

08 June 2006

The Hon. Frank Sartor MP
Minister for Planning
Department of Planning
PO Box 5475
Wollongong
NSW 2520

Dear Minister,

Re: Draft South Coast Regional Strategy

The Southern Rivers Catchment Management Authority (SRCMA) is pleased to comment on the Draft South Coast Regional Strategy. It is also pleasing to note that the draft Regional Strategy highlights the valuable natural resources within the region and the need for their conservation. In particular the move towards consolidation of existing residential and commercial centres and a greater mix in the density of housing will assist in minimising the urban footprint and therefore achieve better natural resource management (NRM) into the future.

Specific Direction

SRCMA recognises the Department of Planning's (DoP) intent of not being overly prescriptive in its approach to provision of direction to Local Government in developing their Local Environment Plans (LEPs). However, this approach provides an opportunity for poor NRM outcomes in that economic and political considerations can often dictate a simplistic approach to achieving outputs consistent with the guidelines as set out in the draft Regional Strategy. We believe that the draft Regional Strategy should be much more prescriptive in areas such as: -

- Specifying the names and locations of "identified coastal lakes and estuaries" with appropriate prescribed buffer areas adjacent to wetlands, estuaries, coastal lakes and riparian zones. The Riparian Corridor Management Study developed by DIPNR should be adopted as the standard methodology for identifying and adopting appropriate buffer widths. These important waterways and their buffers should then be zoned Environment Protection. In addition councils should be directed to implement estuary management plans to improve estuary health rather than to merely consider them.
- Directing that there will be no further residential or rural residential development within SEPP 14 wetland catchments, or at the very least the use of the methodology described in the dot point above to create significant prescriptive buffers areas to protect these critically important NR assets. The wording of the draft Regional Strategy on this issue in

- its current form would not be consistent with the action of “no net impact on hydrology, water quality and ecology of these wetlands.” A clear methodology to determine the impact on these parameters should be identified within the Regional Strategy.
- Protection of aquatic primary industry, such as the oyster industry, by ensuring that development takes into account its cumulative impact on the health of waterways and water quality. The Oyster Industry Sustainable Aquaculture Strategy (OISAS) identifies and prioritises growing areas that require protection into the future. The implementation of this strategy should be included in the “actions” section on page fourteen. It is interesting to note that the Clyde River is now the second highest oyster producing estuary in the State.

Infrastructure

There is a component of the Regional Strategy that indicates that the Minister is seeking to ensure that major developments contribute to regional infrastructure. At this stage it is unclear as to what type of infrastructure will be drawn into this category. Given that the majority of tourists and sea changers are coming to the South Coast because of the natural resources in the region, we would indicate that NRM should be considered a critical landscape infrastructure which supports regional economies and sustainability.

Additionally, regional infrastructure (including transport) should be considered within the Regional Strategy. By not referring to it in this strategy, an opportunity for integrating real NRM and social outcomes with infrastructure needs is lost. This is particularly so when seasonal fluctuations in population numbers have the ability to impact greatly on natural resources as well as infrastructure. ie the SRCMA area population of 450,000 swells to approximately 1,000,000 during peak holiday seasons.

Rural Landscape

SRCMA supports the direction of no new rural residential zones. However, the action of “support for councils should they wish to make more appropriate use of existing rural residential lands” is problematic in that this statement is very subjective. Some current rural residential zones are inappropriate and should not be progressed. This action needs to provide better direction for Local Government.

Work to identify “significant agricultural lands” should be undertaken as a priority to inform the Regional Strategy. Appropriate planning for continued agricultural use would provide the opportunity for a sustainable rural economy.

Sustainability Criteria

The Sustainability Criteria should relate to the landscape in its entirety. Currently the criterion appears to relate to urban sustainability rather than Ecologically Sustainable Development across the whole of the landscape.

Specific comments on the Sustainability Criteria table: -

Housing Supply and Diversity.

Land supply in existing zoned land should be taken up before rezoning of any additional land for development. Also criteria must be developed and implemented for rural residential subdivisions, which will become Large Lot residential under the new Standard Instrument.

Avoidance of risk.

Change the title to Avoidance or Management of risks from natural hazards. Consent for residential development in areas at risk of coastal erosion and coastal inundation will not be provided unless in accordance with an adopted Coastal Management Plan that considers risks associated with climate change

Natural Resources.

“Demand for water within infrastructure capacity”.....add “as determined in water sharing plans.” Additional criteria should include “Avoids impacts on regionally significant aquifers that provide, or have the potential to provide town water supply” ‘Maintain or improve the condition of coastal lakes, wetlands and estuaries.” “Avoids water supply catchments.” “Avoidance of land use conflicts with adjacent existing or future land use as planned under relevant subregional or regional strategy.*Environmental Protection.* Include “wildlife corridors,” “Maintain or improve riparian corridor functions” and Protect areas of Aboriginal Cultural Heritage (as agreed by DEC).

Appendix 2

It is disappointing to note that appendix 2 has created unnecessary angst in the community by reigniting the debate for the development of some sensitive sites that appeared to have been put to rest. An example of this is the Culburra Urban Expansion Area that, according to the 2000 Commission of Inquiry, was viewed as an inappropriate development. Past assessments should be considered in any review of Sensitive Urban Lands. It is difficult to understand why these sensitive lands are being considered in a separate process from the overall strategy. We do not believe that this approach will engender strategic outcomes.

Native Vegetation

There appears to be no link to the Native Vegetation Act 2003 (NVA). This piece of legislation is designed to end broad scale clearing and to maintain and improve environmental outcomes where clearing of native vegetation is proposed. The NVA provides an opportunity to achieve offsets as compensation for the clearing of native vegetation for new developments. This is assessed through a decision support tool known as the PVP Developer.

The Native Vegetation Act 2003 was developed primarily to address land management practices in the west of NSW rather than the potential for native vegetation loss through subdivision on the coastal strip. The current Routine Agricultural Management Activities (RAMAs).enable a landholder or developer to undertake prescribed clearing that does not require consent under the NVA. Depending on lot size, the native vegetation loss can be significant particularly if lots are relatively small.

Currently the NVA applies to areas that are zoned rural or rural residential. With the development of the new Standard Instrument (LEP Template) councils within the Regional Strategy area of operation are required to develop new LEPs within three years. The Standard Instrument requires that all Rural Residential zones become R5 Large Lot Residential, which is an urban zone. This will remove Rural Residential from the requirements of the NVA. It is critical therefore; that the management of native vegetation is picked up under Department of Environment and Conservation’s Threatened Species (Biobanking) Act. We would recommend that this is undertaken as a matter of urgency as soon as the new Act is operational and that appropriate amendments to the Native Vegetation Regulations 2005 and the EP & A Act are made.

Climate Change

There appears to be little acknowledgment of the possible effects of climate change within the draft strategy. Potential factors such as sea level rise, the possible reduction in average annual rainfall, impacts on agriculture, increased estuary salinity and changes in the intensity and frequency of severe weather events should be clearly identified with proposed response measures outlined. These potential factors must be clearly provided for in planning and development decisions.

General Comments

The draft strategy puts some significant challenges before local and regional agencies although it seems that Local Government will pick up most of the issues. This highlights the need for a good model of engagement by agencies with local government on regional natural resource management and conservation issues.

There is a need for clarification of what should be dealt with at a regional level and what should be dealt with at a local level.

Terminology used throughout the document is not consistent or is used in ways that may be open to interpretation. An example is within the Sustainability Criteria where the term Natural Resources has been used to reflect extractive or production based values. The Southern Rivers CMA considers Natural Resources to be the natural environment in its entirety. Confusion would be reduced if a glossary were to be incorporated into the Regional Strategy. In addition consistency of terminology with current planning reform directions, such as the Standard Instrument, would assist planners in developing their LEPs.

The effectiveness of the draft Regional Strategy with regard to NRM should be measured against the standards and targets developed by the Natural Resources Commission (NRC). There is clearly an opportunity to achieve this by providing better linkages to the SRCMA's Catchment Action Plan (CAP). Better linkages could simply be achieved by adding an appendix containing the draft Catchment Targets (CTs) and Management Targets (MTs) to the Regional Strategy and directing that the CAP CTs and MTs will be reflected in local strategies, LEPs and DCPs. This direction could be provided in the table on page 17 simply by tightening the wording to be more specific or by adding this as an Action to section 4 Natural Environment. A copy of the Draft CAP is enclosed.

Thank you for the opportunity to make comment on this important document. Should you require further information on this matter, please contact Jason Carson, Catchment Officer Local Government on 4429 4446.

Yours sincerely,

Pamela A. Green
Chair