Dear Sir/Madam,

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

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   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.

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   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.

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   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.
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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.

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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.

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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.
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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:  
Printed Name:  
Address:  
Date: 17TH JANUARY 2012  
STANLEY ST. TWEED HEADS - NSW 2485
SUBMISSION

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

To: The Honorable Mr Brad Hazzard

Dept of Planning
GPO Box 39
Sydney NSW 2001


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.
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- 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.

Sincerely

(Signed) Jennifer Pearson
Name:
Address: 568 Byrrill Creek Rd

2484
SUBMISSION

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

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Dept of Planning
GPO Box 39
Sydney NSW 2001


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Sincerely

(Signed)
Name: MRS CRAMER OAK
Address: 269 Jones Rd, YELGUN 2483
SUBMISSION

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Dept of Planning
GPO Box 39
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Sincerely

(Signed)
Name: Amanda Hart
Address: 895 Limpinwood Rd, Tyalgum
SUBMISSION

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

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GPO Box 39
Sydney NSW 2001


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Sincerely

(Signed) Robbie Johnson
Name:
Address: 65 Coast Road, Hastings Point, NSW
SUBMISSION

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

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Sincerely

(Signed)
Name: Cheryl Whitehouse
Address: 24 Urunga Drive
Pottsville NSW 2489
SUBMISSION

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Mr Brad Hazzard
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(Signed)
Name:
Address:
35 Adelaide Street
SUBMISSION

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(Signed)  
Name: Rainer Glaser
Address: P.O. Box 534, Nimbin 2480
SUBMISSION

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Sincerely

Jennifer Aston

(Signed)

Name:

Address: 17 Oleander Ave Boganwar 2488
Re: KINGS FOREST Stage 1 Subdivision and Bulk Earthworks - Application No. 08_0194

The proposed development includes or is located adjacent to land of high environmental significance including Cudgen Nature Reserve, Cudgen Creek, Koala habitat, State Protected Wetlands (SEPP 14), Endangered Ecological Communities and habitat of Threatened flora and fauna.

The massive scale of the development requires that Environmental Assessment (EA) undertaken by the Department of Planning (DoP) takes into full consideration all aspects of impacts on the environment. The DoP needs to ensure that the community has full confidence that the development will have minimal impact on native flora, fauna, plant communities and waterways prior to approval of Stage 1.

The trust of the community has already been breached by recent clearing of Melaleuca forest adjacent to Blacks Creek and dredging of the creek within Cudgen Nature Reserve adjacent to the development site. This application should be deferred until there is a court decision on the unauthorised clearing and draining of Blacks Creek.

I object to the Stage 1 application on the following grounds;

Staging of the dedication of environmental protection land to Tweed Shire Council or OEH throughout the project DGR 2.4.
All environmental protection lands to be dedicated and transferred to Tweed Shire Council and OEH in the early stages of the project. It is essential that these lands are transferred in their current condition prior to commencement of earthworks which could cause damage to native vegetation and function of wetlands. Alternatively should the dedications be staged there should be strict conditions and a bond to ensure that there is no clearing or degradation of these areas. There is insufficient detail on the dedication of land to Council and OEH.

Long term management and maintenance of environmental areas and open space DGR 2.5. and Updates of various management plans DGR 9.4.
These two points have not been adequately addressed by the proponent.
All EA and recommendations included in the Koala, vegetation, weed, landscaping and buffer management plans should be consistent and there should be no duplication or overlap. There should be an integrated implementation table (work schedules, timing and costing) included for all related works. Planting and restocking should be in suitable locations and habitats, e.g. heath has very specific habitat requirements. There should be clear guidelines for the proponent to implement management of the areas over a minimum 5 year period. Tweed Shire Council and OEH should be involved in the planning of the implementation and maintenance schedules and costings.
Measurable Performance and Completion Criteria requires review and must ensure that the proponent achieves successful outcomes within given timeframes.

Koala Plan of Management (KPoM)
Although the KPoM has been revised is still does not adequately ensure the long term protection of Koalas. The fencing of housing enclaves provides some protection from dogs and vehicles but also brings into question numerous other issues such as ability of dogs to move across grids, maintenance of fencing, barrier to movement and entrapment. The east-
west corridor has been deferred to a later stage whereas it should be identified and included in the KPoM. Current road design, proposed golf course provisions and lack of east west corridor do not provide for adequate protection of Koalas. Koalas currently move through the majority of the site.

There are inconsistencies with other management plans particularly related to the planting of the Koala food trees. Plantings should not be in heathland restoration areas, within the identified Littoral Rainforest and APZs. The PoM should include a detailed implementation table as per previous point. Dogs ownership should be prohibited. The KPoM does not sufficiently address DGRs 9.5 – 9.9.

**General Points**

The Bushfire Risk Management Plan to include ecological considerations. The Asset Protection Zones should not be included within Ecological Buffers.

Removal of Littoral Rainforest which is a state and federally listed Endangered Ecological Community.

The proponent requests ongoing maintenance of Blacks Creek within the site which includes removal of sediment. Drainage of the site relies on the flow of Blacks Creek from Kings Forest through Cudgen Nature Reserve to Cudgen Creek. Sections of the creek are within state protected wetlands. Adequate drainage through Backs Creek is required in time of flood but the EA has not provided details of recommended cross sections.

Monitoring of the success of all plantings and restoration should be undertaken by an independent consultant. An independent environmental officer should be employed throughout the project to ensure compliance with relevant conditions of consent. Both positions to be funded by the proponent through Tweed Shire Council.

Insufficient details of proposed earthworks with likely adverse effects on hydrology and native plant communities. There are proposed cuts of up to 2m adjacent to existing native vegetation.

Signature

[Signature]

Printed Name

Patrick Bonn

Address

2544 Squires, Kingscliff, 2487

Date

28/1/2012
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:-

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Signature: ___________________________ Date: 15/1/2014
Printed Name: _______________________
Address: 215 Sade St, Murwillumbah 2484
Re: 08_0194 Stage 1 Project Application - Kings Forest, Kingscliff

To:

Dept of Planning
GPO Box 39
Sydney NSW 2001
plan_comment@planning.nsw.gov.au


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Sincerely,

(Signed) P. Brown
Name: P. Brown
Address: 214 Dryandra St, Kingscliff 2487

15.1.2012.
SUBMISSION

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

To: THE MINISTER OF PLANNING
THE HONORABLE MR. BLAIR HAZZARD
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)
Name: Natasha Wolff
Address: 1/1 Guilfoyle Place
Cudgen 2487
SUBMISSION

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

To: The Minister for Planning
The Honorable Mr Brad Hazzard
Dept of Planning
GPO Box 39
Sydney NSW 2001


Dear Sir

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Sincerely

(Signed)
Name:
Address:

Raeve Wood
65 Coast Road
1 Hastings Point
2489
SUBMISSION

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

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THE HONORABLE MR ERAD HAZZARD
Dept of Planning
GPO Box 39
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(Signed)

Name: C. ACCENT
Address: 20 HORSESHOE TERRANORA NSW 2486
SUBMISSION

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(Signed)
Name: Gavin Laws
Address: 18 Tamarind Ave, Bogangar 2488
SAMPLE SUBMISSION POINTS

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Sincerely

(Signed) PETER BOND
Name: PO BOX 1361
Address: MURRUMBAH
3rd January 2012.

NSW Dept. of Planning
23-33 Bridge Street
Sydney, NSW 2000.

Dear Media Centre,

I am a long-time resident of our area and I am writing to express my concern about recent discussion and the pending decision to develop Kings Forest. My concern, is the impact that the number of people who will come to live in this new development, will have on our already under resourced hospital, schools, ambulance and police. The Tweed Hospital is already unable to cope with the current population. How will it manage another 4,500 families? Not to mention the overcrowded schools. There is also the water issue and road infrastructure.

It is wonderful that the Koalas have been considered and that many jobs will be created (in the short term) during construction, but consideration must be taken for the stress it will put on the hospital, schools and essential services.

Yours Sincerely

A Concerned Resident.
SUBMISSION

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

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GPO Box 39
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Sincerely

(Signed) John Henry
Name:
Address: 14 Horseshoe Rd Terrawora 2486
SUBMISSION

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Dept of Planning
GPO Box 39
Sydney NSW 2001


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Sincerely

(Signed)

Name: Mrs Susan Hensby
Address: 14 Horseshoe Rd Terranora 2486
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

I am writing to express my concerns on the current Environmental Assessment provided by the proponent in response to the Director Generals Recommendations. The EA is inconsistent and inadequate lacking in details required by the DG.

During the past thirty years I have been involved as a community representative and restoration ecologist in management of significant areas of high conservation value vegetation adjacent to Kings Forest (Cudgen Lake Reserve Trust, Koala Rescue Unit, Friends of Cudgen Nature Reserve, Tweed Koala Advisory Committee, Blossom Bat Habitat Assessment and Restoration in Cudgen Nature Reserve, Restoration of riparian vegetation at Salt and Casuarina). Having a sound knowledge of the subject site, Cudgen Nature Reserve, Cudgen Creek and Lake and adjoining lands enables me to confidently comment on failings of the EA and likely impacts on the natural environment.

A development proposal of this scale with such high environmental significance requires that the DG and Department of Planning "get it right" before commencement of works.

The proposed development includes or is located adjacent to land of high environmental significance including Cudgen Nature Reserve, Cudgen Creek, Koala habitat, State Protected Wetlands (SEPP 14), Endangered Ecological Communities and habitat of Threatened flora and fauna.

Firstly and foremost a decision on recent unauthorised clearing of Melaleuca forest adjacent to Blacks Creek and dredging of the creek within Cudgen Nature Reserve adjacent to the development site should be resolved. If "accidents " such as this can occur prior to approvals and earthworks commencing it make one wonder what other "accidents" are likely after approvals. This is the responsibility of the Dope and DG to ensure that assessment and decisions are sound and accurate.

I object to the Stage 1 application on the following grounds;

DGR 9.4 Updates of specified management plans and each plan is to consider all other plans for the site to ensure that management strategies do not conflict and that each plan can be implemented without negatively impacting on the objectives of the other.

This point has not been adequately addressed by the proponent. The current plans are confusing and the content lacks detail and clear guidance.

All EA and recommendations included in the Koala, vegetation, weed, landscaping and buffer management plans should be consistent and there should be no duplication or overlap. The figures provided (the same in all plans) should be at a scale which provides detail of the location and extent of proposed activities.

The plans should include details of all planting or restoration sites including soil type, drainage, weeds, number of plants and species per location for plantings and other management issues. Planting and restoration areas should be in suitable locations and
habitats, e.g. heath has very specific habitat requirements. There should be an integrated implementation table (work schedules, timing and costing) included for all related works.

There should be clear guidelines for the proponent to implement management of the areas over a minimum 5 year period. Tweed Shire Council and OEH should be involved in the planning of the implementation and maintenance schedules and costings.

Measurable Performance and Completion Criteria requires review and must ensure that the proponent achieves successful outcomes within given timeframes.

Recommendation

The Weed, Vegetation and Threatened Species (Flora) Management Plans and relevant parts of the Koala Management Plan should be integrated in to a Habitat Restoration Plan.

Restoration (assisted natural regeneration and reconstruction) planning is generally presented in a concise document which provides clear actions and guidelines for implementation of on ground works. The HMP includes figures at a scale whereby the location and extent of all works is provided.

Koala Plan of Management (KPoM)

The revised KPoM does not adequately ensure the long term protection of Koalas.

The major change being the fencing of housing enclaves provides some protection from dogs and vehicles but also brings into question numerous other issues such as ability of dogs to move across grids, maintenance of fencing, barrier to movement and entrapment. Current fencing on the nearby Tweed Coast Road is in a state of disrepair and has proven over the years to contribute to the death of Koalas by being struck by vehicles. Koalas have been trapped on the road after climbing over or around the fencing.

The east-west corridor as proposed by Carrick (2009) has been deferred to a later stage. This proposal should not be deferred to later stages, all Koala management should be included in the current KPoM. Koalas currently move throughout the site and both the east west and north south corridors require further consideration. The main north south central corridor will not provide for movement of Koalas as it is too restrictive and crosses major road.

The stated increase in carrying capacity is flawed. The 49ha allocated for revegetation is fragmented and often only small patches within the landscape (Figure 20). The fragmentation and wide spacing (one tree per 25m²) of planted Koala food trees will not equate to core Koala habitat. The figures used from Phillips (2011) clearly state "core Koala habitat". The plantings are unlikely to support an additional 8 – 98 animals as stated in the KPoM.

There are inconsistencies with other management plans particularly related to the planting of the Koala food trees. Plantings should not be in heathland restoration areas, within the identified Littoral Rainforest, buffers, and APZs. Koala food tree plantings should be in areas that do not currently have native vegetation and should aim to replicate core Koala habitat. This would require additional sclerophyll species, shrubs and groundcovers of local provenance which would result in similar structure and floristics to areas of Koala habitat on adjacent public land. The PoM should include a detailed implementation table as per previous point so as to be consistent with other vegetation management plans.

The lands proposed for dedication to Council and OEH are already constrained by environmental protection zoning and currently provide habitat for Koalas and other flora and
fauna. They will not provide an increase in habitat and therefore should not be considered as compensation.

Dog ownership should be prohibited. The KPoM does not sufficiently address DGR 9.5 – 9.9.

Recommendation

The current KPoM is peer reviewed and the relevant DGRs are fully addressed and all points in submissions from government departments and agencies and the community are taken into consideration.

DGR 2.4 Staging of the dedication of environmental protection land to Tweed Shire Council or OEH throughout the project

All environmental protection lands to be dedicated and transferred to Tweed Shire Council and OEH in the early stages of the project. It is essential that these lands be transferred in their current condition prior to commencement of earthworks which could cause damage to native vegetation and function of wetlands.

Alternatively should the dedications be staged there should be strict conditions and a bond to ensure that there is no clearing or degradation of these areas. There is insufficient detail on the dedication of land to Council and OEH.

DGR 2.5. Long term management and maintenance of environmental areas and open space

Land dedicated to Council and OEH should have funding provided by the proponent for restoration over a minimum five year period.

Earthworks

The removal of significant volumes of fill from the southern precinct to fill the northern sections and importation additional fill at a later date raises concerns. Implications such as changed hydrology, drainage, source of imported soils, vehicle movements through adjoining residential areas, impacts on local roads, impact on Cudgen Creek and Cudgen Nature Reserve should be considered.

All existing vegetation in ecological buffers should be retained and restored. Fill should be gained from other sources.

Insufficient details of proposed earthworks with likely have adverse effects on hydrology and native plant communities. There are proposed cuts of up to 2m adjacent to existing native vegetation.

Bushfire Risk Management

The Bushfire Risk Management Plan to include ecological considerations. The Asset Protection Zones should not be included within Ecological Buffers.

Drainage

The proponent requests a variation to the Concept Plan for ongoing maintenance of Blacks Creek within the site which includes removal of sediment. Drainage of the site relies on the flow of Blacks Creek from Kings Forest through Cudgen Nature Reserve to Cudgen Creek. There has been no consideration or assessment of drainage from the boundary of Kings Forest through to Cudgen Creek.
Sections of the creek are within state protected wetlands. Adequate drainage through Blacks Creek is required in time of flood but the EA has not provided details of recommended cross sections.

The EA does not consider impacts from drainage on marine ecology in Cudgen Creek and Cudgen Lake.

EPBC Act Approvals

The proponent states that an application has been lodged to the federal government in relation to the EPBC listed species Wallum Froglet. They have neglected to include Littoral Rainforest which is a state and federally listed Endangered Ecological Community. There are also additional flora species which have not been included.

Monitoring and Compliance

Monitoring of the success of all plantings and restoration should be undertaken by an independent consultant.

An independent environmental officer should be employed throughout the project to ensure compliance with relevant conditions of consent. Both positions to be funded by the proponent through Tweed Shire Council.

Cudgen Paddock – Wallum Sandplain

The proposed golf course raises concerns that in future applications the site will be recommended for residential purpose. The current layout of the golf course within a residential area does not appear feasible. This proposal has been put forward in other Tweed Coast development proposals and resulted in residential development. Consideration must still be given to reduce the footprint of the proposal in this area and concentrate development to the north.

The poorly detailed proposal in the KPoM to plant small patches of Koala food trees within this area will result in a fragmented patchwork of Koala food trees not a secure continuous corridor of vegetation which is necessary for the survival of the local Koala population.

Examples of Inconsistencies and Errors.

Weed Management Plan Precinct 1 and 5.

Due to the extent of incorrect information and inconsistencies in the Plan only examples have been included.

4.4 Work Schedule Precinct 1 and 5 Pages 15 and 16. Recommendations for proposed works are not consistent with best practice ecological restoration techniques. Removal of weed plants and control by mechanical means and chainsaw is unacceptable within native vegetation.

4.1.5 Points 1 and 2 indicate lack on knowledge of ecological restoration. “Extensive” and “targeted” are unacceptable in the industry, recommend comprehensive and systematic.

4.5.2 and 3 Primary and Follow up. Timing for commencement and follow up too prescriptive – restoration works with the seasons.
Methods are not recommended in the industry – hand weeding to 50cm and tagging (unless threatened species), removal of material from site, mulching.

This section should integrate the control methods e.g. cut, scrape and paint, drill and inject listed in 4.5.4.

The criteria to evaluate the success of weed control are listed below with comments.

• Establishment of a 70% native ground cover after 2-3 years;
• Average percentage cover of 90% native ground cover at the 5th year;
Ground cover density will vary depending on the vegetation community to be created or restored and on the extent of weed present prior to commencement of works. Requirements for the cover of shrubs and trees have not been included. In addition requirements for growth of trees and shrubs should be included.

• Noxious weeds are to be eradicated and environmental weeds less than 1% of the area;
Should include nil flowering or fruiting of environmental weeds as the remaining 1% could be a mature plant and provide seed source to adjoining areas.
• Natural recruitment of native seedlings;
Need to include more detail of type, density and species.

Performance criteria needs to be measurable and repeatable to ensure that positive outcomes are achieved. The performance criteria above are used in other vegetation related plans and should also be reviewed.

The recommendation for baseline monitoring (5.2 Wilson 2003) is cumbersome and outdated and current methods employed by Tweed Shire Council should be used.

Vegetation Management Plan Precincts 1 and 5
Due to the extent of incorrect information and inconsistencies in the Plan only examples have been included.

4.2 Reuse of topsoil - references 1990s and not specific to this location– this method was trialled at Casuarina and proved to be difficult and had poor results. Site conditions will need to be suitable and the project extremely well managed to ensure success.

4.4.3 Methods not recommended in the industry e.g. ripping

4.4.4.1 Topsoil then planting?
Mixing of Koala food trees and heath plantings/restoration

The recommended monitoring using transects and quadrats is confusing. There is no detail included for the location of data collection on the transect. The height (growth rate) of planted species should be included. Quadrats are too small should be at least 5m x 5m square.

Rhonda James
Cudgera NSW 2484
goorambill2@bigpond.com
SUBMISSION

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

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    The Honorable Mr Brad Hazzard
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Sydney NSW 2001


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Sincerely

(Signed) [Signature]
Name: Adam Scott Young
Address: P.O. Box 387
Murrillunkah.
SUBMISSION

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Sincerely

(Signed) James Wilson
Name: James Wilson
Address: 120 UMLAN AVE, SAILSBURY 4107
SUBMISSION

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(Signed)
Name: JOYCE MORLEY
Address: 3/15 ALEXANDER COURT, TWEED HEADS SOUTH
SUBMISSION

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Sincerely

(Signed) MAREE COMPTON
Name: MAREE COMPTON
Address: 73 ARONALDS RD CARRBOO 2486
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Sincerely

(Signed)
Name: L. Ray
Address: P.O. Box 244
Tumbulgum 2424
SUBMISSION

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Sincerely,

(Signed)
Name: R. FINN
Address: 6 RENELONG PL, STOKERS SIDING
SUBMISSION

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

To: The Minister of Planning
Mr Brad Hazzard
Dept of Planning
GPO Box 39
Sydney NSW 2001


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 initiatives 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 Byrill 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.

Sincerely

(Signed)
Name: [Signature]
Address: 2621 Coast Rd

[Handwritten signature and address]
SUBMISSION

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Sincerely

(Signed) Savannah Daud-Upit

Address: 120 Lillian Ave, Salisbury 4107 QLD
SAMPLE SUBMISSION POINTS

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(Signed)

Name: Van Johnson
Address: 65 Coast Road, Hastings Point, 2489
SUBMISSION

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Sincerely

(Signed) Mitchell McCaughtry
Name:
Address:
120 Lilian Ave, Salisbury 4177
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: [Signature]
Date: 23-01-12
Printed Name: HECTOR ALLYN SMITH
Address: 219 Tweed Coast Road Cudgen 2487 NSW