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Mr Sam Haddad,
Director General.
Department of Planning and Infrastructure.
GPO Box 39 Sydney.
NSW 2001

Attention: Ms Nicola Chisholm. nicola.chisholm@planning.nsw.gov.au

Dear Sir,

5th March 2014

**West Culburra Part 3 A mixed-use subdivision. Application MP 09_0088 Culburra Rd.
Concerns regarding the Response to Public Comment.**

The Lake Wollumboola Protection Association made a comprehensive submission in response to the public exhibition of this Part 3 A application.

We wish to raise two main issues:

- the consent authority for this concept application.
- the failure of this Response to Public comment to appropriately address our objections.

We request clarification as to whether the Department or the Planning Assessment Commission would be the consent authority for this application.

On 21st January 2014 Mr Mark Schofield advised me he had reviewed the West Culburra file and did “not believe that the application must be referred to the Planning Assessment Commission for determination. In order for the project to be automatically required to be referred to the PAC for determination, the delegation requires there to be 25 submissions in objection (24 were received) or an objection from Council. (Council raised issues but did not object.”

However scrutiny of at least two objections that are identified as “Comment,” shows that these submissions should be accepted as objections. There are also others that express concerns. In two, the authors object to most of the significant features of the concept application whilst not necessarily objecting in principle to urban development occurring on parts of this site. One of the submissions is anonymous and the other is by Dr Danny Wiggins. See Attachment 1.

Accordingly it seems that as there are at least 26 objections, the application should be referred to the PAC for decision.

Furthermore we are concerned that the “West Culburra Mixed Use Concept Plan Major Project 09-0088 Environmental Assessment Response to Submissions” John Toon Pty Ltd, does not deal appropriately with many of our objections. I raised our general concerns with Mr Schofield who advised me to put them in writing. Hence this letter.

The Toon Response (TR) variously misrepresents, glosses over or does not acknowledge our objections. Furthermore the Report does not demonstrate how the proponent intends to address and mitigate most of them.

Furthermore the TR includes a proposal for a specific Biodiversity Offset proposal that is not consistent with the Director General’s requirements that the West Culburra development be consistent with the South Coast Sensitive Urban Lands Review Report and the South Coast Regional Strategy.

We note that the TR includes a Biodiversity off set proposal. However this proposal has not been the subject of public exhibition. We strongly object to this proposal and consider that we and other members of the public should have an opportunity to comment. This is a further reason why the PAC with its provision for a public meeting, should be the decision making body.

There is a case for re-exhibition of the proposal, given the lack of opportunity to comment on the biodiversity offset and overall lack of detail regarding exactly what is planned.

Our summary of concerns is attached as Attachment 2. This Attachment follows the order of the issues in the TR.

Our June 2013 submission provided a summary of the main issues we raised at Pages 5-6.

Yours sincerely,

Frances Bray PSM BA B Ed Dip Ed.

President Lake Wollumboola Protection Association Inc.

Attachment 1 Clarification of number of opposing submissions.

The anonymous author whose submission is identified as “Comment” says, “I do however strongly object to any urban expansion, including road infrastructure within the Lake catchment.” The submission goes on to say that mangroves, salt marsh and sea grass should be left undisturbed and that Nowra-Bomaderry should be the place for large-scale development.

Dr Wiggins’s submission is headed as “concerns and suggested improvements.” However much of his submission comprises substantial criticism of the design of the concept proposal.

At Part 3 the heading is “A separate settlement-lack of serious connection to existing centre.” He says,

“The proposal represents a new settlement and not an extension to the existing Town, with a ‘no man’s land’ separating the two- a ‘dogs breakfast’ of a sewerage treatment plant STP, extended industrial zones and ‘future development zones’.”

“The submission fails to acknowledge this and makes little effort to address the interface, despite the obvious constraints. Eg the clash of land uses at Stage 2: the ‘centre piece’ semicircle abutting the proposed industrial area and the STP. In addition there is little attempt to promote active transport connections.... Active transport is now an established Planning principle.”

The submission continues to make fundamental criticisms throughout, including that the Stage 1) 50 units x 4 storeys is totally out of character with the town and that residential buildings in this area are “not in the spirit of protecting the Lake catchment.” Also that “ambit claims are not new with this proposal (eg 14 storey flat buildings originally suggested.)

It concludes by saying that concept plan approval should not be granted until;

1. The proposed medium density developments on the Culburra Rd and the proposed Collector Rd deleted.
2. A revised subdivision layout is provided, deleting the poorly located lots (and many of the culs de-sac), building in internal open spaces and a pedestrian/green network, improving the excessively long unbroken streets and addressing the poor interface with the industrial area/SPT.

Surely, this submission constitutes an objection to main features of the proposal.

Attachment 2

LWPA concerns regarding “Environmental Assessment Response to Submissions” John Toon Pty Ltd

The following comments follow the order of the “West Culburra Mixed Use Concept Plan Major Project 09-0088 Environmental Assessment Response to Submissions” John Toon Pty Ltd. The abbreviation “TR” identifies references to this document.

1. Changes to the Concept Plan.

Misinterpretation of our concerns and proposals.

1.1 The Foreshore Park.

We wish to respond to several references in the TR to the Lake Wollumboola Protection Association’s comments regarding the proposed Foreshore Park and the associated recreational and tourist infrastructure.

At Part 2.1 the TR says, “Some private submissions, notably the Lake Wollumboola Protection Association Inc sought the complete removal of the proposed cycle/walkway, allowing only narrow finger pathways off the proposed ridgeway cycle/walkway.”

At 3.1 the TR says that the “LWPA sought total conservation with only limited access.”

None of these claims are correct.

We therefore seek proper consideration of our proposal for changing the location and nature of the cycle/walkway.

We support a Foreshore Park concept that is primarily for conservation of the environment, Aboriginal cultural heritage and passive recreation, rather than the decidedly active facilities proposed. The area is zoned for Environment Conservation under the current SLEP and proposed for E 2 Environment Conservation under the Draft SLEP 2013. Most of this site is SEPP 14 Wetland.

Accordingly we do not think it is unreasonable that conservation of this SEPP 14 Wetland should be the primary purpose.

In our view the proposal for a cycle/walking track within the wetland and for its full length would result in substantial degradation of the wetland. These impacts could be significantly reduced and the management measures more effective if the route was located directly south of the wetlands along the existing main sewer line and adjacent to the proposed Foreshore Drive.

We did not propose that these facilities be moved to the ridge line of the Crookhaven and Lake catchments as the TR claims. Misinterpretation of our recommendation may have arisen because we understood that the name “Collector Rd” applied to a circular road around the entire development. The original maps of the proposed development did not give these roads a name.

We recommended and continue to recommend that the location of the bike/walking track and exercise facilities be shifted out of the Crookhaven River-Curley’s Bay SEPP 14 wetlands and Environment-zoned areas and located immediately south of the wetland and adjacent to the Foreshore Drive along the northern perimeter of the subdivision. We also proposed that limited side tracks into the wetlands be provided, together with appropriately located seating and interpretive signage. Barbeques and children’s play grounds should be located outside the wetland perimeter.

These changes would significantly reduce construction and long term increased population impacts on the wetlands.

We note also that there is a 30 m wide area of foreshore that is Crown Land not private land, for most of the length of the proposed Foreshore Park. The TR should make clear the extent to which the proposed recreational infrastructure would be located in the Crown Land.

Further details of our concerns regarding the proposed Foreshore Park are addressed on Page 6 this submission.

1.3 Area for Residential Development marginally reduced.

The LWPA submission objected that the proposal was not for “limited” urban development in the Crookhaven catchment as specified in the DG’s requirements and that the proposal should be consistent with the South Coast Regional Strategy/South Coast Sensitive Urban Lands Review.

Our objection that the proposed development is not “limited urban development in the Crookhaven catchment” in accordance with the South Coast Regional Strategy, has not been acknowledged or addressed. These inconsistencies are discussed throughout this submission as they relate to different aspects of the proposal.

There is no way of knowing the extent of the claimed reduction in residential development in the central section in the Crookhaven catchment, as the TR does not map the change or provide details of the number of lots reduced.

LWPA proposed that no residential development be proposed in the central area, to protect adjacent wetlands, to provide a green corridor both for passive recreation and to provide a wildlife corridor. However the TR does not mention our objection to the unbroken extent of residential development or comment on the suggested changes.

The LWPA strongly objects to expansion of urban development in the Lake Wollumboola catchment.

Yet this section of the TR does not acknowledge our objections, based on;

- potential catastrophic impacts on Lake Wollumboola and its fringing wetlands, in this location via pollution of both surface and ground water. No evidence has been provided to demonstrate that the claimed redirection of surface water by gravity feed to the Crookhaven catchment would be successful. Furthermore impacts on ground water cannot be mitigated in this way.
- inconsistency of urban development in the Lake catchment with the 117 s Ministerial Direction that applies to the South Coast Regional Strategy. Consistency with the Strategy and the South Coast Sensitive Urban Lands Review (SCSULR) is a DG’s requirement for this DA. The Strategy adopted the SCSULR recommendation that the Lake catchment is unsuitable for development and should be zoned for conservation in the Shoalhaven LEP. So why persist with intensive urban development proposals in this location? (See later comments.)
- residential development expansion in this part of the Lake catchment would set a precedent for development of other areas in the Lake catchment.

The TR proposes an increase in intensive urban development in the Lake Wollumboola catchment in direct conflict with these constraints.

The proposed residential area is located south of Culburra Rd and east of the old tip site, in addition to encroachments previously proposed in the Lake catchment part of this site. We once again express concern for such urban expansion, contrary to expert evidence and request that this proposal for the Lake catchment, not proceed for final approval.

Part of this site is proposed to be zone E 2 Environment Conservation in the draft Shoalhaven LEP 2013. This zoning permits only one dwelling per 40 ha so it seems that the proposed intensive development here would not be permissible.

The TR mentions that drainage from this site is to be redirected to the Crookhaven catchment by gravity feed. No evidence has been provided that this can be achieved, without impact on the Lake catchment.

LWPA wrote to the Department of planning and Infrastructure in August 2013 raising our concerns regarding the lack of a hydro-geological survey of the Lake catchment and wider area and suggesting that such a survey be undertaken to determine the direction of surface and ground water flow as the basis for the catchment boundary, given the primary strategic concern is that the Lake Wollumboola catchment is unsuitable for urban development, due to likely adverse impacts on Lake water quality and ecology.

We specifically requested that a hydro-geological survey be undertaken for the site south of Culburra Rd and west of the existing retirement village. Medium density housing is now proposed for this site.

A hydro-geological survey is therefore crucial to establish the nature of the soils and geology and the direction of ground water flow from this site. The soils are known to be sandy on this site and it is therefore likely that the ground water flow is to the Lake catchment. The site is in close proximity to the SEPP 14 wetland along the north west shore of Lake Wollumboola, with potential for ground and surface water pollution from the intensive development proposed on this site.

See later sections regarding the Office of Environment and Heritage Report, which emphasizes the importance of ground water for Lake Wollumboola.

1.4 Objection to height of 4 or 5 storey units south of Culburra Rd.

Objections to the units and their height have been addressed and this part of the proposal withdrawn. However the development footprint has been extended and replaced with intensive small-lot dwellings, mainly in the Lake Wollumboola catchment. As stated we object to such development being located in the Lake catchment and at the entrance to Culburra Beach. Furthermore it is not clear what the proposed height for these dwellings would be.

Foreshore Park.

At 3.2 the T R acknowledges that, “the rationale adopted by the proponent is that the location of some 600 dwellings adjacent to a waterfront will inevitably lead to future residents, both adults and children, seeking to access that water front.” We agree and are concerned at the likely impacts.

The TR proposes a wide range of facilities for the Park including the walking/bike track, board walks and access tracks to the foreshore and points of interest, seating, interpretive signage, exercise structures, barbeques and children’s playground etc

The Martens Estuarine Management Study describes these activities as “passive recreational activities” but most of them eg bike riding and exercise infrastructure are active not passive recreational activities.

The Study also refers to an indicative route for the bike/walking track, but we have not been able to identify this route on the maps provided.

The TR and Martens Study propose strategies to manage these impacts including, access at multiple points along the extent of the wetland, interpretive signage and community education.

Our concerns are as follows;

- lack of assessment of wildlife in the wetlands and of likely impacts of substantial infrastructure, particularly extensive bike/walking tracks, board walks etc and increased use impacts on wetland vegetation, wildlife and water quality. There is only one reference to wetland fauna in the Martens document.

- the extent of clearing of wetland vegetation and disturbance to wildlife due to substantial clearing for the construction of recreational infrastructure and 100 % increase in use.
- potential for acid sulphate soil disturbance from construction of the bike/walking tracks and board walks in the wetland.
- the impact of increased visitation on Aboriginal cultural heritage.
- the possibility that access and infrastructure is planned for the Crown Land thus increasing access to the sensitive foreshore with likely damaging impacts.
- limited effectiveness of management strategies

Our submission provided substantial photographic evidence of birds and other wildlife in the wetland areas. Yet no systematic surveys appear to have been carried out over time in this area.

Limiting access is the only way to limit and control damage and loss of wetland flora and fauna and water contamination from exposure of acid sulphate soils, adjacent to a large residential development.

We propose the following;

- relocating the cycle/walkway immediately south of the wetland adjacent to the northern most road as explained at Page 4 of this submission. This shift would limit damage and loss of wild life habitat from construction and increased population using the cycle/walking track, particularly motor bike and off-road motor bike riders who would inevitably be encouraged by such a long track out of public view.

We note that the TR acknowledges that such abuse already occurs, as it refers to illegal off road motorbike riders having formed tracks and jumps in the Crookhaven-Curley's Bay wetlands.

- limiting the number of access points to the Crown land and foreshore off the main track, to eg 3 viewing areas and relocating barbeques, children's playgrounds out of the wetlands. Such changes would reduce board walk construction impacts and limit disturbance to sensitive Aboriginal cultural heritage sites, to the sensitive foreshore and environmentally sensitive locations known to be bird nesting/roosting areas.
- community education and interpretation as proposed.
- Council action to restrict/prohibit particular uses including off road and other motorbikes, dog walking in particularly sensitive areas eg on the side tracks into the wetland.
- A fund dedicated to Shoalhaven City Council for long term management of the Foreshore Park.

Our concerns and proposals are based on our experience in assisting with management of the northern shore of Lake Wollumboola where several of our members are neighborhood residents as well as members of the Lake Wollumboola Bushcare Group.

In our experience management of the area, together with interpretive signage and community education is not sufficient to prevent significant damage to such sensitive environments.

Furthermore Shoalhaven City Council Rangers are not able to prevent or minimize misuse and deliberate destruction of foreshore vegetation at Culburra Beach and other areas despite the best efforts of the limited staff available.

The Sheepwash Creek walking track at Lake Wollumboola is an unformed "natural" track. Interpretive signage explains the natural and Aboriginal cultural heritage values of the area and its sensitivity to disturbance. Commonwealth grants to Shoalhaven City Council in association with the Bushcare Group funded this signage.

Council signage also indicates that push-bike riding and dogs on leash are permitted but not motor bikes and off leash dogs. Most residents and visitors observe the signs.

However off-road motor bike riders quite frequently use the track and create new tracks in the bushland and along the sensitive Lake shore. Some dog owners ignore the signs and let their animals run free. Vandalism of the Endangered Ecological Community and dumping of exotic plants from adjacent gardens occurs from time to time.

This pattern can be expected at West Culburra if the current proposals are agreed.

It is unreasonable in our view to expect that Shoalhaven City Council Rangers to be in a position to manage such an extensive Foreshore Reserve as is proposed for the Crookhaven River foreshore, with such extensive public access.

Vistas.

LWPA objections to the proposed Vista Parks have not been acknowledged.

The Report claims that the so-called vistas are a vital element in the overall design providing visual access to Curley's Bay, indicating that physical access to the Bay can be obtained via the vista parks.

LWPA does not support removal of native vegetation to obtain views. One of these parks is 440 m x 50 m wide. The Martens report claims that the canopy but not the under storey would be removed. However once the canopy is lost, the ecosystem would change completely and become degraded by weeds- a poor legacy for Council to manage.

We consider these proposals are in conflict with the Coastal Design Guidelines, which support respect for the physical form of the natural landscape and maintenance of native vegetation. Opening up views to Curley's Bay is likely to raise false expectations of vehicular access. Clearing vegetation in this manner proposed is likely to result in both 4-wheel drive and motor bike access and informal boat access at the foreshore, creating management issues for Council.

This summer illegal clearing has taken place at West Crescent Culburra Beach on the Lake Wollumboola foreshore to provide boating access from adjacent residences.

Extensive clearing of native vegetation would also lead to increased invasion of exotic weeds causing further difficulties for Council.

Furthermore these vista parks seem to have more to do with Real Estate sales pitches than are design values.

2.3 The Leisure Hub.

The Report does not mention objections to this proposal from LWPA and others.

Our concern is with the character and location of the proposed recreational and tourist infrastructure and likely short term impacts from construction as well as longer term impacts from an adjacent population increase from nil to at least 2,000.

The extent of further development in this sensitive area should be clarified and fully considered prior to any approval of the overall concept.

We do not object to development on the cleared land at this site and adjacent land. We consider the cleared land in this vicinity should be considered as an alternative site for the proposed golf course. It is the scale and location in the Riparian zone that is a concern and it is not clear exactly what is now proposed. However it seems that extensive tourist and recreational development could still occur with no setback from the foreshore.

Mention is made of erosion of the foreshore and construction of a sea wall is proposed. A sea wall seems entirely inappropriate in this relatively natural location.

The TR claims that the Leisure Hub is a vital design element of the development and as such it seeks to retain it. Yet the site is not zoned for the uses proposed in the exhibited plans, which included motels, restaurants, cafes, a jetty and ferry terminal. It is surprising that the TR makes no mention of these uses claimed to be so vital to the overall concept of a tourist village, although there is a suggestion that further development applications for this area may ensue.

It is accepted that the TR and Martens Estuarine Management Study limits boating access at Cactus Point to canoes and kayaks, with motorized boats not to be permitted.

The Report also acknowledges that the river is shallow at this point and only suitable for kayaking and canoes.

Part 2 Current and proposed zonings and proposed uses.

This section does not acknowledge or address the LWPA objections that no alternative sites have been considered for development as a means of reducing the likely environmental impacts and consolidating any expansion in the Crookhaven catchment in close proximity to the existing Culburra Beach residential and commercial areas.

2.8 deals with the Draft SLEP and refers to “one significant change from SLEP 1985,” that is the determination that land in the Lake Wollumboola catchment is considered unsuitable for urban development with the remaining land in the Crookhaven catchment suitable for limited urban development.

The statutory South Coast Regional Strategy, which adopted this expert advice, is not mentioned. Neither is the requirement that the land in the Lake Wollumboola catchment should be rezoned in the Shoalhaven LEP for environment conservation via E 1 National Park/Nature Reserve zoning.

The TR provides long lists of uses recommended by Shoalhaven City Council, including for the now proposed E 2 and E 3 zones. There appears to be an assumption that because these uses are permitted they would be approved, despite constraints that may apply, following environmental assessment. One constraint in the E 2, E 3 and RU 2 zones that appear not to be understood is the limitation on dwellings and other uses imposed by the 40 ha lot size. See later comments.

2.11 Post Exhibition of draft SLEP 2013 Actions.

Proponent’s proposal for a Master Plan for development expansion and offsets in the Lake catchment.

We strongly object to the proponent’s attempt to reopen the issue of urban expansion in the Lake Wollumboola catchment despite all available expert advice and to overturn existing strategic planning for the area, based on the South Coast Regional Strategy.

Para 2.12 states that,

“The representations to Council were made on behalf of Mr Warren Halloran, owner of the subject lands. Council resolved to suspend all the Halloran lands from SLEP 2013 with a view to preparing a Master Plan for these lands. The object of the Master Plan is to determine the lands that should be allocated as to urban development and the lands that should be allocated as offsets, these lands possibly becoming part of Jervis Bay National Park.”

Whilst this paragraph refers to Jervis Bay National Park, which includes the bed and sand bar of Lake Wollumboola and the south west catchment, it does not specifically refer to land in the Lake Wollumboola catchment being included in the Master Plan as a biodiversity offset for further urban development also in the catchment.

With regard to the proposed Master Plan, we understand that Realty Realizations has not as yet made a formal proposal to Shoalhaven City Council or provided the details justifying the deferral.

SCC then made a **recommendation** to the Department of Planning and Infrastructure that the proposed zones in the Lake Wollumboola catchment and vicinity be deferred from the SLEP to enable a Master Plan to be prepared. There was no opportunity for public comment on the proposed deferral.

It is our understanding that the Department of Planning and Infrastructure under a Ministerial delegation is the decision maker for the Shoalhaven LEP, not Shoalhaven City Council and that no decision has been made as yet regarding this issue.

At a meeting with the LWPA on 4th November 2013 Mr John Toon consultant to Realty Realizations advised us that the Master Plan would encompass urban expansion over hundreds of hectares, with the majority in the sensitive north west Lake Wollumboola catchment both north and south of Culburra Rd. We were advised also that “private” but not “National Park” conservation may be a consideration and that the DA for the golf course at Long Bow Point would continue to be pursued.

This advice to us post-dates the TR, which is dated October 2013.

Therefore we cannot regard the reference in the TR to a possible biodiversity offset for conservation in the Jervis Bay National Park with any degree of confidence, particularly given the proposal outlined in Section 5 of the Report for a Biodiversity offset for the West Culburra development to be located at the Tullarwalla Peninsula at St Georges Basin.

Our concerns regarding this proposal are discussed in our response to Section 5 pages 13-16.

In the absence of a formal proposal the public has not had an opportunity to clarify the offset proposal or to comment on it.

In our view the Master Plan proposal is directed at maintaining the existing unsustainable residential and industrial zoning of the north west catchment including Long Bow Point, as well as overturning the South Coast Regional Strategy.

These vague plans are in conflict with the Government’s policy that, “land in the Lake catchment is considered unsuitable for urban development, principally on the grounds of the negative impacts on the Lake which is a sensitive intermittently closing and opening lake or lagoon and that Government policy is that land within the Lake catchment should be zoned for conservation purposes.” DPI letter to LWPA, June 2013.

Part 4. Development in Lake catchment.

The proposals in the Lake catchment, for Residential, Industrial and Recreational development as well as the associated roads and infrastructure are inconsistent with the SCRS and the DGRs.

Our concern is that the TR not only continues to propose urban development in the Lake catchment but that it seeks to justify these incursions by misrepresenting the South Coast Regional Strategy.

It claims that all of these components would somehow have a neutral or beneficial impact on Lake water quality and ecology. Furthermore no alternative proposals to avoid the Lake catchment have been assessed.

The TR points to the South Coast Sensitive Urban Lands Review recommendations as “recommendations” only that land in the Lake catchment is unsuitable for urban development.

It does not mention that the South Coast Regional Strategy adopted these recommendations as “recommendations to guide future development, local environment plans and strategic land use plans.”

Moreover Ministerial Direction No 30 of April 2007 issued under Section 117 of the Environment Planning and Assessment Act, directs Councils to ensure that their LEPs are consistent with Regional Strategies.

Also the DGRs require that the proponent not just “consider” the SCRS as claimed at 4.2, but that “the Environmental Assessment must demonstrate consistency with the SCRS.”

Furthermore in the last sentence of 4.2 the claim is made that, “Only one of the components of the Part 3 A proposal that encroach upon the catchment of Lake Wollumboola is a residential or rural residential uses.”

Also at 4.2 (iv), reference is made to dwellings being permissible in E 2 zones in the draft SLEP. However the draft SLEP also restricts dwellings to 1 per 40 ha in the E 2 zone and would not permit the small lot subdivision proposed.

We also point out that Appendix 2 of the SCRS says that “Land within the Lake catchment is considered unsuitable for urban development,” a term which includes residential but also industrial and commercial development, as well as recreation.

Accordingly we maintain that the residential development south of Culburra Rd in the Lake catchment and encroachments in the Lake catchment for the industrial area, the roundabout, the Collector Rd and the Oval are all inconsistent with the South Coast Regional Strategy.

Furthermore claims that all these developments could achieve a neutral or beneficial impact on Lake water quality and ecology are not believable. They rely on general models that are not relevant to Lake Wollumboola, lead to over-estimation of the effectiveness of water quality controls for surface water pollution and under-estimation of the impact. Such models do not take account of potential pollution of ground water. See later section on **Water Quality** for our response to claims of neutral or beneficial impacts.

Part 5 Vegetation Removal.

This is one section of the TR where a response to LWPA concerns is provided.

We acknowledge that further assessments have been undertaken since our initial submission. We understand these assessments have included review by the Office of Environment, which has in part accepted the assessment that there would be no significant impact on Threatened Species. The TR quotes the OEH submission as saying that,

“the land proposed to be cleared in the residential/industrial parts of the project are lowland coastal forest in moderate to good condition which have considerable environmental values” and providing “suitable offsets can be located and secured to ensure overall biodiversity values are maintained” the proposed development can proceed.” 5.1 Page 29.

We note the important proviso regarding the proposed offset, which is discussed below.

However our concerns have not been allayed by the TR claims. We continue to be concerned regarding the following;

- the potential clearing and degradation of wetland vegetation and possible loss of species has not been assessed either by the proponent’s consultant or by OEH as the assessment is limited to onsite species and do not take account of indirect impacts.
- Threatened Species eg Glossy Black Cockatoos. These birds range over a wide area and rely on the presence of Allocasuarina Littoralis over the full extent of their range. The fact that they were not identified on the site during the recent surveys does not demonstrate that loss of their feed trees on this site would not have a longterm cumulative impact on the species survival in the local area. Powerful Owls also need a wide range.

- cumulative impacts have not been taken into account. Both the NSW Coastal Policy and SEPP 71 require that cumulative impacts be assessed. The Parliamentary Secretary for Planning advised the LWPA in his letter ref 11/16212 that,

“Should the Department receive an Environmental Assessment for the West Culburra proposal, its focus will be to ensure development is consistent with the South Coast Regional Strategy and that the impact of any development can be appropriately managed. The Department will also carefully consider the cumulative impacts of development within the West Culburra expansion area.”

No cumulative impact assessment has been undertaken despite an overall potential loss of coastal forest and wetlands due to both the West Culburra and golf course proposals.

Wildlife corridors.

The TR claims at 5.4 that “there is no functional ecological or “wildlife corridor” in a north-south direction which would include the subject site at Culburra West” and that “the concept of a north south corridor is fundamentally flawed.”

Yet the DGRs at 9.4 require an outline of measures for the conservation of existing wildlife corridor values (particularly the north-south linkage) and or connective importance of any vegetation on the subject land.

This assertion does not take account of the following:

- The South Coast Regional Conservation Plan DECC 2010 identifies the entire area from the Crookhaven River south to the boundary with the Jervis Bay National Park at Copper Cup Point, in the south west Lake catchment as wildlife corridor. Wildlife range throughout this area, depending on particular vegetation communities and the seasons.
- At a local level, the proposal would result in wildlife, which currently utilize vegetated habitat around the sewerage treatment plant, becoming isolated due to expansion of residential, commercial and industrial development further south.
- The north-south migration of species, including those dependent on coastal forests and woodland and on wetlands. This development would extend the distance between the subject site and any open forest and woodland vegetation to its north by many kilometers as is acknowledged in the TR. Migration by birds and bats and flying foxes would be increasingly difficult.

The TR refers to highly mobile species such as birds, the microchiroperan bats and the Grey Headed Flying Fox and microchiropteran bats.

However the site is also likely to provide habitat for migratory bird species such as Dollar Bird, Bronzewing Cuckoo, Channel-billed Cuckoo, Drongo, Fig Bird and Koel. All these species have been identified along the northern shore of Lake Wollumboola and within Culburra Beach, but their needs for habitat connectivity have not been acknowledged in the TR.

- No assessment has been undertaken of the wetlands adjacent to the site to establish the extent to which migratory wading species may utilize the Crookhaven wetlands, The Shoalhaven-Crookhaven Estuary is a major South Coast site recognized as part of the East Asian-Australasian Flyway. The potential for degradation of wader habitat has not been considered, because of the questionable claims that there would be no impact on water quality or ecology from this development.

In our view, there are likely to be cumulative impacts on wildlife movement on a regional scale and including north south movement, with continued urban expansion on the coast, which does not provide for north-south wildlife movement.

This application should therefore be considered under the Commonwealth Threatened Species Conservation Act in relation to impacts on migratory bird species.

Biodiversity Offset

The West Culburra Concept Plans exhibited in 2013 for public comment did not include an offset proposal or equivalent as is specified by the DG's requirements. We strongly objected to this omission. However, the TR makes no reference to our objection.

Our objections are even stronger now that we find that this Report is proposing to negotiate a biodiversity offset for the West Culburra development at another site at St Georges Basin rather than the Lake catchment.

We request that the Department of Planning and Infrastructure or the PAC if it is the consent authority, together with the Office of Environment and Heritage require as a condition of any consent that the biodiversity offset for the West Culburra development be located in the Lake Wollumboola catchment, particularly the most sensitive NW area, including Long Bow Point in accordance with the South Coast Regional Strategy requirements.

The DGRs require "details of an offset strategy or other suitable mitigation measures to ensure that there is no net loss of native vegetation values."

The requirements also refer to consistency with the South Coast Regional Strategy as well as the recommendations of the South Coast Sensitive Urban Lands Review.

Ministerial Direction No 30 of April 2007 regarding development approval consistency with Regional Strategies also applies to Biodiversity offsets for the West Culburra development.

As previously referenced, the South Coast Strategy specifies at Appendix 2

- "land in the Lake Wollumboola catchment is unsuitable for urban development and should be zoned for conservation purposes ie **E 1 National Park/Nature Reserve**.
- land in the Crookhaven River catchment is suitable for limited urban development."
- "Negotiations should be commenced with the landowner to determine their interest in dedicating the land in the Lake Wollumboola catchment for conservation purposes and including the site as a potential bio-banking site."

It is our understanding is that this is a package of measures, with any biodiversity offsets for development in the Crookhaven River catchment part of the CUEA to be located in the northwest area Lake Wollumboola catchment, including Long Bow Point. The offset land was to be zoned E 1 National Park/Nature Reserve for acquisition as part of an offset for urban development in the Crookhaven catchment.

It seems that the proponent is seeking to abandon this package of measures, even though it is our understanding that the landowner's representatives made the original offer.

The background is as follows;

The then Minister for Planning established the South Coast Sensitive Urban Lands Review (SCSULR) in 2006, to review proposals for urban expansion in 18 environmentally sensitive locations on the NSW South Coast including the proposed Culburra Urban Expansion Area in the Lake Wollumboola and Crookhaven River catchments. The recommendations of the Review were adopted in the South Coast Regional Strategy Appendix 2 as the basis for rezoning land in the Lake Wollumboola catchment as part of the Shoalhaven LEP.

The proponent's original proposal to the SCSULR are stated in its Report at Page 31, paragraph 5.4.6 as follows;

“The landowner has proposed a bio-banking off-set scheme for the Lake catchment component.

The southern part of the Culburra land within the Lake catchment has been identified as having significant environmental value in view of the acknowledged environmental sensitivity of Lake Wollumboola.

The Panel supports the concept of setting aside the land within the Lake catchment for environmental protection or addition to the Jervis Bay National Park, in return for identifying additional land on the northern side of Culburra Rd for urban development.”

Our understanding of “the southern part of the Culburra land within the Lake catchment” is the land in the Lake catchment, both north and south of Culburra Rd rezoned in 1992 for residential and other urban development. We also understand that reference to “additional land” is to cleared land in the Crookhaven catchment west of the West Culburra proposal.

Our assessment of the intent of the SCRS is consistent in large part with that of the Office of Environment and Heritage, that is that the Biodiversity Offset for West Culburra would be located in the Lake catchment.

The OEH letter of 21st June 2013 to the Department of Planning and Infrastructure Attachment D states;

“In accordance with the recommendation of the South Coast Regional Strategy 2007 that the wider Lake Wollumboola catchment lands should be considered as an addition to the National Park E 1 zone should any bio-banking lands become available. Discussion has taken place with the South Coast Regional NPWS Office in this regard. The attached map shows the NPWS priorities from the known information and ecological values of the surrounding land owned by the applicant should any land become available as a bio banking offset.”

The map Attachment E to the OEH letter shows the OEH priorities 1 and 2, with Long Bow Point the promontory south of Culburra Rd and surrounds identified as Priority 1.

It was our understanding also that OEH based its position on the Biodiversity Offset Report by Cumberland Ecology, which was commissioned by Realty Realizations.

The TR regards the Cumberland Ecology Report as an initial discussion position” only and does not mention the OEH proposals.

Proposed Biodiversity Offset.

Instead a Biodiversity off set proposal for the Lake Wollumboola catchment, the TR proposes that the main offset area be located at the Tullarwalla Peninsula, south west of St Georges Basin. The proposed Foreshore Park at West Culburra is also included.

The Director General's requirements 9.1 and 9.2 refer to the DECC Guidelines for Threatened Species Assessment 2005 as the criteria for assessing the direct and indirect impacts of the development on flora and fauna (including aquatic).

With regard to offsets, the proposal is required to identify whether the proposal meets each of the key thresholds set out in Step 5 of the draft Part 3 A Threatened Species Assessment Guidelines and to describe the actions that will be taken to firstly avoid and if necessary mitigate or compensate unavoidable impacts.

The TR does not apply the draft Part 3 A threatened Species Assessment Guidelines instead undertaking an assessment of the biodiversity offset strategy applying the Draft Principles released by the Minister for the

Environment on 20th July 2013. No assessment based on the Biobanking Assessment Methodology (OEH 2008.) is provided.

Consideration of the proposed Biodiversity offset is further complicated by references in the TR to separate documents.

At Page 33 reference is made to the proponent having prepared a preliminary Biobanking assessment of the proposal, the Cumberland Ecology “Preliminary Biobanking Assessment for Culburra West.” David Robertson May 2013. However the TR at P 33 5.6 rejects the Cumberland Ecology Report recommendations stating that they represent “an initial discussion position” only.

Proponent’s alternative Biodiversity offset.

Section 5.9 the TR proposes a different approach altogether, with a Biodiversity offset of 300 ha of native forest and woodland instead of some 700 ha referred to in the OEH proposal.

At 5.15 the TR outlines an offset location at Tullarwalla Peninsular south west of St. Georges Basin some 50 kilometres away from West Culburra.

Our view is that this proposal would represent a double loss to the local area, with loss of most of the native vegetation in the Crookhaven catchment and no protection for the high conservation values of the Lake Wollumboola catchment.

We object in the strongest terms to this retreat from previous commitments and from claims to be concerned to protect the exceptional environmental values of Lake Wollumboola.

This approach appears designed to reduce the scale of the offset, by discounting offsets in return for “significant social and economic benefits” of a proposal.)

We do not do not regard this proposal as credible and therefore do not intend to comment except to say that as a biodiversity offset, it does not pass the “Avoid or Minimize” test for impacts on the environment of the site and immediate surrounds. We base our assessment on the following.

The TR;

- continues to propose residential, industrial, infrastructure and recreational development in the Lake catchment despite expert advice and DGRs that exclude such development and despite the landowner possessing alternative cleared sites of limited environmental values in the local area that could be used for development.
- proposes clearing of native vegetation and placement of substantial infrastructure in the wetlands along Crookhaven-Curley’s Bay foreshore, proposes development in Ecological communities that are 90% and 100 % cleared and persists with clearing for unjustified view corridors.
- claims the wetlands as biodiversity offset credits, despite the extent of infrastructure proposed.
- seems to include the Crown Land foreshore part of the wetlands as part of the offset credits.

Furthermore the TR does not provide offsets in relation to indirect impacts of this proposal.

We do not accept assurances that there would be no or minimal impact on the Crookhaven River/Curley’s Bay and wetlands or on Lake Wollumboola. See Water Quality section.

With regard to Lake Wollumboola, the advice from the Department of Planning and Infrastructure, provided to us is that;

“Urban development in the Lake catchment may have irreversible negative impacts on the habitat values of Lake Wollumboola through urban runoff and nutrient enrichment. The Environmental Agencies have also regularly questioned the ability to manage runoff to achieve a neutral or beneficial effect given the inherent risks that exist with the operation of water quality control devices given the sensitivity of receiving waters at Lake Wollumboola.” DPI letter to LWPA 3rd June 2013.

The Office of Environment and Heritage has recently updated its advice regarding the likely impacts of urban development on Lake Wollumboola. The findings and recommendations are discussed below.

We understand also that indirect impacts on biodiversity are specifically included in the Biodiversity Assessment Methodology, which also refer to impacts on water quality. See Page 6. Indirect impacts should also be assessed under the Offsetting principles by virtue of the broad language used in constructing the principles.

Impacts on aquatic vegetation and birdlife can also be taken into account by both the Biobanking Assessment Methodology (OEH July 2008), and the NSW offset Principles for major projects but they do not appear to have been considered. The Biobanking Assessment Methodology can assess both saline and fresh water wetlands. For example salt marshes, mangroves and sea grass meadows can all be assessed along with the species that live in them.

Part 7. Sub-division Design.

LWPA made a series of objections to the sub-division design, some of which have already been emphasized in this submission, particularly the scale of the development and extent. We continue to object to urban development expansion in the Lake catchment and to the extent of the West Culburra development in the Crookhaven catchment, as environmentally unsustainable and inconsistent with the South Coast Regional Strategy.

We point out also that there are indications in the TR and in verbal advice to us regarding the Master Plan, that Realty Realizations have additional plans for urban development in the area.

Mention is made in the Report of expansion of the Commercial centre, west of the ambulance station to include a mix of uses, including residential development west of the ambulance station. Mention is also made of expansion further west of the West Culburra proposal, and referred to as the Hilltop location near Cactus Point.

As advised to us by Mr John Toon in November the company is also seeking as part of a Master Plan, to extend urban development north of Culburra Rd in the Lake Wollumboola catchment, almost as far as Coonemia Rd.

Such large scale urban sprawl is ecologically unsustainable in these fragile environments and destructive of the unique coastal village character of Culburra Beach. Most residents do not want our community and environment to be overwhelmed by Windang or Shellharbour-style development.

Other objections that we made to the subdivision design have not been addressed. These include;

- removing development in the Lake catchment.
- changing the staging of development, so that Stage 1 proposed, in the Lake catchment does not occur first.
-
- shifting the Road access/roundabout out of the Lake catchment.
- reducing the Industrial Area and removing it from the Lake catchment, particularly as previous West Culburra documents had indicated that there is no demand for industrial expansion. Nowra as the regional centre is a more appropriate location for industrial expansion.

The TR acknowledged other objections but no changes have been made to address them. These include;

- lack of integration between the existing Culburra Beach and the proposed new development.
- design layout, without green belts and open space within the development footprint.
- Poor visual quality and landscaping. The Report continues to defend the use of exotic weeds including Norfolk Island Pines and Liquid Amber trees for the streetscape.

We support the use of native species in accordance with SCC's landscaping policy, many of which are suitable for this location.

Part 8. Water Quality.

The NSW Office of Environment and Heritage research Report titled, "Environmental Sensitivity of Lake Wollumboola: input into considerations of development applications at Long Bow Point, Culburra." Scanes P et al 2013, provides expert advice that the high ecological value Lake ecosystem is at risk of irreversible and catastrophic degradation, should urban expansion go ahead in the Lake catchment.

The OEH Report emphasizes concerns regarding contamination of both surface and ground water from urban development describing the results for Lake Wollumboola as catastrophic and irreversible. Although contamination of ground water could occur from sources both within and without the Lake catchment, the Water Cycle Management Report does not identify ground water sources for the Lake or nor assess potential impacts.

The OEH Report is decisive in showing that overturning or delaying the South Coast Regional Strategy Environment zones to enable further urban development to be pursued in the Lake catchment is a high-risk strategy. The OEH Report highlights the need to protect both surface water and ground water sources from urban pollution.

The OEH Report refutes claims made by consultants to Realty Realizations including the assertion

"that all proposals for development within the Lake catchment (both urban development and the golf course) would actually improve water quality in the Lake over natural conditions."

Amongst the general implications of the OEH analysis, the Report recommends;

- **"The demonstrated ecological significance of the lake, the relative rarity of its biotype and its sensitivity to catastrophic state change justify the current limitations to development within the Lake catchment.**
- **That a precautionary approach to assessing development near the Lake be adopted as a high priority, as impacts on the lake are likely to be irreversible.**
- **Any future development in the vicinity of Lake Wollumboola should be placed as far from the Lake as possible to minimise risk of contamination of ground water aquifers which may be directly linked to the Lake."**
- **"It is essential that any future assessment of potential impacts is based on a sound conceptual and empirical understanding of the Lake ecology and processes. Because of the uniqueness of many of the processes within Lake Wollumboola, it is clear that interpretation of monitoring data cannot be reliably based on conceptual models developed for much better studied systems (eg coastal lakes or riverine estuaries). The conceptualisation of ecological processes for back-dune lagoons that has begun here needs to be further refined and tested." ie in the OEH Report.**

- **Pollution of groundwater by nutrients is a major risk that needs to be properly assessed. Any models used must be calibrated and verified.”**

The reference to “the current limitations to development within the Lake catchment” refers to the South Coast Regional Strategy requirements and Environment zonings exhibited in the draft Shoalhaven LEP 2013.

With regard to public comment the TR states, “There is a significant number of submissions expressing concern about the impact of the proposed development on water quality in Curley’s Bay and the Crookhaven River.”

After consideration of the TR and the Martens Water Cycle Management Report we do not consider that our concerns have been identified and addressed.

In the case of Lake Wollumboola our concerns have increased because of the increased development proposed in the Lake catchment and the fact that the Martens Estuarine Management Report does not refer to the Lake or make any assessment of impacts on it.

The TR refers to concerns expressed by the Office of Environment and Heritage, Fisheries NSW and NSW Office of Water and quotes the Lake Wollumboola Protection Association as saying “it is concerning that a development of this scale has been proposed for such sensitive coastal environments.”

However the Water Cycle Management Report makes scant reference to potential water quality/ecology impacts and management, with regard to Lake Wollumboola. It does however address controls for the Crookhaven River and Curley’s Bay.

It is also noted that Office of Environment and Heritage, in particular its experts on coastal lakes and estuaries appear not to have been consulted as part of the Stakeholder consultation process described, including circulation of draft documents and a subsequent meeting, which culminated in claims of enhanced water quality controls together with a water quality monitoring plan.

The **revised Martens Water Cycle Management Report** does not address ground water pollution or potential impacts on the Lake and it continues to claim neutral or beneficial impacts, despite past and current expert advice regarding the sensitivity of Lake Wollumboola to the impacts of nutrient enrichment from urban development and the inability of water pollution controls to remove surface water pollutants to natural levels.

The TR seeks additional urban development in the Lake catchment, including south of Culburra Rd, in the Wattle Corner Creek catchment less than 500 m from the Lake.

This expansion is a great concern given the presence of ground water as well as surface water soaks around the north west shore of the Lake, which low water levels reveal.

The **Water Cycle Management Report** claims that surface water from this extended intensive residential development in the Lake catchment as well as from the proposed Industrial estate, and Oval would be re-directed to the Crookhaven River catchment.

This is NOT possible, as the residential part of the development would include gardens, car parks and streetscapes and the industrial area, roads and oval could all result in increased pollutants, including chemical pollutants of both surface and ground water. Furthermore, redirection of polluted ground water is not possible.

We therefore request that the proposed water quality controls, potential impacts and proposed monitoring measures for both the Lake and Crookhaven catchment be independently assessed by OEH experts in the light of their Report.

The TR refers at 8.2 to amendments to the proposal to remove all water quality control from the Crookhaven River 7 a zone and to relocate them as recommended by LWPA and other objectors. A long term Water quality monitoring program is also proposed.

There are other water quality concerns which we identified in our submission on the basis of expert advice available to us, that have not been addressed or have been misrepresented.

Our original submission **Page 37 to 39** detailed our concerns regarding the claims made on the basis of modelling. The most recent Water Cycle Management Report does not in any way acknowledge, discuss or address these concerns.

We do not consider that claims of “no net increase” in pollutants or “neutral /beneficial impacts” can be made on the basis of modelling that does not take into account the hydrological/ecological character of Lake Wollumboola and the Crookhaven River/Curley’s Bay and their catchments. The modelling has not been calibrated with data based on local water quality and flow and ecological monitoring as well as rainfall etc. and comparisons between runoff volume and quality from the vegetation on site (not high rainfall forest) and urbanised conditions.

Our submission provided expert advice from Professor Ian Lawrence now Adjunct Professor of Sustainable Design University of Canberra and others that nutrient values equivalent to Lake Wollumboola conditions are likely to show a substantial increase in exports, following development not a decrease, even with water pollution controls and that no water quality controls could replicate or improve on natural conditions.

The reductions predicted in the Water Report to mimic natural loads are likely to be due to;

- over-estimating the natural, minimal exports from nutrient depleted soils and
- under-estimating the proposal’s nutrient contribution even with water pollution controls.

No assessment of pollution from chemicals, including pesticides and herbicides has been provided, although this development is proposing industrial uses, as well as sports ovals, in addition to residential development with all these activities known to generate such pollutants that cannot be removed by water pollution controls and are potentially toxic to aquatic organisms.

The OEH Lake Wollumboola sensitivity Report has confirmed for Lake Wollumboola, that standard models are not capable of producing reliable assessments and predictions of the impacts on these sensitive environments of urban development.

The OEH Report documents the extraordinary complexity of the Lake Wollumboola hydro-geological/ecological systems and demonstrates the likely catastrophic, irreversible impacts from urban development in the surface and ground water catchments.

Curley’s Bay-Crookhaven River is also a sensitive wetland/estuary, particularly with the presence of oyster leases, whether there is likely to be a high risk of pollution from urban development.

The EPA remarked on this type of discrepancy in its submissions to the Long Bow Point Commission of inquiry. See COI Report page 42 advising that;

“Urban developments have consistently demonstrated an inability to achieve and maintain the high level of soil and water management performance incorporated in their initial design. For the sensitive receiving waters of Lake Wollumboola, sustained high level performance would be required over the entire life of the development.”

Professor W Maher Professor of Water Chemistry University of Canberra provided his expert advice that:

“Water pollution control measures would need to be 90% effective to reduce pollutants from urbanized environments to natural levels. Water pollution control technology is not able to achieve

the necessary levels of efficiency to replicate natural conditions in these sensitive environments.” 2006.

On the basis of such consistent expert advice and assessments the claim that there would be improvements in water quality compared to natural conditions cannot be accepted as valid.

The Estuarine Management study now provided does not provide relevant information of the values, natural processes and condition of either the Crookhaven or Lake Wollumboola estuaries. The proposed management strategies simply repeat what has already been said regarding removal of water quality infrastructure from the wetlands and provision of recreation opportunities and interpretation to assist in community education and claims of no adverse impacts.

As already stated limiting access is the only way to reduce the impact of a large-scale increase in population immediately adjacent to the wetland.

Part 6. Population and housing demand.

The TR at Part 6 claims to address the population, housing demand and other social/economic issues raised in submissions. Also provided are two reports the “Culburra Community Portrait 2011” and “Demographic Projections for Culburra 2011-2036.”

At 6.1 the TR acknowledges public comments regarding the excessive scale of the proposed development and concerns regarding the loss of coastal village lifestyle. Rather than take these concerns seriously the Review points out, apparently by way of dismissal, that these concerns were expressed by holiday home owners.

The TR also mentions concerns regarding a perceived doubling of Culburra Beach’s population as a consequence of the proposed development but does not address these concerns.

The LWPA as well as others expressed these concerns, which are not acknowledged or addressed in the TR.

Our concerns are as follows;

- that the Report and associated studies misinterpret the 2011 census outcomes in claims that the decline in population is due to a lack of development opportunities.
- there is no real demand for the character or scale of development proposed.
- the proposed development would more than double the existing population.
- major increase in suburban housing would tend to exacerbate not resolve social and economic issues in this community.

Misinterpretation of 2011 census outcomes.

The TR bases the proponent’s case for large scale development on a claimed decline in the population of Culburra Beach. Yet there is no evidence in support of the claim that the population had declined due to lack of development.

We recognize that the 2011 census shows a slight decline in permanent residents since 2006. However the TR provides no evidence to confirm that this decline is significant or due to lack of development opportunities.

The TR refers to a change in the population composition of Culburra Beach, referring to an increase in weekender housing and holiday homes, but in general it focuses on the permanent population as an explanation of the character of the population of Culburra Beach.

However, we consider that the TR reflects a fundamental misunderstanding of the composition of the Culburra Beach community and its concerns for the local life style and environment.

In our view the apparent decline is likely to be due to the increased demand from part-time residents for the existing coastal village style housing. This trend as confirmed by local Real Estate Agents, is increasingly dominating the housing market and cannot simply be explained as due to a short-term influx of “weekenders and holiday residents.”

The census figures indicate an increase in the so-called “vacancy rate” of dwellings from 41.9 % in 2006 to 43.6% in 2011. Furthermore given the winter timing of the census it is likely to have under-estimated the number of part-time residents.

The TR ignores the fact that many part-time residents have two homes and intend to maintain this lifestyle. Their homes are usually in Sydney and Culburra Beach. These residents include people who are business owners, some who utilize the internet or are employed internationally and able to continue their work from several locations. Others including those with young or school age children, are frequent weekend visitors.

These permanent part-time residents are additional to part-time residents who intend to move to Culburra Beach permanently once they retire.

These groups of residents are largely responsible for the regeneration of the existing beach cottages in Culburra Beach described in the Shoalhaven Tourism Strategy as the “fibro-majestics.” These folk also contribute to maintaining the building and construction industry in Culburra Beach and creating businesses associated with promoting the tourism potential the town and environs.

There is no real demand for the suburban character or scale of development proposed.

At Page 48 the TR states, “The rate of development is difficult to predict because there is no precedent to guide the proponent.”

The TR refers to a “thin” local real estate market with four distinct submarket groups described as, “young middle income families with young children,” ‘retirees and down-sizers’ and families wanting a holiday home.” It goes on to say “The fact that suitable housing for all these groups is available at affordable prices is underpinning the market.”

In our view these comments show that there is no real demand now or in the long term for major expansion of urban development of the type proposed in Culburra Beach.

The demand for housing in Culburra Beach is driven by village lifestyle choices not by a desire for suburban living.

The TR does not seem to appreciate how many people value the unique Culburra Beach character.

Many full time residents as well as part time residents elect to live in Culburra Beach as pointed out in our submission, because of the great natural beauty of the area, easy access to beaches, the Crookhaven River and Lake Wollumboola as well as the casual beach village lifestyle.

The scale of the proposed development is such that it would more than double the population over time.

The TR claims that the rate of population expansion claimed by objectors is too high. It estimates that “by 2024 the population of the development will have reached 1,385 implying something like a 40% increase over the existing population of Culburra Beach.” Page 48.

However whilst a similar rate of occupancy as presently prevails would in fact produce a doubling of residential population it is likely new housing, particularly in the case of independent dwellings and town houses, would attract a greater number of families. Given the average family size in the district is 1.8

children with a parent or parents, it is to be expected the resultant increased proportion of households with three or four more members would significantly inflate the population of West Culburra by comparison with the existing village.

A development such as that proposed at West Culburra would therefore more than double the current population. Therefore, the population projections presented by the proponent under-estimate the population increase that could ensue from the proposed development.

The TR claims that such a slow rate of growth as that predicted, “would be barely noticeable to the existing population.”

We do not accept this conclusion. Medical and other community services are already stretched and this pressure would increase with an ageing population.

The pressure on the environment would cause significant degradation to the Lake and River as well as the values of their catchments.

People living in a future West Culburra would need to drive to the beaches. They would not have water access except perhaps for canoes and kayaks because of the shallow nature of the River.

Many current residents made a conscious choice to live in a small community, with limited impacts on the sensitive waters of the Lake and River and the immediate coast. The benefits of this sustainable lifestyle would be lost.

Already the Culburra Beach environment suffers from overcrowding during summer when parking at many fishing spots, lookouts and beaches is difficult to access. Some of Culburra Beach’s younger residents have also had to form a litter squad to clean up litter on the beaches, left behind by visitors.

The extensive suburban style of the development, unbroken by vegetation and open space corridors is incompatible with the existing Culburra Beach lifestyle and likely to have significant environmental and social impacts.

Major increase in suburban housing would tend to exacerbate not resolve social and economic issues in this community.

The large-scale nature of this development would attract major developers such as Stocklands. There would be limited employment opportunities during the construction phase for local businesses and workers, because such development organizations utilize their own contractors, rather than employ local trades people. Promises for increased Aboriginal employment rarely eventuate.

The development scale would also put great pressure on a range of local services, particularly medical, social welfare, home help for the elderly.

Culburra Beach is not well served with local transport, with most people employed in Nowra having to rely on private car transport to go to work.

Nowra as the regional centre, is the main focus of economic development and employment. Apart from tourism and recreational opportunities, businesses in Culburra Beach cannot be expected to compete with Nowra.

Location of large-scale urban development in isolated coastal villages simply detracts from Nowra as the service centre for the region and results in costly duplication of services, including costly infrastructure such as roads and provision of water, power, transport and communications.

The Report has not made a convincing case that development of West Culburra would bring long term social and economic wellbeing to Culburra Beach.

Lake Wollumboola Protection Association Inc March 2014