



Nature Conservation Council

The voice for nature in NSW

Independent Planning Commission
Level 3, 201 Elizabeth St
Sydney NSW 2000

By email: ipcn@ipcn.nsw.gov.au

To Commission members,

Objection to Long Bow Point Golf Course SSD 8406 and West Culburra Concept Proposal SSD 3846

The Nature Conservation Council of New South Wales (NCC) is the state's peak environment organisation. We represent over 150 environment groups and thousands of supporters across NSW. Together we are dedicated to protecting and conserving the wildlife, landscapes and natural resources of NSW, including sensitive coastal environments such as Lake Wollumboola.

While we were unable to attend the recent public meetings held in Culburra, we welcome the opportunity to provide written comment on **Long Bow Point Golf Course SSD 8406** and the **West Culburra Concept Proposal SSD 3846**. We object to both proposals due to their significant environmental impacts and inconsistency with strategic planning assessments for the area, and support the recommendations of the Department of Planning and Environment that both applications be refused.

Our key concerns are summarised in **Attachments 1 and 2**.

The golf course is proposed at Long Bow Point, a prominent part of the north-west catchment extending into Lake Wollumboola, at Culburra Beach on the NSW South Coast. The Illawarra-Shoalhaven Regional Plan 2015 describes the lake as a South Coast jewel that must be protected.

The West Culburra application is for mixed use urban development west of Culburra Beach and located in both the lake and Crookhaven River catchments.

Strategic studies of the area, including the *South Coast Sensitive Urban Lands Review 2006*, the *Healthy Rivers Commission Independent Public Inquiry into Coastal Lakes 2002* and the *Scanes Peer Review 2013*, have recognised the important environmental values of Lake Wollumboola and its surrounds, and the need to protect these values from the impacts of inappropriate development. The integrity of Lake Wollumboola's unique, sensitive high conservation value ecology and its catchment should not be put at risk by the impacts of a golf course, which would require large-scale clearing of coastal forest for the golf course and infrastructure, including water pollution control measures close to the lake shore, or residential and other uses proposed for West Culburra.

The complex opening and closing character of the lake is the foundation of its diverse ecology, which attracts at least 106 bird species, with near to 20,000 birds counted on one occasion. It supports varied habitats with changing seasonal conditions and fluctuating water levels. Species include migratory waders, nesting shorebirds, water birds and coastal and sea birds, with 23 species listed as Threatened under either NSW and Commonwealth laws.

The lake is also listed under the *Environment Protection and Biodiversity Conservation Act 1999* and international migratory bird agreements as significant habitat for migratory birds. The lake is recognised also by Birdlife International and the International Union for Conservation of Nature as one of only 300 sites in Australia recognised as a globally important Key Biodiversity Area (KBA) particularly for Black Swan (almost 14,000) and Chestnut Teal (5,000).

The lake, sandbar and parts of its catchment are included in Jervis Bay National Park. Long Bow Point, its coastal vegetation including Endangered Ecological Communities and surrounding coastal Wetlands also supports many threatened flora and fauna species, including Green and Golden Bell Frogs.

The Crookhaven River and catchment is also environmentally sensitive comprising 91.65 hectares of native forest in good condition and supporting threatened fauna and Endangered Ecological communities. Undisturbed coastal wetlands fringe the river together with numerous Aboriginal cultural heritage sites adjacent to proposed housing and tourist facilities along the 3-kilometre river frontage.

The conclusions of the Department of Planning and Environment and specialist government agencies such as the Office of Environment and Heritage are that these proposals will have significant environmental impacts, including impacts on coastal wetlands, water quality, and threatened species, and are inconsistent with strategic studies for the area. The Department concludes that both proposals are inconsistent with the objects of the *Environmental Planning and Assessment Act 1979*, including the objects of ecologically sustainable development, not in the public interest and should be refused.

We therefore recommend that the Independent Planning Commission follow the recommendations of the Department and refuse both the Long Bow Point Golf Course and the West Culburra Concept Proposal.

Yours sincerely,

A solid black rectangular box used to redact the signature of Cerin Loane.

Cerin Loane
Policy and Research Coordinator

ATTACHMENT 1 – NCC summary of key concerns regarding Long Bow Point Golf Course SSD 8406.

- The location of the proposed golf course at Long Bow Point conflicts with long term expert advice from three independent inquiries and subsequent research that the Lake Wollumboola catchment is unsuitable for urban development because of the sensitivity of the lake ecosystem to urban runoff, and advice that the Lake should be zoned for Environment Protection (E1 National Park.) The current NSW Government’s policy is that Long Bow Point should be zoned E2 subject to biodiversity offset proposals.
- The application has not demonstrated with scientific certainty a “Neutral or Beneficial Effect” on Lake catchment surface water runoff. The modelling used is not calibrated with local data, and expert advice is that claimed reductions are likely to be the result of over-estimating pre-development nutrient and sediment loads and under-estimating post development loads.
- The Office of Environment and Heritage 2013 Environmental Sensitivity of Lake Wollumboola Report emphasised that it is “essential that any future assessment of potential impacts is based on a conceptual and empirical understanding of the Lake ecology and processes.” However, the application relies on research on open estuaries and catchments rather than the unique characteristics of the processes within Lake Wollumboola.
- Claims that there would be a “Neutral or Beneficial Effect” on ground water have not been substantiated due to lack of data and inadequate assessment of ground water sources.
- The application does not provide an assessment of significant threats to the lake’s hydrology and ecology, including its habitat value for internationally significant birdlife, despite the requirement to do so.
- The application does not address all catchment threatened species or include a robust assessment of impacts on Endangered Ecological Communities and SEPP 14 wetlands, even though these impacts are likely to be significant, and despite years of impact assessments on catchment threatened flora and fauna.
- Cumulative impacts on the lake ecosystem have not been assessed, despite lack of knowledge of the lake’s capacity to cope with existing polluted urban runoff. Additional impacts from the proposal would include likely impacts during construction as well as potential pollutants from the proposed residential, industrial and infrastructure development as part of the West Culburra SSD which is also proposed in adjacent locations in the lake catchment.
- The application does not consider or assess climate change and sea level rise/increased storminess impacts.
- The biodiversity offset of a 100m perimeter around the Long Bow Point shore is inadequate, particularly as the area proposed appears to include proposed water pollution control wetlands.
- The application claims social and economic benefits from the golf course but does not provide studies to support such claims.
- The application ignores impacts on Aboriginal cultural heritage, and the loss of social and economic benefits from ecotourism particularly bird observing and Aboriginal cultural heritage tourism should the lake and catchment become degraded due to a golf course.

ATTACHMENT 2 – NCC summary of key concerns regarding West Culburra Mixed Use Concept Proposal SSD 3846.

- The proposal conflicts with Director General’s Requirements, long-term expert advice and NSW Government policy that the Lake Wollumboola catchment is unsuitable for urban development and should be zoned for “Environment Protection,” as the proposal includes 45 medium density residential lots and industrial, tourist and infrastructure uses in the lake catchment.
- The proposal also conflicts with the requirement for “limited” development in the Crookhaven River catchment as it includes residential and industrial zoned land.
- 650 mainly medium density dwellings in the Crookhaven River catchment are proposed adjacent to important wetlands and Aboriginal cultural heritage sites
- The proposal will result in clearing of over 90ha of coastal forest and wetlands in the Crookhaven catchment, resulting in loss of threatened species habitat and environmental degradation.
- The proponent has failed to show that the Crookhaven River, wetlands, fish nursery and the oyster leases would not suffer significant deterioration due to polluted runoff resulting in environmental and economic loss.
- The proposal fails to assess impacts on Crookhaven River birdlife even though it is part of the Shoalhaven-Crookhaven Estuary identified as internationally significant habitat as part of the East Asian Australasian Flyway and listed under the *Environment Protection and Biodiversity Conservation Act 1999* and international migratory bird agreements with China, Japan and South Korea.
- The proposal involves locating residential and tourist development in close proximity to numerous Aboriginal cultural heritage sites assessed by Office of Environment and Heritage as regionally significant. Adverse impacts would be significant, reducing potential for nature and Aboriginal Cultural Heritage tourism opportunities for the Jerrinja community.