

SUBMISSION TO NSW DEPARTMENT OF PLANNING & ENVIRONMENT

DRAFT NORTH COAST REGIONAL PLAN

Introduction

This submission contains observations of the Draft North Coast Regional Plan (the Plan), with particular emphasis upon the content and perceived intent of the Plan as they pertain to Nambucca Shire (Mid North Coast, with particular reference to the Aims and Objectives of Lock the Nambucca Valley Inc) (LNV), which are, in part, as follows:

The object of the association is to provide a mechanism through which the residents of the Nambucca Valley and its catchment are able to effectively:

- (a) Oppose all mineral mining in the Nambucca Valley catchment area with the aim of protecting air, land, water, bio-diversity, agricultural lands, forests, people and the social fabric;
- (b) Oppose the dumping of any mining or mineral processing waste in the Nambucca Valley.

Comments are addressed to both the Department and to Nambucca Shire Council for consideration. The Plan Foreword states that 'By focusing growth in cities and centres we can protect the sensitive coastal area with its productive farmland and significant environmental and cultural values'. The Introduction states that the Plan 'integrates economic, environmental and social considerations to achieve ecologically sustainable development – a high priority for the region'. Admirable sentiments but while necessarily seeking to avoid being overly prescriptive, the body of the Plan provides too much in the way of potentially conflicting statements to guarantee that the protections needed to achieve 'ecologically sustainable development' will indeed be afforded.

General

The Plan has a broad scope and its weakness lies in a tendency throughout to generalise. In many instances, localised conditions and concerns are quite specific to that particular area and the approach of 'one size fits all' across 13 Local Councils is inappropriate.

Comments

Foreword. Governance of the Plan is dependent upon a Committee process that allows minimal direct input from Local Councils on the Coordination and Monitoring Committee, thereby removing the most informed connection between the concerns and needs of ratepayers and State-level governance. This should be of concern to all Councils likely to be affected by the Plan. Ultimately, successful implementation of the Plan will be the responsibility of the elected Local Councils but they are deprived of their best opportunity to argue their case from a position of knowledge-based strength. It would appear that the only circumstance in which Local Council direct representation will occur is when a North Coast Regional Plan action is given priority status. The conditions leading to 'priority status' are undefined.

P8 **Figure 2.** Part of the text for the upper RHS node reads 'Ensure new development **avoids** high environmental values'. This wording is misleading; it should read either 'Ensure new

development **embraces** high environmental values’ or ‘Ensure new development avoids high environmental value areas’.

P11 GOAL 1 – A natural environment, and Aboriginal and historic heritage that is protected, and landscapes that are productive. Such considerations are pertinent to the area of Valla rural that is marked, on P 33, as ‘Potential Mineral Resource’ and possibly to other areas so designated.

P24 DIRECTION 1.3 Safeguard aquatic habitats and water catchments. This consideration should preclude the approval of any form of open cut mining in water catchment areas on the Mid North Coast, noting that our rainfall patterns mean that the safe, contained operation of attendant tailings dams cannot be guaranteed as evidenced by the numerous breaches of conditions at Hillgrove Gold mine over its years of operation and the resultant legacy of long-term pollutants. To quote the Plan, p27, ‘Flooding, in particular, is a major hazard on the North Coast due to topography and regional climate’.

P28 DIRECTION 1.5 Deliver economic growth through sustainable use of, and access to, mineral and energy resources. The key word here is ‘sustainable’. Local Councils will need to be judicious in achieving a truly sustainable and reasoned balance between the desired outcomes of this Direction and that of Direction 1.3. As previously noted, the nature of rainfall patterns on the Mid North Coast and the flood-prone nature of much of the regional topography should preclude any consideration of large scale open cut mining on the Mid North Coast. LNV position is that NO mining is sustainable in the Nambucca Valley.

P31 ACTION 1.5.1 Facilitate investment in the resources and energy sector. Transition areas surround identified resource areas and were formerly referred to as buffer or separation zones. They are areas that may be affected by activities associated with resource extraction and are identified to minimise the potential for encroachment and land use conflict. Figure 7 indicates a Transition Area which is centred upon the vicinity of the current Valla Quarry. The past, present and ongoing tensions and formal action between Valla residents and the Quarry operators suggest either that such an approach is untenable or that the initial planning process for the Quarry was unsound. LNV position is that no further consideration should be given to extending the Licence.

P33. What constitutes ‘Regionally Significant Farmland’? There are many areas of active, productive farmland, on this map and undoubtedly on those of the surrounding areas, that are not marked as such. This is misleading to non-local planners who need accurate information to inform their decision-making processes.

P47 ACTION 2.3.1 Focus future growth into the mapped urban growth areas. Urban growth areas are identified to accommodate growth; to protect important farmland, fragile and vulnerable ecosystems, and heritage assets; and to reduce potential land use conflict. FIGURE 34: Urban Growth Area Map for Nambucca Local Area shows the area to the west of Valla as an urban growth area. This is the same land that is also shown at Figure 7: North Coast Resources and Farmland as being ‘Potential Mineral resource’. It is not sustainable to exploit a potential mineral resource within an urban growth area. For the peace of mind of landowners and to better enable planning by Council, this anomaly needs to be rectified in the Plan, in particular by comprehensive application of **ACTION 2.3.2 Identify residential, commercial and industrial uses in urban growth areas by developing local growth management strategies.**

P70 ACTION 4.4.2 Encourage well located employment land with suitable buffers to minimise land use conflicts. The Plan states that ‘Employment land needs to be protected from encroachment by incompatible development that is sensitive to the real or potential impacts of noise, smoke, dust, odour, vibration and light, and/or because it generates potential risks.’ The same is true of urban development areas, such as at Valla, where the current operations of the Quarry plainly fail to meet these sensible planning considerations.

Recommendation

It is recommended that LNV comments on the Plan be considered by the Department when producing the final version of the Plan and by Nambucca Shire Council when consolidating their input to the draft Plan.

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