

Proforma H – Culburra residents – 15 responses

Dear Committee,

Culburra Residents and Ratepayers Action Group, based in Culburra Beach on the NSW South Coast, formed in 2021 in response to the Land and Environment Court appeal by Sealark Pty Ltd to develop 47 hectares of bushland in West Culburra (WCD).

Current planning legislation is failing in its job to protect and balance the needs of people and the environment to secure a successful future for all. Out-of-date legislation and planning loopholes are being used to push development approvals that are environmentally destructive, in light of climate change.

Culburra Beach is a classic example of these failures. The WCD land sits on the banks of the Crookhaven River - a government-recognised sensitive waterway that feeds into Curleys Bay, the home of the Shoalhaven's oyster industry. The land consists of mature, native forest that was in the 20% of Shoalhaven bushland not to be devastated in the 2020 bushfires. No flora/fauna census has been conducted since to assess endangered species. The impacts of this planned development include:

- The damage to Curley's Bay, the river and the aquaculture in the region from soil erosion, flooding and stormwater runoff will result in loss of industry as well as polluting Culburra's waterways.
- Clearfelling the forest will result in loss of habitat for endangered species of Gliders, Cockatoos, Microbats and Powerful Owls.
- The area is culturally significant for the Jerrinja community. The Culburra /Orient Point area is full of artefacts, with some of the oldest artefacts in NSW discovered less than 5 kms away from the proposed development site.
- The WCD will put immense strain on the village's current infrastructure and will not alleviate the housing shortage. More

appropriate sites have been identified by Shoalhaven Council that would satisfy the need for affordable housing.

Further down the developer's pipeline is the land west of WCD. Hundreds more hectares of predominantly native forest nestled between the banks of the Crookhaven River and the catchment zone for the internationally-recognised, environmentally-sensitive Lake Wollumboola.

Originally zoned rural/environmental, this land became 'deferred matter' in 2014. Government recommendations at the time advised it should keep its original zoning in line with regional planning policy, but after a private meeting instigated by the developer with the then Liberal Planning Minister the deferred matter zoning was imposed and still applies today.

The developer expects the current project at West Culburra will 'inform' decision-making for the use of the broader area of land to also become mixed-use/industrial.

We call on the government to implement planning reforms to rectify a flawed system:

1. Revoke the West Culburra Development Concept planning approval, in light of:

- a. Flooding events that occurred after the West Culburra approval, as a result of the effects of climate change;
 - b. Lack of planned infrastructure to cope with the increase in population this development would cause – specifically to address drainage and bushfire issues;
 - c. Inadequate consultation with the Jerrinja community;
 - d. Endangered species habitat on the development site.
2. Call a moratorium on all NSW coastal developments to be re-assessed on current community, cultural and environmental needs.
 3. Review the legislative processes at all levels to put in place safeguards and procedures that level the playing field and protect community rights to have input into their local living environment.

Ensure current and future planning decisions are made for the benefit of the community, not based on profit to a few.

Yours sincerely,