

Modification of Minister's Approval

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

I, the Director-General, as delegate of the Minister for Planning and Infrastructure 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.

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Sam Haddad

Director-General

As delegate of the Minister for Planning and Infrastructure

Sydney,

1st July

2011

SCHEDULE 1

Concept Plan Approval:	granted by the then 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 staging of the development; and new requirement in applying for beach access through an existing Crown Reserve.

SCHEDULE 2

The above approval is modified as follows:

(a) Inserting new sentence at the end of Term A2(4) as follows:

A1 *Staging*

Stage 1 works may be carried out in two separate stages, referred to as 'Stage 1A' and 'the balance of Stage 1', as described in the documents and drawings listed under Condition A4(d).

(b) Deleting Term A3 and replacing with new Term 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

Stage 1A drawings prepared by Cardno (Qld) Pty Ltd.			
DA103	B	Stage 1A Works Plan	18/11/10
DA105	B	Stage 1A Finished Surface Contours	18/11/10
DA119	B	Stage 1A Subdivision Layout Plan	18/11/10
DA120	B	Stage 1A Dedication and Easement Plan	18/11/10

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.

(c) Inserting new clause (d) under Term A4(c) as follows:

A4 Project in Accordance with Documents

Section 75W Modification Request documentation

- (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) Replacing the words “Stage 1” immediately after the words “issue of a Construction Certificate” and before the period in Term B2 with the following words:

the balance of Stage 1 works
- (f) Replacing the words “Stage 1” immediately after the words “issue of a Construction Certificate” and before the period in Term B3 with the following words:

the retail centre
- (g) Replacing the word “1” immediately after the words “issue of a Construction Certificate” and before the period in Term B4 with the following word:

1A
- (d) Deleting Term B5

- (e) Inserting new Term B5 as follows:

B5 Beach Access through Crown Reserve

The proponent is to obtain approval from the Department of Primary Industries regarding the provision of the proposed beach access to the east of the icon building.

Note: This may require the closure of one of the existing beach accesses.

Evidence of the approval for the construction of the beach access shall be provided to the Department prior to the issue of a Construction Certificate for Stage 1A.

- (f) Deleting the words in Schedule 3 and replacing with the following:

SCHEDULE 3

06_0258

CASUARINA TOWN CENTRE

TWEED COAST ROAD, CASUARINA BEACH, TWEED LOCAL GOVERNMENT AREA

STATEMENT OF COMMITMENTS

(SOURCE: DOCUMENT REFERRED TO IN TERM A(4)(D))
