

TITLE: [ID] [PE] Tweed Heads Ministerial Taskforce

ITEM DEFERRED FROM MEETING HELD:

15 September 2004

Cr M R Boyd

Cr H James

***RESOLVED that this item be deferred to allow Council to Workshop this matter.
(Note: Workshop held Wednesday 22 September 2004)***

ORIGIN:

Strategic Town Planning

FILE NO: Tweed Heads Ministerial Taskforce; Parks; Jack Evans Boatharbour

SUMMARY OF REPORT:

Diane Beamer, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) released the Tweed Heads Masterplan on 27 August 2004. The Masterplan is a vision document with no statutory force at this point in time.

It will fall to Council to implement the Plan. Therefore, Council needs to establish a position on the Masterplan as well as develop and implement the Plan into an achievable framework. Several Council policy documents will need to be amended to reflect the specific details expressed in the vision put forward in the Masterplan. Specifically this would include the Tweed Local Environmental Plan and Development Control Plan No. 18 Tweed Heads. Also a new Section 94 Developer Contribution Plan and a Plan of Management for Jack Evans Boat Harbour will need to be drafted and adopted.

This Council report examines the strategic implications that will arise from the Tweed Heads Masterplan and how best to implement its findings. Finally it recommends that Council's endorses the Tweed Heads Masterplan. This report is followed by several reports which will instigate the necessary statutory procedures to modify or draft certain policies including the Local Environmental Plan and a crown reserve plan of management.

RECOMMENDATION:

That Council:

1. Informs the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) it adopts the Masterplan as a vision document for Tweed Heads conditional upon capital and recurrent costs being suitably linked to funding sources. On successful adoption Council will implement the recommendations of the Masterplan through the reserves trust as well as amendments to Council's planning policy documents and undertake further feasibility assessments on the lagoon, stormwater and the Tweed Heads Bypass elements.

2. Gives a low priority to the Lagoon concept, stormwater and drainage plans and Tweed Heads centre bypass due to resource requirements.
3. Recommends to the Jack Evans Boat Harbour Reserve Trust that it notify the Minister of Lands requesting consent to prepare a draft Plan of Management for Jack Evans Boat Harbour Reserve, in accordance with section 112 of the Crown Lands Act, to implement the vision and objectives of the Tweed Heads Masterplan.
4. Undertakes to compulsorily acquire Lot 703 DP 877250 (Part of Reserve 88182) Corall St, Jack Evans Boat harbour, Tweed Heads and Lot 7035 DP 1053313 (Reserve 1000253) Corner of Bay St and Dixon St (Queensland), Tweed Heads.
5. Requests that the Minister of Lands transfer Lot 703 DP 877250 and Lot 7035 DP 1053313 to Council in fee simple at a nominal rate as these parcels have been identified by the Tweed Heads Ministerial Taskforce as having commercial opportunity to Council to provide capital funding to undertake infrastructure works for Tweed Heads as outlined in the Tweed Heads Masterplan.
6. Advises the Jack Evans Boat Harbour Reserve Trust that it intends to acquire Lot 703 DP 877250 (Part of Reserve 88182) Coral St, Jack Evans Boat harbour, Tweed Heads.
7. Advises the Reserve Trust that it intends to acquire Lot 7035 DP 1053313 (Reserve 1000253) Corner of Bay St and Dixon St (Queensland), Tweed Heads.
8. Approaches the Minister for Lands for funds to prepare a draft Plan of Management for Jack Evans Boatharbour Reserve.
9. Informs the Director-General of the Department of Infrastructure, Planning and Natural Resources that, pursuant to Section 54 of the Environmental Planning and Assessment Act, Council intends to prepare a draft Tweed Environmental Plan 2000 amendment for the land identified in the Tweed Heads Masterplan and marked by a thick black line in Figure 1 of this report. The purpose of the Draft LEP is to give statutory effect to the Tweed Heads Masterplan. The draft Amendment in respect of building heights will be dealt with as a priority. Amendments in respect of zoning and development bonus will be deferred until such time as the Minister of Lands has accepted the requirements of Recommendation 5.
10. Informs the Director-General of the Department of Infrastructure, Planning and Natural Resources that it considers that an Environmental Study is not required as part of the preparation of the draft amendment to implement the Tweed Heads Masterplan.
11. Prepares and exhibit the draft Tweed Local Environmental Plan 2000 amendment in accordance with the Best Practice Guideline published by the Department of Urban Affairs and Planning in January 1997 titled "*LEPs and*

Council Land – Guideline for Councils using delegated powers to prepare LEPs involving land that is or was previously owned or controlled by Council”.

12. Endorses the preparation of a draft Development Control Plan 18 Tweed Heads amendment to reflect the vision of the Tweed Heads Masterplan, together with any consequential amendments to other Development Control Plans.
13. Endorses the preparation of a draft Section 94 developer contribution plans to provide capital funding for specific public works identified in the Tweed Heads Masterplan.
14. Appoints the Manager of Strategic Planning as an internal officer to coordinate issues relating to the Tweed Heads Masterplan.

REPORT:

Locality

The Tweed Heads Masterplan covers the Tweed Heads CBD area north from the Queensland / New South Wales border south to the Hospital and Tweed Heads Civic Centre. Figure 1 below represents the extents of the Tweed Heads Masterplan.

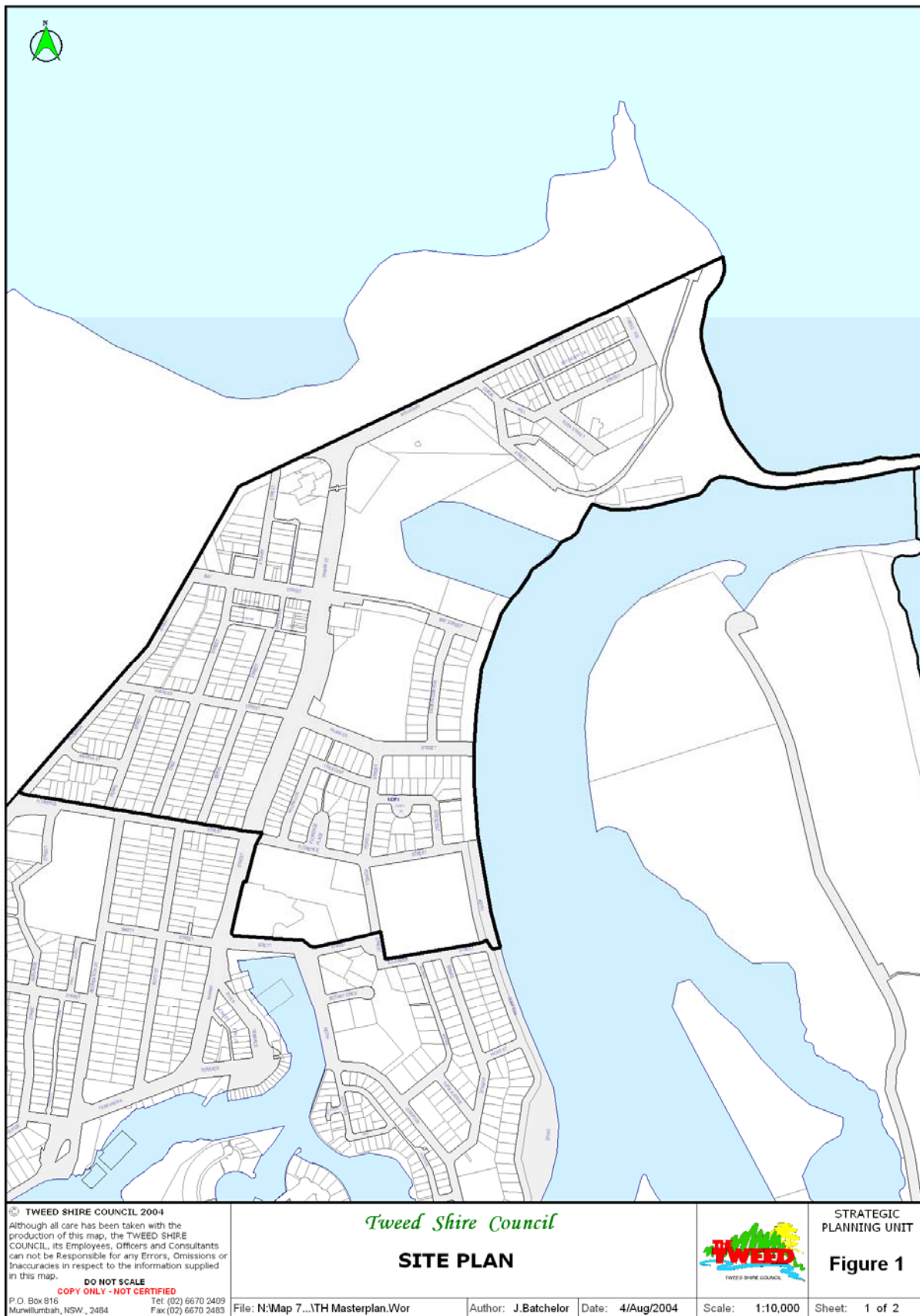


Figure 1: Locality Plan

Background

Central Tweed Heads has historically played a major role in the economy of the Tweed. Over the years the economic focus has been shifted to other areas such as Tweed Heads West and Kingscliff. This has left Tweed Heads CBD demonstrating a lacklustre economic performance and a large amount of vacant commercial / retail floorspace.

For some time there has been a push to revitalise Central Tweed Heads. This would involve a restructure of the economic focus of the area. This would include reviewing the part that tourism and retail sectors will plan in the future of the area.

On 13 June 2002 Andrew Refshauge MP, the then minister for Urban Affairs and Planning, announced the establishment of a Ministerial Taskforce for Tweed Heads. The Taskforce was established after numerous requests were made to the Minister to establish comprehensive planning controls for Tweed Heads after the development application was received for the Latitude 28 high rise proposal.

The Taskforce's web page identifies its objective as follows;

*"The State Government is helping to develop a **Masterplan** for Tweed Heads to re-establish the Tweed Heads Central Business District as the economic and cultural centre for the region. As a starting point a Taskforce was formed to review and direct investigations. The taskforce comprises a large number of State and Local Government bodies and local community organisation".*

The Taskforce was co-chaired by State Member, Neville Newell MP and Council's General Manager, Dr John Griffin. The Masterplan was completed and placed on public exhibition in June.

Following the exhibition of the draft Masterplan Council resolved to make a submission to the Taskforce as follows;

"That Council:

- *Generally supports the direction of the draft Masterplan,*
- *Recommends that a group be established between the Tweed Heads Taskforce, State Government and Council to conduct a detailed investigation into the specific financial, policy and infrastructure components of the draft Masterplan,*
- *Proposes to the State Government that funds should be made available from the Plan First strategic planning developer levy to undertake further detailed assessment of the final Masterplan and any subsequent drafting of statutory documents".*

The Taskforce has finalised the preparation of a draft Masterplan and has presented the Plan and recommendations to the Minister who released the final plan on 27 August. The Minister has also allocated \$200,000 to Council to implement some of the findings of the Masterplan into Council's policy documents.

Masterplan

The Tweed Heads Masterplan represents a vision document which is detailed as individual proposals and specific elements. Their feasibility needs to be tested and if practical they will need to be established into Council land use and other policy documents.

Vision

The Masterplan Vision is expressed as;

"Tweed Heads 2015 - a place where people live, work and play in a vibrant, diverse and sustainable Town Centre".

The vision for the Tweed Heads Masterplan incorporates 10 years of future development for the Tweed Heads town centre. It also incorporates a substantial shift from the existing urban design and character of Tweed Heads.

To achieve this vision the Masterplan puts forward a large amount of infrastructure development and capital expenditure will be required. Funding for this development will be reliant on both public and private investment. The issue of capital expenditure and sources of funding is considered in a later section of this report.

This report summarises the major features of the Masterplan, reviews the feasibility of the Plan and identifies the arrangements for Council to implement the Plan in terms of policy, funding and programming.



Figure 2: Tweed Heads Masterplan

Masterplan Strategies

The Masterplan has identified several strategies to achieve the vision for Tweed Heads.

These strategies will be:

STRATEGY	DESCRIPTION
Land Use Strategy	Identifies the future land uses for particular precincts in the Masterplan.
Movement Strategy	A car parking strategy incorporating new multi-storey car parks as well as proposing a Tweed Heads CBD bypass along Recreation / Dixon St into Queensland. It also makes provision for the Gold Coast Light Rail project to be extended into NSW.
Pedestrian and Bicycle Strategy	This increases the pedestrian / bicycle accessibility for the CBD area.
Water Strategy	New wetland ponds as a natural filter treatment of stormwater.
Open Space Strategy	A new park on the existing school site, a cultural gardens and linear parkland adjoining Tweed River.
Landscape Strategy	Street tree and avenue plantings along most streets within Tweed Heads.
Cultural and Tourism Strategy	Interpret and promote local features and historical items to achieve a better urban design outcome.
Visual Strategy	Preservation and promotion of certain visual elements of Tweed Heads. This includes Vistas across Jack Evans Boat Harbour, Point Danger, Flagstaff Hill, CBD landmarks as well as preserving the 1982 Commission of Inquiry view cones across Duranbah Beach, Letitia Spit, Tweed River Mouth and Pacific Ocean from Razor Back.
Building Height Strategy	The proposed building heights in the Masterplan attempts to respond to the topography, allow opportunities for water views and to prevent a "crew cut" effect for the Tweed Heads CBD. The Masterplan moves away from a high datum approach, as used in the current LEP.

Design Guidelines

The main elements of the Masterplan's Design Guidelines include;

PRECINCT	CHARACTER
Commercial Mixed Use Town Centre	High Rise Apartments – reinforce town centre, underground carparking, break facade monotony, active street frontages.
Commercial Mixed Use Town Centre	Mid Rise / Mix Use – mix of commercial use on ground floor and tourism accommodation above, underground parking, built to boundary line.
Commercial Mixed Use Town Centre	Tweed Mall – create nexus between Town Centre and Jack Evans Boat Harbour, active street frontages.
Residential	Identifies elements which should be incorporated into residential buildings including architectural character, roof form, built form and setbacks.
Campus / Civic Precinct	Campus theme, pedestrian walkways, reinforce community ownership, courtyards.
Special Character Zone (heritage provisions) - Beryl St	Architectural integrity, potential 4 storey at rear of lots, protection of "border style" architecture.
Specific Sites - Twin Towns	Activate Twin Towns street frontage and ground floor area facing Jack Evans Boatharbour for commercial / retail opportunities, integrate Jack Evans Boat Harbour open space and ground floor level of Twin Towns.
Specific Sites	Cultural / Tourism Centre, activating boat harbour foreshore, marina, pedestrian bridge, boat ramp.
Specific Sites - Coral Street Mixed	Ground floor commercial opportunities, maximum 4 storey height

Use	limit with bonus provisions, underground carparking.
Specific Sites	VMR Commercial Facility Durambah Beach – function room / kiosk, minimal visual impacts, 2 storey height limit.
Specific Sites - Tweed Tce Public Building	Community building / maritime museum, 3 storey limit, take advantage of views, café or tourism related commercial opportunity.

Feasibility/Priorities

The Masterplan nominates a range of projects and works. In Appendix 2 a review has been undertaken to determine the feasibility of undertaking these elements of the Masterplan.

This assessment has identified the following elements as requiring a large amount of resources to develop:

- Lagoon – Jack Evans Boat Harbour

This proposal would require a large amount of capital to develop. Ongoing operational and maintenance costs may also be a restricting factor. Also there are issues regarding public safety and liability of a public access swimming area.

- Stormwater – Tweed Heads

The current stormwater arrangements in Tweed Heads run north-south. The Masterplan proposal would change this to an east-west axis. Capital costs associated with this change may be prohibitive. Also the development of wetland swale drains may not be feasible due to the low water table in Tweed Heads.

- Tweed Heads Bypass

This represents a major upgrade of the existing streets along the proposed route. Also it would require significant modification to existing traffic arrangements for the whole of Tweed Heads. Also this would require agreement and associated joint works to be undertaken by Gold Coast City Council.

It is considered necessary to investigate the feasibility of these elements further.

Implementation

This Masterplan is intended as a broad scale strategic document that provides a future vision for Tweed Heads. It is not a formal policy document and it does not make any specific recommendations to amend the Tweed Local Environmental Plan 2000 (LEP), Development Control Plans (DCP), Plans of Management (crown reserves) and Section 94 Developer Contribution Plans (S.94 Plans).

Funding

Before the adopted Masterplan can be established into specific land use policy the infrastructure requirements of the plan and the funding sources need to be established. If the public infrastructure components are undertaken early, this may help attract prominent developments and assist in providing a positive future for Tweed Heads.

Possible options would include:

- 5.1.1 Special Rate
- 5.1.2 S94 Developer Contributions
- 5.1.3 Commercial Ventures (ie. leasing, sale of land, development)
- 5.1.4 Bonus Provisions (land use policy) for construction and funding of public infrastructure
- 5.1.5 Grants

Special Rate

Currently there is a Special Rate in the Tweed Heads CBD area that has been levied to service the debt for the street beautification and upgrade works. This originally cost \$3.6 million, of which 20% was levied through the special rate. This rate was established to be paid over a 15 year period.

It must also be considered that Tweed Heads represents a substantial commercial area and many of the lessees and shop owners are likely to have a strong reaction to any increase in rates or lease fees as a result of public works being undertaken pre-emptively of any private development.

S94 Developer Contributions

Section 94 development contributions could be considered as a means of providing some of the funding for capital works associated with the Tweed Heads Master Plan. For example the Masterplan gives some indication that multi-storey car parking station might be a viable solution to the parking problems in Tweed Heads. However there needs to be a clear nexus between the proposed development and the need for the increased/improved amenities that are proposed under the Master Plan. This growth does not necessarily have to be in the immediate Tweed Heads central area – funds can be collected on a shire wide basis if the proposed works are considered of shire wide or regional importance.

It should be realized that it would take time for funds to accumulate and not all of the proposed capital works could be funded through Section 94 if the existing population also benefit from the improvements. **Therefore alternative funding options would also require consideration.**

Infrastructure Requirements

The Masterplan incorporates some significant upgrades of public infrastructure as well as providing for some significant public works. Some of the capital works projects would not qualify for inclusion in a Section 94 developer contribution plan as they represent a transfer of existing facilities (eg. Civic Center relocation proposal), or they are commercial in nature (Old Fire Station site and VMR Duranbah Beach development proposal). Below is a list of upgrades that may be suitable to be included into a S.94 plan;

- Parking
- Open Space upgrades (including embellishments such as bike/walk paths, park facilities)
- Streetscaping
- Landscaping
- Street Trees
- Traffic (Proposed Tweed Heads CBD Bypass)
- Upgrades to Jack Evans Boat Harbour (non-commercial) (including swimming lagoon, cultural gardens)
- Stormwater / Drainage

These components present significant implications for Council in maintaining the upgraded open space, and operating the recreation facilities proposed. Any increase in the size and number of parks and foreshore areas, standard of maintenance, or facilities will need to be fully costed. Detailed plans will need to be prepared and costed before any developer contributions can be levied. Resources will be required to undertake these tasks. Specific facilities with significant maintenance and operational implications include the pedestrian/cycle bridge over the harbour opening and street tree plantings.

There are also several of these elements would encroach into existing S94 contribution plans. Specifically these are;

- S94 Plan No 5 Open Space Contributions
- S94 Plan No 6 Street Tree Planting in Residential Areas
- S94 Plan No 12 Bus Shelters
- S94 Plan No 22 Cycleways
- S94 Plan No 23 Offsite Parking
- S94 Plan No 26 Shirewide / Regional Open Space

The preparation of a draft S.94 contribution plan will also need to review these areas and determine if the existing plan would need an amendment or if they can adequately be accommodated into a new plan.

Commercial Ventures

Funding arrangements to achieve funds for infrastructure could be established through leasing or sale of properties. This could bring forward some of the public infrastructure works that would hopefully act as a catalyst to encourage more private development.

There are several sites identified in the Masterplan that are crown reserves under Council's control which could be used to generate enough revenue to allow some of the infrastructure projects completed early. These areas are detailed in an Appendix 1 of this report and summarised below.

- Coral Street - Jack Evans Boatharbour:

Site available for multi-storey mixed use development. This includes ground floor commercial and three floors residential.
- Old Fire Station Site - Bay Street, Tweed Heads.

Potential for consolidation of adjoining lots and development of a transit centre and multi-storey residential development.
- VMR, Duranbah Beach.

Redevelopment of existing building and Council lease out 2nd floor for commercial operation.

As these sites are Crown land it will be necessary to receive the early approval of the Minister of Lands before any commercial development can be undertaken. If it is not possible for these sites to be used for commercial purposes to assist Council in generating capital to undertake some of the infrastructure works required then other forms of capital generation will need to be investigated or the infrastructure not be included in planning for Tweed Heads.

Jack Evans Boat Harbour Reserve

The Masterplan identifies substantial modifications and improvements to Jack Evans Boat Harbour. These proposals are examined in detail in Appendix 1 to this report and are summarised below;

- Cultural gardens
- Cultural Centre
- Marina – Rescue craft
- Amphitheatre
- Joint facilities VMR building Duranbah Beach
- Pedestrian access (switchback stairs) Point Danger
- Tourism facility – Flagstaff Hill
- Cultural / Museum, Old Pilot Station site, Flagstaff Hill
- Twin Towns, ground floor retail / restaurant / Café Boat harbour frontage
- Upgraded parkland Wharf St
- Market area, Bay St carpark

It is important that these proposals are examined in more detail and represented in an appropriate policy document. It is proposed that this be undertaken through the drafting of a Plan on Management for Jack Evans Boat Harbour.

To instigate this process the Jack Evans Boat Harbour Reserve Trust will need to request that the Minister of Lands endorse the preparation of a draft Plan of Management.

An area of the Reserve has been identified by the Tweed Heads Masterplan for commercial opportunities to provide capital funding for Council to assist in providing some of the public infrastructure identified in the Masterplan. The parcel is Lot 703 DP 877250 (Part of Reserve 88182) Pearl St, Jack Evans Boat harbour, Tweed Heads. More details on this parcel of land can be found in Appendix 1.

To undertake this development it is important that the parcel of land be established in Council ownership and classified as Operational Land so that the land can be strata titled and resold after being developed.

This can be achieved by compulsory acquisition under the provisions of the Crown Lands Act it is recommended as part of this report the Minister of Lands is requested to undertake this transfer at a nominal rate.

Old Fire Station Reserve

The Taskforce has identified another site that may be used to generate capital to assist Council in the development of the infrastructure identified in the Masterplan. This site is Lot 7035 DP 1053313 (Reserve 1000253) Corner of Bay St and Dixon St (Queensland), Tweed Heads. More details on this parcel of land can be found in Appendix 1.

This site has been identified as having potential to be developed as a high-rise residential tower with a transit centre on the ground floor.

Council owns the two adjoining lots that are classified as operational land. To successfully achieve a commercial development the three lots will need to be consolidated into one parcel.

To achieve this the following process will need to be undertaken;

- Compulsory acquisition of reserve
- Consolidation of the three lots
- Prepare a draft LEP amendment to rezone the land

This can be achieved by compulsory acquisition under the provisions of the Crown Lands Act. It is recommended as part of this report the Minister of Lands is requested to undertake this transfer at a nominal rate.

Bonus Provisions

Some of the major infrastructure projects identified in the Masterplan may be constructed as part of a private development. To stimulate private developers to undertake public infrastructure works it has been proposed in the Masterplan that developer bonus provisions be incorporated into the LEP amendment and an amendment to DCP 18. To

achieve this Council will need to identify a bonus scheme plan and how it will benefit Council and the community.

Policy

Amendment to Tweed Local Environmental Plan Arising from the Masterplan

To successfully implement the vision of the Tweed Heads Masterplan it will be necessary to amend the current planning controls for the area. Below are details of the potential amendments arising from the Masterplan.

1. *Include the Implementation of the Management Plan as an LEP Objective*

As an overarching policy the vision and implementation arrangements of the Tweed Heads Masterplan should be incorporated into a draft LEP amendment. This would best be achieved by including a new clause in the LEP.

2. *Heights of Buildings*

The Masterplan has made considerable modifications to the LEP heights of buildings map. The proposed building height limits is presented in Figure 2.

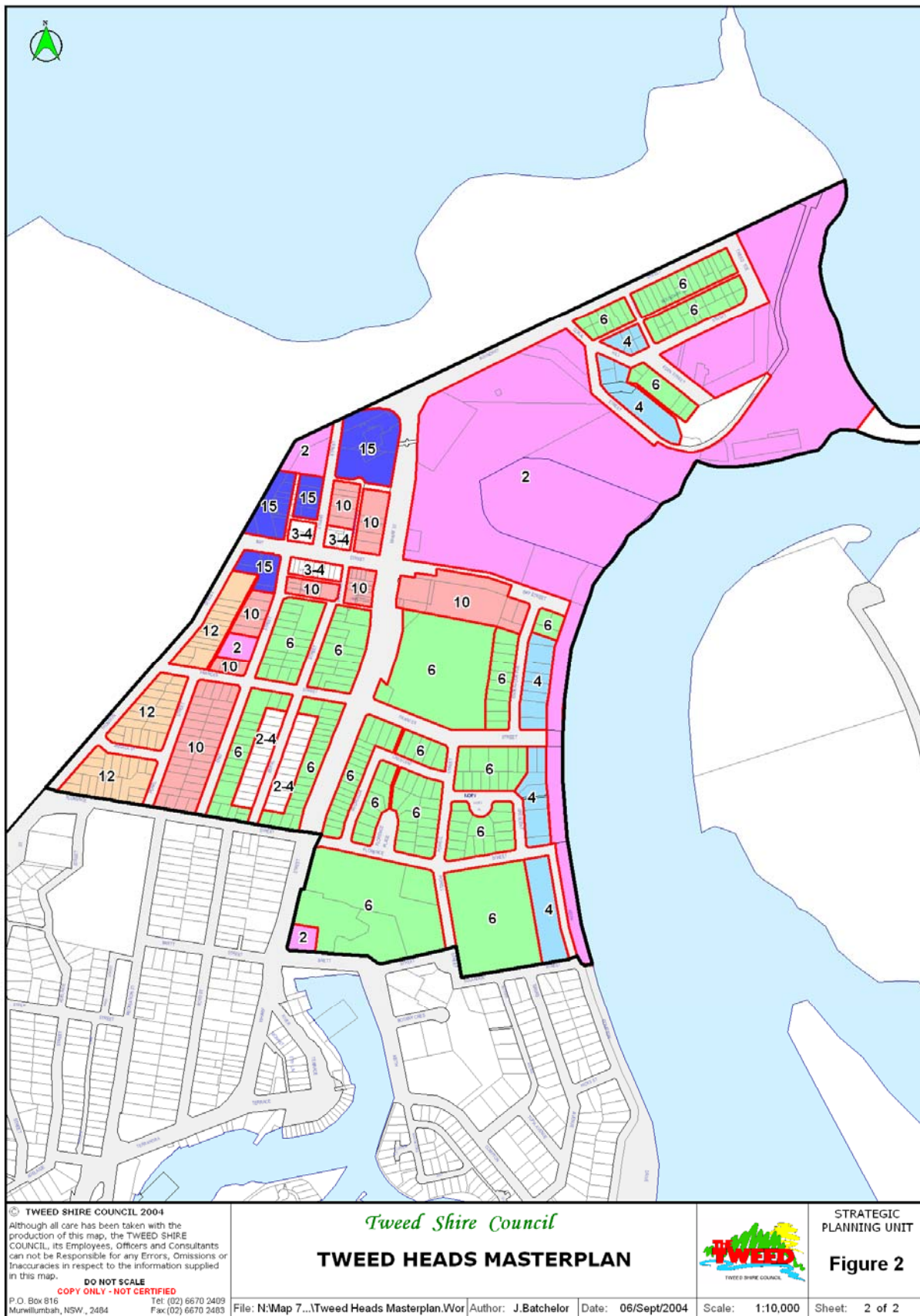


FIGURE 2: Tweed Heads Masterplan Proposed Heights of Buildings (Storeys)

These changes will need to be included into a draft LEP amendment.

3. Zoning

Jack Evans Boat Harbour Reserve

Currently the Jack Evans Boat Harbour contains a mix of 6(a) Open Space, 6(b) Recreation and 3(e) Special Tourism (Jack Evans Boat Harbour). These zoning arrangements will have to be reviewed.

As part of the implementation of the Tweed Heads Masterplan this report recommends that the Minister for Lands be requested to approve the preparation of a draft Plan of Management for the reserve. It is important that this draft plan be publicly exhibited and adopted by the Minister before any draft LEP for the Reserve is placed on exhibition. The contents of the adopted Plan of Management should guide the proposed zoning identified in any amendment to the LEP for the reserve.

Tweed Heads CBD

There are several elements in the Tweed Heads Masterplan within the CBD area that will require a zone change in the draft LEP amendment. Specifically these areas are;

Site and Masterplan Proposal	Current LEP Zone	Proposed LEP Zone
Old Fire Station Site (Bay St) to accommodate a transit centre and a accommodation residential accommodation	5(a) Special Uses and Uncoloured	3(a) Sub Regional Business
Tweed Heads School Site (Stuart St) to accommodate residential accommodation and a border park	5(a) Special Uses	3(a) Sub Regional Business and 6(a) Open Space
Heritage Provisions (Beryl St) to preserve an area of considerable heritage value	2(b) Medium Density Residential	Include heritage provisions
Residential zone (Cnr Enid and Bay St) to accommodate residential development at the western end of Bay St	3(b) General Business	2(b) Medium Density Residential
Residential zone (Frances St.) to accommodate residential development opposite Tweed Mall shopping centre	3(b) General Business	2(b) Medium Density Residential

Bonus Provisions

Developer bonus provisions are a method of allowing a developer to increase the size, scale or floor space of their development if they provide a desirable outcome which will have a community benefit.

The Tweed Heads Masterplan has identified that a process of developer bonus provisions could be established to encourage developers to provide some of the elements that will be incorporated into the open space. That is if a developer provides something identified in the Masterplan in the public realm then they may be allowed to increase their floorspace ratios.

This will need to be further explored and established into the LEP amendment process, but first it is necessary that the infrastructure requirements of the Masterplan be determined, otherwise the bonus provisions will not be capable of implementation.

Environmental Study

All land within the Masterplan area that is within 100m of the mean high water mark of the Tweed River, Jack Evans Boat Harbour or Duranbah Beach is defined as *sensitive coastal location* under State Environmental Planning Policy No. 71 – Coastal Protection (SEPP 71).

The implications and potential impacts of the proposed Masterplan developments were considered as part of the master planning process. Due to this it is considered that an environmental study is not necessary in this situation.

It is therefore recommended that Council advise the Department of Infrastructure, Planning and Natural Resources (DIPNR) that it believes that an Environmental Study is not considered necessary as part of the preparation of the draft LEP amendment.

Amendment to Development Control Plan 18 - Tweed Heads

Area of Development Control Plan

The specific purpose of the DCP is to provide a comprehensive set of guidelines, focus on good urban design, establish a set of design guidelines for commercial and residential development, provide bonus provisions to encourage preferred development and establish a policy document which expresses Council's intentions for Tweed Heads and in particular Tweed Heads CBD.

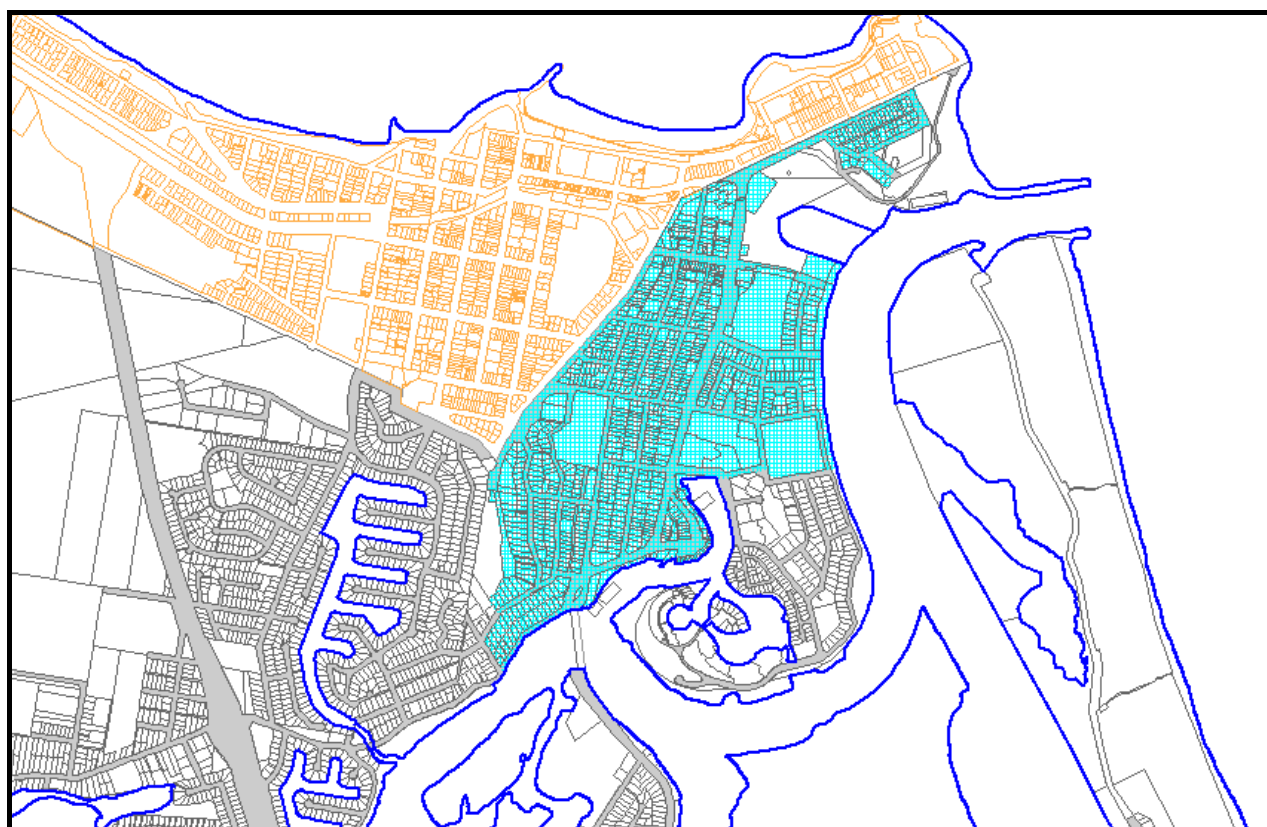


Figure 3: Development Control Plan 18 – Tweed Heads – DCP Area

The DCP 18 area includes additional land compared to the Masterplan. This includes Razorback, Recreation and Boyd St south to Boyds Bay Bridge. It is recommended that this area remain in the DCP as it provides a level of consistency and amenity for the smaller scale residential areas of Tweed Heads. The Masterplan does not focus on the smaller scale residential development in Tweed Heads but there are certain aspects that are covered in the DCP, such as protecting visual amenity of the Razorback Precinct as well as geo-technical issues.

The area of the Jack Evans Boat Harbour Reserve Trust is not currently included in the DCP. It is recommended that as part of drafting the DCP amendment that all the areas covered by the reserve trust be included. This would include Jack Evans Boat Harbour, Flagstaff Hill and Duranbah Beach.

Additional Elements to be Included into DCP 18

The Masterplan introduces a number of new elements that will need to be incorporated into the DCP 18. Specifically these include;

- Jack Evans Boat harbour – safe family environment
- Cultural Gardens – Aboriginal / European heritage celebrations - Jack Evans Boat Harbour
- Cultural Centre – Jack Evans Boat Harbour
- Performance amphitheatre – Rescue Helicopter - Jack Evans Boat Harbour
- VMR Duranbah Beach – New shared buildings – Duranbah Beach
- Border ‘Switch Back’ access- New pedestrian link – Point Danger
- Mixed Use / residential building - Jack Evans Boat Harbour
- Parkland – Entire DCP
- Market Plaza - Jack Evans Boat Harbour opposite Tweed Mall
- Gateway development site with potential transport interchange – Old Fire Station Site
- New high quality border park – Existing School Site
- High quality public domain treatment - Stuart Street
- Avenue trees (eg. Figs) planting to state border – Entire DCP
- Street tree plantings to key streets – Entire DCP
- New centre for excellence at the campus / civic precinct – Existing Tweed Heads Civic Centre
- Gateway park with stormwater quality treatment ponds – Southern Boat Harbour
- Rationalised hospital precinct with new opportunities for development of surplus land – Tweed Heads Hospital
- New high quality linear parkland – Adjoining Tweed River
- Improve street scaping and vistas to river – Adjoining Tweed River
- Public domain improvements - Wharf Street

Urban Design Guidelines

The current DCP 18 has an appendix that has very specific urban design guidelines for Tweed Heads. The Masterplan acknowledges these guidelines and proposes some

additional principles to some of the areas in DCP 18. The specific guidelines that the Masterplan has identified have been discussed previously in this report.

DCP 6 - Multi-Dwelling Housing, outlines specific guidelines for multi-dwelling housing. The Masterplan would have some minor impact on this DCP and it should be review to ensure consistency.

The urban design guidelines in DCP 18 and DCP 6 will need to be reviewed in light of the framework for urban form proposed in the Masterplan. This will require specialised urban design skills to undertake.

Management

Issues raised in the Tweed Heads Masterplan cut across all of Council's Divisions, involve a complex range of outcomes and require assistance of several government agencies. To ensure effective implementation an overall Council project manager is considered essential. This report recommends that the Manager of Strategic Planning be appointed to oversee this project in respect to all of the issues impacting on Council.

The implementation of the Masterplan will require Council to undertake the following individual projects:

- LEP amendment;
- Amendment to DCP 18;
- Preparation of Infrastructure Plans, in particular parking, landscaping and open space upgrading;
- Preparation of Section 94 Developer Contributions Plan;
- Preparation of Jack Evans Boatharbour Plan of Management.

The Minister allocated \$200,000 to Council to undertake the preparation of strategic land use policies.

It is proposed that the projects be undertaken in two (2) stages.

- Stage 1:
 - DCP 18 Amendment;
 - Plan of Management - Jack Evans Boatharbour;
 - LEP Amendment Stage 1: Heights of Buildings;
 - The following high priority infrastructure plans - parking, open space upgrading and landscaping.
- Stage 2:
 - Section 94 Contribution Plan;
 - LEP Amendment Stage 2: Zone Changes and Bonus provisions.

Conclusions

It is recommended as part of this report that the Masterplan be adopted by Council as a vision document for Tweed Heads and that the recommendations of the Masterplan be implemented through the reserves trust as well as amendments to Council's planning policy documents.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

As indicated, DIPNR will provide \$200,000 towards the cost of implementing the Masterplan. Preliminary estimates indicate that considerably more than this will be required to fully implement all of the policy amendments, infrastructure plans and economic viability assessments. In addition, resources will be required to manage all of these elements through to completion.

POLICY IMPLICATIONS:

As discussed in the report.

UNDER SEPARATE COVER:

Nil.

Appendix 1

This appendix reviews three proposed commercial opportunities available to Council to assist in raising capital to undertake some of the infrastructure projects identified in the Masterplan.

Area 1 - Coral St (Opposite Jack Evans Boat Harbour) (Lot 703 DP 877250) Site Location

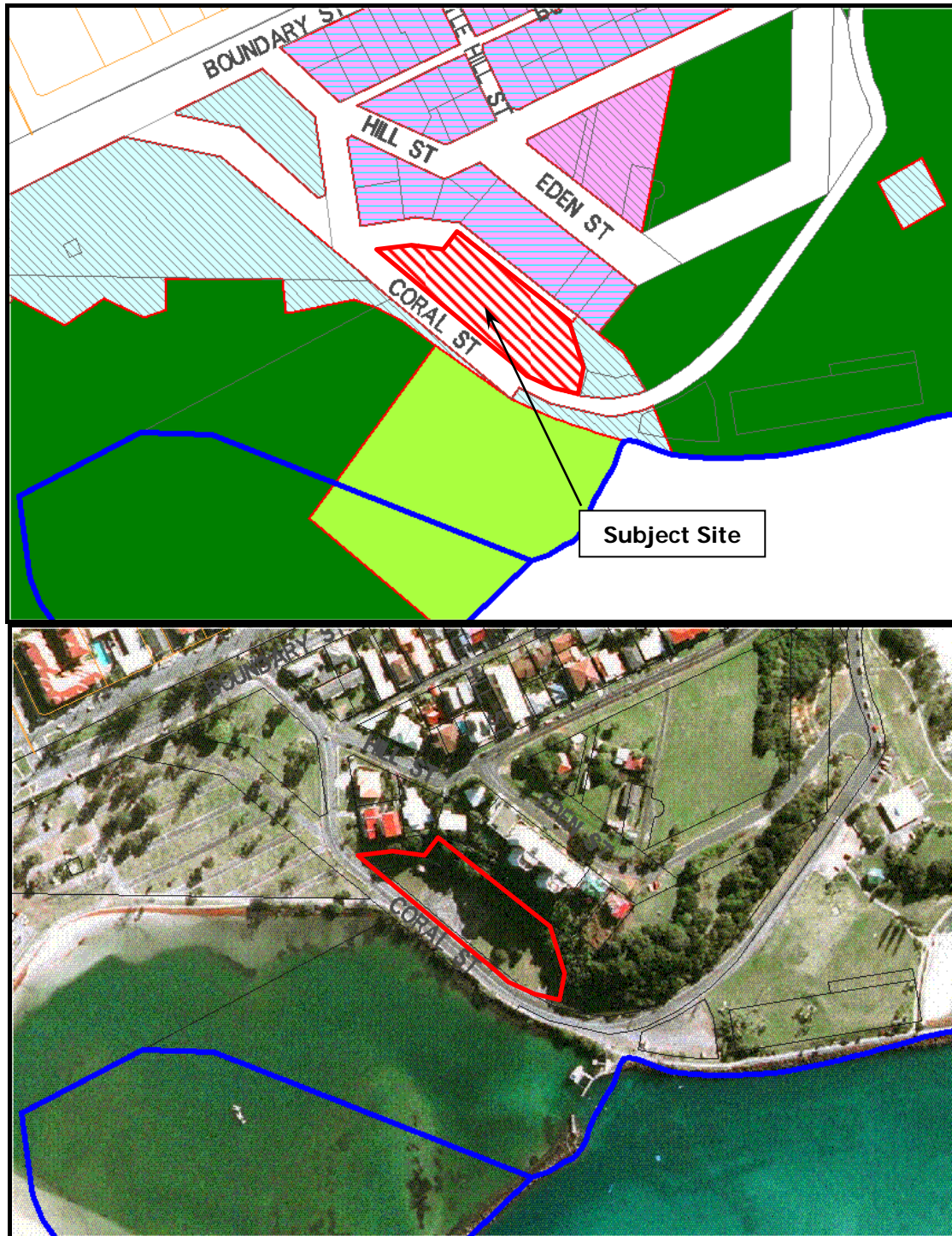


Figure 3: Coral St Redevelopment Site

Ownership Status:

The land is crown land under the care, control and management of Council's Jack Evans Boat Harbour Reserve Trust (Reserve 88182).

LEP Zone Details:

3(e) Special Tourism (Jack Evans Boat Harbour)

LEP Building Height:

- 3 Storey

Tweed Heads Masterplan Proposal:

- 4 Storey Building Height

Other Environmental Constraints:

The land is subject to significant risk of slope instability in the form of landslip and / or rock fall. This was confirmed by Soil Survey Engineers (1998) that was the cause for Council to issue a Notice to Quit to Fisherman's Cove restaurant that leased part of the reserve.

The report identified several methods that could be used to stabilise the slope;

- Insitu Stabilisation – Short term method of anchoring boulders with concrete and anchors
- Removal of Bolders – will not necessarily prevent further erosion and exposure of additional boulders
- Cable Fence – Must be located some distance from buildings. Flexible system which absorbs the rock's force on impact
- Rock Fall Protection Wall – Require extensive earthworks.

It should be noted that these systems were reviewed in light of preventing damage to the existing restaurant building. Other methods may be available in the construction and design of a new building.

Any development work in this location will have increased site preparation costs to ensure safety and public liability of the future development is suitably addressed.

Potential Site Yield:

Using density ratios the ultimate yield for a 4 storey development for an area of land this size would be approximately 40 units. However this would be considered impractical given the site constraints. As a general rule of thumb it could be considered feasible to achieve somewhere between 15 to 25 units in a 4 storey development on this site. These estimates leave the ground floor for commercial opportunities, in accordance with the proposed commercial zone.

Area 2. Bay St, Tweed Heads (Lot 7035 DP 1053313, Lot 1 DP 880816 and Lot 8 Section 2 DP 759009)

Site Location:

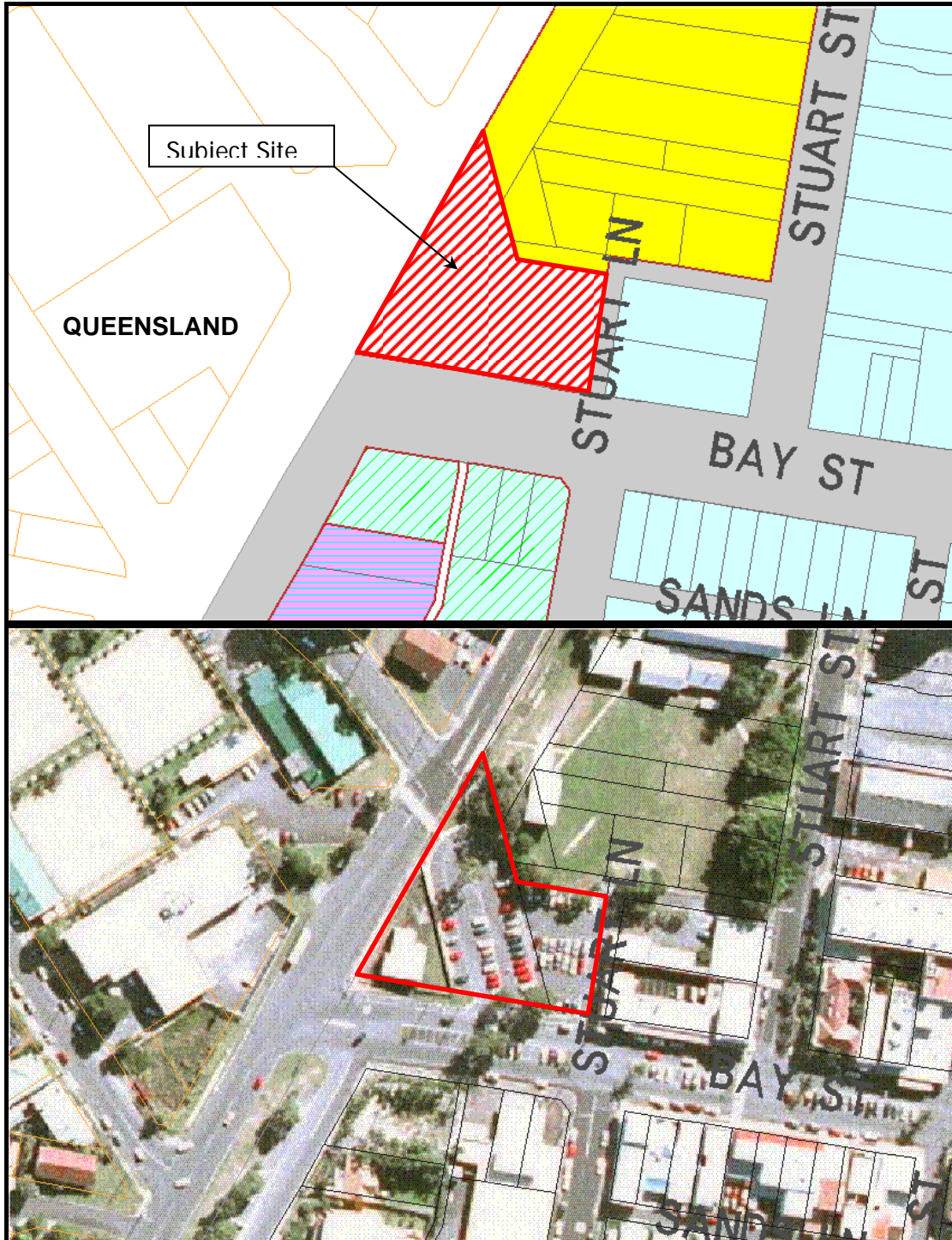


Figure 4: Bay St Redevelopment Site

Ownership Details:

- Lot 7035 DP 1053313 The land is crown land under the care, control and management of Council’s Reserve Trust (R. 1000253)
- Lot 1 DP 880816 Council owned operational land
- Lot 8 Section 2 DP 759009 Council owned operational land

Lot 7035 is currently a crown reserve. To undertake the proposed development would require this land to be transferred to Council as operational land. This would most likely require Council to undertake a compulsory acquisition to acquire the land in fee simple.

LEP Zone Details:

- Lot 7035 DP 1053313 5(a) Special Uses (Fire Station)
- Lot 1 DP 880816 Uncoloured
- Lot 8 Section 2 DP 759009 5(a) Special Uses (Car Park)

These zones are inappropriate for private ownership and would require an LEP amendment. A suitable zone would be 3(a) Sub – Regional Business which would keep it consistent with the surrounding zone in the Tweed Heads CBD area.

LEP Building Height:

- 50 metres AHD

Tweed Heads Masterplan Proposal:

- 15 Stories

Environmental Factors:

The Masterplan identifies that the site, under its proposed building heights, would be able to accommodate 15 stories. The ground level in this location is approximately 10m AHD. A 15 storey development on this site would most likely reach 60m AHD. This would intrude into the airport's Obstacle Limitations Surface (OLS) and would require consideration of the OLS and any requirements of the Civil Aviation Safety Authority (CASA) in considering a development application which intrudes into the OLS. In this location, as for most of Tweed Heads, the OLS is 49.5m AHD. 12 Stories on this site would most likely reach 50m AHD.

Potential Site Yield:

It is estimated that the site could yield between 50 to 70 accommodation units. This does not include ground floor accommodation that is identified in the Masterplan for a transit centre.

Area 3 Cudgen Beach VMR Building (Part Lot 7033 DP 1053088)

Site Location:



Figure 5: Duranbah Redevelopment Site

Ownership Details:

The land is crown land under the care, control and management of Council's Jack Evans Boat Harbour Reserves Trust (Reserve: 57974)

To undertake any commercial activity on this site would require the exhibition and approval by the Minister for Lands of a plan of management for the Jack Evans Boat Harbour Reserve that identified the nature of the proposed commercial activity.

LEP Zone Details:

3(e) Special Tourism (Jack Evans Boat Harbour)

LEP Building Height:

- 3 Stories

Tweed Heads Masterplan Proposal:

- 2 Stories

Proposal:

Redevelopment of the existing building to a 2 storey complex with the top floor in Council's ownership with sub leasing rights for commercial operations. This would provide a commercial return to Council.

It is very difficult to determine a rental return for this lease area. There are many factors which need to be considered in determining the rent. Specifically, these are the unique location, design and use of the redeveloped building.

Any rent achieved from this proposed lease area will be a minor return on both the value of the land and the capital cost of redevelopment.

Area 4. Jack Evans Boat Harbour



Figure 6: Jack Evans Boatharbour Redevelopment Opportunities



Figure 7: Commercial Opportunities Surrounding Jack Evans Boat Harbour

Jack Evans Boat Harbour Plan of Management

Currently there is no adopted plan of management for the Jack Evans Boat Harbour Reserve. Therefore any commercial development on this reserve would require a plan to be drafted and considered in relation to the purpose of the reserve.

It would be preferable to undertake a plan of management for the entire boatharbour reserve but it is possible to prepare a plan for specific areas of the reserve. A draft plan of management needs to be publicly exhibited as well as adopted by the Minister for Lands as well as being adopted by the Reserve Trust. As part of the reserve is underwater it would also require concurrence with the Minister for Fisheries.

Jack Evans Boat Harbour covers all the crown land on Flagstaff Hill as well as Duranbah Beach.

The area to the north of the boat harbour has some area which will need to be reclaimed to accommodate the cultural centre (refer Masterplan above). This would represent considerable earthworks. This area is zoned both 6(a) Open Space and 6(b) Recreation, Earthworks is allowable with consent in both these zones.

Area 4 Cultural Centre

This represents a community building with some scope for a commercial return. However, it is questionable whether the return would represent a suitable return on the capital costs of the development.

This site is currently underwater. To achieve the development of a Cultural Centre on this site would require fill. It is unclear how this would be achieved, and whether the fill material would possibly come from the excavation of the pool lagoon to the north. This issue requires further assessment.

Depending on the size and scale of the building it is anticipated that a small to medium size Cultural Centre would be between \$2 to \$10 million. These cost estimates are based on the development costs of the Banora Point Community Centre project.

This area is zoned 6(b) Recreation, Community Buildings are allowable with consent in this zone.

Area 5 Marina

It is difficult to determine how this facility would operate from the information in the Masterplan. But it is considered it would be a joint facility between specific rescue craft and a private marina operator. Any private commercial operation would generate revenue. Given the size of the facility it is not considered that it would accommodate many craft, thereby reducing the amount of rent it could govern from a commercial operator.

This area is within the 6(b) Recreation zone where a marina is allowable with consent. Any development application for a marina would require concurrence with the Dept. of Natural Resources. This is after the Minister for Lands has adopted any plan of management identifying the marina in concurrence with the Minister of Fisheries.

Area 12 – Twin Towns - Ground Floor Commercial / Retail

The commercial viability of this proposal is not a concern of Council. The land occupied by Twin Towns is zoned 6(a) Recreation, Shops are a prohibited use within this zone Refreshment Rooms (Cafes and Restaurants) are allowable with consent.

Twin Towns have a lease over the footprint of their building, and a separate lease over the car park area fronting the Boat Harbour I believe the site of the proposed commercial area is in the car park area and consequently, would need to be include in a Jack Evans Boat Harbour plan of management.

APPENDIX 2

MASTER PLAN ELEMENTS						
Feasibility and Implications for Council						
<i>Feasibility:</i>						
Possible – Already being considered by Council,						
Achievable – The project could be developed if given priority by Council,						
Impractical – The project will take a large amount of capital and / or resources to undertake.						
	Elements	Resources H High M Medium L Low	Policy Implications	Funding Sources	Priority	Feasibility H High M Medium L Low
1	Jack Evans Boat Harbour – safe family environment	H	PLANNING /TRUST	S.94/LOANS	H	POSSIBLE
2	Swimming lagoon	H	TRUST	S.94/LOANS	M/H	IMPRACTICAL
3	Cultural Gardens – Aboriginal/European heritage celebration	M	TRUST	S.94/LOANS	M/H	ACHIEVABLE
4	Cultural Centre – Entertainment – tourism – exhibitions – outdoor exhibits	H	TRUST	S.94/LOANS	M	ACHIEVABLE
5	Rescue craft – dive boats, ferry	PRIVATE VENTURE				
6	Performance amphitheatre – Rescue helicopter	M	TRUST	S.94/LOANS	M	ACHIEVABLE
7	VMR Duranbah Beach – significant up-grade – refer to Management Plan New ‘shared’ building	M		JOINT VENTURE	M	ACHIEVABLE
8	Border ‘switch back’ access – New pedestrian link	L		S.94/GRANTS/LOANS	L	ACHIEVABLE
9	Possible tourism facility	PRIVATE VENTURE				
10	Cultural/Museum – Pilot station – Outdoor museum on grass slope	L			L	ACHIEVABLE
11	Mixed use/residential building	PRIVATE VENTURE				
12	Low rise retail/tourism/change rooms as focus for activity	PRIVATE VENTURE				
13	Parkland	L		S.94	H	POSSIBLE
14	Market Plaza	L		S.94	H	POSSIBLE
15	New terrace to food hall and activated street. New residential					
16	Norfolk Is. Pine planting and water themes	L		S.94	L	ACHIEVABLE
17	Public square with rationalised parking to Tweed Mall	PRIVATE VENTURE				
18	Village square retail/commercial cover 2/3 story	PRIVATE VENTURE				
19	Gateway development site with potential transport interchange	H	LEP	SELF FUNDING	H	ACHIEVABLE
20	New high quality border park	M		S.94	M	ACHIEVABLE
21	High quality public domain treatment to Stuart Street	M		S.94/LOANS	M	ACHIEVABLE
22	New axis between park and harbour on navigation lane	L			L	ACHIEVABLE
23	Avenue tree (e.g. figs)	M		S.94	L	ACHIEVABLE

MASTER PLAN ELEMENTS**Feasibility and Implications for Council****Feasibility:****Possible – Already being considered by Council,****Achievable – The project could be developed if given priority by Council,****Impractical – The project will take a large amount of capital and / or resources to undertake.**

	Elements	Resources H High M Medium L Low	Policy Implications	Funding Sources	Priority	Feasibility H High M Medium L Low
	planting to state border					/IMPRACTICAL
24	Street tree plantings to key streets	M		S.94	L	ACHIEVABLE /IMPRACTICAL
25	Retain and enhance 'border style' housing as special character area	L	LEP		H	ACHIEVABLE
26	New twelve storey (high density) residential development area to ridgeline	L	LEP		H	ACHIEVABLE
27	Mixed use commercial/residential development to Wharf Street frontage	PRIVATE VENTURE				
28	New centre for excellence at the campus/civic centre precinct	H	LEP	SCU	M	ACHIEVABLE
29	Gateway park with stormwater quality treatment ponds	H	STORMWATER POLICY		L	IMPRACTICAL
30	Rationalised hospital precinct with new opportunities for development on surplus land	STATE GOVERNMENT				
31	New high quality linear parkland	M		S.94	L	ACHIEVABLE /IMPRACTICAL
32	Improve streetscaping and vistas to river	L		LOANS	L	ACHIEVABLE
33	Public domain improvements to wharf street	M		LOANS	L	ACHIEVABLE
OTHER ISSUES						
	Element	Resources	Policy Implications	Funding Sources	Priority	Feasibility
	Drainage	H	DRAINAGE POL.	S.64	M	IMPRACTICAL
	Town centre bypass	H	ROAD PLAN	S.94/WORKS	L/M	IMPRACTICAL
	Pedestrian boardwalks/bridge (Jack Evans)/stairs (Pt. Danger)	H	TRUST	S.94/LOANS	H	ACHIEVABLE
	LEP Amendments/Height Controls	L	LEP	GRANT	H	POSSIBLE
	Public Art	L	PUBLIC ART POL.	GENERAL FUND	L	ACHIEVABLE
SPECIFIC ISSUES						
	Element	Resources	Policy Implications	Funding Sources	Priority	Feasibility
	Wharf/Bay Street Intersection	M			M	ACHIEVABLE
	Stabilised Duranbah Beach	M	TRUST		L	ACHIEVABLE
	Switchback walkway & viewing platform Pt. Danger	L		S.94	L	ACHIEVABLE
	Duranbah Beach parking improvement	M		S.94	L	ACHIEVABLE
	Upgrade local park (Enid Street)	L		S.94	L	ACHIEVABLE
	Upgrade intersection (Frances & Enid)	M		? WORKS	M	ACHIEVABLE

MASTER PLAN ELEMENTS**Feasibility and Implications for Council****Feasibility:****Possible – Already being considered by Council,****Achievable – The project could be developed if given priority by Council,****Impractical – The project will take a large amount of capital and / or resources to undertake.**

Elements	Resources H High M Medium L Low	Policy Implications	Funding Sources	Priority	Feasibility H High M Medium L Low
Streets)					
Upgrade to Unioke Park, Botany Cres.	L		S.94	L	ACHIEVABLE
Upgrade to Park, Civic Centre, Wharf Street	L		S.94	L	ACHIEVABLE
Water feature, Wharf/Bay Streets	M	PUBLIC ART POL.	GENERAL FUND	L	ACHIEVABLE
Multi-Story carpark, Frances Street	H	PARKING POL.	S.94/Private	M/H	ACHIEVABLE
Quality public space, water feature/Porte cochon, Wharf Street	M		S.94/Private	M	ACHIEVABLE