

Modification of Concept Approval

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

As delegate of the Minister for Planning, I approve the modification of the Concept Plan approval referred to in Schedule 1, subject to the modified terms of approval outlined in Schedule 2.



Brendon Roberts
Acting Director
Regional Assessments

Sydney 30 July 2020

SCHEDULE 1

Concept Plan Approval:	MP 06_0258 granted by the Minister for Planning on 20 September 2009.
Proponent:	Kings Beach No. 2 Pty Ltd
For the following:	Mixed use subdivision at Lot 223 DP 1048494; Lot 3 DP 1042119; Lot 144 DP 1030322 and Lots 10 and 13 DP 1014470 – Tweed Coast Road, South Kingscliff, Tweed local government area.
Modification:	MP06_0258 MOD 13: modification to amend Condition C8 to allow the occupation of lots in Stage 2 prior to completion of the Icon Building by providing a temporary surf life saving facility.

SCHEDULE 2

- (a) Schedule 2 Part A – Terms of Concept Approval Condition A4 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words/numbers as follows:

A4 *Project in Accordance with Documents*

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

Environmental Assessment Documentation

- a) *Environmental Assessment Report* prepared by Victor G Feros Town Planning Consultants on behalf of Kings Beach No. 2 Pty Ltd, dated August 2008; and,

Preferred Project Report Documentation

- b) *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).

Section 75W Modification Request Documentation

- c) *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.

Section 75W Modification Request Documentation

- d) *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.

Section 75W Modification Request Documentation

- e) *Section 75W Modification: 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.

Section 75W Modification Request Documentation

- f) *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.

Section 75W Modification Request Documentation

- g) *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.

Section 75W Modification Request Documentation

- h) *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).

Section 75W Modification Request Documentation

- i) *Section 75W Modification No. 9 Project Approval MP 06_0258 Casuarina Town Centre* prepared by BBC Consulting Planners on behalf of Consolidated Properties Group, dated February 2015, as amended by *Section 75W Modification No. 9 Project Approval MP 06_0258 Casuarina Town Centre Addendum Report prepared by BBC Consulting Planners* and dated April 2015.

Section 75W Modification Request Documentation

- j) *Section 75W Modification No. 8 Project Approval MP 06_0258 Casuarina Town Centre* prepared by BBC Consulting Planners on behalf of Consolidated Properties Group, dated August 2014, as amended by *Section 75W Modification No. 8 Project Approval MP06_0258 Casuarina Town Centre Addendum Report*, prepared by BBC Consulting Planners, and dated 16 December 2014.

Section 75W Modification Request Documentation

- k) *Section 75W Modification No. 10 Project Approval MP 06_0258 Casuarina Town Centre* prepared by Newtown Denny Chapelle, on behalf of CTC Unit Trust, dated January 2016, as amended by Response to Submissions titled *MP06_0258 Casuarina Town Centre – Modification 10*, prepared by Newtown Denny Chapelle and dated 3 October 2017 as amended by additional information submitted on 15 December 2017, 19 January 2018, 6 February 2018, 13 March 2018 and 10 April 2018.

Section 75W Modification Request Documentation

- l) **Section 75W Modification No. 13 Concept Approval MP 06 0258 Casuarina Town Centre prepared by Newton Denny Chapelle, on behalf of Clarence Property, dated January 2020.**

- (b) Schedule 2 Part C – Requirements for Future Applications Condition C5 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words/numbers as follows:

C5 Surf Lifesaving Facilities

The future application for development of Lot-47 **49** is to include details of the surf lifesaving facilities to be provided in the Icon Building. The application shall include written agreement to the proposed facilities from Surf Lifesaving Australia.

- (c) Schedule 2 Part C – Requirements for Future Applications Condition C8 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

C8 Delivery of Icon Building and Lifesaving Facilities

Future applications for the development of any buildings in Stage 2 must demonstrate that construction of the Icon Building, including lifesaving facilities, will be completed prior to the occupation of any other building within Stage 2. **Alternatively, a temporary lifesaving facility may be provided on consolidated Lots 72 & 78-83, but must be operational prior to the occupation of any other building within Stage 2. The development of consolidated Lots 72 & 78-83 for any purpose other than for the lifesaving facilities shall not occur until the Occupation Certificate for the Icon Building, including the permanent lifesaving facility, is issued.**

The further development consent of Council shall be obtained for the temporary life saving facilities prior to construction.

End of MP 06_0258 MOD 13