

Council Reference: DA04/0064.11 LN11043  
Your Reference: DA 492-11-2003 MOD 6



10 February 2020

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Please address all communications  
to the General Manager

ABN: 90 178 732 496

**Attention: Ellen Nicholson**

Dear Sir/Madam

**Development Application DA 492-11-2003 MOD 6 (Council reference DA04/0064.11) - amendment to Development Consent DA04/0064 for a mixed commercial/retail tourist accommodation (DA 492-11-2003 MOD 6) at Lot 4 Sec 4 DP 172565; Land has no related Property or Address; Lot 23 DP 1064172; No. 32 Marine Parade KINGSCLIFF**

Council Officer's have reviewed the Section 4.55( Mod 6) for DA Original Development Consent No. 492-11-2003, issued on 27 January 2005 and have no objection to the proposed modifications, however the following questions and comments should be noted for your assessment:

- Council notes that the proposed Inclusion of fire rated opaque glass bricks to the eastern external wall to the residential units to the first floor Unit 102 (media room) and third floor unit 301 (bed 1 & ensuite) will not affect the height; or have other detrimental impacts as highlighted in the original assessment or subsequent modification applications;
- The location of the opaque glass bricks is approximately 16 m along the eastern boundary. This puts the location of the proposed glass bricks approximately in between the carpark and the building adjacent. It is not considered that there will not be any effects on privacy.
- Council's Building Unit discussed the proposal with the applicant Nick Folkers from Evolve Planning Services. It is considered the fire rated glass blocks have already been installed in the south – eastern elevation on the first and second floors. Council's Building Unit raises no objection to the Section 4.55 application subject to a new condition being imposed requiring the lodgement of a building certificate for the works already undertaken without consent
  - *Prior to the issue of any occupation certificate a Building Information Certificate in respect of the installation of fire rated glass blocks installed in the south – eastern elevation is to be obtained from Tweed Shire Council.*

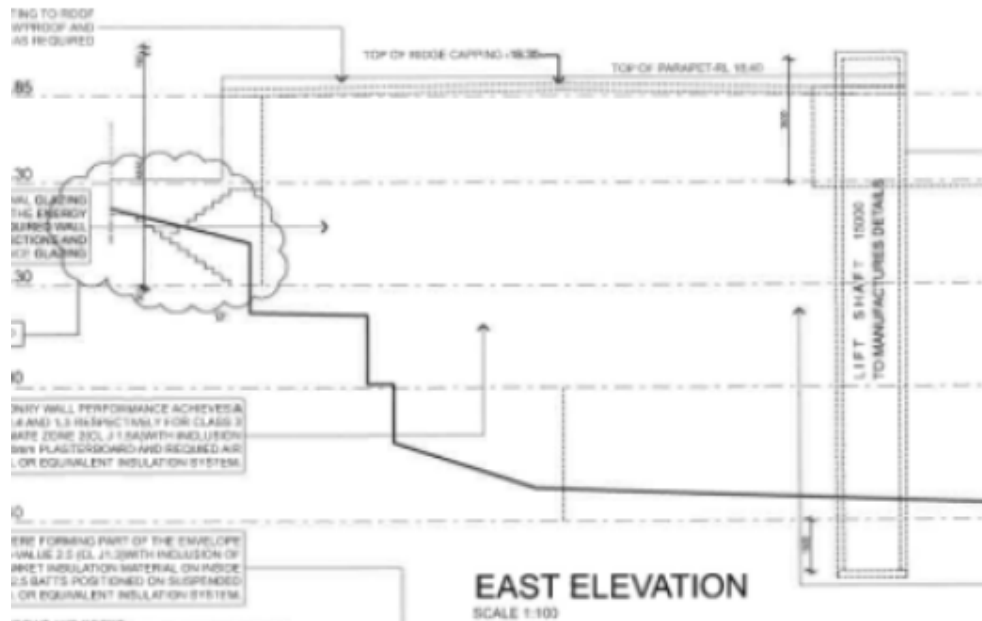


Figure 1: Approved Elevation

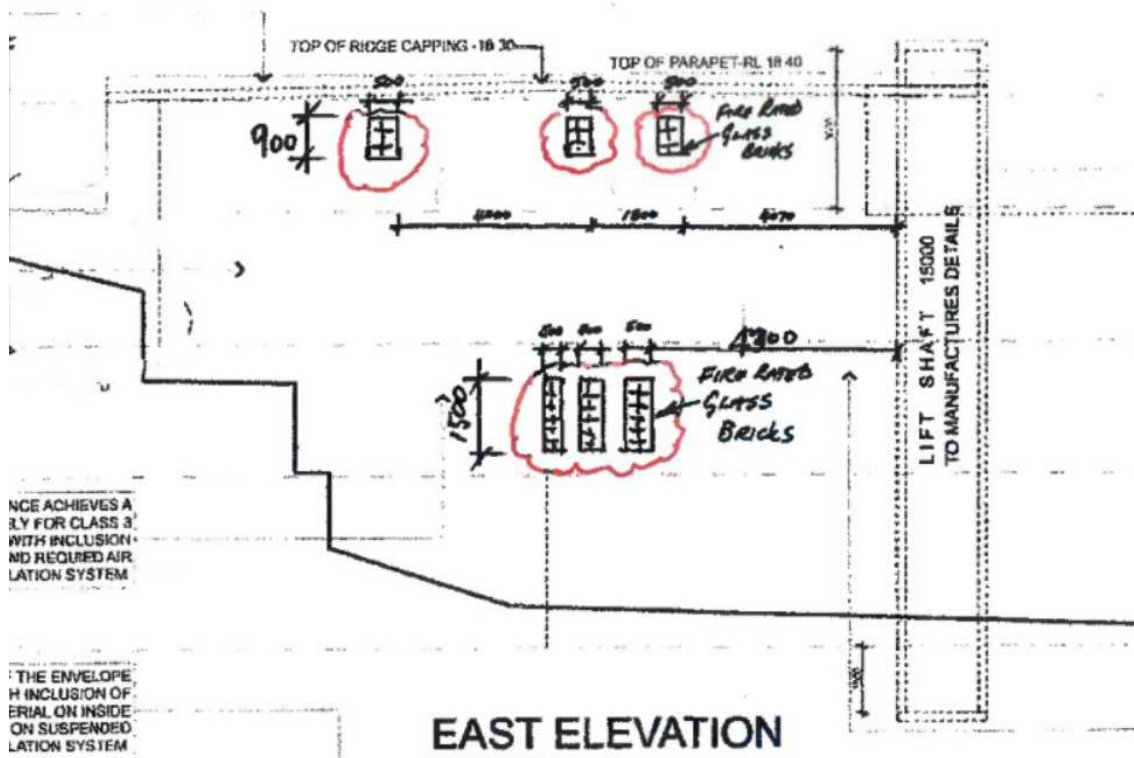
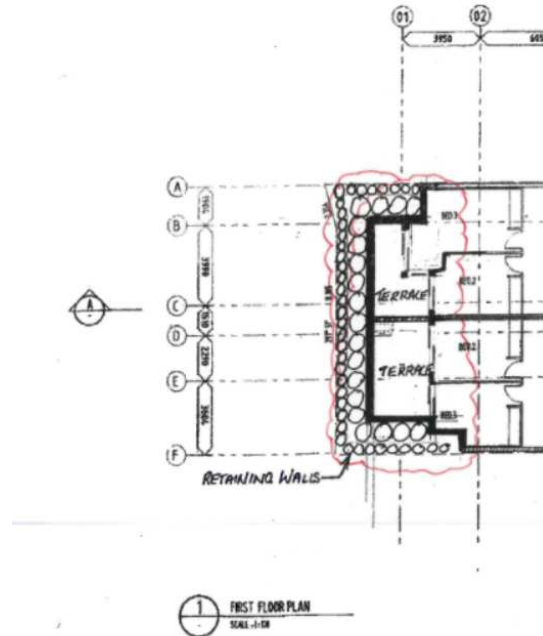
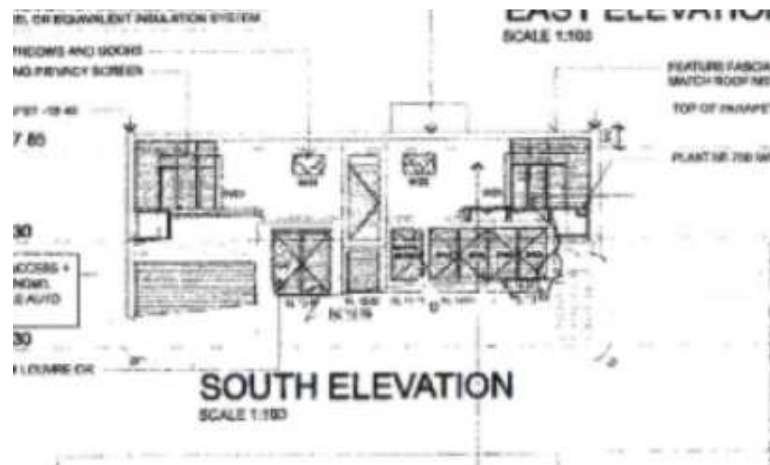


Figure 2: Proposed But Already Constructed Elevation

- The proposed First Floor Plan shows a red bubble around the terrace area with a notation of retaining walls around the terrace area. The Evolve planning cover letter makes no reference to any changes to retaining walls or terraces, yet the plan shows a bubbled outline. The application needs to be clear as to whether any changes are being proposed to the terraced areas or retaining walls as this presents as the ground level to Hungerford Lane where objectors have previously expressed concern with the appearance of the southern elevation.



**Figure 3:** Level 1 Terrace presenting as a Ground level to Hungerford Lane



**Figure 4:** Southern Elevation not depicting any changes (no bubble) that they may have indicated in Figure 3 above.

Please clarify with the applicant what if any works are occurring to the South Elevation.

For further information regarding this matter please contact Rochelle Barclay on (02) 6670 2545.

Yours faithfully

**Denise Galle**  
Team Leader Development Assessment