

Amended Conditions DA10.2014.398.4

Amend Conditions 1, 15, 40, 41, 45 as follows:

SCHEDULE 1. CONDITIONS OF CONSENT					
1.	Development is to be in accordance with approved plans				
	The development is to be in accordance with plans listed below:				
	Plan No.	Rev.	Description	Prepared by	Dated:
	SK100	01	Basement Plan	Bureau SRH Architecture, Amended by Logan Architecture	17/01/2020
	SK101	-	Ground Floor Plan	Bureau SRH Architecture, Amended by Logan Architecture	17/01/2020
	SK102	01	First Floor Plan	Bureau SRH Architecture, Amended by Logan Architecture	21/11/2019
	06	C	Elevations	Logan Architecture	21/10/2019
	07	C	Elevations	Logan Architecture	21/10/2019
	08	B	Section & Height Level Plan	Logan Architecture	28/05/2019
	09	B	Finishes Schedule	Logan Architecture	28/05/2019
-	-	Landscape Concept – Ground Floor	Andrew Prowse Landscape Architects	11/Jul/2014	
-	-	Plant Scheme	Andrew Prowse Landscape Architects	11 May 2014	
The development is also to be in accordance with any changes shown in red ink on the approved plans or conditions of consent.					
The approved plans and related documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.					

15.	On-site stormwater detention required			
	The application for a Construction Certificate is to include plans and specifications for stormwater drainage in accordance with the relevant Australian Standard. All stormwater drainage for the development must be conveyed via an on-site stormwater detention system by gravity to the stormwater pit south east of the development in front of Caltex Fuel Station with legal description Lot 5 DP844342.			
	The following must be provided:			
	<ul style="list-style-type: none">• Stormwater works to connect into the legal point of discharge in accordance with Northern Rivers Local Government Design and Construction Guidelines; and• All stormwater directed into the stormwater system must be treated in accordance with Table B3.1 of Council's DCP.			
	Such plans and specifications must be approved as part of the Construction Certificate.			
	All stormwater drainage systems within the lot and the connection to a public or an inter-allotment drainage system must:			
	a) comply with any requirements for the disposal of stormwater drainage and on-site stormwater detention contained in Council's Development Control Plan,			

	<p>Stormwater Guideline and Local Approvals Policy; and</p> <p>b) unless exempt from obtaining an approval under section 68 of <u>the Local Government Act 1993</u> by a <u>Local Approvals Policy</u>, an approval must be <u>obtained</u> under that Act <u>prior to issue of a Construction Certificate</u></p>
--	--

40.	<p>Internal & External driveway in accordance approved plans</p> <ul style="list-style-type: none"> • The roadworks to be constructed in accordance with the approved plans and Roads Act consent; and • A internal driveway, vehicle manoeuvring and carparking are to be constructed from the in accordance with the approved plans
------------	--

41.	<p>On-site Stormwater Detention – Certification of works</p> <p>All stormwater drainage works, including on-site stormwater detention works, for the development must be constructed in accordance with the approved plans and specification prior to issue of an occupation certificate. Certificate/s of Compliance and Work-As-Executed (WAE) plans for the stormwater works must be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate.</p> <p>The certificate/s and WAE plans are to be prepared by a suitably qualified engineer and must be in accordance with Council’s Comprehensive Guidelines for Stormwater Management.</p>
------------	---

45.	<p>Car Parking spaces are to be available for the approved use</p> <p>A minimum of 32 car spaces including 1 accessible parking plus one (1) turning area and bicycle storage in the basement, an SRV loading bay, a mini bus drop off and pick up bay, customer arrival bay under the Porte Cochere are to be provided and maintained, together with all necessary access driveways and turning areas, to the satisfaction of Council. Valet Parking Service is to be provided at all times.</p>
------------	--

Insert Condition 5A as follows:

5A)	<p>Water and Sewerage - Section 68 Part B approval (where required)</p> <p>An Approval under Section 68 Part B of the Local Government Act 1993 to carry out sewerage work must be obtained where the pool backwash is to be connected to the sewer via a new overflow relief gully.</p>
------------	--

5 Amend the Notes regarding Water Payments under the Water Management Act 2000 as follows:

<p>Water payments under the Water Management Act 2000</p> <p>Charges will be calculated based on the additional water and sewerage load that the proposed development generates, shown in Equivalent Tenements (ET) by the following table:</p> <p style="text-align: center;"><u>ADDITIONAL WATER & SEWER LOAD OF DEVELOPMENT</u> (ET Policy 2018)</p>
--

Water	9.63 ET
Bulk Water	9.63 ET
Sewer	13.53. ET

NB: Information regarding Development Servicing charges can be found on the Byron Shire Council website (<http://www.byron.nsw.gov.au/development-contributions-plans-section-94-and-64>). These charges will enable you to calculate the total contribution charges payable when you are ready to pay them. Developer charges will be calculated in accordance with the Development Servicing Plan applicable at the date of payment.

SCHEDULE 2. REASONS FOR DECISION, HOW COMMUNITY VIEWS WERE ADDRESSED

Note: From July 1 2018, Council's are required to give and publicly notify reasons for a range of planning decisions where they are deciding if development should proceed to help community members to see how their views have been taken into account and improve accountability to stakeholders. A statement of reasons for the determination of this application is provided below.

Statement of Reasons

The proposed development complies with the provisions of Byron Local Environmental Plan 2014.
The proposed development complies with the provisions of Byron Local Environmental Plan 1988.
The proposed development complies with relevant State Environmental Planning Policies
The proposed development complies with relevant provisions of Development Control Plan 2014.
The proposed development complies with relevant provisions of Development Control Plan 2010.
The proposed development complies with Environmental Planning & Assessment Regulation 2000 considerations.
The proposed development will not have significant adverse impact on the natural, built or social environment or economic impacts on the locality.
The proposed development is considered suitable for the proposed site.
The development application was notified/advertised in accordance with Council's Community Participation Plan. Issues raised in the submissions have been addressed during assessment of the application.
The proposed development is unlikely to prejudice or compromise the public interest.

How community views were addressed

The DA was notified/advertised in accordance with Council's Community Participation Plan. No submissions were received.