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Date: 26th August 2019

Clarence Valley Council
Prince Street
Grafton
Attn Mr Reece Luxton

Dear Reece

Submission to Clarence Valley Biodiversity Management Strategy review

As you probably know, I sat on the committee that put together the original Strategy, and I believe that it did an excellent job of describing the Valley's natural assets, and providing a good set of aspirational goals.

Since then of course the Pacific Highway has been undertaken, something that has done immeasurable damage to our valley's environment. In some respects, in terms of habitat connectivity, I fear that damage is probably irreversible.

I would like to preface the following comments by saying they are not aimed at individuals within council, many of whom are dedicated to environmental protection. It is aimed more at the built-in culture that believes the environment must be balanced against human needs, and economic considerations.

We of course believe this is very short-sighted, and are strongly committed to conservation efforts which, as the CV Biodiversity Management Strategy points out, is best served by not cutting it down in the first instance. It seems pointless to encourage planting and rehabilitation of land, a task usually undertaken by dedicated volunteers, while bulldozers elsewhere are erasing forests that are hundreds of years old. sometimes for no other reason than to supply someone with a better view!

However, on looking back at the actions listed in the original Strategy, 80% of which (I think you said) have been completed, I realise that far too many of those actions begin with the words, "*encourage*", "*promote*", or "*educate*", instead of a more proactive "*ensure*".

Time is short and I'm a confirmed dinosaur when it comes to completing on-line questionnaires which take me hours before I eventually find out I've lost it all, so I've opted to reply by email. Hope that's OK.

As I said time is short, and to attempt to critique all the actions isn't an option. Instead let me comment on some of the 9 actions that were to be completed in the first year (2011)

1. Appoint a dedicated Biodiversity Officer.

This was done, but my understanding is that we no longer have one. Perhaps I'm wrong.

2. Develop and maintain relevant biodiversity layers within a geographic information system.

I confess I never did know what that entailed.

3. Finalise for exhibition, with a local environment plan amendment, biodiversity corridors and areas of high conservation significance.

As I understand it this was accomplished through zoning which, for a start, failed to recognise the riparian zones along any of the valley's rivers, including the Nymboida which supplies the entire region with drinking water. Thus cattle have been allowed to trample river banks, and defecate into the water at will.

The problem with zoning is that if an area with high conservation value forest was missed in the zoning process, the system is inflexible, and there is nothing to protect that forest if a developer decides to cut it down., after all the land is zoned for that purpose. I recall making an on-site deputation to councilors some years ago, pointing out the old-growth that was about to be bulldozed on land zoned residential. In that instance, Councillor Baker pointed out that the LEP had been on public exhibition, so why hadn't I objected to that particular zoning at that time. As if I, or anyone else, would know of every remnant of high conservation value forest in the district.

4. Control clearing of native vegetation.

This is a bit of a joke given the state government has relaxed those very laws, and have released the bulldozers, while at the same time dropping all charges against those who had illegally cleared land under previous legislation.

It seems in this regard, Council has very little control on land clearing if it's for an agricultural purpose, because council has put no controls on the clearing of native vegetation for intensive horticulture? In fact Clarence Valley Council is one of the majority of councils which have refused to place any conditions on this otherwise unregulated industry.

For that matter, what control has been imposed on the developers of the proposed Hickey St housing estate at Iluka. The then Office of Environment and Heritage identified that 2 endangered ecological communities will be cleared for that development, but it looks likely to go ahead regardless. There are many other instances, too many to list.

5. Amend the Clarence Valley Local Environment Plan and adopt a development control plan to enact appropriate controls to protect biodiversity.

I assume this is one of the 20% of actions still to be enacted, because biodiversity is being trashed wherever I look, mostly lauded by council as being progress and helping the economy.

6. Ensure that Council planning and compliance staff are trained and supported to implement the *Biodiversity Management Strategy*

This may have taken place, but hardly shows up in reality. The Clarence Environment Centre has written submissions to a number of proposals where council planners have approved land clearing or other inappropriate developments. A rural residential subdivision in a regional wildlife corridor off Burrigana Road near Coutts Crossing, The proposed removal of old-growth trees to expand the Anchorage Caravan Park at Iluka; establishing a large free-range piggery near Lawrence on a steep hillside where all run-off will enter the Clarence River; and failed to act on ring-barking and under-crubbing of trees in an endangered ecological community on a property at Townsend, are just some.

7. encourage community participation in the protection, restoration and conservation of habitat areas and corridor links

This is one of those non specific actions mentioned earlier. However, we acknowledge the assistance and support provided to LandCare and other volunteer organisations, including the Clarence Environment Centre.

8. Educate and support the community to identify and control weeds

We acknowledge the work done by Council in this regard. However, with council-owned land having some of the worst weed infestations through lack of physical eradication, this education needs to be matched with actions.

9. remove barriers to fish movement.

How is the fish ladder for the Nymboida weir progressing? This was a consent condition for the building of the Shannon Creek dam, and should have been done almost 20 years ago.

Other matters

I presume that Action "*A.3.6 - Manage roadside vegetation to maintain biodiversity values*", is another of the 20% of actions yet to be implemented. Time and time again over the years has Council received complaints about the giant 'muncher' employed to smash limbs off trees along roadsides all across the Clarence LGA, and endangered species have frequently been among the casualties. At Coutts Crossing it was the Weeping Tea Tree, at Stockyard Creek Road it was Rupps Wattle, and on Bostocks Road it was *Bursaria cayzeriae*. A letter to Council from the Environment Centre requesting that surveys to identify valuable roadside habitat be undertaken and machine operators provided with GPS units to warn them of these areas, failed to convince the GM and staff.

Iluka's Hickey Street development, coming up before Council on Tuesday 27th August for its tick of approval, is a prime example of Council paying no attention to biodiversity strategies at any level. That site was identified in a Department of Environment strategy, which was specifically aimed at reversing a decline in the Koala population. It identified the rehabilitation and planting of koala feed trees on the Hickey Street site, which was then crown land. Unfortunately the land was subsequently acquired by the Local Land Council in a land claim decision

Despite these tree planting and rehabilitation recommendations of the early 90s, Maclean Council immediately approved the clearing of 5 hectares next to Hickey St, to add 9 holes to the golf course, then approved the clearing of another large chunk of forest for the Sovereign St residential development. By 2001, the Iluka Koala population had almost disappeared and was declared functionally extinct. The Coastal Emu population along the coast north of the Clarence died out shortly after.

In 2010, the Northern Rivers Regional Biodiversity Management Plan (NRRBMP) mapped all of the remaining forested land on the Iluka peninsular that wasn't national park, including the Hickey St site as priority for restoration ("restore priority"), and Figure 2 in the the CV Biodiversity Management Strategy, is taken from that document.

Completely ignoring the 1991 koala rescue recommendations, the 2010 NRRBMP, and its own Strategy, Clarence Valley Council quietly rezoned the Hickey St site from rural to residential in 2011, which has resulted in the current development.

So not only is Council, and the Federal Government, approving the destruction of 14ha of forest of an identified "restore priority" area, but they have not imposed any requirement to offset the destruction, other than accept the developer's offer to plant an unspecified number, or type, of trees on the road verges of the new 140 lot development!

Therefore, when it comes to developing, or reviewing, any management plan, the Council is wasting their time and resources, along with ratepayers' money, if they continue to ignore its recommendations.

Regards

John Edwards

Clarence Environment Centre