

Notice of Modification

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I modify the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Natasha Harras
Acting Director
Modification Assessments

Sydney 24 April

2017

SCHEDULE 1

Development Approval: MP 06_0258 granted by the Minister for Planning on 20 September 2009.

For the following:

Mixed use subdivision including:

- Subdivision of the land into 61 lots;
- Construction of the supermarket anchored retail centre;
- Bulk earthworks and vegetation clearing;
- Construction of all roads;
- Closure of Dianella Drive;
- Provision of infrastructure and services; and
- Landscaping.

Consent Authority:

Minister for Planning

The Land:

Tweed Coast Road, South Kingscliff (Lot 223 DP 1048494, Lot 3 DP 1042119, Lot 144 DP 1030322, Lots 10 and 13 DP 1014470)

Modification:

MP 06_0258 MOD 11: the modification includes:

- Amendment of Condition G5 to extend the hours of operation for the supermarket.

SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 2 Part A – Administrative Conditions, Condition A3 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

A1 Project in Accordance with Documents

The project will be undertaken in accordance with the following documents:

- (1) *Environmental Assessment Report* prepared by Victor G Feros Town Planning Consultants on behalf of Kings Beach No. 2 Pty Ltd, dated August 2008; and,
- (2) *Preferred Project Report* prepared by Victor G Feros Town Planning Consultants on behalf of Kings Beach No. 2 Pty Ltd, dated 25 March 2009 (except in relation to the density requirements for future medium density residential and mixed use residential lots, as outlined in row 6 of the table on page 62, which is deleted).
- (3) *Request to Modify a Major Project under Section 75W, Environmental Planning and Assessment Act 1979* prepared by Victor G Feros Town Planning Consultants on behalf of Kings Beach No. 2 Pty Ltd, dated February 2010.
- (4) *Section 75W Modification: Concept and Project Approval, MP 06_0258, (as already modified) Casuarina Town Centre* prepared by BBC Consulting Planners on behalf of Kings Beach No. 2 Pty Ltd, dated November 2010.
- (5) *Section 75W Modification No. 3 Project Approval MP 06_0258 (as already modified) Casuarina Town Centre*, prepared by BBC Consulting Planners on behalf of Kings Beach No. 2 Pty Ltd, dated November 2011.
- (6) *Section 75W Modification No. 4 Project Approval MP06_0258 (as Already Modified) for Casuarina Town Centre* prepared by Newton Denny Chappelle on behalf of Clarence Property, dated November 2012; and supplementary information supporting the modification request, prepared by Newton Denny Chappelle, dated 18 April 2013.
- (7) *Section 75W Modification No. 4- Concept and Project Approval MP06_0258 Casuarina Town Centre, Tweed Coast Road, Casuarina* prepared by Newton Denny Chappelle on behalf of Clarence Property, dated 18 July 2013; and supplementary information amending the modification request, prepared by Newton Denny Chappelle, dated 27 August 2013.
- (8) *Section 75W Modification No. 6 Project Approval MP06_0258 (as Already Modified) for Casuarina Town Centre* prepared by Newton Denny Chappelle on behalf of CTC Multiple Lots Pty Ltd, dated October 2013; and supplementary information supporting the modification request, prepared by Newton Denny Chappelle, dated 16 December 2013.
- (9) *Section 75W Modification No. 7 Project Approval MP 06_0258 Casuarina Town Centre* prepared by BBC Consulting Planners on behalf of Consolidated Properties Group, dated December 2013; and supplementary information supporting the modification request prepared by Cardno Eppell Olsen, dated 5 February 2014 (Traffic Response) and 19 February 2014 (Traffic and Transport Infrastructure Charges Review).
- (10) *Section 75W Modification No. 8 Project Approval MP 06_0258 Casuarina Town Centre* prepared by BBC Consulting Planners on behalf of Consolidated Properties Group, August 2014.
- (11) *Section 75W Modification No. 9 Project Approval MP 06_0258 Casuarina Town Centre* prepared by BBC Consulting Planners on behalf of Consolidated Properties Group, and dated February 2015, together with *Section 75W Modification No. 9 Project Approval MP06_0258 Casuarina Town Centre Addendum Report*, prepared by BBC Consulting Planners, and dated April 2015.

(12) Section 75W Modification No. 11 Project Approval MP 06 0258 Casuarina Town Centre prepared by Planit Consulting on behalf of Coles Supermarkets Pty Ltd, undated.

- (b) Schedule 2 Part G – Post Occupation, Condition G5 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

G1 Retail Centre Hours of Operation

The hours of operation for the supermarket and retail shops shall be restricted to between:

| Day | Commencement time | Cessation time |
|-----------------|--------------------------|-----------------------|
| Monday | 8:00am | 9:00pm |
| Tuesday | 8:00am | 9:00pm |
| Wednesday | 8:00am | 9:00pm |
| Thursday | 8:00am | 9:00pm |
| Friday | 8:00am | 9:00pm |
| Saturday | 8:00am | 9:00pm |
| Sunday | 8:00am | 9:00pm |
| Public Holidays | 8:00am | 9:00pm |

The hours of operation for the supermarket shall be restricted to between:

| <u>Day</u> | <u>Commencement time</u> | <u>Cessation time</u> |
|-------------------------------|---------------------------------|------------------------------|
| <u>Monday</u> | <u>7:00am</u> | <u>9:00pm</u> |
| <u>Tuesday</u> | <u>7:00am</u> | <u>9:00pm</u> |
| <u>Wednesday</u> | <u>7:00am</u> | <u>9:00pm</u> |
| <u>Thursday</u> | <u>7:00am</u> | <u>9:00pm</u> |
| <u>Friday</u> | <u>7:00am</u> | <u>9:00pm</u> |
| <u>Saturday</u> | <u>7:00am</u> | <u>9:00pm</u> |
| <u>Sunday</u> | <u>7:00am</u> | <u>9:00pm</u> |
| <u>Public Holidays</u> | <u>7:00am</u> | <u>9:00pm</u> |

End of Modification to MP 06_0258