

COBAKI ESTATE

MP 06_0316

MOD 4

CONSULTATION

Report prepared by Leda Manorstead PTY Ltd

Introduction

In its letter of 8 October 2015 covering the provision of the Secretary's Environmental Assessment Requirements (SEARS), the Department of Environment stated;

"....you must undertake a proposal to proactively respond to the community's concerns. Accordingly, you must undertake a comprehensive, detailed and genuine community consultation and engagement process during the preparation of the environmental assessment. This process must ensure that the community is informed of the development and engaged with issues of concern to them. Sufficient information must be provided to the community to enable a good understanding of the development and any potential impacts."

The SEARS included the requirement that the applicant must in particular consult with:

- Tweed Shire Council;
- Gold Coast City Council;
- NSW Office of Environment and Heritage;
- NSW Environment Protection Agency;
- NSW Department of Education and Communities;
- QLD Department Education, Training and Employment;
- Australian Government Department of Education and Training;
- Queensland Airports Limited – Gold Coast Airport;
- Office of Liquor, Gaming and Racing.

In relation to this consultation the SEARS required a description of the consultation process and the issues raised, and identification where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, the SEARS required provision of a short explanation.

Consultation with Public Authorities and Agencies

The following agencies were advised of the Modification application by letter of 23 November 2015:

Queensland Airports Limited- Gold Coast Airport

Gold Coast Airports Chief Operating Officer, Marion Charlton, replied to Leda on 25 November 2015 as follows:

“Gold Coast Airport has reviewed the information and have no objections to the proposed Modifications as listed”

Australian Federal Department of Education, Infrastructure and Training

On 7th December 2015 Charles Wong, instructed by Jayne Macphillamy, replied to the effect that the Department did not seek consultation on the application.

QLD Department of Education, Training and Employment

On 10 December 2015 Brett Robinson, Manager, Infrastructure Planning replied to Leda as follows:

“The Department of Education and Training does not require to be consulted on this proposed revision to the Concept Plan”

NSW Environmental Protection Authority

On 23 November 2015 Brett Nudd, Manager, North Coast Region, advised Leda as follows:

“Given the nature of amendments the EPA does not see any further consultation in relation to the proposed amendments”

City of Gold Coast

David Hood, Acting Manager City Planning Branch, wrote to Leda 7th December 2015 as follows:

After referring the proposed Modification to internal Departments within Council, it is decided that there is no need for a consultation meeting to be arranged

NSW Office of Environment and Heritage

By letter of 15 December 2015 the Office of Environment and Heritage replied to Leda by way of stating its position, rather than in a manner of consultation.

The OEH stated that it supports the restriction on the keeping of cats for Cobaki Estate to assist in the protection of biodiversity values in the area, the restriction providing a higher level of protection than that afforded by the provisions of the Companion Animals Act. The OEH added:

“This restriction would have been considered as a component of a package of biodiversity conservation measures as part of the Concept Plan approval to assist in the protection of biodiversity values on the site. As such the deletion of this condition without other measures put in its place would reduce the effectiveness of the biodiversity package that was deemed appropriate at the time of approval.”

NSW Department of Education and Communities

Prior to the issue of the SEARS in respect of the Mod 4 application Leda had consulted extensively with the Department and resolved, to the satisfaction of the Department, the location, size and shape of a school site in Precinct 6 in place of the two school sites approved in the Concept Plan.

Accordingly, Joe Lantz, Senior Asset Planner of the Department, wrote to Leda on 22 June 2015 as follows:

“The Department confirms that it is satisfied with the consultation with Leda Developments and in general with the location, shape and size of the proposed School site.

Prior to entering into any formal agreement the Department will still have to carry out its other enquiries (geotechnical, traffic and the like) before final commitment can be made.”

In the course of its framing the SEARS the Department of Planning and Environment received an email of 28 September 2015 from Kathryn Pyne, Assets Planner of the Department of Education, requiring specified information. Leda considered the requirement of this information at Concept Plan stage to be premature as it is more appropriately provided either through the process of the purchase and sale of the site or at development application stage.

Leda reverted to Mr Lantz for assistance in this matter as well as in relation to the requirements of SEARS number 7 (*“Identify the development triggers and applicable requirements including timing associated with the dedication of the school site”*).

On 4 January 2016 the proponent received the following advice by email from Katherine Pyne:

“The Department of Education confirms that it is satisfied with the consultation with Leda Development in relation to the general location, shape and size of the proposed school site identified in Modification No.4 to the Cobaki Concept Plan. It is acknowledged that the detailed environmental assessment investigations nominated in the Department’s email of 28 September to Rebecca Sommer of the Department of Planning have not yet been completed and that this modification is related to the conceptual level of the project.

In relation to the timing of dedication, it is advised that strategic planning for the Tweed School Cluster will clarify this aspect. This work is of a high priority and is planned for completion by June 2016."

Office of Liquor, Gaming and Racing

The requirement to consult with this office was attended to on Leda's behalf by the General Manager of the Registered Club that intends to acquire the land and operate the proposed club at Cobaki.

On 17 December 2015 Samantha Torres, Acting Executive Director of the Office of Liquor, Gaming and Racing, wrote to the General Manager concerned advising:

- In the circumstances described for this development, there would be opportunity under the NSW laws for an application to be made for the relevant Club Liquor Licence.
- If the proposed club intends to operate gaming machines, an additional application to the Independent Liquor and Gaming Authority would be required.

The letter outlined the procedures to address these requirements.

Consultation with Tweed Shire Council

Leda wrote to Council on 24 November 2015 summarising the issues that had been raised through consultation and the outcomes.

One of the issues which Council had raised was concern for receiving certification of the remediation of the old cattle dip in Precinct 17. Council was subsequently provided with the sign-off by the accredited auditor of the remediated cattle dip.

Subsequently, on 7 December 2015 Council advised Leda that the then-proposed location of these facilities within the town centre was not considered suitable. Council suggested an alternative location but otherwise advised that the location approved under the Concept Plan was considered an appropriate site.

Leda has advised Council that it now seeks to maintain the community facilities in the originally approved location.

Summary

In Leda's opinion, the required level of consultation has been conducted, sufficient information having been provided so that agencies had a good appreciation of the proposed Modification and its potential impacts.

Reg Van Rij

From: Lantz, Joe <JOSEPH.LANTZ@tafensw.edu.au>
Sent: Monday, 8 December 2014 9:52 AM
To: Reg Van Rij
Cc: Pyne, Catherine
Subject: Cobaki Estate

Hi Reg,

Thanks for the discussion this morning regarding the progress of Cobaki Estate. In line with these discussions, the NSW DEC is pleased to undertake further consultations regarding the potential establishment of school facilities within the site. As discussed the DEC is interested in further discussions noting:

- One site within the development
- Say, 4ha
- Adjacent to sporting facilities

Following your ongoing discussions with Planning NSW please keep in contact with the DEC.

In terms of your query the students within this area are currently within the school catchments of Tweed Rivers HS and Tweed South PS.

Regards Joe Lantz
ASSET MANAGEMENT UNIT

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privileged information or confidential information or both. If you
are not the intended recipient please delete it and notify the sender.

Reg Van Rij

From: Lantz, Joe <JOSEPH.LANTZ@tafensw.edu.au>
Sent: Thursday, 25 June 2015 9:44 AM
To: Reg Van Rij
Subject: RE: Cobaki Department of Planning Mod 2
Attachments: img-6251035-0001.pdf

As attached. Regards Joe Lantz

From: Reg Van Rij [mailto:rvanrij@ledaholdings.com.au]
Sent: Wednesday, 10 June 2015 3:44 PM
To: Lantz, Joe
Subject: FW: Cobaki Department of Planning Mod 2

Hi Joe,
Please let me have your letter as a matter of urgency,
Thanks,
eg

Reg van Rij
Regional Manager - Residential

Leda Developments Pty Ltd

Suite 14, Level 1, 46 Cavill Avenue Surfers Paradise QLD 4217
t: 07 5570 5500 f: 07 5570 5050 m: 0410 540 371 e: rvr@ledagc.com

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From: Reg Van Rij
Sent: Wednesday, 3 June 2015 12:39 PM
To: joe.lantz1@tafensw.edu.au
Subject: Cobaki Department of Planning Mod 2

Goo day Joe,
It is becoming urgent that I have your Department's confirmation that it is satisfied with the consultation we have undertaken and with the location, shape and size of the proposed single primary School site. We acknowledge that the department will still have to carry out its other enquiries (geotechnical, traffic and the like) before final commitment can be made.
Please let me have a letter to this effect as soon as possible.
Thanks,
Reg

Reg van Rij
Regional Manager - Residential

Leda Developments Pty Ltd



Education & Communities

Reg van Rij
Regional Manager - Residential
Leda Developments Pty Ltd
Suite 14, Level 1,
46 Cavill Avenue
Surfers Paradise QLD 4217

Dear Mr van Rig,

RE: Proposed Cobaki Development

I refer to our recent meetings and consultation regarding the preparation of a draft master plan for the proposed Cobaki development. The Department confirms that it is satisfied with the consultation with Leda Developments and in general with the location, shape and size of the proposed School site.

Prior to entering into any formal agreement the Department will still have to carry out its other enquiries (geotechnical, traffic and the like) before final commitment can be made.

Please contact Cameron Judson, Statutory Planner, on 9561 8146 or email cameron.judson2@det.nsw.gov.au if you have any questions or wish to discuss the matter further.

Yours sincerely



Joe Lantz
Senior Asset Planner
Asset Management
22nd June 2015

Reg Van Rij

From: Reg Van Rij
Sent: Monday, 23 November 2015 12:37 PM
To: Lantz, Joe (JOSEPH.LANTZ@tafensw.edu.au)
Subject: Cobaki Estate
Attachments: 23112015100036-0001.pdf

Good morning Joe,

Further to our discussion earlier, I attach copy of your Department's submission to the Department of Planning and Environment in the context of its framing of assessment requirements. I seek your further guidance on how we need to respond, having in mind our negotiations to date and the fact that we are dealing with a Modification to a Concept Plan.

Thanks,

Reg

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Rebecca Sommer

From: Pyne, Catherine <Catherine.Pyne@det.nsw.edu.au>
Sent: Monday, 28 September 2015 2:59 PM
To: Rebecca Sommer
Subject: Cobaki - Concept Plan Modification - Assessment Requirements

Your Reference: MP 06_0316 MOD 4

I refer to your request for the Department of Education's environmental assessment requirements in relation to a proposed modification to the school sites.

In order to assess the modification, the Department will require the following information:

- A layout plan that identifies the location of the proposed school site relevant to other land uses, such as housing, business and open space allocations.
- Details of the staging of the residential development, including anticipated number and timing of dwellings.
- A site plan of the proposed school parcel which includes information about dimensions, area, slope and indicative servicing.
- An environmental assessment of the proposed school site, public road access to the site and its immediate surrounds which includes, but is not limited to, matters such as: vegetation, bush fire prone land, flooding, threatened species, heritage, riparian zones, contamination, and drainage.
- Arrangements concerning the dedication of the school site and development triggers for this to occur.

Enquiries concerning the Department's requirements may be directed to me, details are provided below.

Catherine Pyne | Assets Planner | Planning and Demography Unit | Asset Management Directorate
P 02 6768 2322 | M 0429 463 096 | F 02 6768 2337 | W www.det.nsw.edu.au | E Catherine.Pyne@det.nsw.edu.au

Location: Building H, West Tamworth Primary School, Church Street, Tamworth NSW 2340 Mail: PO Box 3394, West Tamworth NSW 2340



Education

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Reg Van Rij

From: Reg Van Rij
Sent: Wednesday, 25 November 2015 4:11 PM
To: Lantz, Joe (JOSEPH.LANTZ@tafensw.edu.au)
Subject: Cobaki

Hi Joe,

The Secretary's Environmental Assessment Requirements for Mod 4 to the Cobaki Concept Plan, which includes the now-proposed school site, includes:

"7.Educational Institution

Identify the development triggers and applicable requirements (including timing) associated with the dedication of the school site".

Can you suggest how we should respond to this?

Also, the site is not to be "*dedicated*", but purchased. You may wish to endorse this.

Regards,

.eg

Reg van Rij
Regional Manager - Residential

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Subject: FW: Cobaki Estate
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Reg Van Rij

From: Reg Van Rij
Sent: Tuesday, 22 December 2015 10:38 AM
To: 'catherine.pyne@det.nsw.edu.au'
Subject: FW: Cobaki

Reg van Rij
Regional Manager - Residential

Leda Developments Pty Ltd

Suite 14, Level 1, 46 Cavill Avenue Surfers Paradise QLD 4217
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From: Reg Van Rij
Sent: Tuesday, 22 December 2015 10:45 AM
To: 'catherine.pyne@det.nsw.edu.au'
Subject: Cobaki MOD 4
Attachments: SK 01.01 UU Concept Plan.pdf

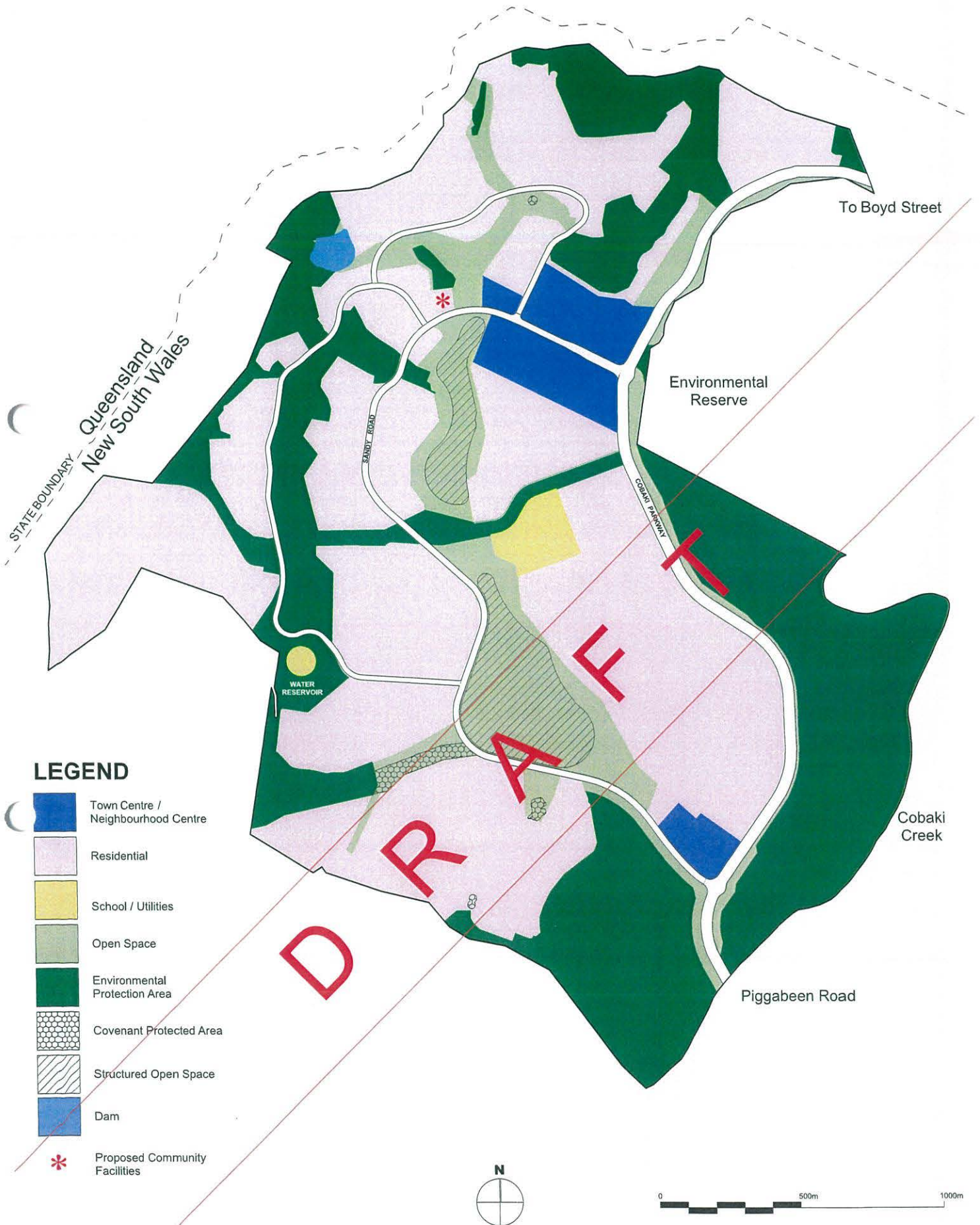
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Concept Plan



Concept Plan for LEDA MANORSTEAD PTY LTD

of COBAKI, NSW

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Scale: 1:12000 @ A3

LED006 / SK 01.01

Tuesday, 22 December 2015

Issue UU

DFa

Reg Van Rij

From: Reg Van Rij
Sent: Tuesday, 22 December 2015 10:46 AM
To: 'catherine.pyne@det.nsw.edu.au'
Subject: Cobaki Mod 4
Attachments: 22122015104817-0001.pdf

Reg van Rij
Regional Manager - Residential

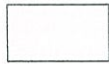
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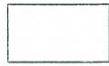
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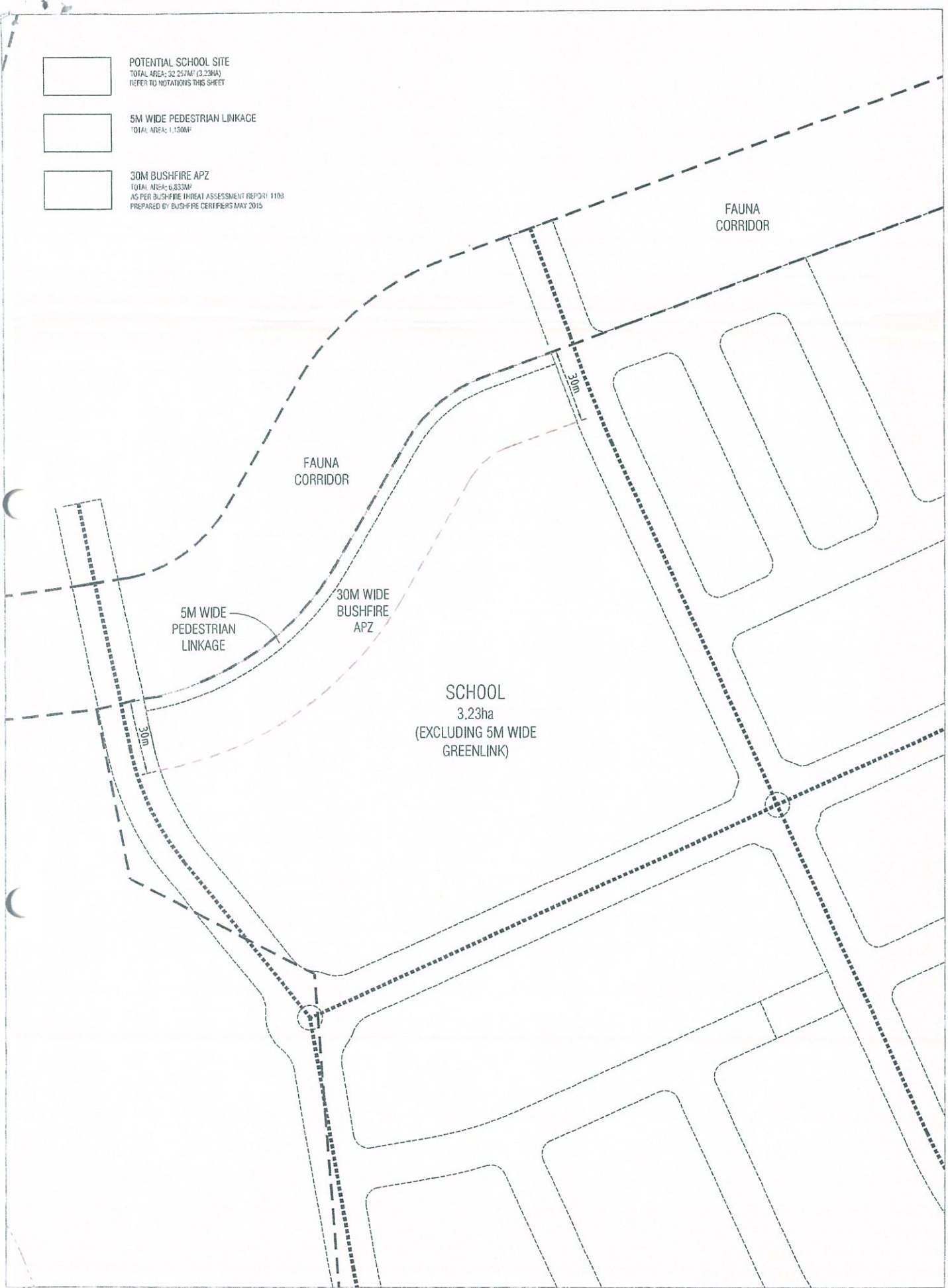
POTENTIAL SCHOOL SITE
TOTAL AREA: 32 257M² (3.23HA)
REFER TO NOTATIONS THIS SHEET



5M WIDE PEDESTRIAN LINKAGE
TOTAL AREA: 1,150M²



30M BUSHFIRE APZ
TOTAL AREA: 6,833M²
AS PER BUSHFIRE HAZARD ASSESSMENT REPORT: 11103
PREPARED BY BUSHFIRE CERTIFIERS MAY 2015



DATE: 10/05/2017	PROJECT: 10/05/2017
CLIENT: 10/05/2017	PROJECT: 10/05/2017
DATE: 10/05/2017	PROJECT: 10/05/2017
DATE: 10/05/2017	PROJECT: 10/05/2017

NO	NAME	REVISION	DATE
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DATE: 10/05/2017	PROJECT: 10/05/2017
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LEDA LEDA Design & Construction Pty Ltd
10/05/2017
10/05/2017

PLANIT PLANIT CONSULTING
10/05/2017
10/05/2017



Reg Van Rij

From: Reg Van Rij
Sent: Tuesday, 22 December 2015 10:48 AM
To: 'catherine.pyne@det.nsw.edu.au'
Subject: FW: Cobaki Departme t of Planning Mod 2
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Reg van Rij
Regional Manager - Residential

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Suite 14, Level 1, 46 Cavill Avenue Surfers Paradise QLD 4217
t: 07 5570 5500 f: 07 5570 5050 m: 0410 540 371 e: rjr@ledagc.com

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Reg van Rij
Regional Manager - Residential
Leda Developments Pty Ltd
Suite 14, Level 1,
46 Cavill Avenue
Surfers Paradise QLD 4217

Dear Mr van Rig,

RE: Proposed Cobaki Development

I refer to our recent meetings and consultation regarding the preparation of a draft master plan for the proposed Cobaki development. The Department confirms that it is satisfied with the consultation with Leda Developments and in general with the location, shape and size of the proposed School site.

Prior to entering into any formal agreement the Department will still have to carry out its other enquiries (geotechnical, traffic and the like) before final commitment can be made.

Please contact Cameron Judson, Statutory Planner, on 9561 8146 or email cameron.judson2@det.nsw.gov.au if you have any questions or which to discuss the matter further.

Yours sincerely



Joe Lantz
Senior Asset Planner
Asset Management
22nd June 2015

Reg Van Rij

From: Pyne, Catherine <Catherine.Pyne@det.nsw.edu.au>
Sent: Monday, 4 January 2016 8:19 AM
To: Reg Van Rij
Cc: Lantz, Joe
Subject: Cobaki Estate - Modification 4 to Concept Plan

Good morning Reg,

I refer to our discussion and your emails to me of 22 December 2015.

The Department of Education confirms that it is satisfied with the consultation with Leda Development in relation to the general location, shape and size of the proposed school site identified in Modification No.4 to the Cobaki Concept Plan. It is acknowledged that the detailed environmental assessment investigations nominated in the Department's email of 28 September to Rebecca Sommer of the Department of Planning have not yet been completed and that this modification is related to the conceptual level of the project.

In relation to the timing of dedication, it is advised that strategic planning for the Tweed School Cluster will clarify this aspect. This work is of a high priority and is planned for completion by June 2016.

I trust this information will meet your requirements. Please contact me if any further information is required.

Catherine Pyne | Assets Planner | Planning and Demography Unit | Asset Management Directorate
P 02 6768 2322 | **M** 0429 463 096 | **F** 02 6768 2337 | **W** www.det.nsw.edu.au | **E** Catherine.Pyne@det.nsw.edu.au

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Education

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