



Our Ref: 03-097

12th December, 2003

Mr Sam Haddad
Executive Director
Office of Sustainable Development Assessment
and Approval
Department of Infrastructure Planning
and Natural Resources
GPO Box 3927
SYDNEY NSW 2001

Dear Sir

RE: STRATEGIC PLANNING FOR THE KINGSCLIFF – SOUTH TWEED LOCALITY

Following our recent meeting with you, in company with Keith Cottier, David O'Donnell and Stephen Segal, we now formally request the involvement of the Department in determining the appropriate future structure and development of the area south of the Tweed River and in particular at Kingscliff/Cudgen through the involvement of the Department in a strategic planning exercise. It is our opinion that the Council does not have the resources or the expertise to impartially determine the future use of this land in a manner which will encourage the development of it in accordance with a planned pre-determined strategy. In any event the matter is a regional issue which we believe would be more appropriately addressed by the Department allowing the detailed planning to be undertaken by the Council at a future time following determination of the strategic and structural issues.

We enclose a copy of a report relating to this particular area prepared by Ingham Planning which identifies the areas of land currently owned or under the control of Gales Holdings Pty Ltd. This relates to over About 200 hectares of land at Kingscliff/Cudgen/West Kingscliff and includes almost all of the undeveloped land in this area.

We do not suggest that a strategic review of this area should be confined to the Kingscliff/Cudgen/West Kingscliff localities as the regional issues will extend into the Byron Shire to the south and will certainly need to take account of the existing major centres within the Tweed Shire and Gold Coast to the north.

We ask you to particularly note that a draft Tweed Coast Strategy dated August 2002 and prepared by the Development Services Division of the Council identified the potential locations for a district centre in South Tweed in 3 possible locations. These



were within Kings Forest, adjoining the existing Kingscliff Local Centre in Turnock Street and on the existing Kingscliff Sewerage Treatment Plant site at Chinderah. Both the Kings Forest location and the Kingscliff Local Centre site have been excluded because of events which have taken place relating to those sites. The Kings Forest area is likely to have a much smaller population than originally envisaged and the Kingscliff Centre adjoining the existing Local Centre has been excluded by a policy decision of the Council. We agree with both of these conclusions. However, the only other option identified in 2002 at Chinderah is now being pre-empted by an action of the Council to re-zone the sewerage treatment plant site primarily for industrial purposes. This action is being undertaken by Tweed Local Environmental Plan 2000 (Amendment No 14) which is presently on Public Exhibition for comment.

A local environmental study accompanying the re-zoning and on exhibition with it states that *"planning strategies for the Tweed Coast have identified the site as being unsuitable for the development of a new district centre and support a site closer to the existing Kingscliff Town Centre, therefore, this option is not considered further."* This statement is not correct. The Council have excluded the existing Kingscliff Local Centre site and have not addressed or formally excluded the sewerage treatment plant site as being the appropriate site for a new district centre. It is only the Draft Tweed Coast Strategy 2002 which identifies it as one of 3 potential sites with the other 2 now being excluded.

The Local Environmental Study accompanying the exhibition does identify the sewerage treatment plant site in the following way.

"The Site is strategically located between the Tweed Heads/South Tweed Urban Areas and the Tweed Coasts. It is located on a major district collector road, with close proximity and good access to the Pacific Highway. Further, the opportunity exists to utilise the site as a gateway to the Tweed Coast Beaches and Villages."

We agree with this description of the site as being one which is very accessible and requires detailed strategic consideration prior to any determination of the ultimate use of the land.

It is our opinion that this area of the Tweed Shire, which is expanding rapidly in population both at Kingscliff and further south at Casuarina Beach and adjacent areas, is an area which requires detailed planning and strategic consideration prior to actions being taken which would pre-empt the appropriate future uses for this land. This strategic review would need to consider a significant number of matters relating to the constraints on the land for future development, the environmental considerations surrounding natural areas and the need for additional major activities such as shopping centres, bulky goods retailing, hospitals, educational facilities, recreational facilities and other major uses. In addition the structural elements of connecting roads will need to be determined to ensure that further development does not pre-empt the appropriate connections between the major structural roads in the area.



We also understand that the Department would investigate the significance of sand resources in the area, some of which are currently being used for fill material.

We will forward to you in the near future, and before the middle of January, other background documents which will assist you in understanding the investigations which have been undertaken to date.

There is within the whole of this area, a flooding problem which is presently being investigated by Webb McKeown Associates. Only within the last few days has information relating to flooding data, been said to be available from Council for Mr McKeown's use. He has been attempting to obtain this information for at least the last 3 months. This should allow him to determine the impact of the filling on land within the Kingscliff/Cudgen area and ensure that whatever strategy is adopted, the development of the land will not impact upon the level of floodwaters in the area.

We will be lodging a submission in relation to the present exhibition of Tweed Local Environmental Plan 2000 (Amendment No 14) and we will forward you a copy of the information associated with this exhibition. We are concerned that if this Local Environmental Plan is made it will pre-empt opportunities which need to be considered in relation to the strategic growth of this area. It would be better, in our opinion, if no decision were made on a change to the zoning of the land until such times as a strategic review had been completed. You should note that this Sewerage Treatment Plant site is under option to Gales Holdings Pty Ltd.

We thank you for your time in meeting with us and we look forward to further discussions relating to this matter in the future at your convenience.

Yours faithfully,
INGHAM PLANNING

Neil Ingham
Principal

Encl.