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Stakes leave locals spitting chips

Linton Besser
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A HANDFUL of wooden pegs driven into a beachside paddock almost 20 years ago have revived a controversial \$240 million resort shelved in the wake of a scathing report into corruption on North Coast councils.

The NSW Land and Environment Court ruled that the Queensland property developer Samtay can resurrect plans for the Wooyung Beach resort on the grounds of "physical commencement", after a surveyor told the court several pegs had been driven into the ground over two days in 1989.

"Certainly our planners were a little bit astounded," said the Tweed Shire Council's executive officer, Genevieve Slattery.

"We did pull out the [Environmental Planning and Assessment] Act and seek legal advice.

The resort, with its 15 hectare man-made lake, nine-hole golf course, and 500 units, featured in a 1990 report by the Independent Commission Against Corruption into North Coast developments tainted by covert cash payments.

Its founding developer, and the council's former deputy mayor Tom Hogan - immortalised by Bill Hunter's character in *Muriel's Wedding* - were named by the commission as having engaged in corrupt conduct.

In 1992 Hogan was convicted and sentenced for giving false evidence to the commission; he was subsequently cleared of wrongdoing and the resort blueprint faded from memory.

Emboldened by last year's court's decision, Samtay chief Cameron Davis, now says he will go ahead with the 82-hectare golf resort just north of Byron Bay, to the dismay of residents.

Chris Cherry, manager of the Wooyung Beach Motel and Caravan Park, is leading the campaign against the development.

"We started once we heard they were trying to reactivate it," she said. "We live directly opposite the site. My parents fought the battle back in 1989."

Critics say the development, with its 15-hectare lake and three smaller ponds, directly contravenes a 1997 planning instrument banning "canal estate developments". They say the site is a flood-plain and dredging would contaminate waterways.

The Planning Minister, Frank Sartor, agrees. He said the court's ruling stands, but in January he asked Mr Davis to consider revising the 1988 design, saying it shows "appalling" disregard for modern planning principles.

"I have said that if he can do a much better development then I am prepared to call it in, in return for relinquishing the old DA," he told the *Herald*.

"The old [design] removes the whole natural flooding area, has acid sulfate problems, and is insensitive to vegetation."

But after hearing Mr Davis's ideas - which reduce the resort's size from 49 to 20 hectares, and which jettisons 255 dwellings - Mr Sartor has described the developer as "greedy".

"I may tell him to go jump to buggery, because I think his current development is a dog," Mr Sartor said.

Mr Davis told the *Herald* he was prepared to work with the Government because "it makes sense for everybody".

"I am happy to work with government and residents, I just don't want to be pushed around.

"There is the opportunity to do something fresh in 2007 as opposed to being pushed into something designed in 1988," he said.

He hoped to make a 15-20 per cent return on the resort, budgeted at "south of \$100 million".

But Mr Sartor remains unimpressed, and is willing to leave the door open to the original DA by "calling his bluff".

"I've got doubts the stupid thing [from 1988] will ever work," he said. "I reckon he [would] go broke in the process."

Mr Davis has also put the development on the market for the second time in four months.

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