

Our Reference: J7594

Wednesday, 03 December 2025

NSW Department of Planning, Housing and Infrastructure

Attention: Murray Jay and Shruthi Sriram

Via email: murray.jay@planning.nsw.gov.au; shruthi.sriram@dpie.nsw.gov.au

Dear Murray and Shruthi

Cudgen Connection PP-2023-2669

Response to Submissions Package

The purpose of this correspondence is to provide a response to submissions and additional information for PP-2023-2669, 741 Cudgen Road, Cudgen (the PP). We refer to your correspondence of 16 September 2025, as well as further communications since regarding the PP. We thank you for the opportunity to provide additional information.

The Proponent has now received all Agency, Council and Community submissions and has completed a review. In summary of the public exhibition process:

- A total of 113x public submissions were received.
- 91% of these were identified personal submissions and 9% were made on behalf of an organisation.
- The majority of submissions were made from within the Tweed Heads LGA (93.8%), with the largest percentage of submissions from Kingscliff (33.6%), Cudgen (19.5%) and Casuarina (8%).
- The majority of themes raised aligned with themes discussed within pre-lodgement consultation activities.

We note that recorded community interest and feedback is lower than the feedback obtained through the pre-lodgement processes pursued. As per the Community Engagement Report, formal polling of 500x participants and 3x community 'pop-up' sessions were pursued on the Cudgen Connection Concept Masterplan, representing the largest sample size of feedback received. These engagement processes included greater than 70% of participants identifying support for the project.

In response to the review of Agency, Council and Community submissions, the PP has been amended as follows:

- Augmentation of Intended Provisions to:
 - o Mitigate fragmentation and facilitate embellishment of existing regrowth rainforest on the northern boundary
 - o Clarify housing delivery
- Updated Traffic Impact Assessment
- Updated Ecological Assessment
- Updated Engineering Assessment
- Updated Stormwater Management Plan
- Updated Agricultural Capacity Assessment
- Updated Agricultural Land Assessment
- Additional planning commentary and information, including a response to submissions received.

The revised PP and all updated technical reports listed above have been submitted separately to this cover report. This cover report provides direct responses to Agency and Council submissions. A separate attachment summarises all Community submissions and provides a response to each. Of note, per our meeting of 27 November 2025, we are currently pursuing the requested Flood Impact and Risk Assessment. This assessment, as well as any other further changes to the PP package will be made available under separate cover as soon as practical.

For information purposes, a working copy of draft Development Control Plan (DCP) provisions will be provided under separate cover. Acknowledging the planning pathway for draft DCPs and the Department's role as the Planning Proposal Authority (PPA), the draft DCP is not sought to form a part of the current PP. Post finalisation of the PP, further revisions of the draft DCP will be advanced with Council per the *Environmental Planning and Assessment Act 1979*.

Agency Submissions

Specific to the commentary provided by the Department within formal correspondence, please see below.

1.1 State Significant Farmland (SSF) and agricultural significance of site

1. *Address all limitations and inconsistencies raised by DPIRD (Agricultural) on the proposal's supporting Cudgen Agricultural Capacity Assessment Report and Agricultural Land Assessment Report. These reports should strengthen the justification for the rezoning of SSF and the lack of agricultural capability of the site.*

This includes but is not limited to:

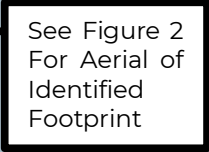
2. *Updating the Agricultural Capacity Assessment Report and the Agricultural Land Assessment Report to provide further site-specific evidence to support that the land can not viably be used for agricultural purposes.*
3. *Demonstrate consistency with the Strategic Planning Framework, including the North Coast Regional Plan 2041, Urban Growth Area Variation Principles, Tweed Local Strategic Planning Statement (LSPS) and Section 9.1 Ministerial Directions 9.2 Rural Lands, and 9.4 Farmland of State and Regional Significance on the NSW Far North Coast.*
4. *Clarifying why the availability of alternative technologies that enable effective farmland management and chemical application would not allow the site to have agricultural potential, and why the limitations mentioned in both reports cannot be effectively managed with standard practices.*

Planning Response

Additional review and assessments have been undertaken by Pinnacle Agriculture and Gilbert and Sutherland based on matters raised within the DPIRD (Agricultural) submission. These detailed assessments are enclosed and provide direct commentary to the limitations and inconsistencies raised by DPIRD.

Salient points from the assessments include:

- Limitations and inconsistencies raised by DPIRD primarily stem from the submission's reliance on desktop information, as opposed to site-specific analysis and contextual inputs. By way of example, the DPIRD submission references *'The 5.7ha site is part of a large (715.42ha) contiguous area of the land mapped as an amalgamation of SSF, LSC Class 3, and BSAL.'* As per Figures 1 and 2, approximately 200ha of the referred area is already zoned for urban purposes.
- Whilst the DPIRD submission acknowledges insufficient resources to conduct additional assessment and does not quantify a counter evidence-base, both the Agricultural Capacity Assessment and Agricultural Land Assessment have involved site-specific fieldwork and analysis to verify findings.
- Assessments have directly considered the Sustainable Agricultural Production content of the North Coast Regional Plan 2041, concluding that the subject site holds limited agricultural production capacity and capability, and the capacity held is not identified as sustainable agricultural production.
- The capability of the site is highly limited, and its modelled contribution would represent 0.04% of the value of agricultural goods in the region.
- Assessment of emerging technologies has not identified notable attributes or competitive advantages held by the site to capitalise, or shift to sustainable agricultural production. By way of example, Controlled Environment Agriculture (CEA) based technologies present an opportunity, however do not rely on biophysical land traits. In this regard, the size, 'mapped' soil qualities and location of the subject site do not align with CEA types, nor warrant protection for the benefit of food and fibre production.



Page 3 of 21

The updated assessments from Pinnacle Agriculture and Gilbert and Sutherland reiterate that the subject site holds limited capacity and capability to produce food and fibre. However, the limited capacity does not include sustainable agricultural production, nor to a level of 'State Significance'.

The enclosed PP has directly considered the North Coast Regional Plan 2041, Urban Growth Area Variation Principles, Tweed LSPS and Section 9.1 Ministerial Directions, identifying consistency with strategic documents and justified inconsistency with Ministerial Directions 9.2 and 9.4.

Specific to the Urban Growth Area Variation Principles:

- The subject site is contiguous with existing zoned urban land, being the Tweed Valley Hospital to the immediate east and Cudgen Village to the immediate west.
- The need and justification for the variation is supported by a Health Precinct Analysis, Market Assessment and Economic Impact Assessment, confirming the need and positive socioeconomic contribution of the PP
- The need and justification for the variation is supported by Agricultural Capacity Assessment and Agricultural Land Assessment, confirming the lack of agricultural capacity and capability of the subject site. The Agricultural Land Assessment includes a Land Use Conflict Risk Assessment, confirming the avoidance of land use conflict with farmland to the south and southwest, nor sterilisation or impediment to adjoining landowners right to farm.
- Collectively, these assessments, plus the additional peer review commissioned by Tweed Shire Council (Cudgen Agricultural Land Suitability Assessment Final Report, prepared by GHD and dated 17 April 2024), comprise a sound evidence base.
- The subject site comprises an adjustment to round off an urban boundary, by inclusion of 1x lot within a larger urban conurbation, comprising Cudgen and Kingscliff settlements.

Considering the above, the Objectives, Intended Outcomes or Intended Provisions of the PP have not been modified as a result of the DPIRD submission

1.2 Traffic, transport and the proposed roundabout

5. *Provide a response to TfNSW's submission, particular regarding the proposed roundabout, including:*
- o *Whether these will be any impacts to the existing signalized intersection 130m on Tweed Coast Road/Cudgen Road.*
 - o *An explanation that justifies why alternate options to the roundabout are not viable.*

Planning Response

Following the submission from TfNSW, PSA Consulting, acting as the traffic consultants for the PP, engaged in online meetings with TfNSW staff to clarify the required scope and present the analysis. This has informed the preparation of a revised Traffic Impact Assessment (TIA).

As per TfNSW directions, modelling within the TIA has been updated to incorporate:

- The left-turn pocket on the northbound approach of the Tweed Coast Road / Cudgen Road intersection has been reduced to 80 metres to avoid creating a three-lane exit configuration at the roundabout.
- The signal cycle time at the Tweed Coast Road / Cudgen Road intersection has been adjusted to 120s.

The traffic modelling undertaken indicates that the overall performance of the Tweed Coast Road / Cudgen Road intersection remains within acceptable thresholds. Importantly, queuing at the intersection is not expected to extend to either the development access point or the Tweed Valley Hospital access. The traffic modelling also concludes the road network is capable of accommodating traffic generated by the PP at opening year and 10-year horizon. The revised TIA also details additional justification for the roundabout access arrangement on Tweed Coast Road within the wider road network.

The updated TIA has been issued to TfNSW staff for consideration. We understand that no further matters of concern are held by network operation staff.

1.3 Biodiversity and environmental considerations

6. Respond to Conservation Programs, Heritage and Regulation Group (CPHR) concerns related to High Environmental Land (HEV) and the approach outline on how to identify and map this land. In doing so, the proposal should be updated to:

7. Propose appropriate conservation zones and appropriate minimum lot sizes for any HEV land identified.

Planning Response

In response to CPHRs submission, additional ecological assessments have been undertaken, including the explicit preparation of a High Environmental Value (HEV) map. The total area identified within the site that corresponds to HEV is reproduced in Figure 3 below, and includes:

- A small strip of rainforest regrowth on the northern boundary of the site (Approximate area of 1,600m², maximum depth of 24m).
- A separate small patch of rainforest regrowth consisting of a *Cupaniopsis anacardioides* tree on the eastern boundary of the site (Approximate area of 89m², maximum depth of 8m).
- A small, isolated patch of PCT 3987 in the form of regrowth of *Casuarina glauca* (Approximate area of 590m², maximum depth of 14m).



Figure 3: Reproduced High Environmental Value Mapping of the Subject Site.

Assessment of these 3x areas has identified that whilst comprising HEV vegetation, each area is of low ecological quality.

Specific to the application of conservation zones, 3x primary policy provisions establish the framework for Planning Proposals, being:

- Ministerial Direction 1.1 – Implementation of Regional Plans. *This direction requires Planning Proposal's be consistent with the North Coast Regional Plan 2041. The North Coast Regional Plan 2041 prescribes strategic planning and local plans must consider opportunities to protect biodiversity values by:*
 - o *identifying HEV assets within the planning area at planning proposal stage through site investigations, and*
 - o *applying appropriate mechanisms such as conservation zones and Biodiversity Stewardship Agreements to protect HEV land within a planning area and considering climate change risks to HEV assets*
- Ministerial Direction 3.1 – Conservation Zones. *This direction requires a planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.*
- Ministerial Direction 3.4 – Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs. *This direction requires a planning proposal that introduces or alters an C2 Environmental Conservation or C3 Environmental Management zone or an overlay and associated clause must apply such in line with the Northern Councils E Zone Review Final Recommendations.*

Whilst a direct policy conflict is not identified, the most site-specific direction is taken to prevail to the extent of any inconsistency. In this circumstance, it is not identified as appropriate to apply a C2 or C3 zoning to the areas of HEV identified on the subject site, as doing so is directly inconsistent with the Northern Councils E Zone Review Final Recommendations. Specifically, the Northern Councils E Zone Review – Final Recommendations Report details:

- Conservation zones will only be applied if the primary use of the land is considered to be environmental conservation or environmental management.
- Conservation zones will not include buffers to the vegetation attributes that meet the zone criteria.

In addition, the Northern Councils E Zone Review – Final Recommendations Report also identifies the use of multiple zones on a property should be minimised as far as possible.

As established within the Baseline Ecological Assessment Report, the primary use of the land is not for conservation purposes. We likewise confirm that no '*negotiated development outcome (master plan, rezoning, development consent, designated offset areas)*' or request from the landowner is in place to facilitate application of a conservation zoning. Finally, beyond the low quality of existing vegetation, it is noted that the scale and disconnection of the HEV areas do not give rise to practical outcomes, nor justify the use of multiple zones.

In this regard, a conservation zone is not proposed. Notwithstanding this, the concerns raised by CPHR have been acknowledged. To achieve a balanced outcome, the PP has been updated to include additional Intended Provisions to ensure that:

- Rainforest regrowth on the northern boundary of the site is retained in consolidated ownership, and
- Weed management and revegetation (under a Vegetation Management Plan (VMP), or the like) is required to the footprint of the rainforest regrowth along the northern boundary.

This alternate mechanism is in keeping with the provisions of the North Coast Regional Plan 2041, as well as recommendations 3 and 4 of the CPHR submission. The inclusion of the above strategy within the PP ensures consistency with the 3x Ministerial Directions.

As per our meeting of 27 November 2025, we are currently pursuing the requested Flood Impact and Risk Assessment as per the commentary provided by NSW State Emergency Services. This assessment, as well as any other further changes to the PP package will be made available under separate cover as soon as practical.

1.4 Tweed Shire Council Recommendations

- 9. Update the proposal's Stormwater Management Report to address Council's requirements to manage stormwater impacts.*
- 10. Update the proposal's Engineering Assessment Report to address previous Council Water and Wastewater advices provided to the proponent dated 9 February 2024.*
- 11. Provide an update on the preparation of the draft Development Control Plan (DCP) and how it will respond to all submissions received.*
- 12. Address all other Council Recommendations and issued raise in their advices dated 4 September 2025.*

Planning Response

A revised Stormwater Management Plan (SWMP) has been prepared to accompany the PP. The SWMP has been prepared per the level of detail prescribed within Attachment C of the Local Environmental Plan Making Guideline.

The revised SWMP incorporates Water Sensitive Urban Design (WSUD) elements, as per Council Development Design Specification D7 Stormwater Quality, as a 'base' strategy. Further, the SWMP identifies opportunity to incorporate additional blue-green infrastructure elements as specific development attributes are explored. By way of example, additional potential WSUD measures, such as green roofs, roadside bioswales, self-watering trees and permeable pavement will each be considered through the detailed design phases.

The SWMP also details the lawful point of discharge (LPoD) for the site, located on the northern boundary, and includes modelling to confirm Neutral or Beneficial Effect for pollutants. The SWMP concludes that the quantity and quality of stormwater can be managed within future proposed development and no barrier to achieving suitable stormwater management outcomes stems from the PP.

Specific to Item 10 in the Department's correspondence, a revised Engineering Assessment Report has been prepared to accompany the PP.

The proposed water demand for the future development has been determined utilising Tweed Shire Council's Development Design Specification D11 Water Supply, including the allocation of fire supply respective of a large commercial/industrial development. Due to the slight increase in water demand from 40.58L/s to 42.89L/s the extent of existing water main identified to be upgraded part of the development now covers the existing dual DN150 water mains located at the intersection of Cudgen Road / Turnock Street as well as the originally nominated dual DN150 water mains fronting the subject site on Cudgen Road. We understand these findings reflect Council's previous commentary.

For sewer supply, proposed sewer demand for the future development has been determined utilising Tweed Shire Council's Development Design Specification D12 Sewerage System to determine the design flow and nominated the size of the future property connection and discharge from the on-site sewer pump station. Utilising Council records for the opposing head within the receiving DN225 sewer rising main from Kings Coast and the sewer flow an online pump selector was used to nominate a compliant pump. The pump selected (NP 3171 SH 3~ SmartRun) can be used with a variable speed drive (VSD) to work efficiently under varying system conditions and will service the development site during on and off peak times. We understand these findings reflect and respond to Council's previous commentary.

As per previous, we reaffirm these upgrades will be pursued at no cost to Government. and no infrastructure impediment has been identified to-date.

Regarding Item 11 of the Department's correspondence and as noted previously, working copy of draft Development Control Plan (DCP) provisions will be provided for information purposes under separate cover.

Acknowledging the planning pathway for draft DCPs and the Department's role as the Planning Proposal Authority (PPA), the draft DCP is not sought to form a part of the current PP. We also note Council is currently exhibiting a draft Development Control Plan, through a comprehensive review. The DCP update is intended to simplify the document to create a more user-friendly resource for the community and stakeholders through, amongst others, a revised structure.

Post finalisation of the PP and Council's DCP structure, further revisions of the draft DCP will be advanced with Council per the *Environmental Planning and Assessment Act 1979*.

Table 1 below addresses all other Council Recommendations, as noted in Item 12 of the Department's correspondence.

Table 1: Council Recommendations and Responding Planning Commentary

Council Recommendation	Planning Commentary
Recommendation 1: That a detailed masterplan to guide land use distribution and site layout be provided to ensure future development reflects the basis of the zoning change to Special Purpose. In lieu of a more detailed master plan that specifies the configuration and a GFA breakdown of land uses across the site, limitations are imposed on the mix of land uses to ensure that residential accommodation does not dominate at the expense of a more blended mix of compatible land uses.	As outlined within the Planning Proposal (PP) and supporting material, the PP does not seek to formally integrate the Cudgen Connection Concept Masterplan as a document for development consent purposes. The Concept Masterplan functions as a high-level 'blueprint' illustrating the intended land use outcomes for the site. It assists in demonstrating strategic and site-specific merit, visualising best-practice outcomes, and informing the overall project objectives. Notwithstanding this, the PP already incorporates mechanisms that achieve the intent of Council's Recommendation 1. In particular, the proposed Additional Local Provision (refer to Sections 2.2.9 – 2.2.12 of the PP) provides an appropriate framework to guide land use distribution and site layout and to ensure future development reflects the basis of the zoning change to Special Purpose. This is achieved by securing that: • The desired health and education outcomes for the site are realised. • The hospital land use is afforded primacy. • Housing opportunities allowed under the PP are appropriately sequenced and linked to the delivery of a private hospital. These provisions ensure that the mix of land uses remains balanced and aligned with the strategic intent of the zone, without requiring a detailed masterplan or the imposition of Gross Floor Area limitations at the PP stage. This approach is consistent with Ministerial Direction 1.4, and reflects appropriate practice for a Planning Proposal dealing with strategic land use outcomes rather than detailed development design. Accordingly, no changes are recommended to the Objectives, Intended Outcomes or Intended Provisions of the PP.
Recommendation 2: That the Northern Regional Planning Panel recommendations are re-examined in the context of the planning proposals consideration. If the Planning proposal proceeds, as a minimum require the development of a site-specific development control plan to accompany any future development proposal across the site. In addition, the NRPP key reasons for supporting the Planning proposal should be reviewed to ensure there is consistency with key planning frameworks and strategic and site specific merit can be demonstrated, based on the intended primary uses of the site	As detailed within sections 2.2.9 – 2.2.12 of the PP, site-specific DCP provisions, as well as a site-specific Additional Local Provision is proposed. These legislated provisions will bridge the gap between PP and future DAs consistent with the Intended Outcomes, as well as the Northern Regional Planning Panel's (NRPP) Record of Decision. Our review of the NRPPs Record of Decision, the Gateway Determination and the Objective and Intended Outcomes of the PP has not identified an inconsistency. Conversely, the PP contains a legislated framework, including application of multiple building heights, to ensure more considered and detailed planning occurs across the subject site. Accordingly, no change to the Objectives, Intended Outcomes or Intended Provisions of the PP has been made on this matter.

(hospital/education/health) which are the basis for the SP2 zoning.	
Recommendation 3 That best practice industry stormwater management be required incorporating water sensitive urban design, use of bio-retention basin(s), and the like which, in part, limit discharge to pre-development regimes.	As discussed earlier, the SWMP supporting the PP has been updated accordingly. The SWMP includes WSUD measures, and is consistent with Development Design Specification D7 Stormwater Quality. The SWMP also identifies opportunities for additional WSUD features when pursuing detailed design phases. The SWMP confirms that quantity and quality of stormwater from the subject site will include neutral or beneficial effect.
Recommendation 4 That a legal point of discharge for stormwater be clearly defined.	As discussed earlier, the updated SWMP defines the legal point of discharge for stormwater on the subject site along its northern boundary.
Recommendation 5 That stormwater management measures are required to mitigate and slow stormwater flow and/or address erosion and land degradation issues.	The updated SWMP includes assessment details of both the stormwater quality and quantity, demonstrating that with the implementation of the stormwater infrastructure, stormwater runoff can discharge from the site in a 'non-worsening' manner. Assessments were completed using hydrological and hydraulic modelling software (MUSIC and DRAINS), which are available on request.
Recommendation 6 That stormwater impacts on the downstream Coastal Wetland be quantified, qualified, and mitigation measures identified.	The updated SWMP confirms that quantity and quality of stormwater from the subject site will include neutral or beneficial effect. Notwithstanding, future Development Application/s for land use and physical works will involve additional detailed assessment specific to the particulars of each proposal.
Recommendation 7 That Attachments, in particular, Attachment 1 be read in conjunction with additional advice provided in this submission.	The SWMP has been prepared with awareness of the additional commentary provided.
Recommendation 8 That Engineering Assessment Report dated November 2023 be updated for consideration as part of the Planning Proposal to address the previous Council Water and Waste Water advice provided to the proponent dated 9 February 2024.	As discussed earlier, the Engineering Assessment (EA) supporting the PP has been updated to reflect Council's commentary, including updated demand calculations and infrastructure delivery.
Recommendation 9 That further investigations be undertaken to ensure that traffic-generating development does not result in negative traffic impacts on the local and regional road network.	The updated TIA concludes that: • The overall performance of the Tweed Coast Road / Cudgen Road intersection remains within acceptable thresholds. • Queuing at the Tweed Coast Road/Cudgen Road intersection is not expected to extend to either the development access point or the Tweed Valley Hospital access, and • The road network is capable of accommodating traffic generated by the PP at opening year and 10-year horizon.
Recommendation 10 That the Planning Proposal be updated to identify High Ecological Value land.	HEV mapping is included in the updated Ecological Assessment.

Recommendation 11 That a buffer of a 50 metres from the adjacent SEPP Coastal Wetlands and other HEV vegetation be applied, as per Figure 1.	The application of a buffer area is directly inconsistent with the Northern Councils E Zone Review – Final Recommendations Report, and therefore Ministerial Direction 3.4. Accordingly, no change to the PP is recommended on this matter.
Recommendation 12 Amend the Planning Proposal to address inconsistency with Planning Directions 3.1 and 3.4 as they relate to biodiversity and conservation to apply a C2 Environmental Conservation Zone is applied to the land identified as High Environmental Value as per Figure 1.	The PP includes land mapped as an environmentally sensitive area, namely, portions of the subject site are within 100m of land identified as coastal wetlands. The PP seeks to protect and conserve the environmentally sensitive areas by identification of the land as a 'key site'. The corresponding DCP provisions include: <i>(g) identification and conservation of native flora and fauna habitat and habitat corridors on the site, including any threatened species, populations or ecological communities,</i> <i>(h) identification, extent and management of watercourses, wetlands and riparian lands and any buffer areas,</i> <i>(i) environmental constraints, including climate change, acid sulfate soils, flooding, contamination and remediation.</i> As the primary use of the subject site does not reflect conservation purposes, application of a C2 zoning is directly inconsistent with the Northern Councils E Zone Review – Final Recommendations Report, and therefore Ministerial Direction 3.4. Accordingly, no change to the PP is recommended on this matter. Post agency feedback, the PP has been updated to include additional Intended Provisions to ensure that: • Rainforest regrowth on the northern boundary of the site is retained in consolidated ownership, and • Weed management and revegetation (under a Vegetation Management Plan (VMP), or the like) is required to the footprint of the rainforest regrowth along the northern boundary. This alternate mechanism is in keeping with the provisions of the North Coast Regional Plan 2041, and ensures consistency with the Ministerial Directions 3.1 and 3.4.
Recommendation 13 That the Planning Proposal be amended to address inconsistency with Planning Direction 4.2 to apply an ecological buffer consistent with Figure 1.	Beyond the existing justification detailed within the PP, we note the following commentary was provided within the Gateway Determination Report: <i>'Justifiably inconsistent</i> <i>The planning proposal is inconsistent with this direction as it proposes to rezone land which would enable increased development or more intensive land-use on land within proximity of a coastal wetland area as identified by chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021.</i> <i>The inconsistency with this direction is considered of minor significance due to the small area of land affected, the potential for minor inaccuracies with the Coastal Wetland mapping, and the intent to avoid future development in the vicinity of wetland.'</i> The abovementioned findings are concurred with. The introduction of a buffer is also directly inconsistent with Direction 3.4. No change to the PP is recommended on this matter accordingly.

Recommendation 14 That the government review this Planning proposal in light of the strong protections afforded by the State Significant farmland by the Northern Rivers Farmland Protection Project recommendations, the North Coast Regional Plan 2041 and Ministerial Directive 9.4.

Should the Planning Proposal be supported by the NSW Department of Planning, Housing and Infrastructure, it is recommended that any required buffers to adjoining agricultural areas be incorporated into the site rather than an expectation that adjoining farmland will manage any land use conflicts.

Additional Agricultural Capacity and Agricultural Land Assessments have been pursued based on submissions received. These 2x Assessments have directly considered the Sustainable Agricultural Production content of the North Coast Regional Plan 2041, concluding that the subject site holds limited agricultural production capacity and capability, and the capacity held is not identified as sustainable agricultural production. Further, the capability of the site is highly limited, and its modelled contribution would represent 0.04% of the value of agricultural goods in the region. Finally, the PP is not identified as interfering with the Right to Farm of landowners to the south and southwest, nor generate inappropriate land use conflicts.

When considering the Urban Growth Area Variation Criteria provisions of the North Coast Regional Plan 2041:

- The subject site is contiguous with existing zoned urban land, being the Tweed Valley Hospital to the immediate east and Cudgen Village to the immediate west.
- The need and justification for the variation is supported by a Health Precinct Analysis, Market Assessment and Economic Impact Assessment, confirming the need and positive socioeconomic contribution of the PP
- The need and justification for the variation is supported by Agricultural Capacity Assessment and Agricultural Land Assessment, confirming the lack of agricultural capacity and capability of the subject site. The Agricultural Land Assessment includes a Land Use Conflict Risk Assessment, confirming the avoidance of land use conflict with farmland to the south and southwest, nor sterilisation or impediment to adjoining landowners right to farm.
- Collectively, these assessments, plus the additional peer review commissioned by Tweed Shire Council (Cudgen Agricultural Land Suitability Assessment Final Report, prepared by GHD and dated 17 April 2024), comprise a sound evidence base.
- The subject site comprises a minor adjustment to round off an urban boundary, by inclusion of 1x lot within a larger urban conurbation, comprising Cudgen and Kingscliff settlements.

Accordingly, no change to the PP is recommended on this matter.

Recommendation 15 That a review of the Masterplan be undertaken to ensure that open space requirements are satisfied in accordance with concerns above and advice in Attachment 1

The PP does not create a bar to the provision of appropriate public open space for its future community. As referenced within Council's submission, the Proponent is aware that *'a sufficient amount of compliant open space ... provided in accordance with section 7.11 of the Environmental Planning and Assessment Act 1979 and the Tweed Development Control Plan 2008'* is expected.

Section 7.11 of the Act, as well as the Tweed Development Control Plan 2008 are applicable to applications made as per Part 4 of the Act. As per Practice Note PN10-001, it is not identified as suitable, nor required to specifically identify and zone public open space within a Planning Proposal, being considered under Part 3 of the Act.

We reaffirm that the PP does not seek consent for any formal works or land dedication. Further, the PP itself does not generate demand for open space. Rather, the PP is limited to establishing the Objective and Intended Outcomes through land use zoning and development standard provisions. Future DA/s to realise the PP Objective and Intended Outcomes will include detailed open space arrangements and outcomes, whether by way of land dedication, developer contributions, or a combination of each. Accordingly, no change to the PP is recommended on this matter.

1.5 NSW Health

provide a breakdown of the percentage of housing for worker staff vs housing for other purposes, and how this breakdown meets the demands for the area and aims to retain essential staff;

Planning Response

Through the Concept Masterplanning process, approximately 286x units have been identified as a 'work in progress' yield. It is important to note that whilst well-informed, this yield requires further testing and is sensitive to design variables, such as the ultimate composition of 1x, 2x and 3+ bedroom dwellings. Notwithstanding, based on a yield of 286x units, a minimum of 215x units will be delivered as Build-to-Rent housing for a minimum period of 25x years. Acknowledging the strategic focus of the PP, finer-grain breakdown of accommodation beyond the 75% minimum has not been pursued (such as the number of bedrooms per unit).

To confirm, the PP proposes a build-to-rent dwellings being managed by a registered community housing provider, not-for-profit organisation, State agency, or similar for a period of no less than 25x years. It is critical to stress that this provision is:

- Sought to be legislated
- Intended to apply to the subject site holistically, and independent from future development staging.
- Tied to the delivery of hospital infrastructure to ensure primacy of health and education outcomes.

As identified within the NSW Health submission, the Local Government Area (LGA) is facing significant housing challenges. Through Council's draft Growth Management and Housing Strategy (draft GMHS), the broader LGAs housing challenge has been clearly articulated. The New South Wales Government (Main Series) population projection dataset identifies an anticipated increase of 13,290 people over the next 20 years. This equates to in the order of 11,600 more homes, at a rate of 580 homes per year. The LGAs housing delivery has traditionally tracked at ~65% of this target. The cumulative impact of year-on-year under-delivery has further fuelled housing demand and necessitated exploring additional housing options beyond existing 'zoned land'. Housing opportunities sought through the PP provides approximately 0.5 years supply. Importantly, as the housing proposed comprises residential flat buildings, the PP makes a considerable positive contribution towards the 40% target established in the North Coast Regional Plan 2041 for non-single dwelling/small lot housing.

We welcome NSW Health's commentary that the Northern NSW Local Health District supports the investment into housing, especially within rural communities to strengthen the regional, rural and remote health workforce; and is agreeable to accommodation adjacent to Tweed Valley Hospital and anywhere in the Tweed area. We also note and welcome commentary of similar vein from Homes NSW. Should the PP continue to progress, the Proponent welcomes further discussions with Health representatives to explore potential partnership opportunities and provide security of tenure and outcomes for NSW Health staff.

whether the Cudgen Connection precinct would impact health staff vacancies in the area;

Planning Response

Specific to whether the proposal would impact health staff vacancies in the area, the Objective and Intended Outcomes of the PP deliberately seek to grow the provision of health services for the Tweed LGA and subregion. This Objective and Intended Outcome is to be achieved through:

- Supplementing existing public health services,
- Facilitating additional higher education and training opportunities to improve staffing pipeline and capacity,
- Supporting workers with additional housing opportunities, and
- Clustering facilities and providing amenity within a best practice precinct to support staff retention, and wellbeing.

Acknowledging the Objective and Intended Outcomes, no tangible negative impact of health staff vacancies in the area is identified.

Since the 2019 Tweed Valley Hospital announcement and its 2024 opening, void of the Cudgen Connection proposal, limited private investment of note to close gaps leading to health staff vacancies has occurred 'organically'. The lack

of investment in proximity to the Tweed Valley Hospital, or any existing zoned areas of the LGA, has resulted in State Government needing to shoulder additional investment and responsibility. The PP provides an ideal platform to grow the areas' staffing capacity, capabilities and retain talent.

whether the proposed road connection (which will pass through Tweed Valley Hospital) is likely to constrain future development, impact congestion of surrounding road network, and affect parking availability;

Planning Response

An updated Traffic Impact Assessment (TIA) prepared. The updated TIA models the traffic impact of the PP without any new road connection to the Tweed Valley Hospital site. The TIA details the theoretical impact of the PP on the surrounding road network as acceptable. Future DAs will require additional assessment to confirm ongoing suitability as specific development particulars are known. Similarly, future DAs will ensure carparking is provided as per relevant standards, however no bar to providing sufficient parking has been identified at this time.

further justification for the SP2 zoning as opposed to a mixed-use zoning, and justification for the percentage of GFA used for residential purposes;

Planning Response

As detailed within Section 2.2.2 and 3.2 of the PP, the SP2 zone has been sought to ensure primacy to health and education infrastructure on the site.

As detailed in the Gateway Determination Report, NSW Department of Planning, Housing and Infrastructure identified:

'Although it is intended that the proposal will facilitate private health and education infrastructure, having regard to the zoning principles outlined in the LEP practice note, the context of the site and objectives of the proposal, it is considered the SP2 zone is the best and most appropriate zone to achieve the intended outcomes noting the corresponding zoning on the adjoining Tweed Valley Hospital and the broader health and education hub that will be created.'

These findings are concurred.

The primary focus of health and education within the PPs Objective and Intended Outcomes has further correlated with the placement of these uses in the Concept Masterplan along the eastern boundary, and the tallest building heights sort. Specifically, the hospital and education 'quadrant' of the subject site seeks a 38m maximum building height, whereas residential development has been directed to a 'quadrant' seeking a maximum height of 22m. Whilst the Concept Masterplan includes a larger GFA for residential use than health and education, the scenario of residential GFA being equal to, or greater than non-residential GFA arises in essentially all of the Tweed LGAs activity centres, such as the CBD precinct of Tweed Heads. Accordingly, the structure of the PP ensures primacy to health and education outcomes through land use zoning, building height and additional local provisions, and directs more sensitive residential development away from adjoining farmland and the Tweed Valley Hospital.

Notwithstanding the above, the application of an alternate suitable zone/s is not specifically objected to. Any alternate approach should ensure the Objectives and Intended Outcomes are not diluted or adversely impacted through implementation of the legislative framework. The Proponent welcomes collaboration with the Planning Proposal Authority on this matter should an alternate land use zone/s be identified as necessary.

whether the development would impact Tweed Valley Hospital operations, facilities, and critical infrastructure; and

Planning Response

The Objective and Intended Outcomes of the PP deliberately seek to grow the provision of health services for the Tweed LGA and subregion. The Market Assessment prepared by Health Projects International identified gross undersupply of numerous health services in the subregion, including private inpatient beds, same day places, elective operating theatres, rehabilitation and psychiatric units.

Acknowledging the significant gap in services, the public system has been identified as burdened with providing 'non-essential' services. Alternatively, other service gaps have required out of region travel.

The PP seeks to help reduce these gaps, allowing the public system to focus more directly on acute hospital functions. Accordingly, the PP is identified as assisting Tweed Valley Hospital operations, facilities and critical infrastructure.

a response to NSW Health regarding Cudgen Connection being an ideal site for Southern Cross University to occupy floorspace to deliver teaching and research programs.

Planning Response

The PP includes specific Objective, Intended Outcomes and Intended Provisions to facilitate tertiary education on the subject site. Accordingly, identification of the Cudgen Connection site being an ideal location for tertiary education providers and campus is agreed.

As per the Cudgen Connection Health Precinct Analysis submitted with the PP, inclusion of university facilities within the 'core' health precinct activity footprint (being within 1km/15min walking distance) is reflective of a best practice outcome. Directly acknowledging the applicable context of the Kingscliff/Cudgen locale, the Health Precinct Analysis identifies:

'While space may be available on the Tweed Valley Hospital site, alternate sites that can provide options for delivering these spaces early or to allow for additional growth would be beneficial for the precinct. Space for university led research is of particular importance to the precinct. Without directly proximal access to the hospital, university level research is unlikely to occur on site. Providing space directly adjacent to the site that would be suitable for these users would be beneficial to the precinct.'

Acknowledging the primary focus of the Tweed Valley Hospital site is for public hospital services, leveraging the Cudgen Connection site, and its immediate adjacency to amplify the tertiary education and research offering is identified as highly beneficial.

1.6 Homes NSW

Post the formal exhibition process for the PP, a submission was received from NSW Homes. The content of the submission can be summarised as:

- *The inclusion of essential worker housing as part of your masterplan is greatly needed in this area.*
- *Your proposal that 75% of the 300 apartments included as part of the project will be allocated as essential worker housing for a minimum of 25 years and managed by a Community Housing Provider, will be warmly welcomed by the community and will contribute positively towards the areas capacity to attract and retain essential workers.*
- *The Northern Rivers region of NSW has one of the greatest housing needs in the state.*
- *80% of community members think that social and affordable housing is an urgent matter.*
- *We acknowledge your strong commitment to working collaboratively with a range of stakeholders across the region and look forward to continued engagement opportunities with you as your proposal progresses.*

Planning Response

The abovementioned commentary generally aligns with the formal and informal consultation undertaken for the project pre-lodgement of the PP.

As detailed throughout this correspondence, the Objective of the PP is to facilitate the delivery of private health infrastructure, tertiary education, essential worker housing and other core health precinct land uses. In this regard, the PP, supported by the Health Precinct Analysis, responds directly to the land use synergies required within a best-practice precinct. Further, the Market Assessment identifies urgent and significant gaps in health services provision.

The occupations most in demand in the LGA are also those most in demand across regional NSW, meaning there is broad-based competition across regional areas for these workers. Exacerbating issues associated with skilled workforce attraction is the tight housing market conditions being experienced in the region, which is restricting the capacity of service providers to attract and retain skilled health workers from outside of the region. Collectively, the PP has observed the significant role housing currently plays in Tweed's ability to attract and retain talent and staff for such services and seeks to directly address this ongoing issue. The PP seeks to strike a balance between closing health services gaps identified and underpinning the precinct's future workforce through land use permissibility, fit for purpose development standards and additional local provisions to guide delivery and timing.

Acknowledging the LGAs ongoing housing affordability and supply challenges, leveraging the subject site, and its connectivity to employment services, infrastructure and areas of amenity is identified as highly beneficial. The PP is inclusive of provisions to ensure housing does not inappropriately 'overtake' the intended health and education outcomes, rather, will contribute to the Tweed's role as a strategic centre within the NSW North Coast, providing housing, jobs and services in a mixed-use precinct.

2 Community Concerns

The Department's correspondence identifies the key themes raised in submissions. These matters are addressed below. For completeness, we have also reviewed, summarised and responded to every community submission. This is provided as an attachment to this cover report.

We agree with the Department's correspondence that the primary issue raised in public submissions opposing the PP relates to the potential loss of agricultural land. Secondary issues included the need for additional services, the mix of land uses, traffic and parking, and built form and character. Planning responses to each of these matters are outlined below and in the attached submissions summary table.

No amendments to the PP are proposed in response to issues raised within public submissions. While 69% of submissions received during the public exhibition period identified objection to the PP, the overall number of submissions was significantly lower than the pre-lodgement consultation exercises. As outlined in the submitted Community Engagement Report, these pre-lodgement activities included a 500-person survey and feedback from multiple 'pop-up' consultation events. Both consultation exercises identified support levels exceeding 75% for the PP.

Theme of Objection: Impacts to State Significant Farmland (SSF) being development, including impacts to production of resources such as sweet potato.

Planning Response

The PP includes comprehensive analysis of the subject site's agricultural context, including its mapped status as 'Important Farmland' within the North Coast Regional Plan 2041. The PP assesses the Urban Growth Area Variation Principles and the criteria relating to 'sustainable agricultural production' in detail. These issues are further examined through the Agricultural Land Assessment and the Agricultural Capacity Assessment.

Collectively, the assessments confirm that the site has highly limited agricultural capability, due to a combination of low soil quality, insufficient scale and continuity, and a range of physical and contextual constraints including access limitations, slope, and proximity to sensitive receivers. The assessments also demonstrate that development of the site will not adversely affect adjoining farmland to the south and southwest, where larger, unconstrained tracts of productive land are located.

These conclusions were validated by an independent peer review commissioned by Council during its initial assessment of the PP. While that report did not form part of the exhibition material, it concluded:

While the proposal site is mapped as State Significant Farmland, its future use as a site for ecologically sustainable and economically viable agriculture is constrained by challenging infrastructure, soil and topographic features.

The site's current "idle" agricultural land use and lack of active management means that it is not currently contributing to the agricultural and wider economy of the Shire, and nor is it contributing to the protection of environmental assets.

In recognition of the above, the site appears to be a potential candidate for consideration as a new urban area as it forms a minor 'rounding-off' on the edge of adjacent non-agricultural land use zones.

As noted in the PP and raised by several public submissions, the site has not been used for food or fibre production for more than 35 years, nor does it contain any infrastructure, services or resources required to support modern agricultural operations. As such, removal of the land from the Cudgen Plateau agricultural catchment would not diminish any existing economic, environmental or supply-chain contribution.

While some objection submissions asserted that the site plays a role in local or international food markets, no evidence was provided to substantiate these claims. In contrast, the specialist agricultural assessments consistently find that the site does not possess the characteristics required to support sustainable agricultural production.

In response to matters raised during public exhibition, additional agricultural analysis was commissioned. This further technical work reaffirmed all previous findings and again confirmed that the subject site does not exhibit the capacity required for ongoing or future sustainable agricultural use.

Theme of Objection: Concerns that further medical centres/hospitals are not required in the area.

Planning Response

A Market Assessment prepared by Health Projects International identifies a significant undersupply of key health services within the subregion, including private inpatient beds, same-day places, elective operating theatres, rehabilitation facilities and psychiatric services.

While some community feedback suggested that the limited presence of private health facilities reflects the socioeconomic profile of Tweed, the Market Assessment confirms this is not supported by evidence. The catchment population holds private health insurance at rates comparable to both NSW and Australian averages.

As a result of the current undersupply, the public system is increasingly required to deliver services typically undertaken within private facilities. The PP facilitates a shift in this balance, enabling the public system to refocus on core acute care functions.

The PP's Objectives and Intended Outcomes explicitly seek to expand the provision of health services for the Tweed LGA and wider subregion within a best-practice, integrated precinct. The Intended Outcomes are anticipated to contribute positively to the LGA's largest and fastest-growing employment sector. The PP also supports Tweed's continued evolution toward Regional City status within the NSW North Coast.

Theme of Objection: Community housing or affordable housing is needed instead of the proposed development.

Planning Response

The PP's Objectives and Intended Outcomes include provision of additional housing to support essential workers. While further residential opportunities may arise through detailed site planning, the delivery of additional health services is equally critical to supporting Tweed's growing population.

The site is highly suitable for co-located health, education and residential uses due to its lack of significant environmental constraints, its access to supporting infrastructure, and its proximity to major employment anchors including the Tweed Valley Hospital and the NSW TAFE Kingscliff Campus. A key advantage is that most of the site sits above both the design flood level and the Probable Maximum Flood (PMF), which is a rare combination in the local context. These locational attributes enable the site to support a best-practice integrated health and education precinct.

While housing is an important component of a health precinct, it is not as locationally constrained as health and education uses. Council has also been progressing a Growth Management and Housing Strategy to guide residential growth across the LGA. Although the subject site appeared in the draft Options Paper, Council ultimately determined to distribute new housing across a broader mix of urban and rural locations.

Accordingly, the project's core driver remains the coordinated delivery of health and education uses, leveraging the significant benefits of co-locating private and public health services with complementary education and research functions.

Theme of Objection: Traffic and transport concerns, including traffic congestion in the immediate and broader area and parking impacts on the surrounding streets

Planning Response

The PP is supported by a comprehensive TIA that examines projected traffic volumes, access and egress arrangements, and network performance. The TIA concludes that the existing road network can accommodate anticipated traffic volumes, and confirms that parking will be provided in accordance with statutory requirements at the development assessment stage.

Beyond typical traffic considerations, the PP represents a significant opportunity to support a mode shift away from private vehicle use and toward public and active transport. Locating Tweed's largest and fastest-growing

employment anchor centrally within its expanding population will naturally facilitate shorter, more convenient trips by walking, cycling and public transport. For example, the planned growth of West Kingscliff and Kings Forest, together accommodating approximately 17,000 future residents, will occur within a 5 km radius of the site.

Accordingly, the PP is not expected to generate unacceptable congestion or parking impacts on surrounding streets. While parking around hospitals can often be a point of community concern, no impediment has been identified to the delivery of compliant parking and access arrangements on the subject site.

Theme of Objection: Concerns related to bulk, height, scale of the proposed building and issues created related to character and loss of amenity. This includes excessive height and overshadowing.

Planning Response

The PP includes a contextual urban structure with 4x mapped maximum building heights. Height is concentrated at the northeastern corner and steps downward toward the site's public interfaces along Tweed Coast Road and Cudgen Road.

The height strategy has been modelled to:

- Ensure a reduced building height to the adjoining Tweed Valley Hospital and its ancillary multi-deck carpark.
- Facilitate the functional needs for hospital and university uses.
- Maintain building heights which compliment the coastal and higher-order settlement setting of the locality, avoid effect on views from public foreshore areas and respond to urban growth.
- Cluster taller built form adjoining the Tweed Valley Hospital.
- Integrate development within the natural topography of the site.
- Visually conceal the tallest buildings on the subject site with lower set buildings to existing street frontages.
- Transition back to the existing 10m building height at the intersection of Tweed Coast Road and Cudgen Road.

Future Development Applications will also be subject to detailed built form controls, including the NSW Coastal Design Guidelines 2023, NSW Apartment Design Guide, relevant DCP provisions, and merit-based assessment of impacts, site suitability and the public interest.

The adjoining Tweed Valley Hospital has approved heights up to 54.5 m AHD. The PP proposes maximum heights of 53 m AHD along the eastern boundary, 43.5 m AHD along the southern boundary, 34 m AHD along the western boundary, with all remaining heights tapering in response to topography and the stepped height regime. In this context, the PP is considered compatible with existing and emerging character and presents an opportunity to integrate Kingscliff and Cudgen's settlement patterns cohesively and consistent with the intended land use role of the precinct.

Overshadowing impacts are not anticipated to be unacceptable. The site is separated from existing residential areas to the west by Tweed Coast Road and from farmland to the south by Cudgen Road. While overshadowing may extend into the adjoining Tweed Valley Hospital site, the affected areas comprise access roads and a multi-deck car park rather than spaces of amenity.

We trust this information and the further assessments assist your reporting of the matter to the Northern Regional Planning Panel. Should you have any questions or queries in relation to the content of this submission, please do not hesitate to contact Josh Townsend of Planit Consulting on 6674 5001, or via email josh@planitconsulting.com.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Josh Townsend', with a stylized flourish at the end.

Josh Townsend
Planit Consulting

Our Reference: J7594

Thursday, 19 March 2026

NSW Department of Planning, Housing and Infrastructure

Attention: Murray Jay and Shruthi Sriram

Via email: murray.jay@planning.nsw.gov.au shruthi.sriram@dpie.nsw.gov.au

Dear Murray and Shruthi,

Cudgen Connection PP-2023-2669

Further response to NSW Department of Primary Industries and Regional Development

Thank you for providing a copy of the Department of Primary Industries and Regional Development (DPIRD) submission, dated 6 February 2026. The purpose of this correspondence is to provide a response to the submission.

It is noted that DPIRD's submission broadly raises generalised concerns regarding the Planning Proposal, rather than identifying specific errors in methodology, findings, or presenting a competing evidence base. In the absence of such evidence, amendment or refusal of the Planning Proposal is not substantiated.

Agricultural capability and mapping

DPIRD places significant weight on regional-scale mapping. While these mapping layers are relevant at a strategic level, they do not override detailed, site-specific investigations.

In this case, the subject site has been assessed through multiple targeted investigations undertaken by 2 specialist firms, with a third independent review commissioned by Tweed Shire Council, reaching consistent conclusions. Collectively, these studies identify constraints that limit the site's capability to support sustainable agricultural production.

The 3x site-specific findings are considered to provide a more accurate and reliable assessment than broader sub-regional mapping. This is reinforced by the fact that the land has not supported food or fibre production for over 40 years, with no contemporary evidence of viable agricultural use or practice.

Contribution to agricultural productivity and regional value

DPIRD raises the broader importance of agricultural land within the North Coast and its potential future role under climate change scenarios.

Whilst the North Coast agricultural areas may play an increasing role in agriculture in NSW due to its climate, the subject site is not identified as making any tangible contribution. Specifically:

- The subject site is 5.7ha in size
- Comprises 1% of the Cudgen Plateau as mapped State Significant Farmland
- The Tweed Local Strategic Planning Statement 2020 identifies the Local Government Area (LGA) as possessing 80,841ha of rural land.
- Per Council's future planning for the locality, the subject site is the only land parcel north of Cudgen Road and east of Tweed Coast Road identified for primary production. All other parcels are identified for urban purposes, or conservation values where high biodiversity values are located.
- The subject site does not make a tangible contribution to the wider value-add supply chain for agriculture in the locality or LGA.
- The subject site does not make a tangible contribution to a critical mass of agricultural land.

Considering these points, climate change projections are not identified as overturning existing constraints, rendering the modelling of the subject sites limited economic opportunity invalid, nor result in an alternate long-term productivity.

Strategic context and land use planning

The Planning Proposal must also be considered in its strategic and physical context. The subject site is uniquely positioned:

- It is bounded by Cudgen Road and Tweed Coast Road, which provide a clear and permanent separation from farmland to the south and southwest;
- Land to the north has been identified for non-agricultural purposes;
- Land to the east and west is already developed for urban uses.

As a result, the site represents a logical and contained extension of the existing urban footprint, rather than an encroachment into an intact agricultural landscape.

No alternative land has been identified that offers the same combination of location, servicing and strategic attributes, including its proximity to the emerging health and education precinct associated with the Tweed Valley Hospital. No additional land parcel with the Cudgen Plateau is identified as possessing these qualities, ensuring no opportunity for broader precedent or domino effect which encroaches upon farmland.

Land use conflict and biosecurity

DPIRD raises concerns regarding potential land use conflict and biosecurity risks associated with introducing additional sensitive receivers.

These matters have been directly addressed through a Land Use Conflict Risk Assessment (LUCRA). The assessment demonstrates that:

- existing sensitive receivers are already located in closer proximity to surrounding agricultural land;
- appropriate spatial separation and buffering measures can be implemented; and
- no unacceptable land use conflict is anticipated.

No State agency or community submission has identified any deficiencies in the LUCRA methodology or findings. Whilst DPIRD have identified deficiencies based on their regional experience, a counter evidence base has not been identified, nor any specific data or methodology errors.

Accordingly, the potential for land use conflict or biosecurity impacts is considered manageable and does not warrant refusal or modification of the proposal.

Cumulative impacts and loss of agricultural land

DPIRD expresses concern regarding the cumulative loss of agricultural land. However, in this instance, no material erosion of agricultural value is identified.

The subject site is physically and functionally separated from broader agricultural landholdings and does not contribute to an ongoing or viable agricultural system. The proposal instead represents a minor and logical adjustment to the urban boundary, effectively "rounding off" an existing urban area.

Conclusion

The Planning Proposal has comprehensively addressed the Urban Growth Area Variation Principles, including those relating to Important Farmland and Land Use Conflict.

This is supported by:

- Multiple independent expert assessments.
- Consistency across all technical investigations, including Council-commissioned review.
- The absence of identified errors or competing evidence from DPIRD or other stakeholders.

While DPIRD's submission raises general concerns based on regional experience, it does not provide a sufficient evidentiary basis to outweigh the detailed, site-specific analysis undertaken.

Accordingly, it is concluded that the Planning Proposal has appropriately considered the agricultural characteristics of the site and provides for a logical and justified outcome in this location.

We appreciate your assistance to date and look forward to discussing further. Should you have any questions or queries regarding these advices, please do not hesitate to contact me via email, or Planit Consulting's Kingscliff Office on (02) 6674 5001.

Yours sincerely



Josh Townsend
Senior Town Planner