

# CULBURRA RESIDENTS ACTION GROUP

Culburra Beach. NSW. 2540

26<sup>th</sup> February 2021

Director, Industry Assessment, Planning and Assessment  
Department of Planning, Industry and Environment  
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Parramatta. NSW. 2124.

## **WEST CULBURRA CONCEPT PLAN PROPOSAL (APP. NO. SSD 3846) – PUBLIC SUBMISSION**

When making this submission, we declare that we have not made a reportable political donation in the previous two years.

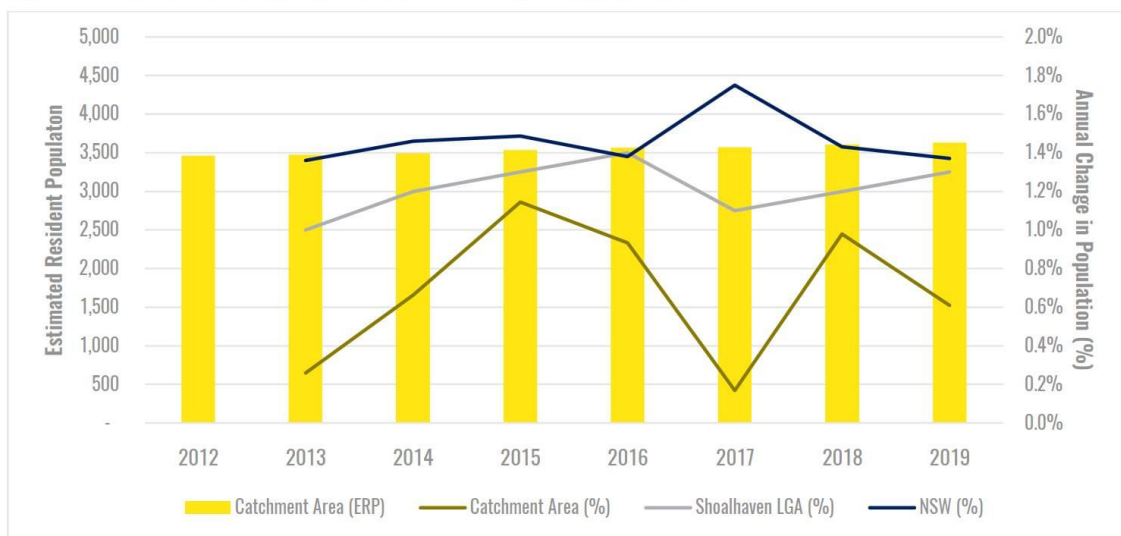
We oppose the West Culburra Concept Plan Proposal SSD-3846 for the following reasons:

- As was argued in the original objections and by the Commission, this development constitutes overdevelopment for Culburra and is inappropriate for a town of this size;
- It will have a negative impact on the environment of the area thus affecting the quality of life of the population and the native species living in the area;
- It will destroy Indigenous middens that the developer has identified are in place across the area of the proposed development;
- Pollution from the development will have a direct impact on the water quality of the Crookhaven catchment and surrounds, including wetlands that are crucial to the ongoing survival of local species;
- It will not have a significant impact on the economy of the town and will be detrimental to local businesses;
- The design of the estate puts lives at risk if a bushfire should occur in the surrounding areas with only one route for escape;
- The “affordable housing” that is proposed by the developers has not undergone any social impact testing and their record in the adjacent town of Vincentia in not delivering the services they had originally planned puts in doubt their ability or willingness to deliver anything other than the housing estate;
- The building standards outlined in the proposal do not reach a high enough standard compared to other developments in this type of location;
- There has been insufficient community consultation on the proposal since it was re-lodged during the Xmas and New Year breaks.

## OVER DEVELOPMENT

As was argued in the original objections and by the Commission, this development constitutes overdevelopment for Culburra and is inappropriate for a town of this size. The fact that the developers were advised to reduce their development significantly shows they do not have a clear idea of what constitutes over development. The myth that Culburra Beach has a declining permanent population, and without new development the town will die is a lie. The chart below is from the developer's application. It shows Culburra Beach population is growing NOT declining.

Figure 2.3: Estimated Resident Population (2012-2019), Catchment Area



Source: ABS (2020), compiled by .id

Average growth in population 2012-2019 was 0.7%. This is not a long way below the Shoalhaven region as a whole at 1.2% - despite large housing development expansion in areas of Nowra, Vincentia and Ulladulla area in that time frame. Anecdotal evidence, including comments from local real estate agents, is that the growth in our permanent population has accelerated in 2020.

The proposal would see a population increase of over 20% in a short period of time with no provision for additional infrastructure except for the specific development area. There are no plans for an increase in educational facilities which are reaching capacity, medical facilities which are already at capacity, or any upgrade of roads in the town (apart from the one leading to the development and the building of three roundabouts to manage traffic coming in and out of the development). There has been no provision for parking at beaches and adjoining water access points as all the residents of the development will need to drive to the beach or lake as it is too far to walk. Culburra is already at capacity at its small car parks which has seen cars being parked illegally on lawns and verges.

As one of the local towns and areas that was untouched by bushfires, we do not want to see more native habitats destroyed to make way for houses that are not needed for the growth and well being of the town and its residents.

## **ENVIRONMENT**

The development will have a negative impact on the environment of the area thus affecting the quality of life of the population and the native species living in the area.

The Crookhaven Catchment is an extremely sensitive area of wetlands and foreshore environment and the proposed additional stormwater has the potential to significantly impact the native fauna and flora that thrive in the existing habitats.

The Office of Environment and Heritage (OEH) advised that the land proposed to be cleared includes lowland forest areas with considerable environmental areas. Following the destruction in last years bushfires, the removal of 47 hectares of semi-mature forest is a significant loss of moderate to good forest vegetation whose tree hollow resources cannot be mitigated by the utilisation of the cleared trunks and branches in the surrounding bush. The OEH did not consider moving the cleared hollows to surrounding bush to be an adequate replacement for already situated mature hollow-bearing trees, and this approach is not supported by underpinning scientific research.

The OEH previously confirmed the area includes a Powerful Owl nest tree and a number of threatened microchiropteran bats on or near the site, so there are clearly some important threatened fauna species on this site.

The vegetation occurring along the foreshore of the Crookhaven River and associated drainage features should be considered to form part of the Swamp Oak Floodplain forest and Swamp Sclerophyll forest which are Endangered Ecological Communities (EEC). OEH noted the vegetation mapping indicates the plant species occurring within these vegetation types are consistent with the species known to occur within these EECs. It is noted that agreed boundaries of the floodplain wet EECs will not be included in the development footprint, however, it is important to note that any development of the proposed land will affect the natural flow of water into these EECs.

The estuary supports extensive areas of marine vegetation (including seagrass, mangroves and saltmarsh) and Priority Oyster Aquaculture Areas (oyster farms) and both commercial and recreational fishing grounds. The Department of Primary Industry (DPI) advise that developments should aim to achieve “no net loss” of Key Fish Habitats and no significant impact upon commercial and recreational fishing. The developer has not shown conclusively that the development can be carried out without substantial risk of significant adverse impact upon the fisheries of the Crookhaven River estuary.

The other major factor that will have an impact on the environment will be the excessive storm water that will come from this area. Following the rejection by the NSW Independent Planning Commission of the Halloran Trust’s previous application in 2018, the developer was required to show “a neutral or beneficial effect” (NorBE) for the quality of surface and groundwater on these areas. The Developer still has not provided a NorBE assessment of

their proposed water pollution monitoring that satisfies this condition. No study has been carried out on the impact of the vast quantity of stormwater potentially generated by the developed housing and business lots combined with high seasonal rainfall that is increasing annually due to changing and unpredictable climate conditions.

Moreover, the proposed playing field that would absorb all this stormwater and runoff will require fertilisers and herbicides in the course of its maintenance. The developer has not addressed the issue of the impact of this on the water quality on Curley's Bay and the Crookhaven River.

The West Culburra groundwater assessment conducted by HGEO showed that half (4/8) of the monitoring bores in the study showed groundwater within 1.5 m of the surface. Three of those 4 monitoring bores were located on the lower slopes towards the Crookhaven River. The report advised shallow groundwater levels and sub-artesian groundwater pressures on the lower (currently pastured) slopes facing the Crookhaven River may present challenges for excavations and drainage in the area.

The recent bushfires have seen over 80% of forested areas in the south east of NSW destroyed with native species suffering catastrophic losses. The need for habitats in the Shoalhaven is critical if we are to see any sort of recovery of the flora and fauna. In both recent reports by the Federal and State Governments on the bush fires recovery they state that climate change was a factor in the severity of the bushfires and will continue to be a factor unless we are able to bring temperatures down. Part of the problem for our country is the deforestation that is taking place reducing our ability to manage climate change. It is critical to the survival of not only endangered species but for our own survival in the future that deforestation of the continent be curbed. As this is an unnecessary development that will contribute to this problem it should be seen in the large context of ensuring we are able to manage climate change by not over developing areas of native habitat.

### **INDIGENOUS**

It is not our place to provide an opinion on the indigenous aspects of this development except to say that significant middens have been found not only in the area but specifically on the 47 hectares that are the subject of this proposal. The East Crescent DA currently held by Halloran has shown major indigenous artefacts on the site after the work has started. This proves that the developer's due diligence was not satisfactory. The developer has not shown how he intends to deal with the middens that are found when work begins on the site. We support the Jerrinja submission opposing the development.

### **ECONOMIC**

The development will not have a significant impact on the economy of the town and will be detrimental to local businesses.

From the submission by the developer (p.17)

*“As outlined in the accompanying Economic Impact Assessment, the town centre area is identified to be already oversupplied by some 3,000sqm of retail floorspace”.*

The proponent expects the development to lead to an increase in population of 847 residents. From the proponents own numbers this increase has the potential to absorb 930 square metres of Culburra’s 3,000 square metre excess. This would still leave approximately 2,100sqm of excess retail space

*“Based on a retail demand ratio of 1.1sqm per person, new residents accommodated through the Proposal could demand an additional 930sqm of retail floorspace”*

Yet despite this the proposal includes adding a further 2,438sqm of retail space in Culburra. By the developers own numbers this would leave Culburra with approximately 4,500sqm of excess retail space versus local Australian averages. As a percentage this excess is 78% today but increases to 93% after completion of the development. It appears the developer is knowingly setting Culburra’s retailers up for failure. Too much retail space leads to higher vacancy rates and to excess competition which diminishes the chance for businesses to generate sustainable income.

It is important to note the proponent, in calculating ongoing job creation and gross regional product (GRP) contribution from its development, assumes the additional 2,438sqm is fully leased to successful businesses. It does not subtract jobs and GRP from its economic assessment for the businesses that will fail due to the increased competition an even greater excess of retail space. And we note this will certainly not help Culburra’s retail vacancy rates.

Such an expansion of retail space represents bad town planning. It also highlights the lack of integrity of the proponent evidenced by its manipulation of numbers to produce grossly inflated economic outcomes.

We note that on an ongoing basis the developer estimates the development leads to 208 full-time equivalent (FTE) jobs in Culburra Beach/Orient Point catchment. We believe this is unrealistic and represents a gross inflation of realistic outcomes:

- This includes an assumed 49 FTE jobs from the addition of 2,438sqm of retail space. This is retail space which is excess to the already excess retail space Culburra has today. A more realistic figure would be based on the absorbable retail space from an additional 847 residents. This would be more like 10-20 jobs.
- This includes an assumed 111 FTE jobs from the 140% expansion of the industrial precinct. We are concerned the industrial expansion is not justified and will not be occupied. However even if it is fully leased to successful businesses 111 jobs is not realistic. Today the CulburraBeach industrial precinct employs approximately 30.

Based on actual current employment levels this potentially amounts to an additional 42 jobs – a long way shy of 111.

- The remaining 48 FTE jobs equivalent are assumed to be those that work from home. This is extraordinarily unlikely. While the developer envisages 847 additional residents, based on the current age breakdown of the Shoalhaven LGA there are likely to be approximately 470 working age residents. It isn't credible that 10% of the working age population would be working from home in FTE employment.

The above examples given show the proponents Economic Impact Statement lacks credibility. We suspect these aren't the only flaws in the developer's analysis. Given that it lacks credibility in a way that favours the developer and given the immense rewards to the developer if its development goes ahead, we would question whether such a document may be an illegal representation.

A number of people have raised the issue that more houses in Culburra will bring down house prices making it more affordable for young families and local residents. This development will not bring lower house prices and it will not make Culburra affordable. Prices are not driven by local village supply. Supply has not led to lower prices elsewhere and will not do so here. The primary driver of house prices is interest rates, and in our case demand from Sydney.

While there will be a few who will financially benefit from this development going ahead, there are little to no economic benefits to the vast majority of the community

### **SOCIAL IMPACT**

In the submissions by the developers, an amount of "affordable housing" has been identified close to the town centre. No studies have been included on the impact of this on the town. Recent examples of the type of development in Sanctuary Point have shown that groupings of people from low socio-economic backgrounds in one area creates ghettos and worldwide studies have found that this is not the way to advance communities and create social cohesion. The developers lack any understanding and detail on the "affordable housing" they are planning which is worrying for the community.

Even so, we doubt that the developers will deliver the other aspects of the development that includes affordable housing, increased amenities and even the increased retail shops and industrial area. We say this because of their history. On several occasions they have also promised a range of amenities for the community but did not deliver them. This is on record.

But regardless of this, they have not sufficiently shown why we would need another sporting field when we have a series of fields in place in North Culburra with the sporting association of the towns looking to grow these fields using adjacent land that is available. This is but one example of not taking into consideration the needs of the town but trying to work out where they can put all the storm water they plan to collect.

## **BUILDING STANDARDS**

The building standards outlined in the proposal do not reach a high enough standard compared to other developments in this type of location.

From the developer's proposal:

*"The Proposal is strongly influenced by the proximity of the extensive waterbodies in the area and the connection to the existing township. The street plan of the existing Culburra Beach township was designed by Henry Halloran and the Proposal builds on the existing town urban form and offset arcs which links access to all three waterbodies (i.e., Crookhaven River, Pacific Ocean and Lake Wollumboola)."*

Standards of development have changed since the 20<sup>th</sup> century when Mr Halloran planned the existing town. To have a development that refers to antiquated and quite dangerous examples of unsustainable development gives the community no confidence in these developer's ability to deliver a 21st century sustainable development.

In all the reports recently produced by the state and federal governments in response to the savage bushfires on the south coast, they all recognise that climate change is a major factor in the way weather patterns are changing and that we need to take these changes into account in all our planning. The developers do not seem to understand that this development will not sit well with the environment and will in fact be counter to their own research funded by the Halloran Trust at Sydney University.

## **COMMUNITY CONSULTATION**

Contrary to the assertion by the developers on p.34 section d that there is majority support for the development and there has been community consultation, a recent petition on the development has seen over 2400 signatures from people opposing the development. Also, the only meeting held in the community during the review was for supporters only, with anyone who did not support the development being banned from the meeting. It was also a condition of the Shoalhaven Council supporting the proposal that there would be community consultation.

*"Community feedback will be sought when the Planning Proposal and supporting studies are publicly exhibited. This will not occur until all the required reports and State Government conditions have been met. Further updates will be provided through this Get Involved project page"*

There has been no general community consultation and in fact a number of local facebook pages run by supporters of the development have shut out comments from opponents.

The developers cannot go forward confidently stating that the town supports this development. They have been unable to prove this. They continue to misrepresent the residents of Culburra based on assumptions rather than facts.

Submission prepared by Kingston Anderson for the Culburra Residents Action Group

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**FOR MORE INFORMATION PLEASE CONTACT:**

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