



## CLARENCE ENVIRONMENT CENTRE Inc

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# Submission to Clarence Valley Council's 10 year Community Strategic Plan

## Introduction

The Clarence Environment Centre (CEC) has maintained a shop-front in Grafton for over 27 years, and has a proud history of environmental advocacy. The conservation of Australia's natural environment, both terrestrial and and marine, has always been a priority for our members, and we believe the maintenance of healthy ecosystems and biodiversity is of paramount importance.

We draw attention to the Clarence Valley Biodiversity Management Strategy 2010 (CVBMS) which explains that: "*Clarence Valley Council's 'Valley Vision 2020' strategic plan recommended the development of a biodiversity strategy **in recognition of the continued decline in biodiversity of the region, and the need to act proactively to try and stop this decline**". (2) Occurrences over the past 5 years, such as rezoning of prime agricultural land (5) on Harwood Island containing endangered river-bank vegetation, as industrial (working water-front) suggest that message appears to have been lost.*

To that end we are making this submission with 15 recommendations highlighting actions that Clarence Valley Council can take to support, not only our vision for the Valley, but the vision adopted over many years and recorded in a raft of past 'strategies' and 'plans'.

## Planning decisions.

The Mid North Coast Regional Strategy – 2010-2031 (MNCRS), clearly outlines the aims of the document (page 2) stating: "*The primary purpose of the Regional Strategy is to ensure that adequate land is available and appropriately located to accommodate the projected housing and employment needs of the Region's population over the next 25 years. The Strategy sets the policy to govern where and how growth can occur.*

*While it is clear that expected growth can be accommodated in the Region, the Strategy places limits on growth in some areas where the value of environmental/cultural assets and natural resources is high".*

Subsequent revision of Councils Local Environment Plan was based on that Strategy. However, time and again, we see Council applying to override these aims, applying for changes to zoning at the request of developers, destroying areas identified as having high natural resource and environmental values.

Two outstanding examples of this include:

1. The rezoning of river-front land on Harwood Island from agricultural to industrial. That land, adjacent to the existing Slipway, was identified by farmland mapping associated with

the MNCRS as prime agricultural land. It is nowhere near any land identified in the Strategy as “employment lands”.

The MNCRS also identifies (page 36) that: *“Extra caution needs to be taken in planning and building decisions particularly in areas subject to ocean influence to account for the effects of climate change on sea-level rise and storm surge, shoreline recession, storm frequency and intensity, tidal inundation and flooding”*. The land in question is already highly flood-prone.

The Clarence Estuary Management Plan, 2003, focuses on the desirability of fostering existing industries, specifically mentioning Sugar, and the need to protect the environmental values of the river, particularly water quality.

Despite all of these documents, and identified restraints, along with highly erodible and acid sulphate soils, were completely ignored by Council which simply ticked off the rezoning proposal through the convenient 'gateway process'.

2. The recent rezoning of RU2 land at Hampton Road as residential. That land contained Core Koala Habitat under the SEPP 44. The Clarence Valley Council's Comprehensive Koala Plan of Management identifies that *“Around the Waterview Heights area, west of South Grafton, a number of koalas have been sighted and recorded by Clarence Valley WIRES, and the number of sightings appears to be increasing”*.

This resulted in the recommendation (page 18) that there be: *“No further subdivision within identified areas of CKH and immediately adjacent areas of low use”*.

With the exhibition of the rezoning application, the Office of Environment and Heritage made a submission opposing the development on the grounds that the area had been identified as koala habitat.

Also, as with the previous example, the Hampton Road area was not identified as a growth area in the MNCRS.

Despite all of this, Council again ignored the evidence against the suitability of rezoning the area and took the 'gateway' option to satisfy a developer.

**Recommendation #1: No further applications for changes to zoning be approved unless there is overwhelming evidence of public good, and that no environmental damage will occur as a result.**

## **Management of Council reserves**

The Clarence Environment Centre believes the management of Council owned reserves must be improved.

**Recommendation #2:** Starting with a full audit of the ecological values of each reserve, management plans should be updated to reflect those values, and ongoing funding provided to carry out recommended management activities such as weed control.

## **Compliance monitoring and enforcement**

Compliance monitoring of consent conditions, and general legal requirements is left almost entirely to individual citizens. This is constant across all levels of government, and regulatory enforcement generally only happens at the insistence of members of the public.

In Clarence Valley Council's case, there is increasing evidence to suggest that those responsible for

enforcement are not provided the necessary support of senior staff, with efforts continually undermined, as evidenced by the relocation of a large sign in place of vandalised vegetation, cut down by residents seeking a better view of the beach at Minnie Water. Councils subsequent refusal to endorse the raising of warning signs, and apparent support for these illegal activities, has to cease.

A favourite method used by some landowners to overcome ecological obstacles to development applications, is pre-emptive clearing, of degradation of the vegetation on the site. A recent case of under-scrubbing and finally ring-barking of trees from an endangered Swamp Sclerophyll Floodplain Forest at Townsend, is a prime example.

**Recommendation #3:** Formulate a policy whereby consent conditions are monitored and enforced

**Recommendation #4:** Make use of surveillance cameras to provide evidence.

**Recommendation #5:** Make use of Police to investigate illegal activity if Council rangers believe their personal safety is threatened.

**Recommendation #6:** Increase support for Council's enforcement staff.

**Recommendation #7:** In cases where pre-emptive clearing occurs, revegetation orders should be applied. That order to be attached to the property title.

## **Review zoning requirements for intensive agriculture**

We believe there is an urgent need to review zoning requirements for certain land-use activities, specifically intensive forms of agriculture. The burgeoning blueberry industry is a case in point, which is leading to serious land-use conflict through it's invasive and intrusive nature.

Currently, proponents of this industry can self assess and clear land without approval, build large dams to hold their harvestable rights without approval. Forested land can be legally cleared for this latter, even id endangered communities or species are present, simply because they don't exist until they are identified and recorded. Again without approval. We have reports in some areas where dams have been built (legally) on so many first and second order streams that 3<sup>rd</sup> and 4<sup>th</sup> order streams are no longer flowing.

It stands to reason that any activity the completely

**Recommendation #8:** Intensive forms of agriculture should be required to present a DA complete with water management plan and environmental impact assessment.

## **Flying-fox camps**

Conflict between residents living in proximity to Flying-fox camps needs to be avoided.

As we write, a developer is planning to subdivide land adjacent to the Iluka Flying-fox camp which, if approves will have predictable results, with the threatened animals coming off second best as usual.

**Recommendation #9:** Residential Development Applications close to Flying-fox camps should be strongly discouraged, and land adjacent to long-term camps should be appropriately zoned to protect those camps.

**Recommendation #10:** Adopt all the habitat enhancement recommendations currently being provided to Council for consideration by the Maclean Flying-fox Working Group

**Recommendation #11:** Given the projected population growth, particularly in the Lower Clarence with 2 growth areas identified, a new high school is an immediate need.

Therefore we ask Council to actively lobby for the building of a new high school, leaving the current site as a TAFE or University campus focusing on environmental studies and conservation land management courses. The Rainforest and Flying-fox colony will provide ample field project material for students' practical work.

## **Energy usage**

A number of initiatives aimed at reducing light pollution, and costs to ratepayers, along with a reduction in Council's carbon footprint, have been discussed extensively by Council's Climate Change Committee.

**Recommendation #12: finalise and accept 'Outdoor Lighting Regulations'.**

**Recommendation #13: finalise and accept 'Regulations for Illuminated Signage'.**

**Recommendation #14: Introduce a new working arrangement with energy supplier to reduce light pollution.**

**Recommendation #15: Give serious consideration to developing a "DarkSky Reserve" for the Clarence Valley LGA.**

## **Support for Landcare and other not-for-profit environmental organisations.**

Landcare, the Clarence Environment Centre, and other volunteer environmental have received significant support from Council over the years, and we urge this partnership to continue.

## **Recommended reading references**

All too often plans, and strategies are developed but find themselves forgotten and gathering dust. The following are just a small percentage of such documents that have been released in the past 2 decades

1. New South Wales Biodiversity Strategy 2010–2015
2. Clarence Valley Biodiversity Strategy, 2010
3. Australia's Biodiversity Conservation Strategy, 2010–2020
4. Clarence Valley Settlement Strategy, 1999.
5. Mid North Coast Farmland Mapping Project, 2007
6. Mid North Coast Regional Strategy, 2006 – 2031
7. Clarence Estuary Management Plan, 2003
8. Clarence Valley Council's Sustainability Initiative (year?)

We are pleased to have had the opportunity to provide input into Council's 10 year plan.

Yours sincerely



John Edwards  
Honorary Secretary.