



CONSULTING

Development - GENERAL ENR  
EMPLOYMENT LAND STRATEGY

7<sup>th</sup> September, 2009

The General Manager  
Tweed Shire Council  
PO Box 816  
MURWILLUMBAH NSW 2484

Attention: Mr. Vince Connell

TWEED SHIRE COUNCIL	
FILE No: LN: 71569	
DOC. No: .....	
REC'D: - 9 SEP 2009	
ASSIGNED TO: Connell, V	
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Dear Sir,

Boyd's Bay Garden World Site -  
Submission to Amend the Tweed Employment Generating Lands Strategy 2009.

Further to our recent discussions, please find attached our submission formally seeking consideration to amend the Tweed Employment Generating Lands Strategy as detailed.

I trust that you will support this submission and ask that you do not hesitate to contact our office should you wish to discuss further.

Yours sincerely

*per Kyndall*  
Adam Smith  
Director  
PLANIT CONSULTING Pty Ltd

LOT 10 DP 1084319  
BANKSIA + PARKES DR TH WEST

Attachment

Re: Areas Doc's

4637297  
2041079  
2040251  
1974411

Customers : RAVIT  
+  
MAD Development  
+  
Leisure Beentees

NEW SOUTH WALES

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26<sup>th</sup> August 2009

The General Manager  
Tweed Shire Council  
PO Box 816  
MURWILLUMBAH NSW 2484

Attn: Mr. Vince Connell

**RE: TSC Employment Generating Lands Strategy Submission – Boyd's Bay Garden World site**

Dear Sir,

We refer to the above and advise that we have been engaged by Maro Developments P/L and Leisure Brothers P/L (our clients) to prepare a formal request to Tweed Shire Council seeking for the designation of the land commonly known as the Boyd's Bay Garden World site to be amended from a medium term designation under the Tweed Employment Generating lands Strategy to a short term designation.

Maro Developments and Leisure Brothers wish to work collaboratively with Council to deliver a sustainable and viable development outcome for this strategic land parcel. We recommend that the Tweed Shire Council amend the Employment Generating Lands Strategy to include the identified parcel of land (Area 2) as a Short Term priority for rezoning.

We hope that this submission demonstrates to Council the strength of the opportunity that lies before us, and would ask that you please contact us at any time if you would like to discuss any element of what we have presented.

Kind regards

Adam Smith  
Director  
PLANIT Consulting



## 1.0 Executive Summary

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### Context

The Tweed Shire Council's recently released *Employment Generating Lands Strategy* describes land on the corner of Rose Street and Parkes Drive in Tweed Heads as a suitable area of land to contribute to meeting current and projected employment needs and promote economic development as part of a sustainable approach to strategic planning.

The land, described as Area 2 in the *Employment Generating Lands Strategy* has exposure to the intersection of the Tugun Bypass and the Pacific Highway which carries more than 70,000 vehicles per day. The site is easily accessible through off ramps from the highway. The *Employment Generating Lands Strategy* targets the subject site and surrounding land as a future airport-related industrial precinct.

This submission recommends that, due to the readiness of the proponents to proceed with development of this site in line with the Tweed Shire Council's intended uses, the site should be considered for accelerated rezoning and should be reclassified in the Employment Generating Lands Strategy as a Short Term priority for rezoning.

### Who we are

Maro Developments in conjunction with Leisure Brothers Pty Ltd are proposing the redevelopment of this site in line with the intended uses described in the Employment Generating Lands Strategy.

Maro Developments is based in the United Kingdom and holds a wide ranging portfolio of industrial, commercial and residential investment sites together with a range of development sites at varying stages of planning and development.

Leisure Brothers is based in Northern New South Wales and is actively involved in investing and developing property in key markets within Australia.

### Attributes of approach

The site clearly represents an opportunity to facilitate a high quality, integrated development attracting significant expenditure and employment benefits to the region. The connectivity of the site gives it great potential to create economic and employment opportunities for the Tweed as an attractor for industrial and commercial investment.

We will conduct thorough research into leading edge business parks in other centres throughout Australia. This assessment will focus on the identification of the types of businesses which may be attracted to the business park that builds the employment capacity of the Tweed Region.

With respect to economic benefits, the multipliers for output and employment in the construction industry alone show that, for every \$1m spent on construction output (houses, non-residential buildings, etc.), a possible \$3.9m in output would be generated in the economy as a whole, giving rise to an economic benefit (in construction dollars) in the order of \$315 million and a further 470 construction jobs.<sup>1</sup>



Operationally, the proposal stands to create in the order of an estimated 500 FTE jobs, and a total of approximately 720 FTE positions.

### The Opportunity

- The location of the lands provides for a strong, comparative advantage over other sites as it is situated adjacent to the Pacific Highway & the Gold Coast Airport. Tweed Heads is strategically located for region-wide access to Brisbane, the Gold Coast and Northern New South Wales
- The site is just 1 hour and 15 minutes from Brisbane Airport, 5 minutes to the Gold Coast International Airport, 30 minutes to the centre of the Gold Coast. The site is also conveniently located in respect of the future rail link to the Gold Coast Airport
- The development of the employment lands on the site and in the surrounding area will significantly assist the achievement of the stated objectives within the Tweed Employment Generating Lands Strategy and its strategy for self containment. This will underpin the efforts to ensure that Tweed Residents both live and work in the Tweed, while also maximizing opportunities to bring Gold Coast residents in to the Shire
- The site could be a unique development which represents a significant upgrade in quality compared to the existing supply of industry/business park floorspace in the local area. It also represents the opportunity to be a leading example at the national level of the change which is occurring in industrial land uses.
- While the proposed business park is planned to be a contemporary facility, much of the existing industrial/business park land uses in the area are more consistent with traditional industrial estates in terms of design, standard of amenity and associated land uses
- Traditional industrial land uses support around 40 workers per hectare. In contrast, the employment generated from a contemporary, world class business park facility is anticipated to be much higher. Case studies show employment generation in the order of 60- 70 workers per hectare and higher in some instances.
- From the Tweed Shire Council's perspective, significantly less industrial land would be required to generate considerably higher levels of employment. In net terms the Tweed can achieve higher employment as a consequence of land use as a business park than would be possible as a traditional industrial estate.
- The types of industries and businesses considered likely candidates to locate at the proposed business park are Aviation, biotech, ICT and logistics/warehouse industries. Others may include food related industries. These are presented in the following table together with the types of business which may operate within these industries located at the proposed business park.

### Constraints

Few constraints are evident on the site that would preclude any form of commercial use, with those constraints that do present an obstacle able to be addressed by way of sympathetic design and or siting.



The attached submission includes a constraints table which outlines identified land use constraints and determines how they would be addressed by this proposal.

### Recommendation and Conclusion

Maro Developments and Leisure Brothers are ready and able to undertake the necessary statutory, planning, design and investment activities related to the proposed development of this site. We recommend that the Tweed Shire Council amend the Employment Generating Lands Strategy to include the identified parcel of land (Area 2) as a Short Term priority for rezoning.

The proponents are enthusiastic about the opportunity to work collaboratively with the Tweed Shire Council to deliver this important project proposal, generating investment and jobs for the Tweed economy.

## 2.0 Background & Introduction

To date the 'Maro Developments / Leisure Brothers' group have been actively engaged with council with a view to pursuing a Bulky Goods Retail outcome for the subject site. This intent was supported by submissions made to Council whilst the recently adopted Tweed Employment Generating Lands Strategy was under preparation. These consultations have focussed the intended land use on bulky goods retailing and those lands commonly referred to as the Boyd's Bay Garden World site.

Concurrent with the latter have been discussions with the NSW Department of State & Regional Development, Tweed Shire Council and NSW Department of Lands with a view to integrating future planning for the Airport Precinct (as identified in the Draft Tweed EGLS 2008). In this regard our clients have shown commitment to pursuing the integration of all properties so as to aid in the streamlining of any rezoning process.

With respect to the integration of relevant parties, it is noted that whilst council's land is identified as being within the employment generating lands footprint, they have recently been granted approval for the construction of a new Sewerage Treatment Plant upon the site, whilst written confirmation has been given by the Council as to the potential need to utilise their lands for employment purposes. Furthermore, with respect to those lands parallel to the Cobaki Estuary, a current approval exists for the development of the site for Industrial purposes. Whilst not acknowledged as such within the EGLS, there is every indication in this respect that the proponent of this development is moving ahead in the short term to develop the site in a manner consistent with his approvals. The latter two (2) elements act so as to limit (possibly prohibitively) any desire to ensure that the future development of the lands identified occurs in an integrated manner.

Council adopted the Employment Generating Lands Strategy in April of this year and identified the site (as part of the Airport Precinct) as being potentially suitable for **employment purposes** in the **medium term**. In this regard, the EGLS nominated the site as being suitable for Export Business associated with the neighbouring Airport, inclusive of proximity to future potential rail links to the Airport itself.

Constraints potentially impacting upon the site and relevant to any future development outcomes include as follows:-

1. Flooding
2. Proximity to adjacent STP
3. Airport operations
4. Proximity of residential uses



#### 5. Acid Sulfate Soils

It is considered that each of these constraints can be suitably addressed within the rezoning process. Please refer to the constraints table identified below in this regard.

Our clients have considered in great detail the recommendations of the EGLS and concurrent / subsequent discussions with council officers. In this respect, our clients are seeking for council to reconsider its nomination of the site as being suitable for rezoning only in the medium term, with a **short term** designation considered appropriate. Furthermore, our clients are also seeking, in a manner consistent with the recommendations of the EGLS and discussions with Council officers, to amend their intent so as to comprise a focus on Business Enterprise land uses consistent with the sites proximity to the Airport and critical infrastructure. This land use format would comprise such land uses as follows:-

1. Specialty Industry (Science, Development, Research & Education)
2. Logistics & Product Management (warehousing)
3. Commercial office
4. Retail (consistent only with the primary functions of a Business Enterprise precinct)
5. Administration
6. Ancillary support uses

The vision for this site, consistent with the uses above, is to facilitate an environment that takes advantage of its world class access opportunities and proximity to the growing population centre's of Brisbane, Gold Coast and Northern New South Wales. This vision is shared within the Council's adopted EGLS.

### 3.0 The Proponent

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The site is under the control of Maro Developments and Leisure Brothers P/L.

Maro Developments is an established UK land developer. The Maro Developments Limited website ([www.marodev.co.uk](http://www.marodev.co.uk)) gives some information on the company:

Maro Developments Limited is a company wholly owned by John Hargreaves, the founder of the Matalan retail company. Founded in the 1980's, Matalan specialises in clothing, home wares and sports goods and trades from over 200 stores in the UK, with plans for extension internationally. John and his family continue to hold the controlling interest in the business which has an annual turnover in excess of £1 billion.

John has developed a portfolio of personally owned sister businesses trading independently, though using common Directors and advisors. These include businesses in property and sport. The teams in each company work very hard on creating mutual business through their natural synergies.

Maro Developments, the property company, was established in 2002 and has completed a number of high profile town centre residential developments from its base in Manchester. It holds a wide ranging portfolio of industrial, commercial and residential investment sites together with a range of development sites at various stages of planning and development. The value of the portfolio is in the region of £55million. In addition, Maro advises on other personal property interests John holds in the Caribbean and in Mexico.

The site at Boyd's Bay Garden World in Tweed Heads, Australia was identified as an opportunity in late 2007 following our introduction to Leisure Brothers who, with their very strong international sporting



background, have strong contacts with our sports business. The site was identified after a nationwide search.

In early 2008 a formal joint venture relationship was established with Leisure Brothers and the Boyd's Bay Garden World site was acquired under option.

#### 4.0 The Subject Site

Our clients hold a controlling interest in Lot 10 in DP 1084319, being that land that presently accommodates the existing Boyd's Bay Garden World. Adjoining sites consist of the Council owned Sewage Treatment Plant (STP) being Lot 1 in DP 607299, an existing Industrial zoned parcel with approval to develop and lands immediately to the north of our clients land being Crown Reserve parcels.

The site and its surrounds are depicted in aerial extract within **Attachment A**.

The site is approximately 5ha in area and possesses direct frontage to the newly created Pacific Motorway route. A designated access facility has been provided off the motorway to Parkes Drive which also gives access to the Council controlled lands to the rear. Access is also available off Rose Street which effectively forms a cul de sac head service corridor adjacent to the eastern frontage.

The site has been significantly disturbed over an extensive period and was utilised for a Drive in cinema prior to the current use (ceased operating in 1993). Few constraints are evident on the site that would preclude any form of commercial use, with those that do present a land use constraint able to be addressed by way of sympathetic design and or siting.

So as to assist Council, a base constraints table has been prepared and is outlined below.

This should be read in conjunction with the 'opportunities' table provided later in this submission:-

**Table 1:** Base Constraints Table

Constraint	Applicable
Flooding	<p>The site possesses a Low Hazard Flooding risk with existing levels of between 1.0m AHD and 3.0m AHD across the site. In this regard and in accord with Council requirements, Development of the site will require filling with the design flood level being nominated as 3.0m AHD.</p> <p>Further detail will be available at the completion of council's Coastal Flooding Strategy and Modeling.</p> <p>In this regard, it is not expected that flooding will prove to be a prohibitive constraint to the development of the land.</p>



	To be addressed in greater detail at the rezoning stage.
Servicing	<p>The site can be readily serviced with respect to water, sewer and stormwater facilities (refer attached preliminary engineering report by Cardno).</p> <p>To be addressed in greater detail at the rezoning stage.</p>
STP Buffer	<p>The West Tweed STP sits adjacent to the site and forms an immediate neighbour to the subject site.</p> <p>Council has advised our client that at this stage it should be assumed that a new STP will be constructed on the site in order to service the needs of future developments in the area (Cobaki etc). To this end, council approved (under Part V of the EP&amp;A Act, 1979, a new STP for the site on the 17<sup>th</sup> February 2009.</p> <p>The use of this land represents two (2) key considerations in the context of our client's land. These being, 1. The adoption of land uses that may potentially conflict with the adjoining use on Council's land, and 2. The ability to effectively integrate a masterplan over the subject lands when there is no certainty over the use of Council's own lands.</p> <p>Buffering to the STP is considered an issue that will need to be addressed by way of detailed odour assessment at the rezoning stage. It is pertinent to note nonetheless that in the report to Council dated 17<sup>th</sup> February 2009, it is clear that all sludge and processing ponds, inlet and outlet works are to be covered / enclosed and odour scrubbing and screening mitigation measures are to be employed in order to meet applicable commercial and residential buffering requirements. The latter ensures that any buffering required (which is acknowledged as being a matter to be addressed by our clients) will be minimal.</p> <p>To be addressed in greater detail at the rezoning stage.</p>
Ecology	<p>The site presents little in the way of ecological constraints. Existing waterbodies on site are deemed to be operational drains. Little in the way of constraining habitat is evident on the site</p>





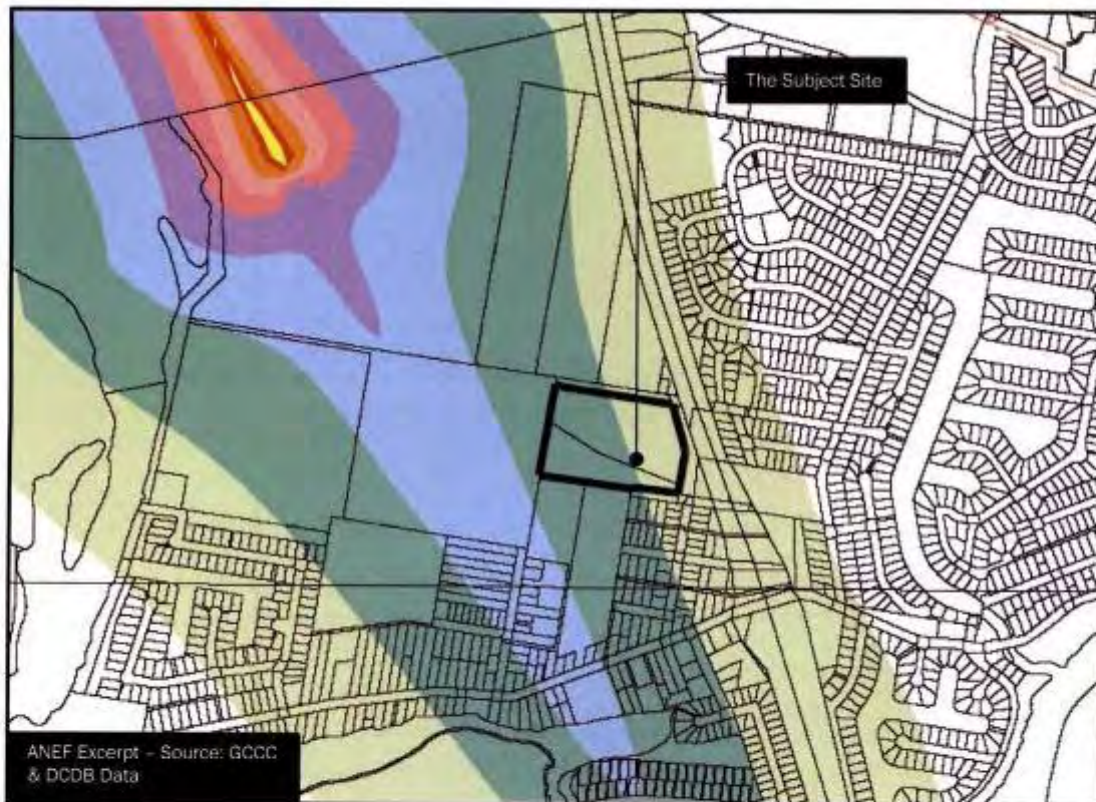
	<p>and hence it is considered unlikely that this element of consideration will restrict future development</p> <p>To be addressed in greater detail at the rezoning stage.</p>
<p>Access</p>	<p>Discussions have been had with the RTA in respect of formalizing access for the purposes of future development and whilst their advices have been qualified, they are happy to consider such unrestricted access during the rezoning stage. It is likely that the eastern boundary will be restricted, however access will be available to the Motorway by way of Parkes Drive. Parkes Drive would need to be upgraded in accord with the recommendations contained within the attached Cardno report. The proponent is willing to undertake these works given the nexus of future development demands.</p> <p>To be addressed in greater detail at the rezoning stage.</p>
<p>Aircraft Noise / Proximity to the GC Airport</p>	<p>The property is affected by the 20-25 and 25-30 ANEF contour designations (refer diagram below). These contour designations permit a wide range of uses pursuant to the Australian Standard 2021 - Development in Vicinity of Aircraft Noise.</p> <p><i>A table outlining permissible uses is outlined below.</i></p> <p>The northwestern extremity of the site is approximately 1km from the end of the Gold Coast Airport runway which determines the need to involve the Gold Coast Airport in any rezoning process. We would expect that the airport will play an active role irrespective of the final landuse identified for the site.</p> <p>Consideration will also need to be had in respect of Obstacle Limitation Surface Height Restrictions associated with the Airport operations.</p> <p>To be addressed in greater detail at the rezoning stage.</p>
<p>Contamination</p>	<p>A statutory declaration has been gathered in the process of carrying out a preliminary site history review. This declaration provides for a detailed use of the property and gives comfort as to the</p>



likelihood of contamination.

**Table 2: ANEF Permissible Uses – Australian Standard 2021**

Building Type	Acceptable	Conditional	Unacceptable
House, home unit, flat, caravan park	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Hotel, motel, hostel	Less than 25 ANEF	25 to 30 ANEF	Greater than 30 ANEF
School, university	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Hospital, nursing home	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Public building	Less than 20 ANEF	20 to 30 ANEF	Greater than 30 ANEF
Commercial building	Less than 25 ANEF	25 to 35 ANEF	Greater than 35 ANEF
Light industrial	Less than 30 ANEF	30 to 40 ANEF	Greater than 40 ANEF
Other industrial	All ANEF zones	All ANEF zones	All ANEF zones





#### **4.0 The Current Status & Tweed Employment Generating Lands Strategy**

The subject site is currently located within the 1(a) rural zone pursuant to the Tweed Local Environmental Plan 2000. Accordingly the majority of commercial, industrial and or retail uses are prohibited on the site. The existing retail nursery presumably enjoys existing use rights.

Council commenced an Employment Generating Lands Strategy commencing in late 2007 and adopted in April 2009. The subject site and its surrounds have been identified for the purposes of Employment Lands. The land and surrounding properties have been identified as being within the area known as the Airport Precinct.

With regards to this area, the strategy states, inter alia:-

*'This fairly flat area is situated immediately to the south of the Gold Coast Airport in Tweed Heads West. It is in an area of high airport noise impact and is therefore unsuitable for residential development. Building heights would need to be limited to coincide with flight path requirements. There will also be limitations on the types of industry that can locate in this area in view of possible emissions that may constitute controlled activities under the Federal Airport Act. External illumination will be restricted and reflective roof surfaces prohibited. The first one kilometre in distance from the end of the runway is also a designated public safety area in which the concentration of people is to be avoided. This may further restrict the type of employment activities that can take place in this area.*

*It is also likely to be affected by road noise from the Tugun bypass after mid 2008. Area 1 is currently used for a horse riding facility, while Area 2 is used partly for the Tweed Heads STP (proposed to be decommissioned in due course with flows diverted to the Banora Point STP) and a garden and landscaping supplies business. Two other parts of the site are vacant land. Areas 1 and 2 have a combined total of 43 ha and this could be used in conjunction with the existing 16 ha of land zoned industrial known as Tringa street. All together a future employment precinct would have approximately 59 ha of land (gross). It should be noted that Tweed Shire Council may yet require some or all of its land for a future STP.*

*Access to this precinct is proposed from the Tugun bypass which will be an important asset to the site. There is also existing access off Kennedy Drive into West Tweed Heads. However Kennedy Drive has capacity issues and this would be a limitation.*

*The proximity to the Gold Coast Airport makes it ideally suited to export businesses that rely on air transport in some way. In the longer term it will also have excellent potential links to the heavy rail terminal proposed for the airport precinct. The Tweed Shire Potential Industrial Land Investigation (TSC, 2000) identified this area as a potential Gold Coast Airport Enterprise Park site and ranked it as a high priority subject to resolution of buffer issues with neighbouring residential land, acid sulfate soils, potential contaminated lands (STP), stormwater and drainage. Council has also advised that a flood impact analysis would be required. Given the land is in multiple ownership there will also need to be a coordinated approach to internal access and staging of the development of the area to co-ordinate the supply of services and decommissioning of the STP.*

*The TEDC commissioned a report in 2001 which specifically assessed the options for this land in a local and regional context (SGS, 2001). The report concluded that the site had potential for development and particularly for the following industries – boat*



*building; food and beverage manufacturing; storage and distribution; herbal industries; aircraft parts and manufacturing; and turf farming'.*

The property is currently identified as being a 'medium term' employment generating land parcel within the strategy.

Our client controls that land known as the Boyd's Bay Garden World. The subject site is in a fortunate position in this respect as it has the ability above all other relevant parcels, to set the trend, form and timing within which the site is developed.

There are of course critical restrictions with respect to the integration of land uses, not least being the fairness of having to effectively sit on one of the most important strategic land parcels in the shire due to the fact that the council remains unwilling to commit to the use of its own lands. This is considered to be a narrow view to the use of the subject lands and one that limits the real potential of the subject lands with respect to employment generation, economic productivity and uptake of resourced lands.

## **5.0 Our Client's Vision and Submission to Proceed in the Short Term**

Our client supports the findings of Council's consultants in large part, with the exception of the medium term development designation. In this regard our client considered in some detail the opportunities of the site and seeks to progress with a defined business park outcome that will set the fundamental benchmarks for all other similar forms of development to follow.

Opportunities exist for strong branding and presence.

### **5.1 The Opportunity**

- The location of the lands provides for a strong, comparative advantage over sites in regards to access as it is situated adjacent to the Pacific Highway & the Gold Coast Airport. Tweed Heads is strategically located for region-wide access to Brisbane, the Gold Coast and Northern New South Wales.
- The site is just 1 hour and 15 minutes from Brisbane Airport, 5 minutes to the Gold Coast International Airport, 30 minutes to the centre of the Gold Coast. The site is also conveniently located in respect of the future rail link to the Gold Coast Airport.
- The development of the employment lands on the site / in the area will significantly assist the achievement of the stated objectives within the Tweed Employment Generating Lands Strategy and its strategy for self containment. This will underpin the efforts to ensure that Tweed Residents both live and work in the Tweed, whilst also maximizing opportunities to bring Gold Coast residents in to the shire.
- It is considered that the site would be a unique development which represents a significant upgrade in quality compared to the existing supply of industry/business park floorspace in the local area. It also represents the opportunity to be a leading example at the national level of the change which is occurring in industrial land uses.
- While the proposed business park is planned to be a contemporary facility, much of the existing industrial/business park land uses in the area are more consistent with traditional industrial estates in terms of design, standard of amenity and associated land uses.



- It is considered that traditional industrial land uses generate in the order of up to 40 workers per hectare. In contrast, the employment generated from a contemporary, world class business park facility is anticipated to be much higher. Case studies show in the order of 60-70 workers per hectare and higher in some instances. This effect is due to the higher numbers of employees which would result from the trend towards higher ratios of commercial to non-commercial floorspace in industrial/business parks;
- From the Tweed Shire Council's perspective this would indicate that significantly less industrial land would be required to generate considerably higher levels of employment. Therefore, higher employment will be generated as a consequence of a business park land use than would be possible under the traditional industrial estate type land uses.
- The types of industries and businesses considered likely candidates to locate at the proposed business park are Aviation, biotech, ICT and logistics/warehouse industries. Others may include food related industries. These are presented in the following table together with the types of business which may operate within these industries located at the proposed business park.

#### **Industries and related businesses**

##### **Industry Potential Businesses**

##### **Biotech**

Agen Biomedical, Alchemia, Alphapharm, AstraZeneca, Cbio Corbett Robotics, Genetic Solutions, Panbio, Peplin Ltd, Progen Industries, Sequenom, Australian Centre for Complementary, Medicine, ducation and Research, Health World, MediHerb, Symbion Health, Sigma Herron, ICT Creative Assembly (Sega), Oracle, IBM Tivoli, SAP, THQ

##### **Logistics/Warehouse**

Patricks, TNT, Toll Holdings, Coles, Woolworths,

##### **Aviation**

Aviation Australia, Alteon Training Australia Pty Ltd, Australian Aerospace, Boeing Australia Limited, Frequentis Australasia Pty Ltd, Hawker Pacific Pty Ltd, Helitech, Pratt and Whitney Canada (Australasia) Pty Ltd, Raytheon Australia, Singapore Flying College Pty Ltd

##### **Food Related**

Snap Fresh, Australian Meat Holdings, Berri, Carlton United Breweries, Castlemaine Perkins, Kerry Ingredients, Nestle Australia, Nippon Meat Packers, OSI International Foods

#### **5.2 Associated Land Uses**

- There have been a number of other commercial and demographic changes reflecting broader worker needs that have influenced requirements for more diverse land uses in employment areas. These relate to business and employee needs for retail services, accommodation, recreational facilities, and social services.

#### **5.3 Flexible Planning**



- The key to achieving the necessary diversity of uses for employment locations such as business and industrial parks appears to be in the flexibility of the relevant land use planning guidelines. This approach is the way of the future and should governments have objectives of minimising trips and promoting employment in closer proximity to residents then these types of policies must be implemented. This approach could be achieved to great effect in the development of this site.
- While the site clearly represents an opportunity to facilitate a high quality, integrated development, significant expenditure and employment benefits would be lost to the region if this opportunity was left in abeyance (for the Medium Term) for some considerable time or if the approach was taken to replicate the existing approved industrial development immediately to the west. This loss in economic opportunities would be due to the great reduction in the live-work-play attribute and the sites locational potential to serve as an attractor for industrial, commercial and recreational land uses. In addition such a proposal would lose the fundamental opportunity to promote Tweed's role and function in both the Northern New South Wales and Queensland markets.

#### 5.4 Proponent's Approach & Vision

Our client's approach to their vision for the land recognises the need to undertake an assessment of the impacts of a business park. The work will include research into leading edge business parks in Brisbane, Sydney and Melbourne. This assessment will focus on the identification of the types of businesses which may be attracted to the business park. It will also provide an analysis of modern business parks which will incorporate research into the proportions of office to non-office floor space by industrial tenancies.

Specifically, the assessment will incorporate the following tasks:

1. Provide a description of trends in business park developments which reflect the changes in industrial development over recent years;
2. Presentation of business park case studies from Sydney, Melbourne and Brisbane. This will assist to identify the trends in the industry. Market evidence will also be provided. This will inform about the ratio's of office space to non-office space by industrial tenants;
3. Discussion of the opportunity for potential tenants represented by the proposed business park. This would include a description of the key attributes of the site and incorporate investigations into business parks which have a similar focus to the proposed site. This would include business parks such as those with a marine industry focus and are representative of clusters of high-tech or industrial research, or have a relatively high requirement for water; and
4. Discussion of other findings in relation to business park development trends such as the demand for associated land uses including retail, recreation, accommodation and social requirements.

The way businesses operate has evolved over time with significant change occurring in the last ten years as a result of advances in technology and information systems. This factor is recognised in the Sydney Metro Strategy which notes that more computer based production processes and better logistics and inventory controls are leading to reductions in shop floor workers and more office based employees. Associated with this is the trend towards operational consolidation where businesses consolidate their operations at a single location combining head office, back office, manufacturing and distribution activities. Good examples of this are James Hardie at Rosehill in Sydney, Nestle at Rhodes



in Sydney, Optus at North Ryde in Sydney, Powerlink at Virginia, Sealy Posturepedic at Wacol, Queensland Newspapers at Murarrie, Nissan Motors at Dandenong in Melbourne, and Toyota at Acacia Ridge in Brisbane.

The historic concept of the head office being located in a CBD and separate warehouse/manufacturing facilities being remote in industrial estates is contrary to the changing face of management practices that seek operational consolidation as outlined above.

Importantly the Sydney Metro Strategy recognises the flexibility required in providing for businesses accommodation needs and refers to employment lands, and does not differentiate between industrial space and business park space. In this regard the strategy notes "that many industrial activities now have higher office components with more white collar workers. This means that more jobs can be located in employment lands".

By way of example, further reference is drawn to both the Sydney Metropolitan Strategy and its Queensland equivalent (SEQ Regional Plan). These strategies set out how the NSW State Government intends to sustainably manage growth and change in the Sydney and Greater Metropolitan Region (GMR) over the next 25 years. It is driven by a Vision, Growth Directions, Strategies, and Priorities for Implementation. These are comparable elements to those contained in the SEQ Regional Plan.

An important extension of the Sydney Metropolitan Strategy is its application to sub regional planning across Sydney. Whilst the Sydney Metropolitan Strategy provides the broad planning framework for the sub regions, each sub region is developing its own strategy to provide more detailed directions including plans to manage key growth areas. This approach to regional planning was developed further in February 2006 when the Government announced a plan to establish a network of six key regional cities to underpin the State's economic growth and create more local jobs - Parramatta, Liverpool, Penrith, Wollongong, Gosford, and Newcastle. The vision for these centres is heavily economic based with the focus on new local jobs and housing, more recreational and lifestyle opportunities, and fresh business investment. There is recognition that these centres need proactive support and initiatives to achieve their visions with the theme of development focused on revitalisation. The realisation of each centre vision is supported by key strategic planning documents and instruments including a City Centre Vision; a Local Environmental Plan; a Development Control Plan; and a Civic Improvement Plan.

### **5.5 Associated Land Uses**

Our client has considered recent key changes to the industrial/business market that have influenced changing land use requirements. In addition to this there have been a number of other commercial and demographic changes reflecting broader worker needs that have influenced requirements for more diverse land uses in employment areas. These relate to business and employee needs for retail services, accommodation, recreational facilities, and social services. There is also an important need for planning authorities to incorporate degree of flexibility to facilitate the inclusion of these associated land uses.

Discussions to date indicate that Council understands the changing nature of industrial business parks.

### **5.6 Retail Needs**

A major criticism of the early business and industrial parks was the lack of facilities for workers. It was necessary to get in a car to meet food and beverage and other daily retail needs. In modern business parks retail services range from a minimum of one or two food outlets to cafes, restaurants, convenience stores, and in some instances major retail centres. Basic food outlets are recognised as



an integral requirement of industrial and business parks early on. However, changing shopping patterns where consumers are making more frequent but smaller purchases, have seen the rise of convenience stores, express supermarkets, and increasing numbers of neighborhood shopping centres. Thus it is not surprising to see diverse retail offerings within industrial and business parks. The Norwest business park in Baulkham Hills in Sydney incorporates a Coles supermarket and 35 specialty stores. The Newington business park precinct incorporates a Woolworth's supermarket with associated specialty stores. The Optus Centre at North Ryde will incorporate a food court along with a range of other non-office or industrial uses. The Rhodes Business Park in Sydney has a café and convenience store.

In Queensland developments such as the Homemaker Centre in Townsville which is located in a Business and Industry zoning (Including Bunnings and Harvey Norman), the two cafes in the Brisbane Technology Park, and the Bistro in Metroplex at Gateway are reflective of the retail requirements of contemporary businesses and their employees. At Southgate Corporate Park, the retail precinct provides a McDonalds, a Tavern and the Southgate convenience centre which incorporates a Zone fresh, Coffee Club and others.

Whilst the above are representations of business parks in existence around Australia, it is not our client's intention to pursue supermarket and or large scale retail uses as this contrary to Council's Retail Strategy.

### 5.7 Recreation Needs

The health and fitness craze of the 1970s and 1980s saw the emergence of suburban gymnasiums and a significant increase in indoor sport and recreation activities. Such facilities were a natural fit with employment locations where workers could utilise these facilities before and after work and during lunch breaks. Modern business and industrial parks have recognised the recreational requirements of workers not located in traditional centres with the inclusion of a range of recreational facilities including gymnasiums, pools, and walking paths.

Gymnasiums appear to be the most common recreational facility incorporated in modern business parks. Such facilities feature in Rhodes Business Park, Norwest, Pymble Corporate Park, and will be part of the Optus business park at North Ryde. Walking paths and trails have been incorporated in Norwest and Metroplex in Brisbane. Metroplex also includes a river front park. Other more diverse recreational facilities include a swim school, ice rink and recreational lake at Norwest, and a 25m indoor lap pool at Rhodes in Sydney.

The proposal now sought is considered to be in alignment with current Government Policy and best practice.

## 6.0 Statutory Considerations

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### *NSW Far North Coast Strategy*

The Far North Coast Regional Strategy was prepared by the Department of Planning in 2006 and covers the local government areas of Ballina, Byron, Kyogle, Lismore, Richmond Valley and Tweed. The purpose of the Regional Strategy is to manage the Region's expected high growth rate in a sustainable manner (DoP, 2006).

The Strategy identifies that there are potential adverse impacts associated with unregulated growth, including that identified in South East Queensland. The strategy identifies Tweed Heads as a major





regional centre, with the revitalisation of Tweed Heads CBD generating a focus for the Tweed urban area enabling it to provide a high level of services, employment and housing to complement those provided in the adjoining South East Queensland Region.

The Tweed Heads will also continue to develop as a major regional centre for tourism and the provision of retail services and community facilities. Additionally, the strategy identifies that the Tweed LGA currently has 34,650 existing dwellings and by the year 2031, Council should be planning to provide an additional 19,100 dwellings in the Tweed LGA (DoP, 2006). Assuming an average occupancy rate of 2.4 persons per dwelling this is an average growth rate of approximately 1,800 persons per year over the next 25 years (Tweed EGLS 2009).

The strategy also identifies that the region requires at least 32,500 new jobs as a result of the projected population growth. Across the region this translates to at least 156 ha of additional industrial land and 76 ha of commercial land. It also states that in planning for future industrial needs Council should first examine existing urban areas. However, it should also take into account economic markets, South East Queensland pressures, lifestyle opportunities and transport improvements.

With respect to the latter, the Far North Coast Strategy makes no allowance for and / or gives no recognition to the escape of employment from within the Tweed to the Gold Coast. The strategy also does not make any allowance for the fact that the Gold Coast City Council is experiencing a severe shortage of Industrial Lands, particularly with respect its southern suburbs. The two latter points in addition to the fact that the subject site is almost immediately adjacent to the Border and the most important transport link in the Country (Pacific Highway) gives strength to the opinion that with respect to the subject lands, immense pressure is currently borne upon the land.

In addition to achieving consistency with the objectives of the Far North Coast Strategy, the following benefits are likely in pursuing uses such as that now proposed:

- Growing a diverse economy and creating jobs;
- Managing urban growth and building NSW's regions;
- Protecting the environment for a sustainable future; and
- Promoting land use efficiency;
- Enhancing the identity of regional communities;
- Providing infrastructure and services; and
- Integrating land use, transport and economic activity.

There are no statutory limitations to pursuing the rezoning of this land in a manner consistent with the Tweed EGLS, with the exception of the timing of consideration given to the lands (medium term) in the current Strategy document. Furthermore, recent amendments to the preparation of new LEP amendments introduced by the State Government give greater structure to pursuing amendments where appropriately justified.

## **7.0 Amending the designation from 'Medium Term' to 'Short Term'**

With respect to our clients initial bulky goods proposal, a reluctance to support a short term designation with respect to the broader Airport Precinct was expressed with respect to the following:

1. The complexities associated with fragmented ownership
2. Uncertainty over the use of Council owned lands

In this regard the following comments are made:-



- a. When each allotment within the Airport Precinct is considered in detail, it is apparent that those lands relative to the adopted strategy are limited to the Council owned lands and three (3) privately owned parcels (inclusive of the Boyd's bay Garden World site). The lands adjacent to Cobaki Creek have an existing approval and as we understand, have renegotiated access to Parkes Lane through the council owned lands. Of course, given the latter and an existing 4(a) zoning, there is no motivation nor is there any need for this landowner to engage in an 'integrated' master planning or rezoning exercise.

This leaves those lands identified as Council's STP site, our clients land and Lot 1 in DP 779976 and Lot 2 in DP 589967 (both in combined ownership) remaining with respect to those able to be integrated within a masterplan for the site. The owner of these sites has expressed a willingness to engage in such an exercise in the immediate term. This only leaves the council land as the missing piece.

- b. The Employment Generating Lands Strategy adopted by Council, identified the STP site as 'medium term' along with others surrounding. In this regard the strategy cites the complexities of integrating surrounding lands as the reason for deferring the lands from development in the short term. At the same time the council has advised our clients in writing that their lands are required for the construction of a new Sewerage Treatment Plant. This intent is further confirmed by the recent approval of a new STP (under Part V of the Act) by the Council. It is considered unfair, given the latter, to hold back consideration of some of the most strategically important employment lands within the shire on the basis of uncertainty over the use of council lands or by way of citing the complexities of integrating the various land owners. This is particularly disappointing to our clients when you consider that it is clear that council's intent for its land is to utilise it for infrastructure. Of course given that all remaining parcels within the precinct have expressed a willingness to engage in the immediate term, the question needs to be asked as to what complexities exist and what benefit will there be in continuing to hold off detailed consideration.

The deferral of the site in the medium term is also at odds with the need to maximize the use of existing infrastructure inclusive of the Pacific Highway and surrounding urban services. This is particular relevant with respect to the upgrade of Parkes Lane to service the approved Industrial zoned lands adjacent to Cobaki Creek and the immediate proximity of the Pacific Motorway. In this regard it is probable that whilst our clients land remains locked under a medium term restriction, the approved industrial subdivision will become operational with 24 hour access to the Pacific Highway via a road running parallel to our clients land. This begs the question as to whether continued deferral of the lands represents either economic or orderly development of the land.

The following points also give context to our client's request:-

- a. The Tugun Bypass has opened and now formally supports immediate 24hour access to the subject lands;
- b. The Boyd's Bay Garden World has committed to purchasing elsewhere opening up the possibility that the deferral of the lands for a significant period of time could see severe financial implications placed on the future purchaser and the existing occupant which happens to be one of the largest employers in the Tweed LGA;
- c. Concerns associated with the need to ensure no conflicts exist with the future Sewerage Treatment Plant can be addressed at the rezoning stage and will need to be addressed at some stage in the future in any case (irrespective of short or medium term designation);



- d. The land is already utilised for intensive Commercial uses with the Boyd's Bay Garden World representing the largest Regional Retail nursery in NSW and one of the largest in Queensland. To defer it from consideration at this stage despite the significant commercial usage that exists, does not make any rational sense;
- e. The Gold Coast Airport is advancing its development aspirations with respect to lands fronting the Tugun Bypass with a view to establishing a development form within the next 18m months to 3 years. Any deferral of this land whilst lands immediately surrounding are developed would be detrimental to the potential outcome of the site which could feasibly entail a development form that incorporates a variety of uses as opposed to stand alone development parcels acting in relative isolation. The ability to compliment the future development of Gold Coast lands would be a potential benefit to the Tweed Shire Council, whilst certainly assisting in establishing a vibrant and strong commercial outcome for the land; and
- f. Lands to the north of the site and commonly referred to as the Border Park Raceway have been identified in the strategy as a short term release area. This land is in the same physical area as our clients, enjoys less frontage and exposure to the national highway and is constrained by water supply (currently gets its water supply from the Gold Coast). In order for this site to be developed, it too relies upon the integration of adjoining lands for the purposes of infrastructure provision and access. Despite this and the apparent complexities of integrating landowners in the context of this site, the land has been identified for short term consideration. Our clients understandably consider this to be unfair in the context of the treatment of its own lands.

With respect to economic benefits, the multipliers for output and employment in the construction industry alone show that, for every \$1m spent on construction output (houses, non-residential buildings, etc.), a possible \$3.9m in output would be generated in the economy as a whole, giving rise to an economic benefit (in construction dollars) in the order of \$315 million and a further 470 construction jobs.

Operationally, the proposal stands to create in the order of an estimated 500 FTE jobs, and a total of approximately 720 FTE positions.

## 8.0 Conclusion

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Based on the content of this submission, it is clear that Maro Developments and Leisure Brothers are ready and able to undertake the necessary statutory, planning, design and investment activities related to the proposed development of this site. Accordingly, we recommend that the Tweed Shire Council amend the Employment Generating Lands Strategy to include the identified parcel of land (Area 2) as a Short Term priority for rezoning.

The proponents are enthusiastic about the opportunity to work collaboratively with the Tweed Shire Council to deliver this important project proposal, generating investment and jobs for the Tweed economy.

•••••

Should any further information be required or the Council would like to directly liaise in relation to the any of the issues raised, then we would be happy to do so.



Kind regards

Adam Smith  
Director  
PLANIT CONSULTING

Enc. Appendices

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<sup>1</sup> Based on development of the Boyd's Bay Garden World site alone. Greater benefits are likely when adjacent sites are incorporated.



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## Attachment A

Development Concept Plans (Indicative)

The Subject Site



Legend - Existing Retail Fabric / Makeup

1. Everyday Centres (Neighbourhood)

TYPE	CHARACTERISTIC	LOCATION
	Small scale single traditional business Centres eg Accountants, Hotels, Bookers, Real Estate Agents, News Agents, Doctors.	Tweed Heads, West Tweed South Tweed Heads, Main Street, Griffith Street, Cooragalla
	Major retail centres (eg centres with ancillary services eg Department Stores, Charities)	Nevee Shopping Centre, Centro Tweed, Knowledge on the Beach, (Cooragalla)
	Single Supermarket with various retail outlets	Bonnie Village, Bonora Point Village, Home Near Pines

2. Niche Retail centres - Weekly leisure Centres (Less frequent/irregular)

TYPE	CHARACTERISTIC	LOCATION
	Food markets, Homebreweries, Convenience food outlets	Tweed Homebrewery Centre, Heywood Drive (Bull)
	Larger household items, Furniture, Hardware	South Tweed Tweed, Main Street (North) and Cooragalla Dr

3. Mixed Business / Light Industrial - Employment

TYPE	CHARACTERISTIC	LOCATION
	Light industrial areas, Light supply, light industries, and Automotive Pumping	Tweed Heads South, Bunnings



**Summary**

- Total Site Area: 5.026ha
- Total number of Lots: 14
- Average Lot Size: 2565m<sup>2</sup>
- Total Lot Area: 3.59ha
- Potential Stormwater Treatment: Nil
- Road Reserve: 1.436ha (28.6%)



# concept plan

Tweed heads airport precinct



Summary	
Total Site Area:	5.026ha
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Average Lot Size:	2565m <sup>2</sup>
Total Lot Area:	3.59ha
Potential Stormwater Treatment:	NIL
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Gold Coast Airport

URBAN RELEASE STRATEGY  
EMPLOYMENT LANDS STRATEGY  
LEP REVIEW - 2006

18 November 2009

The General Manager  
Tweed Shire Council  
PO Box 816  
MURWILLUMBAH NSW 2484

TWEED SHIRE COUNCIL	
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Dear Sir

**BOYDS BAY GARDEN WORLD - REQUEST FOR AMENDMENT OF THE URBAN AND EMPLOYMENT LAND STRATEGY**

7948311

We refer to the preliminary development proposal submitted to the Council by the intending developers of the Boyds Bay Garden World site, and to correspondence of 26 October 2009 between the Coordinator of the Council's Planning Reforms Unit and the planning consultant for Gold Coast Airport Pty Ltd (GCAPL). We appreciate the opportunity to comment on the subject proposal from the airport's perspective.

1848614

Reference is also made to our letter of 20 June 2008 in relation to the then draft Employment Lands Strategy, and to changes subsequently made to that draft strategy in this vicinity in the light of airport-related constraints to development in the locality, and environmental factors.

The current, tentative proposal for development of the subject land, which has been reviewed by our planning consultant, involves a mixed-use specialty industrial, logistics warehousing and commercial complex in a series of buildings. It has been requested by the proponents that the site be re-classified from medium term to short term in the implementation of the employment lands strategy.

It is advised that, in view of the extremely close proximity of the airport runway and flight path to the subject land, there are several mandatory constraints on the form of development which may be undertaken. These constraints are imposed pursuant to the Commonwealth Airports Act, and the related Airports (Protection of Airspace) Regulations.

Any proposed departure from the mandatory restrictions (defined as a "controlled activity") would necessitate securing approval from the Secretary of the Department of Infrastructure, Transport, Regional Development and Local Government, with any such application being subject to assessment by GCAPL, CASA and Airservices Australia. Given the proximity of the site to the runway, no relaxation could realistically be anticipated in this instance.

It is also noted that in due course the key restrictions on development within the prescribed airspace are also to be reinforced and implemented through the Council's new draft LEP.

The constraints affecting development of the subject property are discussed below.



### Height Limits

The property is within the airport's operational airspace, and is affected by the Obstacle Limitation Surface (OLS) and Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS). The latter surface cannot be penetrated by buildings or structures under any circumstances.

A preliminary assessment of height limits imposed under the OLS and PANS-OPS is shown in the attached diagram. At the "critical point" on the site's western boundary, the height limit under the OLS is 13.75 metres AHD, while under the PANS-OPS it is 14.46 metres AHD. Height limits under both surfaces will vary in other parts of the site.

These findings are preliminary only, and it is important to note that examination of very specific details about site conditions and the nature of buildings proposed will be necessary to achieve a final assessment.

It is also stressed that the limits are expressed in maximum height above AHD (ie not above ground level), and are measured to the highest point of a building, including any above-roof structures such as aerials, vents, architectural features, etc. In that regard, we note the apparent necessity for the site to be filled to a minimum level of 3.0 metres AHD to account for the land's flood liability.

### Lighting

Localities within the airport's prescribed airspace in close proximity to the runway are subject to mandatory and severe limitations on levels of illumination which are allowed to be emitted, so as to avoid effects on pilots of aircraft operating in the prescribed airspace.

As far as the subject land is concerned, it is advised that the westernmost section is included in the most restrictive Zone A in the Airport's Lighting Zone Map. (That zone is 600 metres wide and extends for a distance of 1 kilometre from the runway strip). In Zone A, allowable maximum intensity of lighting at 3° above the horizontal is 0 candella (ie no illumination).

The balance of the subject property is situated within Lighting Zone B, in which the maximum intensity of light sources at 3° above the horizontal is 50 candella.

Reflected sunlight can also constitute a controlled activity in the Lighting Zone area. For the whole of the subject land, there will be a requirement that roofs of buildings and other elements that could adversely reflect sunlight be entirely constructed of non-reflective materials.

### Emissions, Turbulence

The Act and Regulations also require the exclusion of activities which may result in air turbulence capable of affecting normal flight of aircraft (exceeding 4.3 metres per second), or emit smoke, dust or other particulate matter, or steam or other gas, such as could affect the ability to operate aircraft in the prescribed airspace.

In view of the proponent's description of the development intended for the subject land, it would appear that these restrictions are unlikely to be invoked.

## Other Issues

### Public Safety

Despite the extremely low risks associated with modern aviation, there is a longstanding and universally used mechanism for designating areas of potentially greatest risk, described as Public Safety Zones (PSZs). These zones describe the areas on the flight path for arriving and departing aircraft where activities should be avoided which could exacerbate a public safety risk in the unlikely event of an incident. As presently configured (as used for instance in Queensland), the zones are trapezoidal in shape and extend for a distance of 1 kilometre from the end of the runway.

It is noted that the subject land is not within the currently designated PSZ for the southern runway end, however it is situated directly adjacent to it (within about 50 metres at the nearest point), and while not prescriptive, it would probably therefore be prudent for the issues which are relevant to PSZs to be borne in mind when considering development of the subject land.

For instance, it would not be appropriate for land in this locality to be used for hazardous purposes, such as storage of fuel, explosives or chemicals, etc, especially being located nearby to residential areas. Clearly the subject proposal does not envisage inclusion of these types of activities.

It is also a principle of public safety zones that they should not allow activities that would attract large concentrations of people, such as businesses with high workforce numbers or which attract substantial customer numbers such as major retail facilities, or places of assembly, sporting venues and the like.

Reference was made above to the "present" configuration of PSZs. In this regard we would note that the Commonwealth Government is undertaking a review of various provisions of the Airports Act. Based on the contents of the Aviation Policy Green Paper issued in September 2008, it is likely that in future there will be mandatory statutory implementation of PSZs for all Australian airports; the ultimate shape, size and configuration of these zones are yet to be made known, and may vary from the current model.

### Aircraft Noise

While the subject of ensuring that buildings are appropriately constructed to reduce the adverse effects of aircraft noise is not a mandatory matter regulated under Commonwealth legislation, it is an issue that is relevant to land use planning and should be taken into account in establishing criteria for development of the property.

The subject land is predominantly within the 25-30 ANEF zone for aircraft noise. Pursuant to Table 2.1 of AS2021-2000, within that zone the land use of "light industry" is acceptable, thus requiring no acoustic treatment.

However, land uses falling into the category of "commercial buildings" (eg offices, retail) are defined as "conditionally acceptable", indicating that measures should be taken in the design and construction of buildings to achieve levels of aircraft noise reduction to meet the indoor design sound levels set out in Table 3.3 of AS2021-2000.

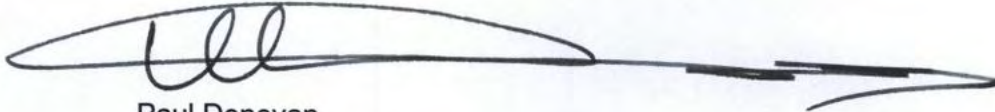
This is a matter to be considered in greater detail at the time of planning Gold Coast Airport configuration and content of individual buildings on the site.

### Conclusions

The site is severely constrained by mandatory restrictions by virtue of its proximity to the airport runway, and location within the area subject to the airport's prescribed airspace.

We trust that the information provided above will assist the Council and proponent in determining the appropriate form and timing of development on the subject land, and we would welcome the opportunity to continue to liaise with the Council during later stages of the design and approvals process. If further information is required, please contact the airport's planning consultants - Rigby Consulting Pty Ltd (T: 07-5536 5900; E: [irigby@bigpond.net.au](mailto:irigby@bigpond.net.au)).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Donovan', with a long horizontal flourish extending to the right.

Paul Donovan  
Chief Operating Officer

