

29.Oct 2013

Hello My name is Lynne Dover. I live in Goonengerry.

I have five acres of sustainable perennial food plants and a small roadside stall which attracts a LOT of people. Many who stop

and chat with me whilst I am in the garden working. The stall does not make a lot of money but it does attract many of our tourists on route to Minyon Falls or other places. They become amazed at the diversity of food (and seeds because my property is the home of “Byron Hinterland Seed Savers”. I am a seed saver.

I find it impossible to understand why our government would allow Coal Seam Gas companies anywhere within our shire.

We could easily become a food bowl for Australia with many locals working towards that. Including one organics in Possum Creek.

Please read the attached letter calling on YOU our Government officials to put your weight behind this.

Goonengerry Landcare Inc.
C/- The Secretary,
PO Box 50
Federal, NSW 2480

Director Assessment Policy,
Systems & Stakeholder Engagement,
Department of Planning and Infrastructure
GPO Box 39,
SYDNEY NSW 2001.

Dear Sir or Madam:

Ref: Submission on Proposed Stage 2 Exclusion Zones for Coal Seam Gas Mining.

Please find enclosed a submission from Goonengerry Landcare on the proposed Stage 2 exclusion zone for part of **Goonengerry Village**.

Goonengerry Landcare sponsored a meeting of Goonengerry residents chaired by Byron Shire Deputy Mayor, Cr Basil Cameron on 13 October 2013. This submission has been prepared to reflect the view of that meeting.

In summary Goonengerry residents unanimously resolved that for reasons stated in the attached submission, that

1. Byron Shire has a residential character as a whole, and
2. The criteria used to map State 2 exclusion zones are too limited in both scope and application to adequately identify residential character.

We believe that the criteria ought to be broadened and applied with an 'on ground view' to ensure that the shortcomings in identifying residential character are rectified. We also strongly submit that the inconsistencies in application that are identified in our submission can be overcome with the declaration of a Shire wide CSG exclusion zone so that the same buffer as currently applies to exclusion zones declared in Stage 1 and in SEPP (Mining, Petroleum Production and Extractive Industries) 2007 can be applied and the associated mapping can be amended to reflect this.

Yours sincerely

Secretary
Goonengerry Landcare Inc.

30 October 2013

Submission on Proposed Stage 2 Exclusion Zones for Coal Seam Gas Mining

Prepared by Goonengerry Landcare Inc.

Background

Goonengerry Landcare sponsored a meeting of Goonengerry residents chaired by Byron Shire Deputy Mayor, Cr Basil Cameron on 13 October 2013. This submission has been prepared to reflect the view of that meeting.

Coal Seam Gas Mining Operations in Byron Shire

The meeting unanimously supported the exclusion of Coal Seam Gas (CSG) mining operations in Byron Shire for the following reasons.

- a) To ensure clean water security
- b) In recognition of the Shire as a significant biodiversity hotspot
- c) Protection of expanding food production
- d) Support of sustainable tourism
- e) Density of settlement and residential character of the rural zones
- f) High rainfall and topography
- g) High levels of community support for a Shire wide CSG mining operations Exclusion Zone

We emphasise that clean water security in an area of high rainfall and steep topography is more dependent on harvesting overland and riverine flows and that the dangers of contamination are consequently higher and potentially more far reaching.

We note the increasing economic importance of food production within the Byron Shire and that risks to clean water security come with high economic and social costs.

The character of much of the new local food production is smaller scale supply and value adding, often as an expanded use in a residential setting that supplies local, national and international markets. This activity is increasingly important to a sustainable tourism industry. We believe that these two industries should have the status of critical industries for the economic and social well being of the Byron Shire and on this basis alone, the Shire should be declared a CSG exclusion zone.

We have a responsibility to ensure this area remains a safe haven for the high level of biodiversity in the Byron Shire. High rainfall and topography make CSG operations more difficult, costly and riskier, posing unacceptable threats to many vulnerable and threatened species.

Residents across Byron Shire have expressed very high levels of support for their communities and the Shire to be declared a CSG exclusion zone. In Goonengerry, this

support was at 98 per cent with similar levels across the Shire. Similar levels have been expressed in adjacent Lismore City with 87 per cent voting against CSG at a plebiscite conducted at the 2012 local government election.

1. Residential Character within Byron Shire

The meeting was in unanimous agreement that a residential character existed across Byron Shire for the following reasons.

(a) Higher settlement densities

Settlement in Byron Shire is characterised by residential areas and larger towns separated by relatively short distances in the coastal zone. Only the Brunswick River separates Ocean Shores and Brunswick Heads, which in turn is eight kilometres away from Mullumbimby by road (much less as the crow flies), which in turn is 15 kilometres from Byron Bay, which is about 10 kilometres from Bangalow.

Within the hinterland, Bangalow, Federal, Main Arm and Billinudgel are currently village zoned and as such are included in the Stage 1 exclusion zones that came into force on 4 October 2013 with a two kilometre buffer. Settlements radiate around these villages at similar or shorter distances between settlements than those in the coastal zone. Federal village is five kilometres from Goonengerry. There is a similar distance between Federal and Eureka as well as Eureka and Clunes (in the Lismore Shire). Many other locations within the Shire such as Coorabell, Binna Burra, Possum Creek, Main Arm, the Pocket, Upper Main Arm, Upper Coopers Creek, Yelgun and Crabbes Creek are linked at roughly similar distances.

It can be noted that topography means that distances by road are often considerably longer than distances by direct line.

There is also a significant numbers of multiple occupancy and community title developments close to many of the above mentioned settlements resulting in higher population densities that extend away from these centres. Some rural localities further from these places are also characterised by high numbers of such land sharing communities including the Main Arm Valley, Tibian Valley, Broken Head, Coorabell and Fowlers Lane areas.

2. Lot sizes

- The rural zones in the shire are characterised by average lot sizes that are smaller than those in surrounding shires.
- Significant numbers of concessional allotments approved in the past have further reduced average lot sizes and increased densities between settlements, along linking roads and junctions, which has added to the residential character. This effectively puts long sections of all the above mentioned roads into a 'Large lot subdivision' settlement pattern.
- There is an intricate network of roads and lanes which reflect the original settlement pattern of 150-200 acre dairy farms, and the availability of natural water.

- This relatively intricate network of roads has added to the levels of concessional allotment approvals in the past creating frequent residential clusters along arterial roads and around intersections.
- A further sign of this increased residential character is that speed limits have been reduced along many of these roads in recent years due to the increasing numbers of driveway entries.
- The road network is not constructed to suit high levels of use by heavy machinery and other high impact use associated with CSG mining and operations.
- There are a significant number of schools in the Byron Shire hinterland. These are often situated within or close to residential clusters such as at Goonengerry, Eureka, Upper Main Arm, Ewingsdale and Coorabell amongst others. The numbers of schools and their expanding enrolments are further testament to the residential character of the Shire.
- Mapping Criteria. It is noted that the settlement patterns described in this section are the result of geographical, historical and cultural factors that are 'long established' and have a 'historic association with the district, region and/or rural hinterland', which meet a key DP&I criterion used to map areas with a village character.

3. Criteria used to identify residential character

Criteria used to identify residential character have been limited or applied too narrowly as evidenced by only a small part of Goonengerry being identified across Byron Shire.

Lots proposed for exclusion in Goonengerry total five and include the school, old schoolmasters house and three rural residential lots. All are currently zoned 1C(1) in the BLEP 1988 and proposed to be zoned R5 (large lot residential) in the draft Shire wide BLEP. This represents a minority of similarly zoned properties that make up the 'village' of Goonengerry. In fact the 1C(1) zone is much larger and includes part of Mafeking Road, Mill Road and the whole of Bayview Drive.

These settlement patterns of small concessional allotments extend north along Goonengerry Road beyond Mill Road towards Beatties Creek, along Federal Drive south of the Mafeking Road intersection up to Repentance Creek Road and includes Mafeking, Sheaffes and Mill Roads. There are multiple occupancy and community title developments on Mill and Mafeking Roads.

Limitations of the criteria are highlighted in that an obvious on ground view of a village settlement could not be picked up in the mapping due to the application of the three mandatory criteria:

- Sites of no more than 4000 square metres could be considered and then,
- only if a multiplicity of uses applied to a particular cluster of lots meeting the lot size criterion, so that
- in effect this negated any possible discretionary application of the third criterion, that the zone 'apply to a settlement that is long established and has some historic association with the district, region and/or rural hinterland'.

This meant that this criterion could not be used to identify candidate areas outside of those meeting the other narrow criteria. We believe that this is a serious limitation in the design of the criteria and has resulted in a key criterion being very narrowly applied.

The settlement at Goonengerry including the school has been in existence for over a century. It was included on the route of the original mail and passenger stagecoach service between Mullumbimby and Lismore and was the location for later motorised coach services. It has a long established connection with the hinterland and region.

The identification of seven only Stage 2 proposed locations across New South Wales is a further indication that the criteria used were too limited.

Further limitations of the criteria applied in Byron Shire are clear when it is considered that many settlements with a village character similar to Goonengerry exist in the Shire. Many include residential clustering around or close to schools such as Upper Main Arm, Coorabell and Eureka, yet these have not been included as proposed CSG exclusion areas. Other residential clusters such as Binna Burra, Crabbes Creek and Myocum amongst other locations have also not been considered as part of CSG exclusion zones.

Recommendations

We wish to emphasise that any discussion on broadening the scope or application of the existing criteria in recommendations 2-5 should not be seen to limit our paramount recommendation as follows.

Recommendation 1.

Recognising the historical and cultural influences behind the long standing settlement patterns in Byron Shire, as detailed in this submission, we recommend that Byron Shire be declared a CSG exclusion zone as part of the proposed Stage 2 exhibition with the SEPP (Mining, Petroleum Production and Extractive Industries) 2007 and associated mapping amended to reflect this.

With regard to the limitations of the existing criteria, we recommend as follows.

Recommendation 2

That mapping criteria be reviewed to allow for greater discretion to align mapping to an on ground view.

Recommendation 3

That the all of Goonengerry as described in this submission be acknowledged as having a village character and be included in an exclusion zone with the same buffer as currently applies to exclusion zones declared in Stage 1.

Recommendation 4

That schools and any nearby settlements in Byron Shire are declared CSG exclusion zones as part of the proposed Stage 2 exhibition with the same buffer as currently applies to exclusion zones declared in Stage 1 and with the SEPP (Mining, Petroleum Production and Extractive Industries) 2007 and associated mapping amended to reflect this.

Recommendation 5

That other settlements with residential characteristics in Byron Shire are declared CSG exclusion zones as part of the proposed Stage 2 exhibition with the same buffer as currently applies to exclusion zones declared in Stage 1 and with the SEPP (Mining, Petroleum Production and Extractive Industries) 2007 and associated mapping amended to reflect this.

October 2013