

Council Reference: DA10/0222.26 (MP06_0258 MOD 10) LN44549
Your Reference: Casuarina Town Centre Concept and Project Approval



TWEED
SHIRE COUNCIL

30 October 2018

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Dear Sir/Madam

Department of Planning Application MP06_0258 MOD 10 - amendment to Development Consent DA10/0222 for Casuarina Town Centre including 56 lot subdivision, road works, infrastructure works and landscaping (at Lot 13 DP 1014470; Casuarina Way CASUARINA; Lot 144 DP 1030322 & Lot 3 DP 1042119; Tweed Coast Road CASUARINA)

Following on from the meeting between the Commissioners and Council staff on Tuesday 23 October 2018 at the Tweed Shire Council Tweed Heads Administration Office there were a number of queries from the Commissioners which Council staff took on notice to respond to in further detail. Please be advised that internal consultation has been undertaken with the relevant Council staff and the below response is provided;

Beach Access

Questions were raised regarding Council position regarding the beach access associated with the Casuarina Town Centre development. This was referred to Council's Natural Resource Management (NRM) Unit who have provided the following comment in this regard;

"NRM Unit preference is that, if required, an existing beach access is upgraded rather than creation of a new access. Creation of an additional access would not be supported.

Any relocation of an existing access would require detailed assessment of design, impact on flora and fauna, impact on coastal processes (i.e. increase in potential for dune erosion). If the proponents are keen to pursue a relocated beach access, a preliminary concept design and impact assessment would be useful to discuss with Council officers prior to progressing with detailed plans and seeking Reserve Trust consent to lodge."

Building Height

The issue of building height controls was also raised by the Commissioners, with questions regarding the building height in the wider area and the site itself. This was referred to Council's Strategic Planning Unit for comment in relation to any proposed amendments to Council controls. The below response has been received in this regard;

“In specific relation to Kingscliff (which Casuarina falls outside of) Council’s at their meeting of the 16th March 2017 Council resolved to nominate building heights to be integrated into the draft Kingscliff Locality Plan and Development Control Plan (DCP) including:

- *11.0m to Marine Parade;*
- *13.6m to other business zones; and*
- *12.2m to R3 medium density zones*

Following this resolution, the dKLP (draft Kingscliff Locality Plan) documents were updated to reflect these building height nominations.

To give effect to this resolution in a statutory sense, at Council’s meeting of the 5th June 2017 (in relation to the Land & Environment Court case at 204 Marine Parade) it was resolved to harmonise the Tweed Local Environmental Plan (LEP) and DCP (height, FSR). The discrepancy exists due to two different measures of building height: in metres (provided in the Tweed LEP 2014) and in stories (provided in several, often older, sections of the Tweed DCP 2008 and locality plans). A planning proposal to incorporate the height measurement provided in metres and where relevant in stories into the Tweed LEP 2014 and update building heights as they apply to Kingscliff (based on the Council resolution of the 16th March 2017) was initiated and forwarded to the DP&E for Gateway determination.

Council has received advice from the Department of Planning & Environment via correspondence dated 8th August 2018 that the Planning Proposal would not proceed until a number of revisions were made including the following specifically related to building height:

- *Remove all written and mapped references to building heights in storey or storey-based controls;*
- *Remove all references to amendments to clause 4.6, and*
- *Remove all references to changes to Kingscliff height of building provisions.*

The Planning Proposal will be revised as per these instructions. Building height will continue to be represented in metre. A new separate Planning Proposal relating to building height in Kingscliff will be prepared once the locality plan is finalised and endorsed.

In Casuarina I concur that 13.6m could allow up to a 4 storey building.”

In conclusion, it is noted that there are no current Council controls or policies which propose to amend the building height control over the subject development site.

Sewer Pump Station Minimum Allotment Size

A copy of Design Specification for Pump Stations has been attached to this correspondence. This highlights that the minimum lot size for a Sewer Pump Station should be approximately 408m² (20m x 20.4m) to allow for the truck turnaround area.

For further information regarding any of the above this matter please contact David O'Connell on (02) 6670 2661.

Yours faithfully

per
Seth Philbrook
Acting Team Leader Development Assessment

Enc: Copy of Design Specification for Pump Stations