

RE: MP 08 0194 MOD 15 – KINGS FOREST STAGE 1 – SPLIT BUILDING, ALLOW 24HRS, AND OTHER CHANGES

I object to the modifications proposed to the Kings Forest Service Station 24-hour operation and other changes.

Having a further 24-hour service station when there are already 2 catering for north and south bound vehicles is ridiculous. BP Food & truck stop Chinderah is located 4.1km from the allocated site at Kings Forest on Tweed Coast Road, via M1 southbound and Ampol Foodery 24hour is less than 8km from site and services northbound.

What was proposed as a rural supplies building (landscaping business) was amended to a service station/food service (2017) and now 24-hour petrol, fast food, car wash, dog wash, end of trip facilities. None of these modifications are consistent with the rural environment, farm shops or village shopping precinct in the area. This is a clear example of a developmental creeping exercise of incremental advantages being achieved by successive amendments.

Deletion of Noise Limits

What appropriate noise mitigating measures will be taken to limit the noise from 24/7 trading? The residents have already had the quality of their normal lives reduced by the increased noise from trucks, traffic and earthworks.

The so-called acoustic barrier is a slatted pine fence and does not run consistently in front of the established houses on Old Bogangar Road and the break in the fence aligns opposite the service station site. This is inadequate to deal with present or future traffic noise and offers no visual relief for several of the established houses.

As previously stated, this is a rural area with minimal night traffic and no commercial lighting. There is absolutely no benefit of this modification to any residents on Old Bogangar Road. The cumulative noise of accelerating and decelerating vehicles entering or leaving, the car lines to and from drive-thru food service along with the constant drone of crowd noise from outdoor areas, day in day out must have a cumulative effect on the mental and physical well-being of the established residents. There will be no reprieve from 24/7 trading.

24-hour Operation

This site was originally proposed as a rural supply building and as such was not in any direct competition with local businesses. In 2017 it was amended to a service station. However, operating as a 24/7 store is now in direct conflict with the local shopping village at Casuarina only 2 minutes down the road. There are grocery, butcher, baker and restaurants at this site and the financial impact on local suppliers would be devastating. The placement of a 24 hour food court, grab & go grocery outlet so close to local village retailers is unnecessary.

Allow Illuminated Signage

How is any high visibility illuminating signage compatible with the amenity and visual character of this rural area? In 2017 the proponent Amended to replace a rural supply building with service station, food outlets, outdoor dining and 2 pylons signs 7.5-9.5 metres high.

These pylons signs are used for direct advertising including petrol prices and fast-food outlets with brand names and are highly visible from every direction. Then add the bright façade

lighting of 2 buildings, 54 car spaces, dog wash, carwash, drive thru outlet and the impact of the new massive corridor lighting outside the residents' houses on Old Bogangar Road (which has not been turned on yet).

Any illuminated lighting will directly affect residents with unacceptable intrusion of glare and persistent light pollution into the privacy of their homes. No amount of planting of ground cover or low bushes will dull the glare of headlights as cars navigate this massive site.

How is any of this compatible with everyday living and sleeping patterns associated with human health.

The environmental impact of artificial light and the disruptive behaviour it causes to nocturnal animals and eco-systems is well documented and is reason alone to reduce operating hours to daylight only to minimise the impact to Koala habitat and native wildlife. (On February 12, 2022, the koala was listed as endangered under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). This change applies to the koala populations in Queensland, New South Wales, and the Australian Capital Territory).

Increased car spaces additional car washing bays including large vehicle facility

There will be in total 52 car spaces, an addition 3 car washing facilities and a large roof surface area in this massive precinct. These large surface areas of bitumen and roof line are subject to overflow in times of higher-than-normal rainfall, which are becoming more frequent with climatic changes.

This surface precipitation will flow overland into the adjacent native bushland, (including koala habitat) and waterways emptying into Cudgen Creek. This run-off will contain residual pollutants of petrol and oil that will permeate into the soil. This leaves waterways vulnerable to an onslaught of passive contamination. The Service Station is very close to Cudgen Creek & any contamination or degradation of our creek is something that is a major concern for all residents in the Tweed Shire.

Kingscliff is a renowned tourist destination and visitors come to swim and play in the calm clear water of Cudgen Creek. The creek and is a marine habitat and breeding ground for over 30 species of fish, abundant birdlife including protected Osprey and Pelicans. Kingscliff is a pearl in the Northern Rivers coastal townships and the local waterways and Cudgen Creek are valuable natural asset to the entire area. 2 Triathlons per year with Olympic Distance events are swum in Cudgen Creek.

Accommodate a regional pump station

There needs to be more information to comprehend exactly the function and use of this request.

End of Trip Facilities

More information required. Is this associated with truck stopovers, overnight parking stays and the inclusion of long-base wash facility as per the Jan 2023 Modification to include Transport Depot, Truck Depot and Vehicular Repair Station, please see below Modification 9.

- *Is this linked to the overall necessity of developing a service station initially and the continuous amendments including 24/7?*

Kings Forest Concept Plan Modification 9 Modification (MP 06_0318 MOD 9) January 2023 - 2 Proposed modification of Employment Land Advertisement, Advertising Structure, Amusement Centre, Centre Based Child Care Facility, Electricity Transmission or Distribution Network, Garden Centre, Light Industry, Storage Premises, Transport Depot, Truck Depot, Vehicle Repair Station and Veterinary Hospital.

Added Vehicle Wash Bays

Extra car washes including long base bay. Previous amendments have removed the necessity for automated doors on wash bay as a noise limiting factor. However, as seen in modern wash bays, they have high pressure guns as part of their “hand wash” facility. These are extremely noisy when operating, averaging between 78 to 90 dB and when in tandem as there a 4 wash bays would create disturbance that would well extend to nearby residences.

To summarise the extended operating hours are unnecessary in this rural setting.

- There are many service stations within a 10km range to meet motorist needs.
- The shop and food facilities directly conflict with local retailers in the nearby shopping precinct. The increased noise levels from cars trucks car washes will be relentless for the established residents directly opposite.
- The painted timber fence is an inadequate buffer to the noise and light pollution especially considering it has a 3-meter break in one section directly opposite the service station site.
- There should be no compromise when it comes to the protection of our valuable natural assets including the surrounding wetlands and aquatic waterways of Cudgen Creek. The creek leads to Cudgen Lake which is protected by NSW National Parks as well as the foreshore area nearby protected by Tweed Byron Local Aboriginal Land Council.
- Excessive illumination from lighting and noise after dark will disrupt the delicate balance of eco-systems and threaten wildlife including the Koala habitat and many other nocturnal animals.

There are no guarantees for full protection of our natural environment from runoff contamination or overland flooding, extensively seen in the Northern Rivers 2022. The initial proposal for a service station was refused by both Tweed Shire Council and State Government. Given its proximity to Cudgen Creek and residents of Old Bogangar Road, it remains a reckless social and environmental project that threatens the erosion of habitats for both human and animal species.

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