

30 June 2010

Mr Chris Wilson
Executive Director – Major DA Assessment
Department of Planning
GPO Box 37
SYDNEY NSW 2000

Dear Chris

**RE: PART 3A CONCEPT PLAN APPLICATION (MP 06_0316) FOR COBAKI LAKES –
ADDENDUM TO PREFERRED PROJECT REPORT**

I refer to the Preferred Project Report (PPR) for the Part 3A Concept Plan Application for Cobaki Lakes (MP 06_0316) prepared by JBA Urban Planning Consultants Pty Ltd on behalf of the applicant Leda Manorstead Pty Ltd submitted to the Department of Planning in October 2009.

We understand the PPR was referred to relevant government agencies for further comment. This Addendum to the PPR is submitted in response to a number of issues raised by government agencies on the PPR and the further refinement and resolution of the Concept Plan. The following amendments are proposed to the PPR:

- Deletion of the main lake;
- Deletion of nominated restaurant site;
- Relocation of the northern school site;
- Amendment to southern school site and neighbourhood centre;
- Change to town centre precinct boundary;
- Relocation of east-west environment protection corridor;
- Additional area of structured open space;
- Widening of part of Cobaki Parkway reserve;
- Realignment of part of Sandy Road;
- Withdrawal of 'Release Areas' staging plan;
- Final Tweed LEP zoning amendments;
- Final covenant protected areas;
- Final Concept Plans;
- Final Development Code;
- Revised ecological reports and management plans;
- Amendments to Statement of Commitments; and
- Changes to future stage applications for development approval.

1.0 DELETION OF THE MAIN LAKE

Leda proposes to delete the main lake from the Cobaki Lakes Concept Plan due to a number of practical difficulties and concerns from government agencies. This includes concerns from government agencies over acid sulfate soils being affected by excavation, potential for algae blooms and pollution, impacts of proposed salt water flushing on the freshwater riparian system, and reluctance of Tweed Shire Council to take over ownership and management of the main lake.

The main lake is proposed to revert to open space use consistent with the remainder of the central open space and riparian corridor which is being designed in detail and finalised in the current Project Application No.08_0200.

The deletion of the lake affects the planning for stormwater management at Cobaki. A statement on stormwater management prepared by Gilbert + Sutherland is enclosed with this PPR Addendum. The statement explains that the stormwater management outcomes planned for the estate (in terms of water sensitive urban design, improved water quality runoff from the site, and integrated water cycle management to conserve water resources as described in the water management plans in the Concept Plan EAR) can be achieved with the deletion of the main lake. The detailed stormwater management planning and engineering design with the deletion of the main lake is being finalised in the current Project Application for the central open space and riparian corridor. The final Statement of Commitments in the Concept Plan PPR requires a detailed stormwater management plan to be prepared to accompany each future Project Application for each stage of development, and these plans will need to incorporate the deletion of the main lake.

No other environmental planning and assessment issues are affected significantly by the deletion of the main lake.

2.0 DELETION OF THE NOMINATED RESTAURANT SITE

The previous site nominated for a restaurant in the open space zone near the centre of the estate is deleted from the Concept Plan. The restaurant was initially proposed in the Concept Plan as an appropriate use adjacent to the main central lake. The main lakes have now been deleted from the Concept Plan, and therefore the nomination of a specific restaurant site is no longer appropriate in the Concept Plan.

The deletion of the nominated restaurant site does not raise any environmental assessment issues.

3.0 RELOCATION OF NORTHERN SCHOOL SITE

Leda proposes to relocate the northern school site from Sandy Road to the town centre precinct in the Concept Plan for Cobaki.

The previous site at Sandy Road has a topography that is less than ideal for the development of a school. It is next to a bushfire hazard that would require a substantial asset protection zone over the school property that limits the developable area. It also includes a slope that would require some expensive cut and fill to achieve the levels needed for school building platforms and sports fields. These topographical constraints make the previous northern school site less preferable to the new site adjacent to the town centre.

The proposed new site in the town centre precinct is more suitable and preferable to the previous Sandy Road site as it is cleared land not affected by bushfire hazard and relatively flat. It is more central, convenient and accessible at the town centre of the Cobaki estate near the junction of Cobaki Parkway and Sandy Road. The proposed new location is accepted by the Department of Education as explained in its email correspondence enclosed with this PPR Addendum.

The relocation of the northern school to the town centre raises a number of urban design issues that will be addressed in the detailed design of the school and town centre in future Development Applications. These design issues include safety and acoustic impacts along the Cobaki Parkway and Sandy Road school frontages, and the interface between the school and commercial uses in the town centre. These issues will be resolved by detailed design measures including appropriate siting and design of buildings, open space and landscaping, edge treatments and barrier fences, and access network in future Development Applications for the school and town centre.

In the final Concept Plan, the previous northern school site reverts to residential use.

4.0 AMENDMENT TO SOUTHERN SCHOOL SITE AND NEIGHBOURHOOD CENTRE

The location of the southern school site and neighbourhood centre have been swapped in the final Concept Plan so as to improve traffic management and design outcomes for the neighbourhood centre.

The previous arrangement in the Concept Plan with the neighbourhood centre located on the corner of Cobaki Parkway and Sandy Road raised adverse traffic management conditions and constrained design options for commercial development in the neighbourhood centre. In particular, the setback requirements for both access roads and buildings from Cobaki Parkway and Sandy Lane overly constrained commercial development on the previous neighbourhood centre site and is likely to have led to a poorer urban design outcome and traffic conflict.

The new location of the southern school raises the same urban design matters as the northern school site as mentioned above which will be resolved in the detailed design of the school and neighbourhood centre in future Development Applications.

The new location of the southern school and neighbourhood centre provides for better traffic management and urban design outcomes.

5.0 CHANGE TO TOWN CENTRE PRECINCT BOUNDARY

The town centre precinct boundary has been amended to accommodate the northern school site and the refinements made in accordance with progress being made by Leda in the planning of development in the town centre and Precinct 6 residential design. These changes and refinements do not raise any further environmental assessment issues.

6.0 RELOCATION OF EAST-WEST ENVIRONMENT PROTECTION CORRIDOR

The east-west environmental protection corridor has been moved south to a better location where it is further away from the potential adverse impacts of the town centre and can serve a dual purpose as a habitat and riparian corridor for a more efficient and effective use of land at Cobaki. The final corridor retains the link between habitat to the west and east of the Cobaki site, and has been approved by the Department of Environment, Climate Change and Water as stated in its letter enclosed with this PPR Addendum.

The detailed design of rehabilitation works in this east-west corridor and assessment of its habitat value, particularly for threatened species such as the Wollum Froglet, will be the subject of a future Part 3A Project Application.

7.0 ADDITIONAL AREA OF STRUCTURED OPEN SPACE

An additional area of structured open space for more formal and active recreation is included in the final Concept Plan to accord with the Tweed Shire Council DCP.

8.0 WIDENING OF PART OF COBAKI PARKWAY RESERVE

The southern part of Cobaki Parkway reserve near the intersection with Sandy Road has been widened to a total reserve width in places of approximately 100m in order to accommodate utility services and associated engineering and maintenance requirements as described in the attached letter from Yeats Consulting Engineers.

9.0 REALIGNMENT OF PART OF SANDY ROAD

A part of Sandy Road on the central southern part of the site has been realigned slightly to better accommodate the adjacent structured open space and better align with zone boundaries.

10.0 WITHDRAWAL OF RELEASE AREAS STAGING PLAN

Leda is withdrawing the "Release Areas" staging plan in Figure 9 of the PPR. The staging of development in precincts will depend on a number of factors including the timing of road connection to the south, construction of the M1 Boyd street interchange, market conditions for the different housing product types, provision of utility services, and development economics. There is some uncertainty in these factors and the staging of development needs to be flexible in the Concept Plan Approval.

11.0 FINAL TWEED LEP ZONING AMENDMENTS

The Concept Plan proposes to refine the land use zone boundaries in Tweed LEP as described below in **Tables 1** and **2** and in the enclosed final zoning amendment map. The refinements to the zone boundaries are made to align the zonings with cadastral boundaries, existing development approvals, and the physical attributes of the land to give land use zones that are more consistent with the capacity and suitability of the land.

These zone boundaries have been refined further since the lodgement of the original PPR to align with the cadastral mapping corrections carried out by Tweed Shire Council.

The proposed refinements to the zone boundaries now result in:

- a net gain of 103.274 hectares added to the total area of the 7(a), 7(d) and 7(l) Environmental Protection Zones;
- a net reduction of 119.195 hectares to the 6(b) Recreation Zone (primarily rezoned to Environmental Protection zonings); and
- a net addition of 15.920 hectares to the 2(c) Urban Expansion Zone.

The proposed zoning refinements result in a total of 283.2 ha. of land (46.6% of the site) zoned for environmental protection and open space in the Cobaki Lakes Estate. This comprises 88.0 ha. of land zoned 6(b) Recreation and 195.2 ha. zoned Environmental Protection. Much of the 6(b) land will be developed and landscaped for parks and playing fields. Additional parks will also be located in the subdivision of precincts in the 2(c) Urban Expansion Zone. The development of both structured and unstructured open space will provide a range of recreational opportunities to meet the needs of the future resident population. (N.B. Area calculations are based on the proposed final zone boundaries.)

The tables below provide further explanation of the proposed zoning refinements and the areas affected.

Table 1 – Refinements to Tweed (Cadastral Corrected) LEP Zoning Boundaries

Map Ref	Area (m ²)	Current Zone	Proposed Zone	Explanation for each Area
2	56	7(l)	2(c)	Resolves zone boundary under clause 52 of Tweed LEP. Area 2 is unvegetated land having low value for environmental protection. It is more suited to residential zoning.
3	12,360	7(d)	2(c)	Resolves zone boundary under clause 52 of Tweed LEP. Adjustment to zone boundary gives more practical residential precinct with better planning and future urban design outcomes. Area 3 has unvegetated parts with low value for environmental protection. It is more suited to residential zoning.
4	1,020	6(b)	2(c)	Resolves zone boundary under clause 52 of Tweed LEP. Adjustment to zone boundary gives more practical residential precinct with better planning and future urban design outcomes. Area 4 has unvegetated parts with low conservation value. It is more suited to residential zoning.
5	21,240	6(b)	2(c)	Resolves zone boundary under clause 52 of Tweed LEP. Area 5 is grassland and isolated trees of low conservation value. It is more suited to residential zoning.
6	3,144	7(d)	2(c)	Resolves zone boundary under clause 52 of Tweed LEP. Area 6 is more suited to residential zoning. Adjustment to zone boundary gives more practical precincts with better planning outcomes and more efficient use of land.
7	5,321	7(d)	2(c)	Resolves zone boundary under clause 52 of Tweed LEP. Area 7 is unvegetated land and grassland having low value for environmental protection. It is more suited to residential zoning.
8	7,293	6(b)	2(c)	Aligns zone boundaries with the existing development consent and completed earthworks for Cobaki Parkway (S94/194 29 August 2003). Area 8 is unvegetated land and grassland with low conservation value.
9	16,024	6(b)	2(c)	Aligns zone boundaries with the existing development consent and completed earthworks for Cobaki Parkway (S94/194 29 August 2003). Area 9 is unvegetated and disturbed land with limited conservation value.
10	35,190	6(b)	2(c)	Aligns zoning with the existing development consent and completed earthworks for development in the town centre precinct (1162/2001DA 8 October 2002). Area 10 is unvegetated land with low conservation value.
11	2,876	6(b)	2(c)	Area 11 is grassland having low conservation value, and is more suited to residential zoning. Adjustment to zone boundary gives better planning outcomes and more efficient use of land.

Map Ref	Area (m ²)	Current Zone	Proposed Zone	Explanation for each Area
12	513	7(l)	2(c)	Area 12 is grassland having low value for environmental protection, and is more suited to residential zoning. Adjustment to zone boundary gives better planning outcomes and more efficient use of land.
13	14,350	6(b)	2(c)	The current zoning plan is based on the Digital Cadastral Data Base supplied by NSW Department of Lands which contains the anomaly of a residential zone having a length of some 750 metres, but a width typically of only 10 metres which precludes residential development. Tweed Council has recently adopted a ground-truthed Cadastral Boundary Plan as shown in Figure 3. The adjustment to Area 13 makes residential development possible in this area, and gives a zone boundary that is more practical with better planning outcomes and more efficient use of land. Area 13 is grassland having low conservation value, and is more suited to residential use.
14	10,910	6(b)	2(c)	Area 14 is unvegetated land with low conservation value, and is more suitable for the proposed town centre uses. Adjustment to zone boundary gives more practical town centre precinct with better planning outcomes and more efficient use of land.
15	16,570	6(b)	2(c)	Area 15 is unvegetated land with low conservation value. The proposed zone boundary will conform with Cobaki Parkway resulting in better planning outcomes and more efficient use of land.
16	75,570	6(b)	2(c)	Area 16 has unvegetated parts of low conservation value, and some wetlands and saltmarsh the conservation value of which is moderate due to the small areas and the separation of Area 16 as a whole from the main saltmarsh area on the opposite side of Cobaki Parkway.
17	8,310	6(b)	2(c)	Area 17 is grassland with scattered trees and low conservation value. It is more suited to residential zoning. Adjustment to zone boundary gives more practical precincts with better planning outcomes and more efficient use of land.
18	4,703	6(b)	2(c)	Area 18 has grassland of low conservation value, and some wetland species in wet periods that are of only moderate conservation value. It is more suited to residential zoning. Adjustment to zone boundary gives more practical precincts with better planning outcomes and more efficient use of land.
19	3,480	6(b)	2(c)	Area 19 has grassland of low conservation value, and some wetland species in wet periods that are of only moderate conservation value. It is more suited to residential zoning. Adjustment to zone boundary gives more practical precincts with better planning outcomes and more efficient use of land.
20	9,328	6(b)	2(c)	Area 20 is unvegetated land that has low conservation value and is more suited to residential zoning. Adjustment to zone boundary gives more practical precincts with better planning outcomes and more efficient use of land.

Map Ref	Area (m ²)	Current Zone	Proposed Zone	Explanation for each Area
21	408	6(b)	2(c)	Aligns the zone boundary with the existing consent and completed earthworks for Sandy Lane. Area 21 is unvegetated land that has low conservation value.
22	85	7(l)	2(c)	Adjusts zone boundary to align with the part of the existing subdivision consent (K99/1124) that is being preserved for Precincts 1 and 2. Area 22 is of low conservation value and more suited to residential use.
23	748	2(c)	7(l)	Area 23 is more suited to 7(l) zone as it has forest and adjoins the existing 7(l) zoned bushland.
24	20,770	2(c)	7(l)	Area 24 is more suited to 7(l) zone as it has forest of moderate to high conservation value, and adjoins the existing 7(l) zoned bushland.
25	9,755	6(b)	7(l)	Area 25 is more suited to 7(l) zone as it has forest of moderate conservation value, and adjoins the existing 7(l) zoned bushland .
26	3,716	2(c)	7(l)	Area 26 is more suited to 7(l) zone as it has forest of moderate conservation value, and adjoins the existing 7(l) zoned bushland.
27	10,510	2(c)	6(b)	Area 27 contains an existing dam that is proposed to be retained as part of the open space network with links to environmental protection areas.
28A 28B	349,740 490,360	6(b) 6(b)	7(l) 7(l)	Areas 28A and 28B are more suited to 7(l) zone as they are predominantly saltmarsh areas to be remediated. It is intended that this remediation will include the extension of the area of saltmarsh to an extent equal to the area of saltmarsh presently within Area 16 and, additionally, an area equal to the nett area lost, after remediation, as a result of the construction of the road and services within the road reserve area separating Areas 28A and 28B. This area of road reserve is required to accommodate the construction of the road together with sewer and water services, and to provide in the long term for servicing requirements.
29	59,760	6(b)	7(l)	Area 29 is more suited to 7(l) zone as it is predominantly low lying land which, together with land to be protected by covenant to its east, will form a fauna corridor. It also contains a Blackbutt community on its sloping parts.
31	4,704	6(b)	7(l)	Area 31 is more suited to 7(l) zone as it extends a corridor to its west.
34	3,995	7(d)	2(c)	Area 34 is more suited to 2(c) zone as it rationalises a gap which performs no useful function between adjacent urban- zoned land.
35	8,840	6(b)	7(l)	Area 35 is more suited to 7(l) zone as it contains isolated vegetation requiring protection.
36	4,854	2(c)	7(l)	Area 36 is more suited to 7(l) zone as it contains isolated vegetation requiring protection.
37	12,030	2(c)	7(l)	Area 37 is more suited to 7(l) zone as it contains isolated vegetation requiring protection and forms an addition to existing adjacent 7(l)-zoned land.

Map Ref	Area (m ²)	Current Zone	Proposed Zone	Explanation for each Area
38	34,540	6(b)	7(l)	Area 38 is more suited to 7(l) zone to form a corridor connecting the existing 7(l)-zoned land adjacent to it to the vegetation to the east of Cobaki Parkway.
39	4,115	2(c)	7(l)	Area 39 provides required additional area for fauna habitat.
40	3,451	2(c)	7(l)	Area 40 is too narrow for residential development (see Area 13) and is more suited to 7(l) zone. Together with adjacent Area 38 it forms a fauna corridor.
41	3,036	7(l)	2(c)	Resolves zone boundary under clause 52 of Tweed LEP. Adjustment of zone boundary gives more practical residential precinct (along with Areas 12 & 13) with better planning and future urban design outcomes. Area 41 is unvegetated land.
42	1	7(a)	2(c)	Aligns zone boundary with the existing development consent and completed earthworks for Cobaki Parkway (S94/194 29/08/2003). Area 42 is unvegetated and of no conservation value.
43	436	2(c)	7(l)	Area 43 is more suited to 7(l) zone.
44	112	2(c)	6(b)	Area 44 is more suited to 6(b) zone as it aligns with the adjoining 6(b) land.
45	873	2(c)	7(l)	Area 45 is an addition to the adjacent 7(l) zone to give effect to a fauna corridor of minimum 50m width.
46	578	2(c)	7(l)	Area 46 is more suited to the 7(l) zone and adds to the adjacent 7(l) zone in Area 29.
47	741	7(l)	6(b)	Resolves zone boundary under clause 52 of Tweed LEP. Aligns zone boundary with the existing development consent and completed earthworks for Cobaki Parkway (S94/194 29/08/2003). Area 47 is unvegetated with no conservation value.
48	2,273	7(a)	6(b)	Aligns zone boundary with the existing development consent and completed earthworks for Cobaki Parkway (S92/194 29/08/2003). Area 48 is unvegetated and disturbed with no conservation value.
49	1,034	2(c)	7(l)	Area 49 is part of a road reserve that is to be closed. Its zoning to 7(l) effects the continuity of a fauna corridor.
50	93	2(c)	7(l)	Area 50 is an addition to the adjacent 7(l) zone to give effect to a fauna corridor of minimum 50m width.
51	22,753	6(b)	7(l)	The zoning of this area to 7(l) gives effect to a fauna corridor.
52	27,568	2(c)	7(l)	The zoning of this area to 7(l) gives effect to a fauna corridor of minimum 50m width. Appropriate fauna culverts under Cobaki Parkway will extend this fauna corridor to the vegetated lands to the east.
54	1,846	2(c)	7(l)	Area 54 was the alignment of a previously-intended road that is to be relocated, and should revert to the 7(l) zone.

Map Ref	Area (m ²)	Current Zone	Proposed Zone	Explanation for each Area
55	1,194	2(c)	7(l)	The addition of Area 55 to the 7(l) zone improves the fauna corridor value of this area.
56	511	2(c)	7(l)	Area 56 was the alignment of a previously-intended road that is to be relocated, and should revert to the 7(l) zone.
57	1,039	2(c)	6(b)	This otherwise remnant area of 2(c)-zoned land is more appropriately consolidated with the adjacent 6(b) zone.
58	783	2(c)	6(b)	This otherwise remnant area of 2(c)-zoned land is more appropriately consolidated with the adjacent 6(b) zone.
58	318	2(c)	6(b)	This otherwise remnant area of 2(c)-zoned land is more appropriately consolidated with the adjacent 6(b) zone.

Table 2 – Areas affected by Proposed Zoning Boundary Refinements

	2(c) Ha	6(b) ha	7(d) ha	7(l) Ha	7(a) ha
Clause 52 determination of zone boundaries (Areas 2-7, 41 & 47)	+ 4.6177	-2.1519	-2.0825	-0.3833	
Alignment of zone boundaries with existing development consents (Areas 8, 9, 10, 42 & 48)	+ 5.8508	-5.6234	-	-	-0.2274
General rationalisation additions to 2(c) Urban Expansion zone (Areas 11-22 & 34)	+ 15.1098	-14.6505	-0.3995	-0.0598	
General rationalisation additions to 7(l) Environmental Protection (Habitat) zone (Areas 23-26, 28A, 28B, 29, 31, 35-39, 40, 43, 45, 46, 49-52, 54, 55 & 56)	-8.3817	-98.0452	-	+ 106.4269	
General rationalisation addition to 6(b) Recreation zone (Area 27, 44, 48, 57, 58 & 59)	-1.2762	+ 1.2762	-	-	-
Net Changes Proposed	+ 15.9204	-119.1948	-2.4820	+ 105.9838	-0.2274

12.0 FINAL COVENANT PROTECTED AREAS

A final covenant protected areas map is attached showing vegetation within the development precincts that is to be protected by a covenant on land title as specified in the Statement of Commitments (Commitment No.4.6.2).

13.0 FINAL CONCEPT PLAN

The Final Concept Plan is described in Section 4 of the PPR dated October 2009. This Addendum to the PPR includes the following new Overview and new description of Precincts and Land Uses which incorporate the amendments described in this report. The final new concept Plan drawings are enclosed. All other sections of the Final Concept Plan in Section 4 of the PPR dated October 2009 remain relevant with the exception of the Release Areas staging plan in Figure 9 of the PPR being withdrawn.

13.1 Overview

LEDA propose to develop the Cobaki Lakes Estate for a mix of urban land uses integrated with open space and environmental protection areas comprising the following:

- town centre precinct comprising a mix of retail, commercial, community and residential uses, with up to 9,500m² of retail space over 18.8 ha. of land;
- residential precincts with a mix of dwelling types including detached houses, townhouses and multi-unit housing with up to 5,300 dwellings over 296.9 ha. of gross developable land;
- community and education precincts including two schools over 8.4 ha. of land;
- open space, wetlands and environmental protection areas covering 281.5 ha. of land;
- access network of roads, public transport routes, pedestrian/ cycle paths;
- landscaping and vegetation management;
- water management; and
- utility services infrastructure.

(N.B. Area calculations are based on Concept Plan and Matrix.)

13.2 Precincts and Land Uses

Town Centre

The town centre is located in the northern part of the site and will provide a community focal point with shops, supermarket, services, food outlets, some commercial floor space (for small offices), school site and some medium density residential. The town centre will provide a maximum of 9,500m² of retail space that will provide for daily and weekly shopping needs of the future Cobaki Lakes population. A town square is proposed with active street frontages.

Neighbourhood Centre

The village centre is located in the southern part of the site and is to provide for the convenience needs of the surrounding residential area with a mix of neighbourhood retail and commercial uses.

Community and School Sites

The Concept Plan makes provision for two public primary schools in accordance with Department of Education requirements, as well as a site for a community facility in accordance with Tweed Shire Council's requirements.

Residential Neighbourhoods

There are to be 16 residential precincts each containing a diverse range of housing types and densities. Residential housing choices will include:

- traditional detached dwellings on average 550m² lots;
- zero lot housing on 250-450m² lots;
- terrace housing on 120-250 m² lots;
- attached dwellings on corner allotments (400-1200m²); and
- unit development in strategic locations throughout the site.

Open Space Areas

A range of open space will be provided including environmental protection areas, the central open space area, sports fields, linear links and local neighbourhood parks. A town square is to be provided in the new town centre. Passive access to wetland areas and other environmental protection areas may also be provided.

Environmental Protection Areas

194.4 hectares of the site is proposed to be set aside for environmental protection and management. (N.B. Area calculation is based on Concept Plan and Matrix.)

Dwelling Yield and Types

The Concept Plan proposes a total maximum of 5,500 dwellings on the site with a mix of dwelling types as described in the Development Code. This includes single detached dwellings, small lot and multi-dwelling housing including plex housing, mews housing, townhouses, villas, apartments, shop-top housing, and retirement communities. Detailed precinct dwelling yields will be provided in subsequent project/development applications.

Areas of medium density housing forms will be located close to areas of greater amenity such as the Town and Village Centres, central open space areas, lake, local parkland, and areas with scenic views and major roads.

14.0 FINAL DEVELOPMENT CODE

The Development Code is being finalised and will be submitted to form part of this PPR Addendum.

15.0 REVISED ECOLOGICAL REPORTS AND MANAGEMENT PLANS

The following ecological reports and management plans prepared by James Warren & Associates have been refined in line with the amendments to the Concept Plan described in this PPR Addendum and additional insights that have arisen in the detailed design of the central open space and riparian corridor in the Project Application:

- Ecological Assessment;
- Saltmarsh Rehabilitation Plan;
- Freshwater Wetland Rehabilitation Plan;
- Site Regeneration and Revegetation Plan; and
- Assessment of Significance (7 Part Test Equivalence).

James Warren & Associates has advised that the revisions to these reports and management plans have been driven by stormwater and engineering design refinements mainly relating to the following:

- Removal of lakes within the central open space. The current design is characterised by a high flow open drain surrounded by open space areas and smaller areas of off-line frog habitat in specific corridor locations. The sub-terrain pumping system is removed from the design.
- Raising of the downstream end (at Sandy Lane) of the main drainage channel above the ground water level of approx. RL 0.3 metres. The previous design had this section of the drain invert at RL -0.3 metres which meant that was permanent standing water in this part of the drain.
- Main drainage channel to be for dual use ie. stormwater conveyance and stormwater polishing purposes.
- Moving of the off-line Frog habitat/Freshwater wetland areas which were associated with the lakes system to designated off-line frog habitat within designated fauna corridor areas. Centrelines of the open drain have been altered thus more effectively accommodating open space requirements eg. creating larger, more useable pockets.

A summary of the revisions to these reports and management plans is given below:

Revised Ecological Assessment

- Revised concept plan and area calculations for impacts.
- Revised assessment of impact of amended footprint on the existing native flora and fauna.
- Revised assessment of the mitigation measures (including re-located corridor, frog habitat areas and freshwater wetland areas).

Revised Saltmarsh Rehabilitation Plan

- Revised concept plans.
- Revised assessment of the impact of the amended stormwater management plan.

Revised Site Regeneration and Revegetation Plan

- Revised rehabilitation program for the amended central open space area.

Revised Freshwater Wetland Rehabilitation Plan

- Revised rehabilitation program for the amended central open space area and riparian corridor.

Revised Assessment of Significance (7 part test equivalence) report

- Revised assessment of the impacts of the amended central open space and stormwater management planning against the provisions of Section 5A of the Environment Protection and Assessment Act (1979).

These revised ecological reports and management plans will be submitted to form part of this PPR Addendum.

16.0 AMENDMENTS TO STATEMENT OF COMMITMENTS

16.1 Implementation of Revised Management Plans

The Statement of Commitments is proposed to be amended accordingly to refer to the implementation of revised management plans prepared by James Warren & Associates described above. The Commitments are amended as shown below with deletions struckthrough and additions underlined:

"4.1.1 The provisions of the Revised Saltmarsh Rehabilitation Plan – Cobaki Lakes - Preferred Project Report (James Warren & Associates, ~~2009~~2010) will be implemented."

"4.3.1 The provisions of the Revised Site Regeneration and Revegetation Plan – Cobaki Lakes - Preferred Project Report (James Warren & Associates, ~~2009~~2010) will be implemented."

"4.7.1 The provisions of the Revised Freshwater Wetland Rehabilitation Plan – Cobaki Lakes - Preferred Project Report (James Warren & Associates, ~~2009~~2010) will be implemented."

16.2 Future Applications for Subdivision to include Indicative Masterplan

Council proposes a masterplan be included in future applications for the subdivision of each development precinct. In order to address this concern, Leda proposes to add the following statement of commitment:

" 1.1.2. Each application for subdivision to create separate lots is to include an indicative Masterplan for the whole site to which the application applies. The purpose of such indicative Masterplan is to assist the consent authority in its assessment of the application by providing a broader context. The indicative Masterplan, which will evolve with the certainty of planning intent, will show:

- *actual and proposed densities by precinct (or other identified nodes);*
- *the distribution of parks, to the extent that surrounding urban design has been set or is proposed, and their indicative distribution elsewhere;*
- *main roads;*
- *view corridors;*
- *feature buildings;*
- *trunk stormwater drainage; and*
- *land forming."*

16.3 Deed of Agreement with QLD Department of Main Roads

The following additional commitment is proposed to address the concerns of the QLD Department of Main Roads (DMR) to reinforce the obligations in an existing Deed between the developer and DMR.

"3.1.3 The Developer will meet its obligations in the Deed between it and the State of Queensland acting through the Department of Main Roads dated 3 February 1997 in relation to the construction and use of a signalised intersection between Boyd Street and the Gold Coast Highway."

16.4 Tick control facility at Cobaki Creek bridge

It is also proposed to include an additional Commitment numbered 3.2.5 below to require a tick control facility to be installed prior to vehicle access being open to the general public between Cobaki Parkway and Piggabeen Road via the Cobaki Creek Bridge. This new Commitment 3.2.5 effectively replaces Condition 27 of the previous Development Consent No. S94/194 for the construction of Cobaki Parkway, and has been agreed in principle with Industry and Investments NSW. The proposed new commitment is as follows:

“3.2.5 The road connection between Cobaki Parkway and Piggabeen Road via the Cobaki Creek Bridge shall not be dedicated as a public road and opened to the public for vehicle access until such time as a tick control facility has been installed in accordance with Condition 27 of Development Consent No. Section 94/194, to the satisfaction of Industry & Investments NSW.”

17.0 FUTURE STAGE APPLICATIONS FOR DEVELOPMENT APPROVAL

The detailed design and construction of development at Cobaki Lakes is to be subject to future applications for approval as described in the table below.

This arrangement of future stage applications has been amended from the initial PPR to enable the subdivision of residential precincts to be the subject of future Development Applications for the consent of Tweed Shire Council with the exception of the subdivision and associated civil works in Precincts 1, 2, 5 and 6 which are envisaged as the first stage of development to remain a Part 3A Project Application for the approval of the Minister for Planning.

Type of Application	Aspect of Development
Part 3A Project Applications for the approval of the Minister for Planning	<ul style="list-style-type: none"> ▪ Subdivision, rehabilitation and construction of the central open space area and riparian corridor ▪ Subdivision and associated civil works for Precincts 1, 2, 5 and 6 shown in the Precinct Location Plan.
Complying Development Certificates issued by either an accredited private certifier or Tweed Shire Council	<ul style="list-style-type: none"> ▪ Dwellings that meet complying development standards in the Code
Development Applications for the consent of Tweed Shire Council	<ul style="list-style-type: none"> ▪ Subdivision and civil works in remaining precincts ▪ Apartments and any dwellings that do not meet complying development standards in the Code ▪ Town Centre and Village Centre development ▪ Community and Education precinct development

18.0 CONCLUSION

The amendments to the Concept Plan described in this PPR Addendum represent Leda Manorstead's response to issues raised during the exhibition and notification of the PPR and Development Code, and refinements to the planning and design of the Cobaki Lakes Estate.

The Concept Plan amendments described in this report do not raise any additional environmental assessment issues that need to be addressed at this Concept Plan stage with the exception of stormwater management associated with the deletion of the main lake and the consequent refinements to the ecological reports and management plans.

A letter of addendum on stormwater management prepared by Gilbert + Sutherland is enclosed with this PPR Addendum to address the deletion of the main lake. The Statement of Commitments in the PPR is amended to refer to the revised ecological reports and management plans.

Detailed design issues associated with the Concept Plan including the amendments described in this PPR Addendum will be addressed in future Part 3A Project Applications and Part 4 Development Applications for the detailed design and construction of development at Cobaki.

If you have any queries or would like to discuss these matters further, please contact me on Ph.(02) 9956 6962.

Yours sincerely



Andrew Wilson
Associate

Enclosed:

- Letter on Stormwater Management prepared by Gilbert + Sutherland
- Email prepared by Department of Education
- Letter prepared by Department of Environment, Climate Change and Water
- Letter prepared by Yeats Consulting Engineers
- Final Zoning Amendments Map and Zoning Map
- Final Covenant Protected Areas Map
- Final Concept Plans comprising:
 - Concept Plan
 - Development Matrix
 - Height Controls
 - Access Network Plan and Potential Bus Routes
 - Road Hierarchy Diagrams
 - Open Space Network Plan
 - Precinct Location Plan

To be submitted:

- Final Development Code
- Revised Ecological Assessment
- Revised Saltmarsh Rehabilitation Plan
- Revised Freshwater Wetland Rehabilitation Plan
- Revised Site Regeneration and Revegetation Plan and
- Revised Assessment of Significance (7 Part Test Equivalence).