



## CLARENCE ENVIRONMENT CENTRE Inc

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The General Manager  
Clarence Valley Council  
Grafton, NSW, 2460

### Submission to DA 2020/0474 Extension of Woombah Woods Caravan Park

#### Introduction

The Clarence Environment Centre has had a long history of trying, unsuccessfully, to prevent Clarence Valley Council, and the former Maclean Shire Council, from approving the destruction of wildlife habitat on the Iluka peninsular. Koala habitat destruction in particular has been ongoing and virtually unchecked for over 30 years.

One of the most disappointing aspects over the years has been Council's acceptance of what we assert have been very poor environmental impact assessments and this latest is yet another of the same. However, in this instance, Council has taken their standards down to a whole new level, allowing the land to be cleared in 2019 under a 35-year-old approval by the former Maclean Shire Council, seemingly based, not on a legal opinion, but on a "town planning" opinion provided by a firm of planning consultants engaged by the proponent.

That opinion is reported on page 3 of the Donges REF as follows: *"The owner then engaged Outline Planning Consultants Pty Ltd to provide a town planning opinion on the status of the various consents issued over the property, in particular the development footprint approved in 1984, and in respect of Council's advice of 18 September 2019. They concluded that the 1984 approved footprint as illustrated on Figure 2 of their report (reproduced at Appendix B of this report), still enjoyed valid development consent."*

We strongly believe that an independent legal opinion should have been sought, as surely there must be a 'sunset' clause for development application approvals, before becoming invalid, because 35 - 40 years is ridiculous

#### The Review of Environmental Factors (REF)

Almost 40 years after the only environmental impact assessment was undertaken (Note: we are assuming there was an environmental impact assessment, but were unable to find a copy.), it seems there is no longer any requirement to consider those impacts, as a word search of the REF failed to find key words like "flora, fauna, habitat, Koala, wildlife" etc.

As well, having allowed the land to be cleared under that ancient approval, concerns expressed in submissions opposing the development about koala habitat loss, for example, were answered as follows: *“Woombah is identified as a Koala Habitat Area in Council’s Draft Koala Plan of Management. As there is no clearing proposed as part of this application and the development footprint generally occurs within the existing disturbed areas, it is unlikely that there will be any impact to the environment or conservation areas”*. This, unfortunately, is typical of what we have become accustomed to in recent years, a develop at all costs approach which is driving koalas and other wildlife ever closer to extinction.

In short, now that the site has been partially cleared, a Review of Environmental Factors (REF) makes about as much sense as the park’s name, Woombah Woods!

The pre-clearing image used in media reports might fit that name, but many of those trees have now been cleared, with the added explanation that the uncleared section that remains is still there, *“due to the presence of the existing (waste water) disposal system between trees. These (trees) will be removed when that system is decommissioned”*. It



seems clear that after the planned construction of the large number of homes is completed, there will be no room for ‘woods’, or wildlife.

A site appraisal by our ecologists on 9<sup>th</sup> April confirmed that a considerable number of trees have been bulldozed, and the entire area ‘under-scrubbed’. However, a significant number of trees remain (see image below).



Bionet records show a number of threatened species occurring in very close proximity to the site, including Green-thighed Frog, Grey-crowned Babbler, Common Planigale, and of course Koala, but potential impact on those species hasn’t been assessed by this DA. The site contains core Koala habitat, as described by SEPP 44, and there are still more than 10 koala feed trees, Grey Gum and Tallowwood, per hectare.

In fact, there is still habitat on site for all the above species, and the impact of removing it should, in our opinion, be fully assessed before approval is considered.

I suspect that Council will claim that a full fauna impact assessment was undertaken at the time of the historical approval close to 40 years ago. If so, we assert that simply isn't good enough. New threatened species listings have been added, and laws substantially changed in the interim.

The site is barely 3 hectares, and by the time the proposed 59 manufactured homes and community centre are completed, and with only an average 20m x 20m for each structure, there will be no room for trees. As a result, it would appear that there will be no future for those wildlife species that may still occur on the site.

Given the desperate need to retain native vegetation around the world to help slow the advance of global warming, the preference would be to dramatically reduce the number of structures, to enable the retention of all existing trees. Should the project be approved regardless, it is to be sincerely hoped that Council will insist on substantial off-setting to compensate for both the habitat that has been lost, as well as that which is still under threat.

We thank Council for this opportunity to comment. And hope our remarks result in some better outcomes for the biodiversity of the area.

Yours sincerely

John Edwards  
Clarence Environment Centre