

ATTACHMENT 2
COPY OF LETTER OF TWEED SHIRE COUNCIL
(24 NOVEMBER 2009)

Council Reference: ECM7963448
Your Reference:

27 NOV 2009



TWEED
SHIRE COUNCIL

24 November 2009

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Please address all communications
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Dear Sir

Land Owners Consent - Casuarina Beach Town Centre

In reply to Consolidated Properties letter dated 27 October 2009 and your letter dated 19 November 2009, I advise that:-

1. Council gives owner's consent for the lodgement of a 75W amendment to the Minister's Consent for Project Application 06_0258:-
 - a) To carry out upgrading and landscaping works including stormwater infiltration on lot 13 DP 1014470.
 - b) To carry out stormwater, sewerage and landscaping works including the filling in of the east/west drainage swale that runs along the northern boundary of the proposed Town Centre site. This will include piping of the stormwater sized in accordance with existing Minister's condition B24(a). These works shall be designed to maintain privacy and separation for existing residences, generally in accordance with Figure 1.
 - c) To carry out works on Lot 10 DP1014470 (sports fields). This work will involve integration of the realigned stormwater drainage from the Town Centre with the existing system that utilises the northern end of Lot 10, and will facilitate the inclusion of additional car parking within the proposed retail site.
2. After the Minister has amended the consent in accordance with 1. above, Council:-
 - a) Grants consent to enter upon Lots 10 and 13 DP 1014470 for the purpose of constructing the works referred to in 1.
 - b) In exchange for creation of the 20m reserve on the northern edge of the Town Centre and creation of a 15m wide pedestrian/cycleway easement connecting this reserve to Lot 10 DP 1014470, relinquish the current Easement/Right of Carriageway benefiting Council over lot 223 DP104849.
 - c) Prior to relinquishment of the Easement/Right of Carriageway benefiting Council over lot 223 DP104849 raises no objection to constructing the works referred to in 1(b).
3. Council agrees that the creation of the reserve and easement in 2(b) and construction of the works in 1 are full compensation for the granting of owner's consent in 2(a) and relinquishing of easement in 2(b).

In regard to carrying out of works and landscaping to facilitate the construction of a Cul-de-Sac at the western end of Dianella Drive, it is advised that there are no objections in principal of these works being done in conjunction with the opening of the new road and intersection to the Town Centre. However, an application to Council will be required under Section 138 of the Roads Act 1993 to enable these works to be formally approved.

Yours faithfully

Mike Rayner
GENERAL MANAGER