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Brent Devine - Investigate Kings Forest

From: Scott Lahey <scott.lahey@hotmail.com>
To: <plan_comment@planning.nsw.gov.au>, <office@hazard.minister.nsw.gov.au>
Date: 12/16/2011 7:00 PM
Subject: Investigate Kings Forest

Dear Sir / Madam,
I object to the Kings Forest development on the following grounds and seek an extension until end of February and improved community consultation.
I also request a full inquiry into this development as well as referral to UNESCO for impact on World Heritage values of the Caldera's coastal lowlands.

1.Failure to protect biodiversity of the area, in light of estimated only 144 Tweed Coastal Koalas (see further details below), and Tweed having the highest concentration of threatened species in Australia. Resumption should be seriously considered in context of the value the community place on Tweed's natural environment (Community Strategic Plan 2010).
2. Enormous financial, ecological and loss of amenity and basic infrastructure consequences are foreseeable for the development in the longer term due to inevitable impacts from sea level rise in this extreme low lying floodplain 94% of the site between .
Provision for human and ecological adaption and retreat must be catered for under a worst case scenario post the year 2100. The developer must be held responsible for future rectification required rather than the taxpayer.
Resumption should be considered now before these costs become exponential.
3.Impact must be assessed on the World Heritage values of key fauna species due to their reliance on the coastal lowlands as integral food sources in the winter, identified as 'Sibling' World Heritage areas (Office of Environment and Heritage).
4.Lack of recycled water infrastructure largely contributing to the need for a new dam and necessitating further major destruction of hinterland World Heritage complimentary areas and values must be considered. 'Basix' building requirements that exist for all other developments in the area appear to have been to have been swept under the carpet to allow high density, maximum profit development.
5. Impact should be further assessed on Key Fish Habitats of the Cudgen Creek, identified for a Marine Protected Area in 1999, which will take the flow of the main drainage channel, and the increased nutrients from urban areas, including nearly 1 million cubic metres of fill, as well as impacts on the severely stressed Cudgen Lake Nature Reserve, also identified as a State Significant Coastal Lake.
6.Erosion of public confidence in the planning process must be rectified that has resulted from lack of effective consultation, the voiding of significant Council planning standards, perceived conflicts of interest due to developer donations, the failure to back zone as recommended in the Woodward Investigation 2005, and the history of lack of prosecution for unauthorised works.

1. (Continued) Failure to Protect Koalas and other biodiversity

The Kings Forest development has historically failed to apply the basic principles of landscape ecology and again attempts to continue this practice with this new application despite very disturbing new data on the likely extinction of Tweed coast Koalas.
The sensitive eastern side and southern Cudgen Paddock areas were accepted by NSW Department of Environment officers in the 2005 zoning, and Council staff and Councillors for the Concept Plan in 2009, as well as by numerous other ecologists, as the minimum areas required to maintain biodiversity, but so far has been disregarded by NSW Planning.
The inappropriateness of this development footprint has become strikingly apparent with the Council's latest reports of the Tweed Coast Koalas, already on the brink of extinction (Koala Habitat Study 2011).

1.1The development footprint needs to be rectified or there is little likelihood of success for any form of Koala Plan of Management or biodiversity preservation.

Failing the above;

1.2A full analysis of this new approach for koala proof fencing the entire development must be demonstrated, particularly the impacts of the fence on other species, , and how the situation will be managed if the koala fence is shown to be undesirable, or fails in the future. The burden of fence maintenance funding must be borne by the developer.

1.3Cattle grids must be demonstrated to be foolproof from dogs, and koala underpasses immune from sea level rise and flooding.

1.4The 50m ecological buffer zones should be increased and must not serve multiple uses such as fire buffers, the full length of roads, golf courses, bike or walking trails etc, other than that which is unavoidable, due to extreme sensitivity of the ecological values of the site.

1.5'No dogs policy' must be applied as even the scent of dogs will disturb wildlife in the adjacent Cudgen Nature Reserve, and any management techniques such as fencing etc are subject to political will, resource vulnerabilities and other human variables.

1.6Roads should be restricted to 40km with mandatory speed bumps as demonstrated to be the only effective means of speed reduction as in Koala Beach Estate.

1.7Planning for Bushfire must include planning for protection of the environment.

1.8Monitoring to achieve stated outcomes should be carried out in perpetuity and performance criteria applied to rehabilitation plans particularly tree growth targets.

1.9Ecological rehabilitation across the whole site should be undertaken in the immediate term, not staged as development progresses.

1.10Funding for ecological maintenance should be provided by the developer in perpetuity including for any contingency plans. A bond should be placed on the development in perpetuity that would provide for compensation in case these management plans fail.

1.11The developer should fund the Department of Environment and Heritage or Council to provide an environmental compliance officer as required.

Yours sincerely,
Scott Lahey
Bogangar

From Team Koala Inc.

Submission – Kings Forest Mini City Development
Environmental Management Plan For Kings Forest Estate

Attention: Director Metropolitan and Regional Projects North

Date: 20 – 12 – 2011

Dear Sir or madam,
Regarding the above I would like to draw your attention to possible revision of the Environmental Assessment (EA) due to the potentially important impact on matters of National Environmental Significance.

The Director General's requirements pertaining to this:

Requirement 5	Consistency of this project with Environment Planning and Assessment Act 1979
Requirement 6	Consistency of project NES – Environment Protection Act and Biodiversity Conservation Act 1999

Key Issues:

The measures proposed in the current KPoM are inadequate to offset the impact of the development on existing and future koala populations. The KPoM relies solely upon a koala-proof fence to mitigate dog attacks. However, the fence has gaps for vehicle access, where cattle grids are positioned to prevent koalas leaving their protected zones. But these grids have not been tested or proven to prevent access by dogs into koala protection zones. Furthermore, fencing breaks down over time and this development offers no maintenance provisions.

Fencing is a good method to keep koalas from vehicles but is inadequate as a way to keep out dogs.

1 There is little evidence that management responses to address dog attacks on koalas has been effective thus far (Threatened Species Scientific Committee 2009)

Currently the KPoM fails to do the following:

a Prohibit certain dog breeds
b Limit dog numbers
c Require dusk to dawn housing

2 Concerning koala attacks by dogs, The Friends of the Koala Inc. emphatically state that all dogs impose a deadly threat to koalas, irrespective of size.

a Scientific evidence shows that any dog bite can kill koalas
b Dog saliva has been proven to be a deadly toxin to koalas
c This reinforces a point made by the Tweed Shire Council in 2009 that 'dogs and koalas must not mix'.

3 Measures to protect core koala habitat in environmental protection zoned land will be pointless if dogs are to be allowed.

a No koala feed trees should be felled, no matter where they are. There is evidence that koala feed trees have already been felled on the site.

b Owing to the critical time left for the remaining 144 Tweed Coast koalas the planned feed tree planting needs to proceed immediately for it to be effective.

4 Under the present plan, specific road design is inadequate for the protection of koalas and their safe passage across habitat areas.

a Under the current plan, two-lane roads are designed to go through core koala habitat and environmental protection zones

b If the developer is to comply with the aims of protecting koalas and maintaining their safe passage between habitat areas the following needs to apply:

1b No higher than 40 kph speed limits
2b Speed humps need to be placed at least every hundred metres
3b Speed cameras are need to enforce prescribed speed limits
4b Electronic traffic speed recorder is needed

5 The golf course management plan is not consistent with the KPoM and the Threatened Species Management Plan.

a Under the plan current koala migration paths go through the centre of the golf course. This is inconsistent with the KPoM and the Threatened Species Management Plan.

b Golf courses are well known corridors for feral animals and, therefore, are a danger to koalas.

c Koalas crossing golf courses must contend with unrestricted human sport activity.

d Koalas are under threat from inhaling pesticide fumes from poisons used on golf courses.

Conclusion:

Team Koala Inc. concludes that this development will have a negative impact on matters of National Environmental Significance and anticipates that the Director General will require the proponent to revise their EA to address these important matters.

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Brent Devine - Kings Forest, Tweed Shire .

From: Neil Hampton <glorianeilhampton@hotmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 12/18/2011 9:03 PM
Subject: Kings Forest, Tweed Shire .

To: plan_comment@planning.nsw.gov.au; office@hazzard.minister.nsw.gov.au
Subject: Kings Forest Development Tweed Shire- Submission
Re: KINGS FOREST Stage 1 Subdivision and Bulk Earthworks

Application No. 08_0194

Submission of Objection & Request from the Planning Minister for Full Inquiry and Referral to UNESCO

Dear Sir / Madam,

I object to the Kings Forest development on the following grounds and seek an extension until end of February and improved community consultation.

I also request a full inquiry into this development as well as referral to UNESCO for impact on World Heritage values of the Caldera's coastal lowlands.

1.Failure to protect biodiversity of the area, in light of estimated only 144 Tweed Coastal Koalas (see further details below), and Tweed having the highest concentration of threatened species in Australia. Resumption should be seriously considered in context of the value the community place on Tweed's natural environment (Community Strategic Plan 2010).

2. Enormous financial, ecological and loss of amenity and basic infrastructure consequences are foreseeable for the development in the longer term due to inevitable impacts from sea level rise in this extreme low lying floodplain 94% of the site between .
Provision for human and ecological adaption and retreat must be catered for under a worst case scenario post the year 2100. The developer must be held responsible for future rectification required rather than the taxpayer.
Resumption should be considered now before these costs become exponential.
3.Impact must be assessed on the World Heritage values of key fauna species due to their reliance on the coastal lowlands as integral food sources in the winter, identified as 'Sibling' World Heritage areas (Office of Environment and Heritage).
4.Lack of recycled water infrastructure largely contributing to the need for a new dam and necessitating further major destruction of hinterland World Heritage complimentary areas and values must be considered. 'Basix' building requirements that exist for all other developments in the area appear to have been to have been swept under the carpet to allow high density, maximum profit development. 5. Impact should be further assessed on Key Fish Habitats of the

Cudgen Creek, identified for a Marine Protected Area in 1999, which will take the flow of the main drainage channel, and the increased nutrients from urban areas, including nearly 1 million cubic metres of fill, as well as impacts on the severely stressed Cudgen Lake Nature Reserve, also identified as a State Significant Coastal Lake.

6.Erosion of public confidence in the planning process must be rectified that has resulted from lack of effective consultation, the voiding of significant Council planning standards, perceived conflicts of interest due to developer donations, the failure to back zone as recommended in the Woodward Investigation 2005, and the history of lack of prosecution for unauthorised works.

1. (Continued) Failure to Protect Koalas and other biodiversity

The Kings Forest development has historically failed to apply the basic principles of landscape ecology and again attempts to continue this practice with this new application despite very disturbing new data on the likely extinction of Tweed coast Koalas.

The sensitive eastern side and southern Cudgen Paddock areas were accepted by NSW Department of Environment officers in the 2005 zoning, and Council staff and Councillors for the Concept Plan in 2009, as well as by numerous other ecologists, as the minimum areas required to maintain biodiversity, but so far has been disregarded by NSW Planning.

The inappropriateness of this development footprint has become strikingly apparent with the Council's latest reports of the Tweed Coast Koalas, already on the brink of extinction (Koala Habitat Study 2011).

1.1The development footprint needs to be rectified or there is little likelihood of success for any form of Koala Plan of Management or biodiversity preservation.

Failing the above:

1.2A full analysis of this new approach for koala proof fencing the entire development must be demonstrated, particularly the impacts of the fence on other species, , and how the situation will be managed if the koala fence is shown to be undesirable, or fails in the future. The burden of fence maintenance funding must be borne by the developer.

1.3Cattle grids must be demonstrated to be foolproof from dogs, and koala underpasses immune from sea level rise and flooding.

1.4The 50m ecological buffer zones should be increased and must not serve multiple uses such as fire buffers, the full length of roads, golf courses, bike or walking trails etc, other than that which is unavoidable, due to extreme sensitivity of the ecological values of the site.

1.5'No dogs policy' must be applied as even the scent of dogs will disturb wildlife in the adjacent Cudgen Nature Reserve, and any management techniques such as fencing etc are subject to political will, resource vulnerabilities and other human variables.

1.6Roads should be restricted to 40km with mandatory speed bumps as demonstrated to be the only effective means of speed reduction as in Koala Beach Estate.

1.7Planning for Bushfire must include planning for protection of the environment.

1.8Monitoring to achieve stated outcomes should be carried out in perpetuity and performance criteria applied to rehabilitation plans particularly tree growth targets.

1.9Ecological rehabilitation across the whole site should be undertaken in the immediate term, not staged as development progresses.

1.10Funding for ecological maintenance should be provided by the developer in perpetuity including for any contingency plans. A bond should be placed on the development in perpetuity that would provide for compensation in case these management plans fail.

1.11The developer should fund the Department of Environment and Heritage or Council to provide an environmental compliance officer as required.

Yours sincerely,
Signature:

Name: Gloria and Neil Hampton

Address: 2/12 Cassidy Crescent ,Bogangar 2488
0266761214

29

Date: 20 – 12 – 2011

From: Marion Riordan.

Submission – Kings Forest Development Application number **:08_0194**
Attention: Director Metropolitan and Regional Projects North
Re: Environmental Management Plan For Kings Forest Estate

Dear Sir / Madam,

Regarding the above I would like to draw your attention to possible revision of the Environmental Assessment (EA) due to the potentially important impact on matters of National Environmental Significance (NES).

The Director General's requirements pertaining to this:
Requirement 5: Consistency of this project with Environment Planning and Assessment Act 1979
Requirement 6: Consistency of project with matters of NES – (Environment Protection Act and Biodiversity Act 1999)

Key Issues:

1. The current KPoM fails in its aim of protecting koalas
2. Retaining and enhancing core koala habitat must be an immediate priority
3. Roads as currently planned present a high risk to wildlife including koalas and other threatened and endangered species
4. The current plans for the golf course present a threat to threatened and endangered species

1. The measures proposed in the current KPoM are inadequate to offset the impact of the development on existing and future koala populations. The KPoM relies solely upon a koala-proof fence to mitigate dog attacks. However, the fence has gaps for vehicle access, where cattle grids are positioned to prevent koalas leaving their protected zones. But these grids have not been tested or proven to prevent ***access by dogs into koala protection zones***. Furthermore, fencing breaks down over time and this development offers no maintenance provisions.

Fencing is a good method to separate koalas from vehicles but is inadequate as a way to protect koalas from dogs.

Regarding the management of dogs to prevent koala attacks Govt senate committees have been informed that there is " little evidence that management responses to address dog attacks on koalas has been effective thus far " (Threatened Species Scientific Committee 2009)

Various dog management practices that are generally practised include the following:

a Prohibit certain dog breeds
b Limit dog numbers
c Require dusk to dawn housing

The current proposed KPoM for this application fails to do any of these instead it relies ***on a single line of defence – a fence – intending to keep dogs out and keep koalas within its boundaries.***

Regarding koala attacks by dogs, The Friends of the Koala Inc. emphatically state that "all dogs impose a deadly threat to koalas" -irrespective of size.
Furthermore: - Scientific evidence shows that any dog bite can kill koalas
- Dog saliva has been proven to be a deadly toxin to koalas

All of this reinforces the point made by the Tweed Shire Council in 2009 (Reports – Item 9) that ***'dogs and koalas must not mix'.***

If this proposal was truly concerned for the continued survival of koalas on and near the property it would ***ban the ownership of pet dogs altogether.***

Such an approach has been applied successfully at Koala Beach Estate – Pottsville. It was equally close to sensitive koala habitat and applied such a ban ***from the outset*** which is the only way such a measure can be reinforced.

2. At present this proposal transfers several hectares of land into zone 7(a) – environmental protection – included in these areas are 'core koala habitat'. But these koala habitat areas are noticeably dissected by the proposed development. Koalas instinctively roam between their areas and ***must be allowed to roam in safety if they are to survive.*** This proposal plans to augment their habitat by planting koala food (& other) trees to fill gaps and create contiguous corridors of protected land within and through the estate. If this is to be effective the following MUST occur:

- No koala feed trees to be felled, no matter where they are.
- Owing to the critical time left for the remaining 144 Tweed Coast koalas the planned feed tree planting needs to proceed immediately for it to be effective.
- These protected corridor zones MUST be suitably fenced to separate koalas and other wildlife from human activities.

3. Under the present plan, specific road design is inadequate for the protection of koalas and their safe passage across habitat areas.

Under the current plan, two-lane roads are designed to go through core koala habitat and environmental protection zones. If the developer is to comply with the aims of protecting koalas and maintaining their safe passage between habitat areas the following needs to apply:

- No higher than 40 kph speed limits
- Speed humps need to be placed at least every hundred metres
- Speed cameras are need to enforce prescribed speed limits
- Electronic traffic speed recorder is needed

4. The golf course management plan is not consistent with the KPoM and the Threatened Species Management Plan.

- Under the plan current koala migration paths go through the centre of the golf course - this is inconsistent with the KPoM and the Threatened Species Management Plan.
- Golf courses are well known corridors for feral animals and, therefore, a danger to koalas and other wildlife.
- Koalas and wildlife crossing golf courses must contend with unrestricted human sport activity.
- Koalas and other wildlife are under threat from inhaling pesticide fumes from poisons used on golf courses.

Conclusion:

Team Koala Inc. concludes that this development will have a negative impact on matters of National Environmental Significance and anticipates that the Director General will require the proponent to revise their EA to address these important matters.

(30)

Dept. of Planning

11th December 2011

PO Box 39

Sydney NSW 2001

PCU029045

Dear Sir,

I would like to make the following comments on the Kings Forest 1 Plan.

1. The golf course should use no organophosphate pesticides - instead use only organic non-toxic pesticides.

2. Wildlife corridors need to connect and not be fragmented.

3. Overpasses as well as underpasses for wildlife including exclusion fencing.

4. Road signage advising motorists to slow down for wildlife.

5. Speed bumps to help ensure maximum speed at 50kph.

6. Water-saving iniatives to be in place (20,000L water tanks, storm water harvesting, dual water reticulation, water recycling). We need to be mindful of conserving our water when considering the impending population explosion here in the Tweed.

7. Dogs and cats must be banned, no matter the size, age or breed. Our depleted Koalas need protection. There is no such thing as a Koala friendly dog.

9. No Koala habitat or food tree is to be felled, no matter where it is. This follows the Koala Beach style plan.

Our last request is an URGENT and THOROUGH investigation into claims of illegal clearing adjacent to Kings Forest, must be made, and, if found true, be prosecuted to the full extent of the law; this is a necessary deterent to future developments in fragile areas.

Sincerely

D Wood A Wood

DAVID & ANN WOOD
6 CAMBRIDGE CRT
KINGSCLIFF NSW 2487

(31)

SUBMISSION

PCU029158

Re: 08_0194 Stage 1 Project Application - Kings Forest, Kingscliff

To:

Dept of Planning
GPO Box 39
Sydney NSW 2001

Online: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=2642

Dear Sir

I would like to make the following comments on the Kings Forest Stage 1 Plan.

- Golf course should use no toxic organophosphate pesticides – instead use only organic non-toxic pesticides.
- wildlife corridors need to connect and not be fragmented
- need overpasses for wildlife on roads, not just underpasses, including exclusion fencing
- road signage must advise motorists to slow down for wildlife
- speed bumps to ensure maximum speed at 50kph
- water-saving iniatives to be in place (20,000L water tanks, stormwater harvesting, dual water reticulation, water recycling). This town must be self-sufficient or it will push TSC to build a dam at Byrrill Creek where other koala colonies and 45 threatened species currently live
- all dogs must be banned no matter what size, age or breed - there is no such thing as a 'koala-friendly dog'
- visitors with dogs or cats also prohibited
- no koala habitat or food tree is to be felled, no matter where it is
- Koala Beach style plan
- Developer to set aside funds to establish a Management Committee to ensure koala protection is enforced
- Rate levy to maintain Management Committee
- an URGENT and THOROUGH investigation into claims of illegal clearing adjacent to Kings Forest must be made and, if found to be true, be prosecuted to the full extent of the law.

and particularly

Sincerely

(Signed) M Withredge
Name: 20 Creek Street
Address: Hastings Point
NSW 2489

(32)

SUBMISSION

Re: 08_0194 Stage 1 Project Application - Kings Forest, Kingscliff

To:

Dept of Planning
GPO Box 39
Sydney NSW 2001

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- an URGENT and THOROUGH investigation into claims of illegal clearing adjacent to Kings Forest must be made and, if found to be true, be prosecuted to the full extent of the law.

Sincerely

(Signed) A Odell
Name:
Address: 2/45 BUCKINGHAM DRIVE
POTTSVILLE 2489

(33)

SAMPLE SUBMISSION POINTS

Re: 08_0194 Stage 1 Project Application - Kings Forest, Kingscliff

To:

Dept of Planning
GPO Box 39
Sydney NSW 2001

Online: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=2642

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Sincerely Lorraine SENIOR

(Signed)
Name:
Address: 1113 Creek St
Hastings Pt
N.S.W
2489

652 CASUARINA WAY
CASUARINA NSW 2487

DIRECTOR ~ COASTAL ASSESSMENTS
DEPARTMENT OF PLANNING & INFRASTRUCTURE
GPO BOX 39 SYDNEY NSW 2001

KINGS FOREST STAGE 1 – PUBLIC EXHIBITION
REF : MP08 0194

FLOODING ALL RESIDENTAL LOTS SHOULD BE ABOVE FLOOD LEVEL

RESIDENTIAL SUBDIVISION ROADS ARE TO BE 600mm ABOVE GRADE.
WHERE NECESSARY RESIDENTIAL LOTS SHOULD BE RAISED
ABOVE FLOOD LEVEL SPECIFIED IN SUBJECT REPORT
IE IN RESPECT OF : CLIMATE CHANGE, STORM SURGE,
TIDAL ETC.

ON UNDULATING TERRAIN PART OF LOT SUBJECT TO FLOOD
CAN BE TOLERATED. GRADES OF 1°–3° THIS IS NOT
THAT CASE ALSO LOTS SMALLER.

BRIAN FOSTER

B Foster

35

From: Clare Alchin <cooltype99@gmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/24/2012 11:31 am
Subject: Re: KINGS FOREST Stage 1 Subdivision and Bulk Earthworks Application No. 08_0194

Re: KINGS FOREST Stage 1 Subdivision and Bulk Earthworks Application No. 08_0194

Submission of Objection &
Request from the Planning Minister for Full Inquiry and Referral to UNESCO

Dear Sir / Madam,

I object to the Kings Forest development on the following grounds and seek an extension until end of February and improved community consultation.
I also request a full inquiry into this development as well as referral to UNESCO for impact on World Heritage values of the Caldera's coastal lowlands.

1.Failure to protect biodiversity of the area, in light of estimated only 144 Tweed Coastal Koalas (see further details below), and Tweed having the highest concentration of threatened species in Australia. Resumption should be seriously considered in context of the value the community place on Tweed's natural environment (Community Strategic Plan 2010).

2. Enormous financial, ecological and loss of amenity and basic infrastructure consequences are foreseeable for the development in the longer term due to inevitable impacts from sea level rise in this extreme low lying floodplain 94% of the site between .
Provision for human and ecological adaption and retreat must be catered for under a worst case scenario post the year 2100. The developer must be held responsible for future rectification required rather than the taxpayer.
Resumption should be considered now before these costs become exponential.

3.Impact must be assessed on the World Heritage values of key fauna species due to their reliance on the coastal lowlands as integral food sources in the winter, identified as 'Sibling' World Heritage areas (Office of Environment and Heritage).

4.Lack of recycled water infrastructure largely contributing to the need for a new dam and necessitating further major destruction of hinterland World Heritage complimentary areas and values must be considered.

5. Impact should be further assessed on Key Fish Habitats of the Cudgen Creek, identified for a Marine Protected Area in 1999, which will take the flow of the main drainage channel, and the increased nutrients from urban areas, including nearly 1 million cubic metres of fill, as well as impacts on the severely stressed Cudgen Lake Nature Reserve, also identified as a State Significant Coastal Lake.

6.Erosion of public confidence in the planning process must be rectified that has resulted from lack of effective consultation, the voiding of significant Council planning standards, perceived

conflicts of interest due to developer donations, the failure to back zone as recommended in the Woodward Investigation 2005, and the history of lack of prosecution for unauthorised works.

1. (Continued) Failure to Protect Koalas and other biodiversity

The Kings Forest development has historically failed to apply the basic principles of landscape ecology and again attempts to continue this practice with this new application despite very disturbing new data on the likely extinction of Tweed coast Koalas.
The sensitive eastern side and southern Cudgen Paddock areas were accepted by NSW Department of Environment officers in the 2005 zoning, and Council staff and Councillors for the Concept Plan in 2009, as well as by numerous other ecologists, as the minimum areas required to maintain biodiversity, but so far has been disregarded by NSW Planning.
The inappropriateness of this development footprint has become strikingly apparent with the Council's latest reports of the Tweed Coast Koalas, already on the brink of extinction (Koala Habitat Study 2011).

1.1The development footprint needs to be rectified or there is little likelihood of success for any form of Koala Plan of Management or biodiversity preservation.

Failing the above:

1.2A full analysis of this new approach for koala proof fencing the entire development must be demonstrated, particularly the impacts of the fence on other species, , and how the situation will be managed if the koala fence is shown to be undesirable, or fails in the future. The burden of fence maintenance funding must be borne by the developer.

1.3Cattle grids must be demonstrated to be foolproof from dogs, and koala underpasses immune from sea level rise and flooding.

1.4The 50m ecological buffer zones should be increased and must not serve multiple uses such as fire buffers, the full length of roads, golf courses, bike or walking trails etc, other than that which is unavoidable, due to extreme sensitivity of the ecological values of the site.

1.5'No dogs policy' must be applied as even the scent of dogs will disturb wildlife in the adjacent Cudgen Nature Reserve, and any management techniques such as fencing etc are subject to political will, resource vulnerabilities and other human variables.

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undertaken in the immediate term, not staged as development progresses.

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1.11The developer should fund the Department of Environment and Heritage or Council to provide an environmental compliance officer as required.

Yours sincerely,

Signature:

Name: Clare Alchin
Address: P.O. Box 786, Coolangatta Q. 4225

Attention:

The Director Metropolitan and Regional Projects North
Major Projects Assessment
Dept of Planning
GPO Box 39
Sydney, NSW 2001
Email: plan comment@planning.nsw.gov.au
Re: KINGS FOREST Stage 1 Subdivision and Bulk Earthworks – Application No. 08_0194
Dear Sir/Madam
I hereby wish to object to this Stage 1 application for the following reasons:-

1. The Director General requires that information in the Environmental Assessment Report (EAR) not be misleading. However, there are too many inconsistencies, inadequate explanations and variances with the EAR 2011. There must either be a new EAR or an amended application.

2. Cudgen Lake (a State Significant Coastal Lake), Cudgen Nature Reserve, Cudgen Creek system (nominated marine protected areas) and Blacks Creek need an Ecological Health Study (EHS) urgently before any earthworks drainage enters the Cudgen Marine System. There needs to be a Sustainability Assessment and Management Strategy prepared. There needs to be a referral to UNESCO for the impacts of this development on World Heritage values of the Caldera's coastal lowlands which are integral food sources in winter. Cudgen waterways provide significant feeding and breeding habitat for many water bird species including threatened species. Tweed already has the highest concentration of threatened species in Australia which is why resumption of Kings Forest should be seriously considered. In addition these waterways are also important to the ecological infrastructure of the region as they have high recreational value to both residents and the large number of tourists that visit this region. The health of the waterways is vital for the maintenance of recreational tourism including fishing, kayaking, swimming etc. This is in addition to the already mentioned important ecological considerations.

3. The development footprint of this project is too large considering the high level of biodiversity, threatened species and endangered ecological communities at risk. The community needs till at least end of February to understand the issues and there needs to be public consultation by both the developer and state planning. The ecological footprint due to development on the Tweed Coast is already too high with the effects seen from the large scale residential developments of Salt, Casuarina and the developments around Pottsville. These have substantial influence on the ecological footprint of the region especially in relation to increased transport, removal of trees, pollution of waterways and emission of greenhouse gases. The magnitude of the Kings Forest development will greatly increase the negative impacts of overdevelopment on a once pristine environment.

4. The Cudgen Paddock and eastern side were assessed by NSW Dept Environment officers in the 2005 zoning, council staff and councillors for the Concept Plan 2009 and other ecologists who all agreed this was the minimum area needed to maintain biodiversity. A golf course encourages feral species, further threatening native species in Cudgen Nature Reserve. No development is the best plan.

5. The Koala Plan of Management (KPOM) fails to protect the remaining 144 coastal koalas, already on the brink of extinction (Koala Habitat Study 2011). It does not ensure adequate connectivity and safe passage of koalas, proving that the land should never have been rezoned. There needs to be a full enquiry into the failure to back zone recommended by the Woodward Investigation of 2005. Locking koalas out is a barrier to their movement on the site, contrary to the Concept KPOM. There is no proof that cattle grids deter dogs. Who will bear the expense of fence maintenance? There is no such thing as a koala-friendly dog and one bite will kill a koala. The scent of a dog disturbs native species. The current KPOM does not prohibit dog breeds, numbers or require dusk-to-dawn housing. It relies on the residents to enforce the KPOM when there should be an on-site environmental compliance officer from DEH or council.
If this development was Koala Beach style (no dogs, no visitor dogs, speed bumps every 100m, 40km speed limit) with speed cameras, electronic speed recorders, underpasses/overpasses and exclusion fencing near roads. no koala trees felled, new koala tree plantings beginning immediately, no roads intersecting koala corridors or environmental protection zones and the golf course used no neurotoxic, carcinogenic organophosphates, it would be better. Unless all dogs are banned from the site and the roads are koala-friendly, there is no point planting koala trees throughout, only to entice them to their deaths. Developer needs to set aside funds to establish a Management Committee to ensure koala protection and a rate levy to maintain it. Because this application is impacting matters of

National Environmental Significance (NES), the EAR needs to be revised. Sustainability of the koala population must rest with the developer in this case, and the best way to achieve an acceptable outcome is to ensure that the development is koala friendly before final approval is given for commencement.

6. This application should be deferred until the government rules on the developer's recent unauthorized recent clearing and draining of parts of Cudgen Nature Reserve adjacent to Kings Forest.

7. There are inadequate details in the Drainage Plan of Management for Precinct 5 in the event of heavy stormwater events. There needs to be a main drainage system for bulk earthworks immediately constructed. Blacks Creek needs a marine study of the ecosystem and water quality. A new Drainage POM is needed in order to improve the water quality of Blacks Creek now that the main use has changed from agriculture to residential development. A comprehensive ecological study of the Blacks Ck ecosystem is now an absolute necessity since the developer has engaged in illegal clearing of the riparian vegetation surrounding Blacks Ck. The obvious consequences of this are erosion, input of pollutants to the aquatic ecosystem as the natural riparian vegetation was an effective barrier to contamination entry before it was removed. Exposure of acid sulfate soils is an area of high environmental consequence and any earthworks and drainage will certainly expose the existing acid sulfate soils resulting in sulfuric acid runoff and consequent pollution with high levels of iron and aluminium.

8. Kings Forest cattle dip site (containing unsafe levels of asbestos/arsenic) must be remediated before bulk earthworks begin at Precinct 11. Contaminated material must be removed from Kings Forest site.

9. Existing agricultural land use rights should no longer apply once earthwork activity begins for residential/commercial use.

10. Treatment of acid sulphate soils and stormwater drainage water quality needs to be monitored 6-monthly, particularly in the receiving waters of Black's Creek. The results should be publically available. The issue of acid sulfate soils in the region is of extreme importance. A number of fish kills in Cudgen Lake and Cudgen Creek over previous years have been attributed to leachate from acid sulfate soils in the catchment. Since acid sulfate soils are present in the region, any earthworks that expose these soils will alter the reducing conditions in the soils to oxidizing conditions, therefore resulting in conversion of sulfides to sulfuric acid. This has disastrous consequences for aquatic wildlife when leachate to aquatic ecosystems occurs. Fish, crustaceans, mollusks and other aquatic organisms are killed by the low pH and leachate of toxic metals. A comprehensive study of the presence of acid sulfate soils, the predicted leachate resulting from earthworks, and the resulting ecological consequences must be undertaken and the a thorough ecological risk assessment must be performed by independent experts before the Kings Forest development is permitted to commence.

11. The Water Sensitive Cities project (WSC) embraces stormwater harvesting, flood management, recycling and reuse programs, rainwater harvesting and water use efficiency programs. If Kings Forest adopted the National Water Initiative's WSC strategies it would save Tweed Shire from having to build a dam at Byrrill Creek, impacting the 45 threatened species of fauna there.

12. Environmental Management Plans are lacking description of species proposed for regeneration and revegetation. Will there be independent monitoring? What quantity, type, location, timing and quality of compensatory plantings will be done and by whom. Re-establishing native vegetation in areas of cut could make the soil hostile to plant growth and hydrology. There needs to be funding into perpetuity by the developer for ecological maintenance with a bond placed. There are no new details in the Weed Management Plan. There needs to be a survey of weed cover undertaken now and results published for public view prior to approval.

13. Regarding dedication of land to NPWS, who supervises and pays for rehabilitation works? Regarding dedication of land for Environmental Protection areas to council, will this take place prior to construction or prior to the end of construction?

14. Ecological buffer zones need to be more than 50m and should not serve human use as well (bike/walking trails etc). There needs to be an analysis of impacts in buffer zones due to land changes.

15. An important aspect of the development that must be addressed is the potential adverse effects of drainage of nutrients from the development into the catchment and waters of Cudgen Creek. There will be substantial use of fertilizers on lawns and plants and the resulting aquatic contamination by nitrogen and phosphorus will enhance eutrophication in aquatic ecosystems consequent blooms of aquatic algae. The outcomes of eutrophication are of consequence to the ecological integrity of the ecosystems and a negative effect on humans with the potential for toxic algae blooms and noxious odours from decaying algae in the senescent phases of blooms.

Signature _____

Printed Name _____Glendon Shaw_____

Address _4 Acolus Court, Casuarina NSW 2487_____

Date __24/12012

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Attention:

The Director Metropolitan and Regional Projects North
Major Projects Assessment
Dept of Planning
GPO Box 39
Sydney, NSW 2001
Email: plan comment@planning.nsw.gov.au
Re: KINGS FOREST Stage 1 Subdivision and Bulk Earthworks – Application No. 08_0194
Dear Sir/Madam
I hereby wish to object to this Stage 1 application for the following reasons:-

1. The Director General requires that information in the Environmental Assessment Report (EAR) not be misleading. However, there are too many inconsistencies, inadequate explanations and variances with the EAR 2011. There must either be a new EAR or an amended application.

2. Cudgen Lake (a State Significant Coastal Lake), Cudgen Nature Reserve, Cudgen Creek system (nominated marine protected areas) and Blacks Creek need an Ecological Health Study (EHS) urgently before any earthworks drainage enters the Cudgen Marine System. There needs to be a Sustainability Assessment and Management Strategy prepared. There needs to be a referral to UNESCO for the impacts of this development on World Heritage values of the Caldera's coastal lowlands which are integral food sources in winter. Cudgen waterways provide significant feeding and breeding habitat for many water bird species including threatened species. Tweed already has the highest concentration of threatened species in Australia which is why resumption of Kings Forest should be seriously considered. In addition these waterways are also important to the ecological infrastructure of the region as they have high recreational value to both residents and the large number of tourists that visit this region. The health of the waterways is vital for the maintenance of recreational tourism including fishing, kayaking, swimming etc. This is in addition to the already mentioned important ecological considerations.

3. The development footprint of this project is too large considering the high level of biodiversity, threatened species and endangered ecological communities at risk. The community needs till at least end of February to understand the issues and there needs to be public consultation by both the developer and state planning. The ecological footprint due to development on the Tweed Coast is already too high with the effects seen from the large scale residential developments of Salt, Casuarina and the developments around Pottsville. These have substantial influence on the ecological footprint of the region especially in relation to increased transport, removal of trees, pollution of waterways and emission of greenhouse gases. The magnitude of the Kings Forest development will greatly increase the negative impacts of overdevelopment on a once pristine environment.

4. The Cudgen Paddock and eastern side were assessed by NSW Dept Environment officers in the 2005 zoning, council staff and councillors for the Concept Plan 2009 and other ecologists who all agreed this was the minimum area needed to maintain biodiversity. A golf course encourages feral species, further threatening native species in Cudgen Nature Reserve. No development is the best plan.

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Signature _____
Printed Name _____Wendy Shaw_____
Address _4 Acolus Court, Casuarina NSW 2487_____
Date __24/12012

The Director Metropolitan and Regional Projects North
Major Projects Assessment, Dept of Planning
GPO Box 39,
Sydney, NSW 2001
plan_comment@planning.nsw.gov.au

KINGS FOREST Stage 1: Subdivision and Bulk Earthworks - Application No. 08_0194

Dear Sir/Madam,

I hereby wish to object to this Stage 1 application for the following reasons:-

1. Unauthorised Clearing and Drainage works of Blacks Creek

i. The exhibition of this development should be deferred so that the public can include comment on the impacts to the development of the recent unauthorised clearing and drainage works of Black's Creek in the Cudgen Nature Reserve SEPP 14 Wetlands, adjacent to Kings Forest, including potential disturbance of Aboriginal sites
ii. An on site environmental compliance officer is required to prevent these problems.

2. Inadequate Protection of Koalas

The new Kings Forest Koala Plan of Management (KPoM) still fails to protect the Tweed Coastal Koalas which are now in serious jeopardy according to the Tweed Coast Koala Habitat Study 2011.

i. It is totally unacceptable for this development to put at any further risk the largest and most significant Koala colony left in the Tweed, i.e. 75 Koalas affected by this development with only 144 Koalas remaining on the Tweed Coast.
ii. Due to the seriousness of the new information provided in the Tweed Coast Koala Habitat Study, which was only released after the Concept Plan was approved, it is incumbent on the new government to adopt the more precautionary approach of the reduced development footprint excluding the sensitive areas of the Cudgen Paddock and the Eastern portion, as previously advocated for by Council and officers of the NSW Department of Environment.
iii. Failing the above (ii) : As no lot yields were proscribed in the Concept Approval for individual precincts, the majority these lots can be redistributed away from these sensitive areas to the west of the site and significantly minimised by allowing only large lots of minimum 10 hectares.
iv. The claim in the Concept Plan of being able to maintain the free ranging ability of Koalas across the site was previously used to justify the development in these sensitive areas. With the proposed fencing, now acknowledged as best practice, this significantly reduces the range of the koala and accordingly serves as another reason for the footprint to be reduced.
v. The Koala Beach model should be used as a minimum standard with no dogs, no visitor dogs, speed bumps, 40km speed limit policies etc.
vi. The inadequacy of cattle grids in stopping dogs, the maintenance of many kilometres of fences, and the unintended consequences to other fauna of the Nature Reserve from fences and dogs is not adequately addressed.

3. Lack of Biodiversity Protection

Tweed Shire has many State, National and International significance listings, including World Heritage Areas, and is identified as one of Australia's 8 National Iconic Landscapes.
"The Cudgen Nature reserve forms part of the largest remnant of native vegetation on the Tweed Coast and is of significance on a local, regional and state level for its natural values, coastal landscapes and provision of significant habitat for native wildlife." (NPWS 1998).
This Shire already has the highest concentration of threatened species in Australia (TSC SoE).

i. As such the maximum protections and precautionary principles must be applied.
ii. Cumulative impact on the environmental from coastal development must be assessed, including on the seasonal fauna of the World Heritage areas that use these coastal lowlands in winter. Referral to the Federal Government and UNESCO is essential.

iii. The ecological buffer zones should be increased where appropriate to include important ecotones and must not serve multiple uses of fire buffers, roads, golf courses, open space, bike or walking trails, or be subjected to earthworks due to the extreme values of the site.

4. Dams and World Heritage Corridors

Water Sensitive Cities project (WSC) embraces stormwater harvesting, flood management, recycling and reuse programs, rainwater harvesting and water use efficiency programs.
If Kings Forest embraced the National Water Initiative's WSC strategies more fully, including recycled water for toilets and gardens, it would assist in many ways including for the cumulative impact of potential damming of World Heritage corridor Values of Byrrill Creek or the values of Clarrie Hall dam.

5. Lack of Marine Protection

The whole Cudgen Nature Reserve including the Cudgen Lake has been classified as a Marine Protected Area. Cudgen Lake is also classified as a State Significant Coastal Lake and a Sustainability Assessment was recommended before further development approvals, and highlighted as urgent by the Department of Water and Energy in the Concept Plan, but has not eventuated.

i. A Sustainability Assessment for Cudgen Lake must be provided in the exhibition documents.
ii. Impacts on the marine ecology of Cudgen Lake, Cudgen Ck and Blacks Ck must be provided.
iii. Excavation and filling should be prohibited or largely limited to limit impacts on marine ecology.
iv. Stormwater quality targets should achieve 'no net water pollution' from the site.

6. Flooding and Sea Level Rise

With 94% of the site between 0-10m AHD enormous impacts to the ecology, the amenity and basic infrastructure are predictable in the longer term due to inevitable sea level rise and increased extreme weather events in this low lying floodplain.

i. The primary response to flooding and sea level rise has been to fill the land and poison the weed growth in the Creek rather than adapt the development to the natural conditions.
ii. The development must be assessed in terms of the post 2100 year viability of the development and safety of residents due to the significant size of the area likely to be affected, as well as in light of the likely revised sea levels of 1.6m - 2m for 2100 due for release by the IPCC in 2014.
iii. Provision for both human and ecological adaption and retreat must be catered for under a worst case scenario pre and post the year 2100.

7. Sustainability

The development should aim to be carbon neutral and incorporate the full range of sustainability measures available as this will be one of the last, large Greenfield sites developed for the Tweed.

8. Housing Affordability

Tweed has the highest rate of homelessness in NSW yet the development admits that even the cheapest lots will not be affordable for even moderate income workers.
The exhibition documents must include clear commitments to significantly redress affordability at this stage by providing at least 10% low income affordable housing rather than just rely on grants or later agreements.

9. Lack of Faith in the Planning Processes

Erosion of public confidence due to lack of effective consultation, the obviously inadequate biodiversity protection for this internationally significant environment , developer donations and the new State Government's own recognition of the fundamental flaws of the Part 3A Planning Act.

Signature: M M. G F. Date: JAN 24, 2012.

Printed Name: Michael F McGARRY.

Address: 125 RIVER ST MURWILLUMBAH NSW 2484

(39)

SUBMISSION

Re: 08_0194 Stage 1 Project Application – Kings Forest, Kingscliff

Dept Planning
GPO Box 39
Sydney NSW 2001

Dear Sir/Madam,

I would like to register my opposition to the above development; the following are some of the principle reasons why:

I live on my father's farm at 219 Tweed Coast Road, Cudgen.
The southern boundary of the property is in common with the northern boundary of Kings Forest on both the east and west side of The Tweed Coast Road.

My father (as had his father) and I, have for the past 89years continued to farm and nurture this land and for the past 30years have planted and maintained hundreds of eucalypt and rainforest trees. The eucalypts are koala feed trees planted to enhance the environment for the local colony of koalas, and the recently planted Wollum scrub corridor to ensure habitat for the pretty faced wallabies, lace monitors and other indigenous fauna witnessed every day on this property.
I am very opposed to the massive destruction of habitat and the fragmentation of wildlife corridors this development is going to create.

It was just a year ago that I had the very distressing experience of discovering a koala mauled to death by neighbouring domestic dogs. This attack was on our property and was confirmed by National Parks and Wildlife Officers.

Dogs of all sizes and breeds MUST be prohibited from the Kings Forest development to help protect the endangered koala colony, fencing and cattle style grids are not enough.

The existing Tweed Coast Road will not be able to handle the huge increase in traffic created by this sized development. The developer should be responsible for funding to upgrade this arterial road.
The developer also if serious about protecting and enhancing the endangered koalas and fauna MUST provide overpasses to give east – west movement to these animals.

The size of the development with 4,500 houses is massive and will only impact negatively upon the environmentally protected farmland that surrounds it to the north and west, (the Cudgen Plateau) and the protected Cudgen Nature Reserve in the south and the Cudgen Creek in the east.

In this day and age and with Australia being the driest continent on earth and our recent history of drought it is hard to imagine that a development of this size can be approved with no dual reticulation of water and much more substantial water saving mechanisms imposed than what is proposed. At least minimum 20,000lt rainwater tanks per house, storm water harvesting, water recycling.

This development will place stress upon the existing water resources of the Tweed Shire, being Clarrie Hall Dam.

As I look from the eastern boundary of my fathers property across the Cudgen Creek to the ocean, a landscape that was revegetated bushland following sand mining and is now flooded with street lighting for the Sea Side City development and adjoining Salt and Casuarina and wonder why it is that the Tweed needs this Kings Forest development. At these most recent developments there is unsold land, receivership land sales, supposed sold land but no houses and numerous properties foreclosed by financial institutions? Why do we need more development for above the average income demographic?

But still the Tweed has a disproportional high homeless statistic. The Kings Forest development does not attempt to assist with Low Cost Housing and diversity of community.

In conclusion, my father and I recognise that development cannot be stopped but request that more consideration be given to the existing and surrounding environment and fauna.

This development MUST be much more sustainable environmentally and societal.

The Tweed is quickly becoming like a suburb of the Gold Coast and losing its World Heritage environment. Sadly this is mostly caused by greed on the side of developers.

Thank you for your time.

Donna Smith
"Borewe" on "Amana Park"
219 Tweed Coast Road
CUDGEN, 2487

21-01-2012

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Brent Devine

From: "Knotsbury Farm" <knotsburyfarm1@bigpond.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/23/2012 3:04 PM

Dear Sir,

I have been a local in the area for 32 years. Growing up in Clothiers Creek we would often drive along Clothiers Creek Road to Cabarita. For me I loved driving along that road so I could spot the Koalas just past Tanglewood.

Due to bush fires the Koalas diminished in that area. I have never seen one in and around that area again.

The endangered koala population can be saved if dogs are banned from the new housing estate.
Best Regards,
Nicole Schiller

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PO Box 28
Fingal Head 2487

fhcamail@gmail.com

FINGAL HEAD
COMMUNITY ASSOCIATION Inc.

Thursday January 19, 2012

Subject: Kings Forest Development Application Number **:08_0194**
Attention: Director Metropolitan and Regional Projects North
Re: Environmental Management Plan For Kings Forest Estate

Dear Sir / Madam,

Fingal Head Community Association objects to the Kings Forest development and is concerned that the Environmental Management Plan for Kings Forest does not adequately protect the significant and fragile environment in which this development is planned.

Fingal Head is a small coastal village on the Fingal Peninsula in the Tweed Shire. The Fingal Head Community Association represents residents in matters that concern or affect the lifestyle of this small cohesive community and the Tweed Valley in general. We are concerned about the Kings Forest Development as we believe it will have a negative impact on the lifestyle and natural environment of the Tweed Valley.

As a group we object to the Kings Forest development and the associated inadequate Environmental Management Plan on the following grounds:

1. This high density urban development in an area of native forests is completely unsuitable and far too destructive of the natural environment.
2. This huge development to cater for 15,000 people will put enormous pressure on the already overloaded infrastructure in the Tweed Shire, including an unsustainable increase in the demand on our water supply.
3. Building blocks a quarter of the normal size in the Tweed and large blocks of units on small blocks of land with very little space between buildings results in complete destruction of all the existing native vegetation and no opportunity for replacement planting.
4. This high density living and resort style development would be more suitable to the Gold Coast not the Tweed Valley. Tweed residents live in the Tweed Valley because of the surrounding natural environment, huge biodiversity and close knit community life not this Kings Forest type development.
5. The access roads do not inadequately cater for the huge increase in population and are generally below the required standards of the Tweed. As currently planned roads are a high risk to wildlife including Koalas and other endangered fauna species and need to be redesigned.
6. Dense population and the associated building processes will have a negative impact on the adjoining Cudgen Creek and Cudgen Lake. Measures to protect the creek and lake from pollution are inadeqaute and need to be revised.
7. The impact on the flora in the adjoining Cudgen Nature Reserve will be adversely affected by adjacent clearing, building, population and feral animals associated with this development. Destruction of vegetation in the Cudgen Reserve has already occurred due the the developer's negligence and indifference. This is an indication of the developer's concern for the adjoining reserve and an urgent and thorough investigation is needed. Also the perpetrator of this crime needs to be prosecuted.

8. This development poses a huge threat to the threatened Koala population in the Tweed.ie.
   a. Kings Forest estate dissects gazetted Koala habitat and so prevents the normal migration of Koalas in their roaming for food trees.
   b. The golf course not only dissects Koala habitat but adds the threats of herbicides, pesticides, human and feral animal activities to these vulnerable animals.
   c. The major roads as planned, dissect the current Koala habitat.
   d. The introduction of feral animals especially dogs will dessimate the local Koala population.
9. The housing sales in the area are already depressed and oversupplied and this development could fail, resulting in the destruction of a large area of the natural environment for no purpose.
10. Members of our association have concerns about Leda Developments tactics and do not approve of: the intimidation of the TSC staff, protestors and in fact anyone who opposes them; false statements to the press and complete disregard for the environment as shown by the clearing in the Cudgen Nature Reserve and non-compliance in the Cobaki Development.

Finally Kings Forest development does not suite the Tweed Valley environment, lifestyle or community.

We suggest to you that if this undesirable project is to go ahead:

1) The Environmental Assessment for the development should be reviewed and should take into consideration the Director General's requirements pertaining to this: ie.
   Requirement 5: Consistency of this project with Environment Planning and Assessment Act 1979
   Requirement 6: Consistency of project with matters of National Environmental Significance – (Environment Protection Act and Biodiversity Act 1999).
2) The Tweed Shire Council staff's recommended changes to the development be endorsed and the developer required to comply with them.
3) Compliance to all requirements should be enforced by the appropriate authorities.
4) This development should have measures in place to ensure that it is completely self sufficient in water supply.
5) This development must be dog and cat free which includes visitors pets.
6) No Koala feed trees should be removed and additional feed trees need to be planted immediately.
7) The access and internal road plan needs to be redesigned to cater for the huge increase in population. Also roads need to be redesigned to protect the Koala population ie. the roads need to avoid Koala habitat; animal overpasses as well as underpasses are needed and speed bumps are necessary to reduce speed of traffic.
8) The golf course needs to be redisigned so that Koala habitat is not fragmented, no Koala feed trees to be removed and Koala feed trees be planted immediately. Also the golf course to use no toxic organophosphate pesticides and use only organic non-toxic pesticides
9) The developer provides fund to establish a Management Committee to ensure Koala protection is enforced and a rate levy be introduced to maintain this Management Committee.

Conclusion:
We oppose this development but if it is to proceed we ask the Director General to instruct the developer to revise the Environmental Management Plan to address these concerns.

Yours faithfully
Kay Bolton.
Coordinator of Environmental Issues Committee
Fingal Head Community Association

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Fingal Head Coastcare Inc.

P.O. Box 21
Fingal Head 2487

Thursday January 19, 2012

Subject: Kings Forest Development Application number **:08_0194**
Attention: Director Metropolitan and Regional Projects North
Re: Environmental Management Plan For Kings Forest Estate

Dear Sir / Madam,

Fingal Head Coastcare objects to the Kings Forest development and is concerned that the Environmental Management Plan for Kings Forest does not adequately protect the significant and fragile environment in which this development is planned.

Fingal Head Coastcare is a voluntary group with 170 members who regenerate and maintain the native vegetation on 34 hectares of Crown Land on the Fingal Peninsula. As a group we object to the Kings Forest development and the associated inadequate Evironmental Management Plan on the following grounds:

1. This high density urban development in an area of native forests which is habitat for native flora and fauna is completely unsuitable and too destructive.
2. This huge development to cater for 15,000 people will put enormous pressure on the already overloaded infrastructure in the Tweed Shire, including an unsustainable increase in the demand on our water supply. This development should have measures in place to ensure that it is completely self sufficient in water supply.
3. Building blocks a quarter of the normal size in the Tweed and large blocks of units on small blocks of land with very little space between buildings results in complete destruction of all the existing native vegetation and no opportunity for replacement planting.
4. The access roads do not inadequately cater for the huge increase in population and are generally below the required standards of the Tweed. As currently planned roads are a high risk to wildlife including Koalas and other endangered fauna species and need to be redesigned.
5. Dense population and the associated building processes will have a negative impact on the adjoining Cudgen Creek and Cudgen Lake. Measures to protect the creek and lake from pollution are inadeqaute and need to be revised.
6. The impact on the flora in the adjoining Cudgen Nature Reserve will be adversely affected by adjacent clearing, building, population and feral animals associated with this development. Destruction of vegetation in the Cudgen Reserve has already occurred due the the developer's negligence and indifference. This is an indication of the developer's concern for the adjoining reserve and an urgent and thorough investigation is needed and the perpetrator of this crime needs to be prosecuted.
7. This devlopment poses a huge threat to the threatened Koala population in the Tweed.ie.
   a. Kings Forest estate dissects gazetted Koala habitat and so prevents the normal migration of Koalas in their roaming for food trees.
   b. The golf course not only dissects Koala habitat but adds the threats of herbicides, pesticides, human and feral animal activities to these vulnerable animals.
   c. The major roads as planned dissect the current Koala habitat.

d. The introduction of feral animals especially dogs will dessimate the local Koala population.

We suggest to you that if this undesirable project is to go ahead:

1) The Environmental Management Plan for the development should be reviewed and should take into consideration the Director General's requirements pertaining to this: ie.
   Requirement 5: Consistency of this project with Environment Planning and Assessment Act 1979
   Requirement 6: Consistency of project with matters of National Environmental Significance – (Environment Protection Act and Biodiversity Act 1999).
2) The Tweed Shire Council staff's recommended changes to the development be endorsed and the developer required to comply with them.
3) Compliance to all requirements should be enforced by the appropriate authorities.
4) This development must be dog and cat free which includes visitors pets.
5) No Koala feed trees should be removed and additional feed trees need to be planted immediately.
6) The access and internal road plan needs to be redesigned to cater for the huge increase in population and protect the Koala population ie the roads need to avoid Koala habitat; animal overpasses as well as underpasses are needed and speed bumps are necessary to reduce speed of traffic.
7) The golf course needs to be redisigned so that Koala habitat is not fragmented, no Koala feed trees to be removed and Koala feed trees be planted immediately. Also the golf course to use no toxic organophosphate pesticides and use only organic non-toxic pesticides
8) The developer provides fund to establish a Management Committee to ensure Koala protection is enforced and a rate levy be introduced to maintain this Management Committee.

Conclusion:
We oppose this development but if it is to proceed we ask the Director General to instruct the developer to revise the Environmental Management Plan to address these concerns.

Yours faithfully

Kay Bolton.
President

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34 Lagoon Road
Fingal Head 2487
Tuesday January 17, 2012
Subject: Kings Forest Development Application number **:08_0194**
Attention: Director Metropolitan and Regional Projects North
Re: Environmental Management Plan For Kings Forest Estate

Dear Sir / Madam,

As a concerned resident of the Tweed Valley I object to the Kings Forest development and believe that the Environmental Management Plan for Kings Forest does not adequately protect the significant and fragile environment in which this development is planned.on a number of grounds.

1. This high density urban development in an area of native forests which is habitat for native flora and fauna is completely unsuitable.
2. This huge development to cater for 15,000 people will put enormous pressure on the already overloaded infrastructure in the Tweed Shire.
3. This development adds an unsustainable increases in the demand on our water supply.
4. Building blocks a quarter of the normal size in the Tweed, large blocks of units on small blocks of land with very little space between buildings is not consistent with the lifestyle of the Tweed.
5. The roads planned are below the required standards of the Tweed and as currently planned are a high risk to wildlife including Koalas and other endangered fauna species.
6. Dense population and associated building processes will have a negative impact on the adjoining Cudgen Creek and Cudgen Lake.
7. Destruction of the flora in the adjoining Cudgen Nature Reserve – well we've seen that already.
8. This whole development is at or just above sea level so that the predicted rise in sea level will result in inundation of this area.
9. This devlopment poses a huge threat to the already threatened Koala population in the Tweed.ie.
   a. Kings Forest estate dissects gazetted Koala habitat and so prevents the normal migration of Koalas in their roaming for food trees.
   b. The golf course which not only dissects Koala habitat but adds the threats of hebicides, pesticides, human and feral animal activities to these vulnerable animals.
   c. The major roads as planned dissect the current Koala habitat.
   d. The introduction of feral animals especially dogs will dessimate the local Koala population.
10. Kings Forest development typifies a Gold Coast development and I do not want to see the Tweed Valley become an extension of the Gold Coast.
11. Finally I have concerns about Leda Developments tactics and do not approve of: the intimidation of the TSC staff, protestors and in fact anyone who opposes them; false statements to the press and complete disregard for the environment as shown by the clearing in the Cudgen Nature Reserve and non-compliance in the Cobaki Development.

I suggest to you that if this undesirable project is to go ahead:

1) The Environmental Management Plan for the development should be reviewed and should take into consideration the the Director General's requirements pertaining to this: ie.
   Requirement 5: Consistency of this project with Environment Planning and Assessment Act 1979
   Requirement 6: Consistency of project with matters of NES – (Environment Protection Act and Biodiversity Act 1999).
2) The Tweed Shire Council's staff recommended changes to the development be endorsed and the developer required to comply with them.
3) Compliance to all requirements should be enforced by the appropriate authorities.
4) This should be a dog free development including visitors' dogs..
5) No Koala feed trees should be removed and feed trees need to be planted immediately.

Conclusion:
I oppose this development but if it is to proceed I ask the Director General to instruct the developer to revise the Environmental Management Plan to address these concerns.
Yours faithfully

Kay Bolton.

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Brent Devine - Kings Forest Estate

From: Barbara Waters <murbahbarb@gmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/19/2012 11:11 AM
Subject: Kings Forest Estate

The Dire4ctor of Planning NSW,

Dear Sir,

The endangered koala population can be saved if dogs are banned from this new housing estate.

Thank you,
Barbara Waters, Murwillumbah - concerned resident

45

Brent Devine - STOP THE CARNAGE OF KINGS FOREST

From: Jude Mason <verybirdie@yahoo.com.au>
To: "plan_comment@planning.nsw.gov.au" <plan_comment@planning.nsw.gov.au>
Date: 1/19/2012 3:37 PM
Subject: STOP THE CARNAGE OF KINGS FOREST

The Director Metropolitan and Regional Projects North
Major Projects Assessment, Dept of Planning
GPO Box 39,
Sydney, NSW 2001
plan_comment@planning.nsw.gov.au
KINGS FOREST Stage 1: Subdivision and Bulk Earthworks – Application No. 08_0194
Dear Sir/Madam,
I am really fed up with my beautiful coastal home being trashed by unnecessary development from greedy developers. This northern area in particular has been totally butchered lately by big developers with big pockets.
Please STOP the carnage. It's got so bad up here even our iconic koala is under threat.
Need your help and support desperately.

I hereby wish to object to this Stage 1 application for the following reasons:-
1. Unauthorised Clearing and Drainage works of Blacks Creek
i. The exhibition of this development should be deferred so that the public can include comment on the impacts to the development of the recent unauthorised clearing and drainage works of Black's Creek in the Cudgen Nature Reserve SEPP 14 Wetlands, adjacent to Kings Forest, including potential disturbance of Aboriginal sites
ii. An on site environmental compliance officer is required to prevent these problems.
2. Inadequate Protection of Koalas
The new Kings Forest Koala Plan of Management (KPoM) still fails to protect the Tweed Coastal Koalas which are now in serious jeopardy according to the Tweed Coast Koala Habitat Study 2011.
i. It is totally unacceptable for this development to put at any further risk the largest and most significant Koala colony left in the Tweed, i.e. 75 Koalas affected by this development with only 144 Koalas remaining on the Tweed Coast.
ii. Due to the seriousness of the new information provided in the Tweed Coast Koala Habitat Study, which was only released after the Concept Plan was approved, it is incumbent on the new government to adopt the more precautionary approach of the reduced development footprint excluding the sensitive areas of the Cudgen Paddock and the Eastern portion, as previously advocated for by Council and officers of the NSW Department of Environment.

iii. Failing the above (ii) : As no lot yields were proscribed in the Concept Approval for individual precincts, the majority these lots can be redistributed away from these sensitive areas to the west of the site and significantly minimised by allowing only large lots of minimum 10 hectares.

iv. The claim in the Concept Plan of being able to maintain the free ranging ability of Koalas across the site was previously used to justify the development in these sensitive areas. With the proposed fencing, now acknowledged as best practice, this significantly reduces the range of the koala and accordingly serves as another reason for the footprint to be reduced.

v. The Koala Beach model should be used as a minimum standard with no dogs, no visitor dogs, speed bumps, 40km speed limit policies etc.

vi. The inadequacy of cattle grids in stopping dogs, the maintenance of many kilometres of fences, and the unintended consequences to other fauna of the Nature Reserve from fences and dogs is not adequately addressed.

3. Lack of Biodiversity Protection

Tweed Shire has many State, National and International significance listings, including World Heritage Areas, and is identified as one of Australia's 8 National Iconic Landscapes.

"The Cudgen Nature reserve forms part of the largest remnant of native vegetation on the Tweed Coast and is of significance on a local, regional and state level for its natural values, coastal landscapes and provision of significant habitat for native wildlife." (NPWS 1998).

This Shire already has the highest concentration of threatened species in Australia (TSC SoE).

i. As such the maximum protections and precautionary principles must be applied.

ii. Cumulative impact on the environmental from coastal development must be assessed, including on the seasonal fauna of the World Heritage areas that use these coastal lowlands in winter. Referral to the Federal Government and UNESCO is essential.

iii. The ecological buffer zones should be increased where appropriate to include important ecotones and must not serve multiple uses of fire buffers, roads, golf courses, open space, bike or walking trails, or be subjected to earthworks due to the extreme values of the site.

4. Dams and World Heritage Corridors

Water Sensitive Cities project (WSC) embraces stormwater harvesting, flood management, recycling and reuse programs, rainwater harvesting and water use efficiency programs. If Kings Forest embraced the National Water Initiative's WSC strategies more fully, including recycled water for toilets and gardens, it would assist in many ways including for the cumulative impact of potential damming of World Heritage corridor Values of Byrrill Creek or the values of Clarrie Hall dam.

5. Lack of Marine Protection

The whole Cudgen Nature Reserve including the Cudgen Lake has been classified as a Marine Protected Area. Cudgen Lake is also classified as a State Significant Coastal Lake and a Sustainability Assessment was recommended before further development approvals, and highlighted as urgent by the Department of Water and Energy in the Concept Plan, but has not eventuated.

i. A Sustainability Assessment for Cudgen Lake must be provided in the exhibition documents.

ii. Impacts on the marine ecology of Cudgen Lake, Cudgen Ck and Blacks Ck must be provided.

iii. Excavation and filling should be prohibited or largely limited to limit impacts on marine ecology.

iv. Stormwater quality targets should achieve 'no net water pollution' from the site.

6. Flooding and Sea Level Rise

With 94% of the site between 0-10m AHD enormous impacts to the ecology, the amenity and basic infrastructure are predictable in the longer term due to inevitable sea level rise and increased extreme weather events in this low lying floodplain.

i. The primary response to flooding and sea level rise has been to fill the land and poison the weed growth in the Creek rather than adapt the development to the natural conditions.

ii. The development must be assessed in terms of the post 2100 year viability of the development and safety of residents due to the significant size of the area likely to be affected, as well as in light of the likely revised sea levels of 1.6m – 2m for 2100 due for release by the IPCC in 2014.

iii. Provision for both human and ecological adaption and retreat must be catered for under a worst case scenario pre and post the year 2100.

7. Sustainability

The development should aim to be carbon neutral and incorporate the full range of sustainability measures available as this will be one of the last, large Greenfield sites developed for the Tweed.

8. Housing Affordability

Tweed has the highest rate of homelessness in NSW yet the development admits that even the cheapest lots will not be affordable for even moderate income workers. The exhibition documents must include clear commitments to significantly redress affordability at this stage by providing at least 10% low income affordable housing rather than just rely on grants or later agreements.

9. Lack of Faith in the Planning Processes

Erosion of public confidence due to lack of effective consultation, the obviously inadequate biodiversity protection for this internationally significant environment , developer donations and the new State Government's own recognition of the fundamental flaws of the Part 3A Planning Act.

Signature: *Jude Mason* Date: 19/1/12

Printed Name: Jude Mason

Address: 80 Smiths Crk Rd, Uki NSW

DUP. of (45)

The Director Metropolitan and Regional Projects North
Major Projects Assessment, Dept of Planning
GPO Box 39
Sydney, NSW 2001
Email: plan_comment@planning.nsw.gov.au

Re: KINGS FOREST Submission
Stage 1 Subdivision and Bulk Earthworks - Application No. 08_0194

Dear Sir / Madam,

Please accept this objection to the Kings Forest application on the following grounds:

1. Koala and Biodiversity Recovery Area
In light of the new information on the desperate state of the Tweed Koalas, the only sustainable option for the sensitive areas of the Kings Forest site is to provide for a dedicated Koala and Threatened Species Recovery Area.
A return to the more cautious approach, recommended by numerous ecologists over the years, ie of excluding the Cudgen Paddock, the north-eastern portions, the Depot Rd access and dogs is imperative.

2. Marine Ecology
This key fish habitat is still trying to recover from acidification and major fish kills due to inappropriate development years ago.
No further degradation of the marine ecology of the Cudgen Lake or Creek is acceptable.

3. Sustainable Water Conservation
Recycled water infrastructure must be adopted to reduce the need for a further dam and reduce pollution to the receiving waters.
The extra pipe infrastructure required for recycled water for toilets and outdoor use must put in place now as it will be prohibitively costly to retrofit for future generations.

4. Sustainable Development
A plan to achieve target dates for a carbon neutral development must be provided including a full suite of for green infrastructure energy generation, community gardens, bike highways, waste reduction, etc.

Further Comments
At the end of the day - are we prepared to stand up & speak up for landscape that we rely upon. Humans are not the only species relying on the environment - why can't we share & be respectful - The Shire is losing its icons.

Name Jude Mason Date 5/1/12

Address 80 Smiths Creek Rd Uki

(46)

Brent Devine - Oppose 'Kings Forest' DA

From: sarah buchanan <sarahsongbird@hotmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/18/2012 9:41 AM
Subject: Oppose 'Kings Forest' DA

To whom this may concern.....Tweed Council Planning Dept

The 'Kings Forest' development application even in its revised form is a ridiculously feeble attempt to show any care for anything other than being a blatant Greed Machine in operation.

I strongly oppose this application on the grounds that it:

1. Is in a highly sensitive area and has not demonstrated a serious attempt at protecting wildlife including the nearly extinct Koala population. Golf Courses, dogs, motor bike trails or tracks can interrupt and cause huge stress to all wildlife but especially Koalas

2. Has shown a complete lack of care and diligence in providing basic needs to the householders who purchase these blocks.

3. There is no statement made that Feeding Trees for koalas will be protected, or that dogs/cats etc will be disallowed. This is a MUST!

Regards,
Sarah Buchanan (Brunswick heads)

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Brent Devine - Kings Forest

From: Greg Howell <silversurfergh@gmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/18/2012 10:21 AM
Subject: Kings Forest

The endangered koala population can be saved if dogs are banned from the new Kings Forest housing estate.

Greg Howell

13 Lillee Court, Currumbin Valley, QLD, 4223

0414939942

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Brent Devine - Kings Forest - Koala Protection Submission

From: Tate Neale <tate@beconstruct.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/18/2012 1:19 PM
Subject: Kings Forest - Koala Protection Submission

The endangered koala population can be saved if dogs are banned from the new housing estate.
--
Kindest Regards,

Tate Neale
Director

Byron
Environmental
Construction
Licenced builder 218 298 C

* WE HAVE MOVED! NEW SHOWROOM AT 6 MOGO PLACE, BILLINUDGEL. PLEASE NOTE OUR NEW CONTACT NUMBERS BELOW.

Tate Neale | Byron Environmental Construction & E-construct
PO Box 397 | Billinudgel | NSW 2483
ph: 02 6680 1545 | fax: 02 6680 3465
www.beconstruct.com | www.e-construct.com.au | tate@beconstruct.com |

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Brent Devine - Kings Forest submission

From: Elenor Sapir <elenormaya@gmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/18/2012 2:26 PM
Subject: Kings Forest submission

Dear sir/madam

I would like to add my voice to the many voices concerned about the future of our koalas at Kings Forest development.

It seems to me the measures of protection of the koala populations are inadequate with the inevitable result of substantial loss of koalas either through road carnage or dogs. I can't see why such issues are not dealt with, with respect to the environment and the wishes of your community.

Maya Sapir

Murwillumbah

50

Brent Devine - Kings Forest - Koala Protection Submission

From: "Chris Bird" <chris@thegreenmile.com.au>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/18/2012 2:30 PM
Subject: Kings Forest - Koala Protection Submission

Hello,

The endangered koala population can be saved if dogs are banned from the new housing estate!

Regards,

Chris Bird

:: 6 Mogo Place (PO Box 408)
Billinudgel NSW 2483 AUSTRALIA
:: p. 02 6680 1545
:: f. 02 6680 3465
:: m. 0411 223 730
:: e. chris@thegreenmile.com.au
¡Ë w. www.thegreenmile.com.au

Please consider the environment before printing this email

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Brent Devine - No to Kings Forest

From: Emerald Astroturf <astroturf3@gmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/18/2012 2:43 PM
Subject: No to Kings Forest

To Whom it My Concern,

No Kings Forest development!!
No development of pristine areas in the Tweed!!
What does it take for developers to have a heart? They came from a womb - surely that means they know people and animals survive w fresh air and somewhere to roam free? Dogs are a major threat to our iconic koala!! Australia makes lots of tourist dollars from the koala - I don't get how you can even think of developing an area that threatens these precious creatures! Where are your heads?

Get back to nature before you turn everything into cement!

Emerald Astroturf
Concerned tax payer

52

Brent Devine - Kings forest development

From: "degsart1@southernphone.com.au" <degsart1@southernphone.com.au>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/17/2012 3:25 PM
Subject: Kings forest development

From: Chris Degenhardt

Submission ¡V Kings Forest Development Application number :08_0194

Attention: Director Metropolitan and Regional Projects North

Re: Environmental Management Plan For Kings Forest Estate

Dear Sir / Madam,

Regarding the above I would like to draw your attention to possible revision of the Environmental Assessment (EA) due to the potentially important impact on matters of National Environmental Significance (NES).

The Director General's requirements pertaining to this:

Requirement 5: Consistency of this project with Environment Planning and Assessment Act 1979

Requirement 6: Consistency of project with matters of NES ¡V (Environment Protection Act and Biodiversity Act 1999)

Key Issues:

The current KPoM fails in its aim of protecting koalas

Retaining and enhancing core koala habitat must be an immediate priority

Roads as currently planned present a high risk to wildlife including koalas and other threatened and endangered species

The current plans for the golf course present a threat to threatened and endangered species

1. The measures proposed in the current KPoM are inadequate to offset the impact of the development on existing and future koala populations. The KPoM relies solely upon a koala-proof fence to mitigate dog attacks. However, the fence has gaps for vehicle access, where cattle grids are positioned to prevent koalas leaving their protected zones. But these grids have not been tested or proven to prevent access by dogs into koala protection zones. Furthermore, fencing breaks down over time and this development offers no maintenance provisions.

Fencing is a good method to separate koalas from vehicles but is inadequate as a way to protect koalas from dogs.

Regarding the management of dogs to prevent koala attacks Govt senate committees have been informed that there is " little evidence that management responses to address dog attacks on koalas has been effective thus far " (Threatened Species Scientific Committee 2009)

Various dog management practices that are generally practised include the following:

A Prohibit certain dog breeds

B Limit dog numbers

C Require dusk to dawn housing

The current proposed KPoM for this application fails to do any of these instead it relies on a single line of defence ¡V a fence ¡V intending to keep dogs out and keep koalas within its boundaries.

Regarding koala attacks by dogs, The Friends of the Koala Inc. Emphatically state that "all dogs impose a deadly threat to koalas" -irrespective of size.

Furthermore: - Scientific evidence shows that any dog bite can kill koalas

- Dog saliva has been proven to be a deadly toxin to koalas

¡@

All of this reinforces the point made by the Tweed Shire Council in 2009 (Reports ¡V Item 9)

That 'dogs and koalas must not mix'.

If this proposal was truly concerned for the continued survival of koalas on and near the property it would ban the ownership of pet dogs altogether.

Such an approach has been applied successfully at Koala Beach Estate ¡V Pottsville. It was equally close to sensitive koala habitat and applied such a ban from the outset which is the only way such a measure can be reinforced.

2. At present this proposal transfers several hectares of land into zone 7(a) ¡V environmental protection ¡V included in these areas are ¡¥core koala habitat¡¦. But these koala habitat areas are noticeably dissected by the proposed development. Koalas instinctively roam between their areas and must be allowed to roam in safety if they are to survive. This proposal plans to augment their habitat by planting koala food (& other) trees to fill gaps and create contiguous corridors of protected land within and through the estate.

If this is to be effective the following MUST occur:

No koala feed trees to be felled, no matter where they are.

Owing to the critical time left for the remaining 144 Tweed Coast koalas the planned feed tree planting needs to proceed immediately for it to be effective.

These protected corridor zones MUST be suitably fenced to separate koalas and other wildlife from human activities.

3. Under the present plan, specific road design is inadequate for the protection of koalas and their safe passage across habitat areas.

Under the current plan, two-lane roads are designed to go through core koala habitat and environmental protection zones. If the developer is to comply with the aims of protecting koalas and maintaining their safe passage between habitat areas the following needs to apply:

No higher than 40 kph speed limits

Speed humps need to be placed at least every hundred metres

Speed cameras are need to enforce prescribed speed limits

Electronic traffic speed recorder is needed

4. The golf course management plan is not consistent with the KPoM and the Threatened Species Management Plan.

Under the plan current koala migration paths go through the centre of the golf course - this is inconsistent with the KPoM and the Threatened Species Management Plan.

Golf courses are well known corridors for feral animals and, therefore, a danger to koalas and other wildlife.

Koalas and wildlife crossing golf courses must contend with unrestricted human sport activity.

Koalas and other wildlife are under threat from inhaling pesticide fumes from poisons used on golf courses.

Conclusion:

Team Koala Inc. Concludes that this development will have a negative impact on matters of National Environmental Significance and anticipates that the Director General will require the proponent to revise their EA to address these important matters.

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Brent Devine - Submission re Kings Forest application

From: "Miranda" <miramills@westnet.com.au>
To: <plan_comment@planning.nsw.gov.au>
Date: 1/17/2012 4:44 PM
Subject: Submission re Kings Forest application

The Director Metropolitan and Regional Projects North

Major Projects Assessment

Dept of Planning

GPO Box 39

Sydney, NSW 2001

Email: plan_comment@planning.nsw.gov.au

Re: KINGS FOREST Stage 1 Subdivision and Bulk Earthworks - Application No. 08_0194

Dear Madam/Sir,

Looking at the details of this application, it will most certainly have an enormous negative impact. It should be sent back to the drawing board with every effort made to reduce the footprint on the existing local ecology and the negative financial repercussions on Tweed residents and businesses.

Reviewing Tweed Shire Community Consultation it is clear that the community wish for government protection of the natural environment from profiteering developers. Research from university and government bodies recognise that community interests are a priority. Our stunningly beautiful Australian bush and wildlife is Tweed's greatest asset and our future eco-tourism dollar. The approval of the Concept Plan for Kings Forest with the sweeping powers of the Part 3A legislation is already unpopular with the community.

The application can be made more responsible in a number of ways. It is obviously an overdevelopment of a sensitive environmental area, highly significant to integrity whole area. So far their application is inconsistent, inadequate, deliberately complex and cross referenced, at variance with environmental protection principles, and lacking in important details such as land dedication and fence maintenance.

NO DOGS, ADEQUATE KOALA FENCING, SUBSTANTIAL BUFFER ZONES.

NSW Government bodies have an international obligation and duty of care to protect the koalas of Kings Forest for the benefit of all Australians, present and future. Our koalas are in serious jeopardy from the flagrant disregard of this developer ignoring basic conservation requirements.

Without argument, dogs impact negatively on koalas. TSC 2009: "dogs and koalas must not mix" Fencing is necessary to the whole of the Nature Reserve and around each precinct and along all roads to prevent any accidental access in either direction. Roads should go around habitat areas, not through them!

Wildlife corridors and buffer zones as suggested show the developer's contempt for proper requirements. Buffer zones are not buffer zones when they are filled with drainage ditches, roads, trails, open space, etc. and should not be subjected to earthworks then replanting. Within the next 10 years the sea level will rise and all low lying areas which are the buffer zones, will be flooded. Some common sense is needed in assessing this effect. It is not properly addressed and the currently proposed buffer zones are inadequate and have to be increased.

In the face of dwindling koala numbers researchers insist that not only does the negative impact of urban development need to be reduced, but also that recovery plans are necessary. Being aware of this, there is a duty at this stage to insist on better protective measures and a recovery plan implemented. The developer needs to provide a Koala Medical Centre not just a people medical centre. The current Koala Management Plan will fail to protect and those in the local community who have taken on the duty of care are most concerned.

RESPONSIBLE LAND CLEARANCE

Land clearance has been identified as a key threatening process resulting in loss and degradation of wildlife habitat. Obviously CARE MUST BE TAKEN and it is now proved Leda Developments cannot be trusted to responsibly develop the site. Approval should be deferred until the community is assured that this matter is adequately resolved in court. We now know that Leda needs monitoring by an onsite environmental compliance officer.

Need it be reminded that studies and assessments have shown that the washing of acid sulphate soils into estuaries is a serious cause of pollution damaging to the nursery for the local fishing industry, including recreational fishing attracting tourists. Marine Protected Area mitigation measures need to be put in place to mitigate impact acid discharges and restore water quality.

DUAL RETICULATION A MUST

Need it be reminded that the NSW Regional Planning Policy clearly outlines that, " All future development is to apply water sensitive urban design principles including the use of dual reticulation systems in releases of adequate scale and meet storm water management targets that support the environmental values of the catchment." This includes Kings Forest. Any decision to the contrary will be contrary to State Policy formulated proven for the best interests of water management.

SMALLER RETAIL CENTRE

Existing local businesses need protection from the proposed Gold Coast style retail centre. Reducing the size of the retail centre is an easy solution to density and other problems with the development. Sustainability is about protecting and maintaining local businesses.

NO GOLF COURSE

According to professinal medical advice the hormone chemicals and pesticides used on golf courses are toxic to humans causing chronic fatigue syndrome. These chemicals are certainly toxic to wildlife and the application for a golf course is quite irresponsible and dangerous.

LESS DENSITY

High density results in traffic congestion, environmental degradation and strain on services. It is not appropriate in this location. The number of housing lots can be reduced and also housing can be redistributed away from sensitive areas, which will reduce some of the overall negative impact of the development.

AFFORDABLE HOUSING

Here we have a new housing development with blatant disregard in addressing social issues of the housing crisis, homlessness and affordability.

This development application can be improved in many ways. It would be irresponsible to hurry it through. A few more bits of paper need to be provided, such as the Marine Protection ruling, the UNESCO response on the impact on World Heritage areas, the court ruling on the illegal clearing. The community need to feel confident that our government is doing its best for the people it represents and that the democratic processes are being followed transparently. There is no need to hurry this through. Still there are numerous housing blocks for sale on empty developments in close proxmity.

There is an enormous responsibility to make the right decision, to see through the empty promises of Leda's advertising campaign. In no way good for environment as erroneously claimed. This application is negligent to the point of disgraceful, with contempt for proper requirements, existing regulations and laws.

If NSW Planning Department and Tweed Councillors approve the Kings Forest D.A., as it is, they will leave themselves open to liability and thereby challenge in the High Court of Australia. As unique and significant Sovereign wildlife, which is a defining national symbol, koalas have the Right to Protection from the Crown. Under the Commonwealth Constitution, the NSW Government has a duty of care and international obligation to ensure the survival of the Kings Forest koalas.

The decision that is made regarding this development application will impact on me personally, and the other ratepayers in the shire. Financially, we will be paying for the hidden infrastructure costs. Also local retail, fishing, tourist businesses will be impacted and in a negative way. Also

the proposed earthworks will adversely affect the whole ecology. The application needs revision. It is totally out of character with the "Tweed Vision" for the region. The wilderness environment is our asset and in all manner possible, needs to be enhanced not destroyed. Public confidence in governance will be eroded if something is not done to limit the developer and precautionary approach taken.

Thankyou for a conscionable consideration of my submission.

Yours faithfully,

Ms. Miranda Mills

3425 Kyogle Rd. Mount Burrell

17th Jan. 2012