

PROF Z. LIPMAN: We will open the meeting. Good morning everyone and welcome. Before we begin, I would like to acknowledge the traditional owners of the land on which we meet, the Gadigal People of the Eora Nation, and pay my respects to elders past and present. This is a request by you, the applicants, Clarence
5 Property, to modify the concept plan and project approval for the Casuarina Town Centre in the Tweed Local Government Area, MP06_0258 modification 10. The applicant is proposing to replace a hotel and medium-density lots with low-density residential development, increase the maximum building height in the main street, predominantly, from three to four storeys, and amend the road layout, open space
10 and supporting infrastructure, as well as making changes to staging and the timing of the construction of the beach access path.

My name is Zada Lipman. I'm the chair of this panel. With me are my fellow commissioners, Peter Duncan and Russell Miller, and commission planning officers,
15 David Koppers and Alana Jelfs. The other attendees at the meeting today are from the applicant and there are a number of persons here today and I will ask them to introduce themselves later for the purposes of the record. In the interests of openness and transparency and to ensure full capture of information, today's meeting will be recorded and a full transcript will be produced and placed on the Commission's
20 website. This meeting is one part of the Commission's decision-making processes. It's taking place at a preliminary stage of the process and will form one of several sources of information upon which the Commission would base its decision.

During the meeting, it's important for commissioners to ask questions of attendees,
25 for explanations and to clarify matters where they see it appropriate. Attendees should feel free, if they're not in a position to immediately answer the question, to take the question on notice and provide written information at a further stage and we will place that information on our website. So now we will begin without any further ado. What we would like is for you to take us through the modification, the
30 way you've dealt with submissions and response to submissions, and some of the issues surrounding the proposal. So I will hand over to you to introduce yourselves and to take us through the process. Thank you.

MR D. CHAPELLE: Well, my name is Damien Chapelle. I'm the town planner in
35 the project and I'm a partner at Newton Denny Chapelle, so we've been involved with the project since the original lodgement of the modifications and the acquisition of the land by Clarence Property.

MR J. WEBB: I'm James Webb. I'm the project manager from Clarence Property,
40 the applicant.

MR B. KEITH: And Ben Keith, principal engineer, BG&E. Project engineer since the start of the modification process.

45 PROF LIPMAN: Thank you.

MR CHAPELLE: Okay. Well, I will run through the amendments. Yes?

PROF LIPMAN: Yes.

5 MR CHAPELLE: So as you may see, just with the screen – I’m not sure if they
have a pointer or not – but you’ve got the plans, obviously, in front of you as well.
The application that was lodged with the Department of Planning and Environment
sought to undertake a number of – okay. Yes. That’s fine. Thank you very much.
10 So probably, just to start with, obviously the modification relates to the major project
which was issued for what is known as the Casuarina Town Centre, which is the area
bound on the outside here in red.

There has already been a number of development activity under that existing
approval with the release of some residential single-lot housing. The Coles
15 supermarket is constructed; also, the Casuarina Commons, which is a mixed-use
commercial development, and also child care. There has been terrace housing
located in this facility and then also single-lot housing and that sort of comprised the
initial sort of stage 1/1A of the application. As identified in the department’s report,
20 there has also been a modification approved for the conversion of this area in yellow
from residential units.

MR R. MILLER AM: Sorry, Damien. Could you just identify for the record the
plan you’re talking to as you talk to a plan - - -

25 MR CHAPELLE: Certainly.

MR MILLER: - - - because the recorders can’t see that.

30 MR CHAPELLE: No. Very much so. So I’m actually just referring to the
Casuarina Town Centre concept plan, which is the approved plan from the
Department of Planning, stamped 20 September 2009 - - -

MR MILLER: Thank you.

35 MR CHAPELLE: - - - and the job number is 199202B as a reference. The yellow
highlighted area was subject to a modification, which was approved by the
Department of Planning and Environment to basically reclassify itself from
residential units into a Torrens Title subdivision comprising of some 40 residential
lots. And that is constructed, and you will see that as part of your inspection. The
40 area of which this modification, modification 10, relates to, is the area in red. So that
is basically bound to the east by Casuarina Way, to the south by Blue Horizons
Drive, obviously, the coastal foreshore to the east and then housing, residential
housing, to the north. The application that was lodged with the Department of
Planning, as pointed out, sort to replace in the order of nine residential super lots,
45 which were identified for a mixture of residential and shop top housing, but
essentially all comprised a three-storey residential unit form.

And I apologise. It's probably a bit clearer on your plans that you're reviewing, but on the screen there was also a hotel, a three-storey hotel approved in the north-eastern corner of the site. There was also the extension of Grand Parade in this location, so that's the area that we are looking at covering. So our modification
5 looks to provide for the conversion of this area into – still maintain some medium density allotments, but also increasing the total number of lots from 97 up to in the order of 178 residential lots. The proposal does reduce the number of dwelling across the site from approximately 663 down to 437 dwellings. We also sought to modify the built form control in respect to the building height, and that was for
10 the purpose of consistency with the Tweed Local Environmental Plan, which obviously has been gazetted and operational post the approval of this major project.

There's also the deletion of the hotel use, which was produced through economic and market assessments undertaken by Clarence Property. There was also the revision of
15 stormwater management within the northern swale of the project. There was also the – at the time of the initial lodgement, the provision of a public road, and I will just draw your attention to the name on the screen. There was a public road, and I will get to this plan in a minute, which actually reduced the 20 metre green buffer in the original proposal. I will talk about that in a bit more detail when we run through the
20 department's report as to how we responded obviously to the community submissions.

We also looked at the timing of which the beach access was to be provided. Currently, there is already two beach access locations. One that accedes due east off
25 the cycleway in the northern part of the site and then one in our southern section. They are the two existing beach accesses, which service the Casuarina location today. We've also looked at some staging modifications as well. And in that regard, we looked at consolidating a number of the stages to provide for – as part of our next stage – the completion of all the infrastructure works. That would be the road,
30 stormwater, water, electricity and also with the recent amendment to the condition, the open space areas will be provided in that first stage.

The next stage which we asked for was basically the release of the lots that were Torrens Title allotments that we're looking to create. And then obviously the
35 subsequent development of those lots for mixed use, being shop top housing, also the residential lots for dwellings themselves and the medium density sites. What I probably will do, if I can just skip forward, I will just bring you now to BG&E plan, project number B16097, drawing number C003, red E. This plan provides you with the residential layout of what is being proposed. And if I just run through that
40 quickly, we have Torrens starting from the south-north.

We have Torrens Title residential allotments basically within 1 to 16 and then extending west to Casuarina Way. As we move north, we start getting into medium density and also mixed use allotments, which front Grand Parade, on the southern
45 side of Grand Parade. On the northern side of Grand Parade, we, again, have mixed use residential allotments and we have the two bookend sites, which is lots 50 and 51, which are our medium-density sites. Again, as we move north, obviously lot 72

and then – as – I think it's 78 to 83 have been required by the department to be consolidated. So that's – those question that you would have read within the amended condition, and they are all then single residential lots to the north.

5 The proposal, as I referenced previously, had this residential – the northern road. Basically the northern road encroaching into what was this 20 metre green buffer. There was considerate objection to that, and I think you would have read in the department's report that it was in the order of 111 submissions – I believe 105
10 against the proposal when it was first lodged, and the overwhelming majority was in relation to the location of this green buffer and the encroachment by the road.

Following detailed negotiations where we actually had – just group meetings both with all the residents to the north, the Strata Body Corporate of Santai, which is a residential tourist accommodation to the north of us, Tweed Shire Council, and also
15 the Casuarina Residents Association, it was determined that we would reinstate that 20 metres and push the road southwards. So, basically reinstall what was originally approved in the current major project we have now.

So in that area we've retained the shared pedestrian cycleway, which extends through
20 to Casuarina Way and links to the existing infrastructure, and provides a – an efficient and easy access for all residents and visitors to the area through to the main commercial precinct, and also provide for the landscaping and stormwater as per the initial major project. Probably the other aspect that we have done is also just looked at Grand Parade.

25 So in that we've been able to provide, thought he street networks, some additional on-street car parking. So we've actually increased the number above that that was in the original application. In the order of about 12 spaces have been identified there. And then also they retain that large verge so we can really try and promote that sort
30 of alfresco dining and activity the department is talking about.

PROF LIPMAN: Sorry, can I ask you how many spaces are there in that central parking area that was provided?

35 MR CHAPELLE: I would have to probably and do a quick count for you, but as we go through things I can certainly do that for you. But essentially what – if I could put it to you, the original approval talked about having in the order, I think, about 120 spaces within the first 100 metres to the beach, because that was been – the critical
40 element.

PROF LIPMAN: Yes.

MR CHAPELLE: So we've been able to work our way that we actually exceed that number, and I – by all means I will give you the – what is that exact number. But, as
45 noted in the department's report, we have provided, essentially, not only a compliant by increased the number of car parking spaces.

PROF LIPMAN: The existing car parking area is actually surrounded by the new building; is that correct? The proposed building.

5 MR CHAPELLE: Yes. So basically what we have is that that car park is actually constructed, and we will be able to show you that on an inspection.

PROF LIPMAN: Is that servicing the building as well as the public?

10 MR CHAPELLE: No. That's purely public parking.

PROF LIPMAN: I see. Yes, thank you.

15 MR CHAPELLE: So all future parking required by each development of the site is required to provide their own parking on site, in accordance with Tweed Shire Council parking requirements.

PROF LIPMAN: Thank you.

20 MR CHAPELLE: So all the parking that you see coloured either green, or – and basically that's distinguishing the different zones. They've also got the purple and the blue. That is all public parking. And one of the big gains was obviously along Blue Horizon Drive of providing that parking, as you can see along that coastal foreshore area.

25 PROF LIPMAN: Thank you.

MR CHAPELLE: So with those changes – would you like me to go through the public exhibition period in a bit more detail, or are there any questions concerning the modifications yet, or - - -

30 PROF LIPMAN: No, nothing at this stage

MR P. DUNCAN AM: not from me.

35 MR MILLER: I just had one question, just to clarify. 72 to 83 – can you just go back to blocks 72 to 83 on the plan that we're talking about, and just clarify what's proposed with those blocks?

40 MR CHAPELLE: Okay. As part of the assessment by the Department of Planning and Environment, they identified the original design on lot 72, had a dwelling which was oriented sort of east-west. So, essentially, didn't provide an activation to Grand Parade to the south. The department has requested that lot 72 and then 78 to 83 – so essentially that block – to be consolidated and developed as a mixed-use development with activation to Grand Parade. So that would then provide, basically,
45 from – you know, Casuarina Way through to the foreshore – yes – with the activation.

MR MILLER: Yes, no, I understand. Thanks.

PROF LIPMAN: Yes. That's – there's a condition in relation to that.

5 MR MILLER: Yes.

MR CHAPELLE: Yes, there is. That's right.

10 PROF LIPMAN: And you are happy with that condition?

MR CHAPELLE: Yes, we are. Yes.

15 PROF LIPMAN: Right. And currently there's a minor inconsistency with the
three medium-density residential zone, but the concept plan will prevail over the
LEP, so it shouldn't be any to the department.

20 MR CHAPELLE: No, that's right. So from a statutory perspective, when we
lodged the development application with Tweed Shire Council, the concept plan will
give the overarching permissibility of that use in that location.

PROF LIPMAN: Correct. Yes.

25 MR CHAPELLE: And has been in other areas too where, you know, boundaries
have been finessed with the concept plan.

PROF LIPMAN: Thank you.

30 MR CHAPELLE: So if I probably move on from what was the proposed
modifications just to item 3 on the agenda, if you like, which is the bulk and scale,
which talks about the four-storey setback and also the building setbacks. Really,
what I would like to start off with is clearly articulating that this application is for the
subdivision of land. So there are no buildings approved as part of his application,
and I think, probably, our desire to provide as much information as we could when
35 we lodged the application probably led to a little bit of our downfall, because the
current plan – which I have on the screen, which is now the RPS Casuarina Beach
Concept Plan – page 3 of 9 – was lodged as part of the submission. And what that
will show you is the – purely providing an illustration as to the single residential lots,
but also to identify those areas which would be, essentially, greater than a two-storey
residential dwelling. By no means was this sought to be an approved plan.
40

45 So we're always of the understanding that we would be lodging future applications,
but as the department has correctly said in their report, this plan was purely to serve
purpose as to where that multi-level development activity would be occurring on the
site. So in saying that, pre-lodgement discussions both with Tweed Shire Council
and the Department of Planning felt that we had an inconsistency in terms of build
and design standards, both with the Tweed Local Environmental Plan and some

provisions out of set 65, which is the Residential Building State Environmental Planning Policy.

5 So we sought to provide a building height of 13.6 metres to accord with – as I just said, the council’s Local Environmental Plan. In that respect, we’re also accurately aware that the New South Wales department guidelines talk about ceiling heights and have a specific design criteria. So, in that regard, it will be up to future architectural design, future pre-lodgement discussions with Tweed Shire Council, and the lodgement of a development application with the council before any built form is
10 actually constructed on the site. Again, that will also enable a full community consultation process, because obviously all those applications that are lodged with council are placed on exhibition for the community.

15 So I really sort of say that the 13.6 is essentially about achieving that consistency. Probably one other aspect, to, is that we sought to increase the height as the discussion with council was saying that the population density – and where we can, obviously, try to achieve a density that provides some additional population, but within designated areas of the site. We didn’t think from a coastal village perspective having three-unit residential or four-unit residential development over
20 the whole site was actually in keeping, and a lot of the market research back to us is saying – and may I say, the second series of the community consultation, where we had a – I think 70 per cent in favour – really like that transition of single residential leading up to more of a multi-level in the Grand Parade, where that activity would be.

25 PROF LIPMAN: Could I just ask you, in relation to the proposed residential allotments, are there going to be any setbacks there, or is there proposed – because the allotments are rather small.

30 MR CHAPELLE: Yes. So it is a small lot housing proposal.

PROF LIPMAN: Yes, yes.

35 MR CHAPELLE: Of which Tweed Shire Council also actually has provisions for small lot housing under their residential development control plan.

PROF LIPMAN: Yes.

40 MR CHAPELLE: But there will be setbacks from the street. So, yes, the off the top of my head, is six metres is the setback that’s required from their street boundary. In some cases there will be some specific design, and I will probably draw you through to some of those rear-loaded lots, where you actually get the laneway access, and some of the smaller lot housing through here, where in some cases that setback can get you reduced to 4.6 metres, I understand. So, yes, there will be street
45 setbacks.

PROF LIPMAN: And the smallest allotment is - - -

MR CHAPELLE: I will just bring you through to the - - -

PROF LIPMAN: You said two hundred - - -

5 MR CHAPELLE: - - - BG&E plan.

PROF LIPMAN: - - - sixty or something, I think.

MR CHAPELLE: Yes.

10

PROF LIPMAN: Yes.

MR CHAPELLE: Yes. So in – I think it’s that area of lots 36 to 42, which is 227 metres.

15

PROF LIPMAN: Two hundred and twenty - - -

MR CHAPELLE: Yes – point five square metres. Yes.

20

PROF LIPMAN: Right.

MR CHAPELLE: Yes.

PROF LIPMAN: Thank you.

25

MR CHAPELLE: Now, in proposing that, the site does not – or isn’t constrained by a minimum lot size, so the Tweed Local Environmental Plan, when they were reviewing, obviously, building heights and densities and whatnot over the land – they opted to have no minimum lot size and that was to, I suppose in that sense, encourage small-lot housing around a commercial town centre area where people can essentially park the car and walk to what services they require in that sort of localised manner.

30

PROF LIPMAN: Yes.

35

MR CHAPELLE: So the other aspect that I will be able to, sort of, show you on site 2 – and I will just draw you to the arrow there – that is the Santai accommodation and when we’re on site I will be able to illustrate to you that, essentially, the finished building height, if it’s compliant with the 13.6 metres, does not actually encroach the ridge height or the maximum building height of Santai. So in that sense, it actually provides that level of consistency from a streetscape. Whether it be three or four-storey, I’m talking about the 13.6 metre height.

40

MR DUNCAN: So just to clarify that, that’s the same height all the way along there? Is that what you’re saying?

45

MR CHAPELLE: What I'm saying is that the finished height of the Santai building
- - -

MR DUNCAN: Yes.

5

MR CHAPELLE: Yes. That these two residentials – the development on lots 50
- - -

MR DUNCAN: Yes.

10

MR CHAPELLE: - - - and 51?

MR DUNCAN: Yes.

15 MR CHAPELLE: That's right. If they achieve 13.6 metres as their building height,
the height is still below the ridge height.

MR DUNCAN: Okay.

20 PROF LIPMAN: Yes. Can I just clarify - - -

MR CHAPELLE: And, in fact, actually below, I think - - -

25 PROF LIPMAN: So at four storeys, 13.6 can support a four-storey development?

MR CHAPELLE: Yes.

30 PROF LIPMAN: But is it your intention that the three-storey development should
have a ridge height of 13.6 to be consistent with the four-storey, or is going to be
lower?

35 MR CHAPELLE: Probably, to answer that, I would say that, no matter what –
whether it be three or four-storey, the 13.6 metres is measured from the actual
surface level to the highest part of the building.

PROF LIPMAN: Yes.

40 MR CHAPELLE: So in that sense, we would be achieving compliance with that
13.6.

PROF LIPMAN: No. Absolutely.

MR CHAPELLE: Yes.

45 PROF LIPMAN: But I'm just, you know, wondering whether you propose to
increase the size of the – say, the roof of the three-storey development.

MR WEBB: I will just jump in. I guess, from Clarence's perspective, it has been – given this is a land subdivision, it has been difficult for us to hypothesise on what that built form is going to look like at this point.

5 PROF LIPMAN: Yes.

MR WEBB: I mean, given that we need to engage architects and go down that building design path, that has kind of been our position – that we can't really look into the future until we - - -

10

PROF LIPMAN: No. I understand it's further down the track but it's not – it may well be the case that you decide to go - - -

MR WEBB: It could be a pitched roof or it could be a flat roof - - -

15

PROF LIPMAN: Yes.

MR WEBB: - - - but it will be within that 13.6 metre envelope - - -

20 PROF LIPMAN: Yes.

MR WEBB: - - - which is consistent with that streetscape along Casuarina Way when you look at Santai to the north and, if you're looking at that elevation coming along Casuarina Way, it is consistent with that 13.6 metre height.

25

PROF LIPMAN: Okay.

MR CHAPELLE: And probably – just saying that, during the community submissions, obviously, there was a lot of discussion about this massive model, which is lots 50 and 51. In saying that, those would not be compliant with council's planning scheme, anyway, so it was really an artistic impression to try and provide some, I suppose, scope for the residents to understand where that development activity may occur but it certainly won't be at that scale.

30

35 PROF LIPMAN: Right.

MR CHAPELLE: Is there any further questions on the bulk and scale or - - -

PROF LIPMAN: Not on that area. No.

40

MR DUNCAN: Not from me. Not from me.

MR CHAPELLE: What I might just draw the Commission to is – I'm not sure if you can just see on that last row but this is – just as an example, you may have seen this in the information plan. Yes. We are talking about now RPS plan titled Grand Parade, page 4 of 9, and that was just to provide, again, some illustration as to potentially how the built form – and I would leave that for your information but it

45

essentially shows, in Grand Parade, looking at that, sort of three-storey, along the primary areas anyway, with ground floor retail, commercial activity and then two levels of residential use with those areas. Can I just draw you to RSP plan titled Density, page 5 of 9, and again, that was just to provide a representation of where the building heights would be and also some potential density provisions. If there's any questions from the Commission on these, please let me know, but they're really for your information as well.

Probably drawing – this is now RPS plan built form, page 6 of 9. This provides you with – I suppose the clarity is looking at the two bookends with the purple colour being the four-storey. We then have, within the main block area, another four-storey building fronting with activation to Grand Parade, with then the balance of those areas being a three-storey with that sort of red colour – maroon colour – again, all having that activation area through there. We sought to also provide the mixed-use activity and then the single residential blocks which you see. You can see that the allotments vary in frontages between 10, 12.5 and 14, and that's basically just to provide for a differentiation of residential product that can be developed on those blocks as well.

MR DUNCAN: A quick question, if I can. The one that has changed – the mixed use in front of the four-storey – is that now three-storey or two-storey?

MR CHAPELLE: That would probably still be a three-storey - - -

PROF LIPMAN: Three-storey.

MR CHAPELLE: - - - to be mixed use.

MR DUNCAN: That will be three.

MR CHAPELLE: Correct.

MR DUNCAN: Yes. Yes.

MR CHAPELLE: Yes.

PROF LIPMAN: Yes.

MR MILLER: And you identify that on page 5.

MR CHAPELLE: That's right.

PROF LIPMAN: Yes.

MR MILLER: That's right.

MR CHAPELLE: Yes. So, originally, they were to be rear-loaded blocks - - -

MR MILLER: So it's a - - -

MR CHAPELLE: - - - but we haven't changed the height there, so all it does it change the classification to a mixed use.

5

MR MILLER: And it's a consolidated block.

MR CHAPELLE: Correct.

10 MR MILLER: Yes.

MR CHAPELLE: I will bring you to RPS plan built form, 6 of 9 – sorry, 7 of 9 – which again just provided, purely for illustration purposes – potentially some of those different design options where, at the top of the page, we have the mixed
15 density and mixed use development and you can sort of see, if I bring you to the right-hand side there, that is an example of a four-storey built form. That is there with the ground floor retail and three levels of residential. We then get into our standard allotments, which are the front-loaded lots. That is typical of the small-lot
20 housing design for blocks that are from, you know, 220 or greater in terms of built form, and then also the smaller allotments, which are standard allotments rear loaded. Now, they were to be those lots which were 72 and then 78, where you actually come in off a rear lane and your front door is then going out onto a pedestrian pathway.

MR MILLER: Are they now 42 to – 36 to 42?

25

MR CHAPELLE: Correct.

MR MILLER: Is that what you're saying?

30 MR CHAPELLE: Yes. That's right. As you can see there, that – basically, if I just bring you back to that BG&E plan, C0003 – if you look at – that's right, lots 36 to 42 – there will be access from that internal road, which is to its north of those lots.

MR MILLER: Thank you.

35

MR CHAPELLE: I might then just draw on to open space.

PROF LIPMAN: Yes. Yes. We would like you to elaborate on the open space aspects - - -

40

MR CHAPELLE: Sure.

PROF LIPMAN: - - - and the nature and quality of each particular parcel that's being offered.

45

MR CHAPELLE: Certainly. Certainly. Thank you. So I'm just referencing a plan that's titled Landscape Master Plan and this plan obviously identifies those areas

which have formed the open space and recreation areas as well for the Casuarina Town Centre. So if I just start probably with what is the northern buffer. It obviously extends on the northern boundary of the site. The amended design has increased the area of ground space through that reinstatement - - -

5

PROF LIPMAN: Sorry.

MR CHAPELLE: Sorry. No. That's all right.

10 PROF LIPMAN: thank you.

MR CHAPELLE: No. My apologies. Sorry.

PROF LIPMAN: That's all right.

15

MR CHAPELLE: So I will just start – we're just looking at – if I just – the northern area - - -

MR MILLER: Starting at the north.

20

MR CHAPELLE: - - - which is that precinct that – I will just take the mouse around through there. So as I mentioned, the first application actually provided for the road to encroach into that buffer, whereas now the application in front of you that the commission is reviewing provides for that increase of green space through the reinstatement of that 20 metre green buffer in the northern portion of the town centre. Look, it was definitely a contentious issue and one which I think, in hindsight, which we probably got wrong in lodging that first application with the road in that manner. The residents to the north and Santai Group provided some really good justification as to why that road should be removed and the 20 metres reinstated. So following obviously work from Ben and his engineering team and obviously Clarence Property as well, we were able to reinstatement that 20 metres and also deal with our stormwater management details.

25

30

PROF LIPMAN: Can I just ask you that. So you're using the culvert now and you're not park – using the parks any longer. Is that correct? Or are you using the park and the culvert?

35

MR KEITH: Just using the culvert in that buffer.

40

MR CHAPELLE: Yes.

MR KEITH: Just a single culvert.

PROF LIPMAN: Yes.

45

MR KEITH: Correct. So it will still – water will still enter into the green zone to the north. Water will infiltrate. It comes infiltration and at local collection and then it will enter into the culvert - - -

5 PROF LIPMAN: Right.

MR KEITH: - - - and the overflow.

10 PROF LIPMAN: So the area that – the 30 metre area generally would be usable as open space.

MR KEITH: Generally. There's a – there will be activation with a cycle lane - - -

15 PROF LIPMAN: Yes.

MR KEITH: - - - immediately to the north of the road. A lot of the area further north to the cycle lane, some it will be flat and some of it will be battered as a swale drain.

20 PROF LIPMAN: Right.

MR CHAPELLE: Yes, which is consistent with what we had with that original approval, where they actually had some of that stormwater and actually had it battering down - - -

25 PROF LIPMAN: Yes.

MR CHAPELLE: - - - to some of the retaining walls that were there. So we will also be putting some street furniture along there as well and lighting.

30 PROF LIPMAN: And I noticed the landscaping condition now requires mature trees - - -

35 MR CHAPELLE: Yes.

PROF LIPMAN: - - - which was originally contemplated, but I don't see it on the – it's not on the landscaping.

40 MR CHAPELLE: No, this purely again was - - -

PROF LIPMAN: Yes.

45 MR CHAPELLE: - - - conceptual when we were discussing with council, so we've got no objection to that condition and we are obviously of the understanding that we still need to lodge that technical specification to council as part of our engineering design as well.

PROF LIPMAN: Okay.

MR CHAPELLE: So – yes, that’s not a problem.

5 PROF LIPMAN: Thank you.

MR CHAPELLE: Well, Ben, what I might do, just because we’re talking a little bit about stormwaters, do you just want to talk about those areas to the east of lots 85 to 91.

10

MR KEITH: So the areas – so where Damien is currently hovering - - -

PROF LIPMAN: Yes. Certainly, yes.

15 MR CHAPELLE: Yes.

PROF LIPMAN: Yes.

MR KEITH: So where Damien is currently hovering the mouse, that area there is an infiltration basin, so low levels of stormwater will enter the basin infiltrate; in a larger event, the water will lift up and then there will be small culverts underneath the bike access immediately to the north, where Damien has got his pointer. It will enter the basin to the north, mix with water coming down from the south in a similar manner. Then it will enter a culvert, which then runs underneath the landscape zone along the northern boundary. The water then goes in culvert and purely culvert only in front of lots 51 and 52, until it then discharges underneath Casuarina Way to the southwest.

20
25
30 So both of the basins that I’ve just described as well also act as a detention system to limit the amount of flow approaching Casuarina Way. So it’s in line with the capacity of the existing infrastructure.

PROF LIPMAN: And those two that you’ve identified, I think it’s number 11 to – no. Yes. They are usable generally as open space. They’re council - - -

35

MR KEITH: They’re given back to council. Yes.

PROF LIPMAN: Yes. And they’re usable as open space - - -

40 MR KEITH: They’re - - -

PROF LIPMAN: - - - when they - - -

MR KEITH: - - - flat areas. They will generally be sand-based for infiltration. They will be planted out.

45

PROF LIPMAN: Yes.

MR KEITH: Yes.

PROF LIPMAN: Right. Thank you.

5 MR CHAPELLE: So then as we fully extend south, we then have our civic park.
So that park has been reconfigured from the original application, but that was the –
still the position of where the central park is under the existing current approval. So
we've undertake quite exhaustive consultation with council to the point that council
was sort of specific concerning the embellishment, the design, the configuration. I'm
10 obviously aware that there's a condition requiring the lodgement of plans to be
submitted to council, but we certainly had a consensus that there would be obviously
play equipment, barbecue facilities; that that would be an area that people could go
to and obviously enjoy both from a resident and/or visitor to the town centre.

15 The access basically we will be providing is that the coastal pathway will link to –
directly through the park area and same basically extending from the cycleway. You
can actually use the wider footpaths extending straight down. Or alternatively if
you're coming from the north, you can basically through pedestrian network access
the park. So in that sense, it's accessible by or future residents at Casuarina.
20 Probably what we would say as well is that outside this plan, but basically to the
southwest of it, is the sports fields.

PROF LIPMAN: Yes. Before we move off - - -

25 MR CHAPELLE: Yes.

PROF LIPMAN: - - - the civic park, sorry, I would like to go to - - -

30 MR CHAPELLE: Yes.

PROF LIPMAN: - - - the sewage allotment.

MR CHAPELLE: Certainly. That's the - - -

35 PROF LIPMAN: Yes.

MR CHAPELLE: Yes, the pump station.

40 PROF LIPMAN: Yes.

MR CHAPELLE: Ben, do you want to just talk a bit about that pump station.

MR KEITH: From a – yes, from a big picture, there's a trunk sewer coming from
the north and it's quite deep. And by the time that we try to run it through the
45 development, based on current standards, it's too deep for Tweed Shire Council
standards. So a pump station was required or a lifting station required, which is
located within the park. So the trunk sewer will be relocated, so that it's between the

allotments to the east and, I think, the sedimentation basin that you spoke about or infiltration basin, into the pump station, lifted and then reticulated through the development.

5 PROF LIPMAN: Is this a separate allotment?

MR CHAPELLE: Yes, it is.

MR KEITH: Yes.

10

MR CHAPELLE: Yes.

PROF LIPMAN: And what about the service road? Is that within the park or is it in that allotment?

15

MR CHAPELLE: The – well, that’s something that we need to work in with Tweed Shire Council; it can either be a – council will be taking over obviously the park.

PROF LIPMAN: Yes. So one will be more community land and then the other sewer pump station will be operational land. So ultimately council will have ownership and access over that. So in that sense, you know, council identified both the access driveway to the sewer pump station, but it also provided access through the infiltration and these public reserves, number 11, as well, in terms of access. So it’s sort of dual use for - - -

25

PROF LIPMAN: No.

MR CHAPELLE: Is that the one - - -

30 PROF LIPMAN: I - - -

MR CHAPELLE: - - - you were talking about?

PROF LIPMAN: I - - -

35

MR CHAPELLE: Is that – yes.

PROF LIPMAN: - - - did notice that there was a requirement that there be a 30 metre buffer - - -

40

MR CHAPELLE: Yes.

PROF LIPMAN: - - - in the pumping station to the nearest residential premises. When I looked at your plans, it appeared to indicate a 20 metre buffer. There’s a figure of 20 metres on it. If you look at the department’s report, they do say that although you indicated 20 metres, they believe that it’s feasible to have a 30 metre there. Is that your intention?

45

MR CHAPELLE: Just check the draft condition.

MR DUNCAN: From the mixed use, is it?

5 MR KEITH: From the – I know the condition you're talking about, from any residential allotment.

PROF LIPMAN: Yes, yes. Well, perhaps we can come back to that at a later stage.

10 MR KEITH: Yes.

PROF LIPMAN: But at this stage, assuming that we had a 30-metre buffer, which is required by the conditions - - -

15 MR KEITH: Yes.

PROF LIPMAN: - - - how far is it proposed – what sort of buffer are you proposing from the playground, the site of the proposed playground, to the pumping station?

20 MR KEITH: We haven't nominated a buffer.

MR WEBB: Yes, I can answer that. I think it was – from memory it was – and we had some discussions with Tweed Shire Council, when we had the session with their open space guys. I can't remember the exact dimension, but there was something
25 under their development control plan in terms of that offset from that lot. So when we laid out the park, we put that equipment – I think it might have been a 10 metre offset from the allotment where the pump station will go. But we might take that one of notice and give some more information.

30 PROF LIPMAN: Well - - -

MR DUNCAN: Can I just ask a further question. What's the sort of form of the pump station? How does it look and function?

35 MR WEBB: I was actually going to get because it's probably maybe not as - - -

MR DUNCAN: Yes.

MR WEBB: - - - what's envisaged.
40

MS DUNCAN: Just – yes.

MR KEITH: Generally all underground.

45 MR DUNCAN: It's generally all underground, so it's - - -

MR KEITH: It's all kept underground, all underground.

MR DUNCAN: - - - not a big building or - - -

MR KEITH: No.

5 MR WEBB: No.

MR DUNCAN: Okay.

10 MR KEITH: It's not a building that's cordoned off. It's all I guess.

MR DUNCAN: Okay.

MR KEITH: So you should just be seeing a stack.

15 PROF LIPMAN: So - - -

MR DUNCAN: So - - -

20 PROF LIPMAN: - - - why is there a requirement to have a 30 metre buffer to residential property?

MR KEITH: It's an interesting one, because we did an analysis on that exact requirement and we just determined with the carbon filter that that could be reduced down to 15 metres from an odour perspective. So – yes, 30 metres is an interesting one, because I don't think it's required from a - - -

25 PROF LIPMAN: So 15 metres from an odour perspective - - -

MR KEITH: Yes.

30 PROF LIPMAN: - - - would still take in the park, which is 10 metres away.

MR KEITH: No, that's from residential dwelling.

35 PROF LIPMAN: Yes, but what I'm saying is - - -

MR MILLER: Yes. We're talking about people.

40 PROF LIPMAN: - - - then - - -

MR KEITH: People.

45 PROF LIPMAN: - - - it would mean that the odour would definitely reach the park if it was 10 metres away, instead of 15 - - -

MR KEITH: But that's - - -

PROF LIPMAN:

MR KEITH: - - - based on a 13.7 metre build height, because the stack, remember, is high.

5

PROF LIPMAN: Yes.

MR KEITH: So you're not going to get that - - -

10 MR DUNCAN: Okay.

MR KEITH: - - - the same smell from the ground level. The odour will start at a higher level and dissipate from a higher level than the park, if that makes sense.

15 MR MILLER: I see what you're saying.

PROF LIPMAN: I see what you're saying, yes.

MR KEITH: Yes.

20

MR DUNCAN: So we would like a little more clarification on

PROF LIPMAN: Yes. Unless you're sitting at the top of a slide, I imagine.

25 MR DUNCAN: yes.

MR KEITH: I hope the slide is not that high.

MR DUNCAN: the chairman was - - -

30

MR KEITH: My child would love it.

PROF LIPMAN: Yes.

35 MR DUNCAN: - - - referring to is - - -

PROF LIPMAN: Perhaps like some - - -

MR KEITH: We will take that on notice.

40

PROF LIPMAN: - - - additional information on that. The pipe does seem to be a rather strange shape. It looks like the height of the pipe has sort of been taken by the sewage allotment.

45 MR KEITH: I know.

MR WEBB: It's probably a little bit deceiving from the landscape, plan, but that – in-between where the pump station is and the new – we actually – that's outside of our boundary. That's when you get into the costal foreshore there, which is the 7F area.

5

MR MILLER: Just go to C0050. Might be the better plan to talk - - -

MR:

10 MR MILLER: Yes. It's just probably easier to talk to there's a copy, if that's useful.

MR WEBB: Yes. So it is an odd shape. If you look at that – the eastern boundary of those lots – 85 to 91 – that's actually the boundary line, and that follows that
15 down.

MR MILLER: okay.

MR WEBB: And then steps out into the 7F zone there. So that – where that
20 infiltration basically – isn't actually within our boundary there. That's part of the 7F zone there.

PROF LIPMAN: You see you've got the 20 metre odour buffer in there, which
25 should actually be 30.

MR WEBB: Yes. So I think if you look at that plan you will see that that red square is your 20 metres, whereas that

MR CHAPELLE: That brings you to the boundary.
30

PROF LIPMAN: Yes.

MR WEBB:

35 PROF LIPMAN: So there is that scope, yes. But - - -

MR WEBB: So 30 metres is the what we can confirm.

PROF LIPMAN: That's right. Is there any way of relocating the pump station or –
40 you know, to make it a little bit further away from the playground area, or - - -

MR WEBB: The short answer to that is no.

MR CHAPELLE: We tried.
45

MR WEBB: We did that with council for probably six months, and we've shifted the pump station to several different locations, and council were very specific about not having their – the pump station located within their 25 year – 2025 - - -

5 MR CHAPELLE: 2100.

MR WEBB: 2100?

MR CHAPELLE: 2100. 2100 in case the

10

MR WEBB: because of sea level rises, and then there was also some issues with having infrastructure within that zone as well. So the existing comes through there needed to be picked up within our site. So the pump station has shifted around to various locations within that open space, but in order for us to collect the sewer

15

MR MILLER: Zada, if I might – is it okay?

PROF LIPMAN: Yes.

20

MR MILLER: Our concern is the one the chairman was just referring to, that there's an odour buffer for the houses and no odour buffer for the children. And – so that's what appears from the plan. So perhaps you can just address that a little further when you come to the meeting next week. And there may be very good

25

reason why you don't need to be concerned about it, but the height of a stack may not actually be the entire engineer I'm not, so - - -

MR WEBB: Okay.

30 MR MILLER: Sorry, does that clarify the - - -

PROF LIPMAN: That's what I was trying to get at, yes.

MR MILLER: Okay.

35

MR CHAPELLE: So, obviously, as James is referring to, there is still the land – so I've just reverted back to that landscape master plan, just to sort of control where, I suppose, the primary open space in the landscapes areas are. But, extending down, we still have that – the eastern sort of coastal foreshore area which joins on the

40

eastern side of Blue Horizon Drive, and that connects to the coastal footpath. So basically all the residents will have access through to that footpath.

There is, as I was mentioning before, to the southwest, the – Casuarina has the rugby sports grounds and facilities which are all accessible to the residents of Casuarina as well, of which we can have a look at on Monday, should you wish. There is also the connection, if I just say, in terms of the shared pedestrian cycleway. So, again, from

45

the northern portion of the site that extends through to Casuarina Way, and then also we have an extension running through to the existing network to the south.

5 There is also that central spine which connects to the coastal foreshore pathway. So, essentially, what we're providing is three locations through to that coastal foreshore area. The all link back to the Casuarina town centre, which is mixed-use and child care, and then the Coles supermarket to our west of Casuarina Way.

10 PROF LIPMAN: What about the dramatic reduction to the open space requirements? Where were those changes actually made?

15 MR CHAPELLE: Well, a lot of it is actually – there was a minor reduction in the sense that you will see in the department's report to the neighbourhood park through this area here. But then also, just with the design of the individual lots themselves – so there's a lot of private open space as well. But what we have done in working through with Tweed Shire Council is actually looked at the population density and related that back to their neighbourhood design controls. So the actual Civic Park itself, for the population that we're talking about for the town centre, is actually compliant Tweed Shire Council.

20

MR MILLER: But the question was where was it before it got reduced?

25 MR CHAPELLE: Yes. So the area was – there was a reduction in the area from the Civic Park. I will just go through, because we actually supplied the department with that.

MR MILLER: I presume it's up here.

30 PROF LIPMAN: Yes.

MR MILLER: I presume it's either these here or here; I don't know.

35 MR CHAPELLE: So the green – northern – if I go the northern extension – there was an area which was provided through here to extend the pathway through – the shared cycle pathway. So that area has been removed.

MR MILLER: Yes. That's - - -

40 MR CHAPELLE: And the reason that – as we've stated to the department was that it actually takes you further away from the main crossing, which is in this location, just on the intersection through here. And probably more so that since 2009, I think, Crime Prevention through Environmental Design has probably become more of a relevant and high – a significantly high weighting for our assessment. And what it meant was that if you access through here, you had a concealment location and there
45 was no way of getting out. So from a crime prevention perspective, we wanted that activity to be on this road network where there was always public surveillance through that area. So that was probably in the order of close to 1000 square metres.

PROF LIPMAN: You've taken 3000 off the Civic Park as well; where has that gone? Into the sewerage, or not?

5 MR CHAPELLE: No. So – there has been some of that area taken off. I can't give you the exact area for the sewerage allotment.

PROF LIPMAN: Yes. It was over 6000 in Civic Park; it's now looking at 2000.

10 MR CHAPELLE: Yes. Three and a half thousand square metres. Yes.

PROF LIPMAN: Yes. That's right. So where has it gone?

15 MR CHAPELLE: Well, basically, along Grand Parade. So where this area is here – where the mixed-use precinct was – so basically it extended into this – where I've got the mouse – just through here.

MR MILLER: I see.

20 MR CHAPELLE: That was an extension of that Civic Park. But I might say that that was for a population in excess of 850 people. So we've got a 47 per cent reduction on the population, and what we've basically used is Tweed Shire Council's development and control plans for the subdivision.

25 PROF LIPMAN: But there's only about 30 per cent on this particular notification notification 6.

30 MR CHAPELLE: Yes. There was, but that was a – actually, I will say that the area where we had – I might just refer back to the first plan. I will reference that for you. So I'm just going back to Department of Planning approved – planned figure number DA40N. When that first modification came through, that development lot was actually sold to an entity called Consolidated Property, which is a different entity that owned this land. So, as part of that medication, legally they weren't obliged to undertake any modification, because that wasn't their land. So it was a separate entity. Hence why there couldn't be any review of the open space at that time.

35 PROF LIPMAN: Open space. I see. Yes.

40 MR CHAPELLE: Yes. Okay. So hence there's no link. And I might say, too, that the owners of the Coles supermarket site have also undertaken separate modifications, and hence why we're up to Mod 10.

PROF LIPMAN: Yes.

45 MR CHAPELLE: So they're not all by Clarence Property. They have by other entities that have owned the property.

PROF LIPMAN: Yes. Thank you.

MR CHAPELLE: Probably what I would say is that – I will just go back to the landscape plan and I will just reference that to you as well. So just going back to the landscape master plan, the southern park area through here – so where we've got the open space – that has actually been an area where we've been able to identify an
5 extra 1500 square meters.

MR MILLER: So you're talking about the southeast or south-western corner?

MR CHAPELLE: That's the south-western corner. Yes. That's right.
10

PROF LIPMAN: Yes.

MR CHAPELLE: And also noting that we're commensurate with the same area that we had for the infiltration basis, because obviously the total open space, may I say,
15 wasn't actually passive open space; it did include all the stormwater management areas. So, obviously, by reviewing our storm water there was been some areas that we don't need any more for actual stormwater management works because of the management plan that has been developed and is in this modification.

PROF LIPMAN: Right.
20

MR CHAPELLE: Obviously a detailed landscape plan will go in with – as part of the approval. And, as I've referenced before, Tweed Shire Council in respect to that Civic Park has provided quite a detailed list as to the number of picnic shelters, the
25 seats, the type of play equipment of which we're fully happy with to – for compliance.

PROF LIPMAN: Right. Can I just ask you, while we're on the landscape plan – I notice that you have landscaping on these roundabouts. Is that still the intention,
30 to have a bit of greenery in the corner of the main street?

MR CHAPELLE: Absolutely, yes.

MR WEBB: Yes.
35

PROF LIPMAN: All right. And this red spot here – is that to do with the surfacing of the road, or - - -

MR CHAPELLE: No. I think that was actually just our landscape architect looking at sort of a focal point with the landscape species in that area.
40

PROF LIPMAN: I see.

MR MILLER: Colourful or deciduous
45

MR CHAPELLE: Yes. That's right. That's right. So unfortunately not. It's not anything too – more special than that.

PROF LIPMAN: I did notice that there was something in the assessments you put that said that because of the high traffic density at the end of Grand Parade there was a different surfacing.

5 MR CHAPELLE: Yes.

PROF LIPMAN: So what is contemplated there, for surfacing?

10 MR WEBB: So it's basically – it's like a stencilled asphalt. So instead of having your black bitumen down, then you actually provide a stencilled asphalt which can be, you know, a varied colour from your black asphalt surface - - -

PROF LIPMAN: Right. Right.

15 MR WEBB: - - - which it's like tactile indicators on that sort of thing, so when people approach it they actually see that, that change in surface, which is supposed to make you reduce speed.

MR KEITH: Correct.

20

MR DUNCAN: Yes.

PROF LIPMAN: I see. Yes, thank you.

25 MR DUNCAN: A question on that. Are they then considered shared zones, are they, or the – the laneways?

MR WEBB: They will actually be dedicated to council.

30 MR DUNCAN: Will they?

MR WEBB: Yes.

MR DUNCAN: Okay.

35

MR WEBB: As council roads, yes.

MR DUNCAN: Yes. And they will have a – when I say “shared zone”, there's a concept where they have a speed limit and things like that or are they just - - -

40

MR CHAPELLE: Very much so.

MR WEBB: Yes.

45 MR CHAPELLE: Yes. So they are a very low speed environment.

MR DUNCAN: So the whole speed concept - - -

MR CHAPELLE: Correct.

MR DUNCAN: - - - is to bring it down and - - -

5 MR CHAPELLE: Yes.

MR DUNCAN: Yes.

10 MR KEITH: It's almost a shared zone concept - - -

MR WEBB: Yes.

MR KEITH: - - - but it will be owned by council.

15 MR DUNCAN: Okay.

MR CHAPELLE: Yes.

20 MR KEITH: Yes.

MR DUNCAN: Okay, I see. So traditionally a shared zone would be part of the title.

25 MR KEITH: Yes.

MR DUNCAN: Yes, okay.

30 MR CHAPELLE: Probably while we're just talking about open space and access, there is obviously that requirement for that additional beach access - - -

PROF LIPMAN: Yes.

MR CHAPELLE: - - - which you would have read as well.

35 PROF LIPMAN: Yes.

40 MR CHAPELLE: So we've been dealing with both Tweed Shire Council and also National Parks and Wildlife, Department of Lands and a variety of other stakeholders involved. Tweed Shire Council from our initial inquiry had illustrated that they don't sort of believe that it's desirable for a new beach access; that they've sort of identified that the existing access points suffice. And because we've been dealing with council and other stakeholders, I see that the proposed condition looks at requiring it prior to the development application being determined for the Icon building.

45 PROF LIPMAN: Yes.

MR CHAPELLE: Look, we can, I suppose live with that. We were sort of hopeful that we might have it subject to the occupation of that building, because that's the time when the surf life saving facilities would be provided in the building. And it also gives time that none of the – you know, in terms of the residential
5 housing, that the dwellings would obviously be under construction on those residential lots. Because we think there's just a bit more discussion to be had about that beach access.

10 MR DUNCAN: You just explain the surf life saving facilities. Where and what is it?

MR CHAPELLE: Okay. I'm just referencing the RPS plan density, page 5 of 9. So it has the title of "density" on the top left corner of the plan. Building F is what is commonly known as the Icon building - - -

15 MR DUNCAN: Okay, okay.

MR CHAPELLE: - - - and that will be the first building that's developed in this Grand Parade mixed use area. As part of the existing condition and, may I say, we haven't proposed any modification to that, consultation between Clarence Property and Surf Life Saving New South Wales or Australia, one of the two entities, is required to determine what space is required for facilities - - -

20 MR DUNCAN: Okay.

MR CHAPELLE: - - - facilities to be stored in the Icon building.

25 PROF LIPMAN: The facilities are still the same as were originally contemplated, are they?

30 MR KEITH: I don't think it has ever been very well defined in terms of what those facilities will be. We've had some preliminary discussions with Surf Life Saving Australia in terms of what their needs are and it is our intention to meet their needs. They haven't indicated that at this point in time that there's a need for a full surf life saving facility. More so, you know, an outpost where they can store equipment and
35 - - -

MR DUNCAN: Okay.

40 MR KEITH: - - - flags and that sort of thing. So - - -

MR DUNCAN: Okay.

45 MR KEITH: - - - again, that will be determined in conjunction with Surf Life Saving Australia as we start to the develop the plan for that building. And that will be accommodated within the Icon building itself.

PROF LIPMAN: Yes.

MR KEITH: Yes.

5 MR DUNCAN: Is – a further question then, so the discussion about the accesses, there's beach access there now on there. And this is the third one that's - - -

MR KEITH: Correct.

10 MR DUNCAN: - - - potentially debatable, is it - - -

MR KEITH: Yes.

15 MR DUNCAN: - - - with council or National Parks, is it?

MR KEITH: Tweed Shire Council have indicated that they don't feel it's required. And I believe this was before my time, but I believe Crown Lands or National Parks have all – were also not very supportive of - - -

20 MR CHAPELLE: Sorry. If I will just give you a bit of history, so if I just draw you to that same density plan, so there's an existing access here to the beach on the northern side. I'm just - - -

25 MR DUNCAN: Yes.

MR CHAPELLE: If you refer to my mouse, I'm talking about the extension of the shared pedestrian coastal cycleway. And then there's also another access just to the - - -

30 MR DUNCAN: Just there.

MR CHAPELLE: But I can't reach. Just to the south. Sorry, if I – just on our southern boundary.

35 MR DUNCAN: Okay.

MR CHAPELLE: So that's where those access points are. The condition in the original assessment talked about providing a new access point. And that may result in the deletion of one existing.

40 MR DUNCAN: Okay.

45 MR CHAPELLE: In – if my dates are correct, I think in the order of around 2010/11, the then owner of the Casuarina Town Centre made representation through to Crown Lands and National Parks and Wildlife for the construction of a beach access and that was actually refused due to ecological grounds.

MR DUNCAN: Okay.

MR CHAPELLE: So when Clarence Property acquired the site, we had made representation to Tweed Shire Council to actually try and understand what their preference and what their terms of reference would be, in additions to having
5 discussions with groups such as, you know, Surf Life Saving, there's High Performance Surf Academy at Casuarina and other users, to try and formulate a position. Hence why there has been a number of applications where we've sought its deferment, because we didn't have the answers to what that was going to be. As we
10 reached a point with this application, we were looking at, I suppose, securing additional time by having the ability to construct the Icon building, provide the surf life saving facilities, but prior to its occupation, have an answer for that beach access.

In this case, we can't actually develop the first piece of infrastructure until we know
15 about the beach access, and that just concerned us over time. So we're certainly not stepping away from the responsibility of trying to achieve that condition.

MR DUNCAN: Yes.

MR CHAPELLE: It's purely about timing. So we will – as I said, before we – the final assessment paper was done, I think, in December 2017 by Tweed Shire Council, they had identified to us their open space and actual resource department was not in favour of an additional access. The difficulty therefore that comes to us that they ultimately under the new Crown Lands Act provision, as I understand, take
25 over the responsibility and management of that. So I'm a little bit unsure as to how that's going to play out.

PROF LIPMAN: I did notice that in a previous modification you also applied for the extension of timing of the beach access construction and it was refused.
30

MR CHAPELLE: Yes, that's right.

PROF LIPMAN: So this is the same application that you're bringing now?

MR CHAPELLE: Yes. We were sort of seeking to actually bring it to a later time – well, the only reason that it has been brought forward with this application is that I think we've actually got more of a – what was a robust application dealing with the whole town centre. Before it was, again, I believe still with the other pocket land area, whereas now this is dealing with the total development of the Casuarina town
40 centre. It has also modified the staging. So we've gone from four stages down to two stages, which has therefore brought the development activity in a more condescend fashion. So – which would have changed the timing for the beach access. So I think they are different in terms of the timing.

PROF LIPMAN: We will take that advisement. We're meeting with council later.
45

MR CHAPELLE: Yes. All right. So we – as I said – certainly want to work through that – certainly want to work with them in terms of trying to satisfy it, but whether it needs some reference that, if we can't comply with that condition, we can't provide the access – the last thing we want to do is have to go through the
5 process of seeking a modification to that condition. So we would like some recognition that there is a – I suppose an avenue to at least recognise whether it can be approved or not by council. Now, council at this stage might not be able to say they can approve it or not, because that's a different arm to their natural resource section.

10 PROF LIPMAN: Right.

MR CHAPELLE: I think we're up to – if you would like to discuss a little bit the staging?

15 PROF LIPMAN: Yes.

MR CHAPELLE: Or if there's other issues you would like to - - -

20 PROF LIPMAN: No, no. Please go ahead.

MR CHAPELLE: Okay. I just want to draw you through to Newton Denny Chapelle plan, P5, subdivision staging plan. Essentially, as outlined in the department's report, the work previously four stages, which sort of identified specific
25 development of the super lots. Hence it identified when each of those residential buildings – three story or mixed use – were to be developed under the original concept plan. Obviously when we go away from developing the original concept plan, our proposal is to consolidate the staging, and in that sense what you see in red is the next stage, 1D, and from the Clarence perspective that is the delivery of all of
30 the key infrastructure for the subdivision – all stormwater, roads, electricity, telecommunications, water and sewer, and obviously the bulk earthworks are provided in stage 1D.

1E is the development of the residential or the Torrens Title subdivision. In that
35 sense, the plan is able to be developed concurrently, but the lots, obviously, in 1E can't be released until the infrastructure is done in 1D. The latter parts of stage 2 is the development of each of the mixed use and-or medium density sites. So that – hence obviously not on the plan, because this is about the subdivision, not the land.

40 PROF LIPMAN: That condition that the department has inserted replies not only the infrastructure but also the lots to be – two lots to be – as part of 1D, as I understand it.

45 MR CHAPELLE: Sorry, chair - - -

PROF LIPMAN: Sorry. There was some sort of requirement in addition to 1D – the infrastructure being provided in 1D, also the two lots that were going to - - -

MR WEBB: I think it was the lot for the pump station.

MR CHAPELLE: The – yes. The pump station, yes.

5 PROF LIPMAN: Yes. They were to be provided at that stage as well? Yes.

MR CHAPELLE: That's right. Yes, correct. And obviously, also, the embellishment of the open space areas as well.

10 PROF LIPMAN: That's correct, yes.

MR CHAPELLE: Yes. So that will be part of stage 1D.

15 MR MILLER: So just to be clear, Damien, I wasn't – thought you had said the Icon building, which is just above the carpark on 1A – that's that building there, is it?

MR CHAPELLE: It's just to the north of it, correct. That's on that lot, yes.

20 MR MILLER: That there – I thought you said that was going to be develop sooner than this indicates.

25 MR CHAPELLE: Yes. But, basically, with the condition that we need to – there's a condition of approval that says the Icon building needs to be developed before the medium density and mixed-use sites.

MR MILLER: I see. All right.

30 MR CHAPELLE: Yes. And, again, obviously, there's no built form shown on these plans because this approval purely seeks the consent for subdivision.

MR MILLER: Yes. Thank you.

35 PROF LIPMAN: So the infrastructure, including the public reserves provided prior to release of any of the lots in 2020?

MR CHAPELLE: Correct. That's correct. Yes.

PROF LIPMAN: Correct.

40 MR CHAPELLE: So, basically, we're up to – chair – other issues or draft conditions. Would you want to walk through, maybe, the draft conditions first, or would you like to – other issues?

45 PROF LIPMAN: I don't have any questions or any other issues. I don't know about Peter and Russell.

MR MILLER: No, it has been very clear. Thank you.

PROF LIPMAN: very clear. You've be very helpful.

MR CHAPELLE: I might just have Ben Keith talk about draft conditions. You may have seen some discussion concerning sewer infrastructure in the sequencing
5 documentation I can refer you to the - - -

MR MILLER: Pardon me.

MR CHAPELLE: That's condition E20D.
10

PROF LIPMAN: Yes, yes. Just speaking to my colleague. We thought perhaps might just focus on – you know, draft conditions of interest here rather than going through all of the draft conditions.

15 MR CHAPELLE: Yes, certainly.

PROF LIPMAN: Because we have looked at the draft conditions.

MR CHAPELLE: Okay. Well, I think, probably, the first one of interest will just be
20 condition E20D.

PROF LIPMAN: 23.

MR CHAPELLE: That's the demolition of the existing sewer. It's on page 23 of
25 the modifying instrument.

PROF LIPMAN: Yes. That's the trunk sewer that you've now got, that you want to get rid of and replace with the pumping station.

30 MR WEBB: Yes.

MR CHAPELLE: Yes.

PROF LIPMAN: Okay.
35

MR CHAPELLE: So what I will say, just before Ben starts, is that once the draft condition was issued, we had identified, I suppose, a query that we had with that condition. We have emailed council some recommended wording. They have come back with their wording, of which both parties are in agreement. But I will get Ben
40 just to run through what the proposal is about.

MR KEITH: At the moment, the way the condition reads is that no work can be done on the trunk sewer or within 10 metres of the trunk sewer until the proposed sewer pump station an associated infrastructure is complete and handed over to
45 Tweed Shire Council. We just wanted to amended that condition slightly to add the words "or as agreed with Tweed Shire Council" so that we could potentially look at the staging of the works, but only if and as approved with the asset owning authority.

PROF LIPMAN: So where does the or as agreed with Tweed Council come in, exactly?

5 MR WEBB: So when we – basically, it would be an additional sentence at the end of that - - -

MR CHAPELLE: Additional sentence. Yes.

10 PROF LIPMAN: At the end.

MR KEITH: At the very end. Yes.

PROF LIPMAN: An additional sentence at the end.

15 MR WEBB: So council have subsequently – council’s water and infrastructure department have reviewed our proposal, then had a discussion with them - - -

MR CHAPELLE: Yes.

20 MR WEBB: - - - and then we had written to them formally and they’ve come back with a proposed amendment to the wording.

PROF LIPMAN: So you want an additional sentence at the end.

25 MR WEBB: Yes.

PROF LIPMAN: Right.

30 MR WEBB: So we had – they’ve actually come back - - -

MR MILLER: Perhaps that could be just provided to the - - -

MR CHAPELLE: I was going to say I might – can do that.

35 PROF LIPMAN: Yes. Please send us something through.

MS A. JELFS: Yes. Send it through.

40 PROF LIPMAN: Yes. Thank you.

MS JELFS: I know Emma sent me an email late on Thursday - - -

MR CHAPELLE: Yes.

45 PROF LIPMAN: Yes.

MS JELFS: - - - on that and I haven’t sent it on yet but - - -

MR CHAPELLE: Yes. So I was just going to say - - -

MS JELFS: - - - the department was

5 MR CHAPELLE: Yes. So the department has said Tweed Shire Council has come back which we're happy with and that has been issued to the Department of Planning and I will forward that on to

10 PROF LIPMAN: That would be great. Thank you.

MS JELFS: Thank you.

MR WEBB: Probably, just to give you some background on it, the - - -

15 MR MILLER: We don't need it.

MR WEBB: Do we think we need it?

20 MR CHAPELLE: I think we've got – we've got agreement with Tweed Shire Council and the department.

PROF LIPMAN: Yes.

25 MR CHAPELLE: I think that we're - - -

PROF LIPMAN: Yes. What is the reason for your change?

MR WEBB: It was a sequencing issue with the work on site, so - - -

30 PROF LIPMAN: Right.

MR WEBB: - - - it precludes us from doing earthworks in one part of the site and then having to connect to the sewer, which adds to the three months to the works, basically.

35

MR DUNCAN: Okay.

PROF LIPMAN: Right. So that's the reason. Okay.

40 MR WEBB: Yes.

MR CHAPELLE: But, look, from a planning perspective, there's no the draft conditions that I think need any discussion. I think we just raised that one about the beach access with you and, if you are having the discussions with Tweed Shire Council, that was in the concept – modification of concept approval, condition C8, which is on page 9, where it says in the second paragraph:

45

5 *The proponent is obtain approval and any licences from the relevant agencies regarding the provision of the proposed beach access to the east of the Icon building. Evidence of the approval for the construction of the beach access shall be provided prior to the issue of the development consent for the Icon building.*

10 We would seek that the – in the last sentence, reference to the development consent be amended to say “occupation certificate of the Icon building”. So again, what that does is it preserves the requirement that the department has issued. It still requires the onus on Clarence Property to secure approvals, if they can, not until the occupation certificate. That will enable the application to be lodged for the Icon building and also for its development.

15 PROF LIPMAN: That’s condition A5, is it?

 MR CHAPELLE: C8.

 PROF LIPMAN: C8.

20 MR CHAPELLE: On page 9.

 PROF LIPMAN: Yes. C8.

25 MR CHAPELLE: Yes. Of the concept approval.

 PROF LIPMAN: Right.

 MS JELFS: So this is in addition to

30 PROF LIPMAN: This is C8 on page 9 of the - - -

 MR CHAPELLE: Yes. Correct.

35 PROF LIPMAN: Right. Right. Yes.

 MR CHAPELLE: Yes.

 PROF LIPMAN: Sorry. Just run through again what - - -

40 MR CHAPELLE: Certainly.

 PROF LIPMAN: Yes.

45 MR CHAPELLE: So the way the second paragraph is worded, it requires the provision of the beach access in terms of its approval and licences to be obtained before a development consent can be issued for the Icon building.

MR DUNCAN: Yes. Yes. Okay.

PROF LIPMAN: Yes. Yes.

5 MR CHAPELLE: What we're asking is that – if it could be the occupation certificate for the building, which therefore permits, obviously, an application to be lodged and construction commenced before that is issued. It still, however, enshrines the fact that we are responsible for securing that access and enables that process for the council.

10

PROF LIPMAN: I do note that, actually, the beach access has to be completed prior to occupation. It's just the approval for it being - - -

MR CHAPELLE: Correct. There's a little bit of a - - -

15

PROF LIPMAN: Yes.

MR MILLER: Yes.

20 MR CHAPELLE: Yes. That's right.

PROF LIPMAN: Correct. Right. We will look into that with council.

MR CHAPELLE: Thank you very much. And then that's the only reason I say it – because you're having that discussion with council, but if we can address it now - - -

25

PROF LIPMAN: Yes. Yes.

MR CHAPELLE: - - - I just thought it would be worthwhile.

30

PROF LIPMAN: Yes. That's useful.

MR D. KOPPERS: Zada, do you mind if I – just a question of clarification with your stormwater. So are we saying, just for clarification, with your infiltration areas, it's collecting in the north-east of the site and, essentially, it will run to discharge to the south-west? Is that the direction of flow?

35

MR KEITH: It's a little bit split.

MR CHAPELLE: Do you mind if I just draw you to the plan – BG&E plan C50, rev C, I think.

40

PROF LIPMAN: Yes.

MR KEITH: The catchments are slightly split, so generally there's a high point here and then some catchment runs down to a swale drain, which is in keeping with the development to the south. The swale drain then heads north, runs into the infiltration

45

basin here, there's culverts underneath the bikeway, some more infiltration basin here, which marries in with the infiltration basin or the sandy swale to the north, culvert in this location and that generally brings flow around the rear of the development and discharging at this location here.

5

MR KOPPERS: So, across the site, you've got enough bore to allow for the flow of the water and – rather than it ponding.

10 MR KEITH: Yes. Yes. So all our roads are – all our roads are, from memory, one per cent one per cent longitudinal fall, so we've got nothing outside of Tweed Shire Council's

MR KOPPERS: Okay.

15 MR KEITH: The only location I would expect some ponding would be, obviously, in the infiltration bases because they're flat. Yes. The only other thing I would say would be, in the infiltration basins, they're generally designed to pond to a maximum of 200 ml. So from a safety perspective, they will weir over at that particular point.

20 MR DUNCAN: In duration? Pretty quick. If it's sand, it will - - -

MR KEITH: Yes.

25 MR DUNCAN: Yes.

MR KEITH: Yes. It doesn't stay wet for very long, that's correct.

MR DUNCAN: Yes.

30 PROF LIPMAN: So how useful is that from the point of view of open space?

MR DUNCAN: The majority of the year, it would be quite useable. If – obviously, if it's - - -

35 PROF LIPMAN: Right.

MR DUNCAN: - - - teeming with rain, it won't be as useable.

40 PROF LIPMAN: Yes. Thank you. All right. Any other questions?

MR DUNCAN: Not from me.

45 MS JELFS: Can I just say – if you could provide in writing the amendments that we just discussed now because I know that Emma has sent me an email - - -

MR CHAPELLE: Certainly.

MS JELFS: - - - to get that from you so we can put that one out.

MR CHAPELLE: Okay. So directly to you?

5 MS JELFS: Yes. That would be great. Thank you.

MR CHAPELLE: That's fine.

PROF LIPMAN: Just – sorry, Alana.

10 MS JELFS: Yes. No. No. That's fine. I was just asking if those amendments

MR CHAPELLE: Certainly.

15 MS JELFS: Yes.

PROF LIPMAN: I just had one other question. Are you coming to the public meeting?

20 MR CHAPELLE: Yes.

PROF LIPMAN: And will you be speaking?

MR CHAPELLE: Well, I was – the issue – I was actually going to ask a question.

25 Would you like us to address the odour at the site meeting or at the actual public hearing meeting? What's the - - -

PROF LIPMAN: Well, I think that - - -

30 MR CHAPELLE: Because you've asked us to come back to you with a bit more information.

PROF LIPMAN: We would like the information in writing.

35 MR WEBB: Yes. Before we - - -

MR CHAPELLE: Okay.

PROF LIPMAN: In advance of the meeting, preferably.

40 MR WEBB: I think that would be wise.

MR CHAPELLE: Yes.

45 PROF LIPMAN: Well, if you're interested in speaking at the public meeting and giving us an idea of – you know, one of the problems is that there have been so many modifications and changes, even as a response to the submissions that were made in

your RTS. We thought it might be useful for people to know exactly what is currently being proposed.

MR CHAPELLE: Yes.

5

PROF LIPMAN: But only if you feel like doing that.

MR CHAPELLE: No. Absolutely. I actually, on Wednesday night, presented to the Casuarina and Salt Residents Association - - -

10

PROF LIPMAN: You did?

MR CHAPELLE: - - - and there would have been in the order of about 50 people there. Apart from asking when the lots will be available for sale, they were very, very comfortable with it. I think – if I – and I won't keep you too long – the issue that we had – when the first modification – mod 10 was lodged in – it talked about an increase in lots from - - -

15

MR MILLER: Yes.

20

MR CHAPELLE: - - - 90 to 170.

PROF LIPMAN: Yes.

MR CHAPELLE: And, unfortunately, I suppose, in the goodness of time, there has been many new residents to Casuarina and they saw that as a significant increase in the density. That message that we're actually reducing the density got lost. So for us, it was about actually informing the community and we had drop-in days for the community and then, obviously, we've been speaking to Mr Mark Grundle, who's the president of the Residents Committee, about what's actually happening. So I think that's sort of illustrated by 105 objections to now going down to, you know, I think what have been 10 or 11 in terms of the numbers of separate submissions.

30

PROF LIPMAN: Yes. Yes.

35

MR CHAPELLE: But, certainly, I can run through that for you at the hearing.

MR MILLER: I think it would be very helpful to frame the discussion.

40

PROF LIPMAN: Yes.

MR CHAPELLE: Yes. Certainly.

PROF LIPMAN: Well, if you - - -

45

MR CHAPELLE: All right. I will put a formal request in.

PROF LIPMAN: Only if you would like to. I mean, feel free to - - -

MR CHAPELLE: No. Definitely. To be honest, we're just seeking a little bit of guidance, so we will certainly have gone through that. That's fine.

5

MR MILLER: Very good.

PROF LIPMAN: And, look, this has all been tremendously helpful. As you know, we will be coming down for a site inspection as well.

10

MR CHAPELLE: Yes.

PROF LIPMAN: We've got the public meeting and we will also be meeting with council - - -

15

MR CHAPELLE: Great.

PROF LIPMAN: - - - so we will be going through all of those processes and gathering information on those, so - is there anything else you would like to discuss or - - -

20

MR CHAPELLE: No. I don't think so. Just thank you for your time.

MR WEBB: Yes. Thanks for that.

25

MR MILLER: Thank you.

PROF LIPMAN: Thank you.

30

MR CHAPELLE: It has been very good talking to you.

PROF LIPMAN: And we look forward to getting that information.

MR CHAPELLE: We will see you on Monday, I think - - -

35

PROF LIPMAN: Yes.

MR MILLER: Yes.

40

MR CHAPELLE: - - - for the site inspection.

PROF LIPMAN: Yes.

MR MILLER: Yes.

45

PROF LIPMAN: Yes.

MR MILLER: Yes.

MR CHAPELLE: So you've got the plan – the meeting location.

5 MS JELFS: Yes.

MR CHAPELLE: Great.

PROF LIPMAN: Yes.

10

MR CHAPELLE: All right.

PROF LIPMAN: We will close the meeting now.

15

RECORDING CONCLUDED

[12.49 pm]