



**AMENDMENT TO ADOPTED SEPP 71
MASTER PLAN:**

Project Name: NORTHWEST PRECINCT

**Project Location: CASUARINA BEACH,
KINGSCLIFF
(MP 5-12/2002)**



Director-General's
Environmental Assessment Report
Part 5 of *State Environmental Planning Policy No
71 – Coastal Protection*

September 2013

ABBREVIATIONS

Applicant	Casuarina Beach Holdings Pty Ltd
CIV	Capital Investment Value
Department	Department of Planning and Infrastructure
DGRs	Director-General's Requirements
Director-General	Director-General of the Department of Planning and Infrastructure, or his delegate.
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
MD SEPP	State Environmental Planning Policy (Major Development) 2005
Minister	Minister for Planning and Infrastructure
PAC	Planning Assessment Commission
PEA	Preliminary Environmental Assessment
PFM	Planning Focus Meeting
SEPP	State Environmental Planning Policy

Cover Photograph: aerial photograph of the site (*Source*: BBC SEE for DA 09/0661)

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NSW Department of Planning and Infrastructure
www.planning.nsw.gov.au

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1. BACKGROUND

1.1 The Site

The subject site is located approximately 5 kilometres south of Kingscliff on the north coast of NSW in the Tweed Shire Council area and is known as the Northwest Precinct. The subject site has an area of 18.36 hectares, is an irregularly shaped parcel and was formally legally described as Lot 113 DP 1031933 but is now known as Lot 224 DP 1075237, Lot 2 DP 1042119 and Lot 8 DP 1014470 ('the subject site').

The Northwest Precinct forms part of a larger area known as the 'Casuarina Beach Estate' ('the Estate'), which comprises an area of approximately 168 hectares, adjoining the ocean on the edge of the existing Casuarina Township. This Estate area has been subjected to sandmining in the 1960s and 1970s and was largely a vacant, low lying coastal plain prior to the commencement of the Casuarina Beach development. The location of the subject site is illustrated in **Figure 1**. The location of the subject site in relation to the remainder of the Casuarina Beach Estate is shown in **Figure 2**.

The adjoining development to the east and south of the subject site is the other stages of the Casuarina Beach Estate with the ocean beyond this adjoining development to the east. To the west of the site is vacant open shrub land adjoining Cudgen Creek, owned by the Council. To the north are the proposed 'Seaside City' and 'Salt' developments.

The site is currently under construction pursuant to DA09/0661 and CC 12/0315 (Tree Clearing), CC 12/0423 (Earthworks) and CC 12/0500 (Civil Works Stages 1 and 2). The site is zoned 2(e) Residential Tourist and part 7(l) Environmental Protection (Habitat), largely the land to the west, pursuant to the *Tweed Local Environmental Plan 2000*.



Figure 1: Site Location
(Source: BBC SEE for DA 09/0661)

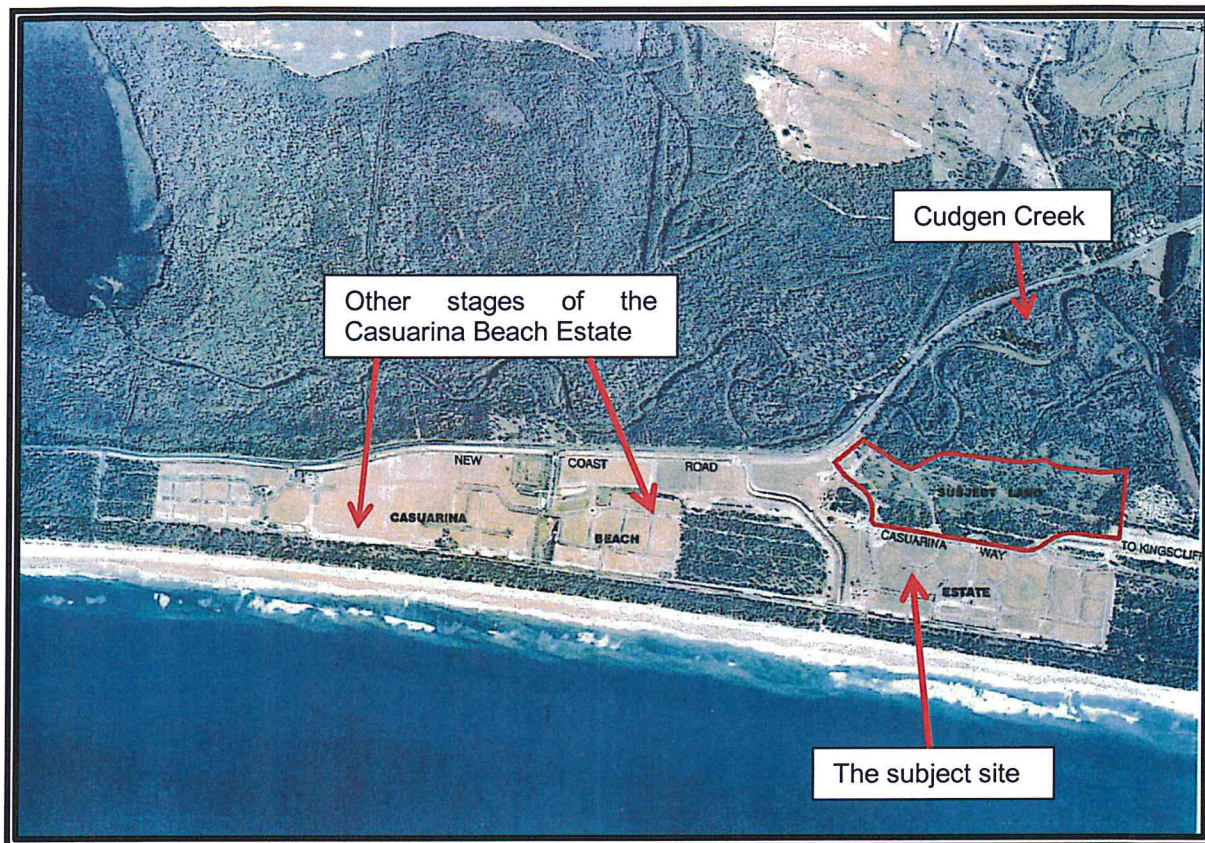


Figure 2: The subject site within the Casuarina Beach Estate

(Source: Master Plan, 2005, Figure: Cardno MBK, titled Figure DA02: Locality Plan & 2001 Air Photo)

The purpose of this report is to determine the request for an amendment to the adopted Master Plan 51-11-2004 for the subdivision of land at the subject site. The proposed amendment involves the creation of a 19 lot residential subdivision with allotment sizes ranging from 450m² up to 475.8m² within Lots 78 and 80 which were the approved medium density lots. **Tag A** comprises the recommended instrument of Modification, **Tag B** contains the Consolidated Instrument of Modification and **Tag C** contains the proposed Amended Master Plan.

1.2 Previous Approvals

The detailed planning of the subject site to transform it into a mixed use development precinct began in the 1990s and has since been developed via various consents and Master Plans issued by Tweed Shire Council ("the Council"), Land and Environment Court of NSW ("the Court") and the Minister.

1.2.1 Development Consent/Master Plan for the Casuarina Beach Estate

In December 1998, the Court granted consent to 'Stage 1 Kings Beach Approval', comprising a 'Development Plan' and a 14 lot master lot development for the purposes of a residential, retail, commercial, open space and tourism development (Proceedings 10686 of 1997 and DA no.S96/135). This Court approval represented a Master Plan for the entire Casuarina Beach Project, illustrated in **Figure 3**.

The Northwest Precinct ("the subject site") is the last major development site to be developed within the Casuarina Beach Estate. Since the granting of the Court consent, a number of the other master lots (or precincts) within Casuarina Beach have been developed, and roads and infrastructure have been substantially completed.

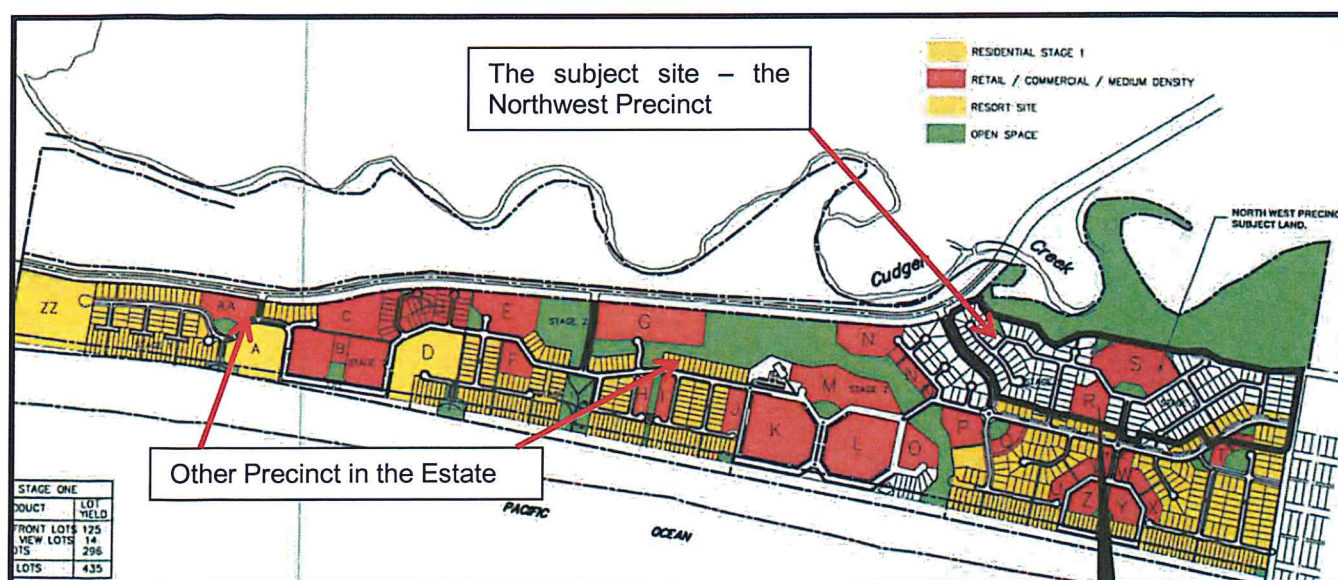


Figure 3: Casuarina Beach Estate (based on 1998 Court approved Stage 1 Consent)
(Source: Cardno MBK, Figure DA01 November 2002)

1.2.2 Adopted SEPP 71 Master Plan

On 13 December 2004, the Senior Planner, Urban Assessments, as delegate of the Minister for Infrastructure and Planning ('the Minister'), adopted a Master Plan in accordance with Clause 22 of *State Environmental Planning Policy No 71 – Coastal Protection* ('SEPP 71') for the subdivision of the land at the subject site (**"the adopted Master Plan"**). This adopted Master Plan was for the subject site only and did not relate to the larger Estate area and was adopted subject to several variations.

A final Master Plan was lodged with the then Minister on 3 February 2005, satisfying the requirements of the instrument of Adoption (variations) dated 13 December 2004. This was formally acknowledged by the Department on 15 February 2005.

1.2.3 Development Consents

On 30 July 2010, the Northern Joint Regional Planning Panel ("JRPP") issued development consent (DA 09/0661) for a 174 lot residential subdivision, comprising 170 residential lots and associated subdivision works including roads, infrastructure, western cycleway and landscaping works, at Lot 2 DP 1042119, Lot 224 DP 1075237 and Lot 8 DP 1014470 Tweed Coast Road Casuarina.

The consent was subsequently modified on 20 December 2012 by the JRPP. The modified consent was for a 181 lot subdivision including 177 residential lots and associated subdivision works. This development consent, among other things, provided for the creation of Lots 78 and 80 having a total area of 1.0476 hectares as medium density lots (the subject of this amendment). The development layout approved under this modified development consent is at **Figure 4** overleaf.

Consent was also issued by the council for the 26 lots fronting Casuarina Way, known as Stage 6B, forming part of the subject site, shown as the 'white' lots in **Figure 4**.

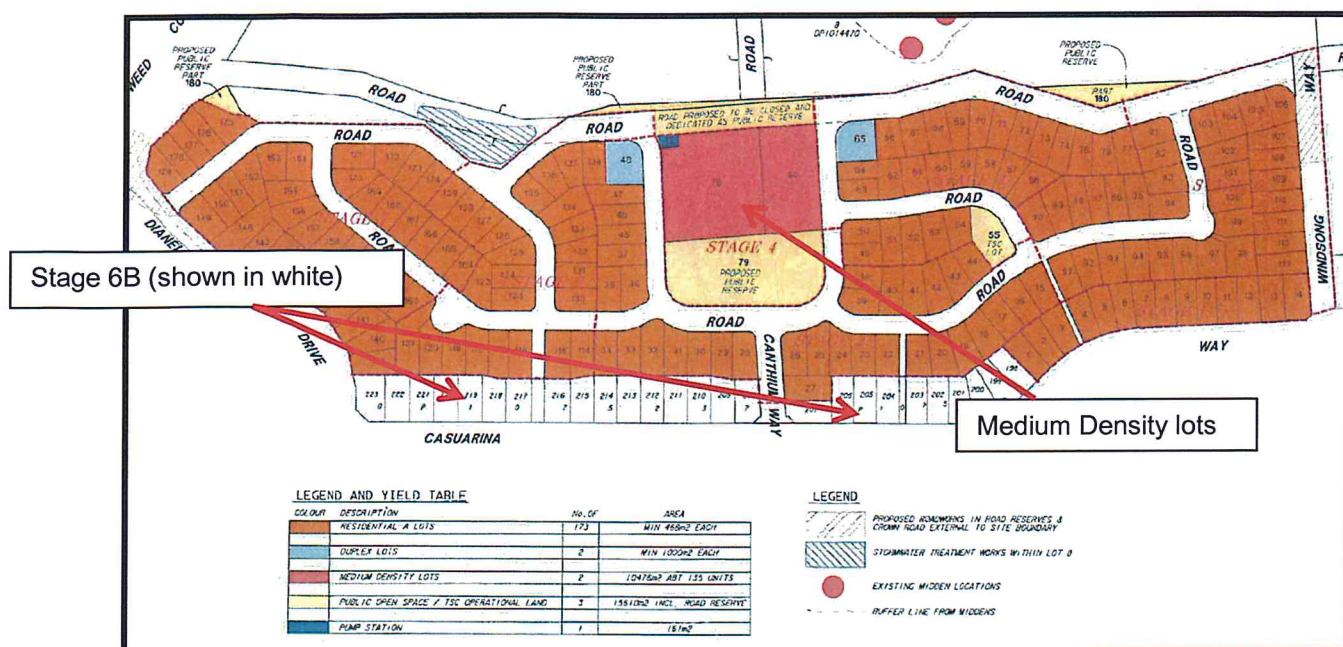


Figure 4: Modified Approved DA Plan for the Northwest Precinct
(Source: S96(1A) mod to DA 09/0661)

2. PROPOSED AMENDMENT

2.1 Amendment Description

On 26 July 2013, the applicant lodged a request with the department to amend the adopted Master Plan. The applicant simultaneously lodged a development application with council (DA 13/0438) on 15 August 2013. As the development application is inconsistent with the adopted master plan, the applicant is required to amend the adopted Master Plan (forming this application).

The amendment to the adopted Master Plan proposes the replacement of the two medium density lots, comprising Lots 78 and 80, with a 19 lot low density residential subdivision comprising lot sizes ranging from 450m² up to 475.8m². This proposal would also require the construction of an additional internal road to service these additional proposed allotments. The proposed amendment is illustrated in **Figure 5**.

This amendment relates to a small section of the subject site (Northwest Precinct), comprising an area of 1.0476 hectares with a frontage to Laceflower Parade of approximately 140 metres and is referred to as "Miramar Stage 4".

This master plan amendment involves amending Condition A1 of Schedule 2 of the Instrument of Approval to call up the proposed amended Master Plan drawing.

The applicant gives the following reasons for requiring an amendment to the adopted Master Plan:-

- The proposed 135 units within Lots 78 and 80 are not achievable given the area (1.0476 Ha);
- The proposed medium density development would be out of character with the surrounding area which has an established low density, detached dwelling character;
- The proposal involves units (i.e. multi dwelling housing) which are not commercially viable;
- The proposed yield of 135 units, which equates to 1 unit/74m², is inconsistent with council's DCP 2008 (Section A1) controls, which require approximately 1 unit/250m² of site area. This equates to approximately 40 units for this site; and
- There was no criterion provided for the proposed yield of 135 units, which predates Section A1 of DCP 2008.

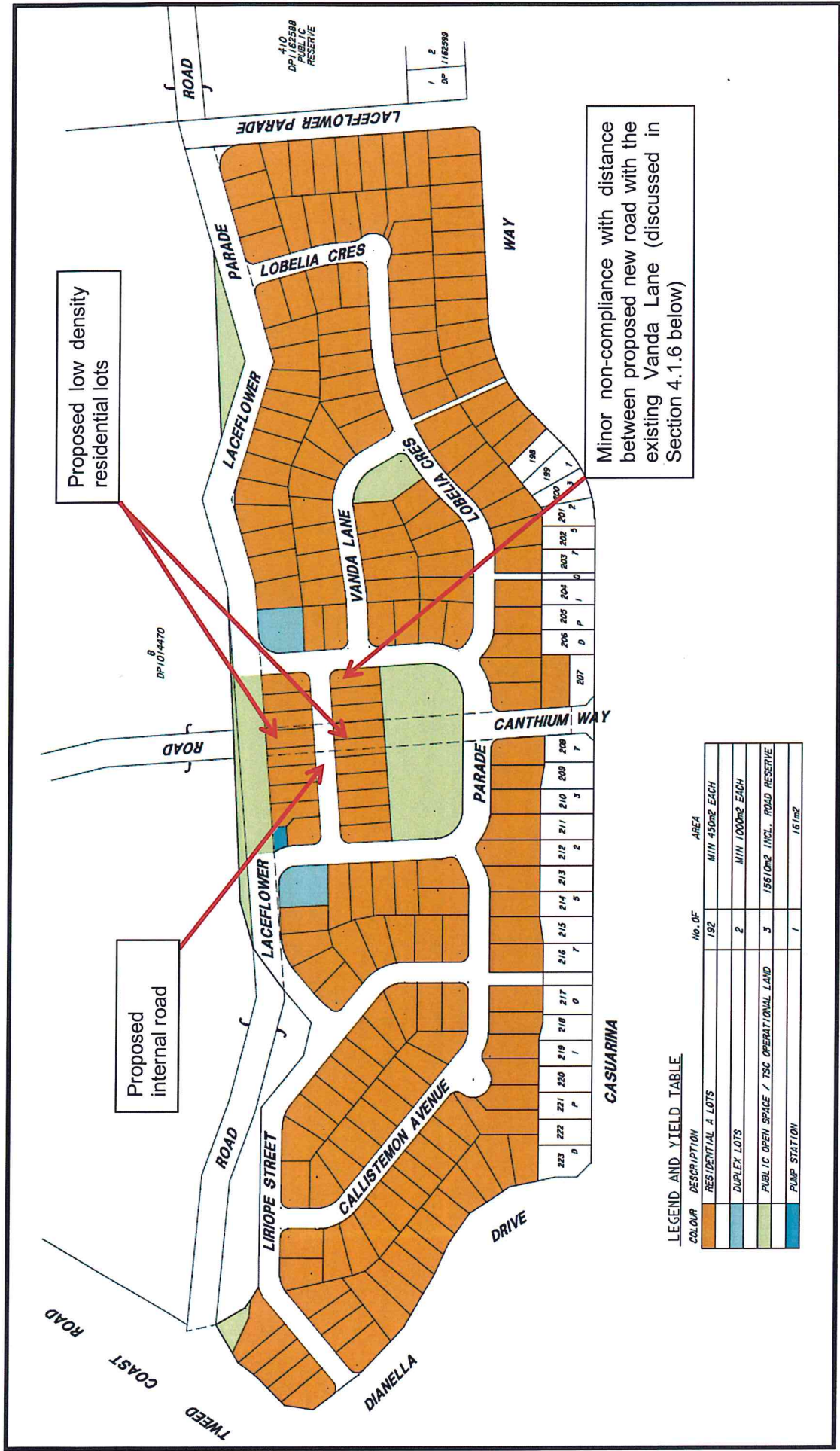


Figure 5: Proposed Amended Master Plan
 (Source: B & P Surveys, Drawing No 19703 Issue B dated 8-7-2013)

Furthermore, the applicant states that the proposed 19 lot subdivision:-

- only represents a reduction in yield of approximately 50% if the 40 units for the site is adopted and compared to the proposed 19 low density residential lots;
- in relation to population yield, represents an actual reduction of only 23 persons (40 x 2 bedroom units at 1.7 persons/unit equates to 68 persons while the 19 conventional residential lots at 2.4 persons/dwelling equates to 45 persons)
- results in a range of lot sizes 450m² (considered to be a form of medium density development) to approximately 700m².
- provides for only low density development given there is a significant volume of medium density product (in the form of residential flat buildings, townhouses, etc.) on the Tweed Coast generally, which is likely to meet current demand.

The department considers that the replacement of the two medium density lots with an approved yield of 135 units to 19 low density residential lots is considerably different from the adopted Master Plan and therefore an amendment to the approved Master Plan is required (confirmed via email on 28 May 2013). The proposed amended layout of the Master Plan is illustrated in **Figure 5**.

3. CONSULTATION AND SUBMISSIONS

3.1 Exhibition

There is no legislative requirement to advertise an amendment to an adopted Master Plan or any mandatory consultation requirements.

Having considered the requirements of Section 75X of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') and Clause 8G of the *Environmental Planning and Assessment Regulation 2000*, however, the modification request was made available on the department's website. Due to the minor nature of the proposed amendment to the approved master plan, the modification request was not exhibited by any other means.

No submissions were received on the modification request.

3.2 Consultation

The amendment request was referred to Tweed Shire Council. Comments were received from council in correspondence dated 28 August 2013 stating there were no objections to the proposed amendments to the adopted master plan.

4. ASSESSMENT

4.1 Assessment of Key issues

The department considers the key issues for the amendment to the adopted Master Plan to be:-

- Development yield
- Housing choice
- Built form
- Tourist development
- Compliance with State Planning Controls
- Compliance with Council's Planning Controls
- Other Potential Impacts

These issues are discussed below.

4.1.1 Development Yield

The adopted Master Plan proposed that the medium density lots would yield 135 units. As outlined in this amendment application, that would have resulted in a density of 1 unit/74m², while the council's

DCP 2008 (Section A1) requires approximately 1 unit/250m² of site area (setbacks, floor space ratios, building heights, impervious areas, deep soil zones, etc). The DCP would therefore allow an approximate yield of 40 units.

The proposed amendment involves the provision of 19 low density residential lots, with the resulting yield reduction in terms of population, based on 1.7 persons/unit and 2.4 persons/dwelling and 2.4 persons/dwelling, of only 23 persons and a dwelling reduction of 20 dwellings/units.

The reduction in yield proposed by the incorporation of the 19 lot low density subdivision is therefore not considered to be significant in the overall population of the Casuarina Beach Estate. The other precincts and master plan lots have sufficient yield to allow a low density character on this site.

4.1.2 Housing Choice

The provision of medium density lots in the adopted master plan was to provide for housing choice on the site, such housing choice allows a mix of households to find appropriate housing in the area. This results in low, medium and high density residential development being provided.

The site is generally a low density area, with the majority of lots comprising an area of approximately 640m² to 680m² on average. There were some larger lots provided in the adopted Master Plan which were identified as 'duplex' lots, however, subsequent development consents and modified consents have removed the majority of these duplex lots.

The resulting housing mix is therefore dominated by low density residential development. While this does not allow for a mix of housing, there are areas of medium to high density development in the vicinity of the site and within the larger Casuarina Beach Estate. The context of the site, being located outside the town centre, allows for low density development to be the appropriate form of development.

4.1.3 Built form

The proposed change from the approved medium density lots to low density residential lots will result in a more compatible built form with the surrounding area. The provision of a two or three storey building has the potential to be incompatible with the likely single and two storey character of the immediately surrounding area.

While there are other forms of medium density and tourist development in the vicinity of the site, the Northwest Precinct will largely comprise single detached one and two storey dwellings. The proposed amendment to the Master Plan will ensure the future built form is compatible with the surrounding area.

4.1.4 Tourist development

The adopted Master Plan required the larger lots, those greater than 3000m², to be used for tourist accommodation purposes. Condition B4 in Schedule 2 of the adopted Master Plan specifically required that any multi-unit housing on proposed Lots 167 and 168 (later changed to Lot 78 and 80) were to be used for tourist accommodation purposes and must satisfy the requirements of *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development*. The removal of these medium density lots and their replacement with low density residential allotments will prevent any tourist development from being achieved on this site.

The objectives of the 2(e) Residential Tourist zone are to encourage the provision of family-oriented tourist accommodation and related facilities and services in association with residential development including a variety of forms of low and medium density housing and associated tourist facilities. The provision of standard residential lots in the place of medium density and tourist development is not inconsistent with the zone objectives but does not achieve the tourist aspect of this zone.

Having considered the context of the site, however, there are sufficient tourist accommodation facilities in the vicinity of the site, including the hotel in the town centre and tourist accommodation units in Dianella Drive, to ensure that the zone objectives are achieved in the broader local

area/Estate. It is therefore considered that tourist development is adequately provided for in the local area and the removal of the tourist development potential from this site is not contrary to the zone objectives.

4.1.5 Compliance with State Planning Controls

The proposed amendment to the adopted Master Plan is generally consistent with the planning controls of the relevant State Environmental Planning Policies ("SEPPs") including SEPP 14, SEPP 55 and SEPP 71 as outlined below.

- *SEPP 14 – Coastal Wetlands* – there is a SEPP 14 wetland located approximately 100 to 150 metres to the west of the site and there is no development proposed in this area. The existing rehabilitation riparian area (Lot 8 DP 1014470) between the site and the SEPP 14 wetland provides an adequate buffer such that impacts will be minimised.
- *SEPP 55 – Remediation of Contaminated Land* – this requires the consent authority to consider whether the site is contaminated. This issue was addressed in the adopted Master Plan and the current DA. There are no changes proposed in the amendment to the adopted Master Plan which impact on the proposal's compliance with SEPP 55.
- *SEPP 71 – Coastal Protection* - the consistency of the adopted Master Plan with SEPP 71 was considered in the original assessment and there are no changes in the proposed amendments to the adopted Master Plan, which are contrary to SEPP 71.

It is therefore considered that the proposed Master Plan amendment is generally consistent with the state planning controls.

4.1.6 Compliance with Council's controls

The proposal to provide 19 low density residential lots, with lot sizes ranging from 450m² up to 475.8m². The applicant has provided compliance tables with respect to the *Tweed Local Environmental Plan 2000* ("Tweed LEP 2000") as well as the *Tweed Development Control Plan 2008* ("Tweed DCP 2008"). The proposal is generally consistent with these controls, particularly the minimum lot size of 450m² pursuant to Clause 19 of the Tweed LEP 2000 and Clause 5.4.11 of Section A5 (Subdivision Manual) of the Tweed DCP 2008.

There is a minor non-compliance with respect to the distance of the intersection of the proposed new road with the existing intersection of Laceflower Parade and Vanda Lane (refer to **Figure 5**). A 40 metre separation distance is required (under council's controls and *Austroroads*) for opposing intersections, whereas only 30 metres has been provided in this case. The Engineering report prepared by Morton's Urban Solutions for the DA dated 12 July 2013 states that this is acceptable given the low speed environment and the low turning volumes for the proposed 19 lots. This will be further considered by council in the DA.

There are also some lots which do not comply with the minimum 14 metre lot width of Table 7 of the Subdivision Manual. The Statement of Environmental Effects for the current DA to council states that there are other examples of narrow lots in the vicinity of the site and that the proposed lots are of adequate size to provide for a 10m x 15m building envelope required by the council's planning controls. It is therefore considered that the proposed Master Plan amendment is generally consistent with the local planning controls subject to some variations which will be considered in detail in the DA assessment by the council.

4.1.7 Other Potential Impacts

Potential impacts to the natural and built environments of the proposed amendment to the adopted Master Plan will be considered by the council in their assessment of the DA. In summary, there is unlikely to be any significant impacts to the ecology of the site or the impacts to adjoining lands (including the SEPP 14 wetland) beyond those which have already been considered in the adopted Master Plan.

4.2 Changes to Instrument of Adoption

The changes to the relevant parts of the Instrument of Adoption are outlined in **Table 1** overleaf. The proposed changes are shown either in ~~strikethrough~~ for deleted wording and **bold** for proposed wording.

Table 1: Proposed Changes to the Instrument of Adoption

As approved	Applicant's Proposed Changes	DP & I Comment
Schedule 1		
Part A - Table		
On land comprising Lot 113 DP 1030322	-	Delete and replace with:- "Lot 224 DP 1075237, Lot 2 DP 1042119 and part Lot 8 DP 1014470"
Part B – Notes relating to the Adoption of MP No 5-12-2002		
None	-	-
Part C – Definitions		
None	-	-
Schedule 2: Variations of Adoption		
Part A – Master Plan Document		
A1 Master Plan Drawing The Master Plan adopted shall be generally consistent with the draft Master Plan drawing entitled "Revised Lot Layout 07-09-04" for development Lot 113 Casuarina Beach, prepared by Cardno MBK and dated January 2003 (drawing no.7079/02/acad/revised lot layout 21-09-04.dwg XREF's: 70790201-As-Con-rd).	<i>The Master Plan adopted shall be generally consistent with the Drawing Reference No. 19703B, prepared by B & P Surveys and dated 8 July 2013, titled Master Plan No. MP5-12-2002 SEPP71 Coastal Protection – Proposed Residential Subdivision Stage 8 Northwest Precinct Casuarina Beach, Amendment No. 1."</i>	Delete . and replace with proposed condition.
A2 Master Plan Document The Master Plan adopted shall be generally consistent with the Section 6 through to Section 8 of the draft Master Plan entitled "Draft Master Plan in relation to Proposed Residential Subdivision – Stage 8 Northwest Precinct Casuarina Beach Estate" located at Casuarina Beach, Kingscliff for Kings Beach No.2 Pty Ltd prepared by Victor G Feros Town Planning Consultants, dated March 2003.	-	Add additional words:- "... and Amendment 1 – SEPP 71 Master Plan No MP 5-12-2002 prepared by Darryl Anderson Consulting Pty Ltd dated July 2013."
B4 Tourist Accommodation All lots within the Master Plan area with an area greater than 3000m2 are to be used for Tourist Accommodation purposes. Specifically, any multi-unit housing on proposed Lots 167 and 168 are to be used for Tourist Accommodation purposes and must satisfy the requirements of State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development.	-	Delete as the specific lots will no longer be this size under the amendments to the master plan.

5. CONCLUSION AND RECOMMENDATION

5.1 Conclusion

It is considered that the impacts of the proposed amendment to the adopted Master Plan comprising the removal of the medium density lots from the subdivision and replacement with 19 low density residential lots will be minimal as there will be sufficient medium density and tourist development provided elsewhere in the Casuarina Beach Estate. The department is satisfied that any potential impacts to the natural and built environments will be considered in detail during the assessment of the DA by council for the proposed 19 lot low density subdivision.

The amended instrument will allow for the development of the site in an orderly manner, including provision of services, provision of supporting information for lodgement of future applications and the provision of pedestrian, cycleway and public access to adjacent open space.

5.2 Recommendation

It is **RECOMMENDED** that the Director - Industry, Social Projects and Key Sites:

- **note** the information provided in this report;
- **approve** the amendment request, subject to variations; and
- **sign** the attached modifying instrument (**Tag A**).

Prepared by:



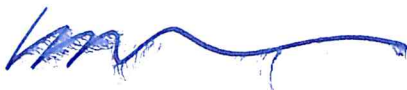
Kim Johnston
Contract Planner

Endorsed



Sally Munk
A/Team Leader

Approved by:



Heather Warton
Director, Industry, Social Projects and Key Sites

TAG A RECOMMENDED INSTRUMENT OF MODIFICATION

Modification of Minister's Master Plan Approval

Clause 23 of the State Environmental Planning Policy 71 - Coastal Protection

As delegate for the Minister of Planning and Infrastructure under delegation, and pursuant to section 23 of *State Environmental Planning Policy No.71 – Coastal Protection*, I approve the amendment to the master plan approval referred to in Schedule 1, in the manner set out in Schedule 2.



Heather Warton
Director
Industry, Social Projects and Key Sites

Sydney 8 October 2013

SCHEDULE 1

Master Plan:	5-12-2002 granted by the Minister for Planning under delegation on 13 December 2004
For the following:	Proposed residential subdivision on Lot 224 DP 1075237, Lot 2 DP 1042119 and part Lot 8 DP 1014470 Coast Road Kingscliff.
Modification:	Change from two medium density development lots to 19 lot low density residential subdivision and amendments to Master Plan Variations

The above approval modifies Schedules 1 and 2 as follows

SCHEDULE 2

INSTRUMENT OF ADOPTION

- *Delete Lot 113 DP 1031933 from title and replace with:-*

Lot 224 DP 1075237, Lot 2 DP 1042119 and part Lot 8 DP 1014470

- *Delete Lot 113 DP 1030322 from Schedule 1, Part A – Table and replace with:-*

Lot 224 DP 1075237, Lot 2 DP 1042119 and part Lot 8 DP 1014470

- *Delete A1 – Master Plan Drawing from Schedule 2, Part A – Master Plan Document and replace with:*

A1 Master Plan Drawing

The Master Plan adopted shall be generally consistent with the Drawing Reference No. 19703B, prepared by B & P Surveys and dated 8 July 2013, titled Master Plan No. MP5-12-2002 SEPP71 Coastal Protection – Proposed Residential Subdivision Stage 8 Northwest Precinct Casuarina Beach, Amendment No. 1.”

- *Delete A2 – Master Plan Document from Schedule 2, Part A – Master Plan Document and replace with:*

A2 Master Plan Document

The Master Plan adopted shall be generally consistent with the Section 6 through to Section 8 of the draft Master Plan entitled “Draft Master Plan in relation to Proposed Residential Subdivision – Stage 8 Northwest Precinct Casuarina Beach Estate” located at Casuarina Beach, Kingscliff for Kings Beach No.2 Pty Ltd prepared by Victor G Feros Town Planning Consultants, dated March 2003 and Amendment 1 – SEPP 71 Master Plan No MP 5-12-2002 prepared by Darryl Anderson Consulting Pty Ltd dated July 2013.

- *Delete B4 – Tourist Accommodation from Schedule 2, Part B – Specific Requirements:*

TAG B CONSOLIDATED INSTRUMENT OF MODIFICATION

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

ADOPTION OF AMENDED MASTER PLAN NO. 5-12-2002

(FILE NO. S03/00978/001)

**SEPP 71 MASTER PLAN FOR SUBDIVISION OF LAND AT LOT DP , COAST
ROAD, KINGSCLIFF, TWEED SHIRE**

I, Heather Warton, Director Industry, Social Projects and Key Sites, as delegate of the Minister for Infrastructure and Planning, and pursuant to Clause 23 of *State Environmental Planning Policy No.71—Coastal Protection*, determine the amendment to the adopted Master Plan referred to in the attached Schedule 1, by adopting the amendment to the Master Plan subject to the Variations in the attached Schedule 2.

The reasons for the Variations are:

- (1) to ensure the production of an edited final Master Plan within a specified timeframe.
- (2) to provide for a variety of built form, accommodation and housing types at Casuarina Beach.
- (3) to ensure that the needs of cyclists are catered for at Casuarina Beach and that the Master Plan contains a comprehensive bicycle plan.



Heather Warton
Director
Industry, Social Projects and Key Sites

Sydney, 8 October 2013

SCHEDULE 1

PART A —TABLE

Application for a draft master plan made by:	Victor G Feros Town Planning Consultants P / L C/- 12/344 Queen Street, Brisbane QLD 4000
Application made to:	Minister for Infrastructure and Planning
Draft Master Plan:	MP 5-12-2002
On land comprising:	<i>Lot 224 DP 1075237, Lot 2 DP 1042119 and part Lot 8 DP 1014470</i> Coast Road, Kingscliff
For the carrying out of:	Development described in Condition A1, Part A, Schedule 2
S.119 Public inquiry held:	No
Application made on:	1 April 2003

PART B—NOTES RELATING TO THE ADOPTION OF MP No. 5-12-2002

Responsibility for other approvals / agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

In this consent,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Applicant means Victor G Feros Town Planning Consultants Pty Ltd or any party acting upon this draft Master Plan.

Council means Tweed Shire Council.

MP No. 5-12-2002 means the draft Master Plan and supporting documentation submitted by the applicant on 1 April 2003.

Department means the Department of Infrastructure, Planning and Natural Resources or its successors.

Director means the Director of the Urban Assessments (or its successors) within the Department.

Director-General means the Director-General of the Department.

Minister means the Minister for Infrastructure and Planning.

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2
VARIATIONS OF ADOPTION
MASTER PLAN NO. MP 5-12-2002

Part A – Master Plan Document

A1 Master Plan Drawing

The Master Plan adopted shall be generally consistent with the Drawing Reference No. 19703B, prepared by B & P Surveys and dated 8 July 2013, titled Master Plan No. MP5-12-2002 SEPP71 Coastal Protection – Proposed Residential Subdivision Stage 8 Northwest Precinct Casuarina Beach, Amendment No. 1.

A2 Master Plan Document

The Master Plan adopted shall be generally consistent with the Section 6 through to Section 8 of the draft Master Plan entitled “Draft Master Plan in relation to Proposed Residential Subdivision – Stage 8 Northwest Precinct Casuarina Beach Estate” located at Casuarina Beach, Kingscliff for Kings Beach No.2 Pty Ltd prepared by Victor G Feros Town Planning Consultants, dated March 2003 ***and Amendment 1 – SEPP 71 Master Plan No MP 5-12-2002 prepared by Darryl Anderson Consulting Pty Ltd dated July 2013.***

A3 Editing of Master Plan Document

The Master Plan adopted shall be edited to reflect the Variations contained in this Instrument of Adoption. The draft Master Plan referred to in Variation A2 shall also be reviewed and edited in light of the document entitled “Draft Master Plan in relation to Proposed Residential Subdivision – Stage 8 Northwest Precinct Casuarina Beach Estate” prepared by Victor Ferris Town Planning Consultants and dated March 2003. A final Master Plan document shall be prepared and submitted to the consent authority within one month of the date of adoption.

PART B – SPECIFIC REQUIREMENTS

B1 North/South Movement Corridor

The Master Plan adopted shall be varied to include a plan of the north/south movement corridor based on the two cross-sections shown on Figure No.DA26 dated November 2003. The detailed design of the movement corridor is to occur in consultation with Tweed Shire Council and shall be simple and low maintenance in character, with a concrete pathway and associated turf. Minimal disturbance to compensatory banksia plantings is to occur and should any plantings need to be removed, they are to be replaced with no net loss of specimens on Lot 8 occurring.

B2 Bicycle Plan

The Master Plan adopted shall be varied to provide a comprehensive bicycle plan for the subdivision, with linkages indicated from within the subdivision to the north/south movement corridor and from outside of the subdivision to indicate connectivity with the broader bicycle network. All cycleway links are to be designed in accordance with Australian standards.

B3 Access and Bushfire Hazards

The Master Plan adopted shall be amended to comply with Section 4.3 of Planning for Bushfire Protection 2001 to provide for adequate width of public roads.

B4 Tourist Accommodation

Deleted

TAG C APPROVED AMENDED MASTER PLAN
