28 August 2008

Mr Sam Haddad
Director General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Heather Warton

Dear Mr Haddad

PRELIMINARY ENVIRONMENTAL ASSESSMENT
KINGS FOREST, TWEED (LGA) PROJECT APPLICATION FOR STAGE 1 WORKS (06_0318)

As you are aware the Minister authorised a Concept Plan for the Kings Forest site on 9 January 2007. Subsequently, on 21 August 2007, the Director General’s Environmental Assessment requirements (DGRs) were issued. The proponent, Project 28 (Leda Holdings), is close to finalising the Environmental Assessment Report (EAR) for the Concept Plan application for Kings Forest for submission to the Department.

The purpose of this letter is to seek, on behalf Project 28 Pty Limited, the DGRs for the next component of the project which will involve preparation of a Project Application for the first stage of works. These works are entirely consistent with the Minister’s authorisation of 9 January 2007 and no further Clause 6 declaration is considered necessary (see Attachment 1).

As discussed with Ms Heather Warton, because the Department has copious information on the location of, and environmental issues associated with, Kings Forest as result of the State Significant Site declaration and the subsequent Clause 6 authorisation, it is not considered necessary to provide further detailed additional environmental information in seeking the DGRs for this first stage of works.

1.0 BACKGROUND

The following are the proposed elements of the Stage 1 Project Plan for which Project 28 is seeking approval:

- subdivision to create new lots/land parcels for future development;
- construction of the entrance road to the site and associated works for the intersection with Tweed Coast Road, as well as a new connecting road to the Tweed Council waste tip;
- subdivision and associated infrastructure works for the first stage of urban development;
- bulk earthworks and planting for the future golf course; and
- a service station and fast food outlet on part of the developable land east of Tweed Coast Road.
The context for the works is shown at Attachment 2 and each is described in greater detail below. The works will be entirely consistent with the Concept Plan which is to be lodged with the Department shortly.

2.0 THE PROJECT

2.1 Subdivision
Subdivision will seek to create new lots or consolidate lots for the main entrance road, the land for urban expansion and the land the subject of environmental protection zones. It is likely that subdivision of the areas for urban expansion will create lot boundaries to reflect proposed land uses shown in the Concept Plan such as a neighbourhood centre, business park, residential, environmental protection and the like (see Attachment 3).

2.2 Entrance road
The works associated with the new entrance road to the Kings Forest site include the following:
- a new intersection with Tweed Coast Road;
- a new four lane road through all of the Stage 1 area of the Concept Plan, including footpaths, bikeways and streetscape works within the road reserve; and
- new road intersections and connection works to maintain access to Secret Lane and the Council’s former waste disposal site.

The works will accord with Tweed Shire Council’s standards for construction of new roads, and the streetscape components will reflect the landscape concept proposed in the Concept Plan application.

The location of the proposed entrance road and the extent of works are shown on the plan at Attachment 4.

2.3 Residential development
As shown at Attachment 5, this element of the Project Application involves:
- subdivision for approximately 480 dwellings (in Precinct E of the Concept Plan), including around 420 detached/attached and 60 multi unit dwellings;
- construction of roads and services infrastructure;
- environmental protection works; and
- landscaping of open space areas.

As part of the project application, it is intended to prepare a detailed site specific Development Control Plan to enable future development applications for residential dwellings to proceed as exempt and complying development.

2.4 Golf course
As shown in Attachment 6, this element of the Project Application involves the following works in the Stage 3 area of the Concept Plan:
- preliminary bulk earthworks in preparation for the future laying out and construction of the golf course;
- koala tree planting; and
heath and Wallum frog habitat regeneration.

As you are aware, numerous environmental studies have been undertaken in the Cudgen Paddock and the areas for urban development and environmental protection have been appropriately zoned. The golf course fairways provide an ideal buffer to the adjoining environmental protection areas. It is intended to plant koala food trees early in accordance with the Koala Management Plan to allow them to become fully established before Stage 3 of the Concept Plan is fully commenced in approximately 10 years.

The proposed earthworks involve reshaping approximately 200,000 cubic metres of existing site material and do not involve any importation of fill. The work needs to be undertaken now to avoid any future disturbance to the tree planting and habitat regeneration areas. While it is not intended to proceed with development of the golf course at this time it is considered prudent to proceed with the earthworks now so that koala food trees, areas of heath regeneration and frog habitat areas can be established well ahead of any development occurring in the Cudgen Paddock.

The location and extent of tree planting plan, heath regeneration areas and pond areas for frog habitat will be in accordance with the relevant rehabilitation management plans proposed in the Concept Plan submission.

2.5 Service station and fast food premises

This element of the Project Application involves:

- a service station and associated workshop and shop; and
- premises for a fast food outlet

The location, size and associated access and parking for the facilities are detailed on the plan at Attachment 7. Details of the proposed development, including traffic and access issues will be detailed in the Project Application. As shown in the plan, buffers to environmental protection land are addressed.

3.0 RELEVANT PLANNING INSTRUMENTS

The land the subject of this project application is zoned 2(c) Urban Expansion in accordance with Clause 4(1) of the Major Projects SEPP (which calls up the land use zones under Tweed Local Environmental Plan 2000). The proposed works are permissible in the zone.

The other relevant planning instruments applying to the land are the same as those applying to the Concept Plan.

4.0 KEY ISSUES

As stated above, the key environmental issues associated with this application are the same as those elucidated before in relation to the Major Projects SEPP amendment and in the DGRs for the Concept Plan.

In addition to these, will be impacts associated with construction, including traffic and access. The management and mitigation of these will be dealt with through a series of construction management plans.
5.0 CONSULTATION

As you are aware, there is extensive and ongoing consultation with Tweed Shire Council over the development of the Kings Forest site. In addition, consultation with other authorities has been undertaken as part of the preparation of the Concept Plan application.

A consultation strategy to engage with the community and other stakeholders is to be implemented for the Concept Plan and will encompass the works proposed for Stage 1.

Should you have any queries about this matter, please do not hesitate to contact me on 9409 4927 or at vgoldschmidt@jbaplanning.com.au. I look forward to hearing from you and to receiving the DGRs.

Yours sincerely

Vivienne Goldschmidt
Associate

cc: Reg van Rij, Leda Holdings

Attachments