



## COMMISSION REJECTS WEST CULBURRA DEVELOPMENT DUE TO ENVIRONMENTAL CONCERNS

Wednesday 17 October 2018

The Independent Planning Commission has knocked back a major development proposal at Culburra, on the state's south coast, citing potential adverse impacts on sensitive local waterways.

The Halloran Trust had sought approval for a large-scale, mixed-use subdivision on approximately 100 hectares of land it owns on the southern bank of the Crookhaven River at West Culburra.

The \$40 million proposal, to be built in five stages over 20 years, comprised 650 residential dwellings of low and medium density, tourist accommodation, cafes and restaurants, 3km of foreshore reserve and 3.5ha of industrial development.

The Department of Planning and Environment referred the project to the Independent Planning Commission for determination in June after receiving more than 25 public objections.

Chair of the Commission, Professor Mary O'Kane AC, nominated Mr Ross Carter, Ms Ilona Miller and herself to constitute the Commission to determine the state significant development application.

They met with the applicant, as well as representatives of the Department, Shoalhaven City Council and the Jerrinja Local Aboriginal Land Council, and inspected the site and surrounding areas.

A public meeting was also held at Culburra to listen to the community's views.

Residents who spoke in favour of the project cited economic and social benefits, including employment creation; support for local businesses and services; and the provision of a mix of new housing options.

Those who spoke against the proposal raised concerns about potential impacts on surface water and groundwater; potential impacts on the Crookhaven River estuary, Lake Wollumboola and local wetlands; potential impacts on receiving environments; potential biodiversity impacts associated with the clearing of native vegetation; potential impacts on bird species that use the lake as a breeding and nesting ground; and impacts on Aboriginal cultural heritage.

The Commission sought independent advice from experts at UNSW Sydney's Water Research Laboratory about the project's potential impacts on hydrology and water quality.

Following careful consideration of all the evidence before it, the Commission has today (Wednesday 17 October) determined to refuse consent to the project.

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In its Statement of Reasons for Decision, the Commission said the site was not suitable for the project in its present form:

*“The Commission finds that the West Culburra area may be suitable for some limited urban development but that the Project as currently proposed is inappropriate in scale and has the potential to adversely impact the adjoining SEPP 14 wetlands, adversely impact water quality in the Crookhaven River estuary, with potential flow-on effects to POAAs. The Project has potential to adversely impact the Crookhaven River and Lake Wollumboola catchment’s and furthermore has potential to irreversibly impact on Aboriginal cultural heritage, in particular the Crookhaven midden complex.”*

The Commission also found the asserted social and economic benefits are not supported by adequate empirical evidence:

*“The Commission acknowledges that the Project is likely to generate some employment opportunities, both during the construction and operational phases. However, the Commission finds that it cannot assess the full economic benefit, including approximate employment generation, and flow-on impacts for the Culburra Beach area, as set out by the applicant because no detailed assessment has been provided.”*

In determining to refuse consent to the project, the Commission concluded:

- the Project is inconsistent with the objectives of certain Environmental Planning Instruments
- the model used to assess the water quality impacts on the Project was not calibrated to local conditions and accordingly is not appropriate in its current form in the context of the sensitive receiving environments
- the Project has the potential to adversely impact water quality in the Crookhaven River and estuary and the immediately adjacent SEPP 14 wetlands
- the Project has the potential to adversely impact water quality and in turn adversely impact direct harvest Priority Oyster Aquaculture Areas (POAA) and the economic viability of oyster leases
- there is uncertainty in relation to construction impacts and adequacy of management measures over the 20-year construction period
- there is insufficient evidence in relation to the social and economic benefits and detriments of the Project and the need for the Project, and
- the Project is not in the Public interest.

**Disclaimer**

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