

Submission 1 - Object

We strongly REJECT the proposal to extend the building height to 15.4m which is over 13% increase on the current approved building heights.

The floor to floor heights between the floors can be decreased to ensure the max building height meets the current approved 13.6m height limit.

We the residents of Casuarina were promised by the Tweed Shire Council plus the State Government when the planning guidelines were amended that the maximum height would be 13.6m which would be enforced on ALL future developments.

If this gets approved it sets the precedence for future developments and the height will increase further and further.

We are seeking your support to REJECT the proposal to increase the building heights.

Much appreciated

Submission 2 - Support

I live in close proximity to this proposed development. I think it is a great idea. The community is not greatly served by the existing approval of adding another 18 home units plus a little more retail the community is better served by having specialist medical clinics easily accessible and is a logical forward step from the newly opened tweed valley hospital close by.

There are already 2 home unit developments adjacent to this proposed development that will provide 100 units approx.

I do not mind the proposed "roof top" sitting area which will allow employees and patients a space to wait for appointments, have a bit of lunch etc. I would only support this if it was made available to the public as well as onsite staff

Submission 3 - Object

I would like to object to the change of use for 10 grand parade on the following grounds:

The detrimental impact on the neighbouring properties on Sunray lane as patients and support persons arrive and leave from procedures- sometimes in ambulances with medical staff- and often early in the morning. Sunray lane is very narrow and was only designed as a rear access point for residential units.

I disagree with the traffic assessments based on how busy the specialist centres are on the Gold Coast and tweed heads all day long. The approved plan for residential unit zoning would allow Sunray lane to be a quiet residential lane as it was designed to be, apart from the peak hours when residents leave for work and return home.

The constant lighting that emits from specialist medical suites and lack of privacy for the properties on Sunray lane suggested in the concept plan (glass on every level looking directly into the homes) is not appropriate in a residential area in such close proximity to neighbouring homes.

The current mix of residential above and retail zoning on the street level of Grand parade also supports the development of Grand parade as the main tourism and recreational hub for casuarina and kings forest residents as well as the many visitors to the area- it being the most direct access to the beach from Tweed coast road. Playparks, BBQ areas, parking and open spaces have already been installed by Tweed shire council to compliment this vision.

Allowing a development of specialist suites of this size will significantly change the area and damage the tweed locality plan and vision for the main beach street of casuarina.

Submission 4 - Object

I strongly REJECT the proposal to extend the building height to 15.4m which is over 13% increase on the current approved building guidelines.

The residents of Casuarina were promised by the Tweed Shire Council and the State Government when the planning guidelines were amended that the maximum height would be NO MORE than 13.6m which would be enforced on ALL future developments.

I am seeking your support to REJECT the proposal to increase the building heights more than the approved 13.6 m.

Submission 5 - Object

To Whom It May Concern:

I am writing to formally lodge an objection to the proposed development of a three-story building with a partial fourth story rooftop terrace at the Casuarina Town Centre. While understanding the need for development and modernisation, I have the below significant concerns regarding privacy, non-compliance with current housing regulations, and potential negative impacts on the local community.

Privacy Concerns

Overlooking and Loss of Privacy: The proposed rooftop terrace on the partial fourth story raises serious concerns about overlooking into neighbouring properties. Residents living adjacent to the development will experience a significant invasion of privacy, as individuals on the terrace will have a direct line of sight into private homes and backyards. This is particularly troubling for families with young children and those who value their private outdoor spaces.

Noise Pollution: Rooftop terraces are often used for social gatherings and events, which can result in increased noise levels. This noise will undoubtedly disturb the peace and quiet that the current residents of Casuarina cherish. The potential for late-night gatherings and the associated noise pollution will negatively affect the quality of life for nearby residents.

Non-Compliance with Housing Regulations

Height Restrictions: According to the current housing regulations and zoning laws in Casuarina, there are strict height restrictions in place to maintain the area's character and ensure uniformity in building heights. The proposed partial fourth story exceeds these restrictions, setting a concerning precedent for future developments. This overstepping of established guidelines undermines the integrity of the planning process and could lead to further non-compliant structures.

Shadowing and Sunlight Access: The additional height will cause significant shadowing on adjacent properties, reducing their access to natural sunlight. This can have adverse effects on the residents' well-being and the energy efficiency of their homes, as they may need to rely more on artificial lighting and heating.

Impact on Community and Environment

Community Character: Casuarina is known for its low-rise buildings and community-focused environment. The introduction of a taller structure disrupts this character and can lead to a domino effect, where other developers seek similar approvals, fundamentally altering the town's landscape and character.

Environmental Concerns: Increased population density and construction activities can have negative environmental impacts, including increased waste production, higher energy consumption, and potential damage to local ecosystems. The rooftop terrace, in particular, could exacerbate these issues through increased foot traffic and potential misuse.

Conclusion

In conclusion, while development is essential for growth, it must be balanced with the need to preserve community values, privacy, and adherence to existing regulations. The proposed three-

story building with a partial fourth-story rooftop terrace in Casuarina Town Centre poses significant privacy issues, fails to comply with current housing regulations, and threatens the character and environmental sustainability of our community.

I urge the planning committee to reconsider the approval of this development and explore alternative designs that align with our town's regulations and values. Thank you for considering this submission.

Submission 6 - Object

As a young Mum with young children & living in the area I do not agree with the proposed development at 10 Grand Parade, Casuarina NSW 2487.

The proposed development is NOT compliant with the original master plan commencing of mixed-use lots of residential and retail. We were told there was a 3-story height limit, this proposal is asking for a 4th level. My young children ride their bikes along Candlenut Street, with the estimated amount of traffic 119 cars per hour in peak times with Sunray Lane being the entry and exit to parking - A question has anyone taking the time to see how narrow Sunray Lane is? This will cause traffic chaos not only in Sunray Lane but also Candlenut Street (very small street) and Habit Drive both being directly off Sunray Lane, adversely this proposal will affect the whole of the Casuarina Town Centre.

I believe a submission has been made to the Tweed City Council for a specialist medical services centre to be built next to the new Tweed Hospital, this would make more sense being a commercial area. Casuarina Town Centre is a family friendly area please do not spoil what we have worked so hard for, we have a state-of-the-art Hospital 5 minutes away and a medical centre already in the Casuarina Town centre. We do Not want this project to go ahead.

Submission 7 - Object

- The original plan for Casuarina Town Centre is Residential mixed use, not a commercial medical facility;
- How can cars be expected to manoeuvre entries & exits from Sunray Lane legally, and safely, this is a very narrow Laneway and not a street;
- I would like my children to be able to walk to the school bus, ride their bikes & play at the Casuarina Town Centre Park. Unfortunately, this will be impossible should this medical facility go ahead – the Town Centre will not be able to accommodate the volume of traffic the proposed medical services will create;
- This proposal is not compliant with the original Master Plan;
- There is a new very large Tweed Heads Hospital 5 minutes from the Casuarina Town Centre, there is plenty of Dr's & specialists already in the Casuarina/Kingscliff Tweed Heads area;
- A rooftop terrace does not comply with current height regulations.

Submission 8 - Support

I fully support this development as I see it as a key feature for the area.

Submission 9 - Object

RE: Casuarina Town Centre Concept Plan Modification 15 - MP 06_0258 MOD 15 (10 Grand Parade, Casuarina - Lot 51 in DP1264557)

I am writing to strongly object to the proposed modification for the above development. This proposal significantly deviates from the original master plan for the Casuarina Town Centre, which was designed to include low and medium-density residential, retail, commercial, and mixed-use lots. The proposed changes undermine the integrity and intent of this master plan, bringing forth numerous concerns for the community.

Firstly, the proposed modification seeks to increase the approved building height from three storeys with a partial fourth storey to a full four storeys. This drastic change is concerning for several reasons:

1. **Aesthetic and Visual Impact:** The increased height will overshadow surrounding buildings, disrupting the visual harmony and character of the neighbourhood.
2. **Non-Compliance:** The modification is non-compliant with the existing planning guidelines that were established to maintain a balanced and cohesive urban environment.
3. **Expectation of Residents:** As homeowners, we were marketed a vision of low to medium-density residential beachside living, and many of us paid a premium for this lifestyle. The proposed changes not only betray that vision but also significantly alter the character of the community we invested in. This shift feels misleading, as we bought into this dream with the understanding that the integrity of the original master plan would be maintained.

Secondly, the introduction of a medical precinct brings additional issues:

1. **Traffic and Noise:** A medical precinct will attract a significant increase in traffic, including delivery trucks and emergency vehicles, contributing to noise pollution and congestion. This change will adversely affect the quiet residential nature of the area.
2. **Parking and Safety Concerns:** The proposed entries and exits to three levels of parking for this development are to be located on Sunray Lane, a narrow laneway already struggling with limited space. Sunray Lane, which only accommodates two homes built to boundary, is not designed to handle high traffic volumes. The proposed access points lack the necessary infrastructure for safe and efficient traffic flow.

Moreover, the traffic implications are severe:

1. **Inadequate Infrastructure:** As noted, Sunray Lane is not a functional road but a laneway, which is inadequate for the proposed traffic load. The narrow width and close proximity of entries and exits pose a risk for traffic accidents and bottlenecks.
2. **Increased Congestion:** Candlenut Street, one of the proposed entry points, is a small street with limited capacity, already bordered by three small allotments. This will lead to further traffic build-up and inconvenience for current residents.
3. **Significant Traffic Increase:** During peak hours, traffic on Sunray Lane is projected to increase from less than 20 cars per hour to over 119 cars per hour, dramatically escalating congestion and the potential for accidents.
4. **Future Development Impact:** Habitat Drive, another entry and exit point, will soon accommodate future apartment living with underground parking. The additional traffic from this development will exacerbate congestion on Sunray Lane, making it unmanageable.

Additionally, the environmental and community impacts are concerning:

1. **Waste Generation:** The 30 specialist medical rooms will produce significantly more waste compared to the originally planned 18 residential units and 300m² of retail space. What kind of waste will this result in, and how will it be managed?
2. **Loss of Community Character:** The transformation of the mixed-use area into a 100% medical

specialist centre is in direct conflict with Casuarina's vision. Such facilities should be situated near hospitals or within commercial areas, not within predominantly residential zones.

In light of the current housing shortage in NSW, it is more prudent to adhere to the original proposal, which emphasises low and medium-density residential, retail, and mixed-use lots. This approach aligns with the community's needs, supports sustainable development, and preserves the original vision for the Casuarina Town Centre.

I urge the planning authorities to reconsider this proposal in favour of maintaining the integrity, safety, and liveability of our community. The proposed modifications present significant risks and detriments that outweigh any potential benefits.

Thank you for your attention to this matter.

Submission 10 - Object

This project is so far away from what is needed on Casuarina and the Grand Parade area. The whole premise of this area is to supply accommodation and retail in order to have a town centre that brings the community together. The original approval is completely adequate and in keeping with the needs of the beachside community.

Additionally, medical services are supplied at the new hospital, only metres away and the proposed new private hospital right next door to the public hospital. It would make much more sense to allow medical to be in the same district.

Furthermore, Kings Forest will be a much bigger community and therefore a medical centre of this magnitude would be better there than beside the beach in Casuarina.

Submission 11 - Object

When we purchased this block we did so on the basis of the Town Centre plans and approvals at that point, and based our purchase price on those factors. We find it objectionable that an applicant can simply attempt to take a clearly residential space and turn it into a commercial one. IN FACT THIS GOES COMPLETELY AGAINST WHAT LOCAL AND FEDERAL GOVERNMENTS ARE TRYING TO DO WITH THE SHORTAGE OF HOUSING IN AUSTRALIA AND NSW. Adding over 100 new car spaces with the resulting additional traffic flow adds a completely new dimension to what was envisaged to be a quiet residential zone. The road and other infrastructure here does not support the traffic flow for over 100 new cars, and their constant moving in and out. I have no idea to what extent the additional height affects our block, as we have views in that direction, and part of the additional height is solid construction. Lastly this whole application makes no sense anyway as this area is now served by a brand new hospital in Kingscliff with space I believe for doctors to practice. Clearly this application should be TOTALLY REJECTED IN ITS ENTIRETY.

Submission 12 - Object

Casuarina Town Centre Concept Plan Modification 15 - MP 06_0258 MOD 15
10 Grand Parade, Casuarina – Lot 51 in DP1264557

I object to the above proposed development.

- The Tweed Shire Council have noted that the original proposed plan for 10 Grand Parade, Casuarina was for a 3-story high building with ground level parking. The current proposal is asking for an increase in height to accommodate an extra 4th level, this exceeds the maximum height limit of 13.6 metres. This proposal is in conflict with the approved land use and the building height;
- Casuarina Town Centre is a beachside suburb being a predominately residential area – The new 430-bed Tweed Valley Hospital is a 5-minute drive from Casuarina – this would seem like a better suited option for a specialist medical centre;
- The above proposal requires parking entries and exits from a road and not a Lane Way - Sunray Lane is very narrow at only 6m wide with 2 residential homes built to boundary, it is predicted that there will be 119 vehicles in the AM peak period with 85 vehicles in the PM peak period, this predicted amount of vehicles will cause traffic chaos not to mention the safety implications and cascading effect this will have on the adjoining entries to Sunray Lane from Candlenut Street and Habitat Drive.
- The original concept was for 18 residential units with 300m² of retail, the above proposal for 30 specialist medical suits will greatly increase the amount of waste.
- This current proposal shows a lack of consideration to the whole of the Casuarina Town Centre.

Submission 13 - Object

the increase in building height is for more than just a 'lift over run' it is for a portion of the roof structure - where will it stop!

the projected increase in traffic is 560% higher than that which was projected for the mixed use medium density residential originally planned

there is projected to be 119 vehicles per hour at AM peak period and 85 vehicles per hour at PM peak period

all of this traffic will enter & exit the building on Sunray Lane which is a narrow laneway and an unreasonable amount of traffic on a narrow residential lane

this proposal removes the entire residential element out of the project at a time when we need more housing

the proposal is not in alignment with the master plan of the casuarina town centre

there are much better options for a special medical centre - the built form is an eye sore

Submission 14 - Object

I am resident and owner in Casuarina Town Centre. There here are my objections:

the increase in building height is for more than just a 'lift over run' it is for a portion of the roof structure - where will it stop!

the projected increase in traffic is 560% higher than that which was projected for the mixed use medium density residential originally planned

there is projected to be 119 vehicles per hour at AM peak period and 85 vehicles per hour at PM peak period

all of this traffic will enter & exit the building on Sunray Lane which is a narrow laneway and an unreasonable amount of traffic on a narrow residential lane

this proposal removes the entire residential element out of the project at a time when we need more housing

the proposal is not in alignment with the master plan of the casuarina town centre

there are much better options for a special medical centre - the built form is an eye sore.

Submission 15 - Object

the projected increase in traffic is 560% higher than that which was projected for the mixed use medium density residential originally planned

there is projected to be 119 vehicles per hour at AM peak period and 85 vehicles per hour at PM peak period

all of this traffic will enter & exit the building on Sunray Lane which is a narrow laneway and an unreasonable amount of traffic on a narrow residential lane

this proposal removes the entire residential element out of the project at a time when we need more housing

the proposal is not in alignment with the master plan of the casuarina town centre

there are much better options for a special medical centre.

Submission 16 - Support

This looks fantastic and is a very suitable development for the area.
Thankyou.

Submission 17 - Object

RE: Casuarina Town Centre Concept Plan Modification 15 - MP 06 0258 MOD 15

(10 Grand Parade, Casuarina – Lot 51 in DP1264557)

We object to this proposal for the following reasons:

- **Overall Height:** the increase to a partial 4th storey is a substantial departure from the original approved master concept plan. Further to this, the increase in height is not only an increase in the number of stories but it is also in excess of the maximum height limit of 13.6 metres applicable to this part of Casuarina. Furthermore, the structure over the 13.6m height is not limited to just a portion of lift over run but includes the roof structure itself. This is unnecessary and whilst there is no additional shadowing created it is still evidence this is not substantially the same development as the approved concept plan.
- **Overall Height:** even without the partial 4th storey, the 3 level portion of this building is unnecessarily high and in fact almost reaches the maximum 13.6m height limit with just the 3 storeys. The first 2 floors are 4.2m high and 4.1m high and the third floor is 3.0m high. This in itself seems unnecessarily excessive and raises the question as to why. The original intended design (DA lodged with Tweed Shire Council) was significantly lower than this and still achieved ceiling heights in excess of 2.7m to each level
- **Overall Height:** The submitted architectural drawings provide shadow diagrams of a very vague nature and we raise a question as to the accuracy of these diagrams. The previously submitted plans (from DA22/0079) had a lower overall building height and yet indicated shadow diagrams with a greater apparent impact than these plans. We request that this detail be verified and furthermore request that the shadow created by the partial 4th storey also be shown for the purpose of absolute clarity
- **Traffic:** There is a significant error in the traffic report. The traffic report by TTM states that Sunray Lane has an approximately 7m wide carriageway – this is incorrect and measures at exactly 6.0m. This casts doubt over the validity of rest of the report
- **Traffic:** the increase in traffic volume on a narrow laneway is unacceptable
- the traffic report demonstrates there will potentially be 119 vehicles per hour in the AM peak period and 85 vehicles per hour in the PM peak period. This is an astronomical amount of traffic on a small residential laneway fronted by 2 residential dwellings. We were encouraged by the developer and council to have our driveways come off the laneway and we did as requested with our garage being only 1.0m off the boundary. This proposal has the new building and therefore driveway entry and exit points right on the boundary line
- **Traffic:** the traffic report states that the local road network can support the additional traffic generation as it disperses across the network of local roads, but this ignores one very important point – 100% of this traffic enters and exits via Sunray Lane which is a 6m wide laneway with residential homes built 2.0m and 1.0m from the boundary. Whilst it may be possible that Casuarina Way and Tweed Coast Road can support the additional traffic, Sunray Lane, Habitat Drive and Candlenut Street clearly cannot cope with this level of increased traffic.
- **Traffic:** the traffic report mentions there is spare capacity in the local road network. This ignores another important point – none of the 7 medium density sites (excluding 10 Grand Parade) are yet occupied and therefore the impact on the local road network is yet to be felt from a further 233 residential dwellings (taken from the yield estimate on the approved concept plan). In addition to a further 233 dwellings (plus the originally approved 18

dwelling from 10 Grand Parade) there is also the traffic generated by the mixed use element proposed for the entire length of Grand Parade.

- **Traffic:** It is unreasonable that one of the smallest of 8 medium density sites would be permitted to use up an excessive amount of the spare capacity of the local road network
- **Traffic:** as the residents on Sunray Lane we request a more detailed traffic impact assessment is prepared which does not simply reference generic 'local roads' and their supposed capacity but assesses the true capacity of a 6.0m wide laneway and measures the direct and real impact on the residents who live on this laneway
- **Not substantially the same development:** the stamped approved concept plan nominates 10 Grand Parade as 3 storeys high with ground level carparking. This modification now seeks for the approval of a partial 4th storey, ground level parking and a further 2 full levels of basement carparking. **This is a major departure from the original development and therefore does not sit within the framework expected for a section 75W modification of an approved concept plan (see below for copy of state approved concept plan)**
- **Not substantially the same development:** the proposal is requesting a removal of the entire residential portion of the approval – this in the midst of a housing crisis – is enough to demonstrate this is not substantially the same development as the approved concept plan
- **Change of Land Use:** the planning report submitted clearly demonstrates that Tweed Shire Council have noted this proposal is clearly in conflict with the **approved land use and building height**. This proposed change of land use is simply an attempt to leverage off the new Tweed Hospital. Proposing a medical precinct in the middle of a vibrant coastal community is entirely out of step with the original intent of the approved concept plan
- **Change of Land Use:** the prospect of changing the mixed use element of the Casuarina Town Centre from a mix of retail, restaurants, cafes and other local business to a 100% medical specialist centre is in direct conflict with the vision for Casuarina which is a vibrant coastal hub. A specialist medical facility should be either adjacent to a hospital or in a purely commercial area. This is a predominately residential area.
- **Change of Land Use:** it is one thing to modify a concept plan whilst it is still in the planning stage, but once all of the residential lots have been sold and built on, it is unreasonable and deceptive to then change the land use of remaining parcels. Residents/purchasers saw value in their purchase based on the approved concept plan
- **Built form:** The built form of this specialist medical centre could not be further from the expected design and built form of a medium density mixed use building in a beachside residential suburb. I am unaware of a precedent for this type of development in a beachside, almost beachfront location
- **Loss of amenity:** The direct impact of 101 carparks over 3 levels and expected traffic of 119 vehicles per hour (or approx. 2 vehicles per minute) at AM peak period and 85 vehicles per hour (or approx. 1.4 vehicles per minute) at PM peak period will result in a drastic loss of amenity for the residents of 5 Habitat Drive and 6 Candlenut Street whom both have their northern boundaries fronting into Sunray Lane.
It will be difficult enough to exit the garage of 5 Habitat Drive just simply with the prospect of a 3 storey structure built to the boundary on the opposite side of the lane – let alone to have that many vehicles to contend with.
There will be an excessive amount of visual pollution, noise pollution and traffic pollution (petrol fumes) caused by this many cars, all 2.0 metres from a living area, dining area and kitchen, all addressing the northern boundary of Sunray Lane
It was always expected that 10 Grand Parade would be rear loaded onto Sunray Lane but this volume of traffic was never demonstrated as a possibility in the approved concept plan
- **Loss of amenity:** there will be an increased amount of waste generated by 30 specialist medical rooms that would never have been generated by 18 residential units and 300m² of retail space as per the original DA lodged plans for 10 Grand Parade

- **Inappropriate location for medical centre:** there are more appropriate locations for a specialist medical centre. The centre of a residential area is not an appropriate location

Submission 18 - Object

RE: Casuarina Town Centre Concept Plan Modification 15 - MP 06_0258 MOD 15 (10 Grand Parade, Casuarina - Lot 51 in DP1264557)

We strongly object to the proposed modification to the Casuarina Town Centre Concept Plan. This proposed modification is not what residents who purchased property in this development signed up for and feels misleading compared to the original developer plans.

Height and Scale Issues

The proposed addition of a partial 4th storey is a major change from the original plan. This extra height exceeds the maximum limit of 13.6 metres and includes more than a lift overrun. This change makes the development significantly different from what was originally approved. The shadow diagrams provided are unclear and are likely inaccurate. We need a detailed and accurate depiction of the shadow cast by the partial 4th storey.

The design does not transition smoothly to neighbouring properties and disrupts the area's established visual appeal. Every resident who has built here followed strict standards to maintain the character and harmony of the community. This proposed design fails to meet those standards and feels misleading given the original premise for buying property in this development. We have extreme concerns over this.

Traffic Impact

The traffic report by TTM inaccurately states that Sunray Lane has a 7m wide carriageway, but it is 6m. This error raises concerns about the report's legitimacy. The projected traffic volume of 119 vehicles per hour during the AM peak and 85 vehicles per hour during the PM peak is too high for a narrow residential laneway like Sunray Lane. This increase in traffic poses safety risks and degrades the quality of life for residents. The report wrongly claims that the local road network can handle this additional traffic, ignoring that all of it will enter and exit via Sunray Lane. This lane and the surrounding roads cannot manage such an increase in traffic volume.

Changes from the Original Plan

The proposed modification is a major departure from the original plan, adding a partial 4th storey, ground-level parking, and two full levels of basement parking. This substantial change undermines the integrity of the approved development plan. Removing the residential portion during a housing crisis is irresponsible and hurts our community's need for housing.

Inappropriate Land Use

The planning report shows that this proposal conflicts with the approved land use and building height. Turning the mixed-use area into a 100% medical specialist centre goes against Casuarina's vision as a vibrant coastal hub. These facilities should be near hospitals or in commercial areas, not in predominantly residential zones. This change undermines the character and purpose of our community.

Impact on Community

We bought into this area with young children because it was meant to be a safe, family-oriented community with minimal traffic. This proposal will change this drastically. The increased traffic and parking will greatly affect residents, causing visual, noise, and traffic pollution. Residents will also

suffer from the same excessive visual and noise pollution, and traffic fumes due to the proximity of numerous cars. It's already difficult getting through the roads with cars parked on both sides.

The traffic volume was never anticipated in the original concept plan, making this modification highly disruptive. The specialist medical rooms will produce much more waste compared to the planned residential units and retail space, further straining local waste management resources.

Compliance Concerns

Ensuring that the development remains solely for specialist medical rooms is doubtful. There is a concern that this might be a tactic to bypass initial car parking requirements. We worry about how this will be monitored and enforced.

We urge you to reconsider this modification and maintain the original vision and standards of our community.

Submission 19 - Object

Dear sir/ Madam,

I would like to object to the proposed change of use to specialist medical suites due to the amount of extra traffic it would Bring to the area.

Sunray lane is a tiny residential lane with houses built right up to it- Raintree lane, which is identical and runs paralell to it is very quiet and used as a play area for the children of the residents of that lane. It is absolutely not designed for or suited to the heavy traffic that would be brought in by the proposed development.

This traffic issue extends beyond the laneway- currently there is an issue with simply getting garbage trucks down candlenut st and habitat drive when there are cars parked on both sides of the street! The streets are narrow and were not designed to cater for heavy traffic.

I also object on the grounds that it does not fit with the tweed locality plan for the area- it would seem a very odd building to have in a beachside tourist destination and residential area.

Submission 20 - Object

I object to the proposed modification of the Casuarina Town Centre Development.

The traffic impact on Sunray Lane is extensive, surely the driveway could have been accommodated on another side road rather than the laneway. Current laneways within the subdivision are already full of parked cars that do not fit within the garage or driveways of dwellings. The traffic report has more than 10 times greater than the previous development. Shown in table 6.2 and 6.3 in the traffic report. I have experienced problems with not being able to access my own home when trucks or cars are parked on both sides of the street, let alone a small laneway.

The height of the development has been modified. Whilst building my own home, I was not able to exceed 13.6 metres. Why should anyone else be allowed to exceed this limit. Pama is an example where the height is exceeded and why should other developments be allowed to build higher? A fourth storey deck is unnecessary.

A specialist medical centre is inappropriate for this subdivision which is predominantly residential.

I strongly object to this and other developments being allowed to build outside the rules when others have had to compromise to be able to stay within the rules.

Submission 21 - Object

I am writing to object to the abovementioned request to modify the current approval for the Casuarina Town Centre Concept Plan (MP06_0258), which is currently on exhibition.

I am a resident in the Town Centre area.

The grounds of objection are as follows:

- The proposed development is not an appropriate land use on this site.
- The proposed development is not consistent with the existing (and expected as per the current Concept Plan) character of the Town Centre area.
- The proposed specialist medical centre is not a permitted land use in the current Concept Plan for the Casuarina Town Centre, nor is it a permitted use in the current Council zoning.
- The approved use for the site is a three story mixed use medium density development, with commercial (mainly retail) tenancies on the ground level fronting Grand Parade and residential dwellings on the upper two levels.
- The proposed development does not include any residential dwellings, as envisaged in the current Concept Plan.
- The proposed development does not achieve the Department of Planning's objective (when it approved the current Concept Plan) for the site to have a strip of mostly retail uses along the the Grand Parade frontage to provide a connection between Habitat Drive and the park/foreshore area.
- The proposed development does not have the street activation along the Grand Parade frontage as required in the current Concept Plan. This requirement was recommended by the Department of Planning when it approved the current version of the Concept Plan.
- When the Department of Planning completed an assessment report for the previous request to modify the Concept Plan in 2018, it noted that the approved Concept Plan incorporates land uses with active street frontages along the entire length of Grand Parade to the park and foreshore area.
- The Department of Planning was of the view in its 2018 assessment report that any departure from this form of land use would result in an adverse urban design outcome which would be inconsistent with the intended village feel of GrandParade; it would be a discontinuance of the strip of retail uses connecting Grand Parade to the park/foreshore area; and it would present a lack of visual interest to the street frontage.
- The requested increase in building height is not consistent with the current approved Concept Plan.
- The proposed development will result in a significant increase in traffic movements, over and above the number of traffic movements which would be generated by the mixed use medium density residential approved for the site in the current Concept Plan.
- The additional traffic movements generated by the proposed development will mostly obtain access via Grand Parade, which is currently used by pedestrians to get to a large children's playground, and also by pedestrians and cyclists to gain access to the very popular foreshore pedestrian walkway and cycleway. This level of usage will increase significantly in the near future when the Kings Forest development is released, as it has a direct pedestrian/ cycle path link to the Casuarina Town Centre and Grand Parade.

- All of the vehicles entering and exiting the on-site carpark in the proposed building will use Sunray Lane, which is a narrow laneway which is inadequate in width for the additional number of traffic movements which will be generated by proposed development.
- The site is a considerable distance from the new Tweed Valley Hospital, and there are much more suitable sites for the development of a specialists medical centre, including in the town of Kingscliff, where the hospital is located, and in the new Kings Forest development.

Submission 22 - Object

As older residents of this estate these objections are written in an informal format. At this time we cannot forward a professional objection to the proposed modification of the Casuarina Town Centre Concept Plan Mod 15.

Objections are expressed in layman's terms in the hope and trust they can be noted in support of our neighbours who also strongly object to the proposed modification.

The estate was originally touted as a family friendly environment, with much less intrusion of retail areas and built up areas particularly along Grand Parade.

Families who originally purchased land and built homes here did not envisage such high density living, which will be likened to inner city built up commercial areas. This is far more than medium density residential, retail, commercial and mixed use lots originally proposed.

This is a full scale professional Medical Centre taking up an extra storey, higher than any other building in the area, blocking sunlight and creating much more traffic chaos on a daily basis.

The escalated modifications will undermine the serenity of a beachside estate. The roads and lanes are already too narrow to cope with the increased traffic and further proposed traffic.

Living opposite the construction of Pama Resort (which has 47 apartments) for the past year has already subjected the neighbourhood to noise pollution, dust pollution, air pollution: tradesman parking everywhere, not only in Grand Parade but up and down our street on both sides, quite often parking us in and providing one traffic lane for through traffic. Residents are forced to walk on roadways because the path is continually blocked off.

The streets are fast becoming too narrow for the abundance of traffic and will continue to become more inadequate as the proposed development of 10 Grand Parade gets underway.

The residents living in Sunray Lane, 5 Habitat Drive and 6 Candlenut Street will be severely compromised not only with the construction process but the forever looming 4 storey construction of a Specialist Medical Centre in this area which seems totally inappropriate and unnecessary. The traffic it will attract is incomprehensible when there is a brand new 'state of the art' Tweed Valley Hospital which offers all facilities necessary.

Submission 23 - Object

RE: Casuarina Town Centre Concept Plan Modification 15 - MP 06_0258 MOD 15 (10 Grand Parade, Casuarina - Lot 51 in DP1264557)

We, like every neighbour in this area we have talked to, strongly object to the proposed modification to Casuarina Town Centre for the following reasons:

1. Height and Scale

a. Excessive Height: The proposed addition of a partial 4th storey is a substantial deviation from the original approved master concept plan. This increase not only introduces an unwarranted extra storey but also surpasses the maximum height limit of 13.6 metres, incorporating elements beyond a lift overrun, such as the roof structure itself. This alteration fundamentally changes the development, making it evident that it is not substantially the same as the approved plan, despite claims of no additional shadowing.

b. Unnecessary Height of Existing Levels: Even without the partial 4th storey, the 3-storey portion almost reaches the 13.6m limit, with the first two floors being 4.2m and 4.1m high, and the third floor at 3.0m. This is excessive compared to the original design, which achieved ceiling heights over 2.7m without such heights.

c. Questionable Shadow Diagrams: The architectural drawings present vague and potentially inaccurate shadow diagrams. Previously submitted plans (DA22/0079) with a lower overall height indicated a greater shadow impact than the current proposal. We strongly request verification of these diagrams and a detailed, accurate depiction of the shadow cast by the partial 4th storey for complete clarity.

d. Design Issues: The proposed design lacks a considered transition to neighbouring properties. Every resident who has built in this area has adhered to strict standards, with the promise that the character and harmony of the community would be preserved. We bought into the dream of a cohesive, visually appealing neighbourhood, and this proposed design fails to meet these high standards. It not only disrupts the established visual appeal and coherence of the area but also feels misleading, given the assurances and vision we were originally sold.

2. Traffic Impact

a. Traffic Report: The traffic report by TTM claims that Sunray Lane has a 7m wide carriageway, while it actually measures exactly 6.0m. This significant discrepancy undermines the credibility of the entire report and raises serious concerns about its overall validity and reliability.

b. Increased Traffic Volume: The projected traffic volume of 119 vehicles per hour during the AM peak and 85 vehicles per hour during the PM peak is overwhelmingly excessive for a narrow residential laneway like Sunray Lane. This small lane is simply not equipped to handle such a high volume of traffic, significantly impacting residents who were encouraged to have their driveways on this lane. This increase in traffic poses safety risks and degrades the quality of life for those living in the area.

c. Traffic Capacity: The report's assertion that the local road network can support additional traffic is fundamentally flawed, as it fails to acknowledge that 100% of this traffic will enter and exit via

Sunray Lane. This 6.0m wide laneway and the surrounding roads are inadequate to handle such an increase in traffic volume, leading to significant congestion and safety concerns.

d. Future Traffic Impact: The impact of traffic from the 7 medium-density sites and the additional 233 dwellings yet to be occupied is not considered. The traffic from these, along with the mixed-use element of Grand Parade, will further burden the local road network.

e. Disproportionate Use of Road Capacity: It is unreasonable and unfair for one of the smallest medium-density sites to monopolise a disproportionate amount of the local road network's spare capacity. This disproportionate usage exacerbates congestion and detrimentally impacts the community's overall traffic management and safety.

f. Need for Comprehensive Traffic Impact Assessment: We urgently request a more detailed traffic impact assessment that accurately evaluates the true capacity of Sunray Lane and the direct impact on its residents. This assessment should provide a thorough analysis of the laneway's ability to handle increased traffic and consider the real-world implications for the local community.

g. Operational Matters: The suitability of the design approach to the rear of the building and the lane raises concerns about the impact on the amenity of residents and others.

3. Non-compliance with Original Plan

a. Significant Deviation from Approved Plan: The proposed modification includes a partial 4th storey, ground level parking, and two full levels of basement parking, representing a major departure from the original plan of 3 storeys with ground level parking. This substantial change does not align with the framework for a section 75W modification and undermines the integrity of the approved development plan.

b. Elimination of Residential Portion: The removal of the residential portion amidst a housing crisis further underscores that this proposal is not substantially the same development as originally approved. This change is not only irresponsible but also detrimental to addressing the critical need for housing in our community.

4. Change of Land Use

a. Conflict with Approved Use: The planning report indicates that Tweed Shire Council recognises this proposal as conflicting with the approved land use and building height. Attempting to leverage the proximity of the new Tweed Hospital to introduce a medical precinct within a coastal community is fundamentally out of step with the original concept and intended use of this area.

b. Inappropriate for Community: Transforming the mixed-use area into a 100% medical specialist centre is in direct conflict with Casuarina's vision as a vibrant coastal hub. Such facilities should be situated near hospitals or within commercial areas, not within predominantly residential zones. This change undermines the character and intended purpose of our community.

5. Built Form and Loss of Amenity

a. Inconsistent Built Form: The design of a specialist medical centre is entirely unsuitable for a beachside, residential suburb. This type of development is unprecedented in such a location and contradicts the established aesthetic and character of the area. Beachside communities thrive on designs that enhance their natural beauty and residential charm, not on imposing medical facilities

that disrupt the visual harmony and intended use of the suburb.

b. Impact on Residents: The projected increase in traffic and parking will drastically affect the amenity of residents on Sunray Lane, resulting in significant visual, noise, and traffic pollution. The new structure and heightened traffic volume will make exiting garages challenging, compromising the safety and convenience of daily life for residents.

c. Loss of Amenity: The direct impact of 101 car parks spread over 3 levels and the expected traffic of 119 vehicles per hour (approximately 2 vehicles per minute) during the AM peak period and 85 vehicles per hour (approximately 1.4 vehicles per minute) during the PM peak period will result in a drastic loss of amenity for the residents of 5 Habitat Drive and 6 Candlenut Street, both of which have their northern boundaries fronting onto Sunray Lane.

d. Garage Access Difficulty: The increased traffic will make exiting the garage of 5 Habitat Drive particularly challenging, especially with a 3-storey structure built to the boundary on the opposite side of the lane.

e. Pollution: Residents will suffer from excessive visual pollution, noise pollution, and traffic pollution (petrol fumes) due to the proximity of so many cars, just 2.0 metres from living areas, dining areas, and kitchens that face the northern boundary of Sunray Lane.

f. Unanticipated Traffic Volume: The volume of traffic was never anticipated in the approved concept plan, making this modification highly disruptive and incompatible with the originally envisioned residential environment.

g. Increased Waste Generation: The 30 specialist medical rooms will produce significantly more waste compared to the originally planned 18 residential units and 300m² of retail space. This substantial increase in waste generation will strain local waste management resources and negatively impact the cleanliness and environmental quality of the surrounding area.

6. Compliance Issues

a. Questionable Specialisation: Ensuring that the development remains solely specialist medical rooms is highly doubtful. Historical precedent suggests that this approach might be a tactic to bypass initial car parking requirements. There is a significant concern about how this will be monitored and enforced, and by whom.

Given the substantial deviations from the original plan and the numerous adverse impacts on the community, we strongly urge the responsible authorities to reject this proposed modification.

As mentioned above, we also request further disclosure in relation to the following:

1) Verification of Shadow Diagrams: We request detailed, accurate shadow diagrams showing the impact of the partial 4th storey.

2) Detailed Traffic Impact Assessment: We request a comprehensive traffic impact assessment that evaluates the true capacity of Sunray Lane and the direct impact on residents.

3) Waste Management Plan: We request a detailed waste management plan outlining how the

increased waste generation from the 30 specialist medical rooms will be managed.

Submission 24 – Object

I refer to the Notice of Exhibition for a request to modify the current approval for the Casuarina Town Centre Concept Plan (MP06_0258).

The purpose of this letter is to object to the request, made from the perspective of an existing resident in the Town Centre.

The major grounds of objection are summarised as follows:

- The proposed change of use for the site is not consistent with the objectives of the 1E Zone in the Tweed LEP.
- The proposed use of the site is a major (and inappropriate) departure from the land use approved in what is primarily a residential area in the current approved Concept Plan.
- The proposed building will be in conflict with the Department of Planning's intention for there to be a strip of retail uses along the Grand Parade frontage providing a connection to the park/foreshore area (Condition C7 of the Consent).
- The proposed (part) four level building is not consistent with the approved 3 storey height limit on the subject site.
- The proposed specialists medical centre is totally different to the type of mixed (retail and residential) use envisaged for the site under the approved Concept Plan.
- The proposed building does not have the street activation along the Grand Parade ground level frontage as required (and originally recommended by the Department of Planning) in the Concept Plan.
- The proposed building has a total of 101 on-site car spaces (compared to 57 spaces in the type of mixed use development envisaged in the Concept Plan). The likely total number of vehicle movements for the proposed medical centre will be much higher than for the envisaged mixed use development, which will result in a significant increase in traffic movements around the site and in the local road network.

The increased traffic movements will adversely affect the amenity of residents in the adjoining residential area.

The increased traffic movements will pose a risk to users of the nearby children's playground, many of whom use Grand Parade for pedestrian access. Grand Parade is also major pedestrian link to the foreshore cycleway and walking path.

- The replacement of a mixed use (retail and residential) building with what is an exclusively commercial use building will remove an important form of passive security surveillance from the immediate area, which is experiencing an increase in property and motor vehicle related crime.
- The narrow rear lane vehicle access for the proposed building is inadequate in capacity for the increased traffic movements due to the increased number of car spaces and the increased vehicular turnover generated by clients visiting a medical centre.

The other grounds of objection are summarised as follows:

- The removal of certainty for existing residents as to the type of development proposed in the approved Concept Plan. The Casuarina Beach development was originally conceived as a master planned residential community.
- The proposed office building like development is not consistent with the overall land use mix envisaged in the Concept Plan, and with the existing and expected character of the area.
- The proposed building (specialist medical centre) is a very different type of building to that envisaged in the approved Concept Plan.
- The approval of this request would create a precedent for similar future requests.
- The application argues that the residential dwellings foregone on the subject site have been, or will be, replaced by dwellings on other sites in the Town Centre. However, it is not unlikely that future development applications for vacant sites in the Town Centre will include requests for lesser numbers of either medium density dwellings or apartments due to the limit to which there is a market demand for this type of dwelling.
- There is no obvious locational synergy between the subject site and the new Tweed Valley Hospital, which is almost 5 kilometres to the north of the site, in the town of Kingscliff.
- The possible health risk associated with contaminated soil being disturbed by the excavation of a two level basement.

TWEED LEP 2014

The subject site is zoned E1 Local Centre for medium density mixed use purposes in the current Tweed Shire Council Local Environmental Plan 2014.

The objectives of the E1 Zone are as follows:

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To provide for tourism and residential opportunities that contribute to the vitality of the local centre.
- To encourage development that is of a scale consistent with surrounding neighbourhoods and that promotes a sense of place and focal points for the local community.

Whilst the proposed development would appear to comply with some of these objectives, it does not comply with the following requirements:

- It does not comply with Objective 3, as it does not include any residential dwellings.

- It does not comply with Objective 5, as it does not provide for residential opportunities that contribute to the vitality of the town centre.
- It does not comply with Objective 6. The proposed office like medical centre building will not promote a sense of place and a focal point for the local community.

The site specific land use controls for the subject site are discussed in the following paragraphs.

CONCEPT PLAN APPROVAL

The current Concept Plan approval (as modified) provides for a three storey mixed use medium density (retail/commercial and residential) building on the subject site.

The form of development currently approved on the site is two storey shop top housing above ground level commercial/retail tenancies fronting Grand Parade.

Section A1 Part C of the Council's Development Control Plan provides that the preferred use of the ground level of shop top residential buildings is commercial (generally retail).

This land use mix has appropriately been adopted in a current development application lodged with the Tweed Shire Council for the virtually identical site which is directly opposite the subject site (9 Grand Parade - DA 22/0108).

The Department of Planning's 2018 assessment of the most recent request for a modification to the Concept Plan states that the 2018 request to modify the Plan was acceptable as "medium density and mixed use development would be generally retained through the central part of the site, adjacent to Grand Parade, consistent with development normally expected within the Local Centre zone".

Accordingly, the current request to facilitate the development of a medical centre is totally inconsistent with the type of land use envisaged on the site.

CONSENT CONDITION C7

Condition C7 of the current Consent for MP06_0258 - Modification10 states that "future applications for the development of buildings with frontage to Grand Parade between Road B (Habitat Drive) and the foreshore must incorporate ground floor retail and commercial uses along the entire frontage to Grand Parade.

This condition emanated from the Department of Planning's 2018 assessment of the Concept Plan as it is currently approved.

The Department noted in its report at that time that "the approved Concept Plan incorporates land uses with active street frontages along the entire length of the main retail street (Grand Parade) to the park and foreshore area.

The Department was of the view in 2018 that any departure from this form of land use would result in an adverse urban design outcome which would:

- Be inconsistent with the intended village feel of Grand Parade.

- Discontinue the strip of retail uses connecting Grand Parade to the park/foreshore area.
- Present a lack of visual interest to the street.

The Department considered in 2018 that it is important that any future development on this type of site presents an active commercial or retail frontage to Grand Parade to contribute to the character of the village centre.

The proposed medical centre is totally inconsistent with these very important urban design principles for the Town Centre area.

The proposed building would result in a very sterile facade to this significant length of Grand Parade and be major break in the intended strip of retail uses which have a village feel and visual interest.

The Department's 2018 assessment report also noted that the provision of additional retail uses in this location would result in a better outcome for the Town Centre.

The inclusion of a small cafe on the street frontage in the proposed medical centre is not considered to overcome the failure of the request to comply with the street activation requirement of the Consent.

As noted in the request application, the Council is of the view that health service facilities do not fall within the definition of commercial premises, and the proposed land use does not meet the requirements of Condition C7.

HEIGHT LIMIT

The current Concept Plan provides for a 3 storey height limit for a building on the subject site.

The request relates to a building which is partly 3 storeys and partly 4 storeys.

Although the plans provide of a upper level roof terrace with setbacks, it is considered that the approval of the 4th storey structure would be an inappropriate precedent.

Building height restrictions are a highly valued town planning control by Tweed Shire residents, and they have been largely adhered to by the Council over a long period of time.

TRAFFIC MOVEMENTS

The proposed medical centre building has a total of 101 on-site car spaces.

This compares to the 57 car spaces in the development proposed on the virtually identical site opposite which is currently before the Council (9 Grand Parade - DA 22/0108).

The development proposed on 9 Grand Parade is considered to be consistent with the built form envisaged in the current Concept Plan.

In addition to the significantly greater number of car spaces, the way in which the spaces in the proposed development will be utilised will be very different to the way in which they would be used in a mixed retail/residential development, with between 16 and 18 dwellings.

A proportion of the spaces in the proposed building would be used by clients attending the doctors in the medical suites, with (say) an average length of consultation of 30 minutes. This would be very

different to the usage pattern of the significantly lesser number of spaces which would be occupied by residents in a mixed use building, who typically only have more limited vehicle movements per day.

The combined effect of these two factors would result in a far greater number of traffic movements in the adjoining road network than that generated by a mixed use building.

The increased traffic movements would have an adverse impact on the amenity of residents living in the nearby Town Centre area.

The increased traffic movement would also pose a risk to users of the nearby children's playground, the main pedestrian access to which is along Grand Parade. This spine road is also a major pedestrian link to the very popular foreshore cycle and pedestrian path.

The increased traffic movements from the proposed development are also considered to be excessive for the capacity of the existing relatively narrow rear lane access (Sunray Lane).

They would also have a significant detrimental effect on the amenity of the residents of the two adjacent residential properties which have frontage to the lane.

RESIDENT SECURITY

There has been a significant increase in property and motor vehicle related crime in Casuarina in recent years.

The best form of primary or passive security surveillance is having people residing in the neighbourhood.

The proposed specialists centre will be mostly vacant at night and on all or most of the weekend.

Accordingly, it will provide no passive security at the time when most criminal activity occurs in the local area.

Section A1 of the Tweed Development Control Plan provides design controls for residential and tourist development.

Table 9 includes a DCP streetscape requirement that all development should address the street to provide passive surveillance.

The form of land use approved in the Concept Plan (shop top housing) is considered to meet this requirement. The proposed medical centre does not meet this requirement.

SOIL CONTAMINATION

The issue of land contamination was considered in the original Casuarina Beach and the Town Centre approvals, and remediation works were undertaken to address any residual contamination from previous sand mining activities in and around the Town Centre area.

The approved land uses in the Town Centre will largely involve developments with single level basement for car parking.

The proposed building has a two level basement, the excavation of which could potentially increase the health to nearby residents as a result of disturbance to any remaining contaminated soil.