

## B9 - TWEED COAST STRATEGY

**THIS PAGE IS BLANK**

- B9 - TWEED COAST STRATEGY ..... 1**
- B9.1 INTRODUCTION ..... 1
  - B9.1.1 Aims of this Section..... 1
  - B9.1.2 Land to which this Section applies ..... 1
- B9 - Map 1 ..... 2
- B9.1.3 How does this Section relate to other Sections and Environmental Planning Instruments? ..... 3
- B9.1.4 How to use this Section..... 4
- B9.2 Background to the Strategy ..... 4
  - B9.2.1 The Tweed Coast..... 4
  - B9.2.2 Purpose of Tweed Coast Section..... 6
  - B9.2.3 How this Section is Structured ..... 6
  - B9.2.4 Master Plans ..... 7
- B9.3 A VISION AND POLICY PRINCIPLES FOR THE KINGSCLIFF DISTRICT ..... 8
  - B9.3.1 Why we need a Vision..... 8
  - B9.3.2 Vision Statement ..... 8
  - B9.3.3 Policy Principles ..... 8
- B9.4 URBAN DEVELOPMENT AREAS, CENTRES HIERARCHY AND INTEGRATED DESIGN ..... 10
  - B9.4.1 Overview ..... 10
  - B9.4.2 Urban Development Areas..... 10
  - B9.4.3 Urban Centres Hierarchy ..... 10
  - B9.4.4 Location and Design Principles ..... 11
  - B9.4.5 District Centre ..... 12
  - B9.4.6 Local Centres ..... 13
  - B9.4.7 Neighbourhood Centres ..... 14
- B9.5 VEHICULAR AND PEDESTRIAN ACCESS ..... 15
  - B9.5.1 Overview ..... 15
  - B9.5.2 Distributor and Collector Roads ..... 15
  - B9.5.3 Access to West Kingscliff ..... 16
  - B9.5.4 Access to Kings Forest Release Area..... 17
  - B9.5.5 Casuarina Way..... 17
  - B9.5.6 Public Transport..... 19
  - B9.5.7 Cycle ways and Footpaths ..... 21
  - B9.5.8 Replacement of Cudgen Creek Bridge..... 22



# Table of Contents

B9.5.9	Public Car Parking .....	23
B9.6	<b>SOCIAL AND PHYSICAL INFRASTRUCTURE PROVISIONS .....</b>	<b>26</b>
B9.6.1	Overview .....	26
B9.6.2	Schools and Community Facilities .....	26
B9.6.3	Water, Sewer and Drainage .....	29
B9.6.4	Relocation of Kingscliff Sewerage Treatment Plant .....	29
B9.6.5	Surf lifesaving facilities .....	30
B9.6.6	Emergency Services .....	30
B9.7	<b>ENVIRONMENTAL AND COASTAL ISSUES .....</b>	<b>31</b>
B9.7.1	Overview .....	31
B9.7.2	Habitat Protection.....	31
B9.7.3	Coastal Open Space .....	32
B9.7.4	Coastal Esplanade and Parking .....	33
B9.7.5	Beach Access .....	33
B9.7.6	Cudgen Creek Riparian Buffer .....	34
B9.7.7	Vegetation Management at West Kingscliff.....	36
B9.7.8	Agricultural Land .....	37
B9.7.9	Protected Green Belt.....	37
B9.8	<b>REFERENCES .....</b>	<b>38</b>
<b>APPENDIX 1.0</b>	<b>POLICY CONTEXT OF THE STRATEGY .....</b>	<b>39</b>
A1.1	Overview.....	39
A1.2	Ecologically Sustainable Development.....	39
A1.3	Coastal Controls .....	40
A1.4	Sustainable Urban Settlement – Guidelines for Regional NSW.....	41
A1.5	Improving Transport Choice – Guidelines for Planning and Development.....	41
A1.6	Local Plans and Studies .....	41

## B9 - TWEED COAST STRATEGY

### **B9.1 INTRODUCTION**

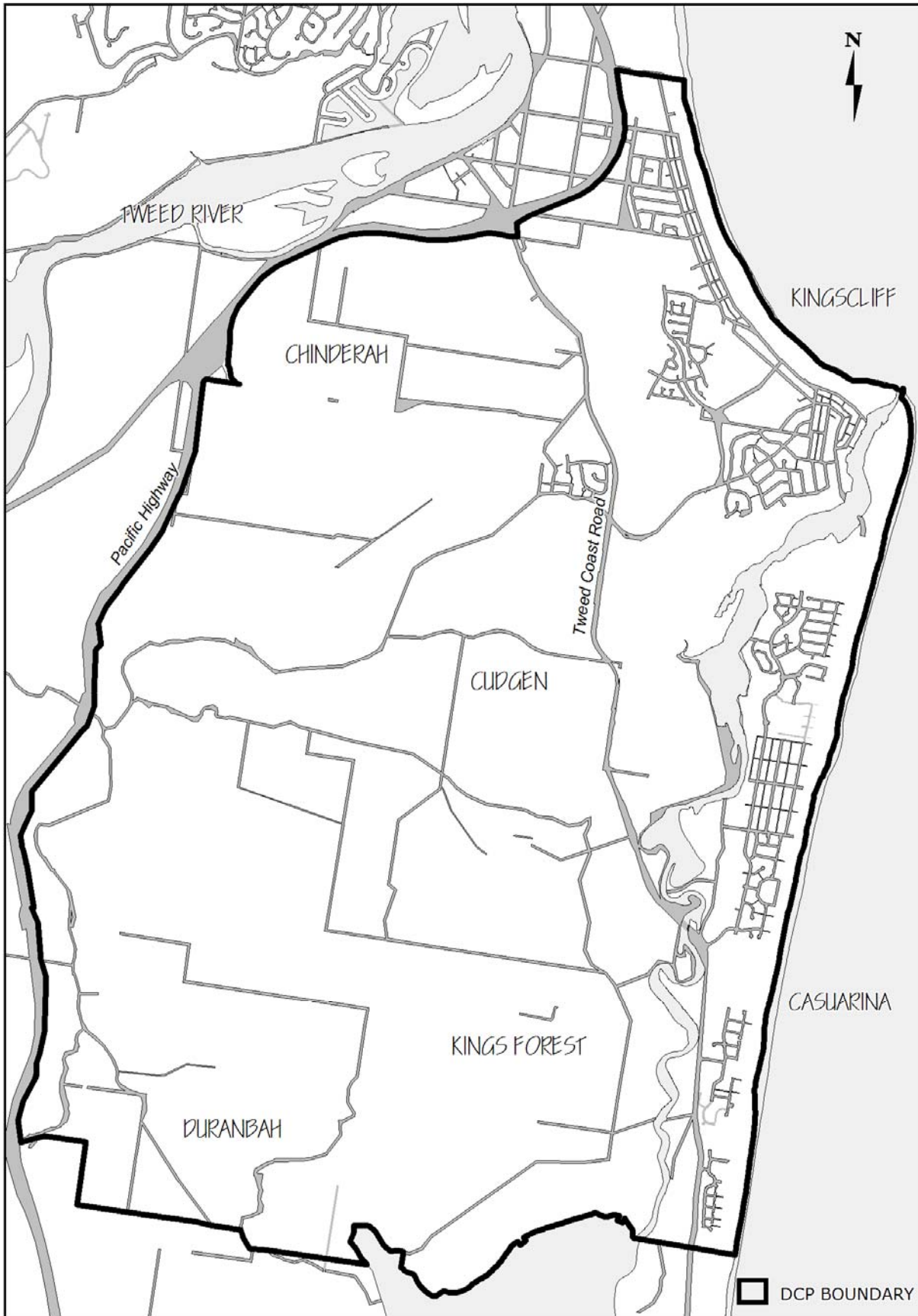
#### ***B9.1.1 Aims of this Section***

- Set Council's policies for the management of the growth of the Kingscliff District of the Tweed Coast.
- Set out Council's strategy for the Tweed Coast.
- Identify the relevant planning controls to implement the Strategy.
- Provide guidance to those wishing to develop within the Tweed Coast area and to indicate Council's policies with respect to that development.
- Have clear policies for determination of the merits of developments within Tweed Coast.

#### ***B9.1.2 Land to which this Section applies***

This Section applies to all forms of development within the area defined by the bold line as shown in B9 – Map 1, excluding the land commonly known as Seaside City.

**B9 - Map 1**



### **B9.1.3 *How does this Section relate to other Sections and Environmental Planning Instruments?***

Where an inconsistency arises between this Section and any environmental planning instrument applying to the same land, the provisions of environmental planning instrument prevails. An environmental planning instrument means a State Environmental Planning Policy, a Regional Environmental Plan or a Local Environmental Plan.

Where there is an inconsistency between this Section and any other Sections, the provision of this Section shall prevail.

This Section is generally consistent with the provisions of the Tweed Local Environmental Plan (LEP) 2000, as required by Part 3 Division 6 of the Environmental Planning and Assessment Act, 1979. In the event of any inconsistencies, the provisions of the LEP shall prevail.

This Section should be read in conjunction with the following Sections:

- Section A1 - Residential and Tourist Development Code;
- Section A2 - Site Access & Parking Code;
- Section A3 - Development of Flood Liable Land;
- Section A5 - Subdivision Manual;
- Section A9 - Energy Smart Housing;
- Section A12 - (Repealed 29 April 2008);
- Section A13 - Socio-economic Impacts of Developments;
- Section A14 - (Repealed 29 April 2008);
- Section B4 - West Kingscliff;
- Section B5 - Kings Beach;
- Section B16 - (Repealed 29 April 2008);

Landscape Manual;

Section 94 Contribution Plan No 6 – Street Tree Planting in Residential Areas;

Section 94 Contribution Plans No 7 - West Kingscliff

Section 94 Contribution Plans No 11 – Library Facilities

Section 94 Contribution Plans No 12 – Bus Shelters

Section 94 Contribution Plans No 13 – Environ Cemetery/Crematorium Facility;

Section 94 Contribution Plans No 15 – Developer Contributions for Community facilities;

Section 94 Contribution Plans No 16 – Emergency Facilities (Surf Lifesaving);

Section 94 Contribution Plans No 18 – Council Admin Offies & Technical Support Facilities;

Section 94 Contribution Plans No 22 – Cycleways;

Section 94 Contribution Plans No 23 – Offsite Parking;

Section 94 Contribution Plans No 26 – Shirewide/Regional Open Space;  
Lower Tweed Transportation Contribution Plan;  
Tweed Shire Council Urban Stormwater Drainage Manual.  
Tweed Shire Council Land Use Guidelines for Acid Sulphate Soils.

#### **B9.1.4**    *How to use this Section*

Council's overall objective for the development of the area is to create a safe, pleasant and efficient urban environment in a practical and financially effective manner.

In order to achieve this, this Section aims to ensure that due consideration is given to all relevant physical, social and economic factors affecting the land. While the responsibility for detailed site evaluation and design remains with developers, any proposal for development within the release area must fulfil the objectives and design requirements of this Section.

Intended developers are recommended at an early stage to discuss their proposal with officers of Council's Planning & Development Division prior to lodging a formal development application.

Compliance with the provisions of this Section does not necessarily imply that Council will grant consent to an application.

In preparing an application for development, there are a number of specific steps that should be followed:

- Step 1:** Check the zoning of the site under Tweed LEP 2000 to ensure that the proposed development is permissible and to determine what related provisions apply.
- Step 2:** Establish what other Sections or policies apply to the site.
- Step 3:** Familiarise yourself with the Vision & Policy Principles for the Kingscliff District (Clause B9.3).
- Step 4:** Consider the Planning Objectives, Strategies and Controls/Actions for the particular Clauses of this Section.

It is these components of this Section that will be used by Council to assess any proposal.

Where development does not comply strictly with the provision of this Section, Council may still consider approving the development where the applicant demonstrates that the proposal is consistent with the objectives of this Section and the intention of the particular guideline, and the proposed development will result in an environmentally more satisfactory development.

## **B9.2**    **Background to the Strategy**

### **B9.2.1**    *The Tweed Coast*

At the beginning of the new century, the Tweed Coast has become the primary development focus of the Tweed Shire. For planning purposes, the district is broadly defined as that area bounded by Chinderah to the North, the Pacific Ocean to the East, the Tweed Coast Motorway to the West and Cudgen Lake to the South. The extent of the district area is shown on B9 – Map 1.



The area of this Section is the sector encompassing existing towns of Kingscliff and Cudgen and the new release areas of West Kingscliff, South Kingscliff (including Casuarina Beach) and Kings Forest, and areas of rural, agricultural, environmentally significant and coastal lands. At present, the combined population of the district is approximately 6,900 people. When fully developed, it is envisaged that the district will have a population of approximately 26,150 people (see table 1 below), which is similar to that of the developed north-eastern corner of the Shire centred on Tweed Heads.

A summary of existing and expected population estimates for the Kingscliff district is provided in Table 1 below.

**Table 1 Tweed Coast – Existing and Future Population Estimates**

Locality	Population (est.) 1999	Additional Yield (est.) 2020	Projected Total Population 2020
<b>Kingscliff</b>	4,600	500	5,100
<b>West Kingscliff</b>	1,300	3,000	4,300
<b>Cudgen Village</b>	550	100	650
<b>South Kingscliff</b>	n/a	1,900	1,900
SALT/Kings Beach	450	3,150	3,600
Casuarina Beach	n/a	600	600
Seaside City	n/a	10,000*	10,000*
<b>Kings Forest</b>			
<b>Total District</b>	<b>6,900</b>	<b>19,250</b>	<b>26,150</b>

\* Kings Forest zonings area under review and may result in significant change in population yield

- The existing town of Kingscliff is now experiencing significant commercial and residential redevelopment.
- West Kingscliff is progressively expanding, as it has been for the past five years.
- Development in the South Kingscliff locality commenced in 2001 with the construction of the Casuarina Beach subdivision.
- The development of lots 194,301&311 DP755701 is anticipated to commence shortly with the approval of the SALT development – an integrated residential and resort development.
- Seaside City is the subject of a review of Tweed LEP 2000.
- Lot 490 on the south side of Cudgen Creek is in the planning stage.
- Kings Forest is still in the planning phase.

The existing scale of development and extent of remaining undeveloped land zoned for urban purposes ensures the district's status as one of the most important coastal environments on the eastern seaboard of Australia and certainly in New South Wales.

### ***B9.2.2 Purpose of Tweed Coast Section***

The purpose of the Tweed Coast Section is to provide the framework for the essential planning for the coast to:

- Accommodate this anticipated development of the coast;
- Meet the requirements of the current and future communities;
- Protect the essential values of the coast.
- Coordination of infrastructure provision
  - The progressive development of the Kingscliff district will involve the provision of significant public infrastructure by both local and State Government and substantial private investment in property.
- Environmental Protection
  - Development in the district will exert considerable pressure on environmentally significant areas such as foreshores, waterways and wetlands. These areas will require on-going protection.
- Sustainable development
  - To ensure that development occurs in a balanced, sustainable and integrated manner, it is critical that an integrated planning strategy be established as an efficient and effective way to deliver Council's planning policies for the district. This Section seeks to provide Council, State Government Agencies, landowners/developers and the community generally with a clear overview of the major strategic issues and illustrates the inter-relationship between the various issues and planning policies. It also provides a framework for the formulation of more detailed planning policies for specific localities within the district.
- Integration of development:- This Section will enable a consistent approach to be taken in relation to planning and development matters, rather than having to deal with individual issues in an isolated and ad-hoc manner as they arise. This will enable Council to make a rapid response to changed circumstances and to effectively address a range of complex issues over the next 20 years. This Section will be periodically reviewed.

### ***B9.2.3 How this Section is Structured***

This Section is intended to provide the structure for and methods to implement, the Tweed Coast Strategy

The Section includes a Vision Statement and a number of Policy Principles. This Section provides Planning Objectives, Strategies and Controls/Actions for implementing this Section.

The Planning Objectives identify what it is that is to be achieved to ensure this Section comes to fruition. The Planning Strategies provide methods for achieving the objectives, and the Planning Controls and Actions specifically control what

---

form development is to take on the Tweed Coast or provide the specific action to achieve these strategies.

This Section is intended to be neither a restatement nor a replacement of Council's existing strategic policies for the management of the growth of the Tweed Coast. Specifically, it deals with the following critical elements:

- The requirements for a future town centre and a hierarchy of subordinate centres to service the District.
- The establishment and management of green belts to identify and contain urban areas.
- The protection and use of sensitive coastal foreshore areas to provide for public access.
- The identification of strategic infrastructure, particularly that required by agencies other than Council.

This Section deals with the area from Kingscliff to Cudgen Lake, as indicated by B9 – Map 1. This was deliberate to focus on that part of the coast, which is under the greatest pressure. In the longer term the Strategy will be extended to deal with all of the Tweed Coast, from Fingal to Wooyung

This Section addresses the relationship between the constituent communities of the coast by ensuring that not only are the broader needs of its residents catered for but also the individual character of each community is retained. Again, in the longer term, the Strategy will provide the basis for detailed local planning for each coastal community.

#### **B9.2.4 Master Plans**

In addition to the strategic planning work being undertaken by Council for the Tweed Coast, developers are also undertaking significant work with the preparation of Master Plans. The concept of Master Plans has been formally adopted by the State Government with the introduction of SEPP 71. To date the following have been prepared:

Casuarina Master Plan: Consolidated Properties have prepared the Casuarina Beach Master Plan, which includes provision for retail and commercial development. Development at Casuarina is now being implemented in accordance with various adopted planning controls, including the Casuarina Master Plan.

This plan is acknowledged in the Strategy if they have been prepared and adopted in accordance with the requirements of SEPP 71.

Gales Holdings Structure Plan: Gales Holding, which is the major landowner of West Kingscliff, is preparing a detailed structure plan for their property. In accordance with Clause B9.1.4, the Tweed Coast Strategy will provide the essential guidance to the Structure Plan – the appropriate role for Council as the planning authority.

Seaside City Environmental Study: Council resolved on 18 December 2002 that the Seaside City project be temporarily removed from consideration within the Tweed Coast Strategy.

### **B9.3 A VISION AND POLICY PRINCIPLES FOR THE KINGSCLIFF DISTRICT**

The Kingscliff district comprises of a unique stretch of the NSW coast. The area exhibits significant environmental qualities that include pristine beaches and coastal reserves, expansive wetlands, rivers and estuaries, native bushland and prime agricultural land. The natural areas provide important habitat for an array of flora and fauna. The range of available habitats and the subtropical climate make the district one of the most bio-diverse areas in Australia.

While recognising the significance of the natural habitat areas, the district also has existing potential for extensive urban development. Therefore, a clear vision of how this district is to develop is necessary to ensure that the most significant natural qualities are retained while still allowing for development to occur in a sustainable, efficient and attractive manner. The Vision must achieve the appropriate balance between development and conservation.

#### **B9.3.1 *Why we need a Vision***

The Kingscliff district comprises a unique stretch of the NSW coast. The area exhibits significant environmental qualities that include pristine beaches and coastal reserves, expansive wetlands, rivers and estuaries, native bushland and prime agricultural land. The natural areas provide important habitat for an array of flora and fauna. The range of available habitats and the subtropical climate make the district one of the most bio-diverse areas in Australia.

While recognising the significance of the natural habitat areas, the district also has existing potential for extensive urban development. Therefore, a clear vision of how this district is to develop is necessary to ensure that the most significant natural qualities are retained while still allowing for development to occur in a sustainable, efficient and attractive manner. The Vision must achieve the appropriate balance between development and conservation.

#### **B9.3.2 *Vision Statement***

The following Vision Statement for the district is based on the Vision Statement for Tweed Shire provided in the Tweed Shire 2000+ Strategic Plan:

*“To manage growth so that the unique natural and developed character of the Tweed Coast is retained, and its economic vitality, tourism potential, ecological integrity and cultural fabric are enhanced”*

#### **B9.3.3 *Policy Principles***

To achieve this Vision it is envisaged that the District will develop with the following characteristics:

**Town Centres:** The district will be structured on a hierarchy of urban centres. The hierarchy will include a District centre with a high level of accessibility from all parts of the district. Each town will have an identifiable local business centre that provides for the social and commercial needs of the local community; notably shops, community facilities, public and private schools and for tourist in locations close to the coast. Neighbourhood centres will be established within walking distance of their catchment populations to cater for basic retail/community needs. A Retail Strategy has now been completed for the whole of the Shire.

**Public Realm:** Priority will be given to the creation of an active and vital public realm. Public areas will exhibit a high quality of design and a high level of public

safety. Buildings will be designed to front public streets and priority will be given to pedestrian access and movement patterns.

***Movement Patterns:*** A choice of movement patterns through the district will be available to residents and visitors. These will include a high quality road network that provides direct access to town centres and facilitates the provision of quality public transport. Attractive and functional cycle ways/footpaths will link the main urban areas and provide access along the entire length of the coastal foreshore reserve.

***Public Open Space:*** Coastal open space is one of the prime attractions of the Tweed Coast. It provides important amenity and recreational value for both residents and tourists. All coastal foreshore land is to be available for public use wherever possible and the district's beaches are to remain highly accessible to the public. Dedicated public open space areas are to be provided adjacent to the coastal foreshore. New developments will facilitate public access to all foreshore areas where access is desirable and environmentally sustainable.

***Residential Amenity:*** New developments will exhibit a high level of residential amenity. Adequate buffers and screening will be provided between residential developments and main roads, agricultural activities and industrial areas. The sewerage treatment plant at West Kingscliff will be relocated away from residential areas. New residential areas will be established in close proximity to basic community and business services. Priority will be given to energy efficient subdivision and housing designs.

***Visual Amenity:*** The high visual amenity of the district is to be maintained. This will be achieved by ensuring that existing agricultural and environmental areas remain protected and by ensuring that new development complements the natural surroundings. New buildings will be encouraged to present attractively to the public realm. Building heights will be limited to three storeys with further detail in Section B18 – Tweed Coast Building Heights of this DCP. Advertising signs along main roads outside of urban areas will be discouraged.

***Natural Environment:*** The important environmental qualities of the coastal zone are to be protected. These include the public foreshore reserve that extends along the entire coastline of the district and incorporates important dune systems; the significant wetlands that adjoin Cudgen Creek and Cudgen Lake and extend into the Kings Forest area; the Cudgen Nature Reserve and a paperbark forest between Kingscliff and Cudgen.

***Agricultural Potential:*** The significant agricultural potential of the existing agricultural zones in the district will be protected. New development will not be permitted to compromise this potential.

***Business and Tourism:*** Major tourist developments will be encouraged to locate in the South Kingscliff locality. Other businesses will generally locate in designated town centres where mixed land use developments will be encouraged. The establishment of a regionally focussed business park adjacent to the Pacific Highway at the northern end of Kingscliff will be promoted.

## **B9.4 URBAN DEVELOPMENT AREAS, CENTRES HIERARCHY AND INTEGRATED DESIGN**

### ***B9.4.1 Overview***

In the Kingscliff district there is currently enough land zoned for urban development to accommodate development for the next twenty years at historical rates of demand. At present, there is no need for additional land to be zoned for urban development within the District.

Within the identified urban release areas the planning and design of urban centres is recognised as being of critical importance to the identity, functioning and community values attributed to a locality. Given the envisaged growth potential of the Kingscliff district and the Tweed coast, it is important that a hierarchy of urban centres be established. A hierarchy of centres enables Council to plan for the appropriate level and types of services to be provided at key locations. The hierarchy needs to consider the extent of district, local and neighbourhood business and community facilities required.

### ***B9.4.2 Urban Development Areas***

Table 1 sets out the magnitude of the growth in the District. Whilst the amount of land for future urban development in these areas is extensive, it still remains a finite resource. Consequently Council will seek to ensure the beneficial use of all urban zoned land is maximised, through such measures as housing densities and housing choice.

All of the urban release areas identified in this Section are defined by urban zones in the Tweed LEP 2000. There should be no expansion of these release areas unless it can be demonstrated that:

It would achieve the efficient use of existing infrastructure;

It is capable of integration with an existing urban area; and

Other strategic requirements of the Kingscliff District Structure Plan can be met.

#### **Planning Objectives**

**TSC.O.A.1** Council will seek to ensure the beneficial use of all urban zoned land in the District is maximised, through such measures as housing densities and housing choice.

#### **Planning Controls**

**TSC.A.1** There will be no increase of urban expansion areas in the District unless it can be demonstrated that such expansion:

- Would achieve the efficient use of existing infrastructure;
- is capable of integration with an existing urban area; and
- would meet other requirements of the Strategy & this Section.

### ***B9.4.3 Urban Centres Hierarchy***

The Strategy nominates a hierarchy of urban centres for the Kingscliff district and nominated preferred locations and design outcomes for district and local centres. The proposed hierarchy in Table 2 below provides the basis for the policy statements contained in the following sections.

**Table 2 Urban Centres Hierarchy**

<b>Urban Centre</b>	<b>Retail Floor Space</b>	<b>Population Catchment</b>
District Town Centre	10,000m <sup>2</sup> – 20,000m <sup>2</sup>	40,000 persons
Local Centre	1,500m <sup>2</sup> – 6,000m <sup>2</sup>	10,000 persons
Neighbourhood Centre	1000m <sup>2</sup>	500 - 1,000 persons

**B9.4.4 Location and Design Principles**

Urban centres should be designed and located such that they are highly accessible by all modes of transport and should be aligned within identified transport corridors. Corridors provide a continuous link between urban centres and are recognised as being an efficient form of urban development. Urban centres arranged along a transport corridor can support an effective public transport system.

Urban centres function efficiently when they contain a mix of compatible land uses. Key business, retail, educational, health and community facilities should be located within identified centres. The concentration of key facilities in urban centres reduces the need for numerous single purpose trips. The dispersal of key facilities in isolated locations accessible only by private car increases the required number and length of vehicle trips and is therefore not an efficient form of urban development.

Within each urban centre, key business and community facilities should be provided within walking distance of each other. Public transport stops should be provided in highly visible and accessible locations. Accessibility for all citizens, including the aged, children, people with disabilities and the economically disadvantaged must be considered. Urban centres should primarily be designed to cater for pedestrians, cyclists and public transport, rather than private cars.

To facilitate the provision of efficiently functioning urban centres, traditional urban form is preferred to the contemporary model of a stand-alone shopping mall. Traditional urban centres are characterised by through streets that provide a choice of direct access routes to adjoining residential areas and other towns. Buildings generally provide active street frontages and cater for a mix of compatible land uses. Built form is designed to a human scale to create a pedestrian friendly environment. Public spaces are provided to cater for a range of community activities.

The contemporary model of a privately controlled stand-alone shopping mall has a very limited role as an urban centre. It provides a limited sense of local identity, with few if any meaningful links to the physical surroundings, the community or the history of the locality. It does not provide any opportunity for community ownership of public space or public activities, which are central to a community's sense of identity. Generally, minimal provision is made for access by any mode of transport other than the private car. The closed nature of the shopping mall limits the potential to provide a wide range of land use options. Thus, the shopping mall does not have the robust design required for a desirable, equitable and sustainable urban centre.

### Planning Objectives

- TSC.O.A. 2.** Urban centres are to be aligned with identified transport corridors that cater for efficient public transport networks and pedestrian access.
- TSC.O. A.3.** Urban centres to incorporate traditional urban form.
- TSC.O. A.4.** Urban centres to incorporate business, retail, residential and community uses.

### Planning Strategy

- TSC.S.A.1.** Urban centres are to be provided and located in accordance with the hierarchy of centres indicated on the Structure Plan Map 2.
- TSC.S.A. 2.** Key business, retail and community facilities are to be located within the identified urban centres and on the basis of integrated design.
- TSC.S. A.3.** All urban centres are to incorporate traditional urban form, characterised by the following key components:
- Through streets that provide a choice of direct access routes to adjoining residential areas and nearby towns
  - Key business, retail, educational, health and community facilities are provided within walking distance of each other
  - A compatible mix of urban land uses is accommodated with the highest densities of housing and employment provided within walking distance of transit stops
  - Buildings present active street frontages to public streets and spaces
  - A human scale of design that creates a pedestrian friendly environment
  - Centrally located public spaces that cater for a range of community activities
  - Priority access is given to pedestrians, cyclists and public transport
- TSC.S.A.4.** Public transit stops are provided in highly visible and accessible locations
- Location and scale of future centres to be well founded on research regarding economic compatibility with existing centres.

#### **B9.4.5** *District Centre*

The District centre will have three primary functions:

1. The primary retail, commercial and service centre for the Kingscliff district;
2. The service centre for the broader catchment area, which extends southwards outside of the Kingscliff district, to include the Tweed Coast villages of Bogangar/Cabarita, Hastings Point and Pottsville and other areas to the south and west;
3. The local commercial and service centre for the locality immediately surrounding the district centre.

The district centre is planned to comprise a mix of uses, developments and services that form a fully integrated and viable town centre for the Kingscliff area.



Ideally, the district centre will be located centrally to the broader catchment population and will cater for higher order facilities that service the whole of the envisaged catchment area. The envisaged future population of the broader catchment area including the southern Tweed Coast villages will be in the order of 40,000 people. The district centre must be highly accessible to the whole catchment area.

It is envisaged that the district centre will include a district level shopping centre, retail floor space of between 10,000m<sup>2</sup> and 20,000m<sup>2</sup>, a central bus interchange, a district library and higher order community, health and commercial services. Planning should occur for the potential third hospital in the shire to be located in/adjacent the district centre. It is important to ensure that the district centre does not occupy prime coastal land that would be better used for residential/tourism/recreational purposes.

#### **Planning Objective**

- TSC.O. A.5.** The provision of a District Centre in Kingscliff, which will include at least one major supermarket and a discount department store fulfilling the major long-term, needs of a Town Centre for the Tweed Coast.
- TSC.O. A.6.** District level government and private services should be located in, or adjacent to, the District Centre.
- TSC.O. A.7.** Ideally the Town Centre to be planned to include a central bus interchange, hospital, library, community centre, medical centre, police station, employment agencies, banks and places of worship.

#### **Planning Strategy**

- TSC.S. A.5.** Provide a District Town Centre for the Tweed Coast that comprises of between 10,000m<sup>2</sup> and 20,000m<sup>2</sup> of retail floor space (the location of the town centre will be the subject of future decision making by Council).

#### **B9.4.6 Local Centres**

The Tweed Coast District has three distinct local areas - Kingscliff, South Kingscliff and Kings Forest, which will form the basis of planning for the Tweed Coast. Each of the three local areas should contain a local town centre. The primary purpose of the local centres will be to provide for the day to day commercial and service needs of the local area only. The nominated district centre will have a secondary role as the neighbourhood centre for the local area that it is situated within.

The local centres are envisaged to service a population catchment of up to 10,000 people and will incorporate between 1,500m<sup>2</sup> and 6,000m<sup>2</sup> of retail floor space, according to local demand.

Kingscliff town centre already contains the facilities required for a local centre, including a supermarket, a variety of commercial and retail outlets, community centre, post office and a library. The existing centre has the potential to expand along Turnock Street, the main feeder Road to West Kingscliff. This would cater for the needs of an expanding population in West Kingscliff.

The approved development plan for Casuarina Beach includes a designated commercial area known as Seaside village. Although this commercial precinct

will have limited potential for long-term future expansion, it can provide for the basic services required in a local centre.

The LES for Kings Forest has identified two potential sites for a local town centre in the Kings Forest area. One of the identified sites is at the eastern end of the development and the other is more central to the whole Kings Forest area.

### **Planning Strategies**

**TSC.S.4.6.** To satisfy the needs of the local community provide three local centres in the Kingscliff district

**TSC.S.4.7.** The Kings Forest local centre should ideally be located centrally to the Kings Forest area.

**TSC.S.4.8.** Ideally, local centres should comprise of a supermarket, a community centre, a post office and a variety of other commercial/retail and community facilities.

### **Planning Controls**

**TSC.4.2.** The three local town centres in the District will be:

- Kingscliff town centre - The local centre at Kingscliff comprises of the existing town centre. This will be expanded as required, within the confines of the existing commercial zone and into the urban expansion areas along Turnock Street.
- Proposed 'Seaside Village' centre in the Casuarina Beach development - A local centre at South Kingscliff will be established within the commercial area identified on the approved development plan for the Casuarina Beach subdivision. This will be established by the developer of Casuarina Beach.
- A future town centre at Kings Forest - The location and design of the local centre for Kings Forest will be planned for within the integrated DLEP, Structure Plan and Development Control Plan. There is currently no anticipated timeframe for this development.

**TSC.4.3.** Each of the nominated local centres will accommodate up to 6000m<sup>2</sup> of retail floor space.

### **B9.4.7 Neighbourhood Centres**

Neighbourhood centres are intended to provide for basic retail needs within walking distance of all residents. It is generally accepted that walking distance constitutes a five minute walk and that on average, pedestrians can comfortably walk 400m within a five minute period. Therefore, neighbourhood centres should ideally be established to service a catchment area within 400m of the centre. This would generally cater for a population of between 500 and 1000 people, depending on the density of surrounding development. To maximise catchment service, neighbourhood centres should be established at intervals of approximately 800m within urban areas.

At the lower end of the spectrum, neighbourhood centres may comprise of only a corner shop, while at the higher end of the spectrum they may comprise of a small shopping centre. Neighbourhood centres will generally range in size up to 1000m<sup>2</sup> of retail floor space, depending upon the circumstances of each locality. The draft Kingscliff Centres Study has noted that in some cases, local factors may facilitate the establishment of centres in excess of 1000m<sup>2</sup>. Local factors

would include the density of surrounding residential development, road structure, amenity and tourist related demand. Any plans for such centres should indicate compliance with the objectives of this Strategy.

Neighbourhood centres generally rely on the immediate surrounding population catchment for their viability and therefore are unlikely to be established until the later stage of surrounding development.

#### **Planning Strategy**

**TSC.S. 4.9.** Neighbourhood centres to be established to service a population catchment within a 400m radius (walking distance) of each centre therefore at intervals of approximately 800m.

**TSC.S. 4.10.** Neighbourhood centres with retail floor space exceeding 1000m<sup>2</sup> will be considered where it can be demonstrated to Council's satisfaction that such a centre(s) will comply with the centres hierarchy for the district and the objectives of this Strategy.

#### **Planning Controls**

**TSC. 4.4.** Neighbourhood centres comprise of retail floor space up to 1000m<sup>2</sup>.

**TSC.4. 5.** The proposed location of neighbourhood centres shown in Map 2 is indicative only. More detailed consideration is to be provided in area specific Sections.

## **B9.5 VEHICULAR AND PEDESTRIAN ACCESS**

### ***B9.5.1 Overview***

Accessibility is a key factor to the success of creating liveable communities on the Tweed Coast. The Tweed Transportation Study sets the strategic road framework for the Tweed Coast. However, access is about far more than roads to accommodate private motor vehicles. Public transport, pedestrian access and parking are also key components. Existing Council policies include much of the detail of this for the Tweed Coast. The following additional requirements are included in this Section.

### ***B9.5.2 Distributor and Collector Roads***

The Tweed Coast Road will be the main distributor road for local traffic through the District and is proposed for upgrading to 4 lanes from the Chinderah roundabout to at least Casuarina Beach and possibly Cabarita Beach/Bogangar. This is anticipated to occur in the next 5 to 10 years, and is based on traffic projections of 35,000 – 40,000 vehicle movements per day. Council's Planning and Design Unit is currently investigating associated design issues.

The landscaping of distributor and collector road corridors and provision of cycle ways will be an integral component of the design of these roads. Landscaping adjacent to Casuarina Beach is being carried out by the developer of this area and includes earth mounding.

#### **Planning Objectives**

**TSC.O. 5.1.** Distributor and collector roads are to provide

- adequate provision of cycleways
- reduction of noise to residential areas

- no advertising signs
- landscape plans

### Planning Strategy

**TSC.S.5.1.** New subdivisions are to be adequately protected from the noise impact of distributor roads with an appropriate level of landscaping. Landscaped areas should comprise of species endemic to the locality.

### Planning Controls/Actions

**TSC. 5.1.** Advertising signs will not be permitted within distributor and collector road reserves. All advertising signs visible from distributor and collector roads and the Pacific Highway/Tweed Coast Motorway are to be erected on the land associated with the business that they are advertising.

**TSC. 5.2.** All designs for distributor and collector roads are to incorporate landscaping plans to enhance the amenity of the district – compatible with reasonable maintenance costs.

### ***B9.5.3 Access to West Kingscliff***

To ensure the success of West Kingscliff, improved vehicular access from the Tweed Coast Road is seen as being of critical importance. Ideally, a new east-west aligned road should be provided from the Tweed Coast Road through to the existing Turnock Street/Elrond Drive roundabout. The new link road would provide direct access to Kingscliff town centre for traffic arriving from both the north and the south.

The preferred junction of this road with the Tweed Coast Road is at the current junction with Crescent Street, which would also provide the necessary access to the proposed new STW site detailed in Clause B9.6.3 and B9.6.4 and structured open space for the area. Such a junction will require the reconfiguration of the junction of Crescent and TCR to ensure the former does not become a “rat-run” from Cudgen Road to Kingscliff Town Centre

The route of this road includes significant pockets of Melaleuca forest which is zoned for environmental protection. Clause B9.7 highlights the importance of retaining these areas of remnant vegetation in terms of habitat and landscape. Accordingly, the alignment of the road should be designed to minimise impact on the Melaleuca forest and the land zoned for habitat protection opposite Crescent Street, unless technical reasons are proven to preclude this.

The alignment of the future link road would also need to respect the amenity of those residential properties fronting Kingfisher Circuit in West Kingscliff.

### Planning Strategies

**B9.5.2** A West Kingscliff east-west aligned link road shall be provided from the Tweed Coast Road across Gales Holdings land through to the existing Turnock Street/Elrond Drive roundabout, in the general location shown on the Structure Plan B20 - Map 2.

### Planning Actions

**B9.5.3** The East-west link to be aligned to minimise impact on identified significant habitat areas (that are zoned for environmental protection

and to respect the amenity of residential properties fronting Kingfisher Drive, West Kingscliff.

- B9.5.4** The road is to initially provide for 2 lanes of traffic plus cycle ways. The corridor width should be a minimum of 25m, to cater for future traffic volumes in excess of 6000 vehicles per day and eventual upgrading to four lanes of traffic (plus cycle ways), if and when required.
- B9.5.5** The design plan for the link road alignment and intersection is to identify and take into consideration the location of the Kingscliff drainage network, associated linear parkland and most importantly, the environmental conservation attributes of affected land to the east of Chinderah Road.

#### ***B9.5.4 Access to Kings Forest Release Area***

Tweed Shire's Section 94 Road Contribution Plan No 4 has identified a road link from the Tweed Coast Rd via Depot Road to the Kings Forest release area through to Duranbah Rd in the west. This road will provide the main access to Kings Forest and has been referred to as the Kings Forest Parkway. It is noted that there is no provision for access to Kings Forest from the Tweed Coast Motorway, because of absolute topographical constraints.

The exhibited Local Environmental Study (LES) for the Kings Forest release area identified that Depot Rd traverses an important Koala habitat area and therefore considered four options for access to the release area from the Tweed Coast Road. These included Depot Rd and three alternative options for access points north of Depot Road. The exhibited draft LES indicated that access via Depot Rd was not the preferred access to the release area, as this would require road improvement works that would disturb Koala habitat and fragment a wildlife corridor with potentially adversely impact. The key issue will be researched, assessed and decided upon as one of the next major steps in the planning process for Kings Forest.

As the Depot Road access route from the Tweed Coast Road dissects an area of significant Koala habitat, further investigations will be required to determine how potential environmental impacts can be minimised and ameliorated. Regardless, access options to Kings Forest are severely restricted. This factor has implications for the overall accessibility of the release area in terms of both general accessibility from other localities and the timeframe within which suitable access can be provided.

#### ***B9.5.5 Casuarina Way***

Casuarina Way provides a North - South link between Kingscliff and the coastal villages on the southern Tweed Coast. The road provides accessibility and connectivity, which are vital ingredients required to build integrated and sustainable communities. High levels of accessibility and connectivity will assist tourism and commerce, provide the basis of a workable public transport route and maintain beach access for existing and future residents and tourists.

The road traverses the Seaside City subdivision and the tourism sites north of Seaside City. North of the Seaside City subdivision, Casuarina Way is not located within a local road reserve, but is aligned within a legally established road easement over private land. This was also the case at Seaside City until the recent realignment and establishment of the road within the Catherine Street road

reserve. Although the existing easement over private land provides for safe and efficient traffic movement along the Tweed Coast, consideration must be given to the future alignment of the road to accommodate preferred options for the development of the remaining parts of South Kingscliff.

Casuarina Way already provides for traffic volumes well above collector road level, despite the existence of a higher standard, shorter route. Any future alterations to the alignment of Casuarina Way should be designed to encourage through traffic to use the bypass and to provide safe passage for local traffic including pedestrians and cyclists.

### **Planning Objectives**

#### **TSC.O.5.2.**

**Continuity:** The North - South access from Kingscliff to South Kingscliff and the southern Tweed Coast currently provided by Casuarina Way should be maintained in order to provide for a high level of accessibility and connectivity within the district.

#### **TSC.O.5.3.**

**Design Speed:** The design speed of Casuarina Way should encourage through traffic to use the Tweed Coast Road and to provide safe passage for local traffic including pedestrians and cyclists.

### **Planning Strategy**

**TSC.S.5.3.** The overall reduced speed environment for Casuarina Way can be achieved by a combination of road geometry and Local Area Traffic Management (LATM) devices, such as roundabouts and a design speed of 60 kph.

### **Planning Controls**

#### **Realignment:**

**TSC.5.6.** If a developer of land north of Seaside City proposes that Casuarina Way be realigned to accommodate a particular development, Council will consider options for its realignment based mainly on the following criteria:

- A. The road must remain continuous across the individual land holdings at South Kingscliff as development proceeds.
- B. Suitable East - West connections must be provided to allow vehicular and/or pedestrian access to the ocean and creek foreshores at regular intervals.
- C. While the functional status is as a “distributor” road under Council’s Section A5 – Subdivision Manual definitions, Casuarina Way is to be designed such that it primarily acts as a local North- South traffic link, rather than as an alternative arterial corridor competing with the Tweed Coast Road.
- D. The road must not encroach upon any environmental protection zone or any area identified either in a Section 94 plan or by condition of development approval as being required by Council or other authorities for environmental protection or rehabilitation purposes.
- E. Any realignment and associated works must be to Council’s satisfaction and implemented at the expense of the developer(s).

### **B9.5.6 Public Transport**

Public transport provides cost effective transport while also reducing traffic congestion and the associated impacts on air quality and environmental amenity. Additionally, it is an invaluable mode of transport for those people who have no other alternative means of travel.

Public transport in the Kingscliff district is limited to buses and taxis only. There are no proposals to provide heavy or light rail connections to the district. Any extension of the future rail access to Gold Coast Airport would be by light rail and would need to be considered on the basis of a detailed feasibility study. Therefore, for the foreseeable future, buses are likely to remain the major mode of public transport within the district.

The Strategy addresses the following critical elements of public transport for the District.

#### **Bus Services**

Bus services are provided by Surfside bus lines of the Gold Coast. Presently, there are three bus routes that service Kingscliff: Kingscliff – Robina, Southport – Kingscliff and Tweed Heads – Pottsville. The Kingscliff – Robina route provides the ‘Trainlink’ service to Robina train station on the Gold Coast and therefore provides a direct link to the Brisbane/Gold Coast heavy rail system (Queensland Rail). Kingscliff is the terminus of the bus route from Southport at the northern end of the Gold Coast.

The Tweed Heads - Pottsville bus route passes through Kingscliff and is the main service for the Tweed Coast. It is envisaged that this bus route will eventually be modified or supplemented by an additional bus route to service the rapidly developing South Kingscliff locality. Kings Forest, when developed, will likely require the provision of a new bus service linked to Kingscliff.

It is essential that public transport services are in place as residential areas are developed. At this stage it is likely that the services will be at their least viable. However, if introduction of services is delayed there is the danger that travel patterns will have become established without public transport, thereby making the long term establishment of public transport that much harder. In the ideal it is preferable that route development keeps pace with land release. Therefore it is important that the provision of new services be planned through early consultation with the service provider(s). Funding for public transport during this establishment period is required.

#### **Bus Interchange**

The growth of the district is likely to require the establishment of a central bus interchange. Such a facility should be located centrally in the district town centre. The design and location of the central bus interchange must be considered at the detailed planning stage for the establishment of a district centre and must involve consultation between Surfside Buses, the relevant landholders and developers, Council and the community.

#### **Promotion of Public Transport**

A high level of accessibility between destinations allows for a more efficient and viable public transport system. This can be provided by the alignment of urban centres within identified transport corridors and the location of key commercial and community facilities in the identified centres (refer Clause B9.4.4 - Location

and Design Principles for urban centres). Council and developers need to identify what can be done to improve the network for public transport.

Bus priority lanes (other than at key intersections) are unlikely to be provided in the District, as the level of service necessary to make the provision of priority lanes viable is unlikely to be achieved, due to the relatively low population densities and small catchment area of the District.

Other key measures to encourage the use of public transport include:

- The establishment of urban environments designed specifically to encourage walking and cycling and to discourage the unnecessary use of private cars;
- The provision of a safe and attractive pedestrian/cyclist environment that provides easy and direct access to public transport stops;
- The provision of seating, lighting, timetables, and route maps in bus shelters;
- The provision of bus shelters in highly accessible, visible, safe and well-lit locations that are central to the potential population catchment;
- Access for all users, including the provision of appropriate facilities for people with disabilities, people with strollers and cyclists.

### **Planning Objectives**

- TSC.O.5.4.** Public transport services should reinforce identified transport corridors to ensure that a high level of public transport service is available between destinations.
- TSC.O.5.5.** A central bus interchange should be established in the district town centre.
- TSC.O.5.6.** Consideration is to be given to the feasibility of providing priority bus service lanes at key intersections.
- TSC.O.5.7.** As a long-term goal, bus stops should be provided with shelters that contain lights, timetables and route maps.

### **Planning Strategies**

- TSC.S.5.4.** Key transport corridors are identified in this Section (B20 - Map 3) and have been designed to link the designated urban centres.
- TSC.S.5.5.** Financial support be sought from the State Government for the establishment of public transport in the early stages of an urban release sector.

### **Planning Controls**

- TSC.5.7.** The provision of public transport services must be planned in consultation with the service provider at the initial stage of any master planning for new release areas. Consideration is to include street layout, bus stop and bus lay back area locations.
- TSC.5.8.** Consultation must occur between the bus service provider, the landholders and developers, Council and the community to consider the location and design of a bus interchange in the district town centre.



<b>TSC.5.9.</b>	Section A5 will require developers to discuss public transport issues with Council and the service provider at the master planning stage.
<b>TSC.5.10.</b>	Bus stops to be provided at the initial subdivision stage, in highly accessible, visible, safe and well-lit locations that are central to the potential population catchment.
<b>TSC.5.11.</b>	Bus stop areas must be designed with appropriate facilities such that they are accessible to all users, including people with disabilities, people with strollers, the aged and infirm and cyclists.

### ***B9.5.7 Cycle ways and Footpaths***

Cycle ways and footpaths are an integral part of the transport network, as well as an important recreational asset. When cycle ways and footpaths are designed to be functional, attractive and safe, they encourage people to walk and cycle. They therefore provide significant benefits to residents and tourists alike.

Section 94 Contributions Plan No 22 - Cycle ways indicates the provision of a cycleway along the Tweed Coast from Kingscliff to Pottsville and a future link to Kings Forest. The proposed Tweed Coast route passes along the eastern side of the South Kingscliff locality and provides users with ready access to the beach and adjoining coastal reserve and maintains grade separation from vehicular traffic.

The location and funding of a pedestrian/cycleway link across Cudgen Creek to Kingscliff is to be considered. In this regard, a link from Marine Parade, Kingscliff to Sutherland Point is preferred. The cost of such a bridge is estimated at between \$150,000 – \$200,000.

Conditions of existing Development Consents require the construction of a cycleway/pedestrian link for the coastal foreshore frontages of the Casuarina Beach estate and the SALT development on Lots 194, 301 and 312 at South Kingscliff. Part of the cycleway at Casuarina Beach has already been constructed within the public foreshore reserve. The progressive construction should be continued as an integral part of the future development of Seaside City and Lot 490.

The provision of pedestrian paths and on road cycle ways (including adequate pedestrian crossing points) along all major roads such as Casuarina Way and Kings Forest Parkway must be planned for at the subdivision stage to cater for safe and pleasant walking and cycling. The provision of a pedestrian link between Kings Forest and Seaside City should be investigated to provide safe and easy pedestrian access from Kings Forest to the beach. Cycle ways should also provide links between residential areas and schools. This may encourage cycling to school and reduce private vehicle trips.

#### **Policy Objectives**

**TSC.O.5.8.** The design of cycle ways is to ensure connectivity with the public car parks.

#### **Policy Strategies**

**TSC.S.5.6.** The footpath and cycleway network will be designed to connect coastal foreshore and riparian areas with residential and commercial areas.

- TSC.S.5.7.** Subject to the approval of the Department of Land and Water Conservation, the foreshore cycleway/public footpath through South Kingscliff should be provided within the adjoining Coastal Reserve (Lot 500). There may be opportunity for the cycle way to follow an existing informal track through the Coastal Reserve.
- TSC.S.5.8.** Footpaths and adequate pedestrian crossing points are to be provided along all main roads to encourage and provide for safe and pleasant walking between destinations, as per Council's Development Design Specification D1 Road Design Manual.
- TSC.S.5.9.** Cycle ways should be provided as integral components of any future developments in the district, providing links between residential areas and key facilities such as schools and shops.
- TSC.S.5.10.** The provision of a pedestrian path between Kings Forest and Seaside City should be investigated to provide safe and convenient pedestrian access from Kings Forest to the beach.
- TSC.S.5.11.** It may appropriate to locate a primary cycleway (built to Austroads standards) on the north-south spine roads through South Kingscliff and a lower standard 'recreational' cycleway along the foreshore.
- TSC.S.5.12.** A bridge across Cudgen Creek providing a cycleway/footpath link is to be provided from Marine Parade, Kingscliff to Sutherland Point, South Kingscliff.

#### **Planning Controls/Actions**

- TSC.5.12.** The primary cycle ways through South Kingscliff and to Kings Forest to be provided in accordance with the adopted Section 94 Contributions Plan No. 22 - Cycle ways and Austroads and RTA Standards.
- TSC.5.13.** Cycle ways are to be constructed by the individual developers of release areas as part of their development conditions developer credits can apply. Council would then refund the developer any excess cycleway construction costs, as and when funds become available in Council's Section 94 fund for cycle ways.
- TSC.5.14.** Other cycle ways are to be provided by Council in accordance with Section 94 Plan No.22 – Cycle ways.
- TSC.5.15.** Section 94 Plan No.22 – Cycle ways is to be amended to include provision for the construction of a cycle way/pedestrian bridge across Cudgen Creek between Marine Parade, Kingscliff and Sutherland Point, South Kingscliff.
- TSC.5.16.** Footpaths are to be provided by the developers of respective release areas in accordance with the standards of Council's development design Specification D1 Road Design Manual.

#### **B9.5.8 Replacement of Cudgen Creek Bridge**

The existing bridge over Cudgen Creek provides access between Kingscliff and the southern Tweed coast villages. It is well below the required geometrical standard for the volume of traffic that it currently carries. Traffic volumes will increase as a result of the development of the South Kingscliff area and to a

lesser extent, other areas of the Shire. The existing bridge lacks a pedestrian footway and cycleway and has poor maritime navigational clearance.

No firm date can be given at this stage for the replacement of the bridge, though a condition of the SALT Development Approval for the upgrade of the bridge is as follows:

*"122. Prior to the issue of the Subdivision Certificate for Stage 2, the bridge over Cudgen Creek at Kingscliff shall be upgraded at the applicants cost. The upgrading works shall consist of:*

- *Cathodic protection of substructure reinforcement*
- *Widen the substructure as required to facilitate widening of superstructure to accommodate pedestrian/cycleway on one side*
- *Replace defective girders and corbels in superstructure*
- *Replace and widen deck to accommodate Austroads standard width cycleway/footpath*
- *Construct appropriate traffic barriers/handrails*

*Other alternative arrangements to the satisfaction of both the applicant and Council maybe considered".*

#### **Planning Objectives**

**TSC.O.5.9.** The Cudgen Creek Bridge requires refurbishing and the addition of a footway cycleway to accommodate short and medium term vehicular and pedestrian/cycle demand. In the longer term the bridge should be replaced.

#### **Planning Strategies**

**TSC.S.5.13.** A new bridge over Cudgen Creek should meet the following criteria:

- Geometrically capable of handling envisaged traffic volumes
- Provide for adequate pedestrian and cycle access and connectivity.

**TSC.S.5.14.** Design to minimise environmental impact on tidal regime, while still allowing for the free flow of water associated with flood events.

**TSC.S.5.15.** Aesthetic design to reflect the role of the bridge as a key gateway to both Kingscliff and South Kingscliff, and be of a style sympathetic to the envisaged character and tourism role of the two areas.

**TSC.S.5.16.** Cudgen bridge to be upgraded as part of SALT Development.

### ***B9.5.9 Public Car Parking***

#### **Kingscliff**

Parking is a critical component in the planning for Kingscliff. It is essential that there is sufficient parking to ensure the continued economic prosperity of the village but not at the expense of its amenity. One of the greatest threats to the character of Kingscliff as a seaside village is traffic and the associated parking. Whilst parking is essential to the on-going trade in the village it has the danger of destroying the very thing that attracts people there.

Additional public car parking will be required in Kingscliff, to service the growing demand generated by the CBD area. The majority of new public car parking will be provided on-site. The preferred arrangement for parking is 45 degree angle parking to be provided on land adjacent to the public street reserve and in front of new developments. However, where the required parking cannot be provided on site, contributions will be levied under Section 94 Plan No.23 Offsite Parking.

The site for a new public car park must be capable of being connected to the CBD core by high standard pedestrian pathways and must be economical to develop for car parking. The preferred location for a new public car park in Kingscliff is on the northern side of Turnock Street immediately behind those lots fronting Pearl Street. The car park should be located to the rear of any future development fronting Turnock Street sheathed by mixed use development.

It is intended to undertake a comprehensive review of future parking for the existing Kingscliff CBD. Notwithstanding that intention, the need for a parking station to service the CBD should be retained which should be integrated into the Expansion of the existing town centre.

### South Kingscliff

Council has an adopted policy of 300 car spaces per kilometre of ocean foreshore, for public use. This standard is based on surveys carried out by Council on coastal parking provided on Gold Coast open beach access areas for day visitors. The standard has generally been implemented in the development approval for the Casuarina Beach estate, through negotiations with the developer.

The area north of Casuarina Beach is primarily a tourism precinct and therefore adjacent residential demand for beachside car parking is anticipated to be lower than for the Casuarina Beach estate. *Ministerial Consent granted in May 2000 for the Kings Heath Club of Clubs development on Lots 194, 301 and 312 at South Kingscliff required that 200 public car spaces be provided the – the site having 1.2km of coastal foreshore frontage.*

### **Planning Strategies**

- TSC.S.5.17. Car parking for Kingscliff Town Centre:** A public car park is to be constructed on vacant land on the northern side of Turnock Street, directly behind those lots fronting Pearl Street. Suitable land will need to be acquired by Council, through negotiation with the landowner.
- TSC.S.5.18. Design and Location of parking at South Kingscliff:** Parking areas should be provided to enable easy access to the beach. In general, they should provide for convenient walking distance to the beach.
- TSC.S.5.19.** Car parks should preferably be located outside of any land zoned for coastal protection.
- TSC.S.5.20.** Foreshore esplanades at South Kingscliff can cater for angled parking either side or both sides of a formed road or aisle. This parking format provides greater efficiency. Such arrangements can be designed to provide a high parking yield within a standard 20m wide road reserve.

**TSC.S.5.21.** Some public amenities at South Kingscliff could be provided on land to be dedicated to Council as open space.

### **Planning Controls/Actions**

#### **Kingscliff Town Centre**

**TSC.5.17.** Where possible, preferred format for public car parking in the town centre of Kingscliff is be 45 degree angled parking provided on-site between the street edge and the footpath in front of new development.

**TSC.5.18.** Where parking cannot be provided on site, Section 94 contributions will be applied with the objective of funding a public car park to be constructed on vacant land on the northern side of Turnock Street, directly behind those lots fronting Pearl Street. The car park is to be located behind future development that fronts Turnock Street and accessed via a battle-axe drive way. It must be connected to the CBD area by a high standard pedestrian footpath

#### **South Kingscliff**

**TSC.5.19.** Direct and visually legible public access to the foreshore cycle way and beach is to be provided from all of the public parking areas.

**TSC.5.20.** Locate parking areas at regularly spaced intervals along the coastline in proximity to locations identified for the establishment of surf lifesaving facilities through consultation with Cabarita Surf Life Saving Club.

**TSC.5.21.** In the case of the Tourism site (Lot 490) the required parking should be provided in the form of a foreshore esplanade.

**TSC.5.22.** Each car park area is to include landscaping and be designed to integrate with adjoining public foreshore open space areas and be clearly identified as public car parking by signage and management.

**TSC.5.23.** Car parking associated with the Tourism site (Lot 490) at South Kingscliff to be provided at the developer's cost and through negotiation with the developers at the development stage in accordance with the policies outlined above.

**TSC.5.24.** Any requirement for public amenities (toilets/barbecues) at the Tourism site (Lot 490) South Kingscliff, can be included as part of the passive open space embellishment requirements of any Section 94 Plans for the provision of public open space in these areas.

**TSC.5.25.** The requirements for public car parking within each individual development at South Kingscliff are a minimum of 300 car spaces per kilometre of site frontage to the ocean foreshore with the exception of the Lots 194, 301 and 312, where parking is to be provided in accordance with the development approval for the lots.

**TSC.5.26.** The preferred locations for esplanades containing angle parking are:

- A. The North - South public road reserve closest to the beach in the Seaside City subdivision. This adjoins intersecting East-West aligned laneways that can provide for five direct public access ways to the beach. This represents the best opportunity for direct public access to the beach but, critically, potentially very substantial public compensation involves re-subdivision of Seaside City to provide equitable return to property owners east of this road.
- B. On the assumption that Casuarina Way will be realigned through Lot 490 an esplanade could be established along half the length of the existing frontage of Casuarina Way to that site.
- TSC.5.27.** Each substantial public parking area should have integrated design with adjacent public open space and related provision for:
- A. Controlled and clearly perceived/signed access ways to the beach
- B. An amenities block to cater for male/female and disabled toilets and an outdoor shower
- C. A landscaped area with a constructed barbecue facility
- D. An appropriately designed covered seating area

## **B9.6 SOCIAL AND PHYSICAL INFRASTRUCTURE PROVISIONS**

### ***B9.6.1 Overview***

Council and the Regional Co-ordinator of the Premiers Department (Lismore) have taken the initiative of co-ordinating and preparing a Human Services Delivery Plan for Tweed Shire. This is focussing on the Tweed Coast and this District given the short term scale and locational distribution of population growth anticipated in the Shire.

### ***B9.6.2 Schools and Community Facilities***

The location of schools has a significant impact on localities as they provide a major focal point for many community activities. State primary schools are located at Kingscliff, Cudgen, Pottsville and Duranbah. A Catholic primary school is located in Kingscliff. There is only one secondary school in the district – Kingscliff High School. The Kingscliff Technical College is the only tertiary level educational facility in the district.

#### Location criteria for New schools

In determining suitable locations for new schools, the following factors which have been based on the NSW DET guidelines for location of new schools should be considered:

- Schools should be located on distributor/collector roads
- High schools should be located in proximity of town centres with strong, safe connectivity to residential areas
- Primary schools should be within 1.6 km road distance of the majority of population catchment
- Land should be of a regular shape, with not greater than 1:10 slope
- Site to be above 1:100 year flood level and well drained

- Sites should be fully serviced and free from constraints such as mobile phone towers and high tension electricity lines
- Sites should be accessible by sealed footpaths, cycle ways and public transport
- It is advantageous to locate sites adjacent to community playing fields
- Primary school sites should ideally be 3ha in size, while high schools require 6ha.

### Government Schools

The NSW Department of Education and Training (DET) has provided Council with advice to the effect that based on current population estimates for the Kingscliff district, one additional state high school and two additional state primary schools would be required over the longer term. The DET has recently undertaken a process of public consultation to determine the preferred organisational format and location of state secondary schools in the Tweed Coast area.

The DET has indicated that planning is currently underway for a new high school at Banora Point, which will cater for the catchment area between Kingscliff and Tweed Heads. This will enable the existing Kingscliff High School to provide capacity for the catchment area south of Kingscliff in the short to medium term. In the long term, a new high school may be required to service the Kings Forest/Kings Beach/Pottsville Beach catchment area. If the need for this additional high school is justified, the location should be central to the envisaged catchment area. The DET's requirements for new high school sites indicate that a 6ha parcel of relatively flat land is required.

The DET has already decided to provide a new primary school at Bogangar, which will cater for the catchment area from Kingscliff to Pottsville Beach. The DET has indicated that an existing primary school at Duranbah, at the western end of the proposed Kings Forest development area, could be upgraded. An additional primary school could also be provided at Kings Forest, if required at some stage in the future.

### Non-government Schools

There is significant potential for private and/or church schools within the District. Alternative sites for private schools should be an integral part of this strategy with such schools being proposed for locations on sound accessibility principles relative to existing and future residential development and urban centres. Due to the master planned nature of Casuarina Beach and the tourism orientated nature of other zoned land at South Kingscliff, private schools will need to be located at either Kings Forest and/or West Kingscliff.

With an envisaged population of 10,000 people, Kings Forest offers the greatest potential for new non-government schools. The West Kingscliff area offers some potential for new private schools. It is important to note given ownership of sites and history of applications by Church organisations, that the Director General of PlanningNSW reaffirmed on 3 November 2000 that land east of the Tweed Coast Rd (formerly Old Bogangar Rd) will remain zoned for agricultural protection. It is not considered that schools constitute an acceptable use of any land zoned "Agricultural Protection".

### Community facilities

Other community facilities provided by State Government, such as hospitals and healthcare facilities should be provided in suitable locations so that they can effectively service the district population. The co-ordination of planning with the relevant State Government authorities will be essential.

The provision of community facilities by Council, such as libraries, community centres and childcare facilities will need to reflect the hierarchy of Centres for the Kingscliff District. In keeping with Council's current policies, important community facilities should be located in accessible locations, preferably town centres.

### **Planning Objectives**

#### **Schools**

- TSC.O. 6.1.** **New schools** should be located centrally to their envisaged population catchment area and in locations that provide a high level of accessibility for public transport, pedestrians and cyclists.
- TSC.O.6.2.** The location and design of **school sites** should be compatible with a school's role as a central part of a community.
- TSC.O.6.3.** The NSW State Government will be responsible for the provision of a **new high school** at Kings Forest, an upgraded primary school at Duranbah, and if required, a new primary school at Kings Forest.
- TSC.O.6.4.** Various non-government organisations are anticipated to propose provision of new, primary and/or high schools at West Kingscliff/Kings Forest and new primary schools at Kings Forest.

#### **Planning Strategies**

- TSC.S.6.1.** The preferred locations for **new/upgraded/government primary schools** are Kings Forest and Duranbah.
- TSC.S.6.2.** The preferred location for **a district level hospital** is West Kingscliff – to relate to the District Centre.
- TSC.S.6.3.** The preferred location for **non-government schools** is West Kingscliff.

#### **Planning Controls/Action**

- TSC.6.1.** The location of schools should comply with the NSW DET guidelines for location of new schools.
- TSC.6.2.** If the district commercial centre is located at West Kingscliff, then the existing Kingscliff library will be upgraded to a district level facility.
- TSC.6.3.** A district level hospital will be provided at West Kingscliff by the NSW Health Department subject to funding, land availability and approval by the State government.
- TSC.6.4.** Council will ensure the provision of a district level library at West Kingscliff to service the Kingscliff district. The Library will be provided in accordance with Section 94 funding arrangements.



**B9.6.3 Water, Sewer and Drainage**

Adequate arrangements must be made for the provision of appropriate water, sewer and drainage services to all new development sites, prior to development occurring. In this regard, Council must consider how to most effectively service the area and provide for future development needs, within Council's budget and works program, integrated with appropriate developer participation.

The existing and proposed Kingscliff Sewerage Treatment Plants (STP), as identified in B9 - Map 4, cater for the district's sewerage disposal requirements. Treated effluent is released into the Tweed River at Chinderah. The main sewer line is located in the Tweed Coast Road reserve. Ultimate capacity will need to be provided to eventually cater for a district population of 50,000 people. The Kings Forest release area is not yet connected to the sewer system.

The main water supply for the district is provided from a reservoir at the western end of Kings Forest. Water mains are located within the Tweed Coast Road reserve and the Casuarina Way road easement.

**B9.6.4 Relocation of Kingscliff Sewerage Treatment Plant**

The current Kingscliff Sewerage Treatment Plant is being relocated to Lot 20, DP 1082482, 1km west of the Tweed Coast Road. This is expected to be completed by 2008.

Relocation of the STP will improve general amenity particularly within residential areas in proximity to the current STP site. The current STP site has been rezoned for industrial use.

**Planning Strategies**

- TSC.S.6.4.** The existing water main located within the Casuarina Way road reserve will need to be upgraded to adequately supply Peak Instantaneous Demand (PID) for all future development in the South Kingscliff locality.
- TSC.S.6.5.** Any realignment of Casuarina Way will require a corresponding realignment of the water main.
- TSC.S.6.6.** The connection point for all future development in the South Kingscliff locality is Duranbah Reservoir.
- TSC.S.6.7.** The existing 600 DIA trunk water main from Duranbah Reservoir to the Coast Road will need to be augmented to supply PID for South Kingscliff locality.

**Planning Control/Actions**

- TSC.6.5.** The augmentation of the cost existing 600 DIA trunk water main will be met by additional local Section 64 levy.
- TSC.6.6.** Adequate arrangements for the provision of water, sewer and drainage services are to be made prior to any new developments being commenced in the district. All required works are to be carried out at the expense of the developer(s). Upgrading works will also be at the expense of the developer(s).
- TSC.6.7.** The capacity of the Duranbah reservoir will need to be increased from 5.0 mega-litres to 15.0 mega-litres to service the South Kingscliff development. This augmentation will be founded from Section 64 contributions.

<b>TSC.6.8.</b>	Prior to development, the Seaside City subdivision must be connected to sewer via the Tweed Coast Road, where Council's existing service line is located.
<b>TSC.6.9.</b>	Lots 194, 301 and 312 at South Kingscliff and the Tourism site (Lot 490) should be connected to Council's sewerage at the intersection of Coast Road and Cudgen Road.
<b>TSC.6.10.</b>	Kings Forest will need to be connected to the line in the Tweed Coast Road at the intersection with Depot Road via regional sewage pumping station located at the Tweed Coast Road and the intersection with Depot Road vicinity.
<b>TSC.6.11.</b>	Refer to Section A5 – Subdivision Manual for allowable pollutants & contaminants entering Cudgen Creek.

### ***B9.6.5 Surf lifesaving facilities***

#### **Background Analysis**

The NSW Coastal Policy 1997 requires that consideration be given to the need for surf lifesaving facilities for new development within the coastal zone. The coastal zone as defined under the Coastal Policy includes all land within 1km of the coast. At present, there are surf lifesaving clubs at Kingscliff (The Cudgen SLSC) and at Cabarita. The Cabarita Surf Life Saving Club (SLSC) monitors Bogangar beach between Cabarita and Kingscliff. However, there are no established facilities on the stretch of coast at South Kingscliff.

#### **Planning Strategies**

- |                    |  |
|--------------------|--|
| <b>TSC.S.6.9.</b>  | That Council prepare a Strategy for the provision of Surf Lifesaving Services and facilities in the Shire.   |
| <b>TSC.S.6.10.</b> | That Council facilitate the redevelopment of the Cabarita Surf Lifesaving Club – enabling this Club to provide and oversee services to South Kingscliff, and Bogangar/Cabarita Beach, including through developer contributions being required towards the building and equipment. |

#### **Planning Controls**

- |                  |   |
|------------------|---|
| <b>TSC.6.13.</b> | At South Kingscliff, each substantial tourist resort to be required to provide its own surf lifesaving service based on the outcome of consultation with Cabarita SLSC. |
|------------------|---|

### ***B9.6.6 Emergency Services***

With the anticipated development along the Tweed Coast there will be a commensurate increase in need for emergency services facilities (police, ambulance, fire and SES). Whilst each of these is already represented on the coast it is anticipated that in the longer term each of these will have to seek upgraded facilities as their current sites are limited. Informal discussions have been held with these services but to date no strategies have been forthcoming as to how they are to deal with the anticipated long term growth of the coast. The concern is that unless sites are identified early there may not be the opportunity to provide the optimum location for their facilities. Therefore on the understanding that

- future sites for emergency services are essential

- the major site determinant is accessibility, and
- there are advantages in a joint site.

### Planning Strategies

**TSC.S.6.11** Investigate site for emergency services adjacent to Tweed Coast Road on present Sewerage Treatment Plant site. (assuming the treatment works are relocated).

## B9.7 ENVIRONMENTAL AND COASTAL ISSUES

### B9.7.1 *Overview*

The District includes a wide range of natural environments and supports significant communities of threatened and endangered species. These are part of the community and need to be incorporated into the growth management strategy for the District. Not only to protect those habitats but to add to the overall character of the urban environment.

### B9.7.2 *Habitat Protection*

**Mitchell's Rainforest Snail:** Shells and live specimens of the Mitchell's Rainforest Snail (*Thersites mitchellae*), on the endangered list of the Commonwealth Government, have been found on land owned by Gales Holdings west of the Pearl Street Kingscliff. Any works that are proposed for this area will need to ensure that they comply with the relevant State and Federal legislation.

**Significant vegetation:** The NPWS is concerned at not only the loss of significant habitat but also the fragmentation of that habitat by roads, without the benefit of compensatory mitigation. The NPWS is also concerned that:

- Much of the land identified for urban expansion is environmentally sensitive - the West Kingscliff urban release area includes the habitat of the threatened Mitchell's Rainforest Snail and other threatened species
- Transport links through sensitive areas will further fragment remnant vegetation, unless the strategy includes policies to mitigate such impacts
- Infrastructure is located in sensitive areas

The service has strongly recommended the following measures be undertaken:

- Prepare a Koala Plan of Management for Tweed Coast
- Identify and map in Strategy – Threatened species and species habitat wetland and significant vegetation communities.
- Identify and map habitat and potential habitat of the Mitchell's Rainforest Snail.
- Public beach access and high use beach area located so as to avoid identified threatened breeding areas.
- Environmental buffers widths reviewed to meet the recommendations of NPWS and NSW Fisheries.
- Ensure asset protection zones are included within the development proposal.

- Nutrient control and stormwater devices are included in the development proposal.
- Public Open Space should be provided within/surrounding the proposed town centres.
- Review of protected green belts should be undertaken in light of the NPWS Key habitats and Corridors layer.
- Public Access to Cudgen Nature Reserve should be discouraged.
- Review of Aboriginal site locations and additional archaeological studies in areas proposed for development.
- Consult with Environment Australia.

Moreover, those significant habitats which are already zoned Environmental Protection have been included. Nevertheless, it would be appropriate to make a more specific reference to some of the issues raised, in particular:

- recommend Council prepare a Koala Management Plan;
- include all threatened species and species habitat wetland and significant vegetation communities;
- include the habitat of the Mitchell's Rainforest Snail.

East-west vegetated links in South Kingscliff to provide separation between urban areas are considered important. There is a natural corridor in West Kingscliff which should be protected.

There is also potential for a 200m corridor on the northern and southern margins of Seaside City in Crown Road Reserves.

### **Planning Strategy**

#### **TSC.S. 7.1**

Council prepare a Koala Management Plan for the Tweed Coast;

- include all threatened species and species habitat wetland and significant vegetation communities;
- include the habitat of the Mitchell's Rainforest Snail;
- include east-west vegetated corridors at West Kingscliff.

### ***B9.7.3 Coastal Open Space***

Coastal open space is one of the prime attractions of the Tweed Coast. It provides important amenity and recreational value for both residents and tourists. It is in the community's interest to maximise the amount of coastal land available for public use. In addition to a shire wide demand for coastal open space, there is also a growing regional demand. The completion of the Tweed Coast Motorway is anticipated to increase tourist and day-tripper demand for coastal open space.

Coastal open space also includes land subject to a range of significant natural hazards. The NSW Coastal Policy 1997 requires that public setback lines to the coast should be established and that land seaward of the setback be dedicated as public space. The majority of land zoned for coastal protection along the Tweed Coast is Crown Land contained within the single Coastal Reserve,

managed by the Tweed Coast Reserve Trust. However, some portions of this zone are still privately owned. Ideally, as much of the zone as possible should be included in public open spaces reserves. Any required foreshore open space areas should be embellished with basic public facilities and be provided in conjunction with the adjoining Coastal Reserve.

It is highly desirable to have a coastal esplanade immediately adjacent to the coastal zone for a significant proportion of the north to south distance of the coastal sector in this District. However, creating a realistic balance between the viability of attraction of significant tourist development and this highly desirable public asset means that whilst significant proportion should be aimed for, there will have to be negotiated concessions in the interests of tourist and economic development of this sector of coast.

There is a significant opportunity with the Seaside City to provide an esplanade and direct coastal if re-subdivision of the 'paper subdivision' is enabled and thereby enable landowners of those lots east of the eastern most north/south road within the Seaside City paper subdivision to be equitably treated.

*Requirements for beach access, integrated with principles for location of public parking areas (see also Clause B9.5.9)*

#### **B9.7.4 Coastal Esplanade and Parking**

The provision of a coastal esplanade and parking is required to ensure public access to the public beaches of the Tweed Coast. The approved development of Casuarina and SALT do not include an esplanade. Seaside City and Lot 490 remain the only lengths of the South Kingscliff coast for which the form of development has yet to be finalised, and there are still considerable benefits to be gained from an esplanade along at least a part of the coast.

#### **B9.7.5 Beach Access**

Beach access and associated car parking must be dealt with on a comprehensive basis. Section 5.9 sets out the basic requirements for parking, although this is not integrated with beach access requirements. Parking areas are to be identified in conjunction with Cabarita Surf Life Saving Club.

#### **Planning Objectives**

**TSC.O. 7.1.** Land identified within a coastal erosion hazard zone, including beaches and dunes, will be protected from development.

#### **Planning Strategy**

**TSC.S.7.2.** Continuous coastal foreshore access will be provided by means of green space, wildlife corridors and play space, with appropriate footpath and cycleway linkages along its length, controlled public access to the beachfront, and integration with public parking areas. Coastal open space to be provided by development is to be integrated with any adjoining Crown Coastal Reserve, so that the combined area can be used effectively.

**TSC.S.7.3.** A single fronted through road will be provided along a significant proportion of the landward side of the coastal open space and street orientation to provide direct pedestrian access to;

- provide easily identifiable public access and parking;
- a definable boundary to be area;

- control the use and access of the open space.
- direct visual connection for the public to dunal areas, beaches and the ocean.

### **Planning Controls/Actions**

- TSC.7.1.** Coastal Open Space associated with development at South Kingscliff is to be provided in accordance with the provisions of Section 94 Plan No 26 – by negotiation, and by the drafting of a new Section 94 Plan relating to Lot 490, Lots 194, 301 and 312 South Kingscliff and for Seaside City.
- TSC.7.2.** Section 94 Plans are to be prepared by Council to facilitate the dedication of coastal open space at Seaside City and the Tourism Site (Lot 490).
- TSC.7.3.** Coastal open space is to be provided at the rate of 4.00 hectares/1,000 population.
- TSC.7.4.** Any land dedicated as coastal open space should be embellished with suitable public amenities, to be provided in conjunction with the provision of future public parking areas.
- TSC.7.5.** The embellishment of dedicated coastal open space is to include the removal of noxious weeds and exotic plants and the rehabilitation of the dedicated land with select native species.

### **B9.7.6 Cudgen Creek Riparian Buffer**

Riparian buffer zones are critical in maintaining the environmental value and quality of waterways. They enhance the quality of overland run off, restrict human intrusion, provide wildlife habitat, stabilise creek embankments and enhance the visual quality of the foreshore.

The need for a riparian buffer zone to Cudgen Creek in order to mitigate the impacts arising from new development derives from the following sources:

- a. Council's "Cudgen, Cudgera and Mooball Creeks Estuary Management Plan" (TSC, 1997);
- b. NPWS advice;
- c. NSW Fisheries advice to Council;
- d. Various government publications, and a Flora and Fauna Assessment of the Kingscliff Tourism Land (Lot 490, DP 47021), prepared for Council by Peter Parker Environmental Consultants in January 2000.

All these sources generally advise that a riparian buffer zone should be 50m in width as measured from the edge of the creek. The report prepared by Peter Parker indicates that in addition to the 50m buffer, a further 30m buffer should be planted with native trees to compensate for vegetation lost elsewhere on the site. This applies to Lot 490 only. The NSW Water Resources publication "The Importance of the Riparian Zone in Water Resource Management" has indicated that a minimum riparian buffer zone should be between 20m and 40m in width, and that no native vegetation should be removed from within this area.

Council's Section 94 Plan No 25 – SALT Open Space and Associated Car Parking has included the requirements for a riparian zone for Lots 194, 301 and 312 at South Kingscliff.

### Planning Strategies

#### Riparian buffer:

- TSC.S.7.4.** Riparian buffers should be provided along the full extent of the foreshore of Cudgen Creek and along the boundaries to any environmental protection zones adjoining Cudgen Creek.
- TSC.S.7.5.** Generally the core buffer should be rehabilitated with native vegetation and should allow for minimum human interference.
- TSC.S.7.6.** A casual access track should be provided along the outer edge of the buffer, to allow for public access and basic maintenance requirements.
- TSC.S.7.7.** The 30m outer buffer has limited potential for compatible land uses, such as parkland and other recreational areas.
- TSC.S.7.8.** Generally, water quality control devices should not be provided within the core buffer zone.

### Planning Controls

- TSC.7.6.** The riparian zone land dedication shall only be counted as passive open space where that use outweighs the value of environmental reasons for dedication eg. for walking tracks.
- TSC.7.7.** The core riparian buffer of 20m for Lots 194, 301 and 312 at South Kingscliff is to be dedicated as passive open space, in accordance with the provisions of Section 94 Plan No 25 - Kings Beach North Open Space and Associated Car Parking.
- TSC.7.8.** Council will include a requirement for the dedication of a 20m riparian buffer adjacent to Cudgen Creek in any future Section 94 Plan that relates to land fronting the Creek. Such land may include Kings Forest and the Tourism site (Lot 490).
- TSC.7.9.** The riparian buffer should have a minimum width of 50m. The distance is to be measured from the Mean High Water Mark (MHWM) of the creek edge. However, where the buffer adjoins an environmental protection zone, the buffer need only have a minimum width of 20m. This distance will be measured from the edge of the environmental protection zone.
- TSC.7.10.** The riparian buffer zone should incorporate two components:
- A. A minimum 20m core buffer. This will include the area that immediately adjoins the MHWM and any area that adjoins an environmental protection zone. The core buffer should be dedicated to Council in a rehabilitated form satisfactory to Council's Manager of Recreation Services to manage and maintain. This component should retain all native vegetation and be replanted where required.
  - B. A 30m outer buffer. This area is to be provided adjacent to any section of the core buffer that adjoins Cudgen creek. It is not required where the core buffer adjoins an

environmental protection zone. The 30m outer buffer does not need to be dedicated to Council.

- TSC.7.11.** Where required by this Strategy, 30m outer buffers are to be required by a condition of any future Development Consent(s). Any required outer buffer is to be restricted by a Section 88 (b) instrument to ensure that it is maintained as a buffer area by the landowner.

### **B9.7.7** *Vegetation Management at West Kingscliff*

The West Kingscliff release area comprises a significant area of undeveloped land zoned for urban expansion. All the land is under the one ownership – Gales Holdings. Most of this land is low lying and contains a mix of vegetation communities. A detailed vegetation study was undertaken for Council by Ecograph consultants in March 2001. Planit Consulting have also undertaken vegetation studies of this area, on behalf of the landowner.

The Ecograph study found that the undeveloped land zoned for urban expansion immediately to the west of Kingscliff town centre and extending up to Elrond Drive in the east comprises mostly of fern land and coastal acacia communities. Two pockets of vegetation with littoral rainforest characteristics were also identified on the north eastern and south-eastern edges of this area. The land zoned for urban expansion to the west of Elrond Drive/Turnock Street contains a significant pocket of broad leaved paperbark forest that is contiguous with the paperbark forest in the adjoining environmental protection zone immediately to the south. A parcel of land immediately to the south of Ozone Street is partly zoned for urban expansion and partly industrial uses. This parcel contains areas of swamp she-oak forest.

The study also indicated that the south and south-eastern edges of the study area contain rare and threatened plant species. One threatened species (*Syzygium moorei*) and a number of Palm Lillys (*Cordyline congesta*) were identified.

Their work is to be used in conjunction with the Ecograph study to determine a common management policy for the vegetation at West Kingscliff. Any policy for vegetation management must balance the costs and benefits of retaining the vegetation against the costs and benefits of developing the West Kingscliff land for a district level centre and other urban uses.

#### **Planning Strategies**

- TSC.S.7.9.** Vegetation communities that are of regional conservation significance and rare and threatened plants will be retained and protected.
- TSC.S.7.10.** Significant vegetation communities that are contiguous with adjoining environmental protection zones should also be protected.

#### **Planning Action**

- TSC.7.12.** A vegetation management policy statement for the undeveloped urban land at West Kingscliff is to be prepared utilising the vegetation studies prepared by both Ecograph and Planit consultants.



### **B9.7.8 Agricultural Land**

Agricultural land is a very significant land use in the District and includes land of the highest ratings by NSW Agriculture – Classes 1 and 2, which comprise only between 1% and 2% respectively of land in NSW.

The majority of this land is located west and east of the Tweed Coast Road and is used for a wide variety of crops, including sugar cane. Agricultural land is important for the economy of the Shire and region as a whole and contributes significantly towards the visual and physical character of the district. The land is a finite resource and should be protected from future development. The land has been under some pressures for certain incompatible developments over recent years.

There is also the Tweed Rural Land Use Study that was commissioned by the Tweed Economic Development Corporation. This may have major implications for Council's Rural Land Use Planning – however at this stage the integrity of the land zoned for agricultural protection is anticipated to be appropriate to retain.

#### **Planning Strategy**

**TSC.S.7.11.** Council will retain the protection of the District's agricultural land ie. land currently zoned 1(b) Agricultural Protection as a finite resource and given its scenic value and ensure that it remains protected from any non-agricultural forms of development that conflict with agriculture.

### **B9.7.9 Protected Green Belt**

The character of the Tweed Coast includes urban areas surrounded by open countryside. There are no continuous stretches of significant urban areas. This character will be continued with future urban release areas with each one being separated from other urban areas. It is essential that this character be retained. To achieve this the Strategy addresses two inter-related issues

- the identification of the land to be set aside as green belt, and
- the uses such land may be put to.

B9 - Map 2 indicates that the land currently separating urban areas includes a wide range of landscapes, environments and zones, but all of which collectively add up to a significant asset which separates each of the District settlements and contributes to their individual character. Much of this land is already set aside for special attention – flood liable land, prime agricultural land, habitat etc. What is required is a framework to ensure that it collectively fulfils the function as a green belt

The protected green belt incorporates land zoned 'Open Space', 'Environmental Protection' and 'National Parks and Nature Reserves' under Tweed LEP 2000. This includes the entire coastal foreshore of the district, the majority of the Cudgen Creek riparian zone and extensive wetlands and areas of native forest.

The green belt maintains the natural character of the coastline and provides physical and visual separation between towns. It provides for significant recreational opportunities for residents and tourists alike and ensures public access to the entire coastal foreshore. The green belt also has an important biological function by protecting significant coastal wetlands and forests and significant parts of the catchment area of Cudgen Creek and Cudgen Lake.

*The integrity of the Protected Green Belt will be maintained by such measures as:*

- *Ensuring infrastructure for adjoining urban areas is only located there if there are no other suitable locations;*
- *Protecting its visual characteristics which help to define the character of urban areas;*
- *Encouraging appropriate land uses.*

The recommended Basis for Draft Tweed Coast Structure Plan includes Clause B9.7.9 Protected Green Belt. It emphasises that the Green Belt has essentially been defined by the environmental values and resources of the area: significant vegetation, wetlands and prime farmland. The significance of the use of the green belt is that it is not an independent policy layer as such but a concept which brings the protection of the environmental resources together under the one collective banner to ensure the containment and separation of coastal communities, thereby assisting in the definition of their individual character. Its integrity is to be maintained by a number of measures set out in Section 9.3 of the Discussion Paper.

However, there is neither a discussion in the Discussion Paper of the Green Belt concept before appearing in the Recommended Basis; nor have the nominated measures been included as a specific policy statement. This ambiguity needs to be remedied if the objectives are to be achieved.

## **B9.8 REFERENCES**

Gutteridge Haskins and Davey Pty Ltd; Local Environmental Study - Kings Forest, Kingscliff; GHD, Coffs Harbour, 2001.

NSW Department of Urban Affairs and Planning; Improving Transport Choice - Guidelines for Planning and Development; DUAP, RTA, Transport NSW, 2001.

NSW Department of Urban Affairs and Planning; Sustainable Urban Settlement Guidelines for Regional NSW; DUAP, 2000.

NSW Government; NSW Coastal Policy 1997; Department of Urban Affairs and Planning, Sydney, 1997.

Patrick Partners; Kingscliff Centres Study; Patrick Partners Pty Ltd, Killarney Heights, September 2001.

Tweed Shire Council; Section B16 – Kingscliff; TSC, Murwillumbah, 2001.

Tweed Shire Council; Draft Kings Beach North Strategic Planning Policies; SPU 2000

Tweed Shire Council; Strategic Plan Tweed Shire 2000+; TSC, Murwillumbah, 1997.

Tweed Shire Council; Tweed Local Environmental Plan 2000; TSC, Murwillumbah, 2000.

## APPENDIX 1.0 POLICY CONTEXT OF THE STRATEGY

### A1.1 Overview

The Strategy has been devised to give effect to the principles of Ecologically Sustainable Development (ESD). The Strategy has also been prepared with reference to current State legislation and policies and local plans and studies.

### A1.2 Ecologically Sustainable Development

Sustainability is the foundation of this Plan. Sustainability embodies the principles of ensuring Council's consideration of long term implications of planning and decision-making based upon the three dimensions of social, economic and environmental.

The concept of Ecologically Sustainable Development (ESD) was adopted at the national level in 1992 in the Intergovernmental Agreement on the Environment (IGAE). Since that time, principles have been incorporated into various Federal, State and local legislation, including the Local Government Act 1993 (LGA), the Environmental Planning and Assessment Act, 1979, the NSW Coastal Policy 1997 and Tweed LEP 2000.

Ecologically Sustainable Development is development that ensures the best balance between ecological integrity, community wellbeing and economic prosperity. It is about achieving the right balance between these criteria. The four guiding principles of ESD as stated in the LGA are as follows:

*“(a) the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.*

*In the application of the precautionary principle, public and private decisions should be guided by:*

- (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
  - (ii) an assessment of the risk-weighted consequences of various options, and*
- (b) inter-generational equity – namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations, and*
- (c) conservation of biological diversity and ecological integrity – namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration, and*
- (d) improved valuation, pricing and incentive mechanisms – namely, that environmental factors should be included in the valuation of assets and services, such as:*
- (i) polluter pays – that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement, and*
  - (ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including*

*the use of natural resources and assets and the ultimate disposal of any waste, and*

- (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and response to environmental problems.”*

The implication of these requirements for the Tweed community is a responsibility to manage long term growth in the Tweed to create liveable communities.

### **A1.3 Coastal Controls**

#### **NSW Coastal Policy 1997**

The Kingscliff district is affected by the NSW Coastal Policy 1997. The Coastal Policy is based on the principles and sustainability, which provide the basis for making land use decisions between the competing demands of development and conservation along the coastal strip. The Coastal Policy relies heavily on local government for its effective implementation. The Policy includes the following objectives:

- To protect, rehabilitate and improve the natural environment by conserving the diversity of all native plant and animal species; protecting and assisting the recovery of threatened and endangered species and improving water quality in coastal and estuarine waters and rivers (Goal 1)
- To recognise and accommodate natural processes and climate change by giving the impacts of natural processes and hazards a high priority in the planning and management of coastal areas (Goal 2)
- To protect and enhance the aesthetic qualities of the coastal zone by protecting areas of high natural or built aesthetic quality; ensuring that development complements the surrounding environment and encouraging towns to reinforce or establish their own particular identity that enhances the natural beauty of the coast (Goal 3)
- To protect and conserve cultural heritage by managing and conserving cultural heritage places, items and landscapes and ensuring input from aboriginal communities prior to making decisions affecting indigenous communities (Goal 4)
- To promote ecologically sustainable development and use of resources by identifying and facilitating opportunities for the sustainable development and use of resources (Goal 5)
- To provide for ecologically sustainable human settlement by promoting compact and contained urban areas, to avoid continuous ribbon development along the coast; minimising impacts on environmentally sensitive areas and cultural heritage; designing towns and buildings to have regard to energy efficiency principles and establishing integrated transport networks to encourage a reduction in energy use (Goal 6)
- To provide for appropriate public access and use of the foreshore by increasing public access to foreshores when feasible and environmentally sustainable options are available (Goal 7)

- To provide for integrated planning and management by ensuring that government agencies efficiently and effectively implement the Coastal Policy in a co-ordinated and collaborative manner (Goal 9)

### **Coastal Design Guidelines (2003)**

The guidelines are designed to assist identification of visions, and future forms for coastal settlements. To that end it provides design concepts to illustrate better practice urban design outcomes as possible solutions to managing development at a local level.

## **A1.4 Sustainable Urban Settlement – Guidelines for Regional NSW**

The Sustainable Urban Settlement Guidelines were prepared by DUAP in 2000 to inform the community about how to adopt sustainable objectives and principles and thereby create sustainable urban settlements in NSW. The Guidelines note that there will be conflicting views about the correct balance between these objectives and that such views will differ between communities and will change over time. The specific guidelines for strategic planning state, *“the most important feature of strategic planning is finding the right location for new settlement”*.

## **A1.5 Improving Transport Choice – Guidelines for Planning and Development**

The Guidelines form part of the State Government’s Integrated Land Use and Transport policy released in 2001. The guidelines apply to all urban areas in the State. Their intent is to better integrate land use planning with transport planning to reduce the unsustainable growth in car travel and to provide more equitable access to jobs and services.

## **A1.6 Local Plans and Studies**

### **Tweed Shire 2000+ Strategic Plan**

The Strategic Plan was adopted by Council in 1996 and provides a strategic focus for the future of the Shire. The Strategic Plan details desired outcomes, principles and actions and policies. Those of particular relevance to the Kingscliff District are as follows:

- The Tweed’s environmental and scenic values will be a primary focus for all Council’s decision making, including local implementation of Commonwealth and State environmental legislation and international treaty obligations (Strategic Principle 3)
- Council will incorporate the principles of Ecologically Sustainable Development in all future council policies (Policy & Action 1)
- Future urban settlement patterns will be based on integrated land use and transport planning. This will include self-contained neighbourhoods, mixed land use and provision for public transport, walking and cycling to reduce private car dependence (Policy and Action 103)
- Another district centre will be planned for South Kingscliff, preferably at Kings Forest. Community and health facilities, schools and churches will be consolidated adjacent to that centre (Policy & Action 108)
- Greenbelts will be provided by conserving open space between South Kingscliff and Bogangar and maintaining agricultural zones over land

between Cudgen and Kingscliff and between Kingscliff and Kings Forest/Kings Beach (Policy & Action 117).

- At Kings Beach, key sectors of land will be reserved for tourist development, while retail/commercial facilities will be limited to those necessary to serve that area. Significant vegetation will be protected and public access to the entire beach-front will be made available (Policy & Action 121)

### **Tweed Local Environmental Plan 2000**

The Tweed Local Environmental Plan (LEP) 2000 was gazetted in April 2000 and provides land use zonings and legal provisions for development and environmental protection throughout the whole Shire. Clause 5 of Tweed LEP 2000 states that one of the objectives of the plan is to promote development that is consistent with the principles of Ecologically Sustainable Development.

**THIS PAGE IS BLANK**



Customer Service | 1300 292 872 | (02) 6670 2400

[tsc@tweed.nsw.gov.au](mailto:tsc@tweed.nsw.gov.au)  
[www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au)

Fax (02) 6670 2429  
PO Box 816  
Murwillumbah NSW 2484