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**PREFERRED PROJECT REPORT
&
REVISED STATEMENT OF COMMITMENTS**

**PROPOSED TOURIST RESORT
AT
CASUARINA WAY, SOUTH KINGSCLIFF**

**PREPARED
FOR
LEIGHTON PROPERTIES RESORTS PTY LTD**

**BY
JIM GLAZEBROOK & ASSOCIATES PTY LTD**

NOVEMBER 2010

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1.0 INTRODUCTION

- 1.1 Jim Glazebrook & Associates Pty Ltd (JGA) has been briefed by Leighton Properties Resorts Pty Ltd (the proponent) to prepare this Preferred Project Report. It follows exhibition of the Environmental Assessment for a proposed tourist resort on the “Lot 490” site at Casuarina Way, South Kingscliff.
- 1.2 The Environmental Assessment was exhibited by the Department of Planning from 20 April 2010 until 24 May 2010. Additionally the Environmental Assessment was referred to a number of government agencies. In response to that exhibition and referral process submissions were received from the following:
- Tweed Shire Council;
 - Department of Environment, Climate Change & Water;
 - Land & Property Management Authority;
 - NSW Office of Water;
 - Northern Rivers Catchment Management Authority;
 - Roads & Traffic Authority;
 - NSW Rural Fire Service;
 - NSW Industry & Investment;
 - Salt Surf Lifesaving Club;
 - Housing NSW; and
 - 39 public submissions.
- 1.3 The proponent has considered the issues raised in the submissions and has made amendments to the submitted plans in order to reduce the environmental impact of the project. Details of those amendments are set out in Section 2.0 of this report. The proponent has also revised the Statement of Commitments for the project and the revised Statement is in Section 3.0 of this report. The proponent’s responses to submissions are included in a separate document, viz. “Proponents Response to Government Agency & Public Submissions” (JGA, November 2010).
- 1.4 This Preferred Project Report should be read in conjunction with the Environmental Assessment dated April 2010 and its accompanying specialist reports and drawings, as well as the abovementioned document “Proponents Response to Government Agency & Public Submissions”.

2.0 THE PREFERRED PROJECT

2.1 VARIATION TO SUBMITTED PLANS

2.1.1 The following changes have been made to the submitted project proposal in response to the comments provided by the Department of Planning, other government agencies and the public.

2.1.2 Changes in the Resort Site

- Bungalows have been moved where possible to avoid banksias in the north eastern portion of the site focusing on the area identified by the Department of Environment, Climate Change & Water;
- Bungalows on the southern side of the internal access roads have been recessed away from the road and have been re-oriented to ensure decks and living areas achieve a northerly aspect. This aims to reduce the use of mechanical heating and cooling. It is noted that the size of these bungalows has not been changed;
- The south western maintenance area access off Casuarina Way has been removed from the 30 metre southern landscape buffer;
- The point where the bushfire access trail enters the site has been relocated west of the Beachside Bungalows;
- The pathway within the resort area from the southern beach access point has been relocated;
- A new landscape feature has been included inside the resort area near the entry to improve the entry experience;
- The public car parking area and port cochere have been redesigned to permit more landscaping. These spaces are to be landscaped with endemic species; and
- A pedestrian path has been provided from the resort to the bus stop on the southern side of Casuarina Way.

It is possible that at construction certificate stage the internal layouts of some of the units or bungalows may change. Those changes would not in any way alter the footprint, floor space, height or external appearance of any of the buildings. So as to avoid unnecessary delays it is requested that a suitable consent condition be imposed to authorise such alterations to occur without the need to obtain consent modifications under Section 96 of the EP & A Act.

2.1.3 Changes in the Dune Management Area

- There are currently three (3) beach access points through the Dune Management Area adjoining the subject site. An additional access pathway is proposed to service the 10 additional car parking spaces located to the north of the roundabout. This additional path aims to reduce the likelihood of informal pathways being created through the Dune Management Area to the beach;
- The central beach access path has been widened to allow for beach access by emergency vehicles; and
- Additional storage space is proposed as part of the community facilities building.

2.1.4 Changes in the Riparian Management Area

- Relocation of the basketball court, tennis court, public car parking area and the large picnic shelter. Those changes aim to allow retention of the large Banksia grove where those facilities were previously proposed in accordance with comments from the Department of Environment, Climate Change & Water; and
- Changes to the pedestrian pathway network. That includes extending it to the north of the proposed roundabout, past the bus stop and to a pedestrian crossing over Casuarina Way. It has also been redesigned to avoid where possible EEC's and banksias.

2.1.5 Changes to Casuarina Way Access

- The location of the driveway access to the resort's maintenance area has been moved outside of the southern landscape buffer; and
- A pedestrian crossing is proposed to the north of the roundabout to connect the pedestrian pathways from the Dune and Riparian Management areas.

2.1.6 Staging

A staging plan (Dwg No.1040 MP-01-13, issue C) is included in the revised architectural drawings.

Stage 1 includes the development of 44 x 2 bedroom units, 16 x 2 bedroom bungalows, 24 x 3 bedroom bungalows and 6 x 3 bedroom beachside bungalows. The following works are also included in Stage 1:

-
- The proposed community facilities including:
 - The environmental revegetation of the dune and riparian management areas;
 - Pedestrian pathways;
 - A children's playground;
 - Public toilets and shower facilities;
 - Picnic Shelters;
 - Bike racks;
 - Public beachside and riparian car parking;
 - A multi purpose space / interpretive centre;
 - Circuit training facilities;
 - Half court basketball court;
 - Tennis court; and
 - A pontoon / creek access point;
 - The south western access to the resort from Casuarina Way for construction access for Stage 2 works; and
 - The staff / maintenance facilities in the south west corner of the site.

Stage 2 encompasses the remainder of the development.

2.2 ADDITIONAL INFORMATION

Section 1.5 of the proponents response to submissions sets out the additional information, revised drawings and revised reports which have been provided.

2.3 REVISED STATEMENT OF COMMITMENTS

In response to comments from the Department of Planning and submissions from Tweed Shire Council, the Department of Climate Change & Water, and the Land & Property Management Authority the draft Statement of Commitments contained in the Environmental Assessment has been revised. The revised Statement of Commitments set out in Section 3.0 of this report.

3.0 STATEMENT OF COMMITMENTS

The Statement of Commitments which follows in this section is the Statement as revised having regard to the submissions received pursuant to exhibition of the Environmental Assessment. The revisions are shown in bold italics.

STATEMENT OF COMMITMENTS

ISSUE / ACTION	Timing for Completion	Responsible Party
SCOPE OF DEVELOPMENT		
<p>Objective To carry out the development generally in accordance with the plans and documentation contained within the Environmental Assessment except where amended by the relevant conditions of consent.</p> <p>Action Ensure that the Architecture, Engineer, Landscape Design plans and drawings are <i>consistent and accurate and</i> provided to the appointed contractors during the construction phase and to Council with an application for a Construction Certificate.</p>	Prior to Construction Certificate and Ongoing	Proponent
ACOUSTIC / NOISE / LIGHT		
<p>Objective To ensure an acceptable acoustic environment within the proposed development as well as for neighbouring properties.</p> <p><i>To contain light spill so as not to cause nuisance to neighbouring properties.</i></p> <p>Action Utilise acoustic treatments to achieve the internal noise limits in AS/NZS 2107:2000 'Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors' where noise levels are predicted to be above the criteria. Also the following Management Principles should be employed:</p> <ul style="list-style-type: none"> o Deliveries to the main building should be limited to between 7am and 10pm to minimise noise impacts. o Deliveries to other areas should be limited to between 7am and 6pm. o Waste collection should be limited to between 7am and 6pm to minimise noise impacts. o <i>Lighting to be designed and installed so as to avoid light spill on to neighbouring properties.</i> 	Prior to Construction Certificate and Ongoing	Proponent
BUSHFIRE HAZARD		
<p>Objective To design and implement the development to ensure that bushfire risk is minimised.</p> <p>Action Adopt the recommendations of the Bushfire Threat Assessment Report as follows:</p> <ul style="list-style-type: none"> o An Emergency and Evacuation Management Plan (EEMP) will be required to be submitted for approval as part of the terms of agreement within the Bush Fire Safety Authority. The EEMP is to comply with the acceptable solutions of 4.2.7 of Planning for Bushfire Protection 2006 (PBP2006). o A hydrant system is to be installed in accordance with AS2419.1. o A 17m wide asset protection zone is to be provided around the two nominated safe refuge buildings for Level 1 construction standards it being noted that this APZ may be decreased with an increase of the Level of construction pursuant to AS 3959-1999 and Table A3.4 of PBP2006. A 20m wide asset protection zone is to be provided within and adjacent to the carpark to the east of the site and within the Casuarina Way road reserve to the north and west. o Electrical supply is to be placed underground. o Should a gas service be installed the following aspects will require consideration: <ul style="list-style-type: none"> - Reticulated or bottled gas installed and maintained in accordance with AS1596 with metal piping used. 	Prior to Construction Certificate, Prior to occupation and Ongoing	Proponent

ISSUE / ACTION	Timing for Completion	Responsible Party
<ul style="list-style-type: none"> - Fixed gas cylinders to be kept clear of flammable material by a distance of 10m and shielded on the hazard side of the installation. - Gas cylinders close to the building are to have the release valves directed away from the building and at least 2m from flammable material with connections to and from the gas cylinder being of metal. - Polymer sheather flexible gas supply lines to gas meters adjacent to the buildings are not used. o All residential cabin buildings and the resort facility safe refuge buildings shall be constructed in accordance with the Level 1 construction standards pursuant to AS 3959-1999 NB. The resort facility safe refuge buildings may have a decrease in APZ's provided the construction standards are increase pursuant to Table 3.4 of PBP2006 o Access for the development is to comply with the following: <ul style="list-style-type: none"> - Internal roads are 6m wide two-wheel drive, 4m wide sealed, all-weather roads with 1m width on each side of the sealed portion to be trafficable and unobstructed. Exception to traffic calming devices at pedestrian crossings where the width is not less than 3.5m. - Roads are through roads. The 6.5m wide perimeter road accessing the carpark is to be returned via the unobstructed APZ to the southern internal road to allow emergency vehicles to egress in a forward direction. It is noted that the emergency vehicular access through the APZ south of the carpark will be grassed and unobstructed for a width of at lease 6.5m. - Traffic management devices are constructed to facilitate access by emergency service vehicles. - A minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches, is provided. - Curves have a minimum inner radius of 6 metres and are minimal in number to allow for rapid access and egress. - The minimum distance between inner and outer curves is 6m. - Maximum grades to not exceed 15 degrees and average grades are not more than 10 degrees. - Roads do not traverse h a wetland or other land potentially subject to periodic inundation (other than flood or storm surge). - Roads are clearly sign-posted and bridges to clearly indicate load ratings. 		
CONTAMINATION		
<p>Objective To minimise disturbance of potentially contaminated soils.</p> <p>Action The Preliminary Contaminated Site Investigation states that the likelihood of a persistent contamination legacy resulting from historical mineral sands mining to represent a SRoH to end users is considered to be highly unlikely. However should any substantial excavations be proposed within the south-western section of the study area, initial radiation investigations, including subsurface measurements are to be undertaken to provide an appropriate safeguard against unearthing and redistributing potentially radioactive materials currently interred and undetected. <i>That is to be undertaken prior to any excavation work in the relevant area.</i></p>	Prior to Construction Certificate.	Proponent
CULTURAL HERITAGE		
<p>Objective To ensure that items of archaeological or cultural heritage value are protected and if any such items are encountered, the appropriate management steps are undertaken.</p> <p>Action Adopt the recommendations arising from the Cultural Heritage Assessment as follows:</p> <ul style="list-style-type: none"> o Aboriginal Human Remains: If human remains are located at any stage during construction works within the Subject Lands, all works must halt in the immediate area to prevent any further impacts to the remains. The Site to be cordoned off and the remains themselves to be left untouched. 	During Construction and Ongoing	Proponent and Resort Operator

ISSUE / ACTION	Timing for Completion	Responsible Party
<p>The nearest police station, the Tweed Byron LALC, and the DECC Regional Office, Coffs Harbour are to be notified as soon as possible. If the remains are found to be of Aboriginal origin and the police do not wish to investigate the site for criminal activities, the Aboriginal community and the DECC to be consulted as to how the remains should be dealt with. Work may only resume after agreement is reached between all notified parties, provided it is in accordance with all parties' statutory obligations.</p> <ul style="list-style-type: none"> ○ Aboriginal Cultural Material: If it is suspected that Aboriginal material has been uncovered as a result of Development activities within the Subject Lands: <ul style="list-style-type: none"> (a) work in the surrounding area is to stop immediately; (b) a temporary fence is to be erected around the site, with a buffer zone of at least 10 metres around the known edge of the site; (c) an appropriately qualified archaeological consultant is to be engaged to identify the material; (d) if the material is found to be of Aboriginal origin, the Aboriginal community is to be consulted in a manner as outlined in the DECC guidelines: "Interim Community Consultation Requirements for Applicants" (2005); and (e) An appropriate 'keeping place' is to be identified following consultation with the Traditional Owners. ○ Notifying the DECC: If Aboriginal cultural material is uncovered as a result of development activities within the Subject Lands, they are to be registered as Sites in the Aboriginal Heritage Information Management System (AHIMS) managed by the DECC. Any management outcomes for the site will be included in the information provided to the AHIMS. ○ Conservation Principles: All effort is to be taken to avoid any impacts on Aboriginal Cultural Heritage values at all stages during the development works. If impacts are unavoidable, mitigation measures should be negotiated between the proponent and the Aboriginal Community. ○ Protection Zone: A protection zone is to be created as described in the Cultural Heritage Assessment. The following management measures are to be adopted: <ul style="list-style-type: none"> (a) During construction the Protection Zone to be fenced off and clearly identified on all working plans of the development to ensure that it is not inadvertently harmed by construction activities. Fencing may be removed when the proponent considers the zone is no longer at risk of damage by nearby construction activities; (b) The Tweed Byron LALC to be notified prior to the proponent undertaking any revegetation works within the Protection Zone. Revegetation works within the Protection Zone should be undertaken in a manner which minimises the potential harm to any subsurface cultural material; (c) The Tweed Byron LALC to be notified prior to any surface or subsurface ground disturbance undertaken within the Protection Zone; (d) Revegetation should include species that were used as traditional Aboriginal medicinal or food sources. The Tweed Byron LALC to be provided the opportunity to have input into selection of these plants consistent with the RMP; (e) Signage and paths that would cause ground disturbance within the Protection Zone would be suitable, provided due care is taken during their construction; and (f) Local Aboriginal people not to be prevented from accessing the Protection Zone. Protocols for access to be negotiated between members of the ARG and the proponent. 		
ECOLOGY		
Objective To rehabilitate and revegetate the dunal and riparian areas of the Lot 490 Plan of Management area.		

ISSUE / ACTION	Timing for Completion	Responsible Party
<p>Action Adopt the ameliative measures flowing from the Ecological Assessment as follows:</p> <ul style="list-style-type: none"> ○ Amelioration for Vegetation An extensive rehabilitation program has been prepared for the site (JWA 2009a & JWA 2009b). The rehabilitation program aims to remove and control weeds species, and undertake enhancement plantings of locally occurring native species, resulting in a significantly improved environmental outcome for the site. ○ Amelioration for Threatened Flora The threatened species Stinking laurel will be conserved on site. During rehabilitation the single plant of this species will be managed (ie. marked and mulched). Additionally, subject to availability, this species will be used in enhancement plantings. ○ Amelioration for Fauna The following amelioration measures will apply: <ul style="list-style-type: none"> - Appropriate rubbish disposal facilities will be provided (especially for food scraps) to reduce opportunities for non-native predators and disturbance adapted competitors; - Landscape and landfill materials should be sourced from a supplier where Cane toads do not occur; - Coast banksia should be retained where possible; and - 10 km/hr speed limit to be imposed on internal access roads. The site provides a thoroughfare for the public and it is likely that dogs will be walked along pathways in Riparian and Dune Zones. To mitigate against straying dogs, signs will be erected stating that all dogs are to be restrained on a lead at all times. ○ Amelioration for Threatened Fauna Replacement of both forage resources and habitat for Threatened fauna will be completed as part of the rehabilitation of the site. Pedestrian access to the beach will also be fully fenced to prevent residents from disturbing dunal habitat that may be utilised as nesting grounds (JWA 2009b). ○ Amelioration for Wildlife Corridors The extensive rehabilitation planned for the subject site is likely to improve the value of the site as fauna habitat and corridor. Many of the weed species and senescing Coastal tea trees and Horse tail She-oaks will be replaced with locally occurring native species improving the vegetation as a food source, a breeding habitat and as a corridor. ○ Amelioration for Cudgen Creek The pontoon planned for Cudgen Creek will be constructed with a least 2 piles. Minor excavation and modification to the creek bank environment will be required. The area nominated for the pontoon occurs at least 100m from the nearest SEPP 14 wetland (SEPP 14 No.43c) and does not occur in an area mapped as containing seagrass, with the closest area of mapped seagrass (1997) occurring approximately 160 metres to the south. It is also approximately 50 metres from two (2) small patches of Coastal Saltmarsh (an EEC). The walking trail/cycleway planned adjacent to Cudgen Creek has been ground truthed and avoids Mangrove and Saltmarsh environments associated with the creek. Vegetation rehabilitation on the creek side of the path will also reduce the potential for sedimentation of the creek from the construction of the pathway. ○ Riparian Rehabilitation Zone A Riparian Management Plan has been prepared by JWA with the aim of providing guidelines, strategies and methods to rehabilitate the Riparian Area along Cudgen Creek to a condition in accordance with the RMP. The area will be restored to a composition and structure that significantly improves the present condition. ○ Dune Management A Dune Management Plan has been prepared by JWA with the aim of providing guidelines, strategies and methods to rehabilitate the Dune area to a condition resembling the pre-mining period. The area will be restored to a composition and structure that significantly improves the present condition. 	<p>Prior to Construction Certificate, Prior to occupation, and Ongoing</p>	<p>Proponent and the Resort Operator</p>

ISSUE / ACTION	Timing for Completion	Responsible Party
EROSION AND SEDIMENT CONTROL (CONSTRUCTION PHASE)		
<p>Objective To minimise disturbance and mobilisation of sediments by implementing various sediment and erosion control measures prior to and during the construction phases of the development.</p> <p>Action Adopt the recommendations contained in the Soil & Water Management Plan as follows:</p> <p>Pre-Construction Sediment erosion controls to be specifically tailored to meet the requirements for each development stage. Before construction activities begin, the following sediment and erosion control measures will be implemented to minimise disturbance and ensure that the performance criteria for water quality are met:</p> <ul style="list-style-type: none"> Construction of sediment basins; Maintain open space areas in a vegetated state to reduce soil disturbance and provide filter strip treatment of runoff; Install sediment fence along the northern and eastern site boundary; Install shake down grids and construction exits to remove sediment from vehicles prior to exiting the site; and Site personnel informed of the erosion and sediment controls. <p>During Construction</p> <ul style="list-style-type: none"> Sediment fences to be erected at the base of all batters to prevent sediment laden stormwater from flowing onto road surface; Grass filter strips to be placed along all road verges; Progressive re-vegetation of filled and disturbed areas; Sediment fences to be erected around soil stockpiles; Regular inspections as soon as practicable after storm events to check and maintain controls; All inspections and maintenance to be recorded for review; Sediment to be removed from fences and basins when controls are 40% full and at the completion of construction. All material to be re-used or stored onsite in a controlled manner or taken off-site for re-use or disposal at a licensed waste disposal facility; and Monitoring of water quality to determine the effectiveness of the sediment and erosion control management practices. 	Prior to Construction Certificate and During Construction	Proponent
FLOODING		
<p>Objective To provide requisite flood immunity for the proposed development and to ensure the safety of persons and assets at the site.</p> <p>Action</p> <ul style="list-style-type: none"> The proposed development is to be located above the defined flood level of 2.60m AHD; All residential development will have a minimum habitable floor level of 3.10m AHD (incorporating 500mm freeboard); Residential development located within the defined flood areas will have high level access (walkways) to a permanent high level evacuation road to land above the Probable Maximum Flood (PMF), defined as 5.20m AHD; A large portion of the site is located above the PMF level and the proposed internal; road network provides emergency access and egress opportunities for vehicular traffic during a PMF event; The proposed walkways and the existing coastal bikeway provide additional access and egress opportunities for pedestrian traffic during the PMF event; The minor filling proposed will not significantly reduce floodplain storage and will not impact upon surrounding peak water levels due to the proximity to the Pacific Ocean; Commercial development does not have a minimum flood planning level; Commercial development requires adequate flood free storage areas to be provided for stock and equipment susceptible to water damage; and Building materials used below the defined flood level must not be susceptible to flood damage. 	Prior to Construction Certificate and Ongoing	Proponent and Operator

ISSUE / ACTION	Timing for Completion	Responsible Party
COASTAL HAZARDS		
<p>Objective To ensure that coastal hazards such as sea level rise due to climate change are accounted for in the design of the development.</p> <p>Action The full 7(f) zone Environmental Protection (Coastal Lands) as depicted in the Tweed Local Environmental Plan 2000 (Tweed Shire Council) will be retained and a 50 metre setback to Cudgen Creek implemented to provide long-term protection from coastal erosion and other hazards.</p>	Prior to Construction Certificate	Proponent
GEOTECHNICAL		
<p>Objective To ensure that the site is suitable for the proposed development from a geotechnical standpoint.</p> <p>Action Adopt the recommendations of the Preliminary Geotechnical Investigation as follows:</p> <ul style="list-style-type: none"> ○ Contractors should fully inform themselves of the ground conditions on site prior to commencement of earthworks; ○ Earthworks procedures are to be carried out in a responsible manner in accordance with AS 3798-1996 "Guidelines on Earthworks for Commercial and Residential Developments"; ○ The following "objectives" (as a minimum) are to be incorporated into the earthworks specification: <ul style="list-style-type: none"> - Certification that all general earthworks operations (ie. stripping, proof rolling of Subgrade, etc.) have been carried out in accordance with the earthworks specification. - Certification that fill has been placed and compacted to the required minimum density in accordance with the earthworks specification. - Certification that the controlled fill is suitable for support of conventional high level footings and has a minimum bearing capacity of 150kPa and that suitable compaction has been achieved to prevent potential liquefaction in the event of earthquake conditions, as required. - Certification that the quality of any fill complies with the earthworks specification requirements. - Certification that the earthworks have been undertaken in a controlled manner. ○ All "certification" is to be signed off by an RPEQ; ○ Inspection and testing of the bulk earthworks will be carried out by a duly qualified and experienced Geotechnical Engineer; and ○ Should subsurface conditions other than those described in the Preliminary Geotechnical Investigation be encountered, a duly qualified and experienced Geotechnical Engineer is to be consulted immediately and appropriate modifications developed and implemented if necessary 	Prior to Construction Certificate	Proponent
INFRASTRUCTURE PROVISION		
<p>Objective To provide requisite utility services to the development in accordance with the requirements of relevant supply authorities.</p> <p>Action Water A water supply connection is available at the 450dia. DICL main via a 225 dia supply main in Casuarina Way on the southern boundary of the site. This main has been progressively relocated and upgraded as the road in which it was located (Casuarina Way) was realigned and constructed (Tweed Shire Council consolidated DCP B9.6.3 and Planning Strategies S.6.5 & 6.6). The development will not necessitate an upgrade of the existing mains to achieve Peak Instantaneous Demand (PID).</p> <p>Internal reticulation mains will be provided to all relevant features of the development, in accordance with local authority requirements, connecting to the existing 225 dia. Main on Casuarina Way, located at the southern boundary.</p>	Prior to Construction Certificate and Prior to Occupation	Proponent

ISSUE / ACTION	Timing for Completion	Responsible Party
<p>The proposed amenities block to be serviced by the existing 250mm dia. water main adjacent thereto. This provides an independent connection separate to the remainder of the development.</p> <p>Sewer Provision for sewer will be facilitated by connecting to Tweed Shire Council's sewerage system. The acceptable point of connection to Council's Sewerage System is the existing 225 dia. sewer gravity main located on the northern boundary of the Salt Village resort development, immediately abutting the southern boundary of the site, (at a location to be agreed upon with Council). Necessary works include installation of the sewer rising main across Cudgen Creek utilising the TSC provided conduit.</p> <p>Sewerage reticulation mains will be provided throughout the site servicing all units, bungalows, beachside bungalows and resort facilities. The gravity mains interconnect between the various building clusters and are directed to a pump station located in a low-level area of the site. The pump station delivers to the existing gravity main system within the Salt Village Development, being the nominated discharge point.</p> <p>The provision of easements as necessary over existing and proposed new sewer rising mains within the south as identified within the Lot 490 DP 1095234 by survey. The easements will provide service protection and user restrictions, as provided under Section 88B of the Conveyancing Act.</p> <p>Electricity / Telecommunications Infrastructure provision in respect of both electrical supply and telecommunications is available. N.S.W Country Energy has advised by letter of 15 October 2008 that the existing electrical network is capable of supplying electricity to the proposed development. Such supply may involve the establishment of distribution substations within the development site, extending the high voltage (11,000 volts) supply and establishment of a low voltage reticulation within the development.</p> <p>Telstra has advised it will ensure that standard telephone services are reasonably accessible to the proposed development through its telecommunications infrastructure.</p>		
LANDSCAPING		
<p>Objective To provide high quality landscaped open spaces.</p> <p>Action Landscaping to be completed in accordance with the approved landscape design and thereafter actively maintained to ensure long term viability.</p>	Prior to Construction Certificate, Prior to Occupation and Ongoing	Proponent and Operator
STORMWATER MANAGEMENT / WATER QUALITY		
<p>Objective To ensure there is no deterioration in stormwater quality or any reduction in the environmental values of the downstream receiving matters.</p> <p>Action Adopt measures in accordance with the SMP for the site as follows:</p> <ul style="list-style-type: none"> ○ Infiltration of Q3mth stormwater from all roof areas; ○ Management strategies designed to minimise water pollution from the development of the subject site; ○ Specific construction phase controls to minimise erosion and control sediment loss; ○ Specific operational phase controls to minimise sediment and nutrient export from the subject site; ○ A monitoring and maintenance program for the construction phase; and ○ Defined performance criteria and actions to be taken if the criteria are not met. 	<p>Prior to Construction Certificate</p> <p>Prior to Occupation and Ongoing</p>	Proponent and Operator

ISSUE / ACTION	Timing for Completion	Responsible Party
SURF LIFE SAVING		
Objective To educate and advise resort patrons in relation to beach safety.		
Action <i>Adopt signage and visitor information protocols as agreed with TSC and SALT Surf Life Saving Club.</i>	Prior to Occupation and Ongoing	Proponent and Operator
TRAFFIC AND ACCESS		
Objective To provide appropriate access to the resort and associated public facilities for both the construction and operational phases of the development and provide safe and convenient internal traffic circulation.		
Action Provide access to the development in accordance with the Site Plan – MP01-3 including: <ul style="list-style-type: none"> ○ Provision of a roundabout at the intersection of the primary access with Casuarina Way; ○ Provision of a basic priority-controlled access driveway at the Maintenance Area (ie. utility facility and employee car park access) with Casuarina Way; ○ Provision of basic priority controlled access intersections at the public beach and recreational parking areas; ○ Provision of connections into the existing pedestrian/cycleway network and the provision of additional pedestrian/cycleway facilities within land between Cudgen Creek and Casuarina Way and connections to the public beach to the east of the site; ○ Provision of indented bus bays on each side of Casuarina Way adjacent to the Resort; ○ Provision of a pedestrian refuge island in Casuarina Way central to the aforementioned bus bays; and ○ The width of vehicular circulation roads internal to the Resort have been designed to cater for the expected users (ie. employee, guests) and traffic demands Casuarina Way roundabout to the north of the site; 	Prior to issue of Construction Certificate and Prior to Occupation	Proponent
CONSTRUCTION MANAGEMENT		
Objective To manage environmental, amenity, cultural and traffic impacts through the construction phase of the project.		
Action The Construction Management Plan to be implemented during the construction phase of the project. The Plan identifies the issues, objectives, management procedures, performance indicators, responsibilities, critical dates, monitoring, reporting and corrective action for the following issues: <ul style="list-style-type: none"> ○ Noise; ○ Dust; ○ Vibration; ○ Utility Services; ○ Vegetation; ○ Stormwater; ○ On Site Storage / Spills; ○ Waste Management; ○ Cultural Heritage Management; and ○ Traffic, Parking and Pedestrian Management. 	Prior to Construction Certificate and during Construction	Proponent

4.0 CONCLUSION

This report together with the Environmental Assessment which accompanied the Major Project Application represent the Preferred Project for the proposed tourist resort on the "Lot 490" site at Casuarina Way, South Kingscliff. This report has detailed amendments made to the proposed development and revisions made to the Statement of Commitments following consideration of submissions pursuant to exhibition and referral of the Project Application.

JIM GLAZEBROOK
November 2010