

LWPA Presentation to the Independent Planning Commission public meeting 24th July 2018 concerning the West Culburra State Significant Development. Frances Bray President LWPA Inc

I am Frances Bray, President of the Lake Wollumboola Protection Association Inc

I acknowledge that we meet on the lands of the Jerrinja people, who maintain their spiritual and custodial connection with Lake Wollumboola and surrounding lands and offer our respects to elders past and present and Aboriginal people present today.

Thank you for the opportunity to address the Independent Planning Commission Panel. I will focus on our key concerns regarding the proposed West Culburra Concept development application and provide a more detailed written submission.

Lake Wollumboola Protection Association Inc is a community environment group at Culburra Beach.

Both Lake Wollumboola and the Shoalhaven-Crookhaven Estuary are Wetlands of National Importance and internationally significant as habitat for migratory birds as part of the East Asian Australasian Flyway under migratory bird agreements with China, Japan and South Korea.

We strongly support the NSW Department of Planning and Environment's conclusions in its Assessment Report "State Significant Development Assessment: West Culburra Concept Proposal SSD 3846 July 2018" and its recommendation to refuse the application.

We consider that the Halloran Planning Proposal offers a better approach to achieve ecologically sustainable development and to protect Aboriginal cultural heritage, whilst providing modest and well-designed development expansion for Culburra Beach compatible with its coastal village character.

Our main concerns are as follows:

A. The extent and potential impacts of urban development proposed in the Lake Wollumboola catchment.

Persisting with such development proposals, ignores long term expert advice that the Lake catchment is unsuitable for urban development, principally because of potential adverse impacts on Lake Wollumboola and its unique ecology which is recognised as highly sensitive to polluted runoff from development in the catchment. It also ignores NSW Government policy both past and present.

The Director General's requirements for West Culburra are that:

- **"No development will occur in the Lake Wollumboola catchment."**
- **"Land in the Lake Wollumboola catchment is unsuitable for urban development" and**
- **"Land in the Lake Wollumboola catchment should be zoned for conservation purposes, with the appropriate zone E 1 National Park/Nature Reserve.**

The current NSW Government policy as stated in the Illawarra-Shoalhaven Regional Plan and the Halloran Proposal 2015 is that "the lake catchment is unsuitable for urban development and will be rezoned for environment protection," that is E 2, dependent on the outcomes of a biodiversity offset strategy and water quality studies north of Culburra Rd.

We support this policy.

Despite these policies, the proponent has persisted with the proposal for 45 medium density dwellings, including 4-storey apartments south of Culburra Rd in the Lake and Crookhaven

catchments. This site is adjacent to the Lake Wollumboola north shore and SEPP 14 Wetlands. Runoff from this development would drain to a SEPP 14 Wetland along the north west Lake shore.

The proposal also includes a major roundabout where Wattle Corner Creek crosses under Culburra Rd. Construction and use of the roundabout as well as the proposed collector road and industrial area has potential to impact both Downs and Wattle Corner Creek, Lake Wollumboola, and the SEPP 14 Wetlands around the NW shore. However, no assessment has been provided of the potential water quality impacts.

In addition, the cumulative impacts of both the West Culburra and Long Bow Point golf course application have not been considered. This is despite substantial expert advice regarding the sensitivity to polluted runoff of the lake's unique ecosystem, including internationally significant birdlife, including 23 species listed as threatened and NSW Government assurances that they would.

B. The extent and potential impacts of urban development in the Crookhaven River catchment, adjacent to relatively undisturbed SEPP 14 wetlands is excessive and not ecologically sustainable.

The development would extend 3 kilometres along the Crookhaven River shore north west from the current industrial area and sewerage treatment works, replacing what is now estimated to be 91.65 ha of coastal forest in good condition, not the previous 75 ha.

The Director General's requirements for the Crookhaven catchment and for the existing Culburra Beach urban areas, are that:

- **"Land in the Crookhaven catchment is considered suitable for limited urban development," with higher densities than usual.**
- **Housing renewal and increased density within the existing urban area should occur prior to further green-field development.**

Instead the application proposes **major** development in the Crookhaven catchment far in excess of the direction for "limited" development required, resulting in major expansion of Culburra Beach.

The proposal includes 650 mainly medium density dwellings, recreational infrastructure, a "leisure hub," tourism accommodation and other facilities adjacent to the Crookhaven River shore, SEPP 14 wetlands and Aboriginal cultural heritage sites, as well as expansion of the current industrial area.

The proposal does not include green space for passive recreation within the development footprint. A sports oval was also proposed in the lake catchment but there is conflicting advice as to whether it is part of the proposal.

The proposal also includes a cycle path and board walks as part of the proposed public reserve immediately adjacent to the SEPP 14 Wetlands and Aboriginal cultural heritage sites, which in bringing residents and tourists into these sensitive sites, would conflict with protection requirements.

The Department of Planning and Environment has apparently worked with the proponent, seeking to ensure that environmental impacts from this scale of impacts have been appropriately addressed but has found them seriously lacking and unable to demonstrate a Neutral or Beneficial Effect on the Crookhaven River and wetlands

C. Clearing of extensive coastal forest and wetlands including endangered ecological communities for urban development, would result in significant loss of Threatened Species habitat and environmental degradation.

Environmental impact assessments have been carried out on the basis of loss of 75 ha of coastal forest and wetland with the proponent stating that some of the native vegetation is at least 100 years old. It is considered to be in good condition and supports many threatened fauna species.

Now with final changes to the proposal the extent of clearing and trimming native vegetation has increased to **91.65 ha** but the impact assessments have not factored in this scale of clearing and destruction.

We are concerned at the loss of connectivity for native species including threatened species, which are important for maintaining ecosystems eg, birds such as the Glossy Black Cockatoo, flying foxes, microbats that fertilise vegetation and spread seeds.

We are concerned also that no impact assessment OR Commonwealth referral has been provided for potential impacts on migratory birds, given the importance of both Lake Wollumboola and Crookhaven estuary as part internationally significant habitat for migratory birds, protected under Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

The proposal also involves clearing of coastal forest and mangroves towards Curley's Bay, north of Culburra Rd and east of the current industrial area, apparently to create views from the proposed 4-storey apartments. Such clearing is not justified.

D. As indicated we are concerned at incremental damage to Jerrinja cultural heritage along the Crookhaven River shore.

Important Aboriginal cultural sites along the Crookhaven shore and wetlands, are relatively undisturbed because they are on private property with no public access.

This would all change with the proposed walkway/cycle path and tourist hub as well as several thousand people having access. Far from supporting Aboriginal Cultural Heritage tourism opportunities which the Land Council may wish to pursue, the scale and location of development would degrade this significant area.

E. The environmental assessments have not been able to demonstrate that the Crookhaven River, wetlands, fish nursery and the oyster leases would not suffer significant deterioration due to polluted runoff.

The Department of Planning and Environment has worked with the proponent, seeking to ensure that environmental impacts from this scale of impacts have been appropriately addressed but has found them seriously lacking and unable to demonstrate a Neutral or Beneficial Effect on the Crookhaven River and wetlands.

To proceed with development without such assurances would be a high-risk strategy, threatening the wellbeing of the wetland ecology and the oyster and fishing industry of both Greenwell Point and Culburra Beach-Orient Point.

4. We also have concerns with the proposed Biodiversity Offsets which lack detail.

Whilst some parts of the Lake Wollumboola catchment appear to be offered the most sensitive areas, including Long Bow Point, are not included, inconsistent with the South Coast Sensitive Urban Lands Review recommendations.

G. Overall, we consider the scale and design of the proposed development is incompatible with its surrounding environment and inconsistent with Coastal design guidelines.

We enjoy the coastal village character of Culburra Beach Orient Point, particularly its low density and proximity to the stunning natural environment including the River, beaches and ocean, Lake Wollumboola and coastal forest that surround us.

Any development expansion needs to maintain, not destroy our environment and complement low key coastal village character of our community.

Finally, the proposal argues that the development will bring social and economic benefits. However, no studies have been conducted to support this claim.

It is likely however that the proposed development would harm the Greenwell Point/Orient Point Oyster industry!

On their own development and significantly increased population are not necessarily the answers to issues such as unemployment. In any case, larger coastal communities in the Shoalhaven share similar social and economic issues.

We would rather a more diverse economy including development of ecologically sustainable tourism featuring Lake Wollumboola, the Crookhaven Estuary and surrounds as well as Aboriginal cultural heritage tourism, if the Jerrinja community so wishes.

We recommend the application be refused as it is not consistent with the principles of Ecologically Sustainable Development particularly the precautionary principle.

It is not consistent with the public interest either.

Frances Bray PSM BA B Ed Dip Ed

President Lake Wollumboola Protection Association Inc

Member of the NPWS South Coast Region Advisory Committee.

KBA Guardian.

Recipient of:

- the Australian Conservation Council Peter Rawlinson Award 2000
- Nature Conservation Council Dunphy Award 2007
- Annual NSW Coastal Management Awards Ruth Readford Award for lifetime achievement 2014.
- Nature Conservation Council Alan Strom Award for Lifetime Achievement 2017.