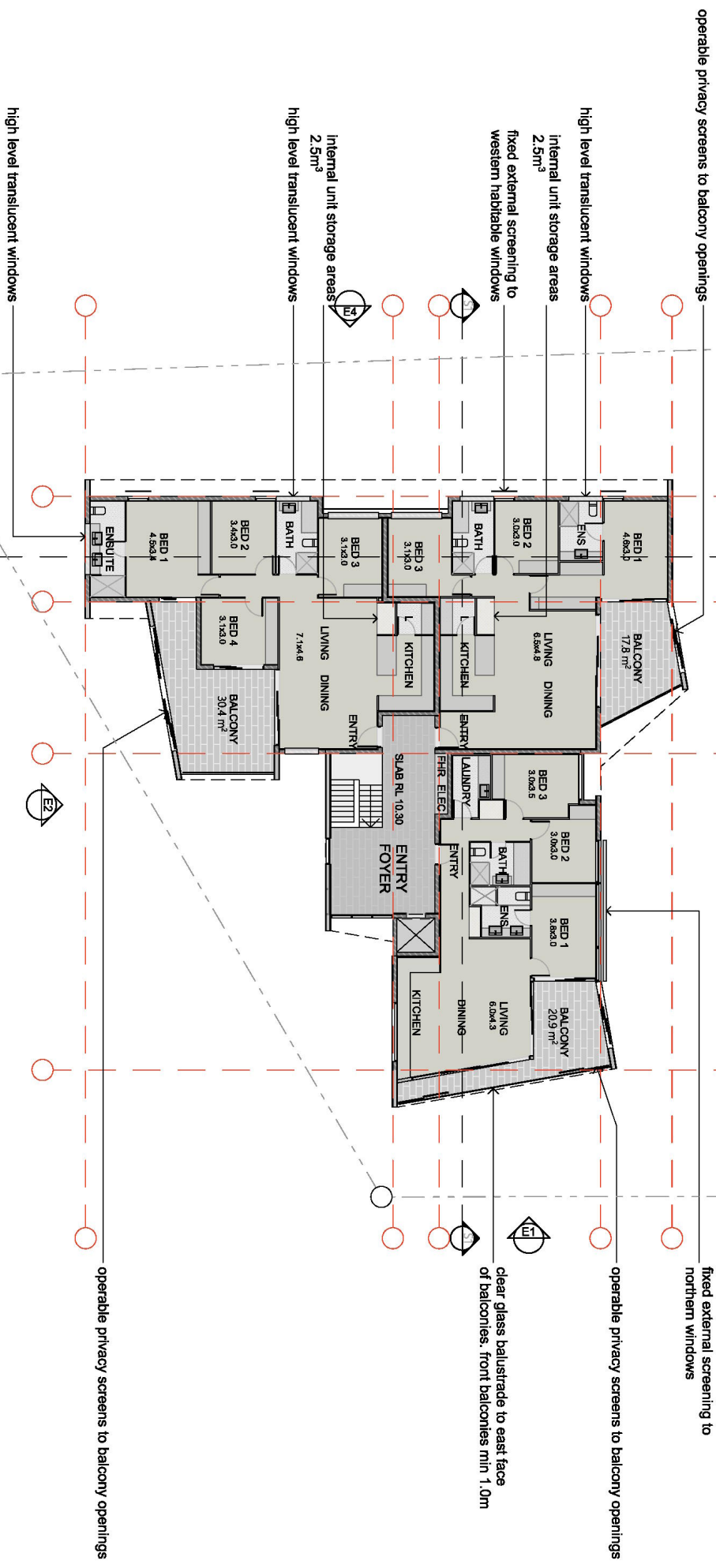
Draw Title  
**Level 2 Plan**  
Project  
**Kingsciff Apartments**  
Location  
**90 Pearl Street Kingsciff Q**

Drawn/Checked  
**E05**  
Date  
**25/01/2018**  
Drawn/Checked  
**GR**

revision  
**C**

**Forgan Smith Architects**  
(Old) Pty Ltd  
BOMA 1288 28 Ashmore Road Burdall Qld  
ph (07) 5580 0199  
admin@forgan-smith.com.au

THIS IS THE PLAN REFERRED TO IN DEVELOPMENT CONSENT NO. DA17/0800



operable privacy screens to balcony openings

high level translucent windows

Internal unit storage areas 2.5m<sup>2</sup>

fixed external screening to western habitable windows

Internal unit storage areas 2.5m<sup>2</sup>

high level translucent windows

high level translucent windows

fixed external screening to northern windows

operable privacy screens to balcony openings

clear glass balustrade to east face of balconies, front balconies min 1.0m

operable privacy screens to balcony openings

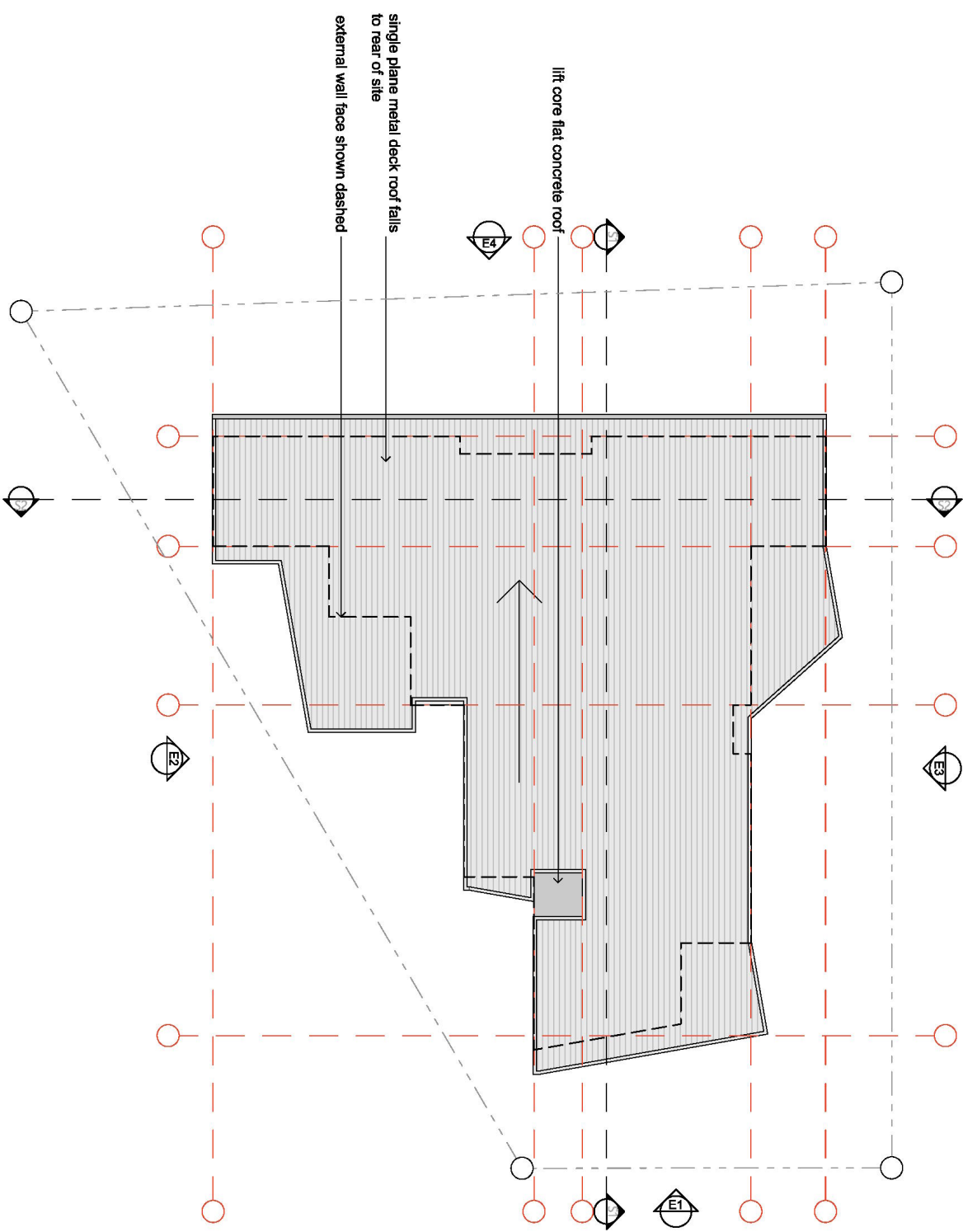
These drawings & items are copyright and are not to be used or reproduced without the prior written permission of the architect. Subject to archi and Code approvals, design development and engineering

Draw Title  
**Level 3 Plan**  
Project  
**Kingsciff Apartments**  
Location  
**90 Pearl Street Kingsciff Q**

Drawn/Mark  
**E06**  
Date  
**25/01/2018**  
Drawn  
**GR**  
Checked  
**GRS**

revision  
**C**

**Forgan Smith Architects**  
(Old) Pty Ltd  
BDAQ 1288 28 Ashmore Road Burndell QLD  
ph (07) 5588 0199  
admin@forgan-smith.com.au



These drawings & items are copyright and are not to be used or reproduced wholly or in part without written permission of the architect. Subject to architect and Code approvals, design development and engineering

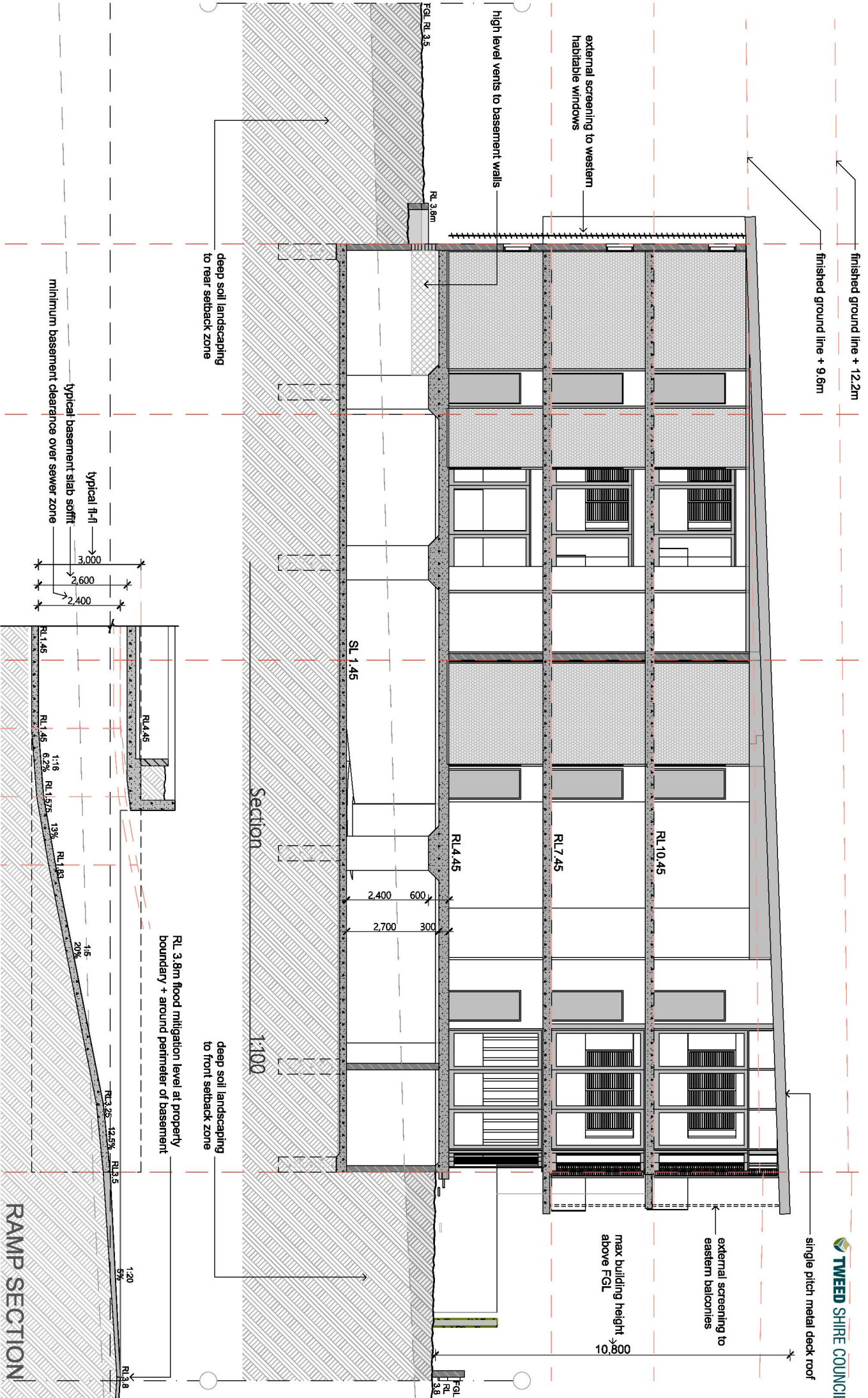
Draw Title  
**Roof Plan**  
Project  
**Kingscliff Apartments**  
Location  
**90 Pearl Street Kingscliff Q**

Drawn/Checked  
**E07**  
Date  
**25/01/2018**  
Drawn  
**GT**  
Checked  
**GFS**

revision  
**C**

**Forgan Smith Architects**  
(Old) Pty Ltd  
BOAO 1288 28 Ashmore Road Burdall QLD  
ph 07 5580 0199  
admin@forghansmith.com.au  
A.C.N. 082 057 770





These drawings & items are copyright and are not to be used or reproduced without the prior written permission of the architect. Subject to archiact and Code approvals, design development and engineering

Draw Title  
**Sections**  
 Kingscliff Apartments  
 90 Pearl Street Kingscliff Q

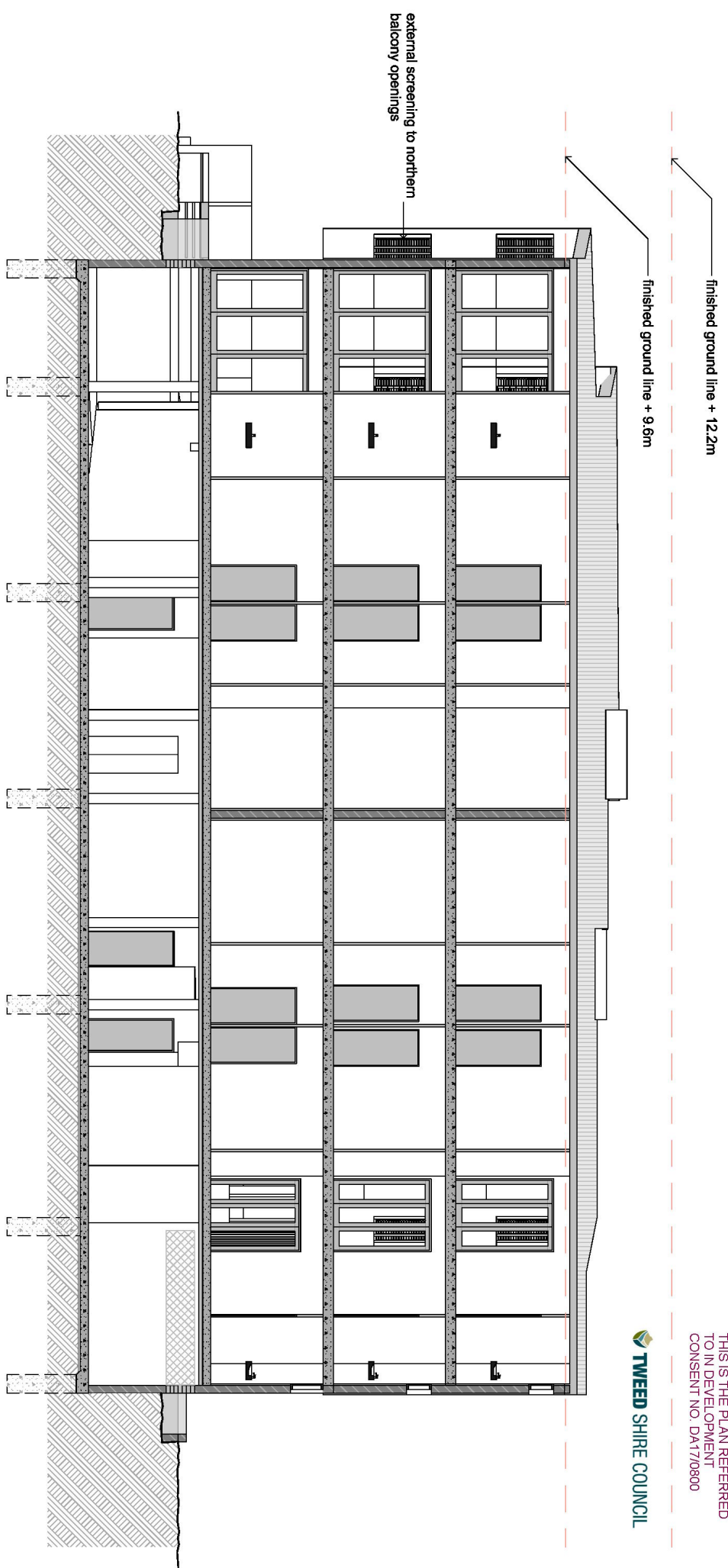
Drawn/Checked  
**E08**  
 Date  
 25/01/2018  
 Drawn  
 GZ  
 Checked  
 GFS

revision  
**C**

**Forgan Smith Architects**  
 (Old) Pty Ltd  
 BOAO 1298 28 Ashmore Road Burdell QLD  
 ph (07) 5588 0199  
 adm@forgan-smith.com.au  
 A.C.N. 082 057 770



THIS IS THE PLAN REFERRED  
TO IN DEVELOPMENT  
CONSENT NO. DA17/0800



Section 1:100

These drawings & items are copyright and are not to be used or reproduced without the written permission of the architect. Subject to archiacty and Code approvals, design development and engineering

Draw Title  
**Sections**  
Project  
**Kingsciff Apartments**  
Location  
**90 Pearl Street Kingsciff Q**

Drawn/Checked  
**E09**  
Date  
**25/01/2018**  
Drawn/Checked  
**GS**

revision  
**C**

**Forgan Smith Architects**  
(Old) Pty Ltd  
BOAO 1268 28 Ashmore Road Burdall QLD  
ph (07) 5539 0199  
admin@forgan-smith.com.au  
A.C.N. 082 057 770



East Elevation 1:100

These drawings & plans are copyright and can not be  
reproduced without the written permission of the architect. Subject to architect and  
Code approvals, design development and engineering

Draw Title  
**Elevations**  
Project  
**Kingsciff Apartments**  
Location  
**90 Pearl Street Kingsciff Q**

Drawn/Checked  
**E10**  
Date  
**25/01/2018**  
Drawn/Checked  
**GF/S**

revision  
**C**

**Forgan Smith Architects**  
(Old) Pty Ltd  
BOAO 1268 28 Ashmore Road Burdall QLD  
ph (07) 5530 0199  
adri@forgan-smith.com.au  
A.C.N. 082 057 770



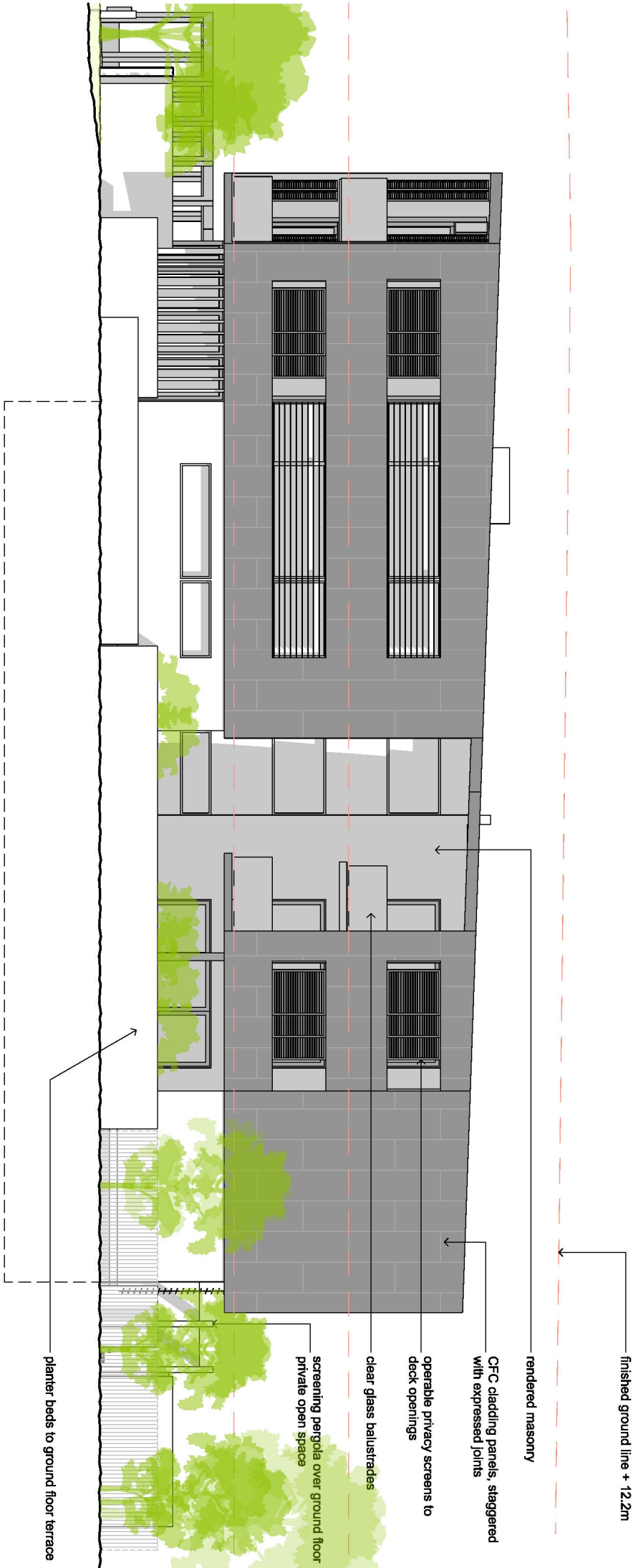
South Elevation 1:100

These drawings & items are copyright and can not be  
be used or reproduced without the prior written  
permission of the architect. Subject to architect and  
Code approvals, design development and engineering

Draw Title  
**Elevations**  
Project  
**Kingscliff Apartments**  
Location  
**90 Pearl Street Kingscliff Q**

Drawn/Issue  
**E11**  
Date  
25/01/2018  
Drawn  
GZ  
Checked  
GFS  
revision  
**C**

**Forgan Smith Architects**  
(Old) Pty Ltd  
BOAO 1268 28 Ashmore Road Burdall QLD  
ph (07) 5538 0139  
admin@forgan-smith.com.au  
A.C.N. 082 657 770



finished ground line + 12.2m

rendered masonry

CFC cladding panels, staggered with expressed joints

operable privacy screens to deck openings

clear glass balustrades

screening pergola over ground floor private open space

planter beds to ground floor terrace

North Elevation 1:100

These drawings & items are copyright and are not to be used or reproduced without the prior written permission of the architect. Subject to archiact and Code approvals, design development and engineering

Draw Title  
**Elevations**  
Project  
**Kingscliff Apartments**  
Location  
**90 Pearl Street Kingscliff Q**

Drawn/Issue  
**E12**  
Date  
**25/01/2018**  
Drawn  
**GR**  
Checked  
**GFS**  
revision  
**C**

**Forgan Smith Architects**  
(Old) Pty Ltd  
BOAO 1298 28 Ashmore Road Burdall Qld  
ph (07) 5538 0199  
admin@forgan-smith.com.au  
A.C.N. 062 057 770





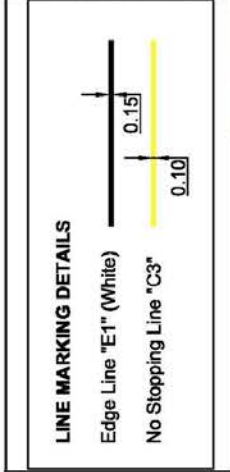
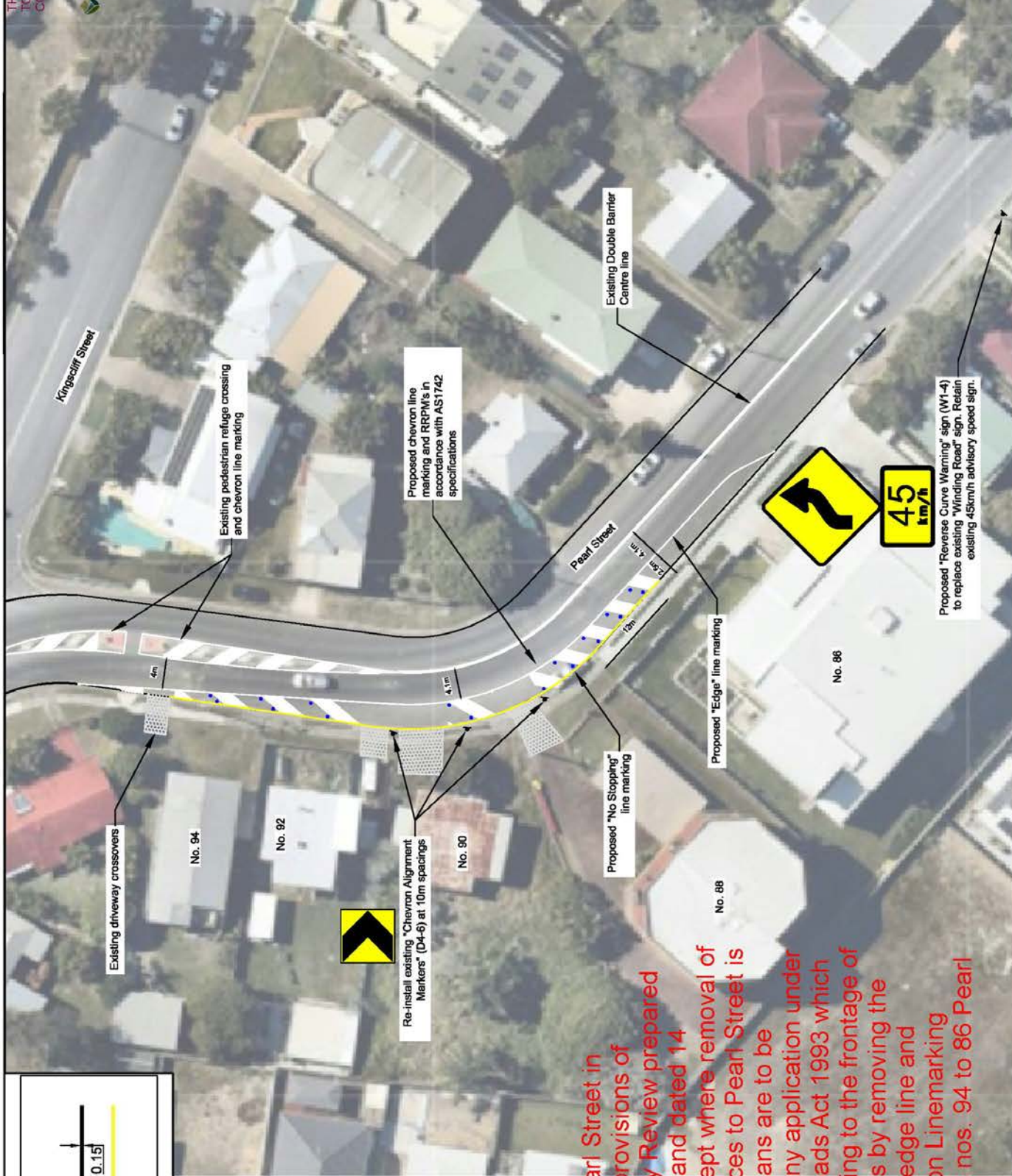
West Elevation 1:100

These drawings & items are copyright and can not be  
be used or reproduced wholly or in part without the  
permission of the architect. Subject to architect and  
Code approvals, design development and engineering

Draw Title  
**Elevations**  
Project  
**Kingscliff Apartments**  
Location  
**90 Pearl Street Kingscliff Q**

Drawn/Mark  
**E13**  
Date  
**25/01/2018**  
Drawn  
**GC**  
Checked  
**GFB**  
revision  
**C**

 **Forgan Smith Architects**  
(Old) Pty Ltd  
BOAO 1298 28 Ashmore Road Burdall QLD  
ph (07) 5538 0199  
admin@forgan-smith.com.au  
A.C.N. 082 057 770



Upgrade works to Pearl Street in accordance with the provisions of Guardrail Road Safety Review prepared by Bitzios Consulting and dated 14 September 2018, except where removal of on-street parking spaces to Pearl Street is proposed. Modified plans are to be submitted as part of any application under Section 138 of the Roads Act 1993 which retains on-street parking to the frontage of surrounding properties by removing the "yellow No Stopping" edge line and removal of the Chevron Linemarking adjacent to properties nos. 94 to 86 Pearl Street.



CONCEPT ONLY

Date:	10/12/2018
Drawing Name:	Proposed Line Marking and Signage Concept Plan
Project No:	P3823
Project Name:	90 Pearl Street Kingscliff Traffic Eng Services



# BASIX<sup>®</sup> Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## Multi Dwelling

Certificate number: 857467M\_02

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 06/10/2017 published by the Department. This document is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

This certificate is a revision of certificate number 857467M lodged with the consent authority or certifier on 16 November 2017 with application DA17/0800.

It is the responsibility of the applicant to verify with the consent authority that the original, or any revised certificate, complies with the requirements of Schedule 1 Clause 2A, 4A or 6A of the Environmental Planning and Assessment Regulation 2000

Secretary

Date of Issue: Monday, 01 April 2019

To be valid, this certificate must be lodged within 3 months of the date of issue.



### Project summary

Project name	90 Pearl Street KINGSCLIFF_02
Street address	90 Pearl Street KINGSCLIFF 2487
Local Government Area	Tweed Shire Council
Plan type and plan number	deposited 378971
Lot no.	1
Section no.	-
No. of residential flat buildings	1
No. of units in residential flat buildings	9
No. of multi-dwelling houses	0
No. of single dwelling houses	0

### Project score




Water	 41	Target 40
Thermal Comfort	 Pass	Target Pass
Energy	 41	Target 40

### Certificate Prepared by

Name / Company Name: Senica Consultancy Group Pty Ltd
ABN (if applicable): 48612864249

# Description of project

Project address	
Project name	90 Pearl Street KINGSCLIFF_02
Street address	90 Pearl Street KINGSCLIFF 2487
Local Government Area	Tweed Shire Council
Plan type and plan number	deposited 378971
Lot no.	1
Section no.	-
Project type	
No. of residential flat buildings	1
No. of units in residential flat buildings	9
No. of multi-dwelling houses	0
No. of single dwelling houses	0
Site details	
Site area (m <sup>2</sup> )	1125.98
Roof area (m <sup>2</sup> )	460
Non-residential floor area (m <sup>2</sup> )	0.0
Residential car spaces	18
Non-residential car spaces	2

Common area landscape	
Common area lawn (m <sup>2</sup> )	192.0
Common area garden (m <sup>2</sup> )	12.0
Area of indigenous or low water use species (m <sup>2</sup> )	0.0
Assessor details	
Assessor number	BDAV/14/1658
Certificate number	52B0771W9
Climate zone	10
Project score	
Water	 41 Target 40
Thermal Comfort	 Pass Target Pass
Energy	 41 Target 40

## Description of project

The tables below describe the dwellings and common areas within the project

### Residential flat buildings - Building1, 9 dwellings, 3 storeys above ground

<b>Dwelling no.</b>	<b>No. of bedrooms</b>	<b>Conditioned floor area (m<sup>2</sup>)</b>	<b>Unconditioned floor area (m<sup>2</sup>)</b>	<b>Area of garden &amp; lawn (m<sup>2</sup>)</b>	<b>Indigenous species (min area m<sup>2</sup>)</b>
101	3	106.8	40.2	0.0	0.0
202	3	96.6	40.1	0.0	0.0
303	4 or more bedrooms	117.5	39.5	0.0	0.0
<b>Dwelling no.</b>	<b>No. of bedrooms</b>	<b>Conditioned floor area (m<sup>2</sup>)</b>	<b>Unconditioned floor area (m<sup>2</sup>)</b>	<b>Area of garden &amp; lawn (m<sup>2</sup>)</b>	<b>Indigenous species (min area m<sup>2</sup>)</b>
102	3	96.6	40.1	0.0	0.0
203	4 or more bedrooms	117.5	39.5	0.0	0.0
<b>Dwelling no.</b>	<b>No. of bedrooms</b>	<b>Conditioned floor area (m<sup>2</sup>)</b>	<b>Unconditioned floor area (m<sup>2</sup>)</b>	<b>Area of garden &amp; lawn (m<sup>2</sup>)</b>	<b>Indigenous species (min area m<sup>2</sup>)</b>
103	4 or more bedrooms	117.5	39.5	0.0	0.0
301	3	106.8	40.2	0.0	0.0
<b>Dwelling no.</b>	<b>No. of bedrooms</b>	<b>Conditioned floor area (m<sup>2</sup>)</b>	<b>Unconditioned floor area (m<sup>2</sup>)</b>	<b>Area of garden &amp; lawn (m<sup>2</sup>)</b>	<b>Indigenous species (min area m<sup>2</sup>)</b>
201	3	106.8	40.2	0.0	0.0
302	3	96.6	40.1	0.0	0.0

## Description of project

The tables below describe the dwellings and common areas within the project

### Common areas of unit building - Building 1

Common area	Floor area (m <sup>2</sup> )
Car park area	466.24
Pump Room	12.7
Ground floor lobby	18.9

Common area	Floor area (m <sup>2</sup> )
Lift car (No. 1)	-
Plant	5.72
Hallway/lobby Floor 1	18.9

Common area	Floor area (m <sup>2</sup> )
Lift motor room (No. 1)	40.0
Cleaner	3.98
Hallway/lobby Floor 2	18.9

# Schedule of BASIX commitments

THIS IS THE PLAN REFERRED  
TO IN DEVELOPMENT  
CONSENT NO.: DA17/0800



1. Commitments for Residential flat buildings - Building1
  - (a) Dwellings
    - (i) Water
    - (ii) Energy
    - (iii) Thermal Comfort
  - (b) Common areas and central systems/facilities
    - (i) Water
    - (ii) Energy
2. Commitments for multi-dwelling houses
3. Commitments for single dwelling houses
4. Commitments for common areas and central systems/facilities for the development (non-building specific)
  - (i) Water
  - (ii) Energy



## Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

### 1. Commitments for Residential flat buildings - Building1

#### (a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check	
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.				
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓	
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓	
(e) The applicant must install: <ul style="list-style-type: none"> <li>(aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and</li> <li>(bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.</li> </ul>		✓	✓	✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓		
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓		
(g) The pool or spa must be located as specified in the table.	✓	✓		
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓	



Dwelling no.	Fixtures				Appliances		Individual pool				Individual spa			
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 4.5 but <= 6 L/min)	4 star	3 star	3 star	no	-	3 star	-	-	-	-	-	-	-

Alternative water source													
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscaped connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up					
None	-	-	-	-	-	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✔	✔	✔
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.	✔	✔	✔
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.	✔	✔	✔
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.	✔	✔	✔

<b>(ii) Energy</b>	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✔	✔	✔
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must:  (aa) Install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and  (bb) Install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✔ ✔	✔
(h) The applicant must install in the dwelling:  (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below;  (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and  (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✔ ✔ ✔ ✔	✔
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✔	

	<b>Hot water</b>	<b>Bathroom ventilation system</b>	<b>Kitchen ventilation system</b>	<b>Laundry ventilation system</b>
Dwelling no.	Hot water system	Each bathroom	Each kitchen	Each laundry
All dwellings	gas instantaneous 5 star	individual fan, ducted to façade or roof	no mechanical ventilation (ie. natural)	natural ventilation only, or no laundry
		Operation control	Operation control	Operation control
		interlocked to light	-	-

Dwelling no.	Cooling		Heating		Artificial lighting							Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen	
101, 201, 301	1-phase airconditioning 4 Star (zoned)	ceiling fans + 1-phase airconditioning 4 Star (zoned)	1-phase airconditioning 4 Star (zoned)	1-phase airconditioning 4 Star (zoned)	3 (dedicated)	1 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	0	yes	
102, 202, 302	1-phase airconditioning 4 Star (zoned)	ceiling fans + 1-phase airconditioning 4 Star (zoned)	1-phase airconditioning 4 Star (zoned)	1-phase airconditioning 4 Star (zoned)	3 (dedicated)	1 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	2	yes	
All other dwellings	1-phase airconditioning 4 Star (zoned)	ceiling fans + 1-phase airconditioning 4 Star (zoned)	1-phase airconditioning 4 Star (zoned)	1-phase airconditioning 4 Star (zoned)	4 (dedicated)	1 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	2	yes	

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	gas cooktop & electric oven	-	yes	3.5 star	-	4 star	yes	no

**(III) Thermal Comfort**

<p>(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.</p>												
<p>(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.</p>												
Show on DA plans						Show on CC/CDC plans & specs						Certifier check



<b>(iii) Thermal Comfort</b>				
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.				
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✔			
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✔		
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✔		✔
(g) Where there is an in-slab heating or cooling system, the applicant must:	✔			✔
(aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or		✔		
(bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.				
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✔			✔

Thermal Loads	
Dwelling no.	Area adjusted heating load (in mJ/m <sup>2</sup> /yr)
101	7.2
102	4.6
103	11.9
201	7.3
202	3.5
203	10.5
301	12.8
302	9.1
All other dwellings	16.8

Dwelling no.	Area adjusted heating load (in mJ/m <sup>2</sup> /yr)	Area adjusted cooling load (in mJ/m <sup>2</sup> /yr)
101	30.5	
102	24.3	
103	34.3	
201	28.7	
202	23.1	
203	33.2	
301	33.5	
302	22.6	
All other dwellings	37.9	

**(b) Common areas and central systems/facilities**

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kL.s) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	4 star	4 star	no common laundry facility

Central systems	Size	Configuration	Connection (to allow for...)
Central water tank - rainwater or stormwater (No. 1)	10000.0	To collect run-off from at least: - 300.0 square metres of roof area of buildings in the development - 0.0 square metres of impervious area in the development - 0.0 square metres of garden/lawn area in the development - 0.0 square metres of planter box area in the development (excluding, in each case, any area which drains to, or supplies, any other alternative water supply system).	- irrigation of 192.0 square metres of common landscaped area on the site - car washing in 0 car washing bays on the site
Fire sprinkler system (No. 1)	-	So that fire sprinkler test water is contained within the fire sprinkler system for re-use, rather than disposed.	-

<b>(ii) Energy</b>	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✔	✔
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✔	✔
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✔	✔	✔

<b>Common area ventilation system</b>				<b>Common area lighting</b>		
Common area	Ventilation system type	Ventilation efficiency measure	Primary type of artificial lighting	Lighting efficiency measure	Lighting control system/BMS	
Car park area	ventilation supply only	carbon monoxide monitor + 2-speed fan	metal halide	time clock and motion sensors	No	
Lift car (No. 1)	-	-	compact fluorescent	connected to lift call button	No	
Lift motor room (No. 1)	ventilation supply only	interlocked to light	compact fluorescent	manual on / manual off	No	
Pump Room	no mechanical ventilation	-	compact fluorescent	manual on / manual off	No	
Plant	no mechanical ventilation	-	compact fluorescent	manual on / manual off	No	
Cleaner	no mechanical ventilation	-	compact fluorescent	manual on / manual off	No	
Ground floor lobby	no mechanical ventilation	-	compact fluorescent	time clocks	No	
Hallway/lobby Floor 1	no mechanical ventilation	-	compact fluorescent	time clocks	No	
Hallway/lobby Floor 2	no mechanical ventilation	-	compact fluorescent	time clocks	No	

<b>Central energy systems</b>	<b>Type</b>	<b>Specification</b>
Lift (No. 1)	gearless traction with V V V F motor	Number of levels (including basement): 4



#### 4. Commitments for common areas and central systems/facilities for the development (non-building specific)

##### (b) Common areas and central systems/facilities

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓




Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	4 star	4 star	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

## Notes

1. In these commitments, "applicant" means the person carrying out the development.
2. The applicant must identify each dwelling, building and common area listed in this certificate, on the plans accompanying any development application, and on the plans and specifications accompanying the application for a construction certificate / complying development certificate, for the proposed development, using the same identifying letter or reference as is given to that dwelling, building or common area in this certificate.
3. This note applies if the proposed development involves the erection of a building for both residential and non-residential purposes (or the change of use of a building for both residential and non-residential purposes). Commitments in this certificate which are specified to apply to a "common area" of a building or the development, apply only to that part of the building or development to be used for residential purposes.
4. If this certificate lists a central system as a commitment for a dwelling or building, and that system will also service any other dwelling or building within the development, then that system need only be installed once (even if it is separately listed as a commitment for that other dwelling or building).
5. If a star or other rating is specified in a commitment, this is a minimum rating.
6. All alternative water systems to be installed under these commitments (if any), must be installed in accordance with the requirements of all applicable regulatory authorities. **NOTE:** NSW Health does not recommend that stormwater, recycled water or private dam water be used to irrigate edible plants which are consumed raw, or that rainwater be used for human consumption in areas with potable water supply.

## Legend

1. Commitments identified with a "  " in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
2. Commitments identified with a "  " in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
3. Commitments identified with a "  " in the "Certifier check" column must be certified by a certifying authority as having been fulfilled. (Note: a certifying authority must not issue an occupation certificate (either interim or final) for a building listed in this certificate, or for any part of such a building, unless it is satisfied that each of the commitments whose fulfillment it is required to monitor in relation to the building or part, has been fulfilled).