

Modification of Project Approval

Section 4.55(1) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the Project approval referred to in Schedule 1, subject to the modified terms in Schedule 2.



Keiran Thomas
Director
Regional Assessments

Sydney

16 February 2021

SCHEDULE 1

Project Approval: MP 06_0258 granted by the Minister for Planning on 20 September 2009.

For the following: Mixed use subdivision at Lot 223 DP 1048494; Lot 3 DP 1042119; Lot 144 DP 1030322 and Lots 10 and 13 DP 1014470 – Tweed Coast Road, South Kingscliff, Tweed local government area.

Applicant: Kings Beach No. 2 Pty Ltd (Original Applicant)

Modification: **MP 06_0258 MOD 14:** the modification seeks to correct an administrative error in Condition B56.

SCHEDULE 2

The above approval is modified as follows:

- a) Schedule 2 Part A – Administrative Conditions Condition A3 is amended by the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words as follows:

A3 Project in Accordance with Documents

The project will be undertaken in accordance with the following documents:

- a. *Environmental Assessment Report* prepared by Victor G Feros Town Planning Consultants on behalf of Kings Beach No. 2 Pty Ltd, dated August 2008; and,
- b. *Preferred Project Report* prepared by Victor G Feros Town Planning Consultants on behalf of Kings Beach No. 2 Pty Ltd, dated 25 March 2009 (except in relation to the density requirements for future medium density residential and mixed-use residential lots, as outlined in row 6 of the table on page 62, which is deleted).
- c. *Request to Modify a Major Project under Section 75W, Environmental Planning and Assessment Act 1979* prepared by Victor G Feros Town Planning Consultants on behalf of Kings Beach No. 2 Pty Ltd, dated February 2010.
- d. *Section 75W Modification: Concept and Project Approval, MP 06_0258, (as already modified) Casuarina Town Centre* prepared by BBC Consulting Planners on behalf of Kings Beach No. 2 Pty Ltd, dated November 2010.
- e. *Section 75W Modification No. 3 Project Approval MP 06_0258 (as already modified) Casuarina Town Centre*, prepared by BBC Consulting Planners on behalf of Kings Beach No. 2 Pty Ltd, dated November 2011.
- f. *Section 75W Modification No. 4 Project Approval MP06_0258 (as Already Modified) for Casuarina Town Centre* prepared by Newton Denny Chapelle on behalf of Clarence Property, dated November 2012; and supplementary information supporting the modification request, prepared by Newton Denny Chappelle, dated 18 April 2013.
- g. *Section 75W Modification No. 4- Concept and Project Approval MP06_0258 Casuarina Town Centre, Tweed Coast Road, Casuarina* prepared by Newton Denny Chapelle on behalf of Clarence Property, dated 18 July 2013; and supplementary information amending the modification request, prepared by Newton Denny Chapelle, dated 27 August 2013.
- h. *Section 75W Modification No. 6 Project Approval MP06_0258 (as Already Modified) for Casuarina Town Centre* prepared by Newton Denny Chapelle on behalf of CTC Multiple Lots Pty Ltd, dated October 2013; and supplementary information supporting the modification request, prepared by Newton Denny Chappelle, dated 16 December 2013.
- i. *Section 75W Modification No. 7 Project Approval MP 06_0258 Casuarina Town Centre* prepared by BBC Consulting Planners on behalf of Consolidated Properties Group, dated December 2013; and supplementary information supporting the modification request prepared by Cardno Eppell Olsen, dated 5 February 2014 (Traffic Response) and 19 February 2014 (Traffic and Transport Infrastructure Charges Review).

- j. *Section 75W Modification No. 8 Project Approval (amended) MP 06_0258 Casuarina Town Centre prepared by BBC Consulting Planners on behalf of Consolidated Properties Group and dated August 2014, as amended by Section 75W Modification No. 8 Project Approval MP 06_0258 Casuarina Town Centre Addendum Report prepared by BBC Consulting Planners and dated 16 December 2014.*
 - k. *Section 75W Modification No. 9 Project Approval MP 06_0258 Casuarina Town Centre prepared by BBC Consulting Planners on behalf of Consolidated Properties Group, and dated August 2015, as amended by Section 75W Modification No. 9 Project Approval MP 06_0258 Casuarina Town Centre Addendum Report prepared by BBC Consulting Planners and dated April 2015.*
 - l. *Section 75W Modification No. 11 Project Approval MP 06_0258 Casuarina Town Centre prepared by Planit Consulting on behalf of Coles Supermarkets Pty Ltd undated.*
 - m. *Section 75W Modification No. 10 Project Approval MP 06_0258 Casuarina Town Centre prepared by Newtown Danny Chapelle, on behalf of CTC Unit Trust, dated January 2016, as amended by Response to Submissions titled MP06_0258 Casuarina Town Centre – Modification 10, prepared by Newton Danny Chapelle, and dated 3 October 2017 as amended by additional information submitted on 15 December 2017, 19 January 2018, 6 February 2018, 13 March 2018 and 10 April 2018.*
 - n. **Section 4.55(1) Project Approval MP06 0258 Casuarina Town Centre – Modification 14 prepared by Newton Denny Chapelle and dated 27 January 2021.**
- b) Schedule 2 Part B2 – Prior to the Issue of a Construction Certificate for Stage 1D works Condition B56 is amended by the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words as follows:

B56 Rural Fire Service Requirements

The Development is to comply with the following requirements:

- a) At the issue of the subdivision certificate for proposed lots 85 to ~~95~~ **93** and the lot to be created from proposed lots 72 and 78 to 83 and in perpetuity the entire property of those lots shall be managed as an inner protection area as outlined in section 4.1.3 and Appendix 5 of Planning for Bushfire Protection 2006 and the NSW Rural Fire Service's document Standards for asset protection zones.
- b) Landscaping to the lots referred to above is to comply with the principles of Appendix 5 of Planning for Bushfire Protection 2006 and the NSW Rural Fire Services document Standards for asset protection zones.
- c) Public road access to the above lots shall comply with section 4.1.3 of Planning for Bushfire Protection 2006.
- d) Water, electricity and gas to the above lots comply with section 4.1.3 of Planning for Bushfire Protection 2006.

Documentary evidence to demonstrate compliance with the above is required to be provided to the satisfaction of the certifying authority prior to the issue of a Construction Certificate.

**End of modification
(MP06_0258 MOD 14)**