

**Our Reference: J5950**  
20 May 2020

**Tweed Shire Councillors**  
Via Email

**Ordinary Council Meeting Thursday 21 May 2020 – Item 16.2, 16.3 and 16.4**

Dear Councillors,

We are writing in relation to various items being considered at the Thursday, 21 May 2020 Ordinary Council Meeting.

While partly in the interest of our clients whose projects are being considered, we also write to highlight and reaffirm our interest in the Tweed's Local Strategic Planning Statement (LSPS) and more widely, the future environmental, social and economic outcomes of the Shire in which we work and live.

- Item 16.2 relates to a proposed multi-dwelling housing and tourist facility at 217 McAllisters Road, Bilambil. We acknowledge this project has developed from a compliance matter and appreciate the efforts and resourcing which have been applied through the assessment of this DA. The matter is now returning to Council for a final determination, with a new proposed condition requiring a boundary fence to be erected. We merely wish to acknowledge that the applicant / landowner is happy with the proposed condition and looking forward to the realisation of this project.
- Item 16.3 relates to a proposed rezoning at 225 Terranora Road, Terranora. We are very conscious that this application has not been supported by Council previously. The landowner has continued to fund additional specialist investigations to demonstrate the merit for supporting rural residential opportunities at the site and in turn, confirm that detrimental impacts to scenic landscapes, environmental values or local infrastructure can be avoided.
- Item 16.4 relates to the Tweed Local Strategic Planning Statement. Planit recognises the value of the LSPS within the planning system, as well as providing a 'plain english' document that details the intended evolution of a LGA into the future. We commend Council staff on the work to-date and believe the LSPS successfully describes Tweed's tapestry of communities and character, which are each strongly connected to open spaces and the environment. We continue to encourage Council to increase the focus of the LSPS on delivery however, transforming its depth and value. Further emphasis and contextualisation of delivery will reduce the 'risk premium' curtailing key investment as identified within the *Tweed Regional Economic Development Strategy 2018-2022* by providing greater confidence, as well as providing the community a more in-depth understanding of forecasted change.

Attached to this letter is a further brief relating to Item 16.3 as well as a copy of our submissions to the LSPS. We would greatly appreciate your review to these items prior to deliberating on Thursday, 21 May 2020.

Should you have any questions or queries in relation to the above or the attached documentation, please do not hesitate to contact me at your earliest convenience. We look forward to hearing from you.

Yours sincerely



**Luke Blandford**  
**PLANIT CONSULTING**

**Item 16.3 - Request to Prepare a Planning Proposal Lot 16 DP 856265 225 Terranora Road, Banora Point**

We provide this correspondence in relation to the report and recommendation made within Item 16.3 of the 21 May 2020 Ordinary Council Meeting agenda.

As outlined through the Council report, the site has a lengthy history. The previous request for a planning proposal was formally declined by Tweed Shire Council on 1 August 2019.

In reviewing the previous Council report, we understand Council continues to hold concern with the proposal relating to visual impact, contamination, and wastewater disposal. To mitigate these concerns, we pursued further reporting and assessment relating to contamination and wastewater disposal, both of which conclude that the land can accommodate large lot residential development.

The proposal has been prepared to demonstrate consistency with the NSW Government's Environmental Zone Review: Final Recommendations, which indicates that land should not be zoned for environmental protection purposes based only on scenic values alone. With that said, the proposed rezoning footprint does not include the whole site. It is limited to cleared land, north of the vegetated escarpment.

We understand that the protection of the Terranora scenic escarpment remains an emotive position through the reporting, though we remain unclear as to the visual findings of Council which conclude that a two-lot subdivision comprises the maximum development threshold for the land. Council has prepared its draft Scenic Landscape Strategy (draft SLS), to set the framework for assessing potential visual impacts and in-turn, protect and enhance the scenic landscapes of the Tweed. This planning proposal request has been supported by both a visual impact assessment, prepared prior to the draft SLS being exhibited, and subsequently through an addendum, utilising the framework under the draft SLS. This assessment indicates that development outcomes at the site are likely to have a 'Moderate' expected visual outcome, yet the landowner has also committed to further visual impact assessment through the rezoning process if deemed to be required.

The matters raised in this May 2020 reporting that relate to access, have been attended to and seemingly, were not considered reasons for not supporting the previous planning proposal request.

As is outlined within the request for a planning proposal, the proposal is considered to have strategic merit, site-specific merit and adequately address the applicable planning framework. We kindly request that Council consider this request for a planning proposal and we reaffirm our desire to work with Council to establish a suitable planning framework for the site without the need to pursue a Rezoning Review Process.

**Item 16.4 - Local Strategic Planning Statement For Adoption**

Planit Submissions Attached:

- 30 March 2020 – Regarding the Tanglewood Release Area
- 07 April 2020 – Regarding the LSPS generally

30 March 2020

**Via email:** [StrategicPlanning@tweed.nsw.gov.au](mailto:StrategicPlanning@tweed.nsw.gov.au)

**Draft Tweed Local Strategic Planning Statement**  
**1200 Clothiers Creek Road, Tanglewood**

### Map 4 – Identified Amendments

## Our Challenges

In addition to those currently identified within the draft LSPS, we encourage Council to identify and describe the following additional challenges:

- Coupling the timely delivery of infrastructure with identified urban release areas. Tanglewood has been informed by Council that the provision of reticulated wastewater services will not be provided, necessitating the provision of a private wastewater treatment system to enable urban development. Whilst this directive is understood and not specifically objected to, the outcome pushes additional analysis, costs and responsibility onto private landowners, despite Council's growth strategy identifying the site for urban purposes for in excess of 20+ years. We appreciate that the timely delivery of both infrastructure and urban development historically has proven problematic. Notwithstanding, we generally see this as an ongoing challenge and a barrier to achieving the Shire's growth targets and encourage Council to be proactive and an enabler accordingly.

Beyond formally acknowledging infrastructure delivery as a challenge within the LSPS, we encourage the inclusion of an action to proactively facilitate the delivery of essential services within planned and existing urban areas. This action could be included within planning priority 4, 11, or 15.

- Delivering efficient and compact urban development targets within limited land availability. As clearly articulated throughout the draft LSPS, Tweed Shire has limited land suitable for urban purposes and has a housing delivery target of an additional 11,600 dwellings identified through the NCRP. Housing data for the LGA (detailed within the Department of Planning, Industry & Environment's House and Land Monitors) identifies that supply has, for an extended period, fallen considerably short of achieving these targets. In turn, the shortage of housing delivery has put upward pressure on housing prices and a reduction in economic activity and agglomeration opportunities. Constraint-free land is now, largely unavailable within the Tweed beyond urban lands already identified, causing a current and future challenge to deliver efficient and compact urban development, inkeeping with delivery targets, within limited land availability.

In addition to formally acknowledging housing delivery as a challenge within the LSPS, we encourage the inclusion of further content within planning priority's 5 and 15, which are detailed further over page.

- Delivering housing diversity. Tweed's suite of residential zones, land use tables and Development Control Plan provisions often limit the diversity and density of housing provided to a predominately low-density setting. Whilst this outcome is understandably sought within the low-density zone, general residential and village areas have not typically resulted in a more diverse housing stock or substantially different character. We believe a challenge for the Shire currently and into the future, includes achieving greater housing diversity, both through housing type, lot size and character, as well as further exploring alternative land tenure opportunities.

In addition to formally acknowledging housing diversity as a challenge within the LSPS, we encourage the inclusion of further content within planning priority 16, which is detailed further over page.

## Our Vision

We commend Council on the vision established within the draft LSPS, which decisively describes primary community sentiment and continues Tweed's broader sense of place as series of communities placed within a landscaped setting. Of note, we reaffirm our advices to Council of 3 December 2019, which detailed ambitions for Tanglewood to deliver a new coastal village that leverages its relationship with biophysical conditions to provide housing and lifestyle choice, nature-based recreation space and an activity centre that embraces an environmental outlook. In this regard, the intended delivery of Tanglewood is considered to be in direct alignment with the draft vision and we look forward to opportunities to work collaboratively with Council's technical working group for Tanglewood to realise these outcomes through development assessment and strategic processes.

### **Our Planning priorities**

*Planning Priority 5* – Similar to our comments regarding the vision, we broadly support the content planning priority 5 and acknowledge the green edges and breaks comprise a key component of Tweed's character. Whilst the rationale narrative is generally supported, we encourage Council to more directly focus on implementation and delivery of this planning priority within the LSPS, particularly where the rationale is largely provided through the NCRP. In this regard, we advocate the LSPS detail a contextual narrative connecting the planning priority and detailed actions. By way of example, we recommend the following inclusions to planning priority 5:

- In order to reduce pressure on the Tweed Coasts' green belt, Council will work collaboratively and pragmatically with urban release area landowners, such as West Kingscliff, Tanglewood, Dunloe Park and others, to ensure land identified as suitable for urban purposes is planned and delivered in an efficient and orderly manner. Likewise, Council will work proactively with proponents to encourage exploration of nature-based recreation facilities, green infrastructure, landscape-orientated development and other methods of establishing high-quality interfaces between environmental and urban areas. Collectively, the delivery of urban development within strategic growth areas, which celebrate their landscape and environmental surrounds will allow the Tweed community to continue enjoying this unique character attribute into the future.
- 5.1 Promote compact and contained coastal urban areas by working proactively and collaboratively with landowners of urban land to deliver the Shire's housing needs whilst maintaining separation between neighbouring coastal villages and centres and avoiding continuous ribbon development along the coast.

*Planning Priority 15* – As per our commentary for planning priority 5, we broadly support the rationale narrative detailed, however encourage a stronger delivery focus to the narrative and actions. We recommend Council refer directly to Tanglewood when citing key urban areas tasked with delivering future growth in light of its zoning and inclusion within the Tweed Urban Employment Land Release Strategy 2009, and recommend the following amendments to the detailed actions:

- 15.1 Deliver compact urban areas, towns and villages which meet Tweed's long-term housing demand and needs, whilst avoiding the spread of urban development into sensitive locations.
- 15.1A Work collaboratively with identified urban release area (and key site) landowners, such as Tanglewood, to champion and secure the delivery of high-quality development outcomes to support adequate housing supply for Tweed's growing population.

Of note, 'future identified key growth areas' (as referenced within Action 15.4) are not specifically defined within the draft LSPS, however, through conversation with officers in the Strategic Planning & Urban Design team it is generally understood that this term relates to mapped potential urban release areas. As the relevant action is identified as a medium-term action, we encourage proposed action 15.1A being a short-term action tasked to the Strategic Planning & Urban Design and Development Assessment Unit's.

*Planning Priority 16* – We recommend the following inclusions:

- Reference to manufactured home estates, tiny homes, small-lot housing and other housing types as a future consideration of addressing housing affordability, an ageing demographic and housing diversity is encouraged.
- 16.2 Deliver housing supply to meet the growth demands and demographic changes.

As previously detailed, we confirm that we are happy to meet with relevant Council staff to provide further clarification and input regarding Tanglewood and its opportunity to positively contribute to Tweed's growth strategy and story. Likewise, in the near future, we hope to establish meetings with Council's internal Tanglewood technical team to further discuss a strategic and design process for the site in order to provide the key stakeholders a clear vision and planning framework into the future.

Yours sincerely



Josh Townsend  
PLANIT CONSULTING

**Our Reference: Submission to Tweed LSPS**

7 April 2020

**Tweed Shire Council**

**Strategic Planning & Urban Design Unit**

**Via email: [StrategicPlanning@tweed.nsw.gov.au](mailto:StrategicPlanning@tweed.nsw.gov.au)**

**Attention:** Robyn Eisermann, Acting Coordinator, Strategic Planning and Urban Design Unit

### **Draft Tweed Local Strategic Planning Statement**

Dear Robyn,

As you would be aware, Planit Consulting have already lodged a formal submission to the draft Tweed Local Strategic Planning Statement (draft LSPS). In addition to our previous Tanglewood submission, we provide the following comments below and technical commentary attached, on behalf of Planit Consulting, for your consideration.

We commend Council on the vast majority of the draft LSPS content, which is largely reflective of the North Coast Regional Plan 2036 (NCRP) provisions, likewise, broadly collates and reflects much of Tweed's existing planning framework. In this sense we believe the draft LSPS has an ideal opportunity to step forward from an already well-rounded strategic planning framework and encourage the LSPS to more closely detail Tweed's opportunities, challenges and 'roadmap' over the next 20 years. The final LSPS holds great opportunity to shift its focus from justifying the identified planning priorities, to articulating the narrative of desired land use evolution and the key implementation components to ensure delivery. In this regard, we encourage review to be pursued with the view of leaning on the existing planning framework and the role of the draft LSPS being to articulate desired outcomes, change, priorities and detail proposed interventions to 'business as usual'.

Whilst there are a variety of methods to reframe the draft LSPS to be more focused and direct, in light of the condensed timeline we encourage much of the high-level policy content and 'ongoing' actions to be identified as policy principles or objectives, having regard for the existing planning framework. Connections can be made within the LSPS to ensure all remaining 'actions' are prepared with reference to those principles/ objectives identified. Further, actions are encouraged to be described as either shirewide initiatives, or targeted, locality or industry specific actions that directly intervene with the 'business as usual' approach to achieve delivery and desirable outcomes.

By moving away from the format and order of the NCRP, and focussing more on growth narrative and inventions proposed to support this vision, the LSPS is then able to be more 'forward-facing' and articulate to the community about the anticipated evolution of the area. Likewise, a more focused approach with limited, but direct actions, will assist ensuring high quality deliverables that can be delivered within established timelines.

As previously detailed, we confirm that we are happy to discuss these and other suggestions with relevant Council staff to positively contribute to Tweed's growth strategy and story. Should you wish to pursue these discussions, please do not hesitate to contact myself or Luke Blandford of our office on (02) 6674 5001 during normal business hours.

Yours sincerely



**Josh Townsend**

**PLANIT CONSULTING**

**Attached: Technical Comments**



## Technical Commentary

### *Vision and general language*

Whilst the vision, and the LSPS throughout, correctly identifies Tweed's strong relationship with the natural environment and sustainability, we recommend content more directly consider the land use purpose of the LSPS, as well as the role of development (and developers) in successfully delivering the detailed vision and priorities.

By way of example, the current vision statement, whilst supported, would benefit from further content detailing key land use elements, such as:

*In supporting our communities, we will work collaboratively to ensure:*

- *Timely housing delivery and diversity within the urban release areas of Cobaki, West Kingscliff, Kings Forest, Tanglewood, Dunloe Park and Mooball.*
- *Support smart housing and employment intensification within our existing centres, particularly the high-order centres of Tweed Heads, Kingscliff and Murwillumbah.*
- *Foster thriving innovation precincts clustered with our health, education, airport anchors.*
- *Protect localities possessing unique and sensitive character values, such as Hastings Point, Fingal Head and our longstanding heritage conservations areas of Murwillumbah, Tumbulgum, Uki and Tyalgum.*

Further, we note that developers are not identified as a stakeholder that Council will work with as per the Mayor's message. Whilst we acknowledge developers may also be residents or local businesses, a more meaningful reference and relationship with developers is encouraged to successfully implement the LSPS.

### *North Coast Regional Plan 2036*

Notwithstanding the close alignment, format and content of the draft LSPS with the NCRP 2036, the draft LSPS does not provide direction or outline discussion of relevant areas, such as housing delivery and diversity, where Tweed has historically struggled to satisfy State targets. Further discussion and detail is highly recommended on these matters in light of the limited land availability identified and current greenfield growth strategy (Cobaki, Kings Forest, West Kingscliff, Dunloe Park).

### *Our Challenges*

We strongly encourage Council to analyse and describe its challenges in greater detail. At present, the challenges identified are limited to:

- Government coordination
- Providing employment opportunities
- Environmental features and resilience

Whilst, in essence, 3x challenges are identified, the LSPS contains 18x planning priorities, largely mirroring the Directions of the NCRP, and often not addressing the challenges identified. Likewise, providing employment opportunities is identified as a key challenge, however the vision largely confines Tweed's economy as a subservient component to the environment, i.e. tourism-based and local service-based economies.

Challenges of the Shire identified by Planit include:

- Timely delivery of infrastructure through integrated planning and Government coordination
- Provision of employment opportunities through clustering of industries around significant anchors and with a framework that enables seamless changes in land use by limiting prohibited land uses, acknowledging 'communal' infrastructure (such as provision of car parking) and affording priority to employment generating uses within business zones.
- Environmental features and climate change limiting Tweed's ability to provide further land for urban purposes.

- The limited land availability creating ongoing pressure to pursue greater building heights to accommodate population growth and promote activity and vibrancy within centres.
- Understanding and balancing the relationship with South East Queensland housing delivery affecting housing diversity within Tweed Shire.
- Supporting an ageing demographic through health and social services and suitable housing provisions
- Maintaining a strong sense of identity within urban areas.
- Achieving vibrant communities and decreasing car dependency within a predominately low-density, sprawling setting.
- Continued loss of younger demographics to city areas.
- Contemporary delivery and resourcing of dormant approvals.

### *Actions*

We note the draft LSPS includes a total of 130x actions, 70x of which are to be delivered within the short, medium- and long-term timelines and many are led by the Strategic Planning & Urban Design team (SPUD). Acknowledging that many of the future actions detailed within various strategic plans of the past 10x years (i.e. Tweed Economic Development Strategy, Tweed Rural Villages Strategy, Pottsville Locality Plan etc) are yet to be delivered and the existing committed work program of the SPUD, again, we encourage limited and highly targeted future actions to ensure high quality deliverables and direct results.

### *Conclusion*

Please note, the content of this submission is not exhaustive, rather focuses on key areas where we feel the LSPS would benefit from reframing and being further contextualised and specific to the Tweed. Ultimately, we believe the draft LSPS incorporates good 'bones' and encourage revision to its content and base mapping to be further leveraged to portray deliverable outcomes pursuant to the established vision, opportunities and challenges. Description of land use and development that is desired (through proactive language such as enable/encourage etc) as opposed to focusing on describing development that is not wanted (i.e. reactive language such as protect, restrict etc.).

We confirm that we are happy to discuss these and other suggestions with relevant Council staff in greater detail to positively contribute to Tweed's growth strategy and story. Should you wish to pursue these discussions, please do not hesitate to contact myself or Luke Blandford of our office on (02) 6674 5001 during normal business hours.