

The Director
Industry, Key Sites & Social Projects
Department of Planning & Infrastructure
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11th March 2014

Dear Sir

Re – Residential Development Kings Forest, Kingscliff - Proponent Project 28 Pty Ltd;
Modification requests (general amendments) – Concept Plan (MP_0318 MOD 4) and
Stage 1 Project Approval (MP08_0194 MOD 2)

The Planning Assessment Commission has made a decision on the conditions required for the Kings Forest proposed development. The decision was made after consideration of the proposal and submissions from the relevant authorities and the community. This decision is sound and should not be modified. I object to any of the proposed modifications mooted by Leda.

The proponent justifies the modifications with a general reference to the projects proceeding "in an efficient, viable and timely manner". The proponent suggests that the Environmental Assessment accompanying their original concept plan approval is adequate.

The original Environmental Assessment was by no means adequate and the PAC conditions to review management plans and to clearly dedicate, conserve and restore land in compensation for loss of habitat in this area of high conservation significance were commendable. Without significant mitigation and compensation it is likely that Leda would not have acquired approval for the development.

The proponent has had every opportunity to proceed "in an efficient, viable and timely manner" but continues to place obstacles to stall the assessment process. The proponent has pursued council staff and councillors in a petty time consuming manner, produced inadequate reports and avoided their responsibility to ensure that the proposed Kings Forest development complies with all relevant legislation and impacts on the environment are mitigated and fair compensation is negotiated.

The outcomes at the Kings Forest development are critical to the long term survival of Koalas and other species on the Tweed Coast.

I am familiar with the PAC Conditions and spoke when the PAC visited Tweed Heads. Due to time constraints I would like to highlight the following main points.

There should be fair and adequate dedication of land to Council and NPWS. The land should remain clearly defined and dedicated to Council as the development proceeds. The dedication should include funds and/or a bond for restoration. A new version of the land to be dedicated should not be considered.

The references to land being dedicated to Council and NPWS should remain. The land to be dedicated to NPWS was hardly a voluntary agreement by Leda. The subject proposed compensatory land located at Cudgen Nature Reserve is a suitable offset for the environmental impacts at Kings Forest. Leda do not have to purchase the land, they have to restore it which is significantly less than having to purchase land on the Tweed Coast.

Environmental Management Plans should be to a high standard. The previous plans were lacking in detail and content. There were numerous inadequacies in these documents that required rectification. If these documents had been prepared to the required standard there would not have been delays.

The PAC decision to review these EMPs was sound.

There should be no consideration of accepting any modifications without going through another full assessment of the environmental impacts and full justification on environmental grounds for reduction or weakening of compensation.

The proponent is clearly attempting to reduce their responsibility to sound environmental planning.

It was quite predictable that Leda would challenge the decision by the PAC, just another time waster on their behalf. Why can't they accept the decision and get on with the requirements in the conditions set down by the PAC.

Thank you for the opportunity to comment.

Regards

Rhonda James
Cudgera Creek