

## Attachment 1 – Response to Public & Government Agency Submissions

Public & Resident Association Submissions		
Issue Raised & Tally of Times Issue Raised	Summary of Issue Raised	Response
<p>Reducing swale / easement to 10.5m</p> <p><b>Submissions: 66</b></p>	<ul style="list-style-type: none"> <li>Reducing recreational / green area.</li> <li>Width of easement has previously been reduced.</li> <li>Current plans have deleted the extension of open space and pathway to Casuarina Way behind Santai.</li> <li>Increase noise and traffic.</li> <li>Betrayal of trust to the community / broken promises.</li> <li>Reduce value of property.</li> <li>Decrease open space, landscaping and visual buffer.</li> <li>Environmental buffer needs to be doubled.</li> <li>Adjoining landowners only purchased properties based on 20m – 36m easement.</li> <li>Developer seeking to increase his developable area and density at the expense of the community.</li> <li>Disadvantage to adjoining</li> </ul>	<p><b>Northern Buffer Width</b></p> <p>In response to the submissions received, the proposal has re-instated the 20m green buffer to the northern boundary.</p> <p>The amended proposal now locates the urban road and all residential lots outside the 20m landscaped buffer.</p> <p>The 20m buffer apart from being landscaped will include a 3.5m wide shared pedestrian pathway consistent with the current Concept Plan approval for the buffer area.</p> <p>The subdivision design provides for single dwelling sites to the south of the buffer area. Accordingly, combined with the removal of the tourist hotel accommodation and the residential flat buildings from this area, the residential amenity (privacy, solar access) is significantly improved for the northern residents adjoining the Casuarina Town Centre.</p> <p>By re-instating the buffer width to 20m as per the current proposal, the layout now addresses issues raised in public submissions associated with property value, betrayal of trust, decrease in open space area, increase in development yield and consistency with the development guidelines. This position is clearly evidenced by the letters of support which have been received by all landowners directly adjoining the Casuarina Town Centre northern boundary who had previously raised the aforementioned issues. (refer to <b>Attachment 6</b>)</p> <p><b>Action:</b> The configuration of the northern buffer has been amended so as to widen its width to 20 metres and remove the local road and residential lots from the buffer area.</p>

	<p>properties / amenity impacts for adjoining residents.</p> <ul style="list-style-type: none"> <li>• Developer has ignored 20m approval. Not fair on residents who abide by guidelines.</li> <li>• Swale helps filter stormwater runoff, also provides wildlife refuge / Curlew's may lose habitat.</li> <li>• Potentially allow higher density building closer to existing low density homes reducing their value and liveability.</li> <li>• Developer should consider 'one way' single lane 'mews' or Radburn type development with rear car parking access providing residents with parkland at front boundary so original swale can be retained.</li> <li>• Underground pipelines have major problems: capacity, collapse, maintenance, dangerous to young children.</li> </ul>	<p><b>Pathway Alignment</b></p> <p>The alignment of the cycleway follows the northern green corridor and then logically connects to Grand Parade, whereby path users can then connect to Casuarina Way and the Coles supermarket and recreational areas. There is no clear requirement for a landuse / infrastructure connection that dictates an additional cycleway connection to Casuarina Way in this location adjacent to Santai Resort Casuarina. The alignment of the footpath/cycleway within the northern green buffer is consistent with its current approval alignment under the approved Concept Plan.</p> <p>The cycleway located between the Santai Resort and proposed Lot 52 has been removed as a result of key planning, accessibility and CPTED assessment matters identified during the master planning for the modified layout for the Casuarina Town Centre.</p> <p>Firstly, the link between Santai Resort and proposed Lot 52 does not provide a more efficient access arrangement for pedestrian or cyclists. In fact, the originally approved link does not take pedestrians to the designated crossing on Casuarina Way which is located some 40m southwards. Accordingly, the extension of the shared pedestrian/cycle pathway to Grand Parade and onto Casuarina Way takes the pedestrian to the designated crossing, thus being deemed to be a more efficient and safer access route. Secondly, pedestrians crossing from the western side of Casuarina Way following a visit to the shopping centre or the balance of the commercial area will gravitate to Grand Parade versus heading north to the originally approved pathway alignment.</p> <p>Thirdly, the originally approved pathway alignment was deemed to create potential concealment, entrapment and reduced surveillance issues within this area when compared with the proposed pathway alignment. Accordingly, due to issues of concealment and possible entrapment it was deemed unsuitable from a risk perspective to retain the pathway between Santai Resort and proposed Lot 52.</p> <p>Reference is made to the width of the proposed shared pathway/cycleway. In this regard the pathway was lodged with a width of 2.5m and will now be increased to 3.5m.</p>
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		<p><b>Action:</b> The pathway within the northern buffer be widened to 3.5m. The alignment of the footpath to be retained.</p> <p><b>Swale helps filter stormwater runoff, also provides wildlife refuge / Curlew's may lose habitat.</b>  The filling of the northern swale has been approved through Modification 1 to MO06_0258. Accordingly, this Modification purely seeks to amend the stormwater management plan for the project. The stormwater management plan (SWMP) prepared by BG&amp; E (<b>Attachment 5</b>) outlines the ability to utilise the northern buffer for infiltration purposes, thus assisting with stormwater quality generated through the subdivision. The SWMP has been peer reviewed and assessed by Tweed Shire Council. As evidenced within the Tweed Shire Council report provided in <b>Attachment 8</b>, the SWMP satisfies Council's previous concerns regarding the capacity of the proposed system to treat and convey stormwater flows from internal and external catchments. Council have advised the SWMP is considered acceptable for submission to the Department of Planning and Environment.</p> <p><b>Action:</b> The Stormwater Management Plan prepared by BG&amp;E to be adopted for the project.</p> <p><b>Underground pipelines have major problems: capacity, collapse, maintenance, dangerous to young children</b>  Reference should be made to the preliminary civil design package and associated stormwater management plan prepared by BG&amp; E (<b>Attachment 4</b>) with respect to the infrastructure design for the project. The stormwater management plan has identified the ability to reduce the stormwater pipes from three down to a single pipe culvert (2700mm x 1800mm) for stormwater.</p> <p>In respect to the maintenance, structural integrity and safety of the pipework, reference is made to the fact all works will satisfy the Tweed Shire Council specifications and relevant Australian Standards associated with the pipe class for the project. Furthermore, Tweed Shire Council will be appointed Principal Certifying Authority for all civil works to ensure civil works satisfy the aforementioned specifications and Australian Standards.</p>
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		<p><b>Action:</b> No action required in this instance as the issues associated with the pipework will be adequately covered by Tweed Shire Council's technical standards.</p>
<p>Introduction of additional road</p> <p><b>Submissions: 58</b></p>	<ul style="list-style-type: none"> <li>• Decrease landscape and visual buffer.</li> <li>• Developer has capacity to move road.</li> <li>• Developer seeking to increase their developable area at expense of the community.</li> <li>• Road contrary to earlier planning permits.</li> <li>• Increase noise, light spillage and security concerns.</li> <li>• Adversely impact property values and amenity for surrounding residents.</li> <li>• Road located within 11m of balcony in lieu of open space.</li> <li>• Concerns with co-use of the road with cyclist and pedestrians. Motorist do not abide by speed limits, dangerous for children.</li> </ul>	<p><b>Road intruding into the northern buffer</b></p> <p>In response to the submissions received, the proposal has re-instated the 20m northern buffer. The amended proposal now locates the urban road and all residential lots outside the 20m buffer.</p> <p>The 20m buffer will be landscaped and include a 3.5m wide shared pedestrian / cycleway consistent with the current approval.</p> <p>The subdivision design provides for single dwelling sites to the south of the buffer area. Accordingly, combined with the removal of the tourist hotel accommodation and the residential flat buildings from this area, the residential amenity (privacy, solar access etc.) is significantly improved for the residents adjoining the Casuarina Town Centre on the northern boundary.</p> <p>This position is clearly evidenced by the letters of support which have been received by all landowners directly adjoining the Casuarina Town Centre northern boundary who had previously raised the aforementioned issues as contained within <b>Attachment 6</b> of this submission.</p> <p><b>Action:</b> The configuration of the northern buffer has been amended in order to increase its width to 20 metres, whilst also removing the local road and residential lots from the buffer area.</p> <p><b>Traffic Noise</b></p> <p>Public submissions to the originally lodged Modification identified road traffic noise will create an adverse impact upon the amenity of the existing residents to the north of the town centre. The proponent has therefore engaged suitably qualified acoustic engineers from CRG Acoustics to undertake an assessment of potential road traffic noise and any</p>

		<p>potential impacts upon the adjoining residents. It is noted the assessment was completed with the road located within the 20m northern buffer, hence provided a worse case scenario than the amended plan which has relocated the road further from the northern boundary.</p> <p>Road traffic noise generated by the proposed onsite northern local access street has been assessed in accordance with “NSW Road Noise Policy” by CRG Acoustic to ensure acceptable levels of road noise are achieved at the nearest surrounding noise sensitive receivers; which include the Santai Retreat and detached two storey dwellings to the immediate north.</p> <p>Based upon the road traffic noise modelling presented within the CRG Acoustics report (refer <b>Attachment 3</b>), the assessment has concluded the highest impacts are at 47 dB(A) Leq 1hr daytime and 42 dB(A) Leq 1hr night-time at the nearest offsite receivers; which is well within the adopted external noise criterion of 55 dB(A) Leq 1hr daytime and 50 dB(A) Leq 1hr night-time.</p> <p>Therefore, CRG Acoustics have identified the northern local access road is predicted not to have any significant adverse noise impact (i.e. no exceedance of the external noise criterion) on the surrounding existing residential dwellings and Santai Retreat hotel rooms.</p> <p>Reference is also made to the use of the ‘local access road’ classification for the completion of the acoustic assessment, as public submissions have identified potential increase in users of Road A to access the beach and coastal pathway. We submit the function of Road A is correctly classified as a ‘local access road’ with no increase in traffic generation due to the public seeking to access the coastal pathway or the beach access. The modified project design affords a greater supply of publicly accessible parking within 100m of the foreshore area than originally approved for the Town Centre. Furthermore, this parking is located centrally within the Town Centre accessed from Grand Parade to the designated public accessways and beach access. Given the concentration of accessible public parking, the idea Road A will become a high traffic area for people parking vehicles and accessing the beach is not supported.</p>
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		<p>The CRG attachment is provided at <b>Attachment 9</b>.</p> <p><b>Action:</b> No action required in this instance. As originally lodged, the noise impact assessment has identified that no amenity issues arise relating to road speed. The amended layout has now increased the separation distance between the local road to the northern adjoining residents which provides greater strength to the assessment and findings of the CRG road traffic noise impact assessment.</p> <p><b>Lighting</b> The current approval required lighting of the northern buffer area in association with the use of the land by pedestrians and cyclists. To ensure any lighting would not create amenity issues for adjoining residents, the current project approval contains Condition B35 which specifically deals with lighting. The condition is provided below in its entirety.</p> <p><b><i>B35 Lighting</i></b> <i>The proponent shall submit a detailed plan depicting all lighting proposed on the site. The lighting shall be designed so as to not adversely impact or create nuisance on surrounding locality or residential development. All details are to be approved by Council. All lighting shall: Consolidated Project Approval MP06_0258 27</i></p> <p><i>(a) Comply with the AS4282-1997 Control of Obtrusive Effects of Outdoor Lighting and other relevant Australian Standards;</i></p> <p><i>(b) Ensure car parking lighting does not spill beyond the boundaries of commercial and non-residential sites;</i></p> <p><i>(c) Provide adequate lighting for public open space and public access areas (including cycleways and pathways) for safety;</i></p> <p><i>(d) Outline maintenance requirements and energy efficiency ratings of lighting proposed in public open space areas and easement areas used for public access.</i></p>
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<p>Increased number of lots resulting in increased density and lack of parking</p> <p><b>Submissions: 20</b></p>	<ul style="list-style-type: none"> <li>Planned as a village, not as a city.</li> <li>Do not want to lose community space for developers to make money.</li> <li>Increased traffic generation / congestion.</li> <li>Doubling the number of blocks will change the feel and value of the area.</li> <li>Decreased property values.</li> <li>Do not have the facilities / infrastructure to support higher density.</li> <li>Substantial negative impact on the community.</li> <li>Previous issues with high</li> </ul>	<p><b>Density Analysis</b></p> <p>It is important to recognise The proposal provides for an increase in the total number of lots by virtue of the fact the current approval incorporated 9 medium density lots within the portion of the Casuarina Town Centre, the subject of this Modification. To this extent, the proposal provides an increase in the number of residential lots from 9 medium density lots to 93 residential lots with 86 of these lots for residential dwellings.</p> <p>The proposal does however result in an overall reduction in the total dwellings for the Casuarina Town Centre. Reference should be made to the dwelling yield assessment provided within <b>Attachment 7</b> of this document. In summary, the following outcomes are achieved for the project through the transition from medium density sites entertaining multi-level residential flat buildings to single residential lots.</p> <ul style="list-style-type: none"> <li>From original approval through to Modification 6 for MP06_0258, dwelling numbers have reduced by 169 (832 dwellings down to 663 dwellings)</li> <li>The current Modification 10 will result in a further reduction of 226 dwellings (663 dwellings down to 437 dwellings) for the entire Casuarina Town Centre under MP</li> </ul>

	<p>density in area show problematic parking. Parking already big issue during holiday season.</p> <ul style="list-style-type: none"> <li>• Families looking for room to grow, not be boxed in on top of each other.</li> <li>• Developer is being greedy.</li> <li>• Increase in lots leads to increase in roadways which ultimately reduces greenspace.</li> </ul>	<p>06_0258.</p> <ul style="list-style-type: none"> <li>• The portion of the Casuarina Town Centre which is subject to Modification 10 will have a reduction in dwellings from 518 dwellings to 330 dwellings.</li> <li>• That is, Modification 10 will result in a density decrease of 36% as compared to the original approval</li> <li>• Adopting a population/dwelling ratio of 2.2, the decrease in density will result in 869 fewer residents within the Casuarina Town Centre as compared to the original approval.</li> <li>• The population within the area of the town centre subject to Modification 10 will decline from 1,139 to 726 being a reduction of 413 residents.</li> </ul> <p><b>Action:</b> No modification to the application is required as the response provided adequately illustrates the development will in fact result in the lowering of the density within the Casuarina Town Centre than projected within the current approval.</p> <p><b>Parking</b></p> <p>A revised Public Parking Count has been undertaken by BG&amp;E. Reference should be made to BG&amp;E Plan (C-0003 Rev c) as contained within <b>Attachment 4</b>. The key elements within the changes were to create additional spaces by providing 90 degree parking within Blue Horizon Drive. The creation of these spaces also require the localised widening of Blue Horizon Drive (west kerbline) to facilitate on-street parking that does not compromise the reversing manoeuvring area for such 90-degree parking use.</p> <p>The parking layout within Grand Parade has been more accurately defined to allow for landscaped bays and incorporates a plan view “insert” for those spaces in Trestles Avenue. Trestles Avenue is confirmed as having 8 spaces within the 100m zone and 6 spaces within the 100m to 200m zone, being 14 spaces overall. The 200m foreshore public parking comparison is summarised as:</p>
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		<table><tr><th colspan="4">Table 1 – Comparison of MOD 20 Sept 2009 and MOD July 2016 Proposal</th></tr><tr><th>Description</th><th>This Revised Proposal September 2017</th><th>Past MOD Proposal 20 Sept 2009</th><th>Difference</th></tr><tr><td>Parking Within 100m of Foreshore</td><td>134</td><td>133</td><td>1 Extra</td></tr><tr><td>Parking Within 100m to 200m of Foreshore</td><td>56</td><td>31</td><td>25 Extra</td></tr><tr><td><b>Overall Parking To 200m</b></td><td><b>190</b></td><td><b>164</b></td><td><b>11 Extra</b></td></tr><tr><td>Adjustment For Kool Kids</td><td>Less 3 Spaces</td><td>Nil</td><td>3 Less</td></tr><tr><td><b>TOTAL</b></td><td><b>187</b></td><td><b>164</b></td><td><b>26 Extra</b></td></tr></table> <p><b>Action:</b> The proposal has been amended to adopt the Car Parking Plan prepared by BG&amp;E (C-0003 Rev C) which increases the total public parking within the Casuarina Town Centre. The amended plan will result in the creation of an additional 26 car spaces when compared to the current parking configuration for the town centre.</p>	Table 1 – Comparison of MOD 20 Sept 2009 and MOD July 2016 Proposal				Description	This Revised Proposal September 2017	Past MOD Proposal 20 Sept 2009	Difference	Parking Within 100m of Foreshore	134	133	1 Extra	Parking Within 100m to 200m of Foreshore	56	31	25 Extra	<b>Overall Parking To 200m</b>	<b>190</b>	<b>164</b>	<b>11 Extra</b>	Adjustment For Kool Kids	Less 3 Spaces	Nil	3 Less	<b>TOTAL</b>	<b>187</b>	<b>164</b>	<b>26 Extra</b>
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Building height exceeding 3 storey  <b>Submissions: 28</b>	<ul style="list-style-type: none"><li>• Overshadowing, imposing on views and amenity of surrounding properties.</li><li>• Decrease property value in area.</li><li>• Not in accordance with masterplan.</li><li>• Increased traffic generation and congestion.</li><li>• Not fair for earlier residents who built 3 storeys.</li><li>• Not enough infrastructure to accommodate higher density.</li><li>• Drastically change the original concept of beachside village which residents were promised.</li></ul>	<p><b>Built Form</b></p> <p>The original assessment provided for the Casuarina Town Centre MP07_0258 identified the building height was compliant with the height limit required by the Tweed Local Environmental Plan 2000.</p> <p>Under the former Tweed Local Environmental Plan 2000, the building height was nominated at 12.9 metres. With the commencement of the Tweed Local Environmental Plan 2014 the height was increased by Tweed Shire Council to 13.6 metres. The adoption of the maximum height of 13.6m by Tweed Shire Council relates to all key development sites located immediately north and south of the Casuarina Town Centre.</p> <p>The current proposal therefore seeks to align the building height approved under the Concept Plan with the local controls administered by Tweed Shire Council as Council itself will be the consent authority for the individual development applications for the shop-top housing and residential flat building projects within the Casuarina Town Centre. The adoption of the 13.6m height will be consistent with the height of buildings for the</p>																												

	<ul style="list-style-type: none"> <li>• High density urban ghetto.</li> <li>• Previous moves for 4 storey development in the estate were successfully rebutted – local streets are partially blocked with excessive cars, making traffic hazardous and garbage collection difficult.</li> <li>• One of the best things about Casuarina is that you can't see any buildings from the beach. This must be maintained.</li> <li>• No valid reason to change from 3 storey to 4 storey apart from more money in the developer's pocket.</li> <li>• TSC has not previously permitted 4 storey developments on the coast, do not want to set a precedent. Goes against standard of 3 levels which occurs across Casuarina / Salt and Kingscliff.</li> <li>• Recent survey by TSC indicated that retention of existing height restrictions were a major issue for residents and should not be changed.</li> </ul>	<p>Casuarina and Salt urban areas.</p> <p>Accordingly, the ultimate built form will be guided by Council's Tweed Local Environmental Plan 2014 in association with the Tweed Development Control Plan Section A1 – Residential and Tourist Code. To this end, the key development standard will be the prescribed 13.6m height measured vertically from any point on the building to the finished ground level immediately below that point. The LEP and DCP building height controls will be the key building height consideration for all future development proposals, regardless of whether the development is 3 or 4 storeys.</p> <p>The height of the modified Concept Plan generally reduces from east to west, reducing potential visual impacts of the building from Tweed Coast Road and also the coastal foreshore zone. This is best illustrated through the comparison of the originally approved Concept Plan versus the proposed Modified Plan. As clearly illustrated in Plates 1 and 2, the originally approved Concept Plan provided for either shop-top housing, residential flat buildings or tourist accommodation over the primary land area of the town centre. These buildings were afforded a building height of 12.9m and were located abutting the coastal foreshore reserve, Casuarina Way and the northern 20m buffer area.</p> <p>The modified plan has significantly reduced the overall building mass through the deletion of seven of the originally planned residential flat and tourist accommodation buildings. These multi-level 3 storey buildings have now been replaced with single residential lots for residential dwellings and as such the potential for amenity issues such as overlooking (privacy), overshadowing and visual impact from the beach environment are deemed to be more appropriately addressed through the currently proposed town centre master plan.</p>
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**Plate 1:** Originally Approved Concept Plan



**Plate 2:** Proposed modified Casuarina Town Centre Layout

The Casuarina Beach Concept Plan has been designed to create a gradual increase in density from the surrounding existing residential uses to the town centre core. The design provides typically single to two storey residential product to the north and south and as such provides a suitable relationship with the existing development located to the north and the recently developed “Pocket” subdivision to the south of the town centre.

The increase in the height of the built form is focussed towards the Casuarina Way & Grand Parade mixed use precinct. In this respect, the design by RPS promotes rear loaded residential product in order to assist in terminating view lines, provide built form edges to key frontages (e.g. the civic park) and assist in creating transitions between building

		<p>heights and densities. The proposed built form will help define the Grand Parade as the commercial and civic core of the development.</p> <p>The modified master plan encompasses two residential flat buildings (13.6m building height) sites which bookmark the western end of Grand Parade as the entry point by utilising built form as a way to create a threshold into the town centre area. These developments will also relate to the built form of the adjoining Santai Resort development to the north and the Coles development to the west.</p> <p>The Grand Parade is lined shop-top housing comprising retail (ground floor) and residential units (levels 2 &amp; 3) and thus seeks to establish a diverse and strong built form edge within this precinct. Importantly, the proposed building height accords with the 13.6m building height limit prescribed within the Tweed Local Environmental Plan.</p> <p>Where Grand Parade meets the foreshore area, the three storey mixed use 'icon building' will act as a focal point for recreation and tourism within the centre. The built form of the 'icon building' will define the southern boundary of the Civic Park and will provide a landmark to assist with defining the destination that is Casuarina Town Centre with ground floor retail/refreshment facilities and two levels of residential apartments.</p> <p><b>Action:</b> No action required. The maximum building height is stipulated by the height contained within the Tweed Local Environmental Plan at 13.6 metres. Accordingly, it will be the nominated building height and not the number of storeys which is the key consideration in the individual design for the medium density and shop-top lot development within the Casuarina Town Centre.</p> <p><b>Not enough infrastructure to accommodate higher density.</b> As outlined previously within this submission, the proposal presents an overall reduction in the density of the Casuarina Town Centre. The population within the area of the town centre subject to Modification 10 will decline from 1,139 to 726 being a reduction of 413 residents as a result of the introduction residential lots in the place of the former residential flat building development sites. In this respect, the ability to service the reduced density and associated resident population has already been demonstrated</p>
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		<p>through the approval of the original Concept Plan for the Casuarina Town Centre.</p> <p><b>Action:</b> No action required in this instance.</p> <p><b>Drastically change the original concept of beachside village which residents were promised &amp; the design creates a higher density urban ghetto.</b> The modified design through the reduction in the built form, density and associated resident population will modify the original concept which comprised of residential flat buildings, tourist accommodation and shop-top housing.</p> <p>We submit, the modification will in fact act to promote a beachside village character through the inclusion of the residential lots which border the core commercial town centre. The design outcome provides for the activation of local streets by the residential population through connecting footpath and cycleways which link to the town centre, recreational fields and the coastal foreshore areas. Accordingly, the scale of the built form is more akin to a coastal beachside village which is reflected through the conversion of residential flat buildings to residential lots south of the town centre through previous modifications to MP06_0258. These lots have satisfied the market for residents seeking to enter a beachside community which is accessible to retail, restaurant, service needs, recreational areas and the coastal foreshore.</p> <p><b>Action:</b> No action required in this instance as the proposed subdivision layout creates a density and resident population below that which is currently approved.</p> <p><b>Previous moves for 4 storey development in the estate were successfully rebutted – local streets are partially blocked with excessive cars, making traffic hazardous and garbage collection difficult.</b> The proposal adheres to the building height (13.6m) stipulated under the Tweed Local Environmental Plan. This Modification does not seek to increase the prescribed height above that nominated under the Tweed Local Environmental Plan.</p>
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		<p><b>Action:</b> No action required as the proposal seeks to adhere with the building height provisions under the Tweed Local Environmental Plan 2014.</p> <p><b>One of the best things about Casuarina is that you can't see any buildings from the beach. This must be maintained.</b></p> <p>The proposal does not seek to locate structures in closer proximity to the coastal foreshore than the current Concept Plan. Importantly, with the exception of the 'Icon Building', all three storey residential flat and tourist accommodation buildings have been removed from the development Concept Plan and replaced with residential lots where the height of development (i.e. two storey dwellings) will be significantly lower than the current built form identified for the town centre. To this end, the proposal will not promote any increase in the opportunity to view structures located within the Casuarina Town Centre from the adjacent beach.</p> <p><b>Action:</b> No action required. The modified layout has reduced the number of medium density sites and associated three storey residential flat buildings which formed part of the current approval. This results in single dwellings with a lower building height being developed on the site adjacent to the coastal foreshore area.</p>
<p>Inadequate provision of spaces</p> <p><b>Submissions: 6</b></p>	<ul style="list-style-type: none"> <li>• Inadequate greenspace, walk and cycleways, lack of community facilities.</li> <li>• Shortfall in public open space, facilities for children, playgrounds, parks and natural vegetation.</li> <li>• Provision of parks, open space and green areas not in keeping with original concept.</li> <li>• More green space required for</li> </ul>	<p><b>Northern Buffer</b></p> <p>The amended subdivision design has increased the area of greenspace through the reinstatement of the 20m green buffer in the northern portion of the town centre.</p> <p>The northern buffer will be embellished with the shared pedestrian/cycleway which extends from Casuarina Way through to the coastal pathway providing a link for residents to the commercial and public recreational areas within Casuarina.</p> <p><b>Action:</b> The configuration of the northern buffer has been amended in order to increase its width to 20 metres, whilst also removing the local road and residential lots from the buffer area.</p>

	wildlife.	<p><b>Civic Park</b></p> <p>The Civic Park is retained within this proposal. The park will contain children's play equipment and associated furniture for residents and visitors to utilise.</p> <p>The civic park has been assessed by Tweed Shire Council and the Concept Plan will be further developed during the Construction Certificate process which Tweed Shire Council will be the appointed Principal Certifying Authority. Key inclusions specified by Council which will be included within the park include:</p> <ul style="list-style-type: none"> <li>• All furniture items to comply with TSC D14 subdivision manual, Appendix H.</li> <li>• A shared pathway through the park from the cul-de-sac out to the main boulevard pathway then linking to the beachside cycleway.</li> <li>• 2 x picnic shelters (to TSC standard Landmark 4x4 design) with picnic settings beneath</li> <li>• 2 x seats with backs and arms around the edge of the playground</li> <li>• Proposed play equipment concept shown on the submitted Landscape Concept plan to ensure play items fit. <b>Plate 3</b> provides a design option prepared for the civic park.</li> <li>• Equitable access from the main boulevard car parking though to the edge of the playground.</li> <li>• Tree planting around the edge of the playground to create future natural shade especially along the northern side</li> <li>• Landscaped mounding along the park edge to prevent direct road access.</li> </ul>
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**Plate 3:** Concept Layout for the Casuarina Civic Park

In relation to the scale of the park, Specification D14 of the Tweed Development Control Plan 2008 outlines a neighbourhood park is required where 90% of its catchment (600 tenements) is within 800m walking distance. In this respect, the proposal provides for below 437 dwellings within all of the Casuarina Town Centre and as such the project does not qualify for a neighbourhood park, but rather a local park under Specification D14. A local park is to be designed within area of 0.25ha – 0.4ha and used for children's play. The current proposal creates a public reserve in the order of 3,200sqm which falls within the requirement of the local park design standards within Specification D14.

The Civic park meets the neighbourhood design criteria and is proposed to be embellished with all equipment and furniture as currently committed under the current approval. area apart from the proposed landscape treatment prepared by RPS (refer **Attachment 3**).

Reference is made to the Tweed Shire Council report (**Attachment 8**) whereby Council has identified the landscaping master plan and neighbourhood park is now generally supported.

		<p><b>More Green Space for Wildlife</b></p> <p>The proposal does not seek to modify the vegetation cover within the coastal foreshore area, east of the pathway. To this end, the development is not modifying the subdivision layout which would result in impacts upon habitat areas.</p> <p><b>Action:</b> The Civic Park be landscaped and embellished with equipment and furniture as illustrated within the RPS plans contained within this report. Further, Clarence Property to provide detailed design plans with the Construction Certificate to Tweed Shire Council encompassing the key inclusions nominated by Council.</p>
<p>Other</p> <p><b>Submissions: 23</b></p>	<ul style="list-style-type: none"> <li>• Radioactive, high levels of silica dust being blown across community. Further studies required – 26 residents in 1 street in nearby Mooball diagnosed with cancer.</li> <li>• Conflict of interest between Grant Le Boutillier (Hutchinson's) and DoP.</li> <li>• 172 parking spaces for entire TC not enough. Businesses will be bankrupt with no provision for parking.</li> <li>• DoP aware of high radiation levels on site. Report commissioned by Kings Beach No. 2 for CTC – why has this gone missing?</li> <li>• No provision for surf club. Casuarina Beach rated 10 (most dangerous).</li> </ul>	<p><b>Contaminated land Assessment</b></p> <p>Pursuant to the current condition B1 contained within the Project Approval for the Casuarina Town Centre, the following investigation works are required prior to the release of the Construction Certificate for the release of the subdivision.</p> <p><i>B1 Contamination</i></p> <p><i>Following clearing works, and prior to the commencement of earthworks or any construction activities, surface and full depth radiation investigations (to a minimum of ground water level) shall be conducted across the whole development site including areas in public ownership. The site shall be remediated prior to commencement of construction on the site.</i></p> <p><i>Prior to the issue of a Construction Certificate the Proponent shall submit to the Council a Remedial Action Plan and a Hazardous Materials Survey. Council will identify minimum remediation depths for both private and public open spaces. As a minimum, remediation should occur to a depth of 2 metres or below the lowest service infrastructure, whichever is the greater. The Remedial Action Plan must be accompanied by a statement from a site auditor accredited by the Environmental Protection Agency to issue site audit statements.</i></p> <p>of the land for the intended residential and/or mixed use. Importantly, this Modification does not seek to amend the above referenced condition.</p>

	<ul style="list-style-type: none"> <li>• TC looks nothing like which was originally approved. The scale of amendments over time is such that the development has changed significantly to the extent that it should be subject to a new DA.</li> <li>• Original plan with hotel provided employment opportunities.</li> <li>• Community will be lodging objection with Land &amp; Environment Court unless there is provision for 350 additional car parking spaces, surf lifesaving building, wider streets, max 3 storey building height.</li> <li>• Community consultation meetings bias – attended by friends / associates of developer. Timing in December was poor for busy people.</li> <li>• Existing Coles is poor design – trolley bays located in wrong spot and car park should have been one way.</li> <li>• Concerns with destroying the bushland between the ocean and residential land for another beach access.</li> <li>• Significant intrusion into</li> </ul>	<p><b>Action:</b> No action is required in this instance given the existence of Condition B1 and the requirement to achieve compliance.</p> <p><b>Potential Conflict</b> This Modification relates to elements of the project design and not to personnel involved in the construction process. Accordingly, the raised issue is not relevant in this instance.</p> <p><b>Action:</b> No action is required in this instance.</p> <p><b>Car Parking Numbers and Impact on Business</b> The proposal will in fact exceed the number of public car parking spaces by 26 car spaces as demonstrated previously within this document. Furthermore, each development proposed for the Casuarina Town Centre will be required to provide car parking pursuant to the parking provisions contained under the Tweed Development Control Plan 2008. This is a pre-requisite for all development and as such the parking provided for the town centre pursuant to the provisions of Council's Development Control Plan is not deemed to be antipathetic to local business activity.</p> <p><b>Action:</b> No action is required in this instance as this submission has demonstrated the proposal achieves a surplus of public car parking spaces, whilst individual development swill be required to construct their own parking supply on-site as part of the development project.</p> <p><b>Surf Lifesaving Facilities</b> Pursuant to Condition C5 of the Concept plan approved for the Casuarina Town Centre, surf lifesaving facilities are to be provided in the 'Icon Building'. This application as originally lodged did not seek to modify any component of Condition C5.</p> <p><b>Action:</b> No action is required in this instance.</p>
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	<p>foreshore dunes to allow access for emergency services (due to Kings Forest residents using as main beach).</p> <ul style="list-style-type: none"> <li>• Lifesaving plans only allow for additional storage, need to make allowance for full lifesaving facility.</li> <li>• Uninterrupted view of beach from Grand Parade – totally unacceptable need to protect foreshore dunes.</li> <li>• No commentary regarding retention of views, solar access, facilitation of visual and acoustic privacy and adequate separation between buildings.</li> <li>• Not happy with terrible Discount Chemist and large Coles signage. Not necessary and ugly logos in what was previously a much nicer area.</li> <li>• Requires full depth borehole analysis prior to excavation or will supply 10 x videos and soil analysis results conducted by QLD Government PHD experts showing high levels of silica to the media. Resident has videos walking across the site over exposed excavated soil during earthmoving – provides link to</li> </ul>	<p><b>Scale of amendments over time</b></p> <p>The proposal has retained the key elements of the project associated with residential and mixed use residential/retail development.</p> <p>The key modification to the Concept Plan relates to the overall density of the Town Centre which as discussed previously in this document has been reduced through the replacement of residential flat buildings with single dwelling sites.</p> <p>Notwithstanding this point, the key density around Grand Parade is maintained reflecting the role of the Town Centre at Casuarina.</p> <p><b>Action:</b> No action is required in this instance.</p> <p><b>Community Consultation</b></p> <p>A community meeting was conducted in Casuarina to present the proposed amendment to the Concept Plan for the town centre. The meeting was conducted as an open invitation with all local residents able to attend.</p> <p>The meeting provided a presentation by the project team outlining the key changes to the built form and associated subdivision layout.</p> <p>The proponent refutes the meeting was bias and attended primarily by friends and / or associates of Clarence Property. All attendees were provided the opportunity to ask questions of the team or to email/write any comments queries to the project team. The response from the meeting was reviewed by Pro Media Public Relations who prepared the Casuarina Beach Village Community Consultation Report which was lodged with the original submission to the Department of Planning &amp; Environment.</p> <p><b>Action:</b> No action required in this instance pertaining to the previously conducted community consultation process. However, notwithstanding the Department of Planning &amp; Environment undertaking public exhibition of the proposal, the proponents will be conducting a further community consultation process to communicate the amendments made to the design for the Casuarina Town Centre.</p>
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	<p>Mooball cancer story.</p> <p><b>Existing Coles is poor design</b>  This Modification does not seek to amend any component of the Concept Plan or Project approval as it relates to the already constructed Coles development.</p> <p><b>Action:</b> No action required in this instance.</p> <p><b>Concerns with destroying the bushland between the ocean and residential land for another beach access.</b>  Currently, the beach access is to be approved prior to the release of Stage 1C. In this respect, the residents of Casuarina Town Centre already enjoy the benefit of existing two access pathways which are appropriately located for the frontage of the Town Centre. Clarence Property is undertaking detailed consultation with key stakeholders as part of the development of the beach access and thus is seeking to have the access approved in Stage 2 in association with the development of the 'Icon Building' and surf lifesaving facilities.</p> <p><b>Action:</b> No action required in this instance as the proposal does not seek the approval for the beach access. Approval is sought to modify the timing in which the beach access approval is required.</p> <p><b>No commentary regarding retention of views, solar access, facilitation of visual and acoustic privacy and adequate separation between buildings.</b>  The current application does not seek consent for the built form for each residential or shop-top housing building within the Casuarina Town Centre.</p> <p>This point is clearly reflected by the inclusion of Condition C1 within the Concept plan approval. Condition C1 as provided below required those issues associated with privacy, solar access, views and acoustic management to be addressed through an assessment under SEPP 65.</p>
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		<p><i>C1 Residential Flat Buildings</i>  <i>All future applications involving the development of a residential flat building (within the definition of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings) is to include a Design Verification Statement from a qualified designer, verifying that the plans and specifications achieve the design quality of the development, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65—Design Quality of Residential Flat Development.</i></p> <p><b>Action:</b> No action required in this instance.</p> <p><b>Not happy with terrible Discount Chemist and large Coles signage. Not necessary and ugly logos in what was previously a much nicer area.</b>  This proposal does not relate to the Coles Supermarket and the associated retail shops. Accordingly, this point is not relevant to the current Modification.</p> <p><b>Action:</b> No action required in this instance.</p>
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Department of Planning & Environment Submission – Letter Dated 8 April 2016		
Issue Raised	Summary of Issue Raised	Response
<b>Urban Design</b>		
Yield provide a detailed comparison of the indicative dwelling yield for the Concept Plan Approval, Modification 6 and the modification request.	<ul style="list-style-type: none"> <li>Provide a detailed comparison of the indicative dwelling yield for the Concept Plan Approval, Modification 6 and the modification request.</li> </ul>	<p>Reference should be made to <b>Attachment 7</b> of this submission which contains a review of the density and resulting residential population for the Casuarina Town Centre. The key outcomes from the assessment of the dwelling yield and associated residential population are as follows.</p> <ul style="list-style-type: none"> <li>From original approval through to Modification 6, <u>dwelling numbers reduced</u> by 169 (832 down to 663)</li> <li>Our proposed Modification 10 will result in a further reduction of 226 dwellings (663 down to 437).</li> <li>The area of the Casuarina Town Centre (Precincts B &amp; C) which is subject to Modification 10 will have a <u>reduction in dwellings from 518 to 330 dwellings</u>.</li> <li>That is, Modification 10 will result in a <u>density decrease of 47%</u> as compared to the original approval</li> <li>Adopting a population/dwelling ratio of 2.2, the decrease in density will result in <u>869 fewer residents</u> within the Casuarina Town Centre as compared to the original approval.</li> <li>The population within Precincts B &amp; C will decline as a result of Modification 10 from 1,139 to 726 being a <u>reduction of 413 residents</u>.</li> </ul>
Building Height	<ul style="list-style-type: none"> <li>The modification request seeks to increase the building height along the Grand Parade to four storeys. The Tweed Local Environmental Plan 2014 (Tweed LEP) has a maximum height control of RL 13.6 m. Please identify whether it is</li> </ul>	<p>The proposal provides for future development to satisfy the 13.6m building height standard under the Tweed Local Environmental Plan. To this end, this modification does not seek to create a prescribed number of storeys over the shop-top and residential flat building sites, rather, rely on Tweed Shire Council's height of building standard as the maximum height in which a building can be designed.</p> <p>Reference is to be made to BG&amp; E Drawing C-0010 Rev C which contains the site contours proposed for the land. The following RL's are provided for the two designated</p>

	<p>possible to accommodate a four storey building within the 13.6 m height limit applicable to the site. If it is not possible you should provide justification for any departure from the height limit identified in the Tweed LEP.</p> <ul style="list-style-type: none"> <li>• Demonstrate the maximum RLs across each lot on the site including the medium density and standard allotments.</li> </ul>	<p>residential flat buildings sites which border Casuarina Way (Lots 50 &amp; 51), Lot 77 abutting the town centre and Lot 49 being the Icon Building site.</p> <p>Lot 50: RL 6.0m – RL 8.0m  Lot 51: RL 8.0m – RL 9.5m  Lot 77: RL 8.5m  Lot 49 (Icon Building): RL 8.0m</p> <p>Based on the shaping of the above referenced lots, the RL's for future development will vary between RL 20.1m – RL23.1m. The planned RL's for the site will be commensurate to the height of Santai Resort which directly adjoins the Casuarina Town Centre.</p>
Built Form	<ul style="list-style-type: none"> <li>• Please provide a visual impact assessment to quantify the impact of increasing the height of the buildings along Grand Parade, given there is a change in building typography across the site with low lying residential areas to the north and south.</li> </ul>	<p>As outlined in discussions with the Department of planning &amp; Environment, this application does not seek to increase the maximum height of buildings greater than that permitted under the Tweed Local Environmental Plan 2014. Accordingly, as supported by the Department of Planning &amp; Environment through consultation post the Departments letter dated 8 April 2016, a visual impact assessment is not deemed necessary as the building height of three storey upon Grand Parade is preserved under the prescribed 13.6m height.</p>
<b>Stormwater &amp; Buffer Zone</b>		
<b>Filling of the northern swale</b>	<ul style="list-style-type: none"> <li>• The Department notes that the filling of the swale was approved under MP 06_0258 MOD 1. Please provide clarification regarding the modifications required to the approved Concept Plan to accommodate the proposed</li> </ul>	<p>Through the deletion of the proposed Hotel Development and residential flat buildings within the northern portion of the site, the resulting site bulk earthworks has been modified so as to negate the need for a 1m high retaining wall to be constructed on the southern side of the 20m buffer.</p> <p>Accordingly, the filling of the swale as approved within Modification 1 is preserved in respect to its function as a landscaped buffer embellished with a shared pedestrian/cycleway, street furniture and infiltration areas. This proposal provides for</p>



	<p>development.</p> <ul style="list-style-type: none"> <li>Provide a number of detailed cross sections, fully dimensioned, of the stormwater easement</li> </ul>	<p>minor finessing of the finished site levels resulting from the transition from the proposed residential flat building to single residential lots as illustrated in BG&amp;E Drawing C-0010 Rev C (<b>Attachment 4</b>).</p> <p>A full suite of preliminary civil design plans for the project, inclusive of the filling of the swale are found within <b>Attachment 4</b> of this report.</p>
<b>Road reserve encroaching into the 20m northern buffer</b>	<ul style="list-style-type: none"> <li>Justify the introduction of the proposed road reserve, the reduced shared pedestrian/cyclepath (ie: 3.5 m to 2.5 m) and the effective reduction to the landscaped public open space corridor.</li> </ul>	<p>In response to the submissions received, the proposal has re-instated the 20m green northern buffer.</p> <p>The amended proposal now locates the urban road and all residential lots outside the 20m buffer.</p> <p>The 20m buffer will be landscaped, include a 3.5m wide shared pedestrian/cycle path increased in width from the originally proposed 2.5m. Accordingly, the resulting design is now consistent with the current approval for the buffer area.</p> <p>The subdivision design provides for single dwelling sites to the south of the buffer area. Accordingly, combined with the removal of the tourist hotel accommodation and the residential flat buildings from this area, the residential amenity (privacy, solar access) is significantly improved for the residents adjoining the Casuarina Town Centre on the northern boundary.</p> <p>By re-instating the buffer width to 20m as per the current proposal, the layout now addresses issues raised in public submissions associated with property value, betrayal of trust, decrease in open space area, increase in development yield and consistency with the development guidelines. This position is clearly evidenced by the letters of support which have been received by all landowners directly adjoining the Casuarina Town Centre northern boundary who had previously raised the aforementioned issues. (refer to <b>Attachment 6</b>)</p>
<b>Amenity</b>	<ul style="list-style-type: none"> <li>Please provide evidence to clarify whether the road proposed adjacent to the northern boundary of the site will generate any</li> </ul>	<p>Reference should be made to the road traffic noise impact assessment completed by CRG as contained within <b>Attachment 9</b>. The report identifies the level of traffic on the local access road and the separation of the road will result in no exceedance of the prescribed noise standards.</p>

	adverse noise or light spill impact at surrounding residential premises.	In respect to street lighting, the current approval required lighting of the buffer area in association with the use of the land by pedestrians and cyclists. A review of the documentation lodged with the original application does not identify the specific form of lighting proposed for this area, although reference is made to Figure 5 within this submission which identified a form of street lighting being envisaged within the buffer area. Accordingly, in order ensure any lighting would not create amenity issues for adjoining residents, the current approval contains Condition B35 which specifically deals with lighting.
<b>Other Issues</b>	<ul style="list-style-type: none"> <li>• Provision of Landowners consent and Tweed Shire Council to extinguish the drainage easement adjacent to the northern boundary of the site.</li> <li>• Please advise where the fill will be disposed of off-site and the additional construction vehicle movements associated with the removal of this fill (if any).</li> <li>• Condition C5 of the Concept Plan Approval identifies Lot 17 as providing facilities for surf lifesaving facilities. Please confirm the updated location for these lifesaving facilities. These facilities must be provided in a location commensurate with the approved location.</li> </ul>	<p><b>Council Landowner Consent and Extinguish Easements</b></p> <p>Reference is made to <b>Attachment 8</b> of this submission which contains the report to the Tweed Shire Council Ordinary Meeting held on 21 September 2017. The report was prepared following extensive consultation between the proponent and Council to address those issues raised in Council's letter to the Department of Planning &amp; Environment dated 22 April 2016.</p> <p>Council resolved to adopt the staff recommendation at the Ordinary Meeting. The Council adopted resolution is detailed below.</p> <p><i>RESOLVED that:</i></p> <p><i>1. In regard to Development Application DA10/0222.26 for an amendment to Development Consent DA10/0222 for Casuarina Town Centre including 93 lot subdivision, road works, infrastructure works and landscaping (Department of Planning Application MP06_0258) MOD 10 at Lot 15 DP 1198266 &amp; Lot 13 DP 1014470 Casuarina Way, Casuarina, Council formally grant land owners consent for use of Lot 13 in DP 1014470 as per the Draft Plan of Management to enable the applicant to lodge the amended MP06_0258 MOD 10 (Council reference DA10/0222.26) with the NSW Department of Planning; and</i></p> <p><i>2. Pursuant to the provisions of Section 36 of the Local Government Act 1993 the Draft Plan of Management for Lot 13 in DP 1014470 Casuarina Way, Casuarina be placed on exhibition for 28 days allowing a submission period of 42 days. During the exhibition and submission period, a public meeting is to be held in respect of the plan.</i></p>

		<p><b>Excess Fill</b></p> <p>The preliminary earthworks design identifies the capacity to utilise all of the existing stockpile upon the subject land. In the instance, surplus material is produced through the civil works program, reference is made to Condition D17 of the Project Approval which provides the mechanism to dispose of material. Condition D17 is outlined below.</p> <p><i>D17 Disposal of Material</i></p> <p><i>No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council General Manager or his delegate.</i></p>
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NSW Rural Fire Service 15 March 2016		
Issue Raised	Summary of Issue Raised	Response
Bushfire Assessment	<ul style="list-style-type: none"> <li>Assessment against 'Planning for Bushfire Protection</li> </ul>	<p>Reference is made to the fact the area mapped as containing the bushfire hazard is the Casuarina Town Centre site itself. This was due to the fact the land was undeveloped and vegetated when the bushfire hazard mapping was prepared. The land is now cleared in accordance with the approvals issued for the site.</p> <p>Notwithstanding this position, a preliminary bushfire threat assessment has been completed below for the subdivision proposal.</p> <p><b>Bushfire Vegetation</b></p> <p>The subject land previously contained bushfire vegetation and associated buffer (100 metres). The hazard has now been removed through the clearing of the site associated with the development of the Casuarina Town Centre. As evidenced through an inspection of the property the site is now clear of any hazard.</p> <p>Despite the subject land being cleared of the previously mapped hazard as part of the civil works completed for Stage 1A of the Casuarina Town Centre, the development of the subdivision triggers the classification of the project as an "integrated development" which in turn requires the issue of a Section 100B Certificate under the Rural Fires Act 1997. Given the land is now cleared, the only vegetation which exists within 140m of the subdivision is the vegetation located within the coastal dunes, whilst the vegetation bordering Cudgen Creek is approximately 160 metres from the western boundary of the subject land. A review of the locality identifies the vegetation is separated from the development by Tweed Coast Road and either existing residential and commercial development (south-west).</p> <p>PBP 2006 Appendix 2 (A2.3) requires the APZ investigation to categorise vegetation using the Keith formation using Table A2.1. To assist in classifying the vegetation, an inspection of the areas west of the Tweed Coast Road was completed, further to regard being made to the "Classification of Vegetation Formations" issued by the NSW Rural Fire Service. For the purpose of this assessment, the vegetation community is considered to be <u>Forested Wetland</u></p>

		<p>as the dominant vegetation located within west of the site.</p> <p>The land and area between the bushfire vegetation contains a slope in the order of 0-5%</p> <p><b>Asset Protection Zones &amp; Construction Standards</b> Asset Protection Zones are areas established and maintained to ensure that bushfire fuels are progressively reduced between the development and the bushfire hazard. The asset protection zone incorporates an Inner Protection Area (IPA) having reduced fuel loadings of approximately 3t/ha.</p> <p>Table A2.5 of Planning for Bushfire Protection 2006 requires a 20m Asset Protection Zone to the forested wetland to west for the urban subdivision. The land is afforded a setback in excess of 150m and thus is <u>compliant</u> with the prescribed APZ requirement.</p> <p><b>Table 1</b> identifies the construction standards that are to apply to the development.</p> <p><b>Table 1: Bushfire Threat Assessment</b></p> <table><tr><th>ASPECT</th><th>SLOPE</th><th>VEGETATION CLASS (Table A2.1 PBP2006)</th><th>DISTANCE</th><th>BAL AS 3959-2009</th></tr><tr><td>East</td><td>N/A</td><td>Managed</td><td>N/A</td><td>N/A</td></tr><tr><td>West</td><td>flat</td><td>Forested Wetland</td><td>&gt;100m</td><td>N/A</td></tr><tr><td>North</td><td>N/A</td><td>Residential</td><td>N/A</td><td>N/A</td></tr><tr><td>South</td><td>N/A</td><td>Residential</td><td>N/A</td><td>N/A</td></tr></table> <p><b>Property Access</b> The proposed development is serviced with vehicular access from Grand Parade and Casuarina Way reflecting current access arrangements for development fronting the aforementioned roads.</p>	ASPECT	SLOPE	VEGETATION CLASS (Table A2.1 PBP2006)	DISTANCE	BAL AS 3959-2009	East	N/A	Managed	N/A	N/A	West	flat	Forested Wetland	>100m	N/A	North	N/A	Residential	N/A	N/A	South	N/A	Residential	N/A	N/A
ASPECT	SLOPE	VEGETATION CLASS (Table A2.1 PBP2006)	DISTANCE	BAL AS 3959-2009																							
East	N/A	Managed	N/A	N/A																							
West	flat	Forested Wetland	>100m	N/A																							
North	N/A	Residential	N/A	N/A																							
South	N/A	Residential	N/A	N/A																							

**Table 2** details compliance with the proposed property access.

**Table 2: Preliminary Access Provisions**

PBP Requirement	Proposal	Compliance
Minimum carriageway width of 4 metres inclusive of 1 metre strip either side (6 metre width).	Grand Parade & Casuarina Way both contains a bitumen sealed surface and is capable of satisfying the relevant PBP 2006 requirement.	Yes
Bridges capable of carrying 15 tonnes.	15 tonne capacity is acceptable.	Yes
Roads do not traverse a wetland or other land potentially subject to periodic inundation (other than flood or storm surge).	The access road does not traverse a wetland.	
Minimum vertical clearance of 4 metres.	No landscaping or overhanging structures will impede the vehicular access.	Yes
Maximum grades should not exceed 15° for sealed roads and 10° for unsealed roads.	The access road contains a grade of <10°.	Yes

		<p><b>Water and Utility Services</b></p> <p><b>Water Services</b></p> <p>Adequate water supply is a critical requirement for fire-fighting purposes in the event of a bushfire. A reticulated water supply and street hydrants in Casuarina Way will need to provide coverage of the development in accordance with AS 2419.1 – 2005. It is noted that this is also required by Cl. 142 Local Govt Regulation.</p> <p><b>Electricity Services</b></p> <p>Electricity will be provided via underground reticulation as required by the local authority will be installed in accordance with their requirements.</p> <p>Electrical transmission lines shall be placed underground and is to be confirmed in the civil design to be conditioned with the development consent.</p> <p>This assessment has demonstrated compliance with the intent of <i>Planning for Bushfire Protection 2006</i>.</p> <p>This assessment demonstrates that whilst requirements of Planning for Bushfire Protection 2006 do not apply directly given that the proposed subdivision are not located on bushfire prone land consideration has been given to PBP2006 pursuant to an assessment against s79C of the Environmental Planning and Assessment Act 1979.</p>
Land Management	<ul style="list-style-type: none"> <li>Management of land east of the town centre</li> </ul>	<p>Reference is made to the fact the land east of the subject land is managed by Tweed Shire Council as the Trustee for the Coastal Reserve (Lot 13 DP 1014470. The land is subject to a Plan of Management which is currently being exhibited prior to its adoption by Council. The Casuarina Town Centre enjoys an interface with the coastal foreshore reserve in the same manner as residential developments to the north and south. Importantly, the subdivision design provides for all residential development to be setback from the costal reserve by either a public road or managed open space, thereby ensuring the land is managed and providing an effective inner protection area for future residents.</p>

	<ul style="list-style-type: none"> <li>How the proposal meets the statement of commitments</li> </ul>	<p>The Statement of Commitments relating to bushfire state as follows:</p> <ul style="list-style-type: none"> <li>The proponent undertakes that all landscaping to the site is to comply with the principles of Appendix 5 of the Planning for Bushfire Protection 2006.</li> </ul> <p>The proposal is not deemed to be antipathetic to achieving this commitment with a detailed landscape plan to be provide with the Construction Certificate for Council and planted prior to the release of the Subdivision Certificate in accordance with the timing for completion as specified in the Statement of Commitment. A preliminary Landscape Concept Masterplan is provided within <b>Attachment 3</b> of this submission.</p>
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