

**AMENDED CONSENT ISSUED 31/10/2007**

**NOTICE NO. DA06/1034**

**TWEED SHIRE COUNCIL**

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

**NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

To: Terranora Village Shopping Centre Pty Ltd  
PO Box 83  
BOGANGAR NSW 2488

Pursuant to Section 81(1)(a) of the Act, notice is hereby given of the determination by the Tweed Shire Council of Development Application No. **DA06/1034** relating to land described as:-

**Lot 1 DP 848875  
No. 2-14 Henry Lawson Drive  
Terranora**

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

**ALTERATIONS AND ADDITIONS TO EXISTING TAVERN ALREADY APPROVED  
BUT NOT YET CONSTRUCTED**

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

**GENERAL**

1. **DELETED**
2. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.
3. Prior to use of the tavern as "a place of public entertainment" an application under Section 68 of the Local Government Act, 1993 for the activity being a "place of public entertainment" is to be submitted to and approved by Tweed Shire Council. [GEN0115]
4. The building works shall satisfy the provisions of Part H of the BCA. [GENNS01]
5. **DELETED**
- 5A. **The development shall be completed in accordance with the Statement of Environmental Effects and Drawing Number 3795/WD/T01 REV/03 prepared by Pat Twohill Designs PTY. LIMITED and dated 11/10/2007, Drawing Numbers 3795/WD/T06, 3795/WD/T07, 3795/WD/T08, 3795/WD/T09 REV/01, 3795/WD/T10 REV/01, 3795/WD/T11 REV/01, 3795/WD/T12 REV/01, 3795/WD/T13, 3795/WD/T14 REV/01, 3795/WD/T15 REV/01, 3795/WD/T16 REV/01, 3795/WD/T17 REV/01, 3795/WD/T18 REV/01, 3795/WD/T19 REV/01, 3795/WD/T20 REV/01, 3795/WD/T21 REV/01, 3795/WD/T22 REV/01,** [GENNS02]

**3795/WD/T23, 3795/WD/T24, 3795/WD/T02 REV/02, 3795/WD/T03 REV/02, 3795/WD/T04 REV/02, 3795/WD/T05.**

6. **DELETED**

7. Advertising structures/signs to be the subject of a separate development application, where statutorily required.

[GEN0065]

**7A. All signage is to be fitted with necessary devices capable of permitting the change in intensity of illumination of the sign in order to regulate glare or other like impacts.**

[GEN0075]

### **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

8. In accordance with Section 68 of the Local Government Act, application shall be made to Council for any proposed sewerage drainage system. Detail shall include hydraulic drawings, pipe sizes, details of materials and discharge temperatures.

[PCC1225]

9. In accordance with Section 68 of the Local Government Act, 1993, any premises proposing to discharge into Councils sewerage system a waste water other than domestic sewage, shall submit to Council a completed application for a Trade Waste Licence. This application is to be approved by Tweed Shire Council PRIOR to the issuing of a Construction Certificate to discharge to Councils sewerage system.

[PCC1255]

10. An application shall be lodged and approved by Tweed Shire Council under Section 68 of the Local Government Act for any water, sewerage or drainage works prior to the issue of a construction certificate.

[PCC1195]

11. **DELETED**

12. **DELETED**

13. Section 94 Contributions

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 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 94 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 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 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

(a) Tweed Road Contribution Plan:	\$70,746
S94 Plan No. 4 (Version 4.0)	
Sector5_4	

[PCC0215]

14. 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 "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water DSP3:	8.13 ET @ \$10864	\$88,324
Sewer Banora:	13.008 ET @ \$2863	\$37,242

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

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

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.

[PCC0265]

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

15. 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]

16. 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]

17. Where prescribed by the provisions of the Environmental Planning and Assessment Amendment (Quality of Construction) Act 2003, 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]

- 18. An application to connect to Council's sewer or carry out plumbing and drainage works, together with any prescribed fees including inspection fees, is to be submitted to and approved by Council prior to the commencement of any building works on the site.

[PCW1065]

- 19. 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 to the satisfaction of the Principal Certifying Authority.

[PCW0985]

- 19A. Any business or premises proposing to discharge a pollutant discharge greater than or differing from domestic usage is to submit to Council an application for a Trade Waste Licence. This application is to be approved by the General Manager or his delegate prior to any discharge to sewer being commenced. A trade waste application fee will be applicable in accordance with Councils adopted Fees and Charges.**

[PCW1075]

## **DURING CONSTRUCTION**

- 20. All proposed works to be undertaken are to be carried out in accordance with the conditions of development consent, approved construction certificate, drawings and specifications.

[DUR0005]

- 21. Construction site work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council: -  
Monday to Saturday from 7.00am to 7.00pm  
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]

- 22. 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 81A of the Environmental Planning and Assessment Act 1979.

[DUR0405]

- 23. It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied in accordance with WorkCover 2000 Regulations.

[DUR0415]

- 24. All work associated with this approval is to be carried out so as not to impact on the environment. All necessary precautions, covering and protection shall be taken to minimise impact from: -

- Noise, water or air pollution
  - Minimise impact from dust during filling operations and also from construction vehicles
  - No material is removed from the site by wind
- [DUR1005]
25. The builder must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction.
- [DUR2185]
26. 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]
27. 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 NSW Code of Practice for Plumbing and Drainage.
- [DUR2495]
28. Dual flush water closet suites are to be installed in accordance with Local Government Water and Sewerage and Drainage Regulations 1993.
- [DUR2515]
29. All water plumbing pipes concealed in concrete or masonry walls shall be fully lagged.
- [DUR2525]
30. 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]
31. 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]
32. 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:-
- \* 43.5<sup>0</sup>C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
  - \* 50<sup>0</sup>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]
33. Where two (2) or more premises are connected by means of a single water service pipe, individual water meters shall be installed to each premise beyond the single Council water meter (*unless all the premises are occupied by a single household or firm*).
- [DUR2615]
34. 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.  
L10 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.  
L10 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]
35. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Director of Environment and Community Services. [DUR0985]
  36. 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 Subdivision Certificate/Occupation Certificate. [DUR0995]
  37. All walls in the food preparation and food storage areas shall be of solid construction, easily washable, lightly coloured and tiled to a height of at least 2 metres above floor level, or where not tiled, cement rendered to provide a smooth even finish to ceiling. Note: Stud framed walls will not be acceptable. Intersections of all floors with walls shall be coved to a radius of not less than 25 millimetres. [DUR1495]
  38. All flooring materials in the food preparation and storage areas are to be impervious, non slip, non abrasive and capable of withstanding heavy duty operation. Where tiling is to be used epoxy grout finished flush with the floor surface is to be used in joints or alternatively all tiles are to be butt joined and free of cracks or crevices. [DUR1505]
  39. Windows and doors opening into food preparation and storage areas are to be fully screened in accordance with Council's adopted code for the construction of food premises. [DUR1515]
  40. All internal fitout is to comply with Australian Standard AS4674 - Design, Construction and Fitout of Food Premises. [DUR1535]
  41. Separate hand washing facilities must be provided with warm water and located in a position where it can be easily accessed by food handlers and be of a size that allows easy and effective hand washing to the satisfaction of the General Manager or his delegate. [DUR1545]
  42. A floor waste connected to the drainage system shall be provided within 1.5 metres of the opening of the cool room. [DUR1565]
  43. All shelving, benches, fittings and furniture on which appliances and utensils are positioned within the premises must be of durable, smooth, impervious material capable of being easily cleaned. [DUR1605]
  44. The walls immediately behind any basin shall be provided with an impervious splashback to a height of 450mm and at least 150mm either side of the basin. [DUR1625]

45. Separate hand washing facilities must be provided with warm water in a readily accessible position within the work area. [DUR1645]
46. A garbage storage area shall be provided in accordance with Council's "Code for Storage and Disposal of Garbage and Other Solid Waste". [DUR2195]
47. 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. A screened, graded and drained garbage storage area shall be provided within the boundary. [DUR2205]
48. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during and after construction. Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways. This inspection program is to be maintained until the maintenance bond is released or until Council is satisfied that the site is fully rehabilitated. [DUR2375]
49. Any proposed cooling tower installation must also include details on the proposed means of back flow prevention to the water supply prior to installation. [DUR2475]
- 49A. 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.**  
**L10 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.**  
**L10 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]
- 49B. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house is strictly prohibited.** [DUR0815]
- 49C. 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. A screened, graded and drained garbage storage area shall be provided within the boundary.** [DUR2205]
- 49D. Appropriate measures are to be put in place during the construction and/or demolition period to prevent the transport of sediment from the site. Should any material be transported onto the road or any spills occur**

it is to be cleaned up prior to cessation of same days work and/or commencement of any rain event.

[DUR2405]

- 49E. All walls in the food preparation and food storage areas shall be of solid construction, easily washable, lightly coloured and tiled to a height of at least 2 metres above floor level, or where not tiled, cement rendered to provide a smooth even finish to ceiling. Intersections of all floors with walls shall be coved to a radius of not less than 25 millimetres.

[DUR1495]

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

50. 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 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units).

[POC0205]

51. The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards.

[POC0225]

52. Prior to the issue of an occupation certificate,
- (a) Certification of termite protection methods performed by the person carrying out the works is to be submitted to the PCA; and
  - (b) A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:-
    - (i) the method of protection; and
    - (ii) the date of installation of the system; and
    - (iii) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
    - (iv) the need to maintain and inspect the system on a regular basis.

[POC0235]

53. 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]

54. **DELETED**

55. Prior to commencement of operations and on completion of fit out an inspection is to be arranged with Council's Environmental Health Officer for final approval.

[POC0615]

56. The food premises shall provide appropriate notification to the NSW Food Authority prior to commencement of operations.

[POC0625]

57. The premise is to be treated on completion of fit-out and prior to commencement of trading and thereafter on a regular basis by a Licensed Pest Control Operator. A certificate of treatment is to be made available for Council inspection on request.

[POC0635]

58. A Management Plan shall be prepared which addresses all recommendations as contained within the Noise Impact Study prepared by Warrick Smith RPE:7099 AAAS.MBE REF:J160 dated 28.08.06. Such Plan shall detail what operational measures will be employed to satisfy all recommendations in the Noise Impact Study. Such Plan shall be submitted to Council prior to the issue



of an Occupation Certificate and shall be to the satisfaction of Council's Director of Environment and Community Services.

[POCNS01]

**58A. A Management Plan shall be prepared which addresses all recommendations as contained within the Noise Impact Study prepared by Warrick Smith RPE:7099AAAS.MBE REF:J160 dated 28.08.06. Such plan shall detail what operational measures will be employed to satisfy all recommendations in the Noise Impact Study. Such Plan shall be submitted to Council prior to the issue of an Occupational Certificate and shall be to the satisfaction of Council's General Manager or delegate.**

[POCNS01]

**58B. A Post Construction Noise Impact Report shall be provided to the satisfaction of Council's General Manager or delegate from a suitably qualified acoustic consultant which assesses the compliance with all recommendations as contained within the Noise Impact Study prepared by Warrick Smith RPE:7099AAAS.MBE RFE:J160 dated 28.08.06. Such Report shall in addition specifically address any noise issues associated with the operation of any air conditioning plant or other mechanical plant. Any recommended noise attenuation measures as contained within the Post Construction Noise Impact Report shall be complied with within 60 days of the date of the Report or such other time period as may be approved by Council's General Manager. Such Post Construction Noise Impact Report shall be submitted and approved prior to the issue of the Construction Certificate.**

[POCNS02]

## **USE**

59. 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, fumes or the like.

[USE0125]

60. The LA10 noise level emitted from the premises shall not exceed the background noise level (LA90) in any Octave Band centre frequency (31.5 Hz - 8KHz inclusive) by more than 5dB(A) between 7am and 12 midnight, at the boundary of any affected residence. Notwithstanding the above, noise from the premises shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am weekdays and 12 midnight and 8am weekends.

[USE0165]

61. 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 noise.

[USE0175]

62. Trading hours of the Tavern are restricted to the following:-

\* 10.00am to 10.00pm - Sunday to Wednesday

\* 10.00am to 11.00pm - Thursday to Saturday

[USE0185]

63. 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 creating a nuisance to neighbouring or adjacent premises.

[USE0225]

64. **DELETED**

65. No items or goods are to be stored or displayed outside the confines of the premises.

[USE0445]

66. All loading/unloading to take place within the boundary of the subject property.

[USE0525]

67. **DELETED**

68. Any premises used for the storage, preparation or sale of food shall comply with the *Food Act 2003* and the Australia New Zealand Food Standards Code.

[USE0835]

69. All external lighting associated with the Tavern building is to be shielded where necessary or required so as to prevent nuisance to any adjacent residential premises.

[USENS01]

70. The premises shall comply with the requirements of The Liquor Administration Board.

[USENS02]

71. All activities associated with the occupancy of the building are to comply with the Protection of the Environment Operations Act, 1997.

[USENS03]

72. The use being restricted to the floor area designated on the approved plan.

[USE0415]

73. **DELETED**

74. No form of public entertainment is to be carried out on the premises unless an approval for a Place of Public Entertainment has been obtained pursuant to the provisions of Section 68 of the Local Government Act, 1993.

[USENS04]

**74A. 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]

**74B. All externally mounted air conditioning units and any other mechanical plant and equipment shall be acoustically treated so as to avoid the creation of offensive, or intrusive noise to any occupant of neighbouring or adjacent premises.**

[USE0235]

**74C. The development shall be carried out in accordance with the provisions of the acoustic assessment report prepared by Warrick Smith RPE:7099AAAS.MBE REF:J160 and dated 28 August 2006.**

[USE0305]

**74D. All mechanical ventilation shall comply with AS1668.2 Ventilation Requirements.**

[USE0845]

**74E. All wastes shall be collected, stored and disposed to the satisfaction of the General Manager or his delegate.**

[USE0875]

**74F. Any air-handling system, hot or warm water system or water-cooling system and any other regulated system as defined in Part 4, Section 43 of the Public Health Act shall be operated in accordance with the requirements of Part 3, Clause 9 of the Public Health (Microbial Control) Regulation 2000.**

[USE0935]

**74G. Any air-handling system, hot or warm water system or water-cooling system and any other regulated system as defined in Part 4, Section 43 of the Public Health Act shall be maintained in accordance with the requirements of Part 4, Clauses 11, 12 and 13 of the Public Health (Microbial Control) Regulation 2000, and a certificate to confirm that the regulated system is being maintained shall be submitted to Council on a 12 Monthly basis.**

[USE0945]

**74H. No free standing advertising signage is to be placed external to the Bottle Shop before 9.00am.**

[USENS01]

**74I. No outside entertainment or amplified music is to be carried out in either the upper or lower beer garden areas unless an acoustic wall is constructed in accordance with the provisions of Section 5.5 of the Noise Impact Study prepared by Warrick Smith RPE:7099AAAS BME.REF:J160 dated 28.08.06.**

[USENS02]

**74J. Trading hours of the Bottle Shop are restricted to the following:-**

**9.00am to 10.00pm - Sunday to Wednesday**

**9.00am to 11.00pm – Thursday to Saturday**

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:

**28 November 2006**

The consent to operate from:

**7 December 2006**

The consent to lapse on 7 December 2011 unless commenced prior to that date.

### **RIGHT OF APPEAL**

If you are dissatisfied with this decision Section 97 of the Environmental Planning and Assessment Act, 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

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

Garry Smith, Manager Development Assessment  
7 December 2006