

Jenny (on behalf of Darryl)

From: Denise Galle <DGalle@tweed.nsw.gov.au>
Sent: Tuesday, 31 July 2012 12:00 PM
To: Jenny (on behalf of Darryl); shaunnicholson@newland.com.au; Stuart Campbell; Thomas FitzGerald
Cc: Patrick Knight; Danny Rose; Vince Connell; Joshua Townsend; Jonathan Lynch
Subject: Additional Clarification Landforming Area E - Altitude Aspire July 2012 (DA09/0701)

Hi Darryl,

In response to your various e-mails Council would like to further clarify its letter of 20 July 2012 as follows:

A. Landforming

Based on the preliminary details you have provided Council to date it appears that your subdivision is capable of compliance with Tweed DCP Section A5 and its associated Design Specification D6. In this regard side retaining walls should not exceed 1.2m as discussed with you previously.

As the site has a site specific DCP (Tweed DCP Section B24) this will prevail over Tweed DCP Section A1.

Tweed DCP Section B24 states that:

To best address the landforming Vision and Objectives of this Code, subdivision applications will be required to detail building envelopes on each lot demonstrating their capability to provide a compliant building design. The building envelopes provided should also identify the likely construction method needed (or methods to be avoided) in future building design and clearly articulate the lot interface levels.

To achieve this you will need to have regard for the Residential Section of Tweed DCP Section B24 which states:

4.2 Cut & Fill

1. All natural ground levels are to be maintained except where land reforming is necessary to allow the building and approved buildings or structures in which case excavation is limited to the width of the building footprint rather than the width of the site.
2. On sloping sites excavations must not be made for a contiguous slab on ground construction if the lot has a slope of greater than 6 degrees or 10%. Design on sloping sites should reference sloping design principles and the sloping sites matrix included within this plan.
3. Level change is to be taken up within building design, rather than at property boundaries.
4. All proposed site works including cut, fill, benching and retaining walls to be accurately represented and documented as part of a development application submission by way of a site works plans and sections.
5. All excavation, cut and fill is to comply with the provisions of the Tweed DCP Section A1 – Residential & Tourist Development Code. Cut allowances may be increased to a full level (2.7m) where design relates to the slope in terms of stepping slabs, drop edge beams, post and beam construction and is within the building envelope.
6. Where cuts exceed 1.0m they should be retained and backfilled to the wall of the dwelling with the retaining wall designed and constructed to the specification of a certified structural engineer. In addition any cut and fill outside of building envelope would be controlled by the +/-1.0m control.
7. Site cut and fill within building envelope should be obscured from view by way of cladding, screening and or landscaping.

8. *Where possible, the use of the stone found on the site should be incorporated into the retaining walls, although it is understood that this stone would not be suitable for structural elements of retaining walls.*

It is recommended that you continue to work with Council to ensure the intended building typology can be achieved on your site. To demonstrate compliance with the landforming provision Council is expecting to see in the PPR the following documents:

- A detailed earthworks plan.
- A revised housing typology plan that shows a more refined table (flat, moderate and steep is not sufficient for this finer grain analysis).
- A commitment to accept on title a further restriction in regards to any additional landforming and a restriction to preclude slab on ground housing types on certain sites (based on the typology plan submitted).

You may like to consider a more sporadic placement of side retaining walls (i.e. not every side boundary having a 1.2m retaining wall). If the earthworks plan showed this coupled with a detailed housing typology plan displaying a greater variety of construction types on the currently marked 'flat' land, compliance with B24 may be better satisfied.

- B. Road Layout – Council's letter of 20 July did not raise the road layout as an ongoing matter.
- C. 5m Landscaping Buffer – This is a requirement of Tweed DCP Section B24. However Council's letter asks you to consider maintenance obligations of this space. As the proposed development is a Community Title Scheme there is scope for this area to be maintained by that Scheme.

Council will discuss these and any outstanding matters at our scheduled meeting on Wednesday at noon.

Denise Galle | Coordinator Development Assessment
Planning and Regulation



p (02) 6670 2459 | m 0418 403 116 | f (02) 6670 2139 | e dgalle@tweed.nsw.gov.au | w www.tweed.nsw.gov.au
Civic and Cultural Centre Tumbulgun Road Murwillumbah NSW 2484 | PO Box 816 Murwillumbah NSW 2484 | ABN: 90 178 732 496

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From: Jenny (on behalf of Darryl) [<mailto:jenny@daconsulting.com.au>]
Sent: Thursday, 26 July 2012 11:28 AM
To: Denise Galle
Cc: shaunnicholson@newland.com.au; Stuart Campbell; Danny Rose; Vince Connell
Subject: RE: TSC Comments on Draft PPR Area E Altitude Aspire July 2012 (DA09/0701)

Denise

Further to the emails below and our telephone discussions yesterday and today I confirm that Newland will amend the layout plan to address Items 2 – 20 of Council's letter of 20 July 2012. We would then like to meet with you early next week to agree on the amended layout before we proceed with redesigning the earthworks, housing typology etc.

We are available on Tuesday 31 July (after lunch) or Wednesday 1st August (all day). We would appreciate if you could advise of a convenient date and time.

Jenny (on behalf of Darryl)

From: Denise Galle <DGalle@tweed.nsw.gov.au>
Sent: Friday, 16 November 2012 2:01 PM
To: Stuart Withington
Cc: Vince Connell; Lindsay McGavin; Danny Rose; John Muzyczka; Joshua Townsend; Jonathan Lynch; Jenny (on behalf of Darryl); shaunnicholson@newland.com.au; Stuart Campbell
Subject: RE: Altitude Aspire revised PPR

CC: Newlands, DAC and TSC Staff

Hi Stuart,

Could you please forward this e-mail to Kim Johnston who is now assessing Altitude Aspire as you did not give me her e-mail address.

The trail of e-mails you forwarded to Council reflect Newlands proposed amendments to the Draft PPR. Obviously they show some fairly significant changes to that previously considered by Council.

In this regard the following comments are made:

- Council staff were pleased to see the new park in the south western corner of the site as this is more consistent with the structure plan in the DCP;
- Council staff were pleased to see the new connection to Market Parade as this is more consistent with the structure plan in the DCP;
- Council staff were pleased to see lot sizes and shapes changed to represent more traditional shapes;
- Council staff were pleased to see larger transitional lots sizes along Market Parade;
- Council staff have previously indicated to Newlands that the road orientation is something that Council will no longer contest if Newlands can demonstrate that the acceptable road grades can be achieved in accordance with Tweed DCP Section A5 – Subdivision Manual and its relevant Design Specifications;
- Council staff have been advised by Newlands that the development as shown can achieve compliance with Tweed DCP Section A5 in regards to cut and fill. If Newlands can demonstrate in an amended PPR that blocks are created to achieve compliance with A5 then Council will have no objection from an engineering perspective. Council has regularly stated that the development of future allotments will need to achieve compliance with Tweed DCP Section B24 (specifically the section on Residential Controls – which has restrictions on additional cut and fill post subdivisional works). The amended PPR would need to demonstrate how this can be achieved by producing housing typology plans for the proposed allotments. In accordance with B24 Council would like to see future dwellings taking up the level change of the site within the building footprint not at the property boundaries.
- Council staff would have some concerns with the contour lines shown over the amended plans as these still show significant level changes at the property boundaries, however, Newlands have advised me that these contours are outdated as detailed engineering work has not been undertaken to show the proposed finished ground levels which would comply with A5.

Please note that Council is still liaising with Newlands on the VPA to establish a lawful way forward for the development. One significant change appears to be that Newlands can justify (from a traffic perspective) that Altitude Aspire does not require Broadwater Parkway. The VPA would still require Newlands to contribute proportionally to the cost of Broadwater Parkway but they would just not build any part of the Parkway. This is a

significant change that would need to be publically exhibited. Newlands have also advised TSC staff that water and sewer may be provided privately – this too would represent a significant change and would in Council's opinion warrant re-exhibition. It is therefore Council's position that the amended PPR should be publically exhibited concurrently with the proposed VPA as the project has ramifications for other developers in the area. Council would welcome ongoing discussion with both Newlands and the Department to advance this project. Please contact me should you require anything further.

Regards,

Denise Galle | Coordinator Development Assessment (Tuesday - Friday)
Planning and Regulation



p (02) 6670 2459 | m 0418 403 116 | f (02) 6670 2139 | e dgalle@tweed.nsw.gov.au | w www.tweed.nsw.gov.au
Civic and Cultural Centre Tumbulgum Road Murwillumbah NSW 2484 | PO Box 816 Murwillumbah NSW 2484 | ABN: 90 178 732 496

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From: Stuart Withington [<mailto:Stuart.Withington@planning.nsw.gov.au>]
Sent: Tuesday, 6 November 2012 11:11 AM
To: Denise Galle
Subject: Fwd: RE: Altitude Aspire revised PPR

Hi Denise

Darryl has sent through the attached email trail and lot layout, which he says council is in general agreement with. We will probably be meeting with Newlands within the next week or two in order to get them to finalise their PPR. Can you confirm that council is indeed OK with the layout? I recall speaking to you about this several weeks ago and I think you said as much then.

We haven't gotten back to him on the VPA issue yet.

thanks

Stuart Withington

A/Team Leader

Metropolitan & Regional Projects North

NSW Department of Planning & Infrastructure | GPO Box 39 | SYDNEY NSW 2001

T 02 9228 6546 E Stuart.Withington@planning.nsw.gov.au



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Jenny (on behalf of Darryl)

From: Danny Rose <DRose@tweed.nsw.gov.au>
Sent: Thursday, 18 April 2013 10:53 AM
To: Jenny (on behalf of Darryl)
Cc: shaunnicholson@newland.com.au; Denise Galle; Patrick Knight; Vince Connell; David Oxenham; Peter Pennycuik; Anthony Burnham
Subject: RE: 2013-03-12 - Planning Agreement With Changes - Newland

Darryl,

Council officers have reviewed the amended draft VPA provided on 21 March. The Water Unit does not accept the amendments regarding water and sewerage provision to Altitude Aspire. Other amendments are generally acceptable, subject to the outcomes of the PPR, specifically those relating to deferral of Broadwater Parkway and determination of a lawful point of discharge for stormwater, which needs technical review.

In order to progress the VPA, a report was considered by Council's Executive Management Team (EMT) on 17 April.

EMT recommended that a report be provided to the May Council meeting regarding the draft VPA. This report will deal with a range of options, with the preferred option being finalisation of the draft VPA with water and sewerage infrastructure removed. Water and sewerage arrangements would then need to be determined via consent conditions and future applications (as applicable) to Council as the Water Authority.

We will advise Newland of the outcomes of the May meeting.

Feel free to forward this advice to the Department of Planning and Infrastructure as an update on the progress of the VPA.

Regards
Danny Rose

Danny Rose BE (Civil Hons) | Planning and Infrastructure Engineer
Engineering and Operations



p (02) 6670 2476 | f (02) 6672 7513 | e drose@tweed.nsw.gov.au | w www.tweed.nsw.gov.au
Civic and Cultural Centre Tumbulgum Road Murwillumbah NSW 2484 | PO Box 816 Murwillumbah NSW 2484

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From: Jenny (on behalf of Darryl) [<mailto:jenny@daconsulting.com.au>]
Sent: Thursday, 21 March 2013 12:16 PM
To: Danny Rose; Denise Galle
Cc: shaunnicholson@newland.com.au
Subject: FW: 2013-03-12 - Planning Agreement With Changes - Newland

Hi Danny and Denise

Please see attached revised VPA in track changes for your review and comment. Please phone and discuss should you have any queries.