

4.2 Tweed Shire 2000+ Strategic Plan

The Tweed Shire 2000+ Strategic Plan (1996) provides the broad directions for future planning in the Tweed. It is the planning framework for development, environment, and infrastructure issues affecting the Tweed community (p. 1). These broad directions are identified through Desired Outcomes, Shirewide Strategic Principles and Policies & Actions.

It should be noted that Tweed Shire Council is currently in the process of preparing a new Strategic plan under the Tweed Future project. Council's embarkation on this exercise is due to the fact that issues affecting the Shire have changed significantly and as such, some of the content of the Tweed Shire 2000+ Strategic Plan is not relevant to Area E.

4.2.1 Desired Outcomes

The Desired Outcomes state specifically what the Tweed community and Council want to achieve relative to the subject areas of the Plan (p. 3). The Desired Outcomes relate to subject areas of Rural and Environmental Resources, Open Space, Community and Culture, Economic Development, Infrastructure Planning and Urban Development and Management.

It is noted from the Desired Outcomes for Rural Resources & Rural Settlement, that the quality and quantity of rural resources is maintained. While this is contrary to the use of Area E for urban development, the fact that the agricultural production values of Area E are compromised (see section 3.9), that Area E is an infill area and that development of Area E will promote a more compact urban form, thereby limits the pressure for urban expansion into other rural parts of the Shire, helping to achieve this desired outcome.

With regard to Desired Outcomes for Open Space, Area E open space will be provided at ratio's generally commensurate with the Draft Open Space Infrastructure Strategy; namely, 4 ha of open space per 1,000 population (1.7 ha structured open space, 2.3 ha casual/passive open space). This open space will be provided in suitable topographic areas that are accessible while aiming to meet the diversity of open space needs.

With regard to Infrastructure Planning Desired Outcomes, Section 94 Contributions Plans will be prepared for all necessary infrastructure unique to Area E and not otherwise covered by existing Section 94 Contributions Plans. Furthermore, major transport infrastructure will be investigated and where possible integrated with the land uses in Area to also facilitate achievement of these Desired Outcomes.

4.2.2 Shirewide Strategic Principles and Policies & Actions

The Tweed Shire 2000+ Strategic Plan also outlines the policies and actions designed to achieve outcomes that have been developed between the private sectors, community groups and the three tiers of Government. A review of the Shirewide Strategic Principles and Policies and Actions was undertaken for this LES to determine those relevant for consideration in the Area E planning, as per Table 4.1 below.

Table 4-1: Applicable Shirewide Strategic Principles and Policies and Actions

Shirewide Strategic Principles	
Background	1, 2, 3, 7, 11, 12, 14, 16, 17
Infrastructure Finance	18, 19, 22.
Policies & Actions	
The Tweed Environment	1, 3, 4, 5, 7 (in principle), 13.
Rural Settlement & Resources	17 (contrary principle), 18 (contrary principle), 20, 22.
Open Space & Recreation	29 (in part), 30
Community & Cultural Development	
Community Development Plan	50
Human Services Infrastructure	51
Infrastructure Planning & Finance	79, 80, 93, 102
Urban Development and Management	103, 104, 110 (contrary principle), 112, 116, 117, 118, 119, 122, 127, 129, 131

Justification of the applicability of each Shirewide Strategic Principle, and Policy and Action is beyond the scope of this study (particularly when the principles support the urban release, or will be otherwise considered as part of the planning process being undertaken). Notwithstanding this, a discussion of those principles contrary to that of the urban release of Area E follows.

Policy & Action 17/ 18: Rural Resources and Agriculture

These Policies generally require the protection of the ongoing viability of prime agricultural land, and their inclusion within an Environmental Protection zone. Again, issues pertaining to the agricultural value of Area E have been discussed in Section 3.9 of this report.

Policy & Action 110: Urban Release

This policy identifies areas for urban release in the short to medium term, of which Area E is not mentioned. The Policy also indicates that there will be no need for any major rezoning of new urban release areas in the Tweed in the short to medium term. While the present consideration of Area E for urban development contradicts this Policy, its recognition in the Residential Development Strategy 1991, and in Policy & Action 122 limits the significance of this policy. In addition since this policy was prepared there have been significant changes with respect to growth rates and development within the Shire.

Policy & Action 122: Terranora (Area E)

While not being a contrary Policy & Action, it is significant to note the provisions and development parameters for consideration in the Study and later stages of the planning framework for Tweed Area E, including:

- a high proportion of residential lots greater than 800m², due to existing development and scenic values (particularly where visually prominent, near ridgelines, within high visibility viewsheds, landmarks etc);

- defined areas of potential dual occupancy and medium density development (typically through assigning zone 2 (b) Medium Density Residential to lands in the Area as required);
- controls over clearing of vegetation with habitat significance (this will already be regulated by the Department of Land and Water Conservation); and
- the need for development buffer areas from environmentally significant resources and features, defined (as required) by vegetation, drainage and topography.

4.2.3 Draft Interim Strategic Plan- Cobaki/ Bilambil Heights/ Terranora 1995

The Draft Interim Strategic Plan for the Cobaki, Bilambil Heights and Terranora area contains matters for consideration in development applications, in the manner of Objectives and associated Principles by which these are to be achieved:

The Interim Plan objectives appropriate to Tweed Area E include to:

- reinforce the distinctive character of Terranora development and landforms;
- safeguard scenic value and integrity of ridgelines and views and the environmental qualities of land adjacent to... the Broadwater;
- retain integrity of remaining prime agricultural land; and
- ensure timely upgrading of Terranora Road for adequate capacity and safety.

The principles by which the above Objectives are to be achieved include:

- relatively high proportion of larger residential lots;
- 1ha minimum of lots subject to future subdivision, the exceptions being... lots cost effectively serviced by reticulated sewer;
- preserve buffer of agricultural land and larger lot residential development between Terranora and Fraser Drive;
- conceptual and integrated plan for cycleways and footpaths;
- no more development of dwellings which will be highly exposed on ridgeline/close to ridgeline on south facing slope; and
- No direct property access onto Terranora Road.

4.3 Tweed Futures – A Strategic Plan

Tweed Shire Council is currently preparing Tweed Futures - A Strategic Plan for the Tweed. Tweed Futures will:

- describe the economic, social and physical environment of the region;
- identify significant trends in the Shire - e.g. growth, employment and the people; and
- will establish actions to achieve the desired outcomes.

The Tweed Futures project will be run over two stages;

- Stage 1 will focus on nominating key issues; and
- Stage 2 will focus on developing the Draft Strategic Plan early in the term of the newly elected Council (post March 2004).

The project is expected to result in a replacement of the Tweed Shire 2000+ Strategic Plan which is now dated and requires revision based on new issues and factors such as:

- completion of the Pacific Motorway; and
- increased development activity.

The review will ensure that Council's strategic direction:

- is relevant to today's Tweed issues, particularly along the coast;
- reflects community aspirations;
- accords with Government expectations;
- attracts infrastructure resources to meet growth;
- incorporates latest data eg vegetation;
- accommodates latest demographic trends; and
- includes social and economic issues.

4.4 Tweed LEP 2000

The Tweed LEP 2000 ('LEP') contains a number of Parts with statutory provisions that will inform the planning of the proposed urban release of Tweed Area E. These Parts not only relate to Zoning Provisions (both current and intended zonings), but also Ecologically Sensitive Development Principles, General and Environmental Resource Provisions, Hazards and Buffers.

4.4.1 Zoning Provisions

Under the LEP, the land comprising Tweed Area E is zoned:

- 1(b1) Agricultural Protection (predominant zoning).
- 5(a) Special Uses (Lindisfarne Anglican Secondary School only).
- 7(a) Environmental Protection (wetlands and littoral rainforests).

Refer to Figure 4.1.

4.4.1.1 1(b1) Agricultural Protection Zone

The primary objective of the 1(b1) Agricultural Protection zone is to 'protect identified prime agricultural land from fragmentation and the economic pressure of competing land uses'. The secondary objective is to 'allow other development that is compatible with agricultural activities' (p.10).

The urban development of Tweed Area E is clearly in contradiction to the zone's primary and secondary objectives in that it would not achieve the intended protection of agricultural land. Furthermore, it is noted that dwelling house and multi-unit dwellings are only allowed to be developed on allotments of at least 10 ha (other qualifications aside). This present zoning clearly inhibits the use of Tweed Area E for urban purposes.

Previous sections of this LES discuss the issue of the long term viability of this site for agricultural uses and conclude that the lack of appropriate buffers, land capability, limitations on agricultural practices and encroachment/intrusion have severely impacted on the viability of this land as an agricultural resource.

4.4.1.2 5(a) Special Uses

The primary objective of the 5(a) Special Uses zone is to 'identify land which is developed or is proposed to be developed, generally by public bodies, for community facilities and services, roads, railways, utilities and similar things'.

The secondary objective is to 'provide flexibility in the development of the land, particularly if it is not yet or is no longer required for the relevant special use' (p.33).

Only one allotment within Tweed Area E is zoned 5(a) Special Uses being for the Lindisfarne Anglican Secondary School. The allotment is already improved with the education premises, and will hence form an important part of the social and community infrastructure for Tweed Area E.

4.4.1.3 7(a) Environmental Protection (wetlands and littoral rainforests)

The primary objectives of the 7(a) Environment Protection zone is to 'identify, protect and conserve significant wetlands and littoral rainforests' (p.37) and to 'prohibit development which could destroy or damage a wetland or littoral rainforest ecosystem.' (p. 38).

The secondary objectives are to 'protect the scenic values of wetlands and littoral rainforests' and to 'allow other development that is compatible with the primary function of the zone' (p.39).

Lot 3 on DP 622138 and Lot 1 on DP 225183 are split zoned 7(a) Environment Protection and 1(b1) Agricultural Protection zone. This 7(a) zone has been designated to protect the wetlands existent on the Terranora Broadwater foreshore. A portion of the 7(a) zone of each of the above lots is contained within Tweed Area E. In addition, the wetlands are protected under SEPP 14 - Coastal Wetlands (Wetland No. 23). These two statutory mechanisms for protection of the wetlands are representative to their importance at a local and state level.

The proposed approach to protection of the wetland, development buffering and rehabilitation, is discussed previous sections of this report.

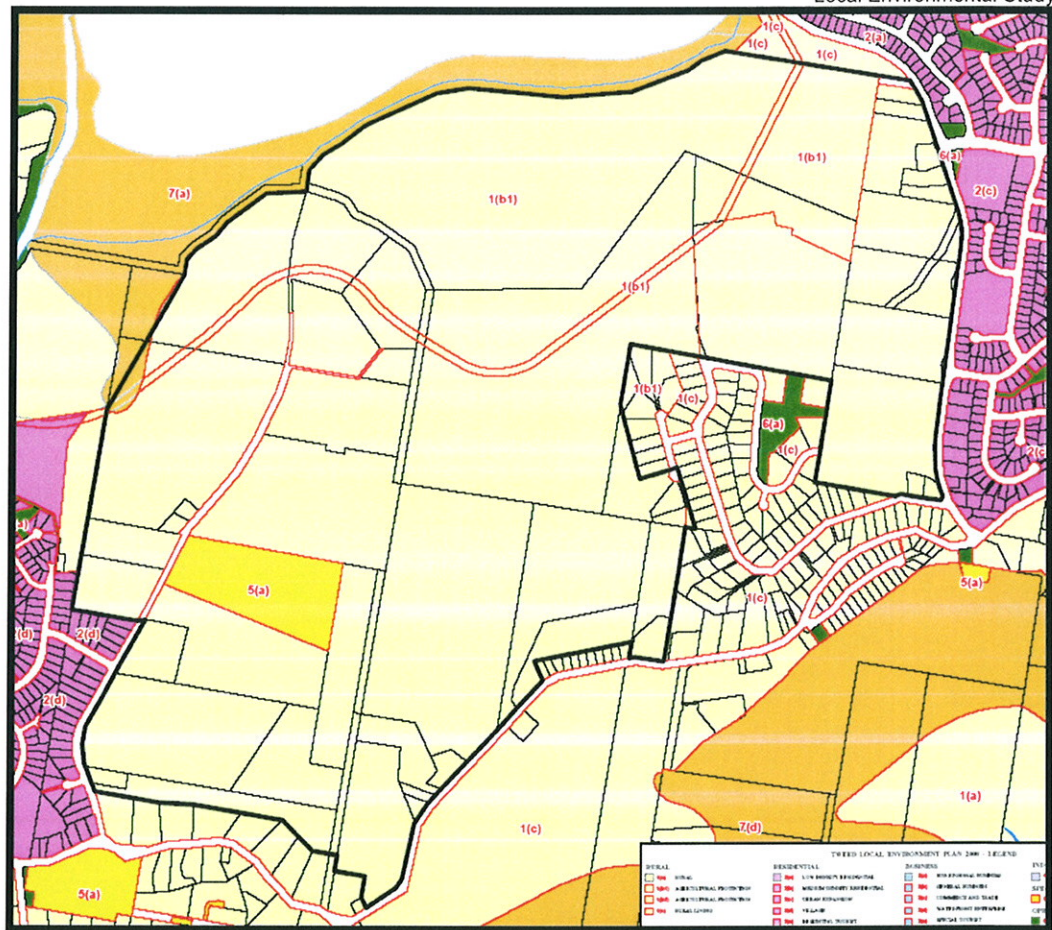


Figure 4-1: Zoning of Tweed Area E. (Source: Tweed Shire LEP 2000)

4.4.1.4 Environment and Resource Provisions

The LEP includes a number of Shirewide Environment and Resource provisions that affect development in Environment Protection zones, including for zone 7(a) Environmental Protection (Wetlands and Littoral Rainforests) in the western portion of Tweed Area E.

4.4.1.5 Clause 25 Development in Zone 7 (a) Environmental Protection... and on adjacent land

Clause 25 affects development in the 7(a) zone and on land adjoining such a zone. The objective of this Clause is 'to ensure that wetlands and littoral rainforests are preserved and protected in the environmental and economic interests of the area of Tweed' (p. 55).

The Environmental Protection Agency has indicated in their response under Section 62 of the Environmental Planning and Assessment Act 1979 that the provision of appropriately sized buffers adjacent to SEPP 14 protected wetlands, being at least 50m, is generally the only practical option for ensuring their long-term integrity. Hence, notwithstanding the release of Tweed Area E for urban development, a 50m buffer on the landward side of the wetlands will be emplaced, to assist in their protection and long-term integrity.

Further to the above, the Clause also includes a number of supporting development criteria to ensure the protection and integrity of lands zone 7(a). However, these criteria are used for development application assessment purposes only.

4.4.2 Hazards and Buffers

4.4.2.1 Clause 31 Development adjoining water bodies

Clause 31 affects development on land adjoining the mean high-water mark or otherwise the bank of 'waterbodies'. For Tweed Area E, this includes the Terranora Broadwater and watercourses within the study area.

The objectives of the Clause are to 'protect and enhance scenic quality, water quality, aquatic ecosystems, bio-diversity and wildlife habitat and corridors' and to 'provide adequate public access to waterways' (p. 59).

In this regard, the LES deals with the above considerations in the following Sections:

- flora and fauna, and ecological issues associated thereof, are discussed in Section 3.1 of the LES; and
- elements of scenic quality that require consideration in the draft LEP are outlined in Section 3.11 of the LES.

4.4.2.2 Clause 32 Aircraft noise

Clause 32 applies to land within the 20 ANEF (Australian Noise Exposure Forecast) contour or higher for the Coolangatta Airport. The objectives of the Clause are to 'prevent certain noise sensitive developments from locating in proximity to Coolangatta Airport and its flight paths' and to 'minimise the noise impact from the operation of Coolangatta Airport on development in its vicinity' (p. 60).

A review of the existing ANEF for the Coolangatta Airport determined that Tweed Area E is not subject to 20 ANEF or greater.

It is noted that a southern extension of Coolangatta's runways from 2,042 metres to 2,700 metres by Gold Coast Airport Limited is proposed, which would result in the extension and alteration of the existing ANEF contours. Accordingly, a review of the current ANEC (Australian Noise Exposure Concept) for the Coolangatta Airport for the extended runway determined that the closest approach of any ANEF contours to Tweed Area E is approximately 2.5km to the east, in the vicinity of the Terranora Road and Pacific Highway intersection.

In summary, as Tweed Area E is not encumbered from ANEF contours, there are generally no restrictions upon the residential subdivision and development of Tweed Area E. In particular the Australian Standard AS2021-1994 Aircraft Noise Intrusion – Building Siting and Construction is applicable.

4.4.2.3 Clause 34 Flooding

This Clause applies to development on flood liable land within the Shire. Figure 3.9 identifies the extent of the 1 in 100 year floods for Tweed Area E. The objectives of this Clause are to 'minimise future potential flood damage by ensuring that only appropriate compatible development occurs on flood liable land' and to 'minimise the adverse effect of flooding on the community' (p. 61).