

21 June 2018

General Manager
Eurobodalla Shire Council
PO Box 99
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**SUBMISSION BY THE ROSEDALE ASSOCIATION INCORPORATED (RAI)
PLANNING PROPOSAL - RURAL LANDS STRATEGY AND OTHER MATTERS**

1. OVERVIEW

The objectives of the Rosedale Association Incorporated (RAI) are to:

- Maintain the existing environmental character of the Rosedale area;
- Represent the residents and ratepayers of the Rosedale area, who are members of the Association; and
- Assist in the orderly development and progress of the area, in consultation with the Eurobodalla Shire Council and other appropriate bodies and individuals.

2. GENERAL COMMENTS

RAI welcomes the opportunity to provide comment on the Planning Proposal, Rural Lands and Other Matters, amendments to Eurobodalla LEP 2012, on behalf of the 179 members of our Association. RAI appreciates its significance, as a key planning document for rural land in the Eurobodalla Shire, but is concerned that Eurobodalla's natural resources have not been allocated adequate value and protection in the Proposal. Our primary concerns relate to the:

- Proposal to provide for additional uses without consent in E4 (Environmental Living) zones, which includes the Rosedale hamlet;
- Proposal to re-zone land immediately to the south of Rosedale (east of George Bass Drive) to RU1 (Primary Production);
- Elimination of E3 (Environmental Management) zones;
- Proposal to reduce lot sizes in some zones;
- Proposal to make light grazing permissible in E2 (Environmental Conservation) zones (zones that are primarily coastal wetlands and mostly protected under SEPP 14);
- Significant risk to the Shire's environmentally important native bushlands, threatened species and ecosystems, due to the potential loss of habitat and connecting corridors from increased land clearing for housing, roads, fences and bushfire protection; and
- Potential damage to the reputation of the Eurobodalla Shire as the Nature Coast, with the natural beauty and landscape of the area a major attraction for locals and visitors.

Our priority is to maintain the existing environmental character of the Rosedale hamlet and ensure that developments are planned in such a way, as to minimise the impact on sensitive environmental features and bushland sites in and around Rosedale and across the Shire.

3. PROPOSAL TO ALLOW ADDITIONAL USES IN E4 (ENVIRONMENTAL LIVING) ZONES

RAI strongly objects to the proposal to allow additional uses in E4 zones without consent. Land within the Rosedale hamlet (zoned E4) is important coastal bushland and necessitates retention at the current development scale, with no additional pressure on the area as a result of additional uses.

The proposed changes go against the objectives of the E4 zone, in terms of ensuring that:

- Development in areas with special ecological, scientific or aesthetic values does not have an adverse effect on those values;
- The size and shape of vegetation remnants are protected, if consistent with the protection of assets from bush fire; and
- Development should not unreasonably increase demand for public services or public facilities.

To change the current list of uses permitted without consent, being bee keeping, environmental protection works and home occupations, to the proposed list of community facilities, environmental facilities, extensive agriculture, jetties and detached dual occupancies is contrary to the objectives of the zoning. The coastal bushland and aesthetic values that exist in Rosedale are already under significant pressure, given that a substantial number of lots in Rosedale are historically under the minimum lot size allowed for the E4 zoning. Council should take appropriate action to ensure there is no additional pressure on this and other E4 areas.

Recommendation:

- (a) *That Council maintains the existing list of uses permitted without consent in E4 zones, in order to protect the ecological, scientific and/or aesthetic values that exist in E4 zones.*

4. PROPOSAL TO ZONE LAND IMMEDIATELY TO THE SOUTH OF ROSEDALE (EAST OF GEORGE BASS DRIVE) AS R1 (PRIMARY PRODUCTION)

We have very strong concerns about the land immediately south of the Rosedale hamlet, from Tranquil Bay through to Guerilla Bay, east of George Bass Drive. The land was previously zoned 7(f1) (Environmental Protection [Coastal Lands Protection]) under the 1987 LEP. The current proposal is to zone this land as RU1, with uses without consent including extensive agriculture and forestry. The additional list of land uses with consent is exhaustive and totally fails to recognise, or value, this sensitive environmental and coastal land, which is adjacent to the Batemans Marine Park.

We note that even Council's maps within the current Planning Proposal identify this land as High Conservation Value Vegetated Land. This land continues to be high conservation value vegetated land and there is no justification to allow for agriculture or other activities on this land that will negatively impact this highly sensitive coastal area. Council must prioritise the protection of this land and propose a zone classification that is as close as possible to the previous 7(f1) zoning. Appropriate environmental protection of sensitive coastal land, particularly land adjacent to a marine sanctuary, should be a high priority for Council.

We question why the land would not be zoned E4, consistent with the zoning of land immediately surrounding it in Rosedale and Guerilla Bay. An increased minimum lot size could be applied, in line with the proposal for land to the north of Rosedale in the vicinity of Mackenzie's Beach. The proposal is to zone this land E4 but with an overlay of minimum lot size to prevent subdivision.

Recommendation:

- (b) *That Council not apply the proposed RU1 zoning on the sensitive coastal land between Rosedale and Guerilla Bay (east of George Bass Drive) and instead prioritise the protection of this land with a zone classification as close as possible to the previous 7(f1) zoning, with an overlay of minimum lot size to prevent subdivision.*

5. PROPOSAL RELATING TO E2 (ENVIRONMENTAL CONSERVATION) ZONES

RAI objects to the proposal to allow *light* grazing in E2 zones without consent, as E2 zones are primarily coastal wetlands and mostly protected under SEPP 14. We note that grazing is recommended to be generally exempt in E2 zones but are concerned with statements within the planning proposal that there may be some instances where it would be reasonable for some *extensive* activities to be permissible. We appreciate that this is intended to facilitate existing rural activities but are concerned that the proposed change has the potential to increase grazing more generally in E2 zones.

Grazing in any form should not be allowed in these environmentally sensitive areas, given the dangers posed to the fragile coastal wetlands and the risk of permanent damage. We do not support the view that ongoing education and land care activities are a suitable approach to protecting wetlands from inappropriate activities. Instead, clear provisions must be included to ensure appropriate protection and conservation of these areas, with no reduction in the current environmental protection standards that apply. The onus needs to be on Council to ensure that potential impacts to sensitive areas have been fully considered and addressed by proponents in development proposals. A comprehensive assessment of the potential impacts of new rural activities in sensitive E2 zones should also be undertaken, in order for Council to justify this use being permissible without consent.

Recommendations:

- (c) That Council reverse its proposal to allow any form of grazing in E2 zones.
- (d) That Council takes measures to retain responsibility for ensuring that potential impacts of development in sensitive areas are fully considered and addressed in all development proposals.

6. PROPOSAL TO RE-ZONE LAND AND ERADICATE E3 (ENVIRONMENTAL MANAGEMENT) ZONES

We share the concerns of Coastwatchers and other groups and organisations, in terms of the reduction in environmental protections that will apply with the elimination of E3 zones and proposals to re-zone the majority of former E3 zones as RU1 zones. As previously discussed, RU1 zoning provides little, if any, environmental protection and a lengthy new land use table. This presents a significant threat to the Nature Coast and is another clear example of Council not placing appropriate value on the environmentally important native bushlands, threatened species and ecosystems of the Shire. Council should be taking significant measures to protect the native bushlands, rather than introducing measures to threaten them.

Recommendation:

- (e) That the Planning Proposal be amended to strengthen environmental protections for the valuable bushland of the Eurobodalla Shire, including land previously zoned E3.

7. POLITICAL DONATIONS / GIFTS

RAI has made no political donations or gifts that would require a disclosure under Section 147 (5) and (6) of the *Environmental Planning and Assessment Act 1979*.



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