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BY EMAIL

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Dear Madam

Re Submission on Draft Illawarra Shoalhaven Regional Plan 2041

Hereinafter the abovementioned Plan is referred to as “the Draft Plan”.

Beaches and dune vegetation

As shown in some of the quotes below, the Draft Plan states that management of coastal areas “**must**” protect homes and infrastructure, natural shorelines and beaches; that Councils prepare studies and plans to manage these risks, and that the NSW Government “will continue to support these processes” through Coastal Management and Floodplain Risk Management program.

- “This year, of all years, has shown how strategic planning **must adapt to meet changing circumstances and needs. Many communities are still reeling from the devastating bushfires and floods, and the COVID-19 pandemic has shown how the region's natural assets – its beaches, parks, open spaces, leafy streets – are key to public life.**”
(page 8 – Foreword)
- “**Beaches, parks, gardens and sports fields, leafy streets, libraries, museums and galleries, are all key to public life. The safety and wellbeing of people and the coastal and rural lifestyles on offer will be maximised by integrating land use planning with planning for natural hazards, resilience, open space and waterway health processes.**”
(page 44 – A sustainable and resilient region)

- “Management of coastal areas must protect homes and infrastructure, as well as the natural shorelines and beaches. Areas are naturally prone to flooding due to the region's location between the ocean and the escarpment where water flows towards the sea. Councils regularly prepare flood studies, floodplain risk management plans, and coastal management plans to manage these risks and the NSW Government will continue to support these processes through its Coastal Management and Floodplain Risk Management program.”

(page 52 – Reduce exposure to natural hazards)

It is all well and good to state that the NSW Government will continue to support Councils preparing the aforementioned studies and plans, but that does not necessarily equate to homes and infrastructure, natural shorelines and beaches being protected. Take for example:

In both the Kiama and Shoalhaven LGAs, there have been certain beaches that have been the subject of ongoing dune vegetation vandalism for the purpose of obtaining ocean views.

As a majority of Councillors in both Council areas have supported 'ocean views' over retaining endemic trees on modified foredune areas (e.g. Banksias (*Banksia integrifolia*), plans have been implemented for certain beaches to only have low-growing shrubs re-planted - which effectively rewards the vandalism.

As a large percentage of the Shoalhaven LGA was burnt in last summer's fires, it is essential that modified foredune areas which contain unburnt vegetation, are maintained and enhanced for habitat and as wildlife corridors.

A majority of Councillors at Shoalhaven this week disregarded a Council staff recommendation; and did not consider (in relation to Collingwood Beach, Vincentia) that existing endemic dune vegetation like Banksias, provide essential food sources for a number of resident and migratory fauna species.

This week, a majority of Shoalhaven Councillors resolved to continue planting only low-growing shrubs on foredune areas at Collingwood Beach; “immediately remove all banksia root suckers, seedlings and saplings”; and “undertake within the next 3 months further pruning and thinning of Banksia's where thickets” occur” - despite the Council report indicating that the Banksias had already been pruned on a number of occasions and did not need pruning for two years – to provide 'filtered views'. Quite clearly, more than 'filtered views' are being sought by a majority of Councillors.

It was resolved by a majority of Shoalhaven Councillors that the plan for Collingwood Beach dune vegetation be “in accordance with the NSW Coastal Dune Management manual and the NSW Coastal Management Act 2016”, which is a contradiction in terms – considering that the content of the Motion shows that no consideration was given to the NSW Coastal Dune Management Manual in context, and that no consideration was given to the Objects of the NSW Coastal Management Act 2016.

Similarly, in respect of the Kiama LGA, there is ongoing dune vegetation vandalism occurring at Jones Beach (Kiama Downs) and for all intents and purposes, the vandalism has been rewarded by a majority of Councillors resolving to only re-plant with low-growing shrubs in vandalised areas.

As I write this, it appears that a majority of Kiama Councillors are on track in pursuing a course that could ultimately realise the same sort of outcome as has occurred at Jones Beach (Kiama Downs) – for vandalised dune vegetation at Warri Beach (Gerringong).

A majority of Kiama Councillors are also pursuing an agenda to “rake” or “groom” certain beaches at which Surf Life Saving Clubs are situated – purporting dubious 'safety' reasons as the justification.

It is clear that a majority of Councillors at both Kiama and Shoalhaven, value 'ocean views' over a substantial buffer of endemic vegetation on modified foredune areas, and it is clear from the debates on the topic at both Council areas, that a majority of Councillors are basing their decisions about dune vegetation on anything other than common sense or the legislation. For example, one Councillor at Shoalhaven indicated that the plan for Collingwood Beach would resolve the vandalism issue – no doubt due to the planting of only low-growing shrubs which provides ocean views.

In both the abovementioned Council areas, a majority of Councillors have and are disregarding :

- A number of the Objects of the NSW Coastal Management Act 2016;
- The management objectives for the Coastal environment area in the abovementioned Act;
- The management objectives for the Coastal Vulnerability Area, in the abovementioned Act – yet to be mapped;
- NSW Department of Land and Water Conservation 2001, *Coastal Dune Management: A Manual of Coastal Dune Management and Rehabilitation Techniques*, Coastal Unit, DLWC, Newcastle (the NSW Coastal Dune Management Manual);
- In the case of Shoalhaven – the Shoalhaven Coastal Hazard Mapping for Collingwood Beach (Vincentia).

It is understandable why a majority of Councillors that are not interested in environmental considerations, would disregard the relevant legislation – after all, where is the accountability?

As such, my only criticism of the Draft Plan in regard to 'beaches', is that while it sounds good in that natural shorelines, beaches, homes and infrastructure “must” be protected – this will not be realised when there are a majority of Councillors in LGAs that are either Climate Change deniers and/or more concerned about 'neat and tidy' beaches and 'ocean views' than acts of vandalism to dune vegetation – noting that dune vegetation is the front line for defending many public and private assets along the east coast of NSW. For too long, this issue has been a 'political football', and needs to be resolved if those assets are to be protected from storm events.

[Agricultural land – Kiama LGA – south Gerringong](#)

I note the Draft Plan states:

- “**Agricultural land, particularly in areas such as** Jamberoo, **Gerringong**, Berry, Kiama and Kangaroo Valley, attracts both residents and visitors. This is a diverse and unique tourism offering, with food and wine trails, farm stays, farmers markets, and a growing farm gate experience on offer.”
(page 41 – Objective 9: Promote agriculture innovation, sustainability and value-add opportunities)

You may recall that when the last draft Plan was exhibited (five or so years ago), there was strong opposition by both the local and broader community to Greenfield Expansion at the southern boundary of Gerringong. And, that the previous Final Plan reflected those concerns.

In recent months, owners of farmland at south Gerringong, submitted a request to Kiama Municipal Council to adopt a Planning Proposal (PP) for Greenfield Expansion at south Gerringong. The PP was described as “**Planning Proposal – Rezone part of 48 and 86 Campbell Street, Gerringong**”, but was advertised during the public exhibition period on the Council website as being for land at “**West Elambra**”.

Please note the excerpt below, taken from the Council report in September 2020 – which shows that 130 submissions were received by Council opposing the PP, and only 3 submissions in support thereof. This is telling, when you consider that the PP was exhibited back in August, when more concern was being expressed about the pandemic than in the last couple of months.

During the pre-Gateway exhibition period 133 submissions were received of which 3 were in support of the proposal and 130 opposing the proposal. One late submission, objecting to the proposal, was received. The issues raised by the submissions are valid, particularly the fact that 86 Campbell Street is not identified as a potential urban expansion area in the Kiama LSPS 2020 and therefore the loss of agricultural land is not justified (refer to summary attached).

It is recommended that the PP not proceed to the Department of Planning, Industry and Environment for a Gateway Determination.

As shown, the Council report recommended not supporting the PP to rezone, as it was inconsistent with the Kiama Local Strategic Planning Statement 2020 and therefore failed the strategic merit test.

The Council staff recommendation was unanimously supported by Councillors.

Despite many years of the community opposing expansion to the existing southern boundary of Gerringong, I note that it has proven impossible thus far to get “South Gerringong” taken out of the Table for Kiama LGA in the Illawarra Shoalhaven Urban Development Program (ISUDP) – potential greenfield dwelling production forecast – despite same being requested on a number of occasions over a number of years.

The last occasion that I know of somebody trying to get “South Gerringong” taken out of the ISUDP was in October 2016, when a Kiama Councillor noted that the reference to “South Gerringong” had been removed from the Final Illawarra Shoalhaven Regional Plan, and questioned when it would be removed from the ISUDP.

I note that the ISUDP Table for Kiama LGA, suddenly changed from describing the lands as “South Gerringong” (up to and including the 2016 Update) to thereafter describing the lands as “**West of Elambra Estate**” in the 2018 Update.

For the ISUDP to change the description of farmland at south Gerringong from “South Gerringong” to land “West of Elambra Estate”, infers that the land the subject of the recent PP to Kiama Council is somehow part of an extension of Elambra Estate, when nothing could be further from the truth.

The farmland between the existing southern boundary of Gerringong and Gerroa is prime agricultural land and should be recognised as such and afforded protection.

Mapping of Agricultural land

- “The NSW Department of Primary Industries is undertaking a mapping project to identify important agricultural land across NSW. Once finalised, councils will consider these maps in local strategic planning and local plans.”
(page 41 - Objective 9: Promote agriculture innovation, sustainability and value-add opportunities)

I recollect that the last draft and final Regional Plans stated that the mapping was being undertaken, yet there has been no indication as to the timeframe when it will be completed. It is my understanding that no mapping has taken place for the Kiama LGA.

Seven Mile Beach, Gerroa

The draft Plan states:

- “Land at Seven Mile Beach, Gerroa has both a potential sand resource and high conservation value. The land supports an array of flora and fauna, including endangered ecological communities, numerous threatened species and areas mapped under *State Environmental Planning Policy No 26 – Littoral Rainforests, 1988.*”

(Page 46 - Objective 11 – Protect important environmental assets)

The compensatory plantings required in conditions attached to the last approval some years ago for sand extraction at Gerroa, are not yet fully established (or completed) to the point of being useful for wildlife corridor purposes. Despite that, I note that in 2018:

Gerroa Sand Quarry **Modification 1** – Modification to LEC approval No. 10801 of 2007, dated 25 August 2008.

There are concerns about the Greater Glider population of the area – please note:

- The NSW Scientific Committee Final Determination to list the population of Greater Glider (*Petauroides volans*) in the Seven Mile Beach National Park area as an ENDANGERED POPULATION (16 December 2016) – one of only three such listings in NSW;
- That the Greater Glider is listed as VULNERABLE in NSW, ACT and QLD - Environmental Protection and Biodiversity Conservation Act; and
- That the Greater Glider is listed in the Australian Government's **Provisional list of animals requiring urgent management intervention** (Australian Government bushfire recovery package for wildlife and their habitat)

If the Greater Glider is not to become extinct in the Seven Mile Beach National Park area at Gerroa, a greater effort needs to be made in putting environmental considerations before sand extraction. I do not state this lightly, knowing full well that sand extraction is necessary – but realistically that is what needs to occur.

I would prefer that this submission not be made public.

Yours sincerely,



