



DARRYL ANDERSON CONSULTING PTY LTD

TOWN PLANNING & DEVELOPMENT CONSULTANTS

**PREFERRED PROJECT REPORT
MAJOR PROJECT APPLICATION NO. 08_0234**

"RISE" BILAMBIL HEIGHTS

TWEED LOCAL GOVERNMENT AREA

PREPARED FOR:

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PREFERRED PROJECT REPORT

"RISE" BILAMBIL HEIGHTS – MP 08_0234

1.0 BACKGROUND

On 30 July 2009 Major Project Application No. 08_0234 was lodged with the Department of Planning. The Environmental Assessment was publicly exhibited from 19 August 2009 until 18 September 2009. Seventeen public submissions and twelve submissions from Public Authorities were received during the exhibition period.

On 22 October 2009 the Department of Planning forwarded the submissions to Darryl Anderson Consulting together with seven key issues raised by the Department. The Department advised that a response to issues raised by the Department and in the submissions should be made in the form of a Preferred Project Report. This Report should include any changes to the Environmental Assessment and/or Statement of Commitments.

This Preferred Project Report addresses the following issues:

- ♦ Description of proposed changes to the exhibited proposal and how these respond to the issues raised.
- ♦ A response to all issues raised by Council, each Agency and the Department.
- ♦ A revised Statement of Commitments.
- ♦ Amended plans.

2.0 SUMMARY OF MODIFICATIONS

2.1 Staging

Clarification of the proposed staging is required. A proposed indicative Staging and Sequencing Plan is attached at **Annexure B** (Reference A-MP-01-37B, ML Design 03.12.09). The proposed staging reflects the available capacity in existing sewerage, water supply and transport infrastructure as identified in the Environmental Assessment.

2.2 Connectivity

Amendments to the Precinct Plan (and other annexed plans) have been made to provide two additional road connections to the adjoining land to the east of the "RISE" site.

The amended Precinct Plan at **Annexure A** (Reference A-MP-01-18F, ML Design 03.12.09) shows the additional proposed road connections.

2.3 Building Heights

Amendments to the advertised building heights are now proposed. The building heights have generally been reduced to a maximum of four stories other than one five storey building and one six storey building both in the Town Centre and this has not resulted in any reduction in yield.

The amended Building Heights Plan at **Annexure C** (Reference A-MP-01-20F – ML Design, 03.12.09) shows the proposed amended building heights plus the proposed maximum building heights in metres above existing ground level for buildings above three storeys.

2.4 Flora and Fauna

As indicated on the attached amended Precinct Plan (**Annexure A**) and Master Plan (**Annexure D** Reference A-MP-01-16D – ML Design, 03.12.09) the previous Precinct J and the lead in roads have been deleted from the Concept Plan.

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The 36 villas from Precinct J have been relocated to other precincts within the Concept Plan area. The total yield of 1804 dwellings remains the same as indicated on the attached Product Summary Table 15.

As a consequence of the deletion of Precinct J the Recommended Zoning Map has also been amended to zone the previous Precinct J area now as E2 Environmental Conservation. A copy of the amended Zoning Map is attached at **Annexure G**.

The result of this deletion is that there is now a net benefit of 1.58ha of Environmental Restoration land being proposed after all vegetation impacts and restoration plans are accounted for. This 1.58ha is additional to the 24.69ha of restoration of existing heavily weed infested environmental land being offered in the application.

Further, the scope of works required by the issuing of a Restoration Order by the DECCW under the Native Vegetation Act 2003 has now been resolved and agreed between the parties and this restoration work does not impact on the MP08-0234 Concept Plan development footprint as detailed further in this report.

2.5 Public Open Space – Precinct U

The conceptual embellishment details for Precinct U have been deleted. Details of the actual use and embellishment of Precinct U will be the subject of a future Development Application (see **Annexures A and D**).

2.6 Integrated Water Cycle Management

Following a review of the project report lodged by Tweed Shire Council with the Department, the Integrated Water Cycle Management System has been deleted from the Concept Plan.

3.0 RESPONSE TO SUBMISSIONS FROM STATE AGENCIES

3.1 Department of Planning – 22 October 2009

AGENCY RESPONSE	COMMENT
DEPARTMENT OF PLANNING – 22 October 2009	
<p>The public exhibition of the Environmental Assessment (EA) concluded on 18 September 2009. The Department received a total of 17 submissions from the public and 11 submissions from public authorities. Copies of the submissions from the public authorities have previously been sent to you and an undated summary of issues raised in public submissions is attached to this letter.</p> <p>In addition to the issues raised in the submissions, the following issues have been identified by the Department of Planning.</p>	
<p>1. Staging</p> <p>Further information regarding the staging of the Concept Plan is required with consideration of the impact of infrastructure limitations on the developable yield, timing and sequencing. This should include a staging plan that demonstrates the sequence each of the precincts will be developed and what infrastructure is necessary to support each stage.</p> <p>For example the staging plan should demonstrate what precincts can be developed prior to the construction of Spine Road, prior to undertaking improvements to the local road network, prior to the site being connected to Cobaki Parkway and ultimately construction of the interchange to the Tugun Bypass.</p>	<p>The indicative Staging and Sequencing Plan at Annexure B (Reference A-MP-01-37B, ML Design, 03.12.09), which repeats the information contained in the ML Design Architecture and Urban Planning Report, March 2009, Page 47 in a plan format, shows the proposed staging. The proposed staging reflects the available capacity in existing sewerage, water supply and transport infrastructure as identified in the Environmental Assessment.</p> <p>We wish to reiterate the statement made in the Environmental Assessment, being that the future staging and sequencing of the RISE project will be, to a large degree, determined by the real estate market, which is in a situation of flux at present due to the impacts of the global economic crisis.</p>

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AGENCY RESPONSE	COMMENT
	<p>However, because of the infrastructure constraints that surround the RISE project it is reasonably certain that development of the project will commence from Marana Street and head west, as is depicted in the attached Staging and Sequencing Plan.</p>
<p>2. Traffic Impact Assessment</p> <p>The analysis of trip generation and distribution requires further clarification including consideration of the following:</p>	<p>The Applicant hereby agrees to limit the vehicle per day (VPD) count generated by the project as it affects Kennedy Drive and Gollan St bridge to 3,221 being the number determined by Tweed Shire Council as at 1 December 2009 by their email to the Applicant's consultants which confirms an additional 561 VPD has been made available to the RISE project to the previously available 2,660 VPD (ie.: 2,660 + 561 = 3,221), as being the key number allowable before the RISE Spine Road and the Cobaki Road upgrade are required.</p> <p>See confirmation of this VPD resolution in Annexure I.</p>
<ul style="list-style-type: none"> ♦ Rates recommended by the RTA's Guide to Traffic Generating Developments should be used to estimate trip generation. ♦ The trip generation rates given in Table 3 "Traffic Generation Count and Progressive Total" on page 49 of the Architecture and Urban Planning Report (Annexure 9) differ from those given in the Transport Impact Assessment undertaken by CRG in April 2009 (Annexure 17). ♦ The number of trips allocated to Kennedy Drive has a significant bearing on the timing of road infrastructure such as Spine Road and Cobaki Parkway. Therefore greater justification and a robust methodology to calculate the percentage of traffic distribution on Kennedy Drive is required. 	<p>Further to above, the Applicant has abided by the traffic calculations determined by the NSW RTA's <i>Guide to Traffic Generating Developments</i> in lieu of using the Tweed Council's <i>Tweed Roadwork's Contribution Plan</i> document.</p>
<p>3. Connectivity</p> <p>The Concept currently provides two future road connections to the remaining Bilambil Heights urban release area adjoining the site directly to the north. Tweed Shire Council (Council) has advised that 1 connection should be provided every 200m. At least two additional future road connections should be provided north of Precinct L to ensure permeability with the remaining urban release area.</p>	<p>The amended Precinct Plan at Annexure A (Reference A-MP-01-18F, ML Design, 03.12.09) and all other attached revised plans show two additional road connections to the adjoining "Tietzel" land which is located to the east of the RISE site.</p> <p>This addition now allows for four (4) road connections to the future urban land adjoining the RISE site to the east.</p> <p>Land has now been allocated in the Concept Plan for these two new roads to be constructed in the future by others should they be required.</p>
<p>4. Building Heights</p> <p>The proposed 6-8 storey heights in Precincts A and L are inconsistent with surrounding area and the likely future context and neighbourhood character. Insufficient planning justification has been provided to support this part of the proposal.</p> <p>All building heights should be given in metres (RL's to AHD).</p>	<p>The attached amended Building Height Plan (Reference A-MP-01-20F, ML Design, 03.12.09) shows proposed amended building heights, including proposed maximum building heights in metres for buildings above three stories. The building heights for buildings previously over three stories have generally been reduced to a maximum of four stories other than one five storey building and one six storey building in the Town Centre (Precinct A) and this has not resulted in any reduction in yield. As indicated on the attached amended Building Heights Plan, the area of buildings exceeding three storeys is very small and the vast majority of buildings comply with the three storey statutory height limit. We submit that the amended building heights strike a reasonable balance between the concerns raised by Council and the Department and the need to achieve a sustainable and viable development.</p> <p>It should be noted that any further reduction in building heights will impact on the density of the project, particularly in the town centres, which will have the economic affect of making the proposed retail and commercial components of the project commercially unviable and unsustainable.</p>

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AGENCY RESPONSE	COMMENT
	<p>Also attached at Annexure E is the revised Product Summary 15 which now includes some minor amendments to the product mix per Precinct which has been driven by the reduction in building heights and the deletion of Precinct J, however the overall density of 1804 dwellings remains the same.</p>
<p>5. Flora and Fauna</p> <p>Precinct J results in the fragmentation of the land proposed to be zoned E2 located to the south of Spine Road. This has the potential to impact the remanent of the Lowland Rainforest located in this area by isolating portions and restricting movement of fauna. In addition further impacts may result from the provision of the required asset protect zones, access road, and other supporting infrastructure (such as the rising main). Precinct J should be reconsidered.</p> <p>Further offsets should be explored to compensate for the loss of native plants previously illegally removed from the site as outlined in the further submission by Department of Environment and Climate Change NSW.</p>	<p>As shown on the amended Precinct Plan (Annexure A) and Master Plan (Annexure D Reference A-MP-01-16D, ML Design, 03.12.09) Precinct J and the lead in roads have been deleted from the Concept Plan. The 36 villas from Precinct J have been relocated to other precincts within the Concept Plan area. The total yield of 1804 dwellings remains the same as indicated on the attached Product Summary Table 15.</p> <p>The former Precinct J area is proposed to be revegetated as an additional environmental restoration offset area.</p> <p>The deletion of Precinct J and the lead in roads has now created a net benefit for environmental restoration and compensatory planting work of a positive 1.58ha.</p> <p>Additional to this net benefit of 1.58ha, and as detailed in the current James Warren and Associates reports which support the MP08-0234 application, there is also 24.69ha of proposed restoration of existing northern NSW Rainforest and valuable bushland within the MP08-0234 footprint.</p> <p>Currently this area of 24.69ha is heavily infested, by up to 50% in area, with Camphor Laurel and Privet weeds which the Applicant has offered to restore using appropriately licensed and qualified Bush Regeneration contractors progressively through the life of the project.</p> <p>As a consequence of deleting Precinct J the Recommended Zoning Map has been amended to zone the precinct area E2 Environmental Conservation (see Annexure G).</p>
<p>6. Public Open Space - Precinct U</p> <p>It is understood that Council does not support the proposed Precinct U. Further consultation is required with Council to determine the future use of this land and alternative arrangements for local infrastructure contributions.</p>	<p>Following discussions with Tweed Shire Council Officers, a draft Statement of Commitment was forwarded to Council addressing this specific issue.</p> <p>The draft Statement of Commitment was considered by Council and some amendments were proposed. The Statement of Commitments as amended by Council is reproduced as follows:</p> <p><i>"Subject to the density finally approved under the MP08_0234 Application, or a pro rata area calculation being adopted for adjusted densities in the final MP08_0234 approval, the applicant shall dedicate and embellish 4.42 hectares of structured open space in accordance with the development standards contained in Table A5-8.3 of Tweed Development Control Plan 2007, Part A5 or alternatively pay a contribution in lieu for the area that is not dedicated and embellished on the applicant's land.</i></p> <p><i>The amount of the contribution rates shall be determined at the time of documentation of and incorporated into, a Voluntary Planning Agreement (VPA) between the applicant and Tweed Shire Council. The VPA shall be finalised prior to the granting of development consent or major project approval for any part or precinct of the development approved by way of Concept Plan No. 08_0234 which creates residential lots or dwellings.</i></p> <p><i>Should it be agreed that some sports facilities can be located at the currently proposed site, the VPA will require the applicant to dedicate and embellish on it's land a component of the required 4.42 hectares no earlier than when the Spine Road construction is completed, or contributions in lieu to be paid on a pro rata basis per precinct at the time of sealing of title plans by Council for that precinct."</i></p>

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AGENCY RESPONSE	COMMENT
	The amended Statement of Commitments proposed by Council is generally acceptable to the proponent and has been included in the Revised Statement of Commitments at Annexure F .
7. External APZ's No approval as part of the Concept Plan will be given for external APZ's. It should be noted that approval would be required from the relevant land owner and easements created to allow for APZ's to be located external to the site.	The proponent will accept a condition that requires either easements to be created over adjoining land where asset protection zones are proposed or alternatively redesigned to accommodate the asset protection zones within the subject land at the time of assessment of the Development Applications required per Precinct or Stage.
8. Integrated Water Cycle Management System	Following a review of the project report lodged by Tweed Shire Council with the Department, the Integrated Water Cycle Management System has been deleted from the Concept Plan.
9. Concept Plan Approval	The proponent acknowledges that the Concept Plan approval will not authorise civil or earthworks or indeed any works to be constructed. These construction elements, in Precincts or stages will be the subject of Development Applications or Major Project Applications in the future.
10. Amendments to Tweed Shire Council Development Control Plans	We note that the Department will review the proponent's request for minor amendments to the various Council Development Control Plans and include the determination in the final Concept Plan approval, particularly based on the Applicant's submission that RISE is to be a Community Title Scheme.
PART A – Letters from Local Residents/Property Owners	
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. 	This issue is addressed in Section 7.5 of Part B of the Environmental Assessment (Concept Plan). The proponent's position remains as stated in that Section. However, more recently an agreement has been reached between the owners of Terranora Resort and this Applicant that now allows, under the terms of a signed license agreement, access over the Applicant's property to Terranora Resort.
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. 	Council had previously allocated capacity within the existing local road network for up to 2,660 vehicle trips per day which would accommodate approximately 500 dwellings. Council more recently has agreed to increase the capacity allowance for RISE to 3,221 vehicles trips per day. Construction of the Spine Road, Cobaki Road and Cobaki Parkway will be required beyond that volume to ensure that safe and efficient road access is provided. The comment regarding to black cockatoos is either referring to the Yellow-tailed black-cockatoo, which is a common species in the area, or the Glossy black-cockatoo which is listed as Vulnerable under the TSC Act (1995). Both species require hollow-bearing trees for nesting. There is a distinct lack of these trees on the site. Koalas require large areas of suitable habitat to breed. The only suitable habitat on the subject site is comprised of planted trees within the golf course. Both the Eastern rosella and echidna are commonly occurring species and are highly unlikely to be solely reliant on the subject site for breeding.

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AGENCY RESPONSE	COMMENT
<p>3. Oppose</p> <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. 	<p>See comments above in relation to road traffic capacity issues. Upgrading of all normal services will be undertaken as an integral part of the development to ensure that sufficient capacity exists.</p> <p>Further, the Applicant has agreed with Council to accommodate two new high level water reservoirs within the Rise project, which are shown as Precincts C and K on the Precinct Plan, to assist Council with ensuring that the regional water supply system meets with the Council's capacity and supply requirements.</p>
<p>4. Oppose</p> <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). 	<p>Building heights have been reduced as discussed in Section 2.3 of this Report. The Visual Assessment at Annexure 12 of the Environmental Assessment adequately assesses potential visual impacts, particularly from prominent public viewing areas and concludes that there will be nil affect on visual amenity.</p>
<p>5. Oppose</p> <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. 	<p>See comments re 2. above.</p>
<p>6. Oppose</p> <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. 	<p>The land is zoned or identified for urban development under the FNCRS 2006-2031 and is highly fragmented. The Department of Primary Industries has raised no objections to the proposal. The land is not suitable for sustainable agriculture.</p>
<p>7. Oppose</p> <ul style="list-style-type: none"> There is already over development within the Shire, with traffic problems and degraded waterways. 	<p>Development of the site as proposed is entirely consistent with the provisions of the Far North Coast Regional Strategy 2006-2031 and appropriate mitigation measures have been identified to manage potential adverse impacts.</p>
<p>8. Oppose</p> <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. Marana Street will be the only access (in and out) until 30% of the development is achieved. This will mean Marana 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 Marana Street) to the Estate has been achieved. Such as the completion of Spine Road and possibly the completion of McAllisters Rd to Piggabeen. Proposed 3, 6 and 8 storey buildings are located on the crest of the hill, directly in a flight path. 	<p>Proposed upgrading of the existing local road network is addressed in Annexure 17 (Traffic Impact Assessment) of the Environmental Assessment and Annexure F (Revised Statement of Commitments) of this Report.</p> <p>Also, see comments in Item 2 above.</p> <p>We wish to point out that when the previous Terranora Country Club was in full operation in the early to mid 90's that Marana St experienced traffic flow numbers similar to those that will be created from the RISE development, so the local residents have in affect had a moratorium on the traffic flow numbers on Marana St for over 14 years.</p> <p>Tweed Council have determined Marana St to be a "connector road" which allows a major increase of traffic flow compared to that which currently exists.</p> <p>See comments above re building heights.</p>

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AGENCY RESPONSE	COMMENT
<p>9. Oppose</p> <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. 	<p>See comments in relation to 2. above.</p>
<p>10. Oppose</p> <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. 	<p>The Geotechnical Investigations referenced in the application have not identified any absolute geotechnical constraints. The Concept Plan responds to the relative geotechnical and stormwater management issues in an appropriate manner.</p> <p>Details of stormwater management and geotechnical capacities will be further dealt with during the individual Development Applications per Precinct or Stage of the project.</p>
<p>11. Oppose</p> <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. 	<p>The development proposal is consistent with the Far North Coast Regional Strategy and achieves target densities identified in the North Coast Urban Planning Strategy 1995.</p> <p>Proposed casual and structured open space areas will comply with the spatial and design requirements contained in Council's Subdivision Manual.</p> <p>A Site Rehabilitation and Pest Management Plan (JWA 2009) has been prepared for the subject site and is included in the MP08-0234 application and provides management guidelines for pest animal species that may occur on the site as well as guidelines for the on-going conservation of native vegetation and fauna species on the site.</p> <p>This issue is not relevant.</p> <p>Addressed in 4. above.</p>
<p>12. Oppose</p> <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. 	<p>The development is consistent with the Far North Coast Regional Strategy.</p> <p>Implementation of the resort consent is not considered commercially viable at this stage.</p> <p>Approval of the Concept Plan will lead to rehabilitation of the site and eliminate vandalism. Alleged unauthorised removal of native trees has been dealt with by the Land and Environment Court and is not relevant to this Concept Plan or the Applicant.</p>

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AGENCY RESPONSE	COMMENT
<ul style="list-style-type: none"> • 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. 	<p>Development of the site as proposed is consistent with the Far North Coast Regional Strategy. Issues relating to road infrastructure are addressed at 2. above.</p> <p>See comments 4. above.</p> <p>The major amelioration measure to protect ecologically significant features of the site is to retain and rehabilitate important habitat areas, as well as create additional habitat areas through revegetation works. It is considered that the proposed rehabilitation works will result in a net gain of habitat on the site which will benefit all fauna species.</p> <p>A small holding type subdivision would be inconsistent with the Far North Coast Regional Strategy and would be unlikely to be viable.</p>
<p>13. Support</p> <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. 	<p>Noted.</p>
<p>14. Oppose</p> <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 elsewhere 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. 	<p>The areas of high conservation value on the subject site will be retained and enhanced through rehabilitation and revegetation works. The vast majority of Threatened plant species will be retained in situ and populations will be bolstered through additional plantings.</p> <p>Diversity and species richness in some portions of the site are notable but hardly comparable to intact rainforest communities within numerous National Parks and Nature Reserves in the northeast bioregion.</p> <p>The proposed amelioration measures will result in a net gain of Lowland rainforest EEC on the site. Furthermore, all areas of Lowland rainforest to be retained will be rehabilitated.</p> <p>The location of the Spine Road has been determined through consultation with Council Engineers. Precinct J and the associated access roads have been removed from the proposed layout. Any losses of Threatened plants as a result of the Spine Road and Precinct M will be offset through revegetation works.</p> <p>See comments above.</p> <p>A Site Rehabilitation and Pest Management Plan (JWA 2009) has been prepared for the subject site and provides management guidelines for weed control, pest animal control, Threatened species management and public education and it will form part of the CTS management requirements.</p>

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AGENCY RESPONSE	COMMENT
<ul style="list-style-type: none"> ♦ 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. 	<p>It is possible that additional Threatened flora species occur in inaccessible areas of the site (particularly in the southern portions). These areas will not be affected by the proposed development and are inaccessible by the very nature of the terrain and density of vegetation. Regardless of their presence, there will be no impacts.</p> <p>Precinct J has been deleted from the Concept Plan.</p> <p>The assessment of impacts has taken into consideration the entire disturbance area of the proposed Spine Road (ie. including cut and fill batters).</p> <p>Threatened plants are proposed to be retained in residential lots where possible, however this is not the only amelioration measure proposed. Additional stems of Threatened plant species will be planted in revegetation works and habitat for these species will be significantly increased.</p> <p>The impact assessment has considered all potential direct and indirect impacts.</p> <p>The major amelioration measure to protect ecologically significant features of the site is to retain and rehabilitate important habitat areas, as well as create additional habitat areas through revegetation works. Areas available for expansion of Threatened populations will be significantly increased when compared to the grazing lands currently available.</p> <p>The proposed offsets will result in a net gain in EEC's, Threatened species and their habitats, and habitat for Threatened fauna species.</p> <p>The Site Rehabilitation and Pest Management Plan aims to provide overall objectives for the retention and rehabilitation of vegetation on the site. The developer has committed to preparing a specific Management Plan for each and every Rehabilitation Area. These specific plans will provide detailed requirements regarding revegetation and assist with natural regeneration as detailed by measurable performance criteria.</p> <p>Noted.</p> <p>The recent court case is not relevant to the proposed development, however see Item 5 on Page 15 below.</p>
<p>15. Oppose</p> <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. 	<p>See comments at 2. above.</p>
<p>16. Oppose</p> <ul style="list-style-type: none"> ♦ Project will require road improvements and construction of alternative access from Kennedy Drive/Scenic Drive. 	<p>See comments at 2. above.</p>

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AGENCY RESPONSE	COMMENT
<ul style="list-style-type: none"> 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. 	<p>It has been agreed with Tweed Council that there is not to be a new roundabout at the Kennedy Drive and Gollan Drive intersection as was anticipated by the Applicant, some less major intersection works may be agreed between the Applicant and Council at a later stage when the Precinct or Stage Development Applications are dealt with.</p> <p>See comments at 2. on Pages above.</p> <p>There is currently a booster pump station at Snowgum Crescent. Increasing the volume of water pumped does not necessarily mean pressures in pipeline will increase. TSC is the Water Authority which is responsible for design and operation of the water supply system. It is required to keep pressures within the overall water network within appropriate ranges of pressure.</p> <p>See comments at 4. above.</p>
<p>17. Oppose</p> <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. 	<p>See comments at 4. above.</p> <p>See comments at 4. above.</p> <p>See comments at 2. above.</p> <p>See comments at 2. above.</p> <p>See comments at 2. above.</p> <p>See comments at 2. above.</p> <p>See comments at 2. above.</p> <p>The proposed project provides a commitment to upgrade Marana St and McAllister's Road roadworks to provide a higher level of traffic flow and safety.</p> <p>The nursing home and tavern are key elements in providing housing choice and an integrated urban community incorporating relevant infrastructure to support that community.</p> <p>All of the species listed are common bird species. The proposed development will result in a net gain in suitable habitat for all species listed.</p> <p>Detailed Stormwater Management Plans will be provided to the consent authority with each relevant Development Application for each Precinct or Stage of the project dealing with any potential impact on surrounding waterways.</p> <p>See comments at 12. above.</p>

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AGENCY RESPONSE	COMMENT
PART B – Letters from Government Agencies	
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. 	Noted.
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. 	Noted.
3. NSW 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. 	<p>Appropriate approvals to be obtained prior to or in conjunction with obtaining development consent for any physical works or development.</p> <p>Appropriate approvals to be obtained prior to or in conjunction with obtaining development consent for any physical works or development.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>

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AGENCY RESPONSE	COMMENT
<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. 	<p>See amended Draft Statement of Commitments at Annexure F.</p> <p>This issue is addressed in Section 21.3 of the Environmental Assessment. No significant cumulative impacts are likely to occur subject to implementation of the mitigation and management measures contained in Annexure F.</p>
<p>4. Regional and Traffic Authority (RTA)</p> <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. 	<p>It has been agreed with Tweed Council that there is not to be a new roundabout at the Kennedy Drive and Gollan Drive intersection as was anticipated by the Applicant, some less major intersection works may be agreed between the Applicant and Council at a later stage when the Precinct or Stage Development Applications are dealt with.</p> <p>The Applicant has offered to construct the traffic lights (or roundabout yet to be determined by Tweed Council) at Scenic Drive and McAlister's Road as part of the RISE development cost.</p> <p>Noted.</p> <p>The nominated standards will apply where appropriate and in accordance with TSC DCP unless otherwise approved as requested in the RISE submission.</p>
<p>5. Department of Environment and Climate Change NSW (DECCW)</p> <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. 	<p>See amended Statement of Commitments at Annexure F.</p> <p>Noted.</p> <p>Precinct J has been deleted from the Concept Plan.</p> <p>As above.</p>
<p>Additional information from DECCW</p> <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. 	<p>The Court case relating to the clearing has been finalised and no adverse findings have been made against the landowner and proponent of this Concept Plan.</p> <p>The proposed development, now with the deletion of Precinct J, will result in a net gain of suitable habitat of 1.58ha for Threatened species, EEC's and populations. Furthermore, all of the existing 24.69ha of habitat on the site will be subject to rehabilitation measures as detailed in the application.</p> <p>See the response below to "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".</p> <p>Potential impacts are clearly stated in the Ecological Assessment (ie. Section 5.1) as are proposed offsets.</p> <p>Location of Spine Road horizontal alignment is dictated by topography, maximum grades of the road permitted by TSC for the road classification need to carry the projected volume of traffic from the Bilambil Heights Release Area.</p>

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<ul style="list-style-type: none"> - 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. 	<p>This classification of road is more efficient if direct access from lots is denied. This has been incorporated in the concept.</p> <p>Minimising of extent of disturbance and potential for extensive visual scarring has been taken into consideration in selection of road alignment.</p> <p>The DECCW response does not appear to take into consideration actual levels, maximum grades and the undesirability of having a major road through the middle of a development, from a safety perspective.</p> <p>The removal of fragmented and isolated patches of vegetation within Precinct L, M, N and O is not considered a significant impact. It is worth noting that the majority of these vegetation patches are comprised of Camphor laurel forest. In any event, the removal of isolated patches of vegetation is proposed to be offset through extensive revegetation and rehabilitation works on the site.</p> <p>The ecological survey included all areas of the site. Fauna surveys were concentrated in vegetated portions of the site as these areas provide the best habitat. The majority of the development envelope occurs in grazing land and existing golf course land was therefore afforded a lower level of fauna survey.</p> <p>See comments regarding Precinct L, M, N and O above.</p> <p>Disregarding the proposed offsets in 'Stage 2', there will still be a net gain in native vegetation of 1.58ha.</p> <p>The trial plantings have been commenced to determine if proposed revegetation species are suitable, and also if Threatened plant species can easily be grown.</p> <p>The Site Rehabilitation & Pest Management Plan aims to provide overall objectives for the retention and rehabilitation of vegetation on the site. The developer has committed to preparing a specific Management Plan for each and every Rehabilitation Area. Specific details on the translocation of Threatened plants will be provided as necessary per stage.</p> <p>Threatened plants are proposed to be retained in residential lots where possible, however this is not the only amelioration measure proposed. Additional stems of Threatened plant species will be planted in revegetation works and habitat for these species will be significantly increased.</p> <p>In September 2006 the DECCW commenced an investigation into illegal clearing of Threatened Species Flora on this subject site.</p> <p>In 2009 the DECCW took action through the Land and Environment Court against the contractor responsible for this clearing work.</p> <p>This court action is titled the "Plath vs Rawson [2009] NSWLEC178" matter.</p> <p>Judgement against Rawson was handed down by Justice Preston on 28 October 2009.</p> <p>This Judgement exonerated both the applicant for this MP08-0234 application, Terranora Group Management Pty Ltd (TGM), and TGM's principal Mr. Godfrey Mantle, from any involvement in this illegal clearing.</p>

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<ul style="list-style-type: none"> • 	<p>However, as a consequence of the court decision, on 21 December 2009 the DECCW issued a Draft Restoration Order (Order) to TGM under Section 38 of the Native Vegetation Act 2003 with the intent of causing TGM to rehabilitate the land affected by the Rawson illegal clearing.</p> <p>TGM elected to negotiate the Order with DECCW instead of commencing legal action to potentially block the Order (given that TGM was not deemed responsible for the illegal clearing as confirmed by the Court judgement and hence TGM could have attempted to resist the Order).</p> <p>A meeting was held between the DECCW, TGM and James Warren & Assoc on 8 December 2009 to discuss the scope of the Draft Order, and a second meeting was held between TGM, DECCW, James Warren & Assoc and Tweed Shire Council Engineering Division (Mr. Patrick Knight Director of Engineering) to again discuss the scope and impact of the Draft Order on particularly the future road system as proposed in the MP08-0234 application.</p> <p>Following the above meetings agreement has been reached between TGM and DECCW to the terms of the final Restoration Order.</p> <p>The Rehabilitation Overlay Plan that forms part of the final Restoration Order is attached as Annexure J.</p> <p>This Rehabilitation Plan (Annexure J) has been compiled and agreed so that the scope of works covered by it:</p> <ol style="list-style-type: none"> 1. Provides controlled restoration of 27.34ha of highly degraded but still valuable contiguous Northern NSW Rainforest habitat areas over a 5 year period. 2. Does not impact on the development footprint of the MP08-0234 Concept Plan footprint, including the required engineering earthworks and batters, now that Precinct J has been deleted. <p>The final Restoration Order does not require any actual planting of Threatened or Native species, moreover it requires the removal and maintenance control of introduced and exotic species (such as Privet, Camphor laurel, Lantana, etc.) so that Native Species will naturally propagate.</p> <p>It is now the Proponent's understanding that following:</p> <ol style="list-style-type: none"> 1. agreement to the final DECCW Restoration Order, 2. the removal of Precinct J herein from the MP08-0234 Concept Plan and the proposed bushland restoration of this area by TGM, 3. the revised James Warren & Assoc MP08-0234 proposal (Precinct J deleted) herein that compensatory planting will now provide a net benefit of 1.58ha of valuable habitat. 4. the revised James Warren & Assoc MP08-0234 proposal (Precinct J deleted) herein that 24.69ha of existing bush land will be rehabilitated (which only overlaps the final DECCW Restoration Order at Precinct J). <p>This all now satisfies the DECCW and provides an excellent environmental outcome for the entire TGM land holding.</p>
<p>NSW Fire Brigade</p> <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. 	<p>Noted.</p>

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<p>NSW Rural Fire Service</p> <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. 	<p>Any requirement to contribute towards upgrading of Bilambil from Village 1 to Village 2 should be based on an equitable distribution of costs between all benefiting parties on the basis of physical, causal and temporal nexus.</p>
<p>Northern Rivers Catchment Authority</p> <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. 	<p>The existing corridor values of the subject site will not be significantly impacted. In fact, corridor values of the subject site will be significantly improved through proposed revegetation and rehabilitation measures.</p> <p>Noted.</p> <p>See comments regarding corridors above.</p> <p>The guidelines for avoiding rural land use conflict are not relevant to the development.</p> <p>Precinct J has been deleted from the Concept Plan.</p> <p>It is not intended to utilise exotic species in landscape or streetscape plantings.</p> <p>A Site Rehabilitation and Pest Management Plan (JWA 2009) has been prepared for the subject site and provides management guidelines for site restoration and long-term vegetation management.</p>
<p>9. Gold Coast Airport Pty Ltd</p> <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. 	<p>Noted.</p> <p>Controlled Activity Approvals to be obtained as part of Development Applications for relevant buildings.</p> <p>See amended Draft Statement of Commitments at Annexure F.</p>
<ul style="list-style-type: none"> Approval of the Concept Plan should note the requirement for any proposed structures to secure Commonwealth airspace approvals. 	<p>Noted.</p>
<p>10 Gold Coast City Council</p> <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. 	<p>See comments in 2. on Pages 4 and 5 above.</p> <p>See comments in 2. on Pages 4 and 5 above.</p> <p>The Applicant's discussions with the Cobaki Lakes development applicant (Leda Manorstead) has confirmed that the Cobaki Lakes project already has agreements in place with Gold Coast City Council and Queensland Main Roads regarding the staged construction and upgrading of Boyd St and Cobaki Parkway.</p> <p>Noted.</p>

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AGENCY RESPONSE	COMMENT
<ul style="list-style-type: none"> 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. 	<p>The proponent accepts that this Concept Plan does not in fact authorise any development and that Development Applications which give rise to traffic generation beyond the allocated capacity on the local road network cannot be approved until sufficient capacity exists within Boyd Street and/or the Boyd Street interchange and Tugun Bypass.</p>
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. Does not achieve objectives to protect scenic landscape. Height on prominent ridgelines should be kept to a minimum. 	<p>Noted.</p> <p>Noted. The proposal is consistent with the Draft Bilambil Heights Local Area Structure Plan.</p> <p>An Economic Impact Report accompanies the Environmental Assessment at Annexure 15. It is considered that this Report adequately addresses Council's Retail Policy.</p> <p>Noted.</p> <p>See comments above relating to revised building heights and nil visual impacts.</p>
<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>See comments above relating to revised building heights and nil visual impacts.</p> <p>Noted.</p>
<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 Local Environmental Plan. Landscape Concept Plan misleading as it shows remaining area (referred to as Stage 2) as bushland. 	<p>Noted. There will be a net gain of 1.58ha of Lowland rainforest vegetation on the subject site. Furthermore, all existing areas of Lowland rainforest on the site will be rehabilitated.</p> <p>The Court case relating to the clearing has been finalised and no adverse findings have been made against the landowner and proponent of this Concept Plan.</p> <p>The status of significant plant occurrence can only be assessed on what is present at the time of the assessment.</p> <p>This will form part of the individual Development Applications per Stage or Precinct in the future.</p> <p>Precinct J has now been deleted.</p> <p>The Spine Road location and detailed layout has been resolved with and accepted by the Tweed Council's Engineering Department.</p> <p>The impact assessment has considered all potential direct and indirect impacts and was conducted after the damage had occurred.</p> <p>No comment.</p> <p>The EA Design Landscape Open Space Concept Plan Report which forms part of the application is only an indicative report to show the proposed landscape works for the project. It is not intended to detail what may exist or occur in Stage 2 of the site, and Stage 2 of the site does not form part of this application.</p>

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AGENCY RESPONSE	COMMENT
<ul style="list-style-type: none"> 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>All restoration will be within the site boundaries.</p> <p>The application proposes that the project is to be developed under a Community Title Scheme and that the areas of land proposed to become (or be retained as) environmental protection will become Common Property to the Principal Body Corporate and that the Bylaws will make it the responsibility of the Body Corporate to maintain the land in perpetuity.</p> <p>The existing corridor values of the subject site will not be significantly impacted. In fact, corridor values of the subject site will be significantly improved through proposed revegetation and rehabilitation measures.</p> <p>Precinct J has now been deleted.</p> <p>The Spine Road location and detailed layout has been resolved with and accepted by the Tweed Council's Engineering Department.</p>
<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>RISE Development infrastructure should be treated in a similar manner to all other land subdivisions within Water Authorities area.</p> <p>No agreement is required.</p> <p>Community Titles Act provides for Statutory Easement for Service Authorities.</p> <p>Agreed DSP plans require review to reflect logical points of supply for Bilambil Heights Release Area. Current sewer collection point nominated by TSC is an inordinate distance from Bilambil Heights Release Area.</p>
<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>Noted.</p> <p>Noted.</p> <p>Need for elevated tank subject to detailed design and compliance with Water Code of Australia Guidelines.</p> <p>Noted.</p>
<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 standards. Council 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>DSP requires review to take into account future development within Bilambil Heights Release Area. Nominated collection point of Gollan Drive is considered excessively distant particularly in view of the number of separate developments between RISE and Gollan Drive. TSC current collection point will result in inefficient use of infrastructure.</p> <p>Noted.</p> <p>Noted.</p>
<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. 	<p>The Stormwater reuse system (IWCM) has now been deleted from the Concept Plan.</p>

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AGENCY RESPONSE	COMMENT
<ul style="list-style-type: none"> • 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>IWCM deleted as above.</p> <p>Noted.</p>
<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>Agreed.</p> <p>Noted.</p> <p>Noted.</p>
<p><u>Roads & Future connections</u></p> <ul style="list-style-type: none"> • Significant earthworks are required to achieve compliant road gradients and developable sites. • As 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 & D1. • Additional 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>Agreed. Proposal makes every effort to minimise earthworks which are mostly related to ensuring the road gradients comply as much as possible, particularly the Spine Road.</p> <p>Agreed. Refer comments on Spine Road in DECCW additional information Dot Point 5. Minimal road connections to the Spine Road are proposed to minimise earthworks and maximise traffic flow.</p> <p>Agreed except to the extent of variations to DCP as sought in RISE submission which are based on the project being a CTS.</p> <p>Preferred Project Report provides for 2 additional road connections to adjoining land.</p> <p>Proposal is a Community Title development. Variations to these requirements of the TSC DCP have been sought as the roads in question are private roads. See original RISE submission. Council DCP written without regard to a Community Title development the scale of RISE.</p>
<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”. 	<p>The production of the Draft Bilambil Heights Local Area Structure Plan (LASP) by the Applicant, in conjunction with Tweed Council, as a supporting document for the RISE application, has determined support for the RISE Concept Plan, particularly based on the fact that the RISE application represents nearly 1/3rd of the target population for this LASP area.</p> <p>Further detailed studies of the population impact per Stage or Precinct of the RISE project will be dealt with at the time of each separate Development Application for each relevant component of the project, especially noting that population figures will change over the life of the RISE development cycle.</p> <p>The application is for a Community Title Scheme and as such the Concept Plan allows for a series of private parks, private community facilities and a community hall at the main Town Centre that will be made available to the public for hire at a minimal cost through the RISE Body Corporate. Therefore compliance with Council's requirements are not deemed acceptable by the applicant.</p>

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AGENCY RESPONSE	COMMENT
<ul style="list-style-type: none"> 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>Firstly, there is no Precinct S in the MP08-0234 application.</p> <p>Secondly, there is no Village store or service station/Precinct R in the MP08-0234 application.</p> <p>Thirdly, the Concept Plan includes a raft of cycleways, walkways and golf cart routes throughout the project as depicted in the ML Design Architecture and Urban Planning Report March 2009, page 41, which forms part of the application.</p> <p>Not acceptable to the applicant, see above.</p>
<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>This requirement has been included in the amended Draft Statement of Commitments at Annexure F.</p>
<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. Based on traffic volumes Cobaki Road should be rural arterial and McAllisters Rd, Marana St, Mountain View Esplanade should be neighbourhood connector and widened accordingly to TSC's Development Design Spec. D1 & DCP-A5. Until Marana, McAllisters & Mountain View are widened development is restricted to an additional 1000 vpd. Modelling required to assess vehicle impacts at intersections of Buenavista Dr/McAllisters Rd and McAllisters Rd/Mountain View Esplanade. 	<p>See item 2 on Pages 4 and 5 above.</p> <p>As above.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
<p>Open Space</p> <ul style="list-style-type: none"> No exemption for nursing homes in casual open space requirement. Therefore additional 0.23ha required. No agreement has been reached regarding the layout of the sports park (Precinct U). Site is poorly shaped for sports fields and required buffers. Negotiations have commenced to enter into VPA for contributions in lieu of dedication of structured open space. Some sport facilities can still be located on Precinct U. Statement of commitment should reflect this. Landscape Open Space Concept Report should clearly identify casual open space. Water bodies such as dams cannot be included in open space calculations. 	<p>The application is for a project structured under a Community Title Scheme and as such it is not necessary to strictly comply with the Council's DCP's for casual open space, also because various community facilities located throughout the project will be made available to all residents through the Body Corporate strict compliance is unnecessary. Other than the Nursing Home, for which the application claims that no casual open space is required, the casual opens space requirements of Council are met.</p> <p>See comments above re Precinct U.</p> <p>A more detailed set of seven (7) casual open space parks plans have been provided to Council and to our understanding Council has accepted those plans as achieving an acceptable casual open space outcome for the project.</p> <p>Those seven (7) plans are attached as Annexure H.</p> <p>Noted, see Annexure H plans which do not include areas of water bodies in the open space calculations.</p>

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AGENCY RESPONSE	COMMENT
<ul style="list-style-type: none"> Community Title Subdivision means Council will not have responsibility now and in future for the management of the casual open space. Open space in Community Title Subdivision should comply with Council's standards (DCP A5) to ensure maximum benefit for community. Due to site constraints negotiations over some criteria may be required. 	<p>Noted.</p> <p>See above.</p>
<p>Environmental Health</p> <ul style="list-style-type: none"> Environmental Protection & Heritage Council, Natural Resource Management Ministerial Council and National Health & Medical Research Council Guidelines for the safe use of recycled water are relevant to the proposal. Future applications must be submitted with the information that addresses the recommendations of the Gilbert & Sutherland, Contamination Assessment April 2009, necessary remediation action plans and statement confirming land is suitable for intended use. An Acid Sulfate Soils Assessment is required for any earth works proposed on the proposed sports park site to satisfaction of consent authority. Future applications will need to address approvals required under the Local Government Act 1993 for proposed private sewerage system to service school in Precinct I. 	<p>Integrated Water Cycle Management is now deleted from this application.</p> <p>See amended Draft Statement of Commitments.</p> <p>See amended Draft Statement of Commitments.</p> <p>See amended Draft Statement of Commitments.</p>
<p>Legal</p> <ul style="list-style-type: none"> Process for transfer of closed road reserves outlined. Council will not consider acquiring land for road corridor for Cobaki Parkway (from Piggabeen Rd to Boyd St overpass) as it is outside parameters of what Department of Local Government considers public purpose. Council provides approval for development on held closed road parcels (Lot 1 DP1033810 & Lot 1 DP1033807). 	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
<p>Earthworks</p> <ul style="list-style-type: none"> Detailed geotechnical investigations will be required for each future Development Application. Future applications will need to demonstrate heavy haulage routes and mechanisms to minimise impact on adjoining properties. 	<p>See amended Draft Statement of Commitments.</p> <p>See amended Draft Statement of Commitments.</p>
<p>Bushfire APZ's</p> <ul style="list-style-type: none"> External APZ's should be located wholly within the Rise Site as approval cannot be given for restrictions on another land owner. Further applications for Precincts would need to include easements on adjoining property or repositioning of the buildings to achieve on site APZ's. 	<p>See amended Draft Statement of Commitments.</p> <p>See amended Draft Statement of Commitments.</p>
<p>Variations to Council's Controls</p> <ul style="list-style-type: none"> Variations to Council's DCP be considered in future DA's on individual merits. No blanket endorsement to variations should be given by Concept Plan. 	<p>Amendments to Council's Development Control Plans are requested from the Department for the reasons outlined in the Environmental Assessment and the fact that the application is for a CTS development.</p>
<p>12. Department of Education and Training</p> <ul style="list-style-type: none"> In the short term, the Department feels that Bilambil PS and Tweed River HS, with the supplementation of demountables, can cater for the increase in student numbers resulting from this development, if the non-retirement component is not increased. However, as further development is planned for the Bilambil Heights area, the Department reserves the right to request a 3.0 hectare site for a primary school if overall lot numbers reach the established primary school threshold level of 2,500 dwellings. The Department also will eventually require a 6.0 hectare site for a secondary school in the area to accommodate students living in Terranora, Bilambil, Bilambil Heights and Cobaki. 	<p>The Draft Bilambil Heights Local Area Structure Plan identifies suitable sites for schools to service the whole of the Bilambil Heights Release Area on an equitable and efficient basis.</p>

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4.0 SUMMARY AND CONCLUSION

All relevant issues raised in the submissions have been addressed and where appropriate, the Application Plans have been amended to mitigate potential impacts and address the specific issue.

In addition, the Draft Statement of Commitments has been revised to include further measures to mitigate and manage potential adverse impacts.

In summary, the amendments to the project do not significantly change its scale and nature or the exhibited scope of the project, but are considered to properly address the relevant issues.

Approval of the revised project is therefore considered to be sustainable and in the public interest based on the revised Draft Statement of Commitments.

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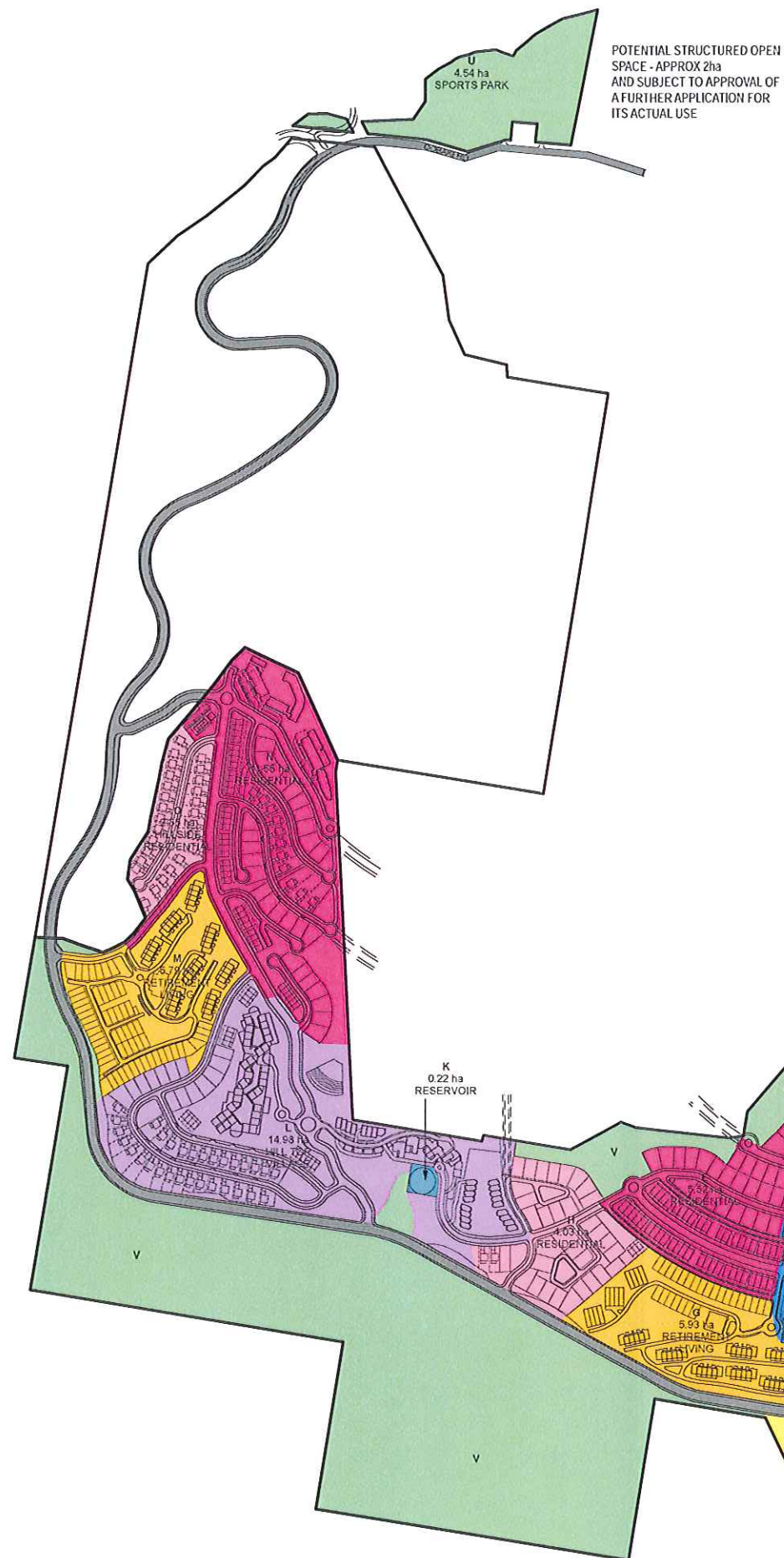
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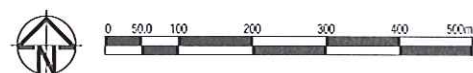
ANNEXURE A Amended Precinct Plan Reference No. A-MP-01-18F – ML Design, 3 December 2009

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Precinct	Predominant Use	Approx Area (ha)	Dwellings/ha	Potential Dwellings
A	Village Centre	6.00	43	257
B	Retirement Living	6.62	29	195
C	Reservoir	0.47	-	-
D	Low Density Housing	10.37	12	129
E	Low Density Housing	5.52	14	75
F	Aged Care	1.15	174	200
G	Retirement Living	5.93	34	199
H	Medium Density Housing	4.03	10	39
I	Private Schools	4.26	-	-
K	Reservoir	0.24	-	-
L	Hilltop Village	14.98	22	325
M	Retirement Living	5.79	35	204
N	Residential	11.55	13	154
O	Hillside Residential	2.35	11	27
U	Unstructured Sports Park	4.54	-	-
V	Open Space & Conservation	38.80	-	-
TOTAL		122.60		1804



SITE PLANS - PRECINCT PLAN

JOB NO : TERR0001 3/12/2009 SCALE: 1:5000 @ A1

A-MP-01-18F

APPROVED FOR ISSUE

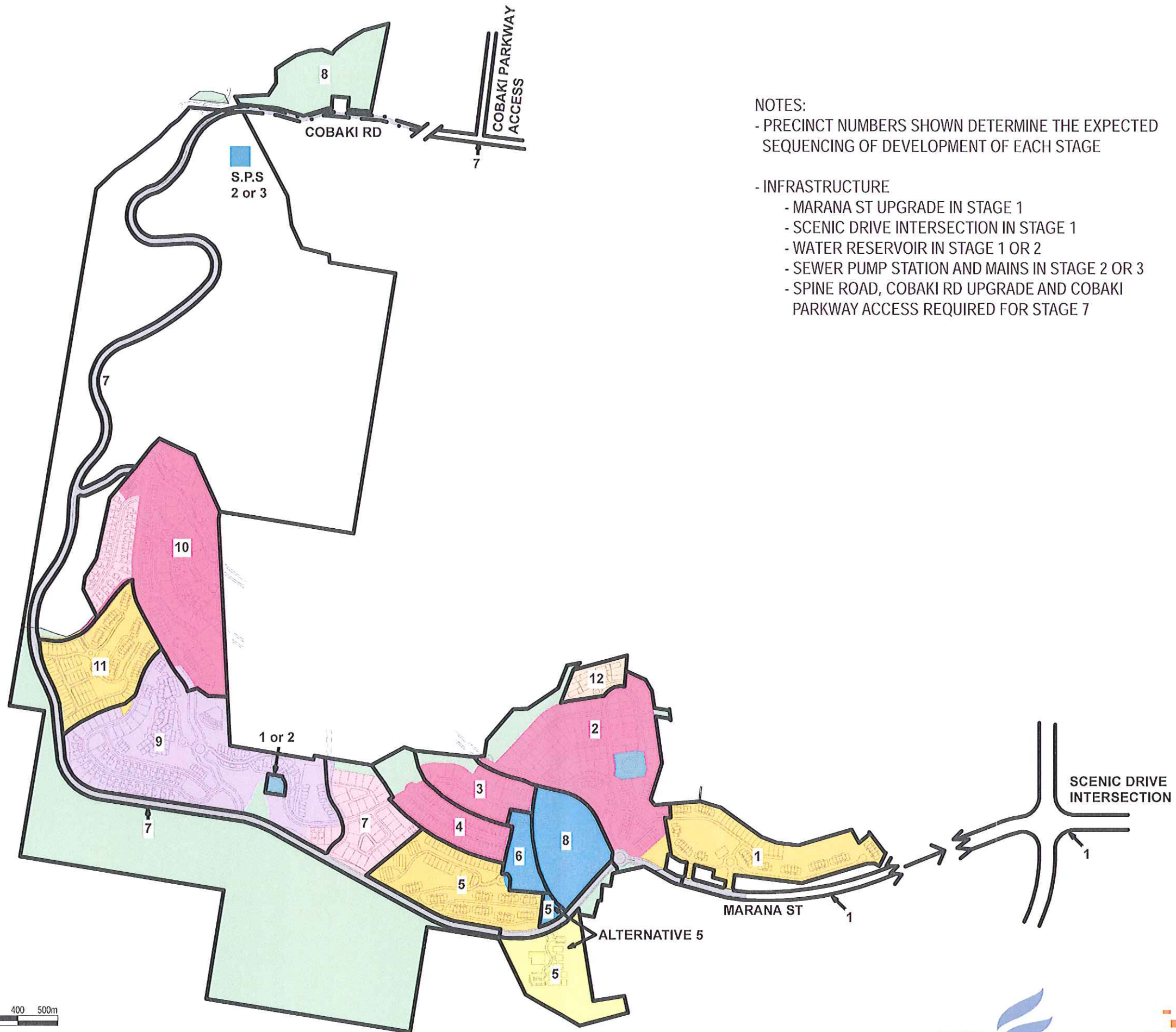
Terranora Group Management Pty Ltd



**ANNEXURE B Amended Indicative Staging and Sequencing Plan Reference No. A-MP-01-37B –
ML Design, 3 December 2009**

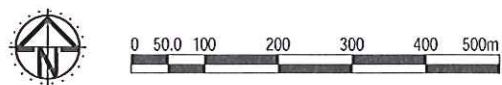
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NOTES:
- PRECINCT NUMBERS SHOWN DETERMINE THE EXPECTED SEQUENCING OF DEVELOPMENT OF EACH STAGE

- INFRASTRUCTURE
- MARANA ST UPGRADE IN STAGE 1
 - SCENIC DRIVE INTERSECTION IN STAGE 1
 - WATER RESERVOIR IN STAGE 1 OR 2
 - SEWER PUMP STATION AND MAINS IN STAGE 2 OR 3
 - SPINE ROAD, COBAKI RD UPGRADE AND COBAKI PARKWAY ACCESS REQUIRED FOR STAGE 7



SITE PLANS - Indicative Staging and Sequencing Plan

JOB NO: TERR0001

3/12/2009

SCALE: 1:10 000 @ A3

A-MP-01-37B

Terranora Group Management Pty Ltd

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APPROVED FOR ISSUE: — —

Rise
ABOVE IT ALL

ML Design
architecture | master planning | urban design | interior design



**ANNEXURE C Amended Building Heights Plan Reference No. A-MP-01-20F – ML Design,
3 December 2009**

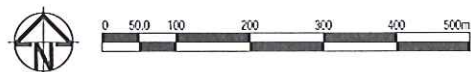
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LEGEND

- UP TO 2 STOREYS
- UP TO 3 STOREYS
- UP TO 4 STOREYS (MAX 12.5m)
- UP TO 5 STOREYS (MAX 16.0m)
- UP TO 6 STOREYS (MAX 19.0m)

POTENTIAL STRUCTURED OPEN SPACE - APPROX 2ha AND SUBJECT TO APPROVAL OF A FURTHER APPLICATION FOR ITS ACTUAL USE



SITE PLANS - BUILDING HEIGHTS SUMMARY

JOB NO : TERR0001

3/12/2009

SCALE: 1:5000 @ A1

A-MP-01-20F

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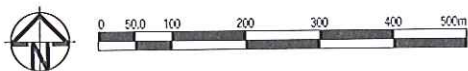
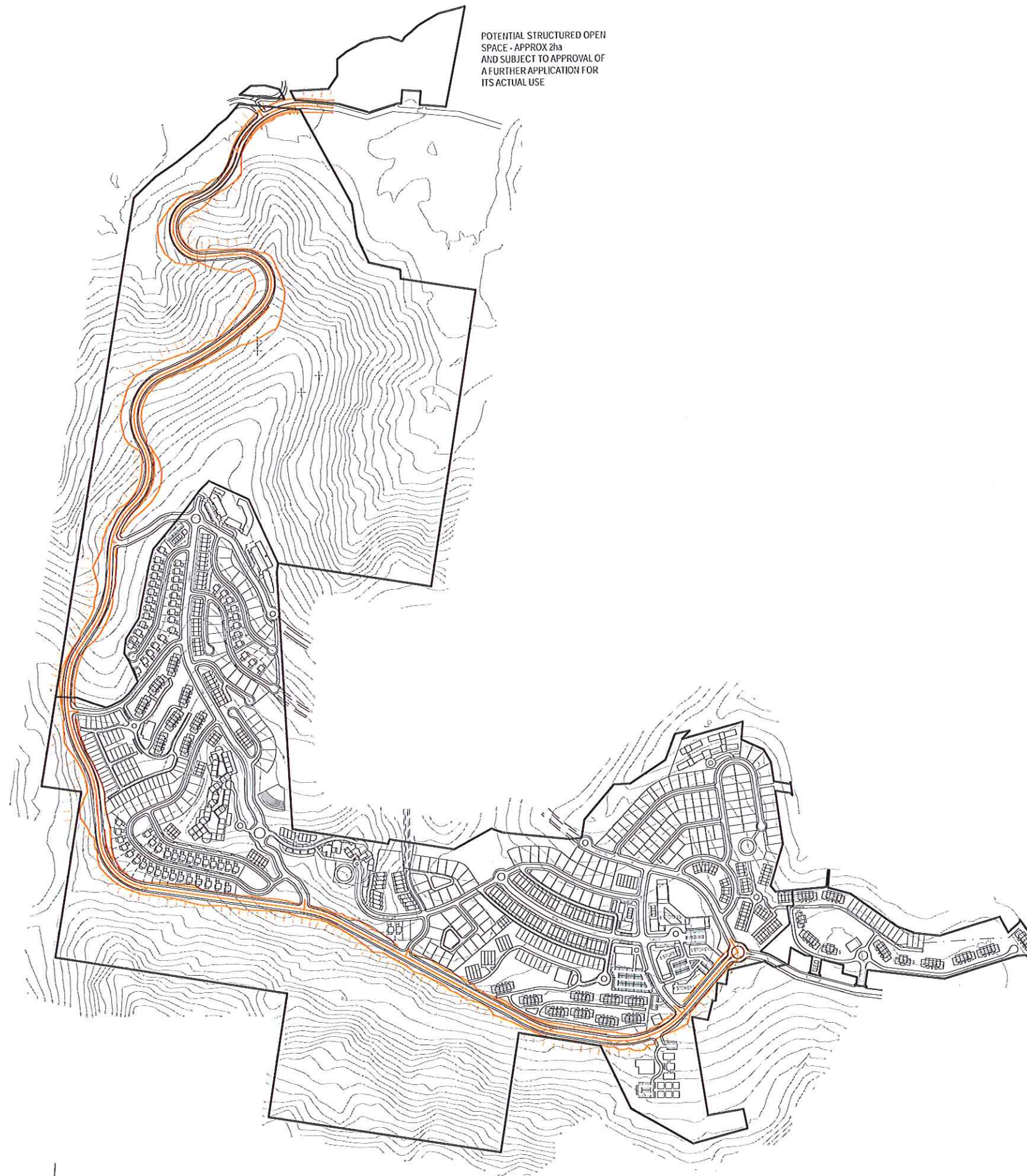
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ANNEXURE D Amended Master Plan Reference No. A-MP-01-16D – ML Design, 3 December 2009

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SITE PLANS - MASTER PLAN

JOB NO : TERR0001 3/12/2009 SCALE: 1:5000 @ A1

A-MP-01-16D

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ANNEXURE E Revised Product Summary – 15, Dated 10 November 2009

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TERRANORA GROUP MANAGEMENT P/L.

SMDS

RISE PROJECT.

MARANA ST BILAMBIL HEIGHTS WEST TWEED

PRODUCT SUMMARY - 15 for MP08-0234 SECTION ONLY

Based on the ML Design revised Concept Master Plan as at 9th November 2009.

Notes: All apartments are based on average 2 bed room module.
All penthouses are based on 3 bedroom module.
All villas are based on 3 bedroom module.

Matches the DoP plan that determines the Part 3A Concept Plan footprint.

Date: 10th November 09

Author: S.J.MacRae.

Precinct.	Product.	Number.	Description / Av GBA / Av GLA / Av GSA.
A-1	Community Hall.	1	500 GBA.
A-2	Village supermarket.	1	1200 GLA.
A-3	Village Shopping Centre.	1	600 GLA.
A-4	Boutique Hotel apartments.	146	6 Storey apartment / hotel building.
A-5	Tavern.	1	600 GLA.
A-6	Hospitality Training School.	1	700 GLA.
A-7	Local Business Suites & Retail.	1	3700 GLA.
A-8	Medium Rise Apartments.	42	4 Storey apartment building.
A-9	Medium Rise Apartments.	21	4 Storey apartment building (retail on GF).
A-10	Medium Rise Apartments.	48	5 Storey apartment building (retail on GF).
A-11	Child Care.	1	400 GLA
A-12	Private community Club building.	1	350 GBA.
A-13	Private community lap pool.	1	25m lap pool.
A-14	Private community Tennis court.	1	Court with pavillion.
B-1	Retirement Living.	15	Cottages.
B-2	Retirement Living.	180	3 Storey apartments.
B-3	Retirement Living Club building.	1	800 GBA.
C	Council Regional Water Reservoir		Land transferred to council.
D-1	Res A Housing Lots.	80	575 GSA
D-2	3 Storey Townhouses.	49	3 bed / 2 car Townhouses.
E-1	Res A Housing Lots.	24	650 GSA
E-2	3 Storey Boulevard Villas.	45	3 bed / media / study / 2 car Townhouses.
E-3	3 Storey Townhouses.	6	3 bed / media / study / 2 car Townhouses.
F	Nursing Home Land.	1	3 storey 200 bed Nursing Home site.
G-1	Retirement Living.	25	Cottages.
G-2	Retirement Living.	162	3 Storey apartments.
G-3	Retirement Living.	12	2 storey villas.
G-4	Retirement Living Club building.	1	800 GBA.
H-1	Res A Housing Lots.	34	650 GSA
H-2	Hillside Housing Lots.	2	650 GSA
H-3	3 Storey Townhouses.	3	3 bed / media / study / 2 car Townhouses.
I	Private School.	1	Land Area.
K	Council Regional Water Reservoir		Land transferred to council.

L-1	Hilltop Plaza Penthouses.	5	Penthouse apartments.
L-2	Hilltop Plaza Sub Penthouses.	26	Sub- Penthouse apartments.
L-3	Hilltop Plaza apartments.	17	Lower level apartments.
L-4	Hilltop Plaza apartment facilities.	1	780 GBA
L-5	Hilltop Plaza retail / restaurants/ studios/ art school.	1	1,472 GLA
L-6	Retail art shop houses (Soho units).	8	South side of Ridge.
L-7	Art studios & shops.	8	As above, Ground floor, with units over.
L-8	Art house apartments.	16	North side, 2 storey apartments over art shops.
L-9	Art Facility / café building.	1	200 GLA
L-10	Hill top apartments (Nth Ridge).	137	Up to 6 storey over basement.
L-11	Hill top apartments (Nth Ridge).	28	2 storey flanking basement.
L-12	Health Spa.	1	600 GLA.
L-13	Hillside Housing Lots.	30	600 GSA
L-14	Res A Housing Lots.	15	575 GSA
L-15	3 storey Boulevard Villas.	35	3 bed / study / 2 car Townhouses.
M-1	Retirement Living.	60	Cottages.
M-2	Retirement Living.	144	3 Storey apartments.
M-3	Retirement Living Club.	1	800
N-1	Res A housing Lots.	28	600 GSA
N-2	Villas.	38	3 bed / 2 - 3 Storey Villas.
N-3	Retail shops.	1	375 GLA
N-4	Hillside Housing Lots.	11	650 GSA
N-5	Midrise Apartments.	70	3 storey apartments over basement.
N-6	Midrise Apartments.	7	2 to 3 storey apartments flanking basement.
N-7	Private community Club building.	1	350 GBA.
N-7	Private community lap pool.	1	25m lap pool.
N-7	Private community Tennis court.	1	Court with pavillion.
O-1	Hillside Housing Lots.	27	650 GSA
U	Unstructured Sports Park	1	Public Sports Park and amenities.
Product mix summary.			
Residential Lots.		181	
Hillside Housing Lots.		70	
Hotel apartments.		146	
Penthouses.		31	
Apartments.		386	
Villas & Townhouses.		176	
Art shop houses (Soho units).		16	
Retirement cottages.		100	
Retirement apartments.		486	
Retirement villas.		12	
Nursing beds.		200	
School area.		1	
Retail space (Inc tavern) GLA.		4,447	
Commercial space GLA.		5,300	
Health Spa GLA.		600	
Total residential dwellings.		860	
Total Including Hotel units.		1,006	
Total Retirement dwellings.		598	
Total Nursing beds.		200	
		1,804	
Total commercial / retail GLA.		10,347	



ANNEXURE F Revised Statement of Commitments, Dated February 2010

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
1. Erosion and Sediment Control (Construction Phase)	1.1 Minimise the escape of wind-borne particles by complying with the Erosion and Sedimentation Control Plan	1.1.1 Minimise disturbance area 1.1.2 Promptly rehabilitate disturbed areas 1.1.3 Regularly water disturbed areas of the site	To ensure that air pollution does not exceed DECC standards	Ongoing during the construction phase.	Any complaints to be recorded in the Complaints Register and valid claims to be acted on within one hour. An after hours contact number will be made available to the public and council for notification of after hours incidents. Details to be provided in the quarterly Compliance Report.
	1.2 Minimise mobilisation of sediments by complying with the Erosion and Sedimentation Control Plan	1.2.1 Erect sedimentation fences, inlet filters, hay bale barriers and diversion drains in accordance with the Erosion and Sedimentation Control Plan. 1.2.2 The controls shall be maintained during the construction phase and defects liability period.	To ensure that water quality in receiving waters is not decreased in quality by sediment and nutrient loads	All sediment and erosion control measures to be in place prior to commencing site work or demolition.	Visual monitoring shall be carried out by the Project Manager on a weekly basis and after each storm event. Details to be contained in the quarterly Compliance Report.
2. Site Safety	2.1 Minimise risk of injury to construction workers and members of the public by generally complying with the Safety Management Plan	2.1.1 The principal contractor shall prepare a Health and Safety Plan and submit the Plan to the Project Manager for approval. The contractor shall comply with the approved Plan.	To ensure that Occupational Health and Safety Act 2000, Occupation Health and Safety Regulation 2001 and relevant Codes of Practice are complied with.	Prior to commencing any work on the site.	Monitoring and reporting incidents to be recorded in the Incident Register and details to be included in the quarterly Compliance Report. Work Cover to be notified in appropriate circumstances.
		2.1.2 The principal contractor shall prepare a Traffic and Pedestrian Plan for approval by the Project Manager.	To ensure that traffic and pedestrian management during the construction phase complies with the RTA Traffic Control Worksite Manual and AS1742.3	Prior to commencing work on site.	As above.
3. Acid Sulphate Soil	3.1 Minimise disturbance of acid sulphate soils by limiting excavations in accord with ASSMP.	3.1.1 Comply with the provisions of the Acid Sulphate Soils Manual (ASSMAC, 1998) and the Acid Sulphate Soil Management Plan	To ensure that significant volumes of acid sulphate soils are not disturbed.	During the excavation phase.	An environmental consultant will be appointed to monitor excavation and address compliance in the quarterly Compliance Report.

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
4. Contamination	4.1 Minimise disturbance of potentially contaminated soils	4.1.1 Comply with recommendations in Contamination Report at Annexure 24 of the Environmental Assessment.	To ensure that any contaminated sites are identified and suitably remediated.	Prior to issue of a Subdivision Certificate.	Compliance to be addressed in the quarterly Compliance Report.
		4.1.2 In the event that contamination is identified, a Remediation Action Plan shall be prepared by the proponent for approval by the Department of Environment and Conservation and the site shall be rehabilitated in accordance with that Plan.	To ensure that any contaminated soil is suitably remediated.	Prior to erection of any permanent structures over the contaminated material.	As above.
5. Construction of Subdivision	5.1 Minimise noise, dust and vibration and amenity impacts by generally complying with the Construction Management Plan and the Safety Management Plan to be prepared prior to construction commencing.	5.1.1 Limit work hours to 7.00am to 6.00pm Monday to Saturday. 5.1.2 Limit noise levels to a level to be agreed with the construction consent authority above background at the nearest residential receivers.	To mitigate adverse construction impacts.	During construction.	Project Manager to address compliance in quarterly Compliance Report.
6. Comply with the Building Code of Australia Including Part J	6.1 Ensure that the design and operation of the buildings achieves energy efficiency and water efficiency requirements.	6.1.1 Comply with the Building Code of Australia Including Part J relating to Commercial Buildings	To achieve energy efficiency objectives.	Prior to issue of a Construction Certificate.	Project Manager to address compliance in quarterly Compliance Report.
7. Landscaping and Embellishment	7.1 Achieve improved aesthetics and useability of the site.	7.1.1 Carry out the embellishment and landscaping works in accordance with Landscape Concept Plan	To soften the appearance of the building and hardstand areas and provide a more attractive pedestrian environment and car parking area.	Prior to the issue of a final Subdivision Certificate.	Project Manager to address compliance in quarterly Compliance Report.
	7.2 Soften the visual impact of the buildings and surrounding hardstand areas	7.2.1 Carry out site landscaping in accordance with the Landscape Concept Plan.	As above.	Prior to the issue of a final Occupation Certificate for the building.	As above.

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
8. Development Consents 96/519 (Integrated Tourist Resort and any associated Consents) and DA05/1351 (76 Lot Residential Subdivision)	8.1 Surrender consents relevant to the lots within the MP08-0234 application area prior to the issue of a Construction Certificate for Subdivision work.	8.1.1 Eliminate potential conflicts between Development Consents and the Concept Plan approval.	To ensure that potential conflicts do not occur between the Concept Plan approval and the previous Development Consents.	Prior to the issue of Construction Certificate for Subdivision Work.	Not applicable.
9. Land Forming	9.1 Generally limit major landform changes to those shown on Annexure 20 of the Environmental Assessment plus major earthworks required for TSC reservoirs subject to detailed engineering design to accompany the Construction Certificate.	9.1.1 Minimise major landform changes.	To minimise visual impacts on the landscape and changes in hydrology.	Ongoing during the construction phase.	Certification of Compliance with the future Development Consent conditions regarding Engineering issues per Precinct or Stage to be provided by the Consulting Engineer prior to the issue of the Subdivision Certificate for each stage.
10. Threatened Species Protection	10.1 Protect all threatened species of flora to be retained, as identified in the James Warren and Associates Report at Annexure 16 of the Environmental Assessment, during the construction phase.	10.1.1 To identify species on the site. 10.1.2 To provide protective fencing to each species if required. 10.1.3 To undertake a staff induction process to alert all employees and contractors of the need to protect threatened species.	To ensure compliance of the Threatened Species Conservation Act, 1995.	Ongoing during the construction phase.	Monitoring and reporting incidents to be recorded in the Incident Register and details to be included in the quarterly Compliance Report.

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
11. Bush Regeneration and Vegetation Management	11.1 To rehabilitate disturbed areas.	11.1.1 Comply with the Site Rehabilitation and Pest Management Plan prepared by James Warren & Associates at Annexure 16 of the Environmental Assessment. 11.1.2 All environmental rehabilitation areas to be designated as common property under the community scheme.	To ensure that the conservation areas of the site are returned, as far as possible, to their natural state and achieve the objectives of the Threatened Species Conservation Act and the James Warren & Assoc Bush Revegetation Plan.	Prior to release of the final Linen Plan of Subdivision in respect of any residential lot.	Monitoring and reporting incidents to be recorded in the Incident Register and details to be included in the quarterly Compliance Report.
12. Aboriginal Cultural Heritage	12.1 Avoid disturbing any areas of Aboriginal Cultural Heritage.	12.1.1 In the event that any Aboriginal Cultural Items are identified during construction, the DECC and Tweed Byron Land Council will be notified.	To ensure compliance with the National Parks and Wildlife Act 1974.	Ongoing during the construction phase.	Monitoring and reporting incidents to be recorded in the Incident Register and details to be included in the quarterly Compliance Report.
13. Maintaining Asset Protection Zones	13.1 The Body Corporate to be responsible for maintaining bushfire asset protection zones.	13.1.1 Compliance with the Bushfire Management Plan at Annexure 19 of the Environmental Assessment to accompany the Concept Plan. 13.1.2 The asset protection zone shall be located on the RISE site or if on adjoining land easements shall be created in favour of the Body Corporate.	To ensure compliance with the Rural Fires Act and Regulations and Planning for Bushfire Protection, 2006.	Ongoing during the operational phase.	Not applicable.
14. Adjacent Land Uses	14.1 To minimise conflicts between the proposed urban development and adjacent non-urban uses.	14.1.1 Limit construction times to 7.00am to 6.00pm Monday to Saturday unless otherwise agreed with the construction Consent authority. 14.1.2 Implement sedimentation and erosion control during the construction phase in accordance with the Erosion and Sedimentation Control Plan.	To minimise conflicts and adverse impacts between potentially incompatible land uses.	Ongoing during construction.	Monitoring and reporting incidents to be recorded in the Incident Register and details to be included in the quarterly Compliance Report.

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
15. Concept Plan – Community Title Scheme.	15.1 The project to be carried out generally in accordance with the Concept Plan as approved based on a Community Title Subdivision.	15.1.1 Plans of Subdivision to be lodged for approval shall be prepared under the provisions of the Community Land Development Act, 1990. (Except for areas to be created in freehold for Council and other servicing Authorities)	To ensure that all common property is appropriately managed and maintained at no cost to ratepayers. To further ensure that Council has the required legal access to services located within the Common Property or within private land within the CTS.	In conjunction with registration of the Plan of Subdivisions in the Land Titles Office.	Not applicable.
16. Work Opportunities	16.1 Work with local Employment Agencies to ensure as is reasonably possible employees are sourced from local Tweed and northern New South Wales Employment Agencies.	16.1.1 Liaise with local Employment Agencies in appointing staff and advise contractors of this intention.	Attempt to ensure that social and economic benefits of the development are enjoyed by residents of northern New South Wales.	During the development phase of the project.	Monitoring and reporting incidents to be recorded in the Incident Register and details to be included in the quarterly Compliance Report.
17. Accessibility	17.1 To ensure that the estate and all relevant facilities are publicly accessible.	17.1.1 All commercial and retail areas as listed in Product Summary 15 will be available for public use. 17.1.2 The spine road and the two access roads through RISE to Tietzel's land (being Lot 2 DP 555026) will be public roads. 17.1.3 The two remaining potential access roads from Tietzel's land through Rise will be private CTS roads.	To ensure that public use of the publically accessible facilities in Rise is facilitated.	Ongoing.	Not applicable.

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
		17.1.3 Provide and embellish public and private open space. 17.1.4 Provide potential private school and child care centre. 17.1.5 All walking trails to environmental areas will be available for public use. (However they may not link to public roads in all instances)			
18. Community Titles Scheme	18.1 RISE to be developed by way of a Community Title Scheme under the Community Land Development Act, 1990.	18.1.1 Establish multi landowners corporation (Body Corporate - BC) to manage all common property. 18.1.2 BC to fund the ongoing management of the restored bushland area. 18.1.3 Community Management Statement to include bylaws for Architectural Design Guidelines and Landscaping Standards.	To ensure that sustainability principles are achieved to control and maintain the standard of the project and to minimise costs to ratepayers generally.	Ongoing.	Not applicable.
19. Traffic and Transport	19.1 Comply with and enhance where possible in conjunction with Council the physical and environmental capacity that exists in the local road network.	19.1.1 Upgrade Marana Street. 19.1.2 Upgrade Cobaki Road at the appropriate time in conjunction with 19.1.4 below. 19.1.3 Provide traffic lights (or a roundabout) at Simpsons Drive and Scenic Drive. 19.1.4 Construct the Spine Road when the capacity of vehicles per day as agreed with Tweed Council on Kennedy Drive is exhausted.	To ensure that appropriate accessibility and connectivity is provided within RISE and between RISE and Cobaki and surrounding suburbs.	Prior to release of the final Plan of Subdivision.	Monitoring and reporting incidents to be recorded in the Incident Register and details to be included in the quarterly Compliance Report.

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
20. Water Supply	20.1 Work with Council to assist Council to ensure that an adequate potable water supply is provided to the development.	<p>20.1.1 Provide TSC reservoir sites as shown on the Concept Plan. Dedicate the High Level reservoir land (Precinct K) to Council at no cost. Dedicate the Low Level reservoir land (Precinct C) to Council at an appropriate acquisition cost to Council via a yet to be agreed formal land valuation process.</p> <p>20.1.2 Provide water main easements within road corridors, across Common Property and across private CTS land.</p> <p>20.1.3 Developer to build internal trunk water and local reticulation.</p>	To ensure that an adequate potable water supply is provided and legal access is provided to Council for maintenance works.	Prior to release of the final Linen Plan of Subdivision.	As required.
21. Sewerage	21.1 To provide a reticulated sewer system to the estate.	<p>21.1.1 Provide a sewer rising main (including pump station) from the site to the regional pump station at the Council nominated Gollan Drive point of discharge when the internal demand of RISE requires it.</p> <p>21.1.2 Developer to build the trunk sewer and pump station and Tweed Shire Council to maintain. It is proposed that potentially prior to the construction of the major rising main and pump station that temporary sewer service options may be proposed to service the earlier Precincts or stages of the project. The various temporary sewer service options will be reviewed in detail with each Development Application for each Precinct or Stage of the project.</p>	To ensure that a public standard reticulation system is provided and minimise potential adverse impacts arising from pollution events on local water bodies.	Prior to the release of the final Linen Plan of Subdivision.	As required.

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
22. Comply with BASIX Requirements in Terms of Energy Efficiency and Water Consumption	22.1 Ensure that water consumption and energy consumption is minimised by compliance with BASIX.	22.1.1 Green Globe Certification requirements (except for the deleted IWCM system) may also be adopted for each Precinct or stage of the project depending on its suitability. Otherwise compliance with BASIX will be adopted.	To achieve the objectives of the BASIX statutory requirements.	Prior to the release of the final Linen Plan of Subdivision.	As required.
23. Contributions	23.1 Ensure that appropriate contributions and land dedications occur based on the demands generated by the RISE Estate as detailed in this Statement of Commitment.	23.2.1 Completion of a Planning Agreement in relation to infrastructure credits if required. However as it is now proposed that normal headwork's contributions will be paid to Council at the appropriate Precinct or staging time as a condition of each Development Approval then a Planning Agreement should not be required. This can be dealt with at the point of each Development Approval for each Precinct or Stage of the project.	To achieve the objectives of the Environmental Planning and Assessment Act in relation to the levying of contributions and the dedication of land.	As required by each Development Approval for each Precinct or Stage of the project.	As required, if required.
24. Community Liaison	24.1 Ensure that members of the community, state agencies and other key stakeholders are advised of progress during the construction phase.	24.1.1 The Developer will establish a Community Liaison Group. 24.1.2 The Developer will be responsible for managing the role and function of the Liaison Group.	Set up a system that allows feedback from the community and so that information is disseminated to the community in a timely manner.	Ongoing during the life of the project.	Monitoring and reporting incidents to be recorded in the Incident Register and details to be included in the quarterly Compliance Report.

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
25. Architectural Design Guidelines	25.1 Achieve a high standard of built form and design continuity for the development.	25.1.1 The developer will establish Architectural Design Guidelines for the development and incorporate into the Community Management Statement, and establish an Architectural Review Committee to assess all building designs before lodgement for Development Approval.	To establish appropriate design controls and achieve contemporary urban design outcomes.	Prior to the issue of development approvals for relevant precincts.	As required.
26. Sports Park	26.1 Provide appropriate facilities for future residents.	26.1.1 <i>"Subject to the density finally approved under the MP08_0234 Application, or a pro rata area calculation being adopted for adjusted densities in the final MP08_0234 approval, the applicant shall dedicate and embellish 4.42 hectares of structured open space in accordance with the development standards contained in Table A5-8.3 of Tweed Development Control Plan 2007, Part A5 or alternatively pay a contribution in lieu for the area that is not dedicated and embellished on the applicant's land. The amount of the contribution rates shall be determined at the time of documentation of and incorporated into, a Voluntary Planning Agreement (VPA) between the applicant and Tweed Shire Council.</i>	To satisfy the open space requirements of future residents.	Prior to release of the final Plan of Subdivision.	As required.

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
		<p><i>The VPA shall be finalised prior to the granting of development consent or major project approval for any part or precinct of the development approved by way of Concept Plan No. 08_0234 which creates residential lots or dwellings. Should it be agreed that some sports facilities can be located at the currently proposed site, the VPA will require the applicant to dedicate and embellish on it's land a component of the required 4.42 hectares no earlier than when the Spine Road construction is completed, or contributions in lieu to be paid on a pro rata basis per precinct at the time of sealing of title plans by Council for that precinct."</i></p>			
27. Landscape	27.1 Achieve high standard of landscaped open space and streetscapes.	27.1.1 The developer will landscape open space areas and streets in general accordance with Annexure 11 of the Environmental Assessment.	To achieve a high standard of residential amenity and soften visual impacts.	A VPA (if required) or agreed Development Approval Conditions shall be finalised prior to the granting of development consent (or major project approval) for any Stage or Precinct of the development subsequently approved by way of Concept Plan No. 08_0234.	As required.
28. Flora and Fauna	28.1 Mitigate impacts on threatened species of flora and fauna.	28.1.1 Comply with the impact mitigation measures and offsets contained in Table 9 of the Ecological Assessment (Volume 1) at Annexure 16 of the Environmental Assessment.	To ensure that potential impacts are mitigated and appropriate compensatory arrangements are made for vegetation and habitat loss.	Prior to release of the relevant Plan of Subdivision for each Precinct or Stage.	As required.

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REVISED – STATEMENT OF COMMITMENTS					
Project Component	Environmental Outcome (Commitment)	Measure (Commitment)	Purpose of Measure	Timing for Completion	Monitoring and Reporting
29. Ground Water and Surface Water	29.1 Mitigate impacts on ground water and surface water flows and quality	29.1.1 The developer will obtain any necessary licences or approvals from the NSW Office of Water. The proponent will prepare a ground water and surface water monitoring program for each Precinct or Stage of the project.	To comply with the requirements of the Water Act 1912 and Water Management Act 2000.	Prior to or in conjunction with obtaining development consents for each Precinct or Stage of the project.	As required.
30. Gold Coast Airport	30.1 To avoid compromising air safety.	30.1.1 Obtain Commonwealth airspace approvals for buildings as they specifically apply to each Precinct or Stage of the project.	To comply with the Commonwealth Airport Act and Airports (Protection of Airspace) Regulation.	Prior to erecting any buildings that are affected by the Commonwealth Airports Act and Airports (Protection of Airspace) Regulation.	As required.
31. Waste Management Plan	31.1 Control waste generation and management practices (during demolition, construction and operation).	31.1.1 The developer will prepare a Waste Management Plan for each Development Application for each Precinct or Stage of the project.	To comply with legislative requirements.	Prior to approval of any development consents for construction works.	As required.
32. Private Sewerage System – Precinct I	32.1 To ensure that an efficient and effective system is provided.	32.1.1 The developer will obtain any necessary approvals for the required sewer system for Precinct I (School site).	To comply with the Local Government Act 1993.	Prior to the issue of a Construction Certificate for building work in Precinct I.	As required.

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**ANNEXURE G Amended Zoning Map Reference No. 8715-47D– Michel Group Services,
1 December 2009**

Darryl Anderson Consulting Pty Ltd







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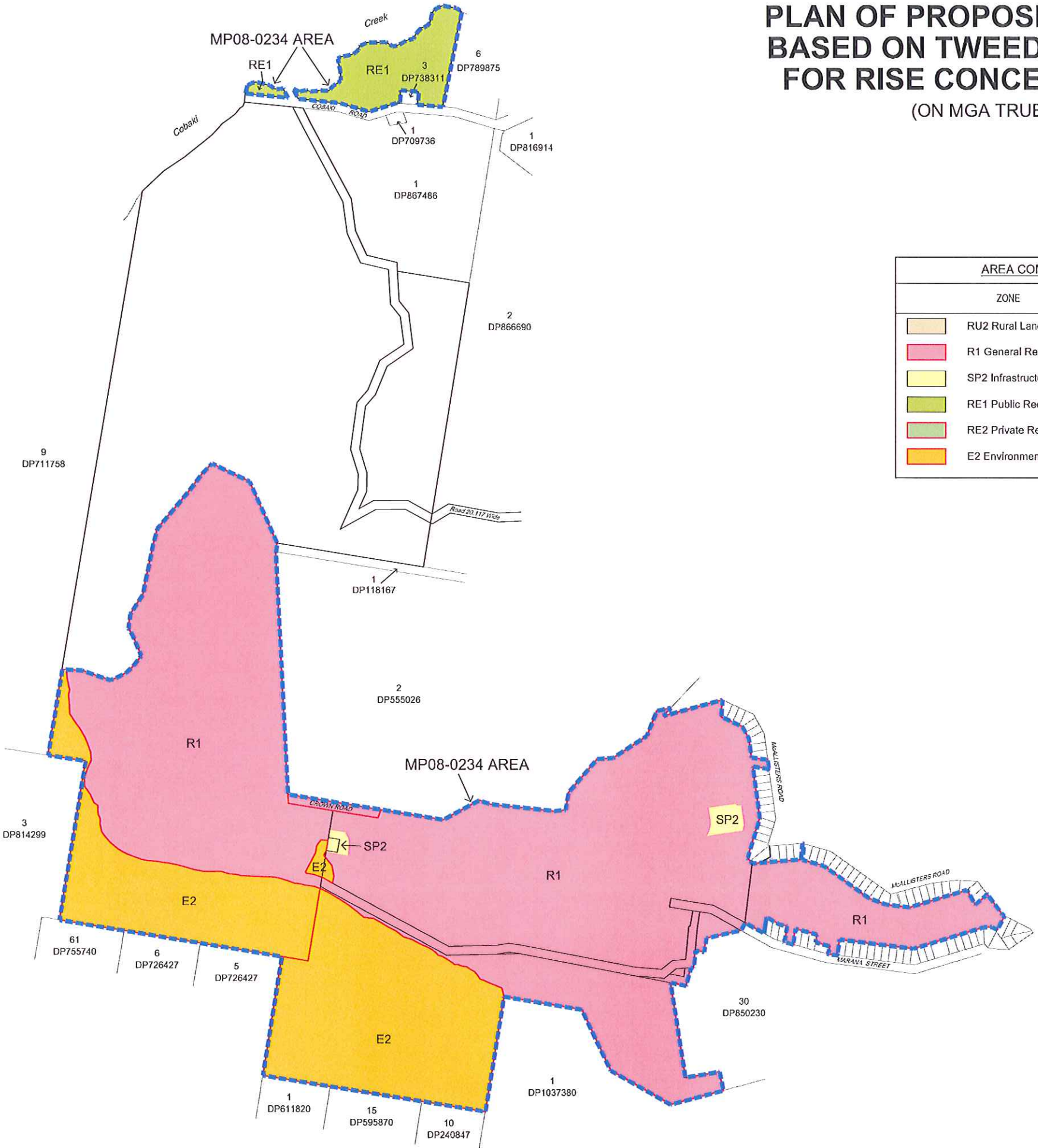
PLAN OF PROPOSED ZONES
BASED ON TWEED LEP 2008
FOR RISE CONCEPT PLAN
(ON MGA TRUE)

D	PRECINCT J TO E2 ZONE	GL 1/12/2009
C	SCALED TO MGA TRUE @ SSV59056	GL 2/9/2009
B	STAGE 2 REMOVED	AS 2/7/2009
A	SP2 Added	GL 24/4/2009
ISSUE		SUBJECT
AMENDMENTS		BY DATE

NOTES & DISCLAIMERS

Note:
Boundaries & Contour detail from Brown & Pluthero Pty. Ltd.
plan 10811A 1/11/1996.

AREA COMPARISON WITHIN MP08-0234		
ZONE	EXISTING	PROPOSED
 RU2 Rural Landscape	4.677 ha	-
 R1 General Residential	41.15 ha	87.61 ha
 SP2 Infrastructure	0.08 ha	0.71 ha
 RE1 Public Recreation	-	4.51 ha
 RE2 Private Recreation	64.6 ha	-
 E2 Environmental Conservation	11.17 ha	30.2 ha



Major Project App
No: MP08-0234-
Rise Concept Plan





MICHEL
GROUP SERVICES
A/C.N. 001 750 132

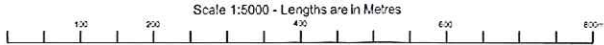
Land & Hydrographic Surveying
Town Planning Services

23 Ochoon Street
Nerang QLD 4211

PO Box 2695
Nerang BC, QLD 4211

F: 07 5500 4399
admin@michelsurveys.com.au

T: 07 5502 2500





**ANNEXURE H Site Plans – Local Parks Reference No. A-MP-01- 30 to 36 – ML Design, 21 and 22
September 2009**

Darryl Anderson Consulting Pty Ltd

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**TSC TABLE - A5 - 9.2.1 LOCAL PARKS
DEVELOPMENT STANDARDS COMPLIANCE SCHEDULE**

ALLOCATED LOCAL PARKS;

No. 1	0.45Ha
No.2	0.32Ha
No.3	1.05Ha
No.4	0.34Ha
No.5	0.77Ha
No.6	0.31Ha

TOTAL 3.24Ha

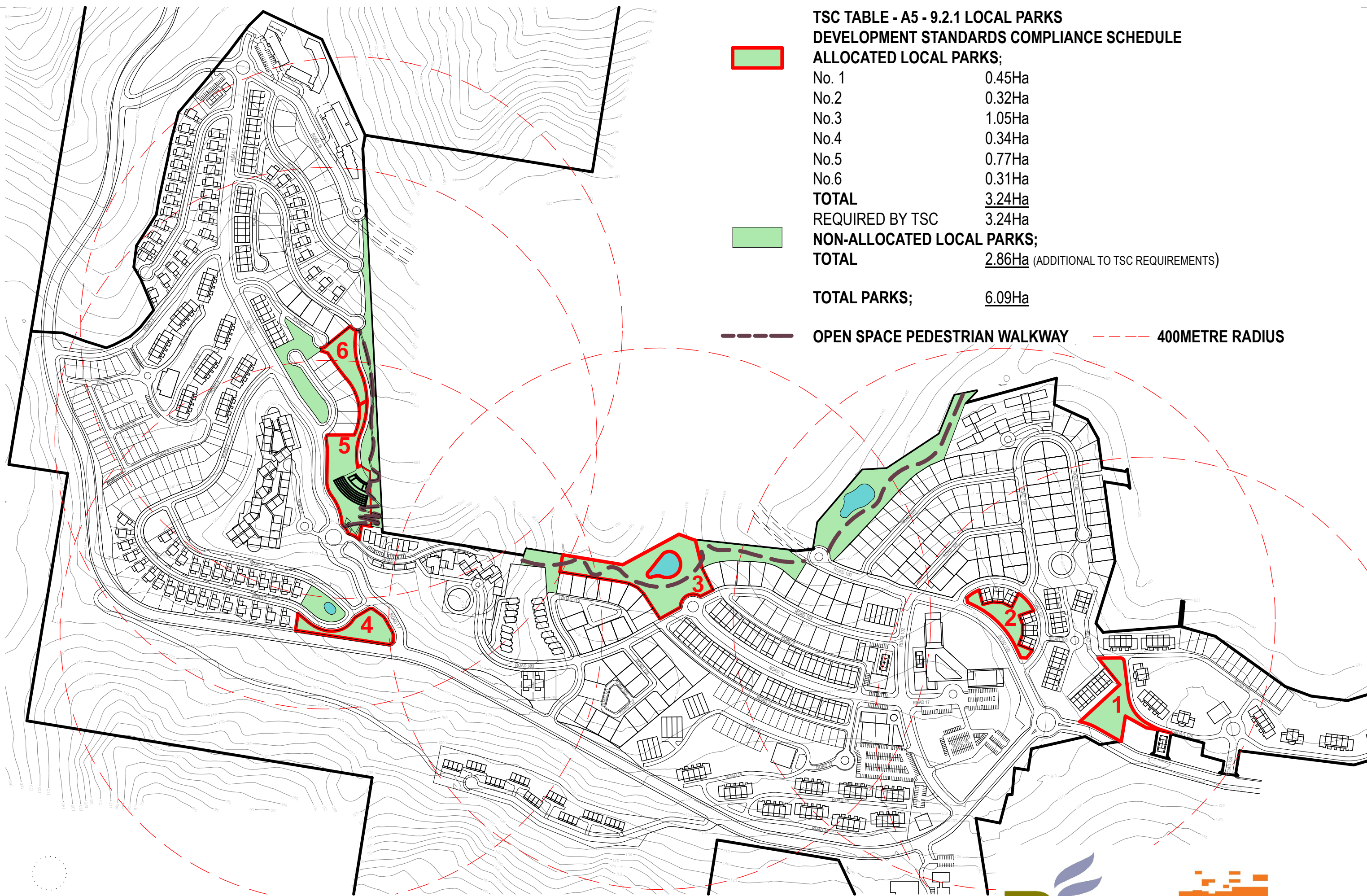
REQUIRED BY TSC 3.24Ha

NON-ALLOCATED LOCAL PARKS;

TOTAL 2.86Ha (ADDITIONAL TO TSC REQUIREMENTS)

TOTAL PARKS; 6.09Ha

----- OPEN SPACE PEDESTRIAN WALKWAY ----- 400METRE RADIUS



SITE PLANS - LOCAL PARKS KEY PLAN

JOB NO: TERR0001

22/09/2009

A-MP-01-30 (B)

Terranora Group Management Pty Ltd

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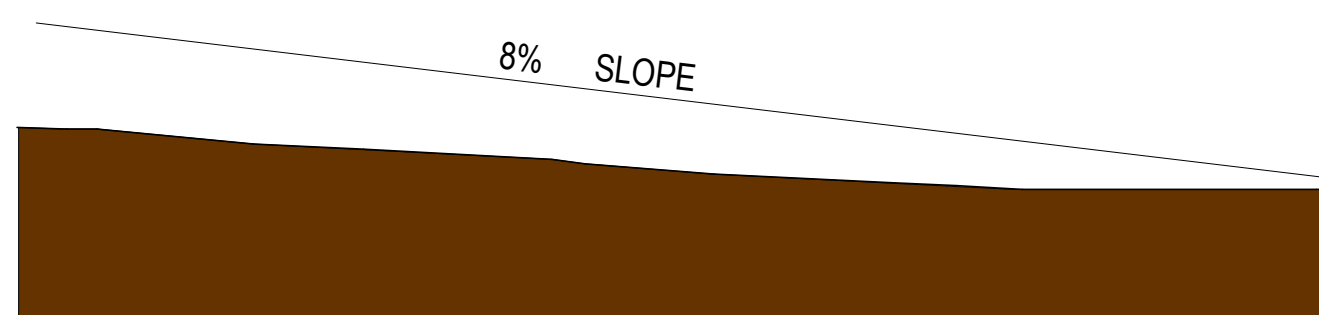
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Rise
ABOVE IT ALL

ML Design
architecture | master planning | urban design | interior design



1 **Local Park No.1** **1:1000**



1A **Section P1A - Local Park No.1** **1:500**

**TSC TABLE - A5 - 9.2.1 LOCAL PARKS
DEVELOPMENT STANDARDS COMPLIANCE SCHEDULE**

AREA	0.45Ha	✓
PERIMETER	486M	✓
CONFIGURATION	420M²	✓
20m BOUNDARY		✓
LANDFORM	80% <8%	✓
ACCESS	2 ROAD	✓
ROAD FRONTAGE	47%	×
AMENITIES		✓
SERVICES		✓

SITE PLANS - LOCAL PARK No.1





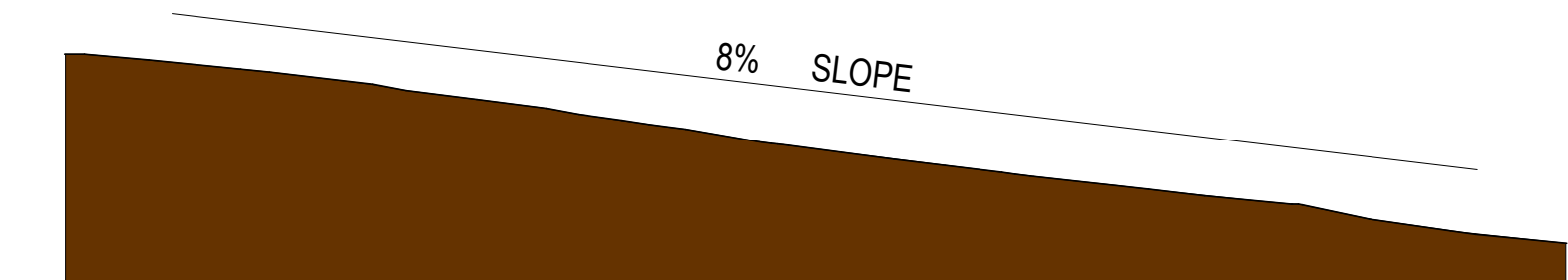
2

Local Park No.2

1:1000

**TSC TABLE - A5 - 9.2.1 LOCAL PARKS
DEVELOPMENT STANDARDS COMPLIANCE SCHEDULE**

AREA	0.32Ha	✓
PERIMETER	381M	✓
CONFIGURATION	400M²	✓
20m BOUNDARY		✓
LANDFORM	80% @ <8%	✓
ACCESS	2 ROAD	✓
ROAD FRONTAGE	52%	✓
AMENITIES		✓
SERVICES		✓



2A

Section P2A - Local Park No.2

1:500

SITE PLANS - LOCAL PARK No.2

JOB NO: TERR0001

21/09/2009

A-MP-01-32 (B)

Terranora Group Management Pty Ltd

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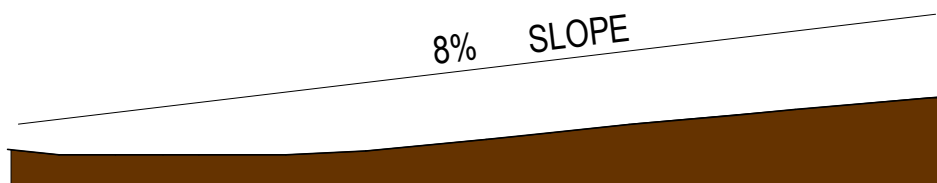




TSC TABLE - A5 - 9.2.1 LOCAL PARKS DEVELOPMENT STANDARDS COMPLIANCE SCHEDULE

AREA	1.05Ha	✓
PERIMETER	585M	✓
CONFIGURATION	400M²	✓
20m BOUNDARY		✓
LANDFORM	80% @ <8%	✓
ACCESS	1 ROAD	✓
ROAD FRONTAGE	15%	x
AMENITIES		✓
SERVICES		✓

OPEN SPACE PEDESTRIAN WALKWAY -----



Section P3A - Local Park No.3

1:500

SITE PLANS - LOCAL PARK No.3

JOB NO: TERR0001

21/09/2009

A-MP-01-33 (B)

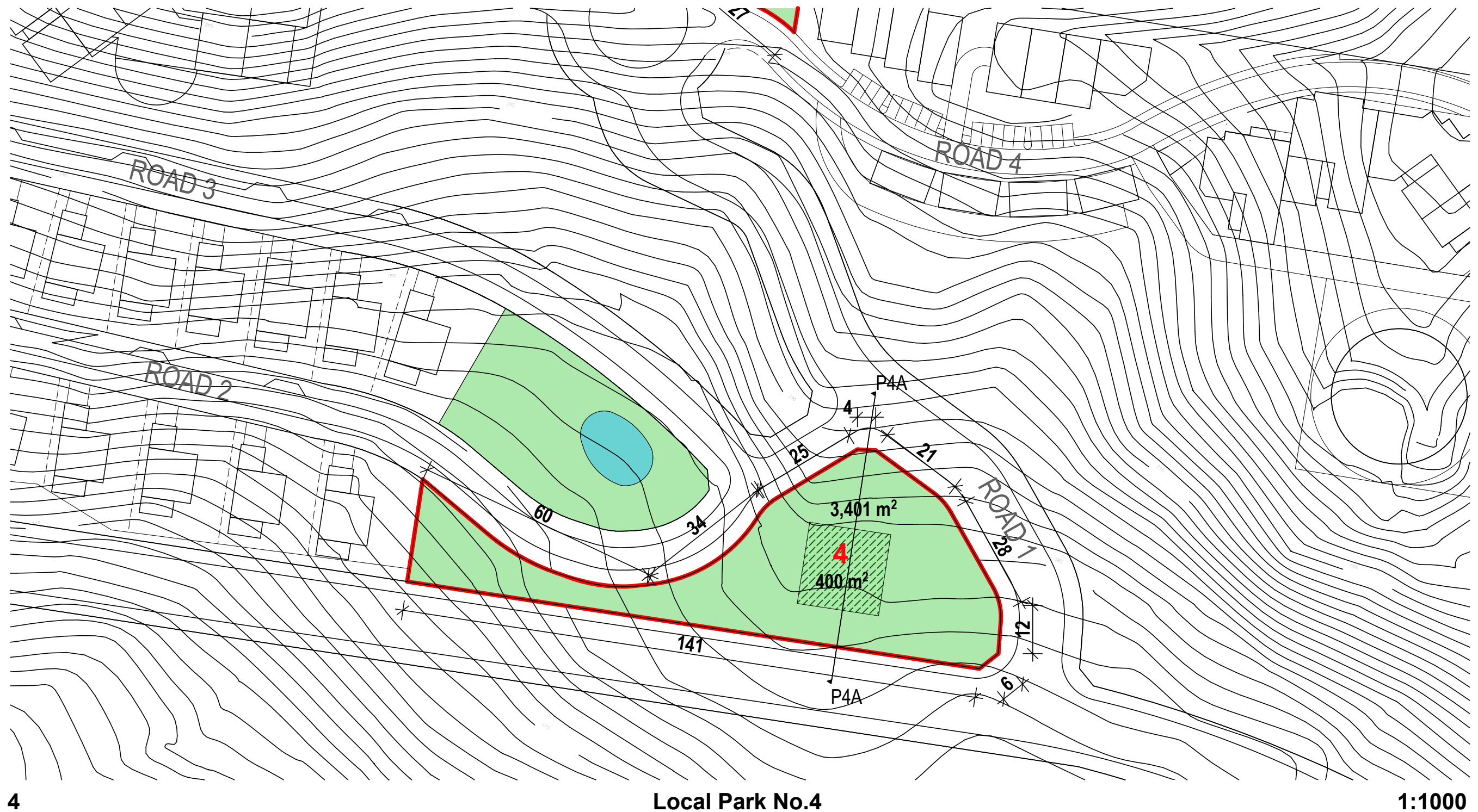
Terranora Group Management Pty Ltd

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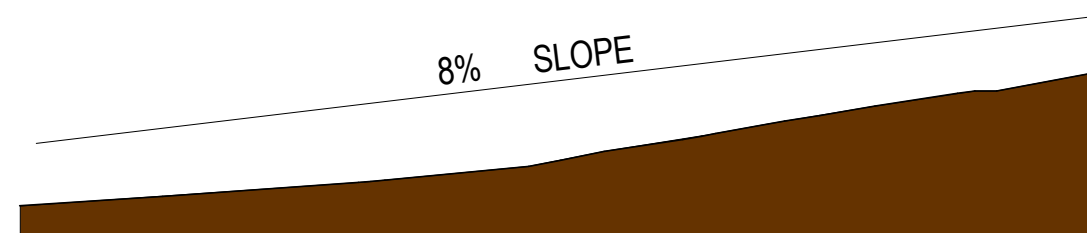
ML Design
architecture | master planning | urban design | interior design



4

Local Park No.4

1:1000



4A

Section P4A - Local Park No.4

1:500

TSC TABLE - A5 - 9.2.1 LOCAL PARKS DEVELOPMENT STANDARDS COMPLIANCE SCHEDULE

AREA	0.34Ha	✓
PERIMETER	362M	✓
CONFIGURATION	400M²	✓
20m BOUNDARY		✓
LANDFORM	80% @ <8%	✓
ACCESS	1 ROAD	✓
ROAD FRONTAGE	91%	✓
AMENITIES		✓
SERVICES		✓



SITE PLANS - LOCAL PARK No.4

JOB NO: TERR0001

21/09/2009

A-MP-01-34 (B)

Terranora Group Management Pty Ltd

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APPROVED FOR ISSUE: _ _

Rise
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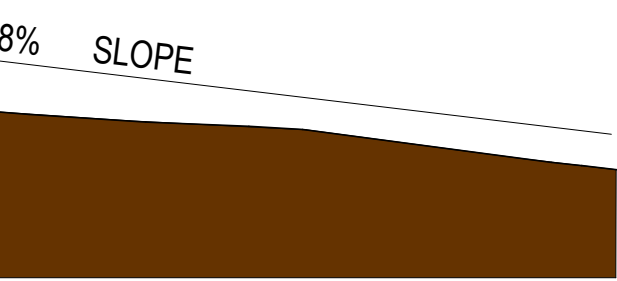
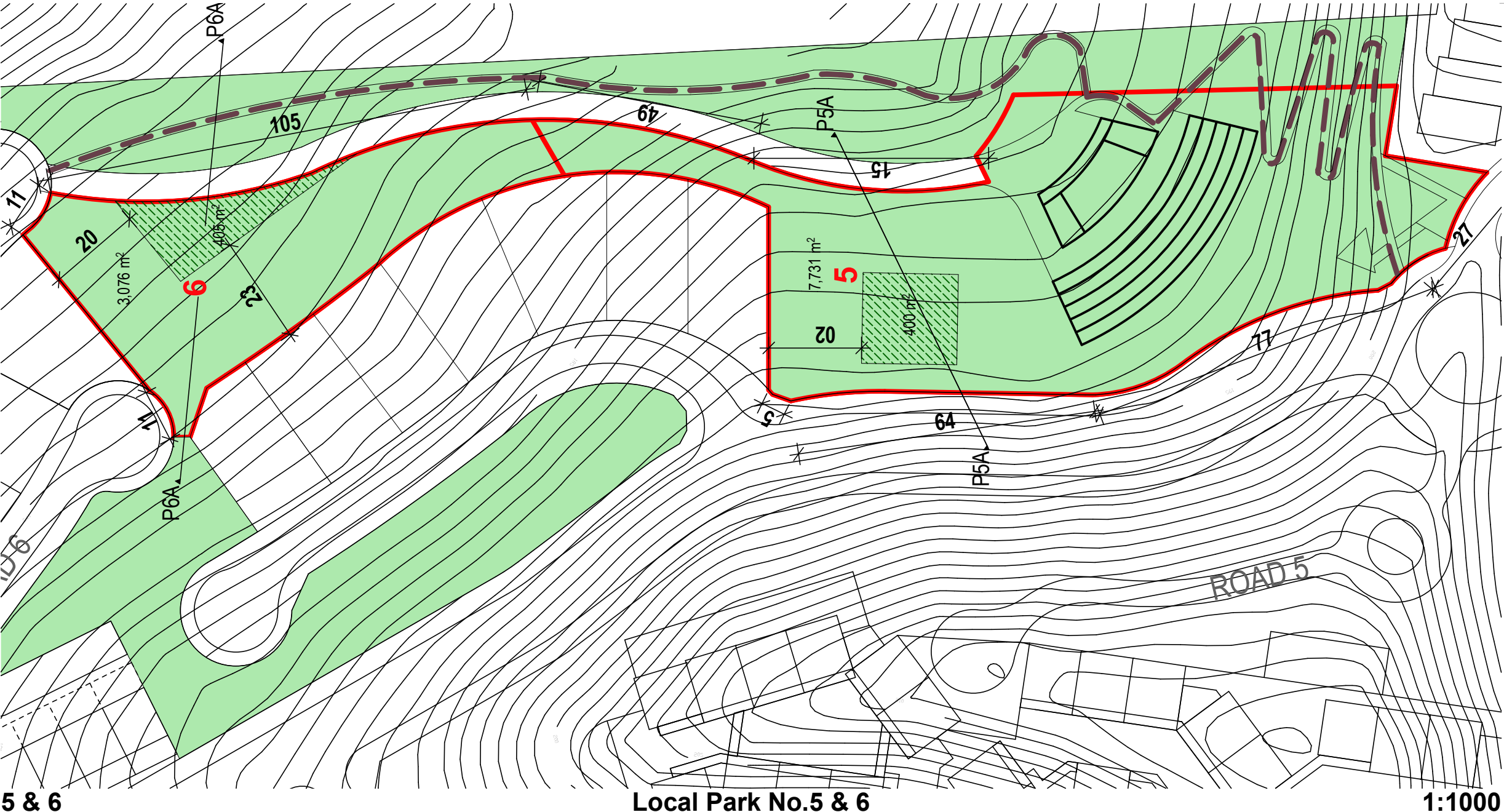
ML Design
architecture | master planning | urban design | interior design

TSC TABLE - A5 - 9.2.1 LOCAL PARKS
DEVELOPMENT STANDARDS
COMPLIANCE SCHEDULE

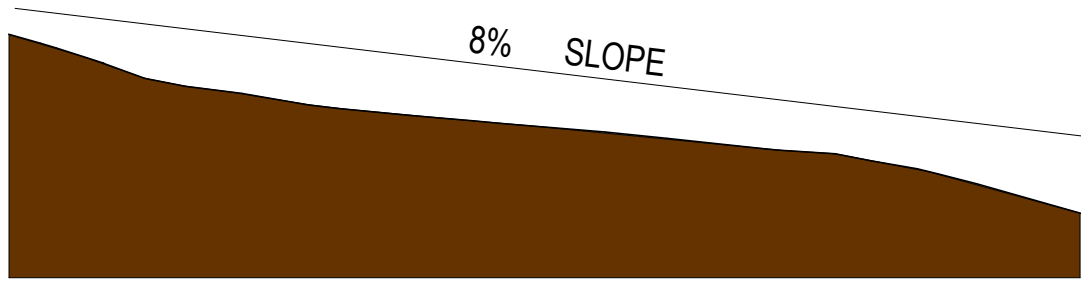
PARK No.5	
AREA	0.77Ha
PERIMETER	510M
CONFIGURATION	400M ²
20m BOUNDARY	
LANDFORM	80% @ <8%
ACCESS	2 ROAD
ROAD FRONTAGE	53%
AMENITIES	
SERVICES	

PARK No.6	
AREA	0.31Ha
PERIMETER	291M
CONFIGURATION	405M ²
20m BOUNDARY	
LANDFORM	80% @ <8%
ACCESS	1 ROAD
ROAD FRONTAGE	43%
AMENITIES	
SERVICES	

OPEN SPACE PEDESTRIAN WALKWAY



6A Section P6A - Local Park No.6 1:500



5A Section P5A - Local Park No.5 1:500



SITE PLANS - LOCAL PARK No.5 & 6

JOB NO: TERR0001

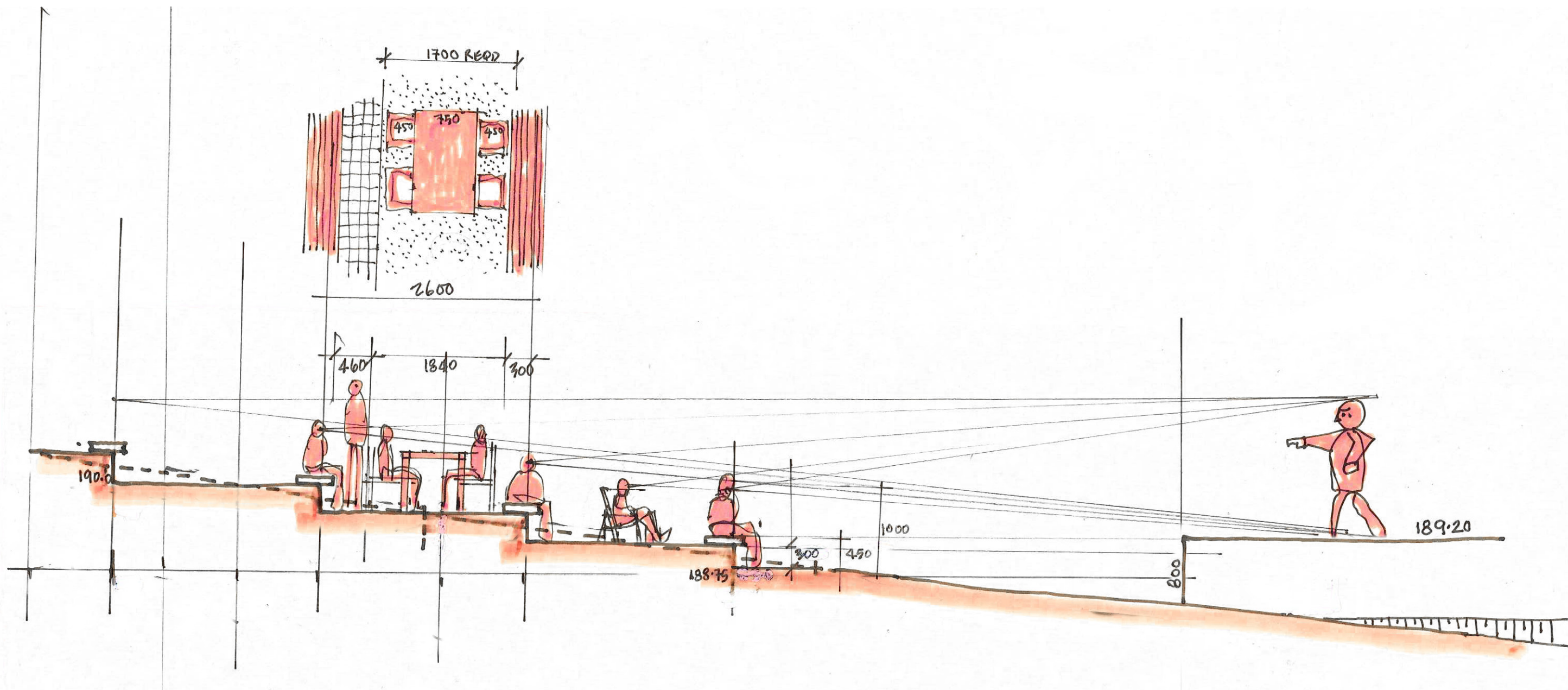
21/09/2009

A-MP-01-35 (B)

Terranora Group Management Pty Ltd

APPROVED FOR ISSUE: __ __





SITE PLANS - Local Park 5 - Amphitheatre Section

JOB NO: TERR0001

22/09/2009

SCALE: 1:50 @ A3

A-MP-01-36 A

Terranora Group Management Pty Ltd

File Path: P:\TERR0001 RISE\B Documentation\B1 Production\B1 Drawings\ArchCAD\Master\TERR0001 SITE.dwg

APPROVED FOR ISSUE: _ _

Rise
ABOVE IT ALL

ML Design
architecture | master planning | urban design | interior design



ANNEXURE I Letter from CRG Traffic Engineers to Tweed Shire Council, Dated 16 December 2009

Darryl Anderson Consulting Pty Ltd

A.C.N. 093 157 165
Town Planning & Development Consultants



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16 December 2009

General Manager
Tweed Shire Council
c/ Mr Steve MacRae
Steve MacRae Development Services

Dear Sir,

**PROPOSED RESIDENTIAL COMMUNITY ("RISE")
MARANA STREET, BILAMBIL HEIGHTS**

Further to our recent meeting we have re-evaluated the impact of the proposed development upon Kennedy Drive, considering:

- Additional capacity available to the Applicant as advised by Council;
- The use of traffic generation rates recommended by the NSW RTA rather than those contained in the Tweed Road Contribution Plan.

Kennedy Drive Spare Capacity Available to the Proposed Development

A spare capacity of 2,660 vehicles per day was allocated to the site as part of a previous approval and is therefore available to the proposed development.

Council has advised that an additional capacity of 561 vehicles per day is available to the proposed development, and therefore the total spare capacity available is 3221 vehicles per day (ie. 2660vpd + 561vpd).

Methodology for Estimating the Allowable Level of Development

CRG previously estimated the equivalent level of development by:

- Using the Tweed Road Network Model (prepared by VLC) to estimate the percentage of trips generated by the proposed development that would use Kennedy Drive;



- Increasing the allowable traffic generation of the site accordingly so that the resultant impact on Kennedy Drive remained at the allocated spare capacity (then, 2660 vpd);
- Applying traffic generation rates contained within the Tweed Road Contribution Plan to determine the permissible development yield prior to the Cobaki Parkway being completed.

Council has previously assumed that 100% of trips generated by developments in the West Tweed / Bilambil Heights area would use Kennedy Drive and applied the TRCP rate to determine the allowable yield. Whilst the methodology adopted by CRG is reasonable, Council has advised that the TRCP rate should not be used if the model is to be used to determine the likely distribution of trips to Kennedy Drive (ie. Rather than assume 100% distribution to Kennedy Drive).

It is considered, therefore, that a more reasonable approach is to adopt the above methodology, however, apply trip generation rates recommended by the NSW RTA's *Guide to Traffic Generating Developments* which are significantly higher than the TRCP rates.

Estimated Development Yield (Prior to Cobaki Parkway)

As previously determined by CRG through use of Council's traffic model, approximately 68% of trips generated by the proposed development will use Kennedy Drive, until the Cobaki Parkway is constructed.

According to the RTA, standard detached dwellings generate traffic at a rate of 9 trips / day. Therefore, according to the distribution estimates derived by the Tweed Road Network Model, approximately 6.12 trips / detached dwelling / day (ie. 68% of 9) will impact upon Kennedy Drive.

The available yield prior to the Cobaki Parkway is considered to be 526 (3,221vpd / 6.12vpd) detached houses or an equivalent mix of higher density residential product or land uses. The development of non-residential uses on the site will serve to contain trips within the local area and should not be included in the calculation of impact upon Kennedy Drive.

It is noted that the RTA's *Guide to Traffic Generating Developments* states that about 25% of trips generated by a residential subdivision will be contained within the local area. This takes into account the effect of non-residential land uses which serve to contain trips within the local area. The Tweed Road Network Model indicates that about 26% of trips will be contained within the local area (west of Cobaki bridge) which is consistent with the RTA estimate of 25%.

We trust the above information is acceptable to Council. Please contact the undersigned regarding any queries in relation to the above information.

Yours faithfully,



Luke Rytenskild
BEng (Civil) RPEQ(Traffic)
Director





ANNEXURE J DECCW Restoration Plan

Darryl Anderson Consulting Pty Ltd

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Town Planning & Development Consultants



Legend

- ◆ GPS Points
-  Remediation Areas
-  Cadastre

100 50 0 100 Meters



Department of
Environment, Climate Change and Water NSW





**ANNEXURE K Proposed Remediation Areas On True MGA Coordinate System Reference No.
8715-48A – Michel Group Services, 23 February 2010**

Darryl Anderson Consulting Pty Ltd

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