

## Adam Smith

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**From:** Danny Rose [DRose@tweed.nsw.gov.au]  
**Sent:** Tuesday, 9 April 2013 9:06 AM  
**To:** Adam Smith  
**Cc:** Nela Turnbull  
**Subject:** RE: Woolworths Cabarita - URGENT Assistance

Adam,

I have no objection to the lodgement of an application to modify the condition(s) requiring registration of easements / dedication of the laneway prior to occupation. An alternate condition whereby the necessary applications for the above process be lodged with LPI prior to occupation, such that the process has commenced, would be acceptable. We have concerns about the enforceability of a condition that allowed the process to commence after occupation.

I trust that this assists your client.

Regards  
Danny Rose

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**Danny Rose** BE (Civil Hons) | Planning and Infrastructure Engineer  
Engineering and Operations



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**From:** Adam Smith [<mailto:AdamS@planitconsulting.com.au>]  
**Sent:** Monday, 8 April 2013 3:30 PM  
**To:** Danny Rose  
**Subject:** Woolworths Cabarita - URGENT Assistance

Danny,

Further to our discussion last week, we are seeking Council's assistance in respect to the precedent conditions (prior to the issue of occupation certificate) listed in the DOP Approval 07/0179.

Specifically Condition B22(6) requires the dedication and easements to be registered **prior to the issue of an occupation certificate**. Whilst this process is underway, it is expected that the completion of the building to allow for occupation will be ready at the 22<sup>nd</sup> May 2013. The dedication and registration of easements is not expected to be completed for approximately 8 weeks after this, but possibly more. Accordingly we are seeking to avert a situation whereby the building is ready and able to be occupied with the exception of compliance with this condition. In this regard we are seeking to modify so that the condition reads that this requirement must be satisfied within 6 months of occupation of the building. We believe we are well on track to have this done beforehand, however in order to be safe some additional time may be of assistance.

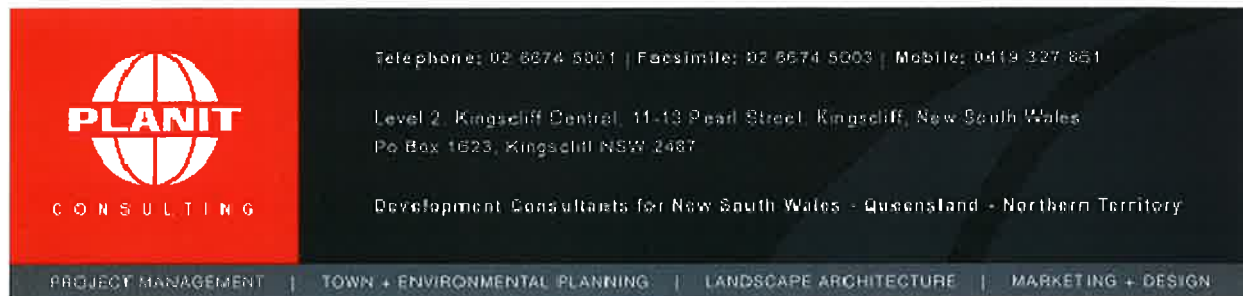
It would be greatly appreciated, if council were supportive of the change identified, to provide a letter / email of support to accompany our application to modify to the DOP.

Council's urgent assistance in this regard is greatly appreciated.

cheers

**Adam Smith**  
Director

adams@planitconsulting.com.au | [www.planitconsulting.com.au](http://www.planitconsulting.com.au)



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