

DATE OF DETERMINATION	9 December 2025
DATE OF PANEL DECISION	9 December 2025
DATE OF PANEL BRIEFING	9 December 2025
PANEL MEMBERS	Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales and Kerry Doss
APOLOGIES	Pat Miller
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 28 November 2025.

MATTER DETERMINED

PPSNTH-432 - Tweed - DA22/0408.02- 6 Grand Parade, Casuarina - Section 4.55(2) modification to residential flat building (96 units) in 3 x 4 storey blocks and 1 x 2 storey block with a common basement (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at the briefings listed at item 8 in Schedule 1.

Application for modification of consent

The Panel determined to approve the modification application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel is satisfied that the application is substantially the same development as the development originally approved and the reasons for the original approval have been taken into consideration for this determination.

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

CONDITIONS

The Modification Application was approved subject to the conditions in the Council Assessment Report with the following amendments.

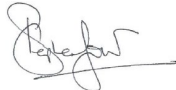
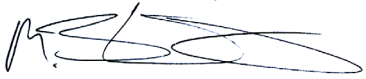
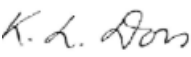
- Amend Condition 1B to insert the following below the table:
In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.
- Amend Condition 15B to insert the following at the end of the second paragraph (above the table):
Unless as otherwise agreed to by Council in accordance with the deferred or periodic payment provisions contained in the current relevant Developer Contribution Plans, and that the Certifying Authority has sighted Council's agreement to such deferral or periodic payment plan in writing.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel notes that issues of concern included:

- High density living being inconsistent with established low rise coastal village
- Visual and environmental impact
- Traffic and safety
- Planning inconsistencies

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report. The Panel notes that in addressing these issues, appropriate conditions have been imposed.

PANEL MEMBERS	
 Dianne Leeson (Chair)	 Stephen Gow
 Michael Wright	 Ned Wales
 Kerry Doss	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-432 - Tweed - DA22/0408.02
2	PROPOSED DEVELOPMENT	Section 4.55(2) modification to residential flat building (96 units) in 3 x 4 storey blocks and 1 x 2 storey block with a common basement
3	STREET ADDRESS	6 Grand Parade, Casuarina
4	APPLICANT/OWNER	Town Planning Alliance (NSW) Pty Ltd Azure Project 35 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Housing) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Sustainable Buildings) 2022 and State Environmental Planning Policy (Building Sustainability Index: BASIX) 2024 - Tweed Local Environmental Plan 2014 - Draft environmental planning instruments: Nil - Development control plans: - Tweed Development Control Plan 2008 - Planning agreements: Nil - Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> - Coastal zone management plan: Nil - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council Assessment Report: 28 November 2025 - Written submissions during public exhibition: 2 - Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Applicant Briefing: 9 December 2025 <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales and Kerry Doss <u>Applicant representatives</u>: Jessica Robson, Trent Keirnan, Patrick Hanlon, Michael Grassi, Vu Nguyen, John Flynn, Daniel Foote, Eleas Nicholaou <u>Council assessment staff</u>: Hayley Nilon and Judith Evans <u>Department staff</u>: Carolyn Hunt and Ilona Ter-Stepanova - Final briefing to discuss Council's recommendation: 9 December 2025 <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Ned Wales and Kerry Doss <u>Council assessment staff</u>: Hayley Nilon and Judith Evans <u>Department staff</u>: Carolyn Hunt and Ilona Ter-Stepanova

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report