

Lake Wollumboola Protection Association Inc

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The Director,
Department of Planning, Industry and the Environment.
Locked bag 5022
Parramatta NSW 2124.

Dear Sir/Madam,

26th February 2021

The Lake Wollumboola Protection Association Inc including myself as President, objects to the West Culburra Concept Proposal SSD 3846 Culburra Beach NSW.

Lake Wollumboola Protection Association Inc is a community environment group at Culburra Beach. We have been active since 1993 in initiatives to protect the high natural and Aboriginal cultural heritage values of Lake Wollumboola, the Crookhaven River and their catchments from potential impacts of ecologically unsustainable development. We are a member group of the NSW Nature Conservation Council.

In our view the West Culburra Concept Proposal SSD 3846 Culburra Beach NSW does not meet the Director General's Requirements for the West Culburra development, that is for "limited" development in the Crookhaven catchment in accordance with the recommendations of the South Coast Sensitive Urban Lands Review and the South Coast Regional Strategy 2007 as adopted in requirements of the Illawarra-Shoalhaven Regional Plan 2015.

We are pleased nevertheless that the latest version of the West Culburra development proposal no longer includes large parts of the Lake Wollumboola catchment. We have reservations however regarding the proposed roundabout and access road in the lake catchment.

However, we have major concerns regarding the proposed development expansion in the Crookhaven catchment River and estuary catchment which is likely to degrade Aboriginal cultural heritage as well as the Culburra Beach environment, particularly the Crookhaven catchment coastal forest, wetlands and mangroves and the River itself and Curley's Bay.

The Proposal is also likely to cause degrading impacts for the Crookhaven oyster and fishing industries.

It is incompatible with the existing character of Culburra Beach and does not appropriately address our community's needs. High and medium density residential and commercial development both north west and north of Culburra Rd is more appropriate to inner city development than to a unique regional coastal village, much valued by its residents. Our beaches, bay and lake are already crowded during summer and our environment is under pressure. These impacts would increase substantially with the significant scale of development proposed and related population increase.

Yours sincerely,

Frances Bray PSM BA B Ed Dip Ed
President. [REDACTED] Culburra Beach.



Crookhaven River catchment and Crookhaven-Shoalhaven River Estuary.

Site of the West Culburra State Significant Development – SSD3846 Culburra Beach NSW.

Photograph courtesy of Randall Sandstrom-Culburra Beach Resident.

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LWPA Inc Objection to West Culburra SSD Concept application 3846.

1.Consideration of the Environmental Planning and Assessment Act, Land use zonings Shoalhaven LEP 1985 and Strategic Planning.

We acknowledge that land use zonings in the Shoalhaven Local Environment Plan of 1984 apply to this application, as the sites involved were rezoned in 1992 and subsequently deferred from the Shoalhaven Local Environment Plan 2014. It is also understood that State Significant amendments now exist which enables the application to proceed despite inconsistencies with the current land use zones.

1.A. The objectives of the Environmental Planning & Assessment Act 1979 relevant to this application refer to:

- Conservation of the State's natural resources.
- Encouragement of application of ecologically sustainable development principles applying in decision-making about environmental planning and assessment.
- Increased opportunity for community participation in environmental assessment.

Objection 1. We consider that the West Culburra Concept application 3846 is inconsistent with these key objectives of the Environmental Planning and Assessment Act, 1979.

This submission addresses adverse impacts of the proposed development on the natural environment of the Crookhaven River and catchment and Curleys Bay at Culburra Beach and on Aboriginal Cultural Heritage. We are concerned that the Environmental Impact Statement has not taken the precautionary principle into account, particularly in supporting the clearing of coastal forest and woodland in the Crookhaven River catchment to enable largescale urban expansion.

With regard to the objective for "Increased opportunity for community participation in environmental assessment," neither Shoalhaven City Council nor the Applicant have consulted with the Shoalhaven community.

The Department of Planning Industry and Environment notified the Public Exhibition of the application on Friday 15th of January 2021. It is presumed that Shoalhaven City Council was also notified at this time as Council at its meeting on Tuesday 19th January, passed a resolution in favour of the application. However, it did not provide subsequent opportunity for community members to be consulted.

Also, the proponent, Sea Lark Pty Ltd has not consulted the community regarding this application. Instead, Sea Lark arranged two meetings for supporters of the application at Culburra Beach, one meeting at 2.00 pm on Tuesday the 3rd of February and the other at 7.30 pm that evening.

The invitation to the meetings specifically excluded people who opposed the application. The meeting was apparently convened by Mr. Brian Muller in his role as President of the Culburra Beach Chamber of Commerce. However, we understand that Mr Muller is also the representative of First National Real Estate in Culburra Beach and acts locally on behalf of the Halloran companies, including Sealark Pty, Ltd. We understand that these perceived conflicts of interest were not declared at the February meeting.

Objection 2. Accordingly, we consider that both Shoalhaven City Council and the proponent have not met their responsibilities for consultation with the community as required by the Act.

Whilst the objects of the Coastal Management Act 2016 do not strictly apply, they are nevertheless, relevant to the application. In particular the application is inconsistent with the following:

- “Protect and enhance coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience.”
- “acknowledge Aboriginal peoples’ spiritual, social, customary and economic use of the coastal zone.
- “promote integrated and co-ordinated coastal planning, management and reporting.”

1.B. Consideration of Strategic Planning Requirements.

Objection 3. We consider that the application is inconsistent with Strategic Planning Requirements that apply to this application including the original Director-General’s requirements and accordingly should be refused.

The NSW South Regional Strategy 2007 adopted recommendations of the expert South Coast Sensitive Urban Lands Review 2006 that specifically apply to the West Culburra site and to this application. Subsequently the Illawarra Shoalhaven Regional Plan 2015 also adopted these recommendations as applying to the proposed development site.

LWPA Inc supports these recommendations and their subsequent adoption, with the most relevant being that:

- “Land within the Lake Wollumboola catchment is considered unsuitable for urban development, principally on the grounds of the potential negative impacts on Lake Wollumboola which is a sensitive intermittently closing and opening Lake or Lagoon.”
- “The remaining lands within the catchment of the Crookhaven River is considered suitable for limited urban development.”

We acknowledge and welcome that previous proposals for development in the Lake Wollumboola catchment are not pursued in this application, except for a roundabout and access road on Culburra Rd.

However, this application does not constitute “limited” urban development in the Crookhaven River catchment.

The South Coast Sensitive Urban Lands Review recommendations went on to state that:

- “It would be appropriate for sufficient land within the Crookhaven catchment north of Culburra Rd and immediately west of the Culburra Village centre to progress for urban development.”
- “The release should achieve densities which are higher than traditionally achieved to reduce the land take and economise on the use of land resources.”

The proposal includes clearing of a total of 47.34 ha of native vegetation mainly within the Crookhaven River Catchment for three development areas as follows:

- New residential area- 26.78 ha
- Town Centre Expansion-14.24 ha
- Industrial Centre Expansion-6.33 ha

244 housing lots are proposed in the Crookhaven catchment area west of the existing Sewerage Treatment Works together with roads, parkland and bike and walking tracks along the Crookhaven River shore and via Culburra Rd to the existing Culburra beach town centre.

The proposal conflicts with the SCSULR recommendations adopted by the Illawarra South Coast Regional Plan 2015 because:

- this proposal does not constitute “limited” development in the Crookhaven catchment and it is not “immediately west of the Culburra town centre.” Instead, the proposed housing development is located at least 3 kilometres to the west.
- whilst the SULR stated that densities may be “higher than are traditionally achieved” the densities proposed for most of these sites constitute medium density.
- the Town Centre development immediately west and north of the Ambulance Station involves high density “high-rise flats,” as quoted in the private presentation by Mr Matt Philpott of Allan Price and Scarratts to supporters at the 3rd February 2021 supporters meeting.

Such heights and densities are more suited to metropolitan Sydney development than to Culburra Beach with its distinctive coastal village character.

The proposed additional Industrial areas are also high density, 11 M high and separated from the existing Town Centre.

Illawarra Shoalhaven Urban Development Program.

Objection 4. The location, scale and density of the West Culburra SSD application is inconsistent with applicable Regional Strategic Plans and accordingly should be refused.

A 2016 update regarding the Shoalhaven LGA, in referring to Greenfield Release areas stated that:

“The Sensitive Urban Lands Review determined that there is limited urban potential in this area outside of the Lake Wollumboola catchment. Potential yields are to be determined and will depend on evaluation of the scale, water catchment issues and other environmental considerations.”

The proposed housing expansion north west of the Sewerage Treatment Plant does not constitute “limited” development.

Instead, it is extensive urban development resulting in total clearing of a valuable forested site and therefore in conflict with this requirement. (Water catchment and other environmental considerations are discussed later in this submission.)

Illawarra Shoalhaven Regional Plan 2015.

The Illawarra-Shoalhaven Regional Plan 2015 identifies Nowra-Bomaderry as major urban release areas and the long-term focus for greenfield housing in the Shoalhaven Region.

Direction 2.3 identifies West Culburra as one of other “established and smaller release areas, that will add to the diversity of supply.”

2. Impacts on Aboriginal cultural heritage.

Objection 5. We object to those parts of the application which are likely to have a significant impact on the Cultural heritage of the Jerrinja people. The Aboriginal cultural heritage assessment should include all areas along the Crookhaven River and Curleys Bay likely to include artifacts. In particular we object to the construction of a board walk adjacent to the Crookhaven River and Curleys shore whether on the surface or elevated, because of the likely degradation of Regionally Significant Jerrinja cultural heritage sites.

These areas include the Crookhaven River Foreshore area adjacent to the proposed western housing estate, where Regionally Significant Aboriginal cultural heritage items are located as well as the proposed Walking/Bike track cultural sites, adjacent to the Crookhaven River and extending to the Sports Oval and on to the Culburra Beach town centre.

With regard to Aboriginal Cultural Heritage, the EIS advises a supplementary Report to the previous application has been provided. However, the Aboriginal Cultural Heritage Assessment seems to be the same document as was prepared for the previous West Culburra SSD application. It applies to the Crookhaven River Foreshore area adjacent to the proposed western housing estate, but not to the Curleys Bay foreshore area and the proposed expanded town centre.

It claims to better define the location of Aboriginal cultural heritage items and to undertake a consultation process to enable Aboriginal input to decision-making.

The summary of the Report also refers to assessment of registered stone artifacts located on the existing sewer line easement, which is now proposed as the site for the “elevated boardwalk/footpath/cycleway.” It acknowledges that the site has already been disturbed by the construction of the Culburra Beach sewerage line and subsequent vehicular traffic, but goes on to support further construction/potential destruction.

And furthermore, it recommends that Aboriginal community representatives be consulted regarding locations and construction, although the Jerrinja people do not support further destruction of their heritage. However, the Jerrinja community has throughout this long process objected to the construction of a board walk along the Crookhaven River shore whether on the surface or elevated, because of the likely degradation of their Regionally Significant cultural Heritage sites. It would not be possible to construct this board walk whether on the ground surface or elevated without doing further damage to Aboriginal Cultural Heritage.

Also, the Assessment does not appear to include the Curleys Bay foreshore east of the Sewerage Treatment works. It is likely that Aboriginal cultural heritage items exist in this area where the proposed Walking/Bike track, Sports Oval and associated development are located.

Continuing with this proposal is in our view demeaning of the wishes of the Jerrinja people and their Cultural Heritage. The Aboriginal people of the NSW South Coast including the Dharawal-Durga people were amongst the first to face the takeover of their lands. The constant pressure for development of areas that are of significance to the Jerrinja people and constantly being asked to consult regarding the destruction of their heritage, contributes to their ongoing intergenerational grief.

Surely it is time to learn the lessons of the destruction by Rio Tinto of the Juukan Caves in Juukan Gorge in the Pilbarra Region of Western Australia and recognise and accept the rights and wishes of Jerrinja people.

3. Suitability of North west site.

3. A. Suitability of the site

Objection 6. The propose Housing Estate site is located north west of the Culburra Beach sewerage treatment works, adjacent to the existing industrial area, with additional Industrial development proposed. These uses are not appropriate as neighbours for residential urban development. Moreover, the site is distant from Culburra Beach township. Approval would conflict with the Department's requirements for the West Culburra proposal to be for "limited development in the Crookhaven catchment adjacent to the existing urban area."

The proposal involves the clearing of 47 ha of Currumbene-Batemans Lowland Coastal Forest in the Crookhaven River catchment, for construction of 244 housing lots with 293 dwellings and associated roads and infrastructure.

The site is located well outside the current town boundaries and is therefore, inconsistent with the NSW Coastal Design Guidelines.

Furthermore, it leaves the way open for further development expansion further west.

The proposed development represents urban sprawl with no direct connection to the existing town, despite claims that cycle and walking tracks would be provided to enable access to the Culburra Beach township.

The proposed housing development would constitute a crowded, featureless estate for future residents. The sites are small, with no variation in size. It is likely that the houses would be 2-storey with garages dominating the street.

The layout and density are inconsistent with healthy design and are likely cause heat stress for its residents, with paved streets and driveways and limited shade and home owners limited to one tree per site.

No provision has been made within the footprint for public space, either for a community centre, space for local services such a childcare centre or corner shop. There is no provision for walkable spaces, for pocket parks and lane ways to meet the needs of young families. A few public parks are proposed around the perimeter.

The 2-3 km distance from the town centre would ensure that future residents would be car-dependent, with limited local amenities. These circumstances would add to existing parking issues in the existing town centre as well as at beach access areas.

As stated previously the proposal conflicts with the Department's requirements for the proposal to be for "limited development" in the Crookhaven catchment adjacent to the existing urban area.

B. Access to Culburra Rd.

The proposal involves one access only to Culburra Rd, a threat to the wellbeing of residents should a bushfire threaten the area and its only escape route. See later comments.

The application claims that a roundabout and road access on to Culburra Rd would provide a natural entrance to Culburra Beach, however the location is not easily identified, except when Wattle Corner Creek is in flood after rain.

It is the existing coastal forest and current Industrial area that define the western limit of development for Culburra Beach.

Furthermore, the proposed roundabout and access to Culburra Rd is located in the Lake Wollumboola catchment, with potential water quality impacts during construction and subsequent use.

These outcomes conflict with the Department of Planning's requirement that, "Land within the Lake Wollumboola catchment is considered unsuitable for urban development," and that only "limited development" could occur in the Crookhaven River catchment" and located adjacent to the existing township.

Objection 7. We object to the proposal for a roundabout and access road for the north-west urban development to be located in the Lake catchment, both in principle and because of potential impacts from the construction and ongoing use of the roundabout and access road which may impact Wattle Corner Creek, the tributary to Lake Wollumboola.

4. Environmental Impacts of North West housing estate.

4.A. The Terrestrial Ecology and Riparian (Flora and Fauna) Assessment included in the Environmental Impact Statement acknowledges (Pages 55, 56 and 57) that despite most of the vegetation within the Proposal's development footprint being in good condition, "it will ultimately be removed including all hollow-bearing trees."

It goes on to say that: "However this loss is not regarded as of ecological significance" as:

- "the Threatened Species impacted, constitute only a very minor fraction of those present in the Jervis Bay region."
- "the vegetation types and resources are extensive in conservation reserves and private lands in the locality."
- "there are no Threatened Species **solely reliant on the habitats in the site.**"

We consider that the 47-ha forest is of conservation value and that its loss would impact important refuge areas for threatened species within the site and surrounding natural areas.

The aerial photo at the beginning of our submission confirms the dense uninterrupted canopy of the coastal forest and its relationship with the riparian area along the Crookhaven River.

It is well on the way to full recovery after the area was partially cleared in the 1940s almost 80 years ago, (according to the EIS Aboriginal Cultural Heritage attachment.)

Objection 8. The proposed clearing of 47 ha of intact coastal forest would reduce the relatively rare Currumbene-Batemans Lowland Coastal Forest which is identified in the South Coast Regional Conservation Plan 2010 as part of a habitat corridor which supports threatened species, extending west to the Shoalhaven escarpment and north to the Crookhaven River Wetlands. See attached Map. Att 1.

The EIS statement that "there are no Threatened Species solely reliant on the habitats in the site" seems intended to diminish the value of the site to the threatened fauna species that rely on it.

This coastal forest provides habitat for Threatened Species that are mobile and forage over wide areas of the Jervis Bay-Crookhaven-Shoalhaven catchments.

We dispute the assertion contained in the EIS November 2020 P55 Terrestrial Ecology and riparian (Flora and Fauna) Assessment that: **"The only habitat features or resource for native fauna present on the site are the hollow-bearing trees."**

This claim is incorrect. It ignores the abundant fauna food sources provided by the coastal forest including, seeds, nectar, lerps and other insects as well as fauna species.

Clearing of 47-ha of coastal forest would in our view, cause loss of habitat for species listed as Vulnerable under the Threatened Species Conservation Act 1995 (TSC Act), which applies to this application. These species include the Glossy Black Cockatoo, the Powerful Owl and the several species of microbats.

According to Ecologist Mr Chris Chafer in evidence in 1999 to the Long Bow Point Commission of Inquiry, the Glossy Black Cockatoo is one such species. His advice to the Long Bow Point COI 1999, was that the Glossy Black Cockatoo:

"relies exclusively of seeds of *Allocasuarina littoralis* which is known to be on the site and "is locally nomadic within the Jervis Bay Region, that is they move across large areas of suitable habitat in search of suitably mature seed on which to feed, foraging in a single place for one or two days, then

moving on. It is important to understand that each individual *Allocasuarina* grove provides food for only a limited time each year, and that the total food reserve of the local cockatoo population is spatially disjunct.”

“It is imperative for the conservation of this species that as much of its regional habitat is left as intact as possible, as intuitively there will be a lower threshold of available seed abundance below which the regional population would find incapable of maintaining its present fecundity. It is imperative that the cumulative impact of the removal of *Allocasuarina littoralis* be taken into consideration.”

From September 2020 several community members independently observed Glossy Black Cockatoos north of Culburra Rd and the Ambulance Station and also at Lot 1 East Crescent adjacent to Lake Wollumboola. These observations were reported to and accepted by NSW NPWS.

Mr Chafer’s submission also referred to the presence of Powerful Owls in the area proposed to be cleared, including a nesting site nearby. He advised that the diet of the Powerful Owl at Culburra “is well-known and dominated by small to medium sized arboreal mammals, particularly the Sugar Glider and Ring-tailed Possum.” He goes on to comment that Daly 1996 suggested that the area has one of the highest population densities recorded for Sugar Glider in NSW” and that the land undoubtedly incorporated part of the foraging area of the Powerful Owls.

Powerful Owls have also been observed at night and their calls recorded in Culburra Beach on a regular basis since September 2020. The observations at Lot 1 East Crescent about 2 km from the development site and in the woodland west of Canal St Culburra Beach were reported to and accepted by NPWS “Save Our Species” staff. It is likely that the Owls returned to these areas after the 2019-2020 bushfires. See later section regarding Refuge areas.

A threatened Microchiropteran Bat was also observed in a home in Culburra Beach in September 2020 and with Wildlife Rescue Shoalhaven assisting with advice on its release.

These and other observations of Threatened Fauna species within or in the vicinity of the proposed residential development site, reaffirm the environmental significance of the proposed development sites.

We are also concerned regarding environmental impacts of the construction and use of the proposed elevated track for walking, bike riding and motorised scooters along the Sewerage Easement and further east through the wetland area along the Curleys Bay shore. Construction of the track would involve bringing large vehicles into sensitive coastal wetland areas, causing significant degradation. As discussed previously we object to the path due to impacts of its construction and use on Aboriginal cultural heritage.

Objection 9. We object to clearing of coastal forest habitat which constitutes refuge areas for threatened species following the South Coast fire storm December 2019-January 2020 and enhancing the ecological significance of the area.

The Threatened Species Recovery Hub, National Environmental Science Programme has prepared a guide, titled “After the catastrophe: a blue print for a conservation response to largescale ecological disaster.” **January 2020.** Authors: Chris Dickman, Don Driscoll, Stephen Garnett, David Keith, Sarah Legge, David Lindenmayer, Martine Maron, April Reside, Euan Ritchie, James Watson, Brenden Wintle, John Woinarski.

The guide identifies the need for protection of key refuge areas for threatened species both within fire grounds and in areas in close proximity to prevent further loss of biodiversity.

Large areas of unburned native vegetation including areas of the Shoalhaven from St Georges Basin north including the Lake and Crookhaven catchments and on to Comerong Island and Seven Mile Beach National

Park, represent a significant biodiversity refuge area, which should be protected from bushfires, particularly in the immediate future.

The loss of biodiversity from the South Coast fires is catastrophic, with burned areas unlikely to support native fauna species for decades.

Given the massive loss of high conservation value lands on the South Coast due to the fires, it is critical that the Crookhaven catchment, as a significant area of unburned habitat, is protected as a refuge for native species and ecosystems and not subjected to urban development.

The Forest Rd fire 2019-20 came within 9 kilometers of Culburra Beach and even closer to the area now proposed to be clear-felled for construction of the proposed housing estate and other uses.

As a consequence of the South Coast fires, the coastal forests of the Shoalhaven north of St Georges Basin and extending to the Jervis Bay and Lake Wollumboola and Crookhaven River catchments, are of great ecological significance as biodiversity refuge areas for many fauna and flora species.

The site proposed for the Housing Estate is within this refuge area and accordingly its environmental significance, confirmed by the above recent observations, is greatly enhanced and should not be destroyed for development.

4.B Bushfire Management.

Objection 10. The Bushfire Management Plan is inadequate in protecting both the proposed development areas and future residents as well as the existing Culburra Beach residents and should be rejected.

Culburra Beach is a “one way in and out community,” with narrow 20-km road access into Nowra. The 2019-20 Forest Rd fire came within 9 Kilometres of the Culburra Beach town centre and closer to the proposed development site.

The fire was contained by aerial water bombing and the vigilance of the Rural Fire Service volunteers.

Residents were advised to either leave early or prepare their properties. All holiday visitors including the Caravan Park occupants were required to leave the town, which was closed to outside contact for weeks.

The proposed significant increase in population due to the proposed development, would impact on safe evacuation from a bushfire for all Culburra Beach residents and visitors, potentially putting lives and wellbeing at longterm risk.

A Bushfire Management Plan has been provided for the proposed housing estate, which includes an Asset Protection Zone of 29m including the road width. This is not substantial enough to provide protection from a fire coming from the south-south west, as occurred in the December-January Forest Rd fire.

A further deficiency of the Plan is the failure to include the woodland area north of Culburra Rd between the existing Industrial area and the Ambulance Station or the existing Culburra Beach urban area.

Accordingly, the Bushfire Assessment does not address the future safety of all Culburra Beach residents, despite the proposed increase in development scale and population.

4.C Adverse water quality impacts on Coastal Wetlands, the shores and waters of the Crookhaven River and Curleys Bay and the oyster and fishing industries.

Objection 11. We also object to the likely cumulative environmental impacts of the proposed housing estate on the SEPP 14 Wetlands along the Crookhaven River shore. Initial and ongoing disturbance will occur to the wetlands both from pollution following initial clearing of large areas of coastal forest, from development construction and in due course from the impacts of residents and visitors.

The proposal to set back housing development from the Crookhaven River wetlands by 100 m and the reduction of the proposed development area adjacent to the Wetlands and River is an improvement on previous proposals.

However, the scale of urban development proposed and number of residents involved is likely to cause immediate and cumulative impacts due to site clearing, construction and ongoing water quality deterioration and ongoing use.

In evidence to the South Coast Sensitive Urban Lands Review 2006, the then Department of Natural Resources submission addressed the doubtful effectiveness of Water Pollution Control measures based on modelling that was not calibrated to local conditions.

The submission stated that:

“Studies undertaken as part of the Comprehensive Coastal Assessment (CCA) have demonstrated that the clearing of forested catchments for urban landuse will cause a significant increase in nutrient export rates. (Bagiskas et al 2004.) this finding means that it is very unlikely that residential development and maintaining water quality in adjacent water ways is feasible, even within the application of best practice water sensitive urban design principles to the development.” Page 5 July 2006.

We consider that the same conclusions apply today, having expressed concerns regarding the previous water pollution control measures proposed for West Culburra which were rejected by the Independent Planning Commission.

Furthermore, the then Department of Planning and the Independent Planning Commission and the experts they appointed rejected the previous modelling claims of NorBE for the West Culburra Water quality Assessments. Accordingly, we have no faith that the current proposals would protect the water quality of the Crookhaven River, Curleys Bay and their wetlands.

Development of the scale and 20-year timeframe proposed, is likely to progressively increase nutrient, chemical and sediment loads to the wetlands and river, causing cumulative environmental degradation as well as economic loss.

Objection 12. We object to the threats to the Crookhaven Estuary, its mangroves, and aquatic environment and the oyster and fishing industries that depend on it.

The Crookhaven Estuary part of the Shoalhaven Estuary including Billy’s Island is one of the last relatively undisturbed Mangrove estuaries on the NSW South Coast because currently there is no public access except by canoe because of its shallow waters. SEPP 14 applies to the area. It is a haven for bird and marine life.

Surveys by Surveys by NPWS and BirdLife Shoalhaven, as part of BirdLife Australia’s national Shorebirds 2020 program have recorded a wide variety of species in the western section of Curleys Bay.

“These species include: four species each of Cormorant, Egret and Duck, Royal Spoonbill, Striated Heron, Australian Pelican, Nankeen Night-heron, Crested Tern, Common Tern, Caspian Tern, Silver Gull, Eurasian Coot, Azure Kingfisher, Darter, Black-winged Stilt, Australian White Ibis, Straw-necked Ibis, Masked

Lapwing, Black Swan, the Endangered Bush Stone-curlew and the Endangered Pied Oystercatcher. The mangroves are known roosting sites for Nankeen Night-heron and provide nesting habitat for Chestnut Teal.

Surveys further into the bay have not been feasible due to restricted access, but it is very likely that other species also rely on the mangroves and wetlands adjacent to the site.

4 Cormorants – Little Pied, Pied, Great, Black)

4 Egrets – Great, Intermediate, Little, White-faced

4 Ducks – Wood, Grey Teal, Chestnut Teal, Pacific Black.”

(Birdlife Shoalhaven.)



The estuary is also a fish nursery and oyster growing area, with local fishing and oyster industries dependent on uncontaminated water quality. In particular the development impacts are likely to threaten the estuary's status as a Priority Oyster growing area and cause significant economic losses for oyster farmers and the Greenwell Point community. Oyster harvesting in the Crookhaven estuary is often suspended for months because of storms and polluted run-off from existing rural and urban development along the river.

Currently there is no public access to the western shore of the estuary and accordingly the wetlands and aquatic environment are relatively undisturbed. Location of a major urban development so close to this significant estuary would bring many more people into the area resulting in degradation of the wetlands mangroves and the wildlife particularly birds that depend on it.

This is especially the case as the proposal encourages people into the area, with promises of a cycle track, footpath and board walk adjacent to the housing development extending along the wetland shore, to the Sewerage Treatment works and further on to Culburra Beach township.

5. Proposed Water Pollution Control measures.

Objection 13. We object to various elements of the proposed water pollution control measure because:

- although the assessment of impacts addresses water pollution control measures for the north west housing estate it does not address control measures for the proposed town centre area, industrial area and the proposed oval.
- The assessment of water quality impacts does not include assessment of impacts from the proposed town centre area, industrial areas and the proposed oval.
- the assessment of NorBEs is not based on local water quality data including rainfall and surface runoff, and accordingly the claim of a 30% reduction in pollutants is not reliable.

5. A. In our view the Water Cycle Management Strategy is not consistent with the precautionary principle or with the Director General's requirements that this application demonstrate "a neutral or beneficial effect" (NorBE) for the quality of surface and ground water in the Crookhaven catchment, SEPP 14 Wetlands, the River and Curleys Bay.

The EIS primarily discusses the Water Pollution Control measures as they relate to the housing development north-west of the Sewerage Treatment Works.

However, an impact assessment for the entire development should be undertaken, especially to include impacts from the proposed town centre area, industrial areas and the proposed oval.

The Integrated Water Cycle Management Strategy claims that modelling of the storm water system has demonstrated that there will be no material or significant impacts on the downstream environment including the Crookhaven River estuary or Lake Wollumboola.

However, no appropriate data base has been established as a starting point for a reliable NorBEs assessment of the proposed water pollution control measures.

We maintain that development of the scale proposed, causing loss of 47 hectares of woodland forest in the Crookhaven and lake catchments, west of the Sewerage Treatment Works and a further 14.2 hectares identified for the Town Centre and 6.32 ha for the Industrial areas, would expose highly erodible soils for long periods and result in degraded surface and ground water quality.

Accordingly, the development would cause serious and ongoing impacts for the sensitive Crookhaven River, estuary, Curleys Bay and adjacent SEPP 14 Wetlands and would not achieve NorBE.

The Strategy's claims are considered doubtful because they are based on MUSIC modelling which uses standardised data and rainfall from 1964-70 ie 55 years ago from Albatross Naval Base Data which is well inland from Culburra Beach.

We note that the Independent Planning Commission in its 17th October 2018 refusal of the previous West Culburra SSD 3846 found that:

"the model used to assess the water quality impacts of 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, as outlined in paragraphs 151-154 and 156."

Despite this finding, the modelling continues to utilise rainfall and runoff quality data based standardised data and rainfall from 1964-70 ie 55 years ago from Albatross Naval Base, which is well inland from Culburra Beach.

Yet, we understand that local data is available via Station number 68083 and that it dates back to 1962.

In addition, we are concerned that:

- at least 20 years of data is required for large developments such as this, yet only 8 years of data is utilised.
- the data provided is not representative of the site's soil, runoff and comparative stream flow conditions.
- the estimated reduction of 33% in pollutant loads post development compared to current conditions with relatively undisturbed bushland, is not a credible result, especially as it has not been compared with typical water balance estimates for a related catchment.

Accordingly, no reliable basis for comparing existing conditions and quality of runoff with projected conditions post development has been provided. Therefore, there is no basis for claiming "a neutral or beneficial effect."

Furthermore, the water quality assessment does not take account of current storm conditions and potential changes due to climate change. Extreme East Coast Lows are now characteristic of Culburra Beach's weather with four east coast lows occurring here during 2020.

These recent violent storms are a likely portend of the future with increases in storm intensity and frequency due to climate change.

Moreover, Sea Level Rise causing inundation around the Crookhaven and Curleys Bay is an added threat to the wetlands and adjacent development proposals.

With largescale vegetation clearing taking place over the proposed 20-year timeframe, these highly erodible soils would be exposed and washed away during storms resulting in sediment and nutrient-laden runoff overwhelming water pollution controls.

Oyster harvesting in the Crookhaven estuary is already suspended for months because of storms and polluted run-off from existing rural and urban development along the river.

Objection 14. Increased nutrient, chemical and sediment loads to the river and Curley's Bay from the development would significantly increase, causing major losses for Oyster cultivation. Such pollution would threaten the estuary's status as a Priority Oyster growing area and fish nursery and harm the economic wellbeing of Greenwell Point.

The Martens water pollution control proposals are inconsistent with longterm expert advice regarding the effectiveness of water pollution control measures, in these low nutrient environments and would result in significant degradation of the water quality and ecology of the Crookhaven River, its wetlands and Curleys Bay.

Inclusion of Groundwater in the Water Cycle Management Strategy.

5. B. The Executive Summary of the Water Cycle Management Strategy Page 3 identifies key amendments to the previous strategy.

The Summary refers to a reduced development scale, a more detailed development layout enabling additional certainty from expected roads, lots, land uses and location of stormwater structure.

It also includes Water Sensitive Urban Design, saying that, “The WCMS has been extended to include some ground water recharge and storm water re-use as part of a range of WSUD storm water management measures.”

This statement is of great concern. Not only would the proposal result in pollution of surface runoff, it would also pollute ground water. The purpose of this methodology is not made clear but it appears to be a means of diluting the polluted surface runoff from the developed areas.

The strategy goes on to say that “no new storm water connections to the Crookhaven River are proposed.”

However, it is our understanding that once ground water is polluted, it cannot be restored to its natural quality. Accordingly, the Storm water strategy as proposed increase pollution.

Furthermore, the **“West Culburra ground water assessment, HGEO Pty Ltd October 2020,”** states, in Section 5 Discussion. 5.1 Conceptual Model that:

“Groundwater is recharged via heavy rainfall events, predominantly along the ridges and upper slopes, but also along the creek lines when they are in flood. Ground water level data are consistent with ground water catchments broadly equating to the surface water catchments. The highest groundwater levels and the main ground water divide between Lake Wollumboola and the Crookhaven River is therefore located along the ridge to the north of Culburra Rd. Ground water moves radially away from the ridge and high points and towards the shores of Lake Wollumboola and the Crookhaven River where it discharges at the shoreline and through the shallow river and lake beds. Discharge also occurs through evapotranspiration of shallow ground water near the shorelines.”

This expert advice confirms that use of polluted ground water recharge, together with polluted surface storm water would reach the Crookhaven River shore and Estuary and cause pollution of the Crookhaven and Curleys Bay shore, the SEPP 14 wetlands, the River and Bay.

The strategy also includes large water pollution control ponds for collection and reuse over dedicated public parks and sports fields, as well as providing for additional pathogen removal prior to release to the 100 m foreshore environmental buffer area.

Public parks and sports fields require constant use of chemical fertilisers and pesticides to maintain growth.

As a result, fertilisers and pesticides would accumulate in the ponds and then be released to the 100 m foreshore buffer causing excessive weed growth and increased pollution of the low-lying lands in the vicinity of the Sewerage Treatment Plant, the SEPP 14 Wetlands and the Crookhaven River and its oyster leases and Curleys Bay.

The strategy at Objective 5 aims to “Treat Storm Water prior to release,” to current best practice standards, including satisfaction of the Neutral or Beneficial Effect (NorBE) test, so as to ensure that receiving waters are not materially impacted.

We do not accept this claim as there is no information provided which enables a comparison with current surface water quality and projected water quality post development, as the basis for confirming NorBE.

6. Environmental impacts-Curleys Bay to Culburra Rd.

6. A. We understand that the term “limited development” applied to the cleared land west of and surrounding the Ambulance Station and Health Centre.

The current proposal is much more extensive. It extends over 1 kilometre west from Canal St to Strathstone St as well as north to the wetlands around Curley’s Bay.

Accordingly, we have issues concerning the suitability of this site for the intensive urban development proposed.

This site was not included in the former West Culburra application. Number 3846. Therefore the 2013 Terrestrial Ecological and Riparian Flora and Fauna Report Appendix 20 on which this application relies, does not provide an assessment of the environmental values of the site or the impacts of the proposed Town Centre, housing and industrial uses further west along Culburra Rd.

Objection 15. The Environmental Impact Statement does not provide an assessment of impacts on the existing woodland vegetation, wetlands and saltmarsh along the Crookhaven River/Curleys Bay shore, despite the intensive development proposed. This includes the proposed Commercial Town Centre, residential development, the Sports Ground, Club and associated facilities and impacts of the elevated walking and bike track into the proposed town centre.

6.B. The woodland area immediately east of the existing Industrial Area, and north of Culburra Road is mature Scribbly Gum Forest, *Eucalyptus haematomas*, which is a protected species. Hollows and stags are evident in some of the trees. The blossoms of the Scribbly Gum attract Honey Eaters as well as Sugar Gliders, Bats and other pollinators. The understorey includes *Allocasuarina*, the food source for the Vulnerable Glossy Black Cockatoo.

To the north, the site transitions into the Swamp Oak Floodplain Forest Endangered Ecological Community with an understorey of *Ghania*. It merges into Coastal Saltmarsh EEC and mangrove wetlands around the Curleys Bay shore. The area east of the STP is very poorly drained, with water currently pooling in vehicle tracks.

Recommendation 16. As the Commercial Town Centre and associated developments would impact a different array of coastal woodland and wetland vegetation compared to the site north west of the Sewerage Treatment Plant, and the amenity of current residents including those in Brighton Parade, an Environmental Impact Assessment should be undertaken and considered before any decision is made to approve this part of the application.



The vegetated part of the site north of the Ambulance Station also possesses 4environmental values, including providing habitat for at least three Powerful Owls with recent calls recorded and documented.

Many residents of the Brighton Pde area around the Curley's Bay shore value the presence of kangaroos and wallabies, birds and other native fauna species that utilise the area as a habitat corridor. These values would be impacted due to the proposed extent of the Town Centre Proposal.

7. Culburra Beach Town Centre Expansion.

7 A. Suitability of the Site.

Parts of this site, including the cleared area are considered suitable for some development. However, as discussed above, an Environmental Impact Assessment should be undertaken for the entire vegetated part of the site before decisions are made regarding its capacity for development.

The Executive Summary for the proposal describes the Town Centre Expansion area north of Culburra Rd and west of Canal St as covering an approximate area of 14.24 ha.

Objection 17. We object to the loss of the character of Culburra Beach, due the extent of development proposed for the Town Centre, its location and relationship to the environment, the character, density, height proposed and doubts regarding social, cultural, economic and employment benefits.

The proposal for the town centre area is clearly inconsistent with the Department of Planning, Industry and Environment's requirements in the South Coast Regional Strategy 2007 based on the 2006 South Coast Sensitive Urban Lands Review and reaffirmed in the Illawarra Shoalhaven Regional Plan, 2015, with the most relevant parts being:

- The remaining land within the catchment of the Crookhaven River is considered suitable for limited urban development." (ie outside the Lake Wollumboola catchment.)
- "It would be appropriate for sufficient land within the Crookhaven River catchment north of Culburra Rd and immediately west of the Culburra Village centre to progress for urban development. The amount of land should meet estimated needs for the next 10-15 years."
- "The release areas should achieve densities which are higher than traditionally achieved to reduce the land-take and economise on the use of land resources. Site planning should allow for suitable bushfire setbacks; protection of EECs and riparian setbacks exceeding current DNR requirements."

The proposal covers all the land from Canal St, west to Strathstone Street and north to the southern edge of the SEPP 14 wetland. This area does not constitute "limited urban development," "immediately west of Culburra Village centre."

The site slopes gently from Culburra Rd north to the SEPP 14 Wetland around Curleys Bay. It extends from Canal St west to Strathstone St. and the existing Industrial Area. Cleared land surrounds the existing Ambulance Station and Health Centre approximately parallel to the Police Station on the south of Culburra Rd and extends north in a line between Weston St and Brighton Rd.

The cleared land is considered suitable for housing development.

The part of the site north of Culburra Rd is native woodland primarily Spotted Gum and Allocasuarina transitioning into wetland. As mentioned previously an EIS should be provided as a basis for assessing whether or not the area is suitable for development.

Furthermore, most of the woodland area north of Culburra Rd is likely to be too wet for urban development. It seems that the proposal acknowledges this in proposing a sports oval on part of the site, which the proposal identifies as wetlands. The oval site is also proposed as part of the water pollution control measures. It would need to be filled to enable it to function as a sports oval.

Objection 18. We consider that the only parts of this site north of Culburra Rd that are suitable for the proposed housing development as follows:

- the site west of the cleared land aligning with the western boundary of the Retirement Village south of Culburra Rd (this area is currently proposed for townhouse ribbon development).
- the site designated for Integrated housing ie extending into the adjacent woodland parallel with Weston Street.

7. B. Scale and design of urban area including Town Centre.

With regard to the proposed West Culburra development Town Centre, the original requirements recommended that the application take the NSW Coastal Design Guidelines into account. However, the proposed Town Centre development and associated residential and other development is inconsistent with the NSW Coastal Design Guidelines. It is lacking regarding the proposed appearance of the Commercial/residential centre or its relationship to the existing town and its built and natural environment.

Rather than enhancing the town centre, the proposal as it currently stands would degrade both the existing character of Culburra Beach and its environment.

It seems that no account has been taken of the recommendation by the Department of Planning that the proposal take account of the NSW Coastal Design Guidelines.

The few available details of the proposed Commercial/residential centre conflict with the following elements of the Coastal Design guidelines:

- “that coastal towns accommodate growth predominantly within their boundaries, without compromising ecosystem functions and biodiversity values.”
- “that social, cultural and employment benefits are provided for the community and vibrant centres are created.”
- “infill development enhances the town centre whilst reducing the need for urban expansion and environmental impacts of large residential subdivisions on the outskirts of the town.”
- No ribbon development.

The application does not address any of these concerns.

It would appear that Landscape Planners and Architects have not been involved in the design as no Architects’ plans or drawings are provided and no mention is made of the proposed visual character of the mixed use residential and commercial area, their relationship to existing development or to the Curley’s Bay environment.

The previous West Culburra application included suggested features, sketches and photos giving some idea of the proposed appearance of housing, other buildings and streetscapes.

As limited information is provided about the Town Centre appearance and uses, it is difficult to establish how it would contribute to the character of Culburra Beach. The proposals do not relate to the existing town centre or to the low-rise buildings and open areas set-back from the south side of Culburra Rd in front of the Bowling Club, the civic buildings and the Retirement village.

Surely with a Concept Application, there is an obligation to engage the community in contributing to defining the character, architectural style, uses of the proposed town centre, its relationship to the proposed housing developments, with the existing town and shopping centre and exiting surroundings both built and natural.

This seems to be a Concept proposal but without a concept except for detail regarding density and height for the Town Centre and surrounding residential development. It is concerning that these elements could be locked in as part of Concept approval.

In any case, there is no guarantee that what is proposed now and potentially approved, would be the final outcome.

The proposal is far from being “shovel-ready” as described at the supporters’ meeting.

Few details have been provided regarding the scope and style of the proposed commercial/residential Town Centre area except that it would combine commercial development, likely retail, with a tavern and residential development with a height of 11 m.

No information is provided regarding the scale, style, appearance and the relationship of the proposed town centre to the existing town centre.

Objection 19. With regard to the details, we object to the following:

- **The proposed medium density ribbon development extending along the north side of Culburra Rd about a kilometre west to the current industrial area, with ugly high density urban development completely out of character with the coastal town character of Culburra Beach which would replace the current woodland and low-density development entrance to our town.**
- **Back fences and a single line of trees are the only concession to lessening the impact of the proposed wall of 12 large medium density sites that would result in 95 medium density dwellings along Culburra Rd with a potential height of 11 m.**
- **Expansion of development west along Culburra Rd resulting in traffic congestion with three roundabouts and increased use of cars, over and above current car dependence due to the existing spread of Culburra Beach/Orient Point.**
- **No provision is made for additional parking in the town centre.**

With regard to the residential area proposed along the north side of Culburra Rd, the following proposals would be more appropriate:

- limit the extent of urban development west along Culburra Rd to align with the western boundary of the Retirement Village.
- provide a 20-metre vegetation set-back for housing on the north side of Culburra Rd.
- Avoid ribbon development by providing a mix of housing styles with a height limit of 8.5 m, removing the 12 large medium density sites and providing some sites for Retirement village style housing.
- Reconfigure the housing estate to include cul-de-sacs, rather than linear roads, lines of houses and fences and enable connection to the proposed cycle path.
- Provide space with blocks for trees and gardens.

We support provision of Integrated and medium density housing in principle.

Objection 20. We object however that the proposed density and lack of surrounding open space for gardens, including vegetable gardens is unsuitable for seniors, for residents with physical disabilities and limited income residents.

It is suggested that more variability of medium density housing style housing is provided, including single storey 2-storey housing to provide for wheel chair bound residents.

It is concerning that no provision has been made for car-parking for the proposed commercial area. The current provision of car park spaces in the town centre is already inadequate, particularly during the holiday season.

The proposed commercial development would be enhanced by inclusion of community open space for example a public plaza, with a park and community garden, where people can gather and relax for access to cafes, for passive recreation, picnics, live music and art or possibly a modest swimming pool. Most coastal villages and towns have public areas where residents and visitors alike can relax.

7. C Sports Ground and associated facilities.

Objection 21. We object to the location, character, environmental impacts and need for the proposed Sports ground, Club house and associated facilities.

The proposed active sports ground close to Curleys Bay and its wetlands, are within the odour zone of the sewerage treatment works making it unsuitable also for outdoor activities and functions at the proposed Club House.

The odour would also impact the bike/walking track and the proposed western housing development.

Due to the wet nature of the area close to Curleys Bay, the Sports Ground would need to be filled and drained, with ongoing drainage issues and potential disturbance of Acid Sulphate Soils adjacent to the SEPP 14 wetlands during construction.

Also, sports ovals require regular use of fertilisers and herbicides. The sports ground is part of the proposed water pollution control measures and being close to the wetlands and bay, would pose a threat to the wetland vegetation and water quality of Curleys Bay. It would represent an ongoing cost to Council to manage the impacts on the environment.

Furthermore, substantial sports grounds for a range of activities already exist in Culburra Beach/Orient Point.

The scale, density and location of all of the proposed mixed commercial-residential development and recreational facilities should be reconsidered, taking account of likely degradation of the wetlands along Curleys Bay shores due to both surface and ground water pollution

8. Economic and Social Issues.

8.1. Implications of Regional Planning including concerns regarding economic issues associated with the proposal.

The Policy of the NSW Government as expressed in the Illawarra-Shoalhaven Regional Plan 2015 is for future residential, commercial and industrial development to be focused in and around Nowra. The priority areas for future housing includes North Nowra, Camberwarra and Bomaderry. Culburra Beach is identified for limited development only.

Therefore, the character and extent of the proposed residential, commercial and industrial areas is excessive and inconsistent with NSW Government Policy.

The Executive Summary of the Atlas Urban Economics document provides some insight regarding negotiations under the auspices of the NSW Land and Environment Court.

It states that “A series of Contentions to the Concept Plan and SSD have been raised by the IPC.” (Independent Planning Commission.) It goes on to say that **“The applicant has provided insufficient evidence to support its asserted benefits and mitigation of economic detriments of the proposal.”**

Apparently, Atlas Urban Economics was commissioned to address these issues. There are however several important discrepancies between the Environmental Impact Assessment and the Atlas Urban Economics document.

With regard to the population of Culburra Beach, the EIS states at Page 34, that extension of the Culburra Beach township “provides an opportunity to address the decline in the permanent population by providing a mix of residential dwellings.”

It goes on to claim that the population of Culburra Beach in 2016 was 2,874. This is clearly incorrect with the 2016 census recording a population of 3,481 people, an increase on the previous census.

The Atlas Urban Economics document refers at Page 14, to a population of 3,600 residents in 2019 but until the next Census, delayed from 2020 due to the Covid Pandemic, we will not know the current population.

It is likely that the population has increased, particularly, with many people choosing to move from urban areas, particularly Sydney and work via the internet at home in Culburra Beach.

8.2 Housing costs, claimed housing shortage, medium density.

The Atlas Urban Economics document also refers to increased house purchases and prices associated with people moving from Sydney.

Some Culburra Beach residents complain that increased housing costs mean that children and grandchildren could not afford to purchase a house in Culburra Beach and that development expansion was the answer. However, this claim is not unique to Culburra Beach, with the cost of housing beyond the means of many young people wherever they live.

However, planning for expansion of affordable housing is underway in the North Nowra, Bomaderry Creek area and traditionally Nowra property prices are generally lower than Culburra Beach and other coastal towns.

Recent house prices in Culburra Beach and in other coastal and regional communities are currently driven in large part by lifestyle decisions associated with the Covid threat. New residents are attracted to Culburra Beach because of its natural, unspoiled environment and its casual lifestyle, and capacity to work from home, less so for holiday home purchases. Nevertheless, houses continue also to be purchased to provide holiday accommodation.

Both the EIS and the Atlas document discuss potential shortage of housing in Culburra Beach. Reference is made to the claimed lack of medium density housing.

However, we consider that this assessment derives from an under-estimate of the existing trend for medium density housing that has increased substantially since 2014 when the Shoalhaven LEP enabled subdivision of existing lots for medium density housing.

There are at least 20 new subdivisions within the last 2 years including those opposite the Club in West Crescent and in East and West Crescent and The Lake Circuit near Sheepwash Creek in the Lake Wollumboola catchment and more approved and further applications to Council yet to be decided.

We recognise interest in medium density housing for older residents of Culburra Beach who wish to down size and the lack of housing provision for low-income families.

Accordingly, we generally support provision of medium density and integrated housing in Culburra Beach, but consider it should take place in close proximity to the existing shopping centre and not for example in the sensitive Lake Wollumboola catchment.

Objection 22. We consider that high density and 2 and 3 storey style of the units proposed, are unlikely to meet the needs of elderly residents wishing to downsize, of disabled community members or of young families. Accordingly, we not support the medium density housing as proposed.

Given the extent of medium density housing already provided, the extent of additional provision of such housing has been over-estimated.

The Atlas Urban Economics document also discusses other implications of the Proposal for housing availability, the local economy, particularly retail, industry and traffic issues in Culburra Beach from Page 14.

It refers to the location of the proposed town centre development with “significant exposure given its frontage to Culburra Rd.”

However, the adverse reaction of Culburra residents to proposed high-density development along Culburra Rd has been immediate. It may be suitable for urban development more suited but it is not compatible with the low-density style of housing and relationship with the natural environment that characterises Culburra Beach.

The Atlas Urban Economics assessment also refers to the Proposal as having, “the potential to stimulate the local economy through attracting new local residents and creating new employment opportunities,” including significant expansion of industrial development, whilst discouraging increased retail potential due to an existing over-supply.

As the current increase in medium density housing shows, the local economy does not need further extensive development proposals to stimulate the local economy.

The assessment also advises that based on regional sustainable norms Culburra Beach should have 4,000 sqm of retail space. However, it is estimated that there is an existing 7,100 sqm of retail space.

So, it seems that the Atlas Urban Economics advice conflicts with the proponents' proposal for a new town centre providing 2,438 square metres of additional retail space.

Even with additional demand due to additional housing provided by the development, there would still be excess retail space than required for a town of Culburra Beach's size.

The developer claims that the creation of new retail space would create new and successful businesses and therefore more jobs. However, this simply creates conflict between existing and new businesses.

This would repeat the pattern established when Woolworths came to Culburra Beach in 2010. Several businesses closed immediately, including an existing supermarket, fruit shop with several continuing businesses marginal.

The same pattern applied to the closure of the hardware store in 2018 which was in part, likely the result of competition from growth of large businesses at South Nowra in particular Bunnings, rather than due to the lack of housing availability and retail space in Culburra Beach.

In our view the close proximity of Culburra Beach to Nowra is a major reason why significant retail, commercial and industrial development in Culburra Beach is both inappropriate and unlikely to occur.

It is clear that the Developers are more interested in profiting from greenfield sites than supporting sustainable growth within the developed Culburra Beach retail footprint. They should discuss with Council development of medium density housing within the existing commercial centre including the neglected Council "park" site behind the eastern part of the shopping strip.

8.3 Industrial development.

Objection 23. We object to the scale of the proposed large Industrial Area to the north west of the current industrial area.

We do not object to the proposed industrial area proposed immediately east of Strathstone St because it involves a small-scale addition to the existing industrial area, enabling appropriate development expansion.

The Atlas Urban Economics Assessment also refers to the distance of the development, presumably the housing estate, proposed NW of the Sewerage Treatment works, as being "just 15 km east of Nowra." Culburra Beach town centre is only 20-minutes from Nowra and accordingly, it is not possible for the Culburra Beach economy to compete with Nowra's growth as the region's commercial, industrial and service centre.

Accordingly, we consider the claims of opportunity for significant industrial development in Culburra Beach, especially with anticipated high land values, are not justified. The smaller proposed industrial area east of Strathstone St would cater for any new niche businesses not provided in Nowra.

8.4 Traffic issues.

Long delays at peak times already occur at the East Nowra intersection with the Princes Highway, so additional traffic from/to Culburra Beach and Nowra due to additional development, would exacerbate the problem.

Moreover, the roads between Nowra and Culburra Beach are basic country roads, through farmland and forest. Recent Road and bridge repairs have improved safety however parts of the road are very narrow especially beside the Crookhaven Creek.

The existing road infrastructure could not cope with the amount of traffic generated by the proposed additional population projected in the proposal.

Moreover, the proposal involves three new roundabouts on Culburra Rd, from the proposed entry/exit for the western portion of the proposed development and two others within the town centre. These roundabouts are likely to cause traffic problems within Culburra, particularly if the proposed western development were to proceed. Given the distance of this proposed housing area from the town centre, most inhabitants will be car-dependent, particularly young families, transporting children into/out of Culburra Primary School and to sporting and other events.

8.5 Social and economic character of Culburra Beach.

Culburra Beach is closely linked to Nowra as a dormitory suburb.

A significant proportion of Culburra people are employed in Nowra and work in major services such as Hospital, High Schools, Wollongong University campus, Council facilities, entertainment as well as Retail and Industry.

As indicated by the Atlas Urban Economics Assessment at page 14, Culburra Beach's major employing industries include health care, and social assistance, construction, retail and accommodation and food services, with most private owners living locally.

Culburra Beach itself has a flourishing housing and renovation industry, together with health and well-being services, aged care, cafes, holiday accommodation and associated services and economic and social activities.

No mention is made of the extensive contribution to the social, economic and environmental wellbeing of Culburra Beach, by the volunteer contributions of residents particularly retired residents. These contributions include the mosaics that adorn the shopping centre, the carved Aboriginal Poles at Crookhaven Heads, activities at the Community Centre, the Surf Club and other sports, the Burradise Festival, Bushcare and the NPWS Nesting Shorebird Program Volunteers.

It is remiss also that the Atlas Urban Economics Assessment does not mention the positive impact for the local economy from the tourism industry, which depends in large part on Culburra's unspoiled environment and relaxed, low key atmosphere. In summer the population of Culburra Beach trebles with holiday visitors.

In particular bird watchers come to observe Lake Wollumboola's internationally significant birdlife, (at least an estimated 1000 people this summer). Fishing and boating in the Crookhaven River are significant attractions as well as special events such as regular surfing competitions and prior to Covid, the Burradise Festival, all of which contribute to the local economy.

There is considerable potential for development of Jerrinja Cultural Heritage and nature tourism.

It is concerning that the existing character of our village community, its economy and the significant but sensitive Culburra Beach environment would be degraded as a result of overdevelopment and population increase should this development application be approved.

9. Concern regarding the purpose of Concept Plan Approval for the West Culburra SSD Concept application 3846.

Whilst this application is for Concept Plan approval, the Staging Plan contains considerable detail for both the proposed western residential area and for the Culburra Beach Town Centre proposals.

Should the Court approve the Staging Plan, it seems that it would also enable approval of individual development applications at levels of detail usually considered and decided by Council's approval of development applications, for example the application specifies the location and size of individual lots as well as the building height for "medium density" areas.

Lake Wollumboola Protection Association Inc 26th February 2021.

Corridors layer SC RCP

