

Attachment A: Proposed Draft Conditions

Terms and Reasons for Conditions

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

GENERAL CONDITIONS

Conditions					
1.	Approved plans and supporting documentation				
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				
	Approved plans				
	Plan number	Revision number	Plan title	Drawn by	Date of plan
	A-000	G	Cover Sheet	EJE Architecture	25-02-2025
	A-010	M	Location Plan	EJE Architecture	25-02-2025
	A-011	N	Site Plan	EJE Architecture	25-02-2025
	A-015	E	Demolition Site Plan	EJE Architecture	25-02-2025
	A-021	F	Site Analysis Plan	EJE Architecture	25-02-2025
	A-030	E	Materials and Finishes Schedule	EJE Architecture	25-02-2025
	A-100	N	General Arrangement Floor Plan	EJE Architecture	25-02-2025
	A-105	K	Roof Plan	EJE Architecture	25-02-2025
	A-110	G	Reference Plan Overall	EJE Architecture	25-02-2025
	A-111	F	Reference Plan Amenities & Corridor 2	EJE Architecture	25-02-2025
	A-200	K	Elevations - South & West	EJE Architecture	25-02-2025
	A-201	K	Elevations - North & East	EJE Architecture	25-02-2025
	A-300	L	Sections AA, BB, CC & DD	EJE Architecture	25-02-2025
	A-301	L	Sections EE, FF, GG, & HH	EJE Architecture	25-02-2025
	A-302	L	Sections JJ, KK, LL & MM	EJE Architecture	25-02-2025
	CE000	B	Civil Engineering Services Cover Sheet	ADP Consulting: Engineering	18.12.2004
	CE100	B	Civil Engineering Services General Arrangement Plan	ADP Consulting: Engineering	18.12.2004
	CE110	B	Civil Engineering Services Stormwater Management Plan	ADP Consulting: Engineering	18.12.2004
	CE150	B	Civil Engineering Services Music Catchment Plan	ADP Consulting: Engineering	18.12.2004
	CE200	B	Civil Engineering Services Civil Drainage Details – Sheet 1	ADP Consulting: Engineering	18.12.2004
	CE201	B	Civil Engineering Services Civil Drainage Details – Sheet 2	ADP Consulting: Engineering	18.12.2004
	CE300	B	Civil Engineering Services Sediment and Erosion Control	ADP Consulting: Engineering	18.12.2004

CE305	B	Civil Engineering Services Sediment and Erosion Control Details	ADP Consulting: Engineering	18.12.2004
WD L000	3	Landscape Documentation Cover Page	Terras Landscape Architects	11/7/25
WD L010	3	Landscape Documentation Site Plan	Terras Landscape Architects	11/7/25
WD L101	2	Landscape Documentation Landscape Plan 01	Terras Landscape Architects	11/7/25
WD L102	2	Landscape Documentation Landscape Plan 02	Terras Landscape Architects	11/7/25
WD L103	2	Landscape Documentation Landscape Plan 03	Terras Landscape Architects	11/7/25
WD L104	2	Landscape Documentation Landscape Plan 04	Terras Landscape Architects	11/7/25
WD L105	2	Landscape Documentation Landscape Plan 05	Terras Landscape Architects	11/7/25
WD L106	2	Landscape Documentation Landscape Plan 05	Terras Landscape Architects	11/7/25
WD L301	2	Landscape Documentation General Setout Plan	Terras Landscape Architects	11/7/25
WD L302	2	Landscape Documentation Compensatory Habitat Planting	Terras Landscape Architects	11/7/25
WD L701	2	Landscape Documentation Typical Details	Terras Landscape Architects	11/7/25
WD L702	3	Landscape Documentation Typical Details	Terras Landscape Architects	11/7/25
WD L801	2	Landscape Documentation Specification	Terras Landscape Architects	11/7/25
WD L802	2	Landscape Documentation Specification	Terras Landscape Architects	11/7/25
WD L803	2	Landscape Documentation Specification	Terras Landscape Architects	11/7/25
WD L804	2	Landscape Documentation Specification	Terras Landscape Architects	11/7/25
WD L901	2	Landscape Documentation Schedules	Terras Landscape Architects	11/7/25
WD L902	3	Landscape Documentation Schedules	Terras Landscape Architects	11/7/25
40701-L01-01	B	Level and Detail Survey Plan Overall Plan/Cover Sheet	Barnson	6/04/2023
40701-L01-02	B	Level and Detail Survey Plan Detail Survey Sheet 02	Barnson	6/04/2023
40701-L01-03	B	Level and Detail Survey Plan Detail Survey Sheet 03	Barnson	6/04/2023
40701-L01-04	B	Level and Detail Survey Plan Detail Survey Sheet 04	Barnson	6/04/2023
40701-L01-05	B	Level and Detail Survey Plan Detail Survey Sheet 05	Barnson	6/04/2023
40701-L01-06	B	Level and Detail Survey Plan Detail Survey Sheet 06	Barnson	6/04/2023
40701-L01-07	B	Level and Detail Survey Plan Detail Survey Sheet 07	Barnson	6/04/2023
40701-L01-08	B	Level and Detail Survey Plan Detail Survey Sheet 08	Barnson	6/04/2023

	40701-L01-09	B	Level and Detail Survey Plan Detail Survey Sheet 09	Barnson	6/04/2023
	40701-L01-10	B	Level and Detail Survey Plan Legend and Notes	Barnson	6/04/2023
	Approved documents				
	Document title		Version number	Prepared by	Date of document
	Acoustic Assessment		Revision 0	Rapt Consulting	27 November 2024
	Traffic Impact Assessment		Version 04	SECA Solution	4 April 2025
	TAFE HDC Wollongbar Campus Stage 2 – Civil Engineering Design Report		Revision 02	ADP Consulting: Engineering	18 December 2024
	Construction Environmental Management Plan		-	EJE	January 2025
	Site Waste Minimisation and Management Plan		Issue A	HMC Environmental Consulting	30.01.2025
	Arboricultural Impact Assessment Report		-	Northern Tree Care	10 December 2024
	Koala Habitat Impact Assessment Report – Wollongbar TAFE		-	GeoLINK	9 December 2024
	Bushfire Certificate Proposed New TAFE Education Building		Revision 3	Newcastle Bushfire Consulting	24/02/2025
	In the event of any inconsistency between the approved plans and documents, the approved plans prevail.				
	In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.				
	Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.				
2.	Erection of signs				
	1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out— a. showing the name, address and telephone number of the principal certifier for the work, and b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and c. stating that unauthorised entry to the work site is prohibited. 3. The sign must be— a. maintained while the building work, subdivision work or demolition work is being carried out, and b. removed when the work has been completed. 4. This section does not apply in relation to—				

	a. a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or b. b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.
3.	Shoring and adequacy of adjoining property 1. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor. 2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense— a. protect and support the building, structure or work on adjoining land from possible damage from the excavation, and b. if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation. 3. This section does not apply if— a. the person having the benefit of the development consent owns the adjoining land, or b. the owner of the adjoining land gives written consent to the condition not applying. Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.
4.	NSW Rural Fire Service The approved development is to comply with conditions 1, 2, 3, 4 and 5 within the referral response issued by the NSW Rural Fire Service under Section 4.14 of the Environmental Planning and Assessment Act 1979 via letter dated 5 June 2025 (refer to Schedule 1). Condition reason: To ensure compliance with Planning for Bushfire Protection 2019.
5.	Compliance with Building Code of Australia All building work must be carried out in accordance with the requirements of the Building Code of Australia. Condition reason: To ensure building works is carried out to the required standards and the buildings are safe to occupy.
6.	Stabilisation of earthworks All excavated and filled areas are to be stabilised by battering or construction of an approved retaining wall. Batters are to have a maximum slope of 1:1 and be revegetated on completion. This consent does not authorise the construction of any retaining walls other than if depicted on the approved plans. Condition reason: To ensure sediment laden runoff and site debris does not impact local stormwater systems and waterways
7.	Discovery of relics and Aboriginal objects While site work is being carried out, if a person reasonably suspects a relic of Aboriginal object is discovered: i. the work in the area of the discovery must cease immediately; ii. the following must be notified i) for a relic – the Heritage Council; or ii) for an Aboriginal object – the person who is the authority for the protection of

	Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. Site work may recommence at a time confirmed in writing by: a) for a relic – the Heritage Council; or b) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. Condition reason: To ensure the protection of objects of potential significance during works.
8.	Advertising signage No Business or Building identification signage are to be erected or displayed without prior submission of a development application to, and approval from, Council, unless the proposed signage is consistent with the terms and conditions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Condition reason: To regulate business and building identification signage.
9.	Building height The height of the buildings must not exceed 8.5m from natural ground level (as shown on the approved plans). Condition reason: To ensure development complies with building height standard.
10.	Site contamination Any new information that becomes known demolition or construction works which has the potential to alter previous conclusions about the site contamination must be immediately notified to Council and the Principal Certifier. Condition reason: To ensure the site is suitable for the use and protect public health.
11.	Amendment to Construction Environmental Management Plan (CEMP) <u>Prior to any demolition or construction works commencing</u>, the Construction Environmental Management Plan is required to be updated to include the management of demolition works and must specifically address the following with regard to demolition works: a) Contractors details; b) Public Liability Insurance details; c) The proposed method of demolition; d) Proposed closures or works within any adjoining road/footpath; e) Protective fencing and any hoardings to the perimeter of the site; f) Access to and from the site; g) Machinery used in demolition; h) Timetable and duration of works. i) Proposed hours of work and operations; j) Noise management and compliance with AS 2436:2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites and NSW Interim Construction Noise Guidelines (DECC 2009); k) Prevention of all amenity and environmental issues; l) Protective measures for on-site tree preservation and trees in adjoining public domain m) Traffic control and management measures; n) Protocols for the management of any contaminated soil and/or hazardous building materials; and o) Disposal of demolition material. p) Onsite temporary toilets

	q) A garbage container with a tight-fitting lid. The Construction component of the CEMP must also address the following: a) Location and protection of existing services, (water, sewer & stormwater mains, electrical and telecommunications) b) Traffic management for construction vehicles, plant and equipment and pedestrian safety c) Noise, dust and vibration d) Erosion and Sediment Control [with reference to the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and the 'Guidelines for Erosion and Sediment Control on Building Sites' (Department of Planning, Housing and Infrastructure) (dated 2024, as amended from time to time)]. e) Materials delivery, storage, handling f) Solid and Liquid Waste management g) Any environmental or ecological matters h) Construction staging or phases and orderly execution of works i) Restoration of any damage j) Complaints register and management k) Crane standing and hoisting operations l) Hazard identification and management protocols m) Emergency management protocols for health and safety n) Details of fauna and flora protection in accordance with conditions 14 and 15. Condition Reason: To ensure work safe, efficient and environmentally friendly construction operation for public safety and amenity.
12.	Waste management – demolition and construction The export/import of waste (including fill or soil) to and from the site must be in accordance with the provisions of the <i>Protection of the Environment Operations Act 1997</i>, <i>Protection of the Environment Operations (Waste) Regulation 2014</i> and the Environment Protection Authority 'Waste Classification Guidelines', or current Resource Recovery Orders and Exemptions. • All excavated material removed from the site must be classified in accordance with the Environment Protection Authority's Waste Classification Guidelines before it is disposed of at an approved waste management facility or otherwise lawfully managed, and the classification, and the volume of material removed, and the receival facility's details must be reported to the Principal Certifier. • All fill material imported to the site must be: i. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>, or ii. a material identified as being subject to a resource recovery exemption and order by the NSW EPA, or iii. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery Exemption and Order by the NSW EPA. Any fill material brought to the site must be accompanied by documentation as to the material's compliance with the relevant exemption and order or compliance with Virgin Excavated Natural Material definition and be provided to the Principal Certifier or the Council upon request. Condition reason: To ensure waste removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.

13.	Clearing of native vegetation 10 trees will be removed for the proposal, as shown in the approved document “Arboricultural Impact Assessment Report” prepared by Northern Tree Care, dated 10 December 2024. No additional areas of native vegetation or individual trees are permitted to be removed without the prior approval of Council. Trees which are approved for removal shall be clearly marked prior to their removal. The proponent is to supervise the clearing of the trees, ensuring no other areas are impacted. Condition Reason: To ensure protection of retained native vegetation, fauna species habitat and fauna species of the locality.
14.	Tree Protection The trees which are to be retained on the site are to be protected during demolition and construction works in accordance with the recommendations of AS 4970-2025. The Notional Root Zone (NRZ) should be protected during construction as effectively as practicable. An enclosed 1.8-metre-high wire-mesh protective panel fence is required to be erected around the retained trees, a minimum of one metre outside the NRZs. The protective fencing must be installed before commencement of any works and must not be removed before the demolition and construction works are complete. Where trees are not described in the approved Arboricultural Impact Assessment Report, but are located near the works, these should also be fenced off for protection. NRZ’s must comply with AS 4970-2025. No incursions or activities (e.g. excavation, storage of materials or waste or refuelling) are permitted within NRZ. Condition reason: To ensure the protection of retained native vegetation, fauna species habitat and fauna species of the locality.
15.	Protection of Koalas and other Native fauna On the day of clearing and prior to any clearing taking place, all trees within 30 metres of the trees approved to be removed are to be inspected for the presence of Koalas from at least two locations by an environmental representative from (or on behalf of) the construction contractor, who is otherwise not involved in clearing works. Should Koalas be found on site during the clearing of native vegetation and/ or earthworks, the works: - must be temporarily suspended within a range of 30 metres from any tree which is occupied by a Koala. - must avoid any area between the Koala and the nearest areas of habitat to allow the animal to move to adjacent undisturbed areas. - must not resume until the Koala has moved from the tree of its own volition. Should any other native fauna species occur on site during works for this development, works should cease, and the species should be allowed to move on of its own volition. If fauna are injured as a result of the works, WIRES must be contacted, and Council must be notified. Condition Reason: Avoid impacts to Koalas and other native fauna species.
16.	Demolition and construction vehicles

	All demolition and construction vehicles (including concrete agitator trucks) must not arrive at the project site or surrounding residential areas prior to the approved start time of works for the day.
	Condition reason: To minimise noise impacts on nearby residents.
17.	Project Liaison Officer
	A Liaison Officer is to be appointed whose name and contact details are to be provided to Council prior to any works commencing at the site. The Project Liaison Officer shall act as a single point of contact for Council, Government Authorities and the general public in relation to any issues that arise in relation to the project generally.
	Condition reason: To provide a direct point of contact.

DEMOLITION WORK

BEFORE DEMOLITION WORK COMMENCES

Conditions	
18.	Safety Fencing
	The building site is to be provided with adequate safety fencing preventing public access onto the site. Such protection measures are required to protect the public from demolition and removal works including dangerous excavations. Signage restricting unauthorised site entry, and containing the builder's name, license number and contact telephone number is to be provided in a visually prominent location of the site.
	Condition reason: To protect public health and the environment.

DURING DEMOLITION WORK

Conditions	
19.	Hours for demolition work
	For the purposes of residential amenity, any demolition work involving the use of noisy mechanical plant and noisy equipment must only be carried out within the following hours:
	• Monday to Friday: 7.00am to 6.00pm • Saturdays: 8.00am to 1.00pm • Sundays & Public Holidays: No noisy work at all
	Condition reason: To protect public amenity.
20.	SafeWork Guidelines
	All demolition works are to be carried out in accordance with the SafeWork NSW Guidelines, Australian Standard 2601:2001 "The demolition of structures", the NSW Work Health and Safety Act 2011 and Regulations 2017 and guidelines for the removal of asbestos and lead based products. The sewer, water and electrical services from the buildings are to be disconnected by licensed tradespersons. Disconnected sewer, stormwater and water services are to be capped off and inspected by Council prior to backfilling.
	Condition reason: To protect public health and Council infrastructure.
21.	Compliance with Construction Environmental Management Plan - demolition management requirements
	During demolition work, the Licensed contractor shall ensure that works are conducted in accordance with Australian Standard - AS 2601 and the amended

	Construction Environmental Management Plan (refer to condition 11).
	Condition reason: To inform contractors of the required standard of work and compliance for demolition purposes.
22.	Stockpiles
	Suitable covering and protection is to be provided to all stockpiles to ensure that no material is removed from the site by wind, causing a nuisance to neighbouring properties.
	Condition reason: To protect public health and the environment.
23.	Sediment and Erosion Control
	Soil erosion and sediment control measures shall be designed, installed and maintained in accordance with Managing Urban Stormwater – Soils and Construction, LANDCOM, March 2004.
	Condition reason: To protect public health and the environment.

BEFORE ISSUE OF CROWN CERTIFICATE

Conditions																			
24.	Developer Charges																		
	Before the issue of the Crown Certificate by the Principal Certifier, payment to Council of non-refundable monetary charges shall be made towards the provision of bulk water supply, water reticulation and sewer infrastructure which are required as a result of the development in accordance with the charges set by Ballina Shire Council and Rous Water as water supply authorities under the Water Management Act 2000. The amount payable will be the assessed additional equivalent tenements generated by the development multiplied by the charge applicable at the time of payment.																		
	Certificates of Compliance pursuant to Section 306 of the Water Management Act 2000 shall be deemed to have been issued where the required charges have been paid and all construction works required by the water supply authority for the development have been completed.																		
	The charges are currently guided by the following development servicing plans:																		
	<table><tr><th>Water Authority</th><th>Supply</th><th>Contribution Plan/Development Servicing Plan</th><th>Adopted</th></tr><tr><td>Ballina Council</td><td>Shire</td><td>Ballina Shire Council Water Supply Infrastructure Development Servicing Plans</td><td>27 June 2024</td></tr><tr><td>Ballina Council</td><td>Shire</td><td>Ballina Shire Council Wastewater and Recycled Water Infrastructure Development Servicing Plans</td><td>27 June 2024</td></tr><tr><td>Rous Water</td><td></td><td>Development Servicing Plan for Bulk Water Supply</td><td>15 February 2023</td></tr></table>	Water Authority	Supply	Contribution Plan/Development Servicing Plan	Adopted	Ballina Council	Shire	Ballina Shire Council Water Supply Infrastructure Development Servicing Plans	27 June 2024	Ballina Council	Shire	Ballina Shire Council Wastewater and Recycled Water Infrastructure Development Servicing Plans	27 June 2024	Rous Water		Development Servicing Plan for Bulk Water Supply	15 February 2023		
Water Authority	Supply	Contribution Plan/Development Servicing Plan	Adopted																
Ballina Council	Shire	Ballina Shire Council Water Supply Infrastructure Development Servicing Plans	27 June 2024																
Ballina Council	Shire	Ballina Shire Council Wastewater and Recycled Water Infrastructure Development Servicing Plans	27 June 2024																
Rous Water		Development Servicing Plan for Bulk Water Supply	15 February 2023																
	The Development Servicing Plans provide for the indexing of charges and are also subject to amendment and replacement. The charges payable are the charges set by the water supply authorities at the time payment is made. Copies of the Development Servicing Plans may be viewed at Council's Customer Service Centre, Cherry Street, Ballina or on Council's website www.ballina.nsw.gov.au .																		

	The charges applicable at the time this consent is issued are as per the attached Ballina Shire Council Contributions Advice Condition reason: To ensure developer charges are paid in accordance with Council's contribution plan.
25.	Biodiversity – Compensatory Habitats and Offsets Before the issue of a Crown Certificate, an Offset Management Plan (OMP) must be prepared and submitted to and approved by Council's Environmental Scientist. The plan must provide details of the proposed offset, including planting composition, species and spacing, site suitability and tenure arrangements, timing, ongoing management and maintenance, monitoring reporting and cost of works. The OMP shall provide identification of timing of offset works relative to the commencement, progression and completion of the proposed development, including key performance criteria to be met and acknowledgement that the minimum five-year establishment and maintenance period is to be extended until such time as the performance criteria have been met. Compensatory offsets are to be carried out generally in accordance with the approved plan 'WD L302, Revision 2, Landscape Documentation Compensatory Habitat Planting' prepared by Terras Landscape Architects, Dated 11/7/25 or at an alternative location on the property as agreed to by Council and must not be located within the required Asset Protection Zone (refer to condition 1 of the NSW RFS letter, dated 5 June 2025 – Schedule 1). The offset shall consist of a minimum of 50 local indigenous rainforest trees. All plants to be included in the offset must be sourced from local, licensed, reputable nurseries specialising in native plants to avoid planting stock with inadequate genetic diversity. Plants must have local provenance from seed sourced from natural wild populations as close as possible to the site. Plants must be supplied as tubestock that is healthy, sun-hardened and not root-bound. Annual monitoring reports are to be provided to Council, and which must include: photo point monitoring, commentary on establishment and survival rates, any tree replacement or maintenance work undertaken and any adaptive management actions. Any additional impacts, including indirect impacts, on native vegetation from construction activities occurring within NRZs, or otherwise, are to be offset at a rate of 5:1 in addition to the 50 compensatory rainforest trees. Condition reason: Offset loss of native vegetation to ensure no net-loss of habitat in the locality.
26.	Planning for Bush Fire Protection – Construction Measures Plans and associated construction specifications are to be prepared detailing the applicable BAL construction measures in accordance with Australian Standard AS3959-2018 (BAL 12.5), Planning for Bushfire Protection 2019 and compliant with the condition 2 of the recommendations from the NSW Rural Fire Service, dated 5 June 2025 (Schedule 1). The plans and specifications are to be submitted with the Crown Certificate application and approved by the Accredited Certifier as part of the Crown Certificate for the development. Condition Reason: To ensure the development is constructed to meet bushfire requirements.

27.	Planning for Bush Fire Protection – Certification and Plans Plans are to be prepared which include all requirements as detailed in conditions 1, 3 and 4 of the of the recommendations from the NSW Rural Fire Service, dated 5 June 2025 (Schedule 1). The plans are to be certified by a suitably qualified person/s and where appropriate a statement included from the accredited bush fire consultant as compliant with the subject conditions. The plans are to be lodged with the Crown Certificate application package and approved by the Accredited Certifier. Condition Reason: To ensure the development complies with Planning for Bushfire Protection 2019.
28.	Stormwater Management Plan The provision of stormwater controls on site shall be in accordance with the Water Sensitive Design requirements of Council's Development Control Plan Chapter 2 – Section 3.9 – Stormwater Management and in accordance with the Site Stormwater Management Plan by ADP Consulting Engineers, dated 18 December 2024. Overland flow paths must be incorporated into the design directing overflows to the designated drainage systems. Overland flow paths must not be impeded by structures or landscaping. A detailed design must be submitted to and approved by the Principal Certifier before the issue of the Crown Certificate. Condition Reason: To ensure appropriate design and management of stormwater.
29.	Section 68 approval to be obtained - Hydraulic Drawings A Section 68 Application for Plumbing and Drainage works, under the provisions of the Local Government Act 1993, must be submitted to Council for approval and approval obtained before the issue of the Crown Certificate. Hydraulic drawings prepared by a suitably qualified hydraulic engineer must be submitted with the Plumbing and Drainage Section 68 application. Hydraulic drawings must address all water services, sanitary plumbing & drainage, stormwater drainage, trade waste and fire services. The plans are to be designed in accordance with the Plumbing Code of Australia and the relevant referred to Australian Standards. Note: Where drains are to be laid in filled, unstable (soil class H1, H2, E or P sites) or water-charged ground, a performance solution to address the requirements of the Plumbing Code of Australia Part C2P7 must be submitted to Fair Trading NSW for approval. Condition reason: Compliance with Local Government Act 1993 and Plumbing Code of Australia 2022.
30.	Section 68 - Trade Waste Approval Before the issue of the Crown Certificate, a Class "A" Trade Waste Application form is to be submitted and approved by Council, in accordance with Section 3.6 of Council's Liquid Trade Waste Policy and NSW Trade Waste Management Guidelines 2021 to Ballina Shire Council. The application will be assessed for the appropriate classification and fee. If classified as a B, C or S discharger, further information may be required, and the application will require concurrence from NSW Department Climate Change, Energy, the Environment and Water. Appropriate trade waste pre-treatment in accordance with NSW Trade Waste Management Guidelines 2021 shall be installed at the premises for each Trade Waste activity. Condition Reason: To ensure required approvals and documentation is provided and

	relevant fees are paid.
31.	External lighting Before the issue of a Crown Certificate, plans detailing external lighting must be prepared by a suitably qualified person. The lighting plan must be consistent with the approved plans and documents, and the following requirements: a) comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting, b) lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties. The lighting plan must be submitted to and approved by the certifier. Note – All above documents refer to the version in effect at the time the consent is granted Condition reason: To ensure external lighting is provided for safety reasons and to protect the amenity of the local area.

BEFORE BUILDING WORK COMMENCES

Conditions	
32.	Issue of Crown Certificate The carrying out of building works under the terms and conditions of this Development Consent must not be commenced until detailed plans and specifications of the building have been endorsed with a Certificate in accordance with Section 6.28 of the Environmental Planning and Assessment Act 1979. Condition reason: To certify that the proposed development, if carried out as specified, will comply with the Building Code of Australia.
33.	Long Service Levy Before commencement of works, the long service levy of 0.25% of the development cost, as calculated at the date of this consent, must be paid to the Long Service Corporation under the Building and Construction industry Long Service Payments Act 1986, section 34, and evidence of this payment is to be provided to the certifier. Condition reason: To ensure the long service levy is paid.

DURING BUILDING WORK

Conditions					
34.	Noise management –construction The hours of operation for any noise generating construction activity (including the delivery of materials to and from the site) on the proposed development must be limited to within the following times: <table> <tr> <td>Monday to Friday</td><td>7.00am to 6.00pm</td></tr> <tr> <td>Saturday</td><td>8.00am to 1.00pm</td></tr> </table> No noise generating construction activities are to take place on Sundays or public holidays. Condition reason: To minimise noise impacts on sensitive receivers and protect public health during demolition works.	Monday to Friday	7.00am to 6.00pm	Saturday	8.00am to 1.00pm
Monday to Friday	7.00am to 6.00pm				
Saturday	8.00am to 1.00pm				
35.	Implement Stormwater Management Plan				

	The developer is required to implement the approved Stormwater Management Plan to ensure that the stormwater system maintains a nil pollutant load increase during the construction phase. Condition reason: To manage stormwater runoff flows that minimise impacts on the natural environment.
36.	Clean up equipment Clean up equipment including suitable absorbent material must be stored on site to effectively deal with liquid contaminates, such as oils and chemical, leaks or spills during the construction period. Condition reason: To minimise spills and protect the environment.
37.	Dust management Dust shall be managed using water suppression, re-establishment of vegetation cover, stockpile management, covering loads, preventing spoil tracking onto roads and halting works on site in extreme wind events. Condition reason: To prevent air pollution.
38.	Implementation of the site management plans While site work is being carried out: a) the measures required by the approved Acoustic Assessment, Construction Environmental Management Plan and Site Waste Minimisation and Management Plan must be implemented at all times, and b) a copy of these plans must be kept on site at all times and made available to Council officers upon request. Condition reason: To ensure site management measures are implemented during the carrying out of site work.
39.	Builder's Toilet A suitable builder's toilet is to be provided on-site before building work commences. Such facility is to either connect to Council's sewer or a suitable approved chemical closet is to be provided. Condition Reason: To protect public amenity.
40.	Finished Floor Level (Survey) In order to ensure compliance with the approved plans and conditions of this consent and maximum building height standard, a Survey Certificate to Australian Height Datum shall be prepared by a Registered Surveyor as follows: (a) At the completion of the floor levels of the building. (b) At the completed height of the building, referencing the highest point at the roof plane. Certificates in response to points (a) and (b) shall be provided at the time of critical stage inspections to the Registered Certifier. Condition Reason: To ensure the development complies with the maximum building height standard.

BEFORE ISSUE OF CROWN COMPLETION CERTIFICATE

Conditions

41.	Completion of Stormwater Works Before the issue of the Crown Completion Certificate, certification must be provided to the Principal Certifier that all stormwater works have been provided in accordance with the approved Construction Plan. Overland flow paths must not to be impeded through structures or landscaping and must direct stormwater flows to the designated drainage system. This certification is to be provided by a registered certified practicing Engineer competent in the field of stormwater design and familiar with all aspects of the project. Condition reason: To ensure all stormwater works are completed to the approved standard.
42.	Offset Management Plan (OMP) The approved works under the OMP are to be implemented in accordance with the required performance criteria within the OMP and to the satisfaction of Council's Environmental Scientist before the issue of the Crown Completion Certificate. Condition reason: To ensure that the development complies with Council's Biodiversity Habitat and Offsets policy.
43.	Landscaping to be completed Before the issue of the Crown Completion Certificate, the site is to be landscaped in accordance with the approved landscape plan. Condition Reason: To ensure landscaping is completed.
44.	Trade Waste Approval Before the issue of the Crown Completion Certificate, the applicant must ensure that all pre-treatment equipment as outlined in the Trade Waste Approval is installed, inspected and commissioned. A pre-operation inspection is required by Council that demonstrates compliance with the requirements of the Trade Waste approval. Condition Reason: To ensure trade waste works are completed safely in accordance with the approved Crown Certificate and Trade Waste approval.
45.	Planning for Bush Fire Protection Prior to the issue of the Crown Completion Certificate, a statement is to be provided from the suitably qualified person/s and where appropriate the accredited bush fire consultant, that conditions 1 and 4 of the recommendations of NSW Rural Fire Service, dated 5 June 2025 (Schedule 1) have been complied with. Certification is also to be provided from suitably qualified persons as to compliance with condition 3 of the recommendations of NSW Rural Fire Service Bushfire Safety Authority, dated 5 June 2025 (Schedule 1), and the provision of water, electricity and gas compliant with Table 6.8c of Planning for Bushfire Protection 2019. Condition Reason: To ensure the development complies with Planning for Bushfire Protection 2019.
46.	Planning for Bushfire Protection Prior to the issue of the Crown Completion Certificate, in accordance with recommendation 5 of the NSW Rural Fire Service, dated 5 June 2025 (Schedule 1), a Bush Fire Emergency Management and Evacuation Plan shall be prepared/updated consistent with 'Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014'. Condition reason: To ensure emergency management and evacuation procedures are updated and in place for the approved development.

--	--

OCCUPATION AND ONGOING USE

Conditions	
47.	Amenity The land use on site shall not interfere with the amenity of the locality by reason of the emission of noise, vibration, odours, fumes, smoke, vapour, steam, dust, water, waste products and the like. Condition reason: To protect the amenity of neighbouring properties.
48.	Noise management The use and occupation of the proposed development, including all plant and equipment installed thereon, and the undertaking of normal operational activities must not give rise to any offensive noise within the meaning of the <i>Protection of the Environment Operations Act 1997</i>. Offensive Noise means noise: 1. That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances; a. is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted; b. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted; or 2. That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations. Condition reason: To minimise noise impacts and protect public health.
49.	External lighting during ongoing use During ongoing use of the premises, all lighting must be operated and maintained in accordance with the approved plans and the requirements of this consent. Condition reason: To ensure the safe operation of the premises and protect the amenity of the local area.
50.	Location of mechanical ventilation During occupation and ongoing use of the building, all mechanical ventilation system(s) or other plant and equipment that generates noise must be located on the site (including in a soundproofed area where necessary) to ensure the noise generated does not exceed 5 dBA above the ambient background noise at the boundary adjacent to any habitable room of adjoining residential premises or to be intrusive in any classroom. Condition reason: To protect the residential amenity of neighbouring properties and classrooms.
51.	Waste management Waste must be managed in accordance with the Site Waste Minimisation and Management Plan prepared by HMC Consulting dated January 2025 and Council's DCP Chapter 2. Bins must be stored behind the building line and managed in a manner that does not cause a nuisance. Bins must not be stored in car parking bays, loading bays, footpaths or pedestrian access areas. Bins must be washed in a manner and/or location where wastewater will not enter and

	pollute the stormwater system.
	Condition reason: To ensure appropriate waste storage to protect the environment.
52.	Annual Fire Safety Statement
	The owner of the building must provide Council with an annual Fire Safety Statement at least once in each twelve months certifying that the essential and statutory fire safety measures in the building have been inspected and tested by a competent person and were found to be capable of operating to the minimum standard required by the Fire Safety Schedule.
	A copy of the Annual Fire Safety Statement together with a copy of the Fire Safety Schedule are to be forwarded to the Commissioner, NSW Fire Brigades, and a copy of the Fire Annual Fire Statement and Schedule, prominently displayed in the building.
	Condition Reason: To ensure the fire safety measures in the building are maintained to the required standards.

SCHEDULE 1



Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Your reference: (CNR-82180) 2025/142/1
Our reference: DA20250521001987-Original-1

ATTENTION: Saxon Irvine

Date: Thursday 5 June 2025

Dear Sir/Madam,

Development Application

s4.14 – Other – Educational Establishment

61 SNEATHS ROAD WOLLONGBAR 2477, 10//DP874987, 12//DP874987, 11//DP874987

I refer to your correspondence dated 21/05/2025 seeking advice regarding bush fire protection for the above Development Application in accordance with section 4.14 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following recommended conditions:

Asset Protection Zones

Intent of measures is to provide suitable dwelling design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants

1. At the commencement of building works and in perpetuity, the property around the building to a distance of 81 metres, shall be maintained as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

Construction Standards

The intent of Infill measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities

2. New construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate and Section 7.5 of *Planning for Bush Fire Protection 2019*.

Water and Utility Services

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au





Intent of measures: 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

3. Any new or extension of existing water, electricity and/or gas service to the subject building shall comply with Table 6.8c of *Planning for Bush Fire Protection 2019*.

Landscaping Assessment

The intent of measures is to provide suitable dwelling design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants

4. Landscaping within the required asset protection zone shall comply with Appendix 4 of *Planning for Bush Fire Protection 2019*.

Emergency and Evacuation Planning Assessment

The intent of measures is to provide suitable emergency and evacuation arrangements for occupants of Special Fire Protection Purpose developments

5. A Bush Fire Emergency Management and Evacuation Plan shall be prepared/updated consistent with 'Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014'.

General Advice - Consent Authority to Note

The recommendations are based on the plan prepared by EJE, titled 'Wollongbar TAFE Multi-Trades Hub - Site Plan', Project No: 15223, dated May 2024 (Revision N dated 25-02-2025) and the 'Bushfire Certificate - Proposed New TAFE Education Building' prepared by Newcastle Bushfire Consulting dated 24/02/2025.

Council is advised that where an amendment to the above noted documents is proposed, Council may use its discretion to determine whether the amendment warrants re-referral to the NSW RFS.

For any queries regarding this correspondence, please contact Neil Pengilly on 1300 NSW RFS.

Yours sincerely,

Katrina Lindsay
Development and Planning Supervisor
Built & Natural Environment

General advisory notes

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

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

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

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

Essential Energy

- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure;
- Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW); and
- It is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

BALLINA SHIRE COUNCIL CONTRIBUTIONS ADVICE

Not for payment



Commission
695-731 Harris Street
ULTIMO NSW

Application ID:	DA 2025/142/1
Advice number:	ICN-001589
Date of issue:	N/A
Description	Multi-Trades Hub Building - Commercial Educational Establishment - the construction of a single-storey Multi-Trades Hub building, including associated landscaping, utility installations and demolition.
Land description:	10//DP874987
Property address:	61 Sneaths Road, WOLLONGBAR NSW 2477
Secondary address:	- Sneaths Road, WOLLONGBAR NSW 2477 - Sneaths Road, WOLLONGBAR NSW 2477
Application type:	Development Application
Stage name:	N/A
Related planning agreements:	Not Applicable
Notes:	
Total contributions and fees	\$6,935.38

Note to Applicant

These figures are correct at date of issue and are subject to periodic review and indexing in accordance with relevant Development Contributions Plans and/or Voluntary Planning Agreements.

Please contact Ballina Shire Council prior to payment to obtain the current outstanding amount, by telephone or email:

P: 6686 1220

E: payments@ballina.nsw.gov.au

This amount is current to 30 June. Any Developer Contribution that remains unpaid after this date will require reindexing. Please contact Ballina Shire Council for an updated Fee Estimate.

Breakdown of contributions and fees

Development composition

Development type	Development unit	Proposed development	Existing development	Net development
Information and education facility - Employee (Water and Wastewater)	Enrolment	2	0	2
Information and education facility - Enrolment	Enrolment	36	0	36

Applied contribution rates and fees

Infrastructure category	Unadjusted contribution/fee rate (\$/unit) ¹	Adjusted contribution/fee rate (\$/unit) ²	Capped contribution/fee rate (\$/unit)	Applied contribution/fee rate (\$/unit)
Wastewater Services - Alstonville - Wollongbar - 3007				
Information and education facility - Employee (Water and Wastewater)	\$143.54	\$153.19		\$153.19
Information and education facility - Enrolment	\$143.54	\$153.19		\$153.19
Water Supply - Alstonville - Wollongbar - 2007				
Information and education facility - Employee (Water and Wastewater)	\$27.47	\$29.32		\$29.32
Information and education facility - Enrolment	\$27.47	\$29.32		\$29.32

¹ In accordance with the 2024 - ROUS23, WS24, WW24, RCP42, OSCF22.

² At the date of this advice, after the application of indexation.

Total contributions and fees

Infrastructure category	Unit	Development amount	Applied contribution/fee rate (\$/unit)	Total contribution/fee (\$)
Wastewater Services - Alstonville - Wollongbar - 3007				
Information and education facility - Employee (Water and Wastewater)	Enrolment	2	\$153.19	\$306.38
Information and education facility - Enrolment	Enrolment	36	\$153.19	\$5,514.84
Water Supply - Alstonville - Wollongbar - 2007				

Information and education facility - Employee (Water and Wastewater)	Enrolment	2	\$29.32	\$58.64
Information and education facility - Enrolment	Enrolment	36	\$29.32	\$1,055.52

Applicable discounts

No discounts apply.

Other adjustments

No other adjustments apply.

Summary

Total contributions and fees (\$)	\$6,935.38
Total discounts (\$)	\$0.00
Total other adjustments (\$)	\$0.00
Total contributions and fees (\$)	\$6,935.38