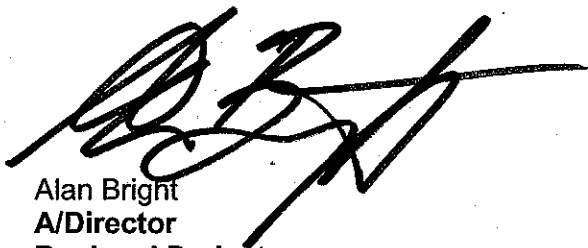


Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

I, the Acting Director, Regional Projects, as delegate for the Minister for Planning under delegation issued on 25 January 2010, modify under section 75W of the *Environmental Planning and Assessment Act 1979*, the concept plan approval referred to in Schedule 1 in the manner set out in Schedule 2.



Alan Bright
A/Director
Regional Projects
As delegate of the Minister for Planning

Sydney, **17 JUNE** 2010

File No. 10/03996 Part 2
06_0258 MOD 1

SCHEDULE 1

Development Consent: granted by the Minister for Planning on 20 September 2009.

For the following: Mixed use subdivision at Lot 223 DP 1048468; Lot 3 DP 1042119; Lot 144 DP 1030322 and Lots 10 and 13 DP 1014470 – Tweed Coast Road, South Kingscliff.

Modification: Amendments to the approved design and survey drawings.

SCHEDULE 2

The above approval is modified as follows:

(a) Deleting Condition A3 and replaced with new Condition A3 as follows:

A3 *Project in Accordance with Plans*

The project will be undertaken generally in accordance with the following drawings:

Design Drawings prepared by ML Design			
Drawing No	Revision	Name of Plan	Date
MP-31(N)		Concept Plan	17/08/09
MP-19(R)		Land Use Plan	17/08/09
MP-30(W)		Open Space Plan	17/08/09
MP-01-04(U)		Casuarina Beach Town Centre – Indicative Master Plan	17/08/09
MP-01-13(G)		Sun Study – Winter Solstice – June 21 – 3pm	17/08/09
Design and Survey Drawings prepared by Cardno (Qld) Pty Ltd			
DA22I	I	Existing Contours Plan	10/08/09
DA24M	M	Finished Surface Contours	06/01/10
DA39J	J	Subdivision Layout Plan	10/08/09
DA40N	N	Dedication and Easement Plan	21/12/09
DA41K	K	Staging Plan	21/12/09
8491-101	g	Tweed Coast Road/Town Centre Drive Intersection Concept	03/07/09
8491-102	D	Casuarina Way/Town Centre Drive Intersection Concept Option 1	23/01/09
8491-901	H	Parking Bay Dimensions	14/08/09
8491-902	F	Parking Bay Dimensions	06/02/09
8491-903	F	Parking Bay Dimensions	06/02/09
8491-904	D	Parking Bay Dimensions	23/01/09
8491-905	E	Parking Bay Dimensions	03/07/09
8491-909	C	Public Parking	14/08/09

except for:

- (1) any modifications which may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA;
- (2) otherwise provided by the conditions of this approval.

(b) Introducing new clause (c) under Condition A4(b) as follows:

A4 *Project in Accordance with Documents*

Section 75W Modification Request documentation

- (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.

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

I, the Acting Director, Regional Projects, as delegate for the Minister for Planning under delegation issued on 25 January 2010, modify under section 75W of the *Environmental Planning and Assessment Act 1979*, the project approval referred to in Schedule 1 in the manner set out in Schedule 2.



Alan Bright
A/Director
Regional Projects
As delegate of the Minister for Planning

Sydney, **17 JUNE** 2010

File No. 10/03996 Part 2
06_0258 MOD 1

SCHEDULE 1

Development Consent: granted by the Minister for Planning on 20 September 2009.

For the following: Mixed use subdivision at Lot 223 DP 1048468; Lot 3 DP 1042119; Lot 144 DP 1030322 and Lots 10 and 13 DP 1014470 – Tweed Coast Road, South Kingscliff.

Modification: Amendments to the approved stormwater regime of the site; and approved design and survey drawings.

SCHEDULE 2

The above approval is modified as follows:

(a) Deleting Condition A2 and replacing with new Condition A2 as follows:

A2 Project in Accordance with Plans

The project will be undertaken generally in accordance with the following drawings:

Architectural (or Design) Drawings prepared by ML Design			
Drawing No.	Revision	Name of Plan	Date
MP-19(R)		Land Use Plan	17/08/09
MP-30(W)		Open Space Plan	17/08/09
MP-01-04(U)		Casuarina Beach Town Centre – Indicative Master Plan	17/08/09
Engineering Drawings prepared by Cardno (QLD) Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
DA22I	I	Existing Contours Plan	10/08/09
DA23J	J	Road Layout Plan	10/08/09
DA24M	M	Finished Surface Contours	06/01/10
DA25K	K	Cut / Fill Depths Layout Plan	21/12/09
DA26I	I	Site Cross Sections	21/12/09
DA27I	I	Erosion & Sediment Control Layout Plan	10/08/09
DA28F	F	Road No.1 Longitudinal Section	10/08/09
DA29D	D	Casuarina Way (Road No.2) Longitudinal Section	10/08/09
DA30E	E	Road No 3 (Casuarina Way) and Road No 4 Longitudinal Sections	10/08/09
DA31G	G	Road No 5 Longitudinal Section	10/08/09
DA32F	F	Road No 6 Longitudinal Section	10/08/09
DA33F	F	Road No 7 Longitudinal Section	10/08/09
DA34E	E	Typical Cross Sections Sheet 1	10/08/09
DA35G	G	Typical Cross Sections Sheet 1	10/08/09
DA36K	K	Catchment Areas and Drainage Paths	06/01/10
DA37I	I	Sewer Reticulation Layout Plan	10/08/09
DA38H	H	Water Reticulation Layout Plan	10/08/09
DA39J	J	Subdivision Layout Plan	10/08/09
DA40N	N	Dedication and Easement Plan	21/12/09
DA41K	K	Staging Plan	21/12/09
DA42B	B	Proposed Frontal Cycleway/	21/12/09

		Infiltration Basins Layout Plan	
DA44D	D	Proposed Frontal Cycleway/ Drainage Re-alignment Layout Plan	21/12/09
DA46B	B	Proposed Additional Works in Lot 10	06/11/09
Traffic Engineering Drawings prepared by Cardno Eppell Olsen			
Drawing No.	Revision	Name of Plan	Date
8491-101	G	Tweed Coast Road / Town Centre Drive Intersection Concept	03/07/09
8491-102	D	Casuarina Way / Town Centre Drive Intersection Concept Option 1	23/01/09
8491-603	B	Revised Shopping Centre Carpark	14/08/09
8491-702	F	10.0M Compactor Collection Vehicle Sweep Path	14/08/09
8491-703-1	D	8.8M Medium Rigid Vehicle Swept Path (Forward In)	14/08/09
8491-703-2	D	8.8M Medium Rigid Vehicle Swept Path (Reverse In)	14/08/09
8491-704	C	19M Articulated Vehicle Swept Path	14/08/09
8491-901	H	Parking Bay Dimensions	14/08/09
8491-902	F	Parking Bay Dimensions	06/02/09
8491-903	F	Parking Bay Dimensions	06/02/09
8491-904	D	Parking Bay Dimensions	23/01/09
8491-905	E	Parking Bay Dimensions	03/07/09
8491-906	E	Parking Bay Dimensions	03/07/09
8491-907	D	Parking Bay Dimensions	23/01/09
8491-908	E	Bus and Car Swept Path	14/08/09
8491-909	E	Public Parking	14/08/09
Supermarket Architecture Drawings prepared by Donovan Hill			
Drawing No.	Revision	Name of Plan	Date
DA05	J	Site Plan and Schedules	13/08/09
DA06	H	Elevations North and East	30/01/09
DA07	H	Elevations South and West	30/01/09
DA08	H	Ground Floor Plan	30/01/09
DA09	H	First Floor Plan	30/01/09
DA10	H	Roof Plan	30/01/09
DA11	H	Basement Plan	30/01/09
DA12	H	Sections	30/01/09
DA13	H	Shadow Diagrams	30/01/09

DA14	I	Building Signage Details	13/08/09
Landscape Drawings prepared by EDAW			
Drawing No.	Revision	Name of Plan	Date
08		Vehicular Street Hierarchy	August 2009
09		Pedestrian Links	August 2009
010		Cycle Circulation	August 2009
011		Street Tree Strategy	August 2009
012		Entrance Statement	August 2009
013		The Boulevard	August 2009
014		Main Street	August 2009
015		Casuarina Way	February 2010
016		Local Roads	August 2009
017		Pedestrian Links	February 2009
018		Foreshore Reserve Management Area	February 2010
019		Indicative Sections – Foreshore Reserve	August 2009
020		Civic Park	February 2010
021		Public Carpark Section	August 2009
022		Retail Centre	February 2010

(b) Introducing new clause (3) under Condition A3(2) as follows:

A3 Project in Accordance with Documents

(3) *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.

(c) Deleting Condition B16 to be replaced with new Condition B16 as follows:

B16 Dianella Drive Closure

The proposed cul-de-sac to facilitate closure of Dianella Drive shall be constructed with a minimum kerb radius of 12.5m. In addition, the cul-de-sac carriageway shall be located a minimum of 10 metres from the edge of the Tweed Coast Road carriageway when constructed to four lanes. The cul-de-sac shall be totally screened so as to not be seen from Tweed Coast Road or permeate vehicle headlights and be provided with a permanent barrier to prevent any vehicular access to Tweed Coast Road.

- (d) Deleting Condition B25(b) and replacing with new Condition B25(b) as follows:

B25 *Stormwater Works for Retail Centre*

- (b) The infiltration rate for sizing infiltration devices shall be 6m per day.

- (e) Deleting Condition E8(4)(c) and replacing with new Condition E8(4)(c) as follows:

E8 *Registration of Easements / Restrictions to use / Rights of carriageway*

(4) (c) A restriction as to user for all lots adjoining the 20m wide dedication area containing the east/west cycleway link to:

- (i) Prohibit the construction of fences within the dedication area; and
- (ii) Provide a minimum building setback of 2m to the boundary of the easement.