

Council Reference: GT1/52
Your Reference: MP06_0316 (Mod 8)



13 December 2018

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ABN: 90 178 732 496

Attn: Casey Joshua

Dear Sir / Madam,

**Tweed Shire Council comments on proposed modification of the
Cobaki Residential Development Concept Plan (MP06_0316 Mod 8)
in relation to the proposed increase in building height and reduced
Town Centre**

I refer to your email dated 6 November 2018 inviting Council to make a submission on the proposed modifications to the Cobaki Concept Plan (Mod 8). Council provides the following comments and recommendations in relation to the proposed increase in building height and reduced town centre for the Cobaki development:

1. Built form

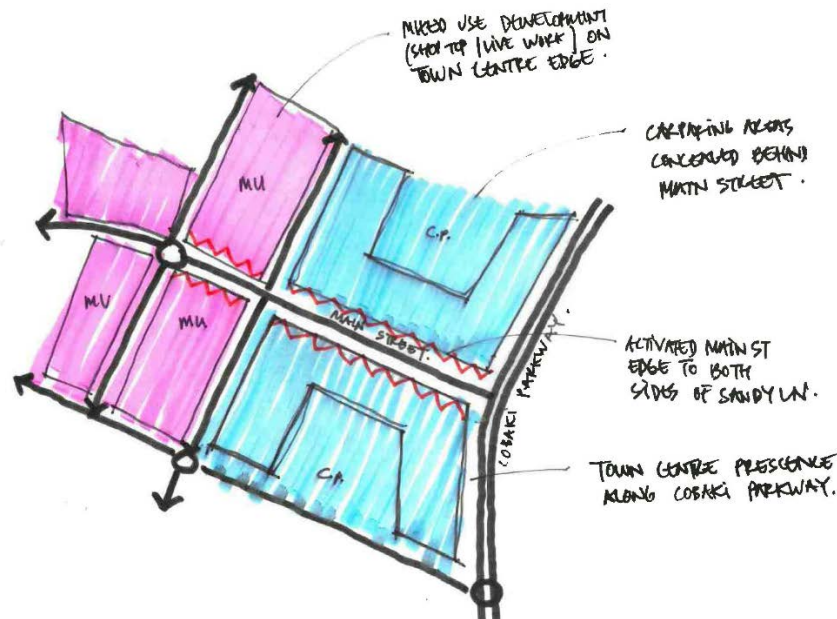
a. Precinct 5 – Cobaki Town Centre

- It is noted that Appendix 4 - Centres Catchment Analysis (CCA) prepared by RPS is dated 11 August 2017 when the SEAR's were issued by the Department of Planning on 21 December 2017. Due to the timing misalignment, it is questioned as to whether the CCA as submitted adequately addresses the requirements of the SEAR's. It is further noted in the conclusion of the report that the only apparent justification for the reduction of the town centre area relates to following statement:

“The recommendations differ from earlier iterations of this report as the development feasibility seeks to minimise risk while considering recent retail trends.”
- Any proposed reduction of land area for the Town Centre should be based and justified on an economic and retail floor space analysis, based off projected residential density yields, identified primary and secondary trade areas and the identified function, role and hierarchy of the Town Centre in the context of other surrounding centres. The loss of the university from the master plan (Mod 2) may be a significant contribution factor in the reduction of the land area which is currently not identified.
- Based on the submitted August 2017 CCA report, the Cobaki Concept Plan Mod 8 proposes a total maximum of 5500 dwellings

equating to approximately 13,200 people. The analysis further identifies that the combined primary and secondary trading areas at Cobaki's build-out stage would be approximately 23,000 people. When combined with a review of projected household expenditure (\$289 million) this would equate to the need for approximately 8,000-9,000sqm of retail and commercial floor area in addition to child care, residential and other Town Centre uses. This is a variation to the 12,000sqm previously recommended for the same population catchment which would be facilitated through the current approved Concept Plan. As such, the proposed modification would see the approved location of the Town Centre in Precinct 5 reduced from 17.64ha to 14.07ha, based on the more conservative estimation of primary and secondary trading areas.

- It is acknowledged that this consolidated envelope of the Town Centre may result in a concentration of the core town centre activity areas, which could contribute to the overall character, economic activity and vibrancy of the Town Centre; more active uses in a more defined area. There is however, opportunity for the balance area of 3.57ha to be considered as a mixed use area where land uses such as live/work opportunities could be explored on the edge of the Town Centre, which could also serve as Town Centre expansion area in consideration of future growth potential.
- Whilst the RPS Centres Catchment Analysis provides an overview of surrounding retail centres, there is little discussion in both that report and the Urban Design Strategy (Appendix 5), which coalesces the proposed Cobaki Town Centre within the context and hierarchy of these existing business zones and retail centres. As such, there is an opportunity to explore more fully what the urban design principles and elements should be incorporated into a town centre of this size.
- One significant change is that rather than activating both sides of the neighbourhood connector road (Sandy Lane), the Town Centre uses would be confined to the southern side only with residential uses fronting the north side of Sandy Lane. It is noted that a reconfigured 'Main Street' would then run perpendicular to Sandy Lane and would be double sided with town centre uses.
- Whilst a scale or dimension has not been provided, the proposed 'Main Street' appears quite short and would be limited in the amount of available retail frontage along its length. Based on the Indicative Concept Plan of this precinct (Section 6.7 of Appendix 5), it is noted that large floor plate uses (which typically have long unbroken elevations) may occupy substantial frontage which would undermine the opportunity to effectively activate this space.
- The preferred configuration of the reduced Town Centre footprint would be the retention of retail and commercial activation to both sides of Sandy Lane, within a more confined envelope in response to the revised Town Centre GFA size recommendations (refer to sketch below). Whilst some nose-in parking could line both sides of the Sandy Lane, the more substantial at-grade car parking areas could be concealed to the rear of both blocks. This is a configuration not dissimilar to the Casuarina Town Centre.



b. Alternate Concept of Cobaki Town Centre Sketch

- As noted in the sketch above, an alternative to the proponent's Indicative Town Centre configuration is to activate both sides of Sandy Lane to enable a more generously sized main street and enable the town centre to have a visual presence along Cobaki Parkway. Nose-in parking along street edge with larger at grade parking concealed to the rear. Opportunity for larger anchor retail uses to be sleeved by finer grain retail with direct access to car parking areas. Directly adjoining areas to the west as mixed use enabling ancillary town centre uses such as community facilities, shop top housing, live work and future town centre expansion opportunities.

c. Precincts 5, 15 and 17 – Increased building heights

- The concept of introducing taller buildings within the Cobaki development is generally supported. Proposed precincts which would facilitate some taller buildings will contribute to a more diverse range of housing typologies, which in turn accommodate a diverse demographic profile including housing affordability profile.
- Higher buildings in this location would generally take contextual advantage of proximity to both the proposed Cobaki Town Centre, Tweed Heads, Coolangatta and Tugun and views towards the coast and hinterland.
- The Greenfield nature of the development site ensures that the increasing of building height in this location will less likely impact any immediate existing residential amenity or character. The proposed higher buildings within Precinct 5, 15 and 17 however need to be appraised in the context of potential scenic and visual impacts as experienced from within the site and from the broader surrounding area looking into and across the site as considered in Item 2 below.

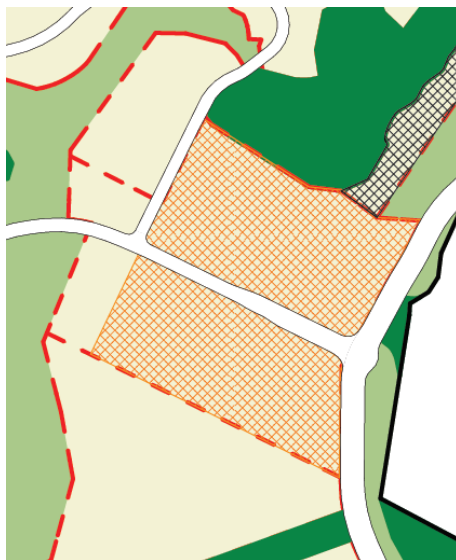
- Whilst it has been indicated that the overall density or residential yield across the entire development site will not vary from the maximum 5,500 dwellings approved under the original Concept Plan, it has not been articulated where the density reductions will be, in the context of increasing densities through increased building heights in Precinct 5, 15 and 17.
- The increased building heights within these precincts may necessitate the revision of open space requirements to ensure access to adequately sized open space. In this regard it is noted that in the submitted Table 6: Comparative analysis of original Cobaki Concept Plan Land Use Areas and Proposed Mod 8 Land Use Areas it has been indicated there will be an overall reduced nomination of public open space (-0.06ha).
- A suite of principles and controls focussing on the proposed building height sites would be advantageous, to ensure taller building design outcomes that are appropriate for the subtropical context and desired future character for the Cobaki Lakes development. For example, a series of tall slender buildings which enables floor plates to have multiple aspects and results in more generous landscape ground plane may respond more favourably than a block perimeter building which presents more bulk and mass visually. It is also noted that the potential footprints of these taller buildings will be on sloping sites and as such design guidance to ensure slope sensitive design responses are achieved (building, landscape, access and public domain) would also be beneficial.
- Notwithstanding previous comments made about the configuration of the Town Centre, increasing building heights to eight storeys within Precinct 5 is generally supported, although it is questioned why ten storey's is also not being pursued in this location. Proposed increase in building heights will increase residential density within this location which will thereby capitalise and have flow on effects with the activation and vibrancy of the business area as well as increasing a resident population within walking distance of services and open space thereby reducing over vehicle movements.
- The proposed higher buildings within Precincts 15 and 17 would result in a stepped building form from the Town Centre west to the escarpment and is supported in principle, subject to further visual and scenic impact justification as considered in Item 2 below.
- Whilst the Urban Design Strategy (Appendix 5) identifies the proposed higher building forms against the western extends of the respective precincts, there is little discussion or justification as to why this is the preferred urban design outcome. Whilst it could be extrapolated that the higher buildings set against the foot of the escarpment would potentially serve to improve views from the buildings, reduce the overall visual impact across the site and mitigate other amenity impacts (overshadowing and overlooking), this has not been clearly articulated. Similarly, there is no discussion or justification as to why higher buildings in Precinct 15 and 17 have been located on the western periphery of the site rather than

containing within a more walkable catchment of the proposed Town Centre.

- It is noted that the areas of increased height within Precinct 15 and 17 would be within a 400-800m walkable catchment of the Town Centre. Considering the likely mixed demographic of this form of building type (generally older and younger demographic rather than families), achieving good access (pedestrian, scooter and cycling), principally to areas of open space and the Town Centre will be key considerations. Pedestrian and cycling networks supporting these higher density areas should typically include wider footpaths, shaded and connected walkways/paths and regular respite intervals including shade and water.

d. Height Controls

- Reference is made to SK 01.03 (Height Controls – Appendix 3), whereby it is considered that SK 01.03 is inconsistent with the proposed building height limits within the EA. For example (and as shown below), the Height Controls plan shows a blanket eight storey height limit across Precinct 5, whilst Figure 9 in the EA indicates only the central portion of Precinct 5 having a height limit of eight storeys, with the surrounding built form transitioning down to five and three storeys. A similar issue arises with Precincts 15 and 17. It is considered appropriate that SK01.03 (Height Controls – Appendix 3) be amended to accord with the proposed height limits indicated in Figure 9 of the EA.



SK 01.03 (8 storeys Max)



Figure 9 of EA showing 8, 5 and 3 Storeys

e. Development Code

- The EA notes that there are no amendments required to the Cobaki Development Code as a result of Mod 8. Whilst it is acknowledged that the residential controls within the Code do not allow variations to building heights (i.e. the Concept Approval's Height Control plan is the controlling document), it is noted that Control 1 of the Town

Centre Controls within the Code stipulate that any development “...Provide a range of building heights to a **maximum of three storeys**”. Accordingly, it is considered that a review of the Development Code is required, in order to ensure consistency between the Concept Approval and the Development Code, noting the visual impact recommendations in Item 2(d) below.

f. Urban Design Report (Appendix 5)

- The Urban Design Report’s conclusion (Section 7.1 – Summary) incorrectly references that “... *The state significant development proposed on the site, formally identified as 1111-1141 Elizabeth Drive, Cecil Park is supported on the following grounds:*” and “... *The application for modification of Concept Plan Approval No. 06_0316 (MOD 4), which relates to a residential subdivision at Cobaki Estate is supported on the following grounds*”. Cecil Park is not associated with Cobaki or the Tweed Shire and the proposed modifications should be related to Mod 8. It is considered that Appendix 5 should be reviewed to remove / amend any incorrect referencing.

2. Visual Impacts (Appendix 6)

- It is noted that the Visual Impact Assessment (VIA) findings are such that the proposed development is “...*appropriate and balanced with surrounds*”, and the “...*overall visual impact of site is moderate and reflects desired future growth of the site considering its proximity to the Goldcoast airport*”.
- However, the VIA is considered to lack adequate technical analysis and evidence informing the viewshed and viewer analysis, a lack of adequate inventory of existing and proposed visual elements associated with the development and modification, a lack of adequate assessment of potential adverse or beneficial impacts, and lack of adequate evaluation of appropriate mitigation and management measures.
- *It is recommended a review of the VIA is undertaken to include the following due-diligence actions in order to develop an evidence base to inform the VIA outcomes, as per best practise¹ VIA requirements for a project of this scale, complexity and controversy:*

a. Visibility Analysis (i.e. Sensitive Assessment)

The purpose of this analysis is to establish where the project will be seen from and by whom. The VIA involves a view analysis from 6 viewing sites located within the project site; however, does not incorporate affected views from highly trafficked and accessible public viewing locations with more distant, elevated or panoramic views of the site.

These locations include highly trafficked tourist lookouts and destinations; and places of interest that are identified as having significance to the local community, or to the regional tourism economy as assets promoted as part of “Australia’s Green Cauldron” within the National Landscapes Program. Reference may be made to the Tweed Scenic Landscape Evaluation, prepared by Catherine Brouwer (1995) and draft *Tweed Scenic Landscape Strategy*, which identify and map priority viewing locations. Council can provide GIS mapping information relating to key viewsheds. Confirmation of viewpoints is typically conducted through field survey to ground-truth

digital terrain modelling and validate viewfield boundaries and lines of sight within these viewsheds, as well as inventory visual elements and features.

It is recommended the VIA expands the scope of viewing locations to ensure considerations of affected views and viewers of more distant, elevated or highly accessible viewing locations with mid-ground and background views of the site.

b. ¹ Best Practice VIA Process and Methodology

Section 3.1 of the VIA describes the approach taken, involving 3D terrain modelling and photomontage of the proposed modification to inform a sensitivity and magnitude evaluation for six viewing sites identified within the site.

There is reference to “American Guidelines”, however no further details as to which guidelines the VIA adopts.

It is recommended the following resources be used as references for best practice VIA:

- *Tweed Scenic Landscape Evaluation (Brouwer, 1995)*
- *Guidance note for Landscape and Visual Impact Assessment (Australian Institute of Landscape Architects, June 2018).*

c. Appearance Analysis (i.e. Magnitude Assessment)

The purpose of this analysis is to define what the project will look like within the surrounding environment from each of the key viewing locations, typically by depicting and inventorying the project’s visual elements and characteristics in the surrounding visual environment.

The VIA presents photomontages and 3D modelling of the project using terrain contouring data to produce perspective views created from locations projected from aerial photos of the site.

However the visual models show these views from a significantly elevated position – often in mid-air or an aerial perspective – rather than from the observer position on the ground.

Best practice involves visualisation modelling and section plans of the project’s visual elements within the surrounding viewfield as seen by the observer. The inventory and visual depiction of altered visual elements should include that of the proposed project and environment including height, bulk and scale of the project as well as overall character, type of materials, colour and reflectivity, vegetation removal or planting, earthworks (if relevant); as well as details as to whether potential impacts will be experienced during the day or night or during different seasons, or throughout the development process i.e. construction, operation and/or decommissioning stages. This is critical to inform the evaluation of visual impact (magnitude of visual alteration) as the basis to evaluating appropriate visual mitigation and management measures.

It is recommended that Magnitude Assessment in the VIA include an inventory and visual modelling depiction of visual characterisation of the project and surrounding environment as seen from each viewing situation identified in the visibility analysis, from the observer position on the ground (or Tweed River, if relevant), and include those design elements presented in Appendix 5 – Urban Design Report prepared by AE Design Partnership.

d. Visual Impact Mitigation and Management Evaluation (i.e. Assessment Summary)

The overall aim of a VIA is to understand the potential impact of a project so that any adverse effects can be mitigated through various design and construction measures. Best practice VIA typically provides this in two stages:

1. The assessment of mitigation and management measures to determine to what extent the visibility or appearance of the project can be modified by screening or integration; and
2. The assessment of effects and impacts to determine if the project is consistent with existing and intended local character and community expectations and values, and if the impacts are important in this context.

Sections 3.3. Assessment Summary, 4.0 Comparative Analysis and 5.0 Conclusion of the VIA provide some discussion as to urban design merits and references to scenic management principles including the protection of ridgelines and visual integration of the development within the landscape. Similarly noted is a reference to “...*illustrated development envelopes will be eroded in plan and height extent – and visual impact will be minimised through landscaping*”.

However the VIA findings are considered to be unclear and unsubstantiated in lieu of the need for adequate evidence-based Visibility and Appearance Analyses (described above).

It is considered that the VIA requires an evaluation of recommended measures to avoid, remedy or reduce such impacts, informed by the existing character and preferred visual amenity conditions expressed by community and affected viewers.

It is recommended that a section of the VIA is dedicated to outlining the proposed mitigation measures and treatments which are to be employed during construction, operation and decommissioning phases of a project. Where mitigation measures require time to have effect, these should be described, and maintenance requirements specified in the dedicated Cobaki Development Code.

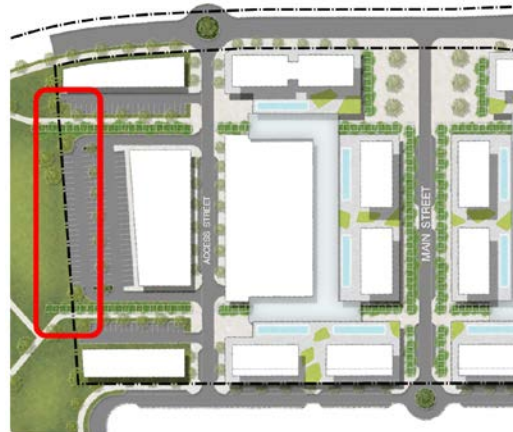
3. Public Domain / Open Space

a. Civic Open Space in CBD area.

- It is very desirable that an area within the Town Centre be available for a ‘civic open space’ area. Effectively this means an area where office workers or shoppers can sit for lunch, a rest or similar. There are two areas shown on the indicative concept plan (Figure 25 in the EA report) that appear to meet this request, but we there will need to be seating etc, with the space designed for that purpose.
- While there is a District Park adjacent to the Town Centre, it is considered that this open space area will not meet the need for a civic open space area within the Town Centre, as it is too far for workers to reach in a short lunch break.

b. Impact on District Park

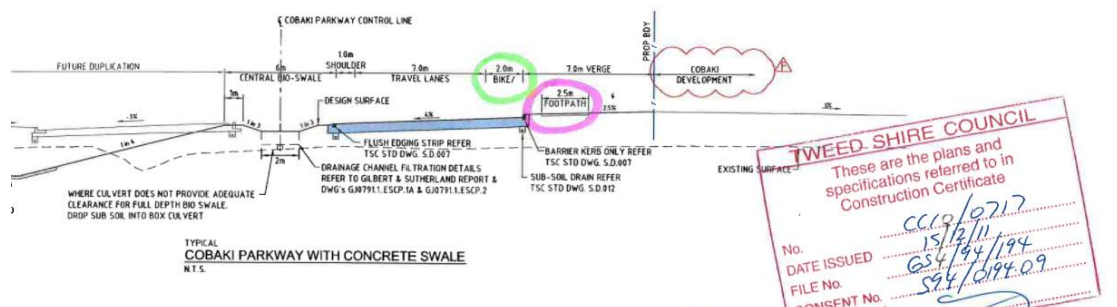
- The District Park at the eastern end of the proposed CBD does not have full road frontage. The Indicative Concept Plan for the Town Centre shows a car park and building backing onto the District Park, as noted in the image below).



- The District Park will become a key central element of the Cobaki open space network and maximum visibility and accessibility is sought. Council recommends further consideration of the Indicative Town Centre layout to maximise this important aspect of the open space network.

4. Transport & Accessibility

- Following on from the Built Form comments above in Item 1, Council is not in support of any direct access to residential development directly from Sandy Road.
- Figure 9 of the EA does not show the 2.0m wide on-road cycle pathway and the 2.5m wide off-road pedestrian path along Cobaki Parkway, as approved under Construction Certificate CC08/0800.01 (Cobaki Parkway North). An extract of CC08/0800.01 is shown below, highlighting the 2.0m and 2.5m pathways along Cobaki Parkway.



- It is recommended that all Mod 8 documentation be amended accordingly, including SK01.07 (Open Space Network Plan – Appendix 3) as well as Figures 12 and 15 of the Urban Design Report (Appendix 5) and Attachment 2 of the Transport & Accessibility Report (Appendix 8).
- It is noted that an additional three “shared pedestrian and cycle path” links are shown in SK01.07 (Open Space Network Plan – Appendix 3) (refer below). The new links are considered to be acceptable in providing additional open space network opportunities, noting that the final configuration and layout would be subject to detailed merit assessment of a future development application.



- It is noted that all plans within Appendix 3 have removed the reference to Boyd Street at the northern portion of the site. Although not critical, it is considered appropriate to re-instate this reference on all Appendix 3 plans.

5. Bushfire

- A detailed analysis of bushfire requirements would be undertaken during a future subdivision application. Accordingly, Appendix 10 should not be approved through Mod 8, as Council and the RFS have not undertaken the necessary assessment. The APZ distances being applied to Precinct 15 and 17 should be considered indicative only, with detailed assessment to be undertaken during future subdivision applications.

6. Biodiversity

- Further to the abovementioned bushfire comments, it is noted that Cobaki Mod 9 (offsetting requirements) was recently refused by the Independent Planning Commission and is currently being appealed by the proponent. Any loss of residential yield as a result of on-site offsetting requirements (as well APZ requirements and infrastructure associated with the proposed development) would ideally be accounted for in the proposed increase in densities of Precincts 5, 15 and 17 through Mod 8.

7. Heritage

- The Aboriginal Cultural Heritage Assessment Report (Appendix 12) makes reference to a Cultural Heritage Management Plan, “...which will be submitted to the NSW Department of Planning with this report”. The Cultural Heritage Management Plan (CHMP) referenced has not been provided with Mod 8.

- Clarification is sought as to whether there are any proposed changes to the CHMP (prepared by Everick Heritage Consultants and dated August 2016), approved under Cobaki Mod 4.
- Figure B (Page 9) in the Aboriginal Cultural Heritage Assessment Report is incorrect, as it does not reflect the amendments of the CHMP approved in Mod 4.

8. Contamination

- Condition C17 of the Concept Approval states “...A Stage 2 Contamination Assessment is to be prepared for Precincts 10 and 17. Each Stage 2 Contamination Assessment is to identify any contamination on site and provide appropriate mitigation measures in accordance with the provisions of State Environmental Planning Policy No. 55- Remediation of Land”. As the proposed modification includes Precinct 17, comment has been provided.
- A Stage 1 Preliminary Site Contamination Assessment – Cobaki Lakes Concept Plan prepared by Gilbert and Sutherland dated May 2008 has been submitted (Appendix 7).
- Precinct 5 incorporates a change from commercial to residential land use, which may create a more sensitive receiver where access to soil is provided. Gilbert & Sutherland state that the contamination assessment indicates that a Stage 2 (Detailed) Site Contamination Assessment is required to confirm the suitability of specific areas of the site for residential development, however areas outside the identified potentially contaminated areas are unlikely to be contaminated and therefore are not considered to pose a constraint to the development of the site for residential and ancillary purposes. No potentially contaminated areas were identified within Precinct 5 or 15.
- A site compound, sheds, and fuel storage is identified on the constraints map within Precinct 17. Gilbert & Sutherland advised that although the preliminary assessment has identified potentially contaminating activities, these are confined to relatively small portions of the site and any contamination identified during stage 2 investigations will be manageable and it will be possible to remediate the site to facilitate development in accordance with the concept plan.
- Former Turner’s cattle dip was located next to Precinct 17 within the central open space and riparian corridor. This dip was subject to remediation, with a Site Audit Statement prepared by Marc Salmon of Easterly Point dated 5 December 2015 (Site Audit Number: 0103-1405) confirming the site is suitable for the proposed use (residential and recreational open space).
- The proposed modification seeks to increase the maximum building heights and reduce the size of the town centre by replacing commercial uses with residential uses. No physical works are proposed. This modification would not alter the existing conditions of consent for the site which requires a Stage 2 Contamination Assessment for any future development of Precinct 17. Contamination is not considered a constraint for Mod 8.

9. Soils & Groundwater

- Condition C5 of the existing consent requires a detailed acid sulfate soil assessment and management plan addressing groundwater and acid sulfate soils to be submitted prior to issue of the construction certificate for central open space and prior to the issue of future precinct earthwork construction certificates.
- The SEAR's document required an updated Acid Sulfate Soils Assessment and Management Plan and Groundwater Assessment.
- An Acid Sulphate Soils and Groundwater Assessment for Cobaki Estate – Concept Plan (MP06_0316 Mod 8) SEAR Response prepared by SMEC dated 27 September 2018 (SMEC Internal Ref. 30031425) has been provided in response to the SEAR's requirements. The consultant advises:
 - *“Detailed acid sulfate soil and groundwater investigations have been undertaken across the majority of the Cobaki Estate site to support acid sulfate soil management plans delivered as a requirement of various approval conditions relating to the development.*
 - *Relevant plans include:*
 - *ASS Investigation and Management Plan for Precincts 1,2,6 and the Central Open Space Area (SMEC, 2012)*
 - *ASS Investigation and Management Plan for Precincts 7-12 (SMEC 2016)*
 - *Groundwater Investigation and Management Plan for Precincts 1,2,6 and the Central Open Space Area (SMEC, 2012)*
 - *Groundwater Investigation and Management Plan for Precincts 7-12 (SMEC 2016)*
 - *The changes proposed will result in a reduction of commercial area to residential and is unlikely to result in any significant change in the previously identified potential impacts on acid sulfate soil and groundwater.*
 - *The management actions proposed in the approved plans are considered the most suitable approach for management of acid sulfate soil and groundwater.*
 - *Based on the elevations of the proposed height control areas the only area which may have any potential for impacts to acid sulfate soil and groundwater would be the lower lying areas of Precinct 5. Potential impacts in this area would only be associated with construction related excavation which went below 5m AHD.*
 - *Lower lying areas of Precinct 5 have been previously assessed for acid sulfate soil and groundwater impacts as part of the preparation of the previously discussed acid sulfate soil and groundwater management plans. As this modification calls for a land use change and does not propose any specific structures or detailed design it is not possible to assess specific impacts which could occur as part of future construction at this point. However, the management actions proposed in the existing approved acid sulfate soil and groundwater management plans are considered appropriate for the management of any future construction phase issues with acid sulfate soil and groundwater”.*
- The proponent's assessment has not addressed SEAR 15. It is acknowledged that the previously approved investigations and management plans may be a suitable approach for the management of acid sulfate soil and groundwater however the plans do not specifically

address Precincts 5, 15 or 17. The applicant has confirmed that the potential for acid sulfate soil and groundwater interception is low (Precincts 15 and 17) to moderate (Precinct 5) so management may be required.

- Condition C5 requires a detailed acid sulfate soil assessment and management plan addressing groundwater and acid sulfate soils to be submitted prior to issue of the construction certificate for central open space and prior to the issue of future precinct earthwork construction certificates. As no works are proposed with this modification, it may not be necessary for updated management plans to be provided at this time.
- It is recommended however that the proponent provides a updated Acid Sulfate Soils Assessment and Management Plan and Groundwater Assessment as per the SEAR requirement that addresses Precincts 5, 15, and 17. Alternatively a detailed acid sulfate soil and groundwater assessment and management plan for the entire site should be developed that covers all areas of the site where acid sulfate soil and groundwater may be intercepted.

10. Contributions

- Development contributions are calculated and applied at the future development applications stage, based on a detailed review of the proposed housing type for residential, as well as the proposed use and area of floor space for commercial type development. Review of contributions associated with Mod 8 is not considered warranted.

11. Utilities

- Council is currently in discussion with the proponent in terms of site wide water / wastewater strategies for the development. Given that Mod 8 does not propose an increase in the overall yield, further assessment in this regard is not considered warranted for Mod 8, noting that detailed assessment will be undertaken for future development applications.

12. Statement of Commitments

- In reviewing the Statement of Commitments (SoC), it is noted that SoC 11 (Aboriginal Cultural Heritage Conservation) appears to have been incorrectly amended under Mod 4. SoC 11 makes reference to the Aboriginal Cultural Heritage Management Plan (prepared by Everick Heritage Consultants and dated *February 2017*). It is considered that Mod 8 should be utilised to reference the amended version of this document (August 2017), whereby (in addition to Amending the Precinct 8 Cultural Heritage Park configurations) a number of amendments were included requiring the proponent to be responsible for the preparation of a Maintenance Management Plan etc prior to the issue of a subdivision certificate for the relevant precinct.

13. SEAR's / Consultation

- The Mod has only addressed the 19 Key Issues raised by the Department.
- It does not appear to be any consideration given to the Key Issues raised by Council or other government agencies (Attachment B of the SEAR's document).

- No consultation has been undertaken during the preparation of the EA, as required by the SEAR's.
- The EA notes that "... *Consultation to be undertaken between October and November 2018, following the Department of Planning & Environment's response*". The proponent has not undertaken consultation with Council to date with regard to Mod 8.

14. Summary

- In principle, the provisions of Mod 8 are supported, subject to further review from Council, following the Department's and the proponent's consideration of the matters raised above.
- Council officers encourage the proponent to consult with Council to further discuss any of the comments / recommendations noted above.

For further information regarding this matter please contact Colleen Forbes on (02) 6670 2596.

Yours faithfully

Vince Connell
Director Planning and Regulation