

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.