

RISE ESTATE SUMMARY OF ISSUES RAISED

PART A – LETTERS FROM LOCAL RESIDENTS / PROPERTY OWNERS

No.	Nature	Comment
1		<ul style="list-style-type: none">Access to the adjoining Terranora Resort is currently achieved through the Rise site, due to the closure of Conmurra Ave and part of Marana St (resulting from previous consent relating to the site).Previous consent required construction of alternative access for Terranora Resort as per agreement reached between the land owners, however has not since been constructed.This agreement for construction of alternative access should be considered in the Concept Plan.
2	oppose	<ul style="list-style-type: none">Roads can not accommodate increase in traffic.Scenic Drive is of poor quality now.The site is a large breeding ground for the black cockatoos, koalas, eastern rosellas, echidnas and others.
3	oppose	<ul style="list-style-type: none">Existing infrastructure including roads, electricity and water, will not cope with further developments in the area.Roads do not cope with present traffic.
4	oppose	<ul style="list-style-type: none">The proposed heights are out of place in this rural area.The visual assessment does not include an assessment from the neighbouring rural area to the immediate west.Further visual assessment should be carried out in Carool (from at least 2 viewing points).
5	oppose	<ul style="list-style-type: none">What action/s is to be taken to ensure present and future safe traffic flow on Scenic Drive and Kennedy Drive arising from increased traffic flow from this development as well as other developments in the near vicinity.
6	oppose	<ul style="list-style-type: none">This is prime fertile land that could be used for agriculture (pastoral or fruit and veggie growing) to service Tweed and its surrounding towns.
7	oppose	<ul style="list-style-type: none">There is already over development within the Shire, with traffic problems and degraded waterways.
8	oppose	<ul style="list-style-type: none">The density of the development exceeds the capacity of infrastructure in Bilambil Heights.Kennedy and Scenic Drive are already acknowledged as being stressed and overloaded.Marama Street will be the only access (in and out) until 30% of the development is achieved. This will mean Marama Street will receive more traffic from new residents (approximately an extra 1000 movements per day) and construction related traffic.No development should take place until additional access (alternative to Marama Street) to the Estate has been achieved. Such as the completion of Spine Road and possibly the completion of McAllisters Rd to PiggabeenProposed 3, 6 and 8 storey buildings are located on the crest of the hill, directly in a flight path.
9	oppose	<ul style="list-style-type: none">Traffic congestion is a current problem along Kennedy Drive and Scenic Drive. It has become worse as the area has grown.Both roads cannot cope with an increase in traffic volume and construction traffic. Scenic Drive is only a two lane country road without any room for expansion and Kennedy Drive is inadequate in size, poorly surfaced and a flood hazard.These roads are already a hazard for emergency vehicles to negotiate.A bridge at the end of Lakes Drive would take traffic south easing traffic congestion east along Kennedy Drive.
10	oppose	<ul style="list-style-type: none">Concerned about the instability of saturated soils. The removal vegetation will result in different pattern of stormwater runoff, fluidizing of soil cover and endangering downstream properties and road infrastructure.Concerned about development on elevated sloping areas. More information is required on critical slope angles required for soil stability.Concern about the adequacy of stormwater volume dispersal, drainage and pollution.Neighbouring properties are not insured against impacts resulting from the development.
11	oppose	<ul style="list-style-type: none">The size of the development will not fit in with the surrounding environment and will have a visual impact.There is a need for more open space.Introduction of domestic pets will be a risk to endangered wildlife and neighbouring farms.Impacts on bush regeneration projects currently being worked on by Tweed Shire Council.Building heights will change the escarpment of the Tweed Valley. The Rise development should blend into the mountain not stick out from it.Locate the taller buildings on the eastern side of the site so the roof line is below the hill line.
12	oppose	<ul style="list-style-type: none">The development is too large for the rural and environmentally sensitive environment.The original concept for a resort and retaining the golf course had some merit.The site has been left to be vandalised and native trees have been cut down from the site, for which the developer should be prosecuted to the full extent of the law, required to replant them and bear all court costs.The tourism industry will be affected. Development of a residential area (similar to Western Sydney) does not attract visitors. Retail development is only successful when tourism industry encourages spending.Concern about urbanisation of the area.Scenic Drive (currently the only way in and out of town) and Kennedy Drive are not of adequate standard to cater to additional traffic.McAllister's Road could be upgraded, however would still have safety issues.Concern that Spine Road will only be constructed when development reaches 600 dwellings.Proposed heights (6-8 stories) are inappropriate for a hilltop location. They are located within a potential flight path and will create visual impact possibly as far as Byron Bay to South Stradbroke Island.The wildlife & flora on the site is varied and important including some sub-tropical, visiting tropical, temperate & some inland species.The area could be subdivided into hobby farms & produce a suitable outcome for residents and investors.
13	support	<ul style="list-style-type: none">The concept includes community facilities which are currently not available in Bilambil Heights which will be of benefit to the Bilambil Jets Club and the local community.
14	oppose	<ul style="list-style-type: none">The site has extremely high conservation values, containing highly diverse lowland rainforest with numerous populations of rare and threatened plant species. Some which have not been recorded else where in the LGA (Axebreaker) and others rarely recorded in the LGA (Southern Ochrosia, small leaved Tamarind, Sweet Myrtle & Basket Fern). Also the some of the most diverse and species rich dry and sub-tropical lowland rainforest in the NSW north-east bioregion.The proposed footprint does not go far enough to avoid the areas of high conservation value and will have a significant impact on the environment, in particular on the lowland rainforest endangered ecological community.Most of the losses of threatened plants and areas of lowland rainforest EEC to be cleared are a result of the alignment of Spine Road, Precinct M, Precinct J, and the local road connecting Precinct J to Spine Road.Reconfiguration of Precinct M, deletion of Precinct J (and the local road connecting it to Spine Road) and realignment of Spine Road could avoid these areas and reduce the ecological impact.Future residents should pay environmental levy to ensure weed and pest control programs, threatened species management, and education continues into the future.The Ecological Assessment undertaken by JWA is flawed for the following reasons:

		<ul style="list-style-type: none">- It is likely additional threatened flora species would be recorded in a further survey.- Assessment does not take into account clearing as a consequence of the internal road linking Precinct J, the fire trails, APZ and walking tracks.- No assessment of loss of threatened plants due to the proximity of cut and fills batters and construction of Spine Road.- Long term viability of threatened species located in residential lots is questionable.- No consideration of cumulative impacts resulting from future development of Rise.- Proposed buffers are deficient. Distances are unlikely to provide adequate protection from weeds, changes in micro-climate variables, human disturbances and allow natural expansion of threatened populations, ensuring long term viability.- Offset strategy is unclear (what will be included in Stage 2 of the development) and inadequate.- Site Rehabilitation and Pest Management Plan, is inadequate. Focuses on site revegetation with little consideration of genetic integrity and impacts on existing threatened plant species. The site has natural regeneration potential. Aims and objectives of Plan are not measureable, no performance criteria, no analysis of site threats and actions to manage them (e.g. threat of environmental weeds – weed control implementation plan is required)- Proposed collection of propagation material from threatened species is high which may impact on natural regeneration and genetic integrity of species. Collection will require licence under the National Parks and Wildlife Act and/or threatened species Act.- Fails to consider previous clearing of endangered species, recently heard at the Environment Court.
15	oppose	<ul style="list-style-type: none">• Only access is Scenic drive which does not cope with current traffic volumes• Previously informed there would be no further permits issued until another means of accessing the area was available• Concerned for the safety of elderly persons on Kennedy Drive.• Kennedy Drive is of poor standard due to the hilly terrain and no footpaths
16	oppose	<ul style="list-style-type: none">• Project will require road improvements and construction of alternative access from Kennedy Drive/Scenic Drive• There are already safety issues on the local roads.• Scenic Drive to Bilambil Road is steep and narrow, not allowing for additional lanes.• The proposed roundabout at the intersection of Kennedy drive, Gollan Drive and Piggabeen Road will create congestion at Cobaki Bridge.• Traffic congestion at the Kennedy Drive connection to the Tugun Bypass will be worse.• Boosting the Snowgum Drive water pump may impact the old pipes and the water supply for the rest of Bilambil Heights.• Opposed to the increase in building heights from 3 storeys. Will impact on views.
17	oppose	<ul style="list-style-type: none">• The development is for high density on the crest of land in a semi-rural community• The application is misleading in portraying the environment as being busier than reality to lessen the resulting impact• Scenic Drive has a 60Km speed limit, application states it has a 60-80km limit• Scenic Drive is dangerous, steep and windy, with no opportunity for widening and has claimed human lives and wildlife.• The vehicle count undertaken on McAllistairs Rd was invalid resulting in an increase in vehicle movements being considered. The development will result in a 640% increase of traffic on Marana Street and McAllisters Road.• McAllisters Road is identified as a neighbourhood connector, which is inaccurate• Kennedy Drive is at capacity and the intersection with the highway is chaotic. Additional traffic from Rise and Cobaki Lakes development will worsen the situation.• Potential impacts on safety of school children on McAllisters Rd and Marana Road• Nursing home and tavern is not appropriate for Bilambil Heights• The area is home to significant wildlife including, Emerald Dove, Brown Cuckoo doves, crested pigeons, black cockatoo, little corella, rainbow lorikeets, eastern rosella, pale-headed rosellas, koel, tawny frogmouth, coucals, fork-tail swifts, laughing kookaburras, noisy friarbird, blue faced honey eater, large billed scrub wren, noisy miner, brown and white-naped honey eaters, eastern whipbirds, grey shrike-thrush, magpie larks, black faced cuckoo-shrike, olive beaded oriole, Figbirds, Grey butcherbirds, pied currawongs, tawny grassbird, straw-necked and white ibis.• Potential impacts on the stained water system, Terranora Broadwater. Already impacted from surrounding development• The land is suitable for farming and home vegetable gardens due to high quality soils.

PART B: LETTERS FROM GOVERNMENT AGENCIES (COPIES ATTACHED)

No.	Submitter	Comment
1	North Coast Area Health Service	<ul style="list-style-type: none">• The North Coast Health Service has no infrastructure demand requirements to be placed on the proposed development
2	Tweed Economic Development Corporation LTD	<ul style="list-style-type: none">• Supportive of development which identifies areas or opportunities for inclusion of job creation.• The proposed integrated residential, retirement, tourism, retail, commercial, education, art village approach of Rise is supported as it part of the infrastructure necessary to support population growth projections in the Tweed Shire.
3	New South Wales Office of Water (NOW)	<ul style="list-style-type: none">• Further development applications assessed by Tweed Shire Council for the development should be classed as Integrated Development where a licence or approval under the Water Act 1912 or Water management Act 2000 is required, so that NOW can provide appropriate technical advice to Council.• Ground water<ul style="list-style-type: none">- The proponent will be required to determine if the maximum predicted water table will be intercepted by the works prior to undertaking any excavation and therefore if a dewatering licence will be required under part 5 of the Water Act 1912.- NOW prefers that all wetlands are constructed above the watertable and lined with impermeable material- NOW will not endorse direct discharge of stormwater into an excavation if it intersects the water table- If monitoring bores may be required to locate the depth of the water table they must be licensed with NOW• Water Licensing<ul style="list-style-type: none">- Existing surface water licences attached to the development site for recreation and irrigation purposes could be altered to enable the water to be utilised for the proposed development.• Water Supply<ul style="list-style-type: none">- NOW supports the use of Council's town water supply for this development- Wetlands constructed to catch stormwater runoff should be in accordance with the NSW Farm Dams Policy and may require licensing by NOW.• Riparian Buffer Areas<ul style="list-style-type: none">- All works undertaken in riparian areas are required to adhere to DWE Guidelines for Controlled Activities.- Asset Protection Zones (APZ) are to be located outside the riparian zone.• Acid Sulphate Soils<ul style="list-style-type: none">- The northern extent of the development requires assessment of acid sulphate soils if disturbance is proposed in this area.• Flooding<ul style="list-style-type: none">- The impact future potential impact caused by increased flows on Cobaki Creek and its tributaries will need to be assessed as part of future DA applications and referred to NOW for assessment.

		<ul style="list-style-type: none"> Monitoring <ul style="list-style-type: none"> The Statement of Commitments do not outline of a monitoring programme for surface water or ground water Consideration of the potential cumulative impacts of urban development within the area is required.
4	Regional Traffic Authority (RTA)	<ul style="list-style-type: none"> All proposed works should ensure the needs of vulnerable road users such as pedestrians, cyclists and the elderly. Particular attention should be given to the safe provision of pedestrian movement at the Kennedy Drive/Piggabeen roundabout. Proposed signals at the intersection of Scenic Drive, Marana Drive, and McAlisters Road are located on a local road and will therefore be funded through arrangements with the Tweed Shire Council. Traffic signal design must be undertaken in conjunction with the RTA. All road upgrades shall be designed and constructed to RTA and Council requirements in accordance with RTA's Road Design Guide, relevant Austroads Guidelines and Australian Standards.
5	Department of Environment and Climate Change NSW (DECCW)	<ul style="list-style-type: none"> Recommends condition which requires local aboriginal community to monitor initial earth disturbing works and further conditions where aboriginal objects and/or human remains are identified. Acknowledges consultation with the aboriginal community has occurred in accordance with DECCW consultation guidelines Concerned that Precinct J location may result in the fragmentation of the area of vegetation to the north and inhibit some usage of vegetation and movement by fauna. Recommends condition requiring Area J to be realigned and consolidated further to the north, more adjacent to Spine Road alignment.
	Additional information from DECCW	<ul style="list-style-type: none"> Illegal clearing of native vegetation and threatened species has been undertaken on the site which is subject to legal proceedings. Further impacts to threatened species, EEC, endangered populations and habitat for threatened species should be avoided. The earlier impacts of illegal clearing should be considered when assessing the overall cumulative impact. Areas of earlier clearing should still be considered as threatened species habitats for the purpose of determining the impact. Offset measures should to be further developed, more clearly expressed, and improved to reflect proposed impact and measures to off set the impact. Spine Road <ul style="list-style-type: none"> Support principle of creating a buffer between development and conservation areas, however location of Spine Road does not avoid impacts on threatened species, EEC's and their habitats. Spine Road could be relocated to avoid impacts including moving its alignment, north where it adjoins Precinct L, east where it adjoins Precinct M and incorporated into Precinct O. The remainder of the alignment should avoid the vegetated corridor on the western part of the property and located in the central part of the property in this location that has been cleared. Reasons for the location of Spine Road need to be clearly articulated including the impacts to biodiversity and offsets Wildlife crossing areas should be provided Vegetated areas within precincts L, M, N and O should be protected and rehabilitated. No ecological survey was undertaken in areas to be cleared. Site Rehabilitation <ul style="list-style-type: none"> Generally agree with areas identified for rehabilitation with the inclusion of vegetated areas of L, M, N and O Some of the offsets proposed are within area referred to as 'Stage 2' - not part of this application. Commencement of trail planting areas has not been explained The potential translocation of threatened species is not addressed in the Site Rehabilitation and Pest Management Plan. Some of the threatened species to be retained are located within small development lots and in some cases depicted abutting a building which would significantly impact on their retention. A Remedial Work Notice under the Native Vegetation Act 2003 is being prepared which applies to the areas of the site where native vegetation has been damaged. It will require rehabilitation to areas of the site.
6	New South Wales Fire Brigade	<ul style="list-style-type: none"> There are ongoing service delivery considerations for the NSWFB in this part of the Tweed LGA. However, based on the infrastructure contribution frameworks in place no contribution is sought.
7	New South Wales Rural Fire Service	<ul style="list-style-type: none"> The NSW Rural Fire Service will require enhancements in order to maintain service delivery in the Bilambil Heights area. This will include upgrading the Brigade from Village 1 to Village 2.
8	Northern Rivers Catchment Authority	<ul style="list-style-type: none"> The site is located within a Regional Biodiversity Corridor. Proposed biodiversity measures are to be consistent with on-going conservation efforts through NRCMA investment programs. The development works should reduce impacts, with restoration works that strengthen the corridor function and connectivity for flora and fauna, and provide resources and habitat. The concept plan should demonstrate consistency and compliance with measures given in the North Coast guide for avoiding and reducing rural land use conflict and interface issues, particularly recommended buffer distances. Precinct J (including private access road) is likely to greatly reduce the conservation values of the remnant through fragmentation. Policy required for suitability and management of non-native plants species proposed for site landscaping to ensure there is no risk of introducing new environmental weeds to the local area. Policy required on neighbourhood contributions for site restoration for effective long-term native vegetation management.
9	Gold Coast Airport Pty Ltd	<ul style="list-style-type: none"> Existing site, being up to an elevation of approximately 200m, penetrates the Gold Coast Airport's Obstacle Limitation Surface Therefore any building of whatever height would represent a "controlled activity" under the Commonwealth Airports Act and require approval under the Airports (protection of Airspace) Regulations. Approval of the Concept Plan should note the requirement for any proposed structures to secure Commonwealth airspace approvals.
10	Gold Coast City Council	<ul style="list-style-type: none"> Cross border planning and infrastructure issues Impacts on the Gold Coast city road network have not been addressed, particularly in regard to Boyd Street and proposed upgrades associated with increased traffic volumes. Traffic Impact Assessment identifies 33% of traffic generated will utilise Cobaki Parkway to access the Tugun Bypass. However as there is no interchange traffic would be directed to Boyd Street. Development thresholds and staged upgrades to Boyd Street have been agreed to with the proponent of the Cobaki Lakes development Rise development may impact on this agreement and contribution from Rise to the upgrade of Boyd Street may be required. Formal agreement is required with the State road authorities in NSW and QLD for necessary upgrading of the Pacific Motorway/Highway and the implementation of an interchange at Boyd Street.
11	Tweed Shire Council	<p>Strategic</p> <ul style="list-style-type: none"> The site has been identified for urban development as part of long standing strategic land use policies: Tweed Residential Development Strategy & Far North Regional Strategy 2006. Project must be considered in the context of the Bilambil Heights and Cobaki Lakes urban release areas. Retail analysis required which takes into consideration Council's adopted Retail Policy 2005 Concept Plan achieves broad settlement objectives of the state and local policy, including diversified housing, commercial and retail opportunities and a co-ordinated approach to provision of infrastructure.

		<ul style="list-style-type: none">Does not achieve objectives to protect scenic landscape. Height on prominent ridgelines should be kept to a minimum. <p>Heights & Views</p> <ul style="list-style-type: none">Application has not satisfactorily demonstrated the public benefit of the proposed increase in height and accordingly it is recommended existing height limits are retained.Large building footprints in Precinct B have a 3 storey height limit. Future applications will need to address retained amenity and opportunities for view sharing for existing residential properties. <p>Ecology</p> <ul style="list-style-type: none">Site is of high conservation value, containing Lowland Rainforest (EEC)Subject to a current Land and Environment Court case (DECC v Rawson) for removal of threatened flora species.Impact assessment should consider cumulative impacts including past damage to threatened species.Impact assessment should consider construction and occupation impacts on threatened species.Development footprint will significantly impact on threatened species and ecological communities due to the current location of Spine Road and Precinct J that will affect areas of EEC.The ecology assessment is flawed: inaccurate referencing and inconsistent in parts, fauna surveys only taken outside the development footprint, does not assess previous illegal removal of native vegetation, south east portion of the site although has Camphor Laurel could include EEC.Loss of E2 zoning from current and draft LEPLandscape Concept Plan misleading as it shows remaining area (referred to as Stage 2) as bushland.Restoration proposed is outside the site boundaries.Restoration should be long term proposal, reflected in a Community Management Statement and Site Restoration Plans for each management unit.The site is likely to pose significant fauna movement barriers across the site.Recommend either relocation of Spine Rd or removing Precinct J and restoration of habitat values in this area <p>Infrastructure</p> <ul style="list-style-type: none">Council is willing to consider owning, operating and maintaining potable water supply, sewerage reticulation system (except any gated portions of the development) provided: infrastructure is in accordance with DCP A5, the proponent enters into an agreement with Council for provision of services, and normal easements where services are on private land.Staging timing and funding of infrastructure provision needs to be revised based on Council's comments. <p><u>Water</u></p> <ul style="list-style-type: none">A reservoir sized to store one day of maximum day demand for the whole development is required. The site of the existing 1.1 ML reservoir to be replaced is not large enough so land must be added as necessary.Reservoir site at Precinct C is to be transferred to Council in fee simple at a cost to be negotiated.Regarding the boosted zone, Council will require an elevated tank 200kL capacity.Council prefers to purchase the reservoir site and associated easements independently of the water supply headwork's charges. <p><u>Sewer</u></p> <ul style="list-style-type: none">Council's Development Servicing Plan does not provide for sewer connection from site to nominated connection point. Council can not therefore fund any works upstream of collection point.Council will accept ownership of sewerage system provided all pump stations are constructed to Council's standardsCouncil will not grant sewer headwork credits for the sewer rising main and sewer pump station from the site to Gollan Drive Sewerage Pumping Station. This will be addressed at the time demand requires it. <p><u>Stormwater</u></p> <ul style="list-style-type: none">Stormwater reuse system is accepted in concept. However the applicant needs to consider whether the system is economical and practical for the development.Council will not grant any reduction in s.64 development contributions on the basis of the reduction in water usage as the recycled system relies on Council as supplier of last resort.Precinct B drains to McAllisters Rd through existing urban development therefore an acceptable level of treatment is required. <p><u>Flooding</u></p> <ul style="list-style-type: none">Majority of site is elevated above regional flooding levels except Precinct U – playing fields.Based on investigations to date it may be difficult to achieve DCP compliant playing fields – design flood level of 3.7 AHD is applicable.If Precinct U is progressed further information is required to assess flooding and drainage: facility layout, survey contours (existing and proposed), water courses, flow paths, cut & fill, conceptual drainage plan. <p><u>Roads & Future connections</u></p> <ul style="list-style-type: none">Significant earthworks are required to achieve compliant road gradients and developable sitesAs Spine Rd does not have direct allotment access variations to retaining wall/batter heights are generally acceptable subject to detailed design. This may require wider road reserve in parts.All other roads should comply with DCP A5 – D6 & D1Additional future road connections are required north of Precinct L.Further investigation of cul-de-sacs is required to achieve compliance with DCPA5 – allowable length <p>Social</p> <ul style="list-style-type: none">Population projections should be updated with 2008 data and population capacity per precinct given.Reference should be made to the TSC Urban & Employment Release Strategy 2009 supersedes the Tweed Regional Development Strategy.Statement of Commitment to be included: "The developer provides community facilities as recommended in the Tweed Shire Community Facilities Plan 2007 in step with residential development"Consider access between village centres and residential facilities in particular for seniors. Precincts F, S, M are not accessible by foot to village centres. Village store and service station in Precinct R have limited catchment, could be developed as sports field.Commit to entering into VPA for community facilities as not covered by Section 94 Plan No.15. <p>Waste</p> <ul style="list-style-type: none">Statement of Commitment for the development of a Waste Management Plan to control waste generation and management practices (during demolition, construction & occupation) <p>Traffic</p> <ul style="list-style-type: none">Traffic generation rates in RTA Guide to Traffic Generating Developments should be used. Rates in Section 94 Plan can be used for estimating threshold of traffic prior to Cobaki Parkway.Disagree with methodology for percentage traffic distribution on Kennedy Drive. 100% trips west of Cobaki Bridge should be assumed in modelling to use Kennedy Drive.Proposed traffic lights at McAllisters Rd & Scenic Dr intersection are not included in TRCP which includes roundabout at this location. Roundabout should be considered as first stage of development.
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