

Submission
No 13&

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Organisation: Collingwood Beach Preservation Group

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SUBMISSION FOR AN AMENDMENT TO THE CROWN LAND ACT 1989 No 6

The purpose of this submission is to propose an amendment to Section 11 Principles of Crown land management of the Crown Lands Act 1989 No 6.

THE ACT

For the purposes of this Act, the principles of Crown land management are -

- (a) that the environmental protection principles be observed in relation to the management and administration of Crown land,
- (b) that the natural resources of Crown land (including water, soil, flora and fauna and scenic quality) be conserved wherever possible,
- (c) that public use and enjoyment of appropriate Crown land be encouraged,
- (d) that, where appropriate, multiple use of Crown land be encouraged,
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustainable in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interest of the State, consistent with the above principles

PROPOSED AMENDMENT

An additional item to be included in Section 11 with words to the effect:

that, where possible, Crown land in coastal areas be managed in such a way that the impact on the amenity of adjacent property owners is minimised and that coastal views are protected.

SUPPORTING REASONS

Many Crown land areas adjoining urban development along the NSW coastline have been overplanted with inappropriate vegetation. In many areas planted and natural vegetation, tall trees, and dense shrubs have profusely regenerated to form dense thickets and hedges that have taken away the amenity of adjoining property owners, local residents, and tourists. Regrettably, at Collingwood Beach in Jervis Bay this vegetation has enclosed areas that were once open to unique panoramic views and had been drawcards to the area.

In many circumstances a more appropriate species of vegetation could have been utilised other than tall dense vegetation to maintain resilience of dunes, protect vulnerable areas, and restore the scenic value to areas. This view is supported by The Shoalhaven Coastal Zone Management Plan March 2009 prepared by Umwelt (Australia) Pty Ltd. The Executive Summary, Priorities for a Sustainable Shoalhaven Coastline states (in part):

VA2.2 Consult with residents and beach users about:

"The ecological functional values of different vegetation assemblages (noting that different species may perform similar ecological functions)." This comment shows that a more appropriate species could be utilised on the dunes and not block views.

"Collingwood Beach is an example of a foreshore reserve where dune surface stability/erosion buffer and recreational/visual amenity are key functions of vegetation in the coastal landscape, with biodiversity a less important value."

A commitment was made to water front residents in the 1990s by government authorities who were managing the dunes at the time that views would be maintained at Collingwood Beach through the planting of low growth plants. However with the passage of time certain interest groups have claimed ownership of the dunes and illegally planted trees that have blocked views, contrary to the express commitment made to residents. Legislation is required so that vegetation planted on Crown land can be selected on a fit-for-purpose basis.

On 24th May 2016 the NSW Minister for Planning Rob Stokes visited Collingwood Beach and met with members of the Collingwood Beach Preservation Group (CBPG). The Minister viewed the vegetation on the dunes, discussed the science behind dune resilience, and subsequently wrote to the CBPG summarising the current status of coastal reforms. The Minister confirmed that coastal councils need to balance the environmental and stability benefits of vegetation on dunes against the visual amenity for adjacent landholders, in consultation with local communities. We endorse the principles that the Minister has outlined.

While bushland views are valued by some, they are not appropriate in urban areas where open coastal views are more highly valued and unique. Accordingly, we consider it appropriate that an amendment be made to the Crown Land Act that will ensure the amenity of adjacent property owners and protect coastal scenic views for the community, whilst at the same time ensuring the resilience of foreshore dunes.