

THE COUNCIL OF THE SHIRE OF TWEED

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF APPROVAL OF A DEVELOPMENT APPLICATION

To: The Manager
 Embella Pty Ltd
 12 Alamanda Avenue
 BOGANGAR 2488

Pursuant to Section 92 of the Act, notice is hereby given of the determination by the Tweed Shire Council of Development Application No. **91/266 (as amended 4/1/95)** relating to land described as -

Lots 16 & 17 DP 31208
Coast Road
Bogangar 2488

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

ERECTION OF A THREE (3) STOREY MIXED DEVELOPMENT COMPRISING SEVEN (7) SHOPS AND FIVE (5) FLATS WITH ASSOCIATED CAR PARKING.

The Development Application has been determined by the granting of consent subject to the conditions set out in this notice.

The conditions of consent are as follows -

1. The provision of adequate vehicular access in accordance with Council's "Access to Property" pamphlet, including the provision of an invert crossing at the kerb and gutter and paving of the driveway across the footpath to the front alignment to the satisfaction of the Director, Engineering Services. Twenty four (24) hours notice is to be given to Council's Engineering Services Division before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the vehicular access and its reconstruction.
2. All disused invert crossings are to be removed and replaced with kerb and gutter and all disused driveway across the footpath are to be removed and replaced with topsoil and turf to the satisfaction of the Director, Engineering Services.
3. Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within the subject property.

4. The payment of applicable water and sewerage headworks charges. The charges are fixed in Council's 1992 list of Fees and Charges as follows:

Water -	\$4812.50
Sewer -	\$3675.00
Total -	\$8487.50

These charges to remain fixed for a period of twelve (12) months from the date of this approval and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

5. Installation of a suitable perimeter drainage system, utilising lined drains and subsoil drains where required to a design submitted and approved by the Director, Engineering Services. The drainage system is to be installed and functioning to the placement of any fill hydraulically.
6. Provision to be made for a flood free storage area for stock and equipment susceptible to water damage to the satisfaction of the Director, Engineering Services.
7. Building materials used below Council's minimum floor level of RL 3.7m AHD must not be susceptible to water damage.
8. Subject to the requirements of Northern Rivers Electricity, all electrical wiring, power outlets, switches, etc, should, to the maximum extent possible be located above the design flood level. All electrical wiring installed below the design flood level should be suitably treated to withstand continuous submergence in water.
9. The habitable floor level of the building to be at a level of not less than RL 3.7m AHD.
10. The provision of thirty seven (37) off street car parking spaces in accordance with Council's Car Parking Code. In this regard the site being suitably signposted to indicate the available of on site parking. Further, a total of five (5) car parking spaces being designated for the exclusive use of the residents of the building to the satisfaction of the Director of Development Services.
11. Compliance with all requirements of Council's Environment & Community Services Division, including the submission of a Building Application in accordance with the Local Government Act and Ordinance 70.
12. The proposed clothes drying area for Units 2 & 5 being relocated to the north western corner of the roof terrace area to the satisfaction of the Director of Development Services. Details to be shown on the building application.
13. All advertising structures are to be the subject of a separate application to the Council.
14. The proposed levels of the ground floor shops being raised to match the kerb level (Coast Road) to the satisfaction of the Director of Engineering Services. Details to be shown on the building plan.

15. The relocation of the existing stormwater line as shown on the submitted plan, extinguishing of the existing easement and creation of a new 2 metre easement over the new line. All work shall be carried out under the supervision of and at no cost to the Council in accordance with a plan submitted to and approved by the Director of Engineering Services.
16. The area affected by the proposed laneway (proposed Lot 2 in Council Subdivision S92/39) being transferred to Council in fee simple at a nominal fee of (\$1). Proof of transfer and registration of the linen plan of subdivision to be submitted prior to any occupation of the building.
17. The provision of a safety hand rail along the stone retaining wall on the south-eastern corner boundary of the site to the satisfaction of the Director of Engineering Services. Details to be shown on the building application.
18. Development of the site being carried out generally in accordance with Plan No.s 6391/S1A, 6391/S2A, 6391/S3A, 6391/S5 and prepared by Pat Twohill and dated 22 December 1991 as amended by Plan No.s 6391WD6-D prepared by Pat Twohill Designs Pty Ltd and dated April 1993 (no column structures as shown on the roof deck plan shall exceed the height of the balustrade at this level).
19. The individual usage of each shop being the subject of separate development applications
20. Landscaping being carried out in accordance with the submitted plan and completed to the satisfaction of the Director, Development Services prior to any occupation of the building.

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.

Dated **23RD** day of **JANUARY 1992**

J.S NIXON
SHIRE CLERK

(N.B. Refer to Notes attached to this Notice)

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