

2nd June 2016

NSW Department of Planning and Environment

Submission on Draft North Coast Regional Plan

This submission has been prepared by the undersigned on behalf of Community Asserting Nature's Rights (CANR) Byron Shire, a community group convened to protect the rights of the natural environment.

1) Natural Environment, Aboriginal Heritage: Identifying and managing areas of high environmental value

Action 1.1

1.1 We object to assessment criteria that fail to account for the environment as an ecological whole, a wide and interdependent community of diverse organisms that rely on each other to survive. With the approaching challenges of Climate Change and Global Warming we request an imperative in the planning process to protect natural eco-systems in their entirety. This has direct relevance to endangered species such as koalas, which are not mentioned in the Draft at all. Koalas during their life cycle need to be able to range over a relatively large area, which needs to be facilitated by adequate corridors between colonies. This ability is at risk particularly in coastal areas due to habitat destruction and residential development. The often flawed process of "offsetting" is an open invitation to abuse and needs to be rigorously scrutinised and independently scientifically assessed if not removed altogether.

1.2 We also submit that available mapping of flora and fauna is inadequate to assess endangered species and high value areas to a degree that is appropriate to protect them, particularly in regard to the Environmental Zones which have been recently abandoned.

Direction 1.5

1.3 Renewable energy and unconventional gas extraction:

We object to any unconventional gas extraction on the North Coast, particularly with

the use of Hydraulic Fracturing due to the following:

Pollution of the atmosphere by fugitive emissions of volatile organic compounds,
Pollution of the surface and ground water by fracking liquid and associated adulterants

Lack of baseline studies necessary to assess and manage exploration and production

Potential for seismic activity as a result of fracking.

The effect of CSG on climate change and global warming.

Additionally we note that no mention is made in the Draft of renewable energy. We call on the Department to address and promote opportunities for renewable energy in the region, which has adequate insolation and the possibility of wind and wave generation, offering an opportunity to migrate to a new paradigm of clean energy, reduced greenhouse emissions and sunrise economic opportunity.

Coastal protection, erosion and rising sea levels:

We believe that the threat of rising sea levels, increased extreme climate events such as cyclones, and subsequent coastal erosion is real and already manifesting in areas such as the Belongil, Byron Bay. The options of “Planned Retreat” v. the installation and maintenance of retaining structures is currently topical in Byron Shire as well as other communities on the coast. We submit that the mechanical retaining of the existing coastline will be both unsustainable and unaffordable given the projected increase in extreme weather events and rising sea levels. The parameters for construction on endangered coastal lands need to be identified and addressed further than has been carried out in the Draft, and provision made for exclusion zones on low lying areas.

2) Growth Opportunities and 3) Housing Choice

2.1 We submit that the least destructive growth to our environment is that of ecologically sustainable discrete and moderated development on a scale that is appropriate to the environment. We note that the promotion of alternative energy systems such as rooftop solar and battery storage and the introduction of community based virtual metering and power sharing are necessary to reduce reliance on fossil fuelled energy and reduce the effects of climate change.

5) Transport

In relation to Rail, the Draft only addresses high speed rail and freight services. We support the re-introduction of both passenger and freight rail throughout the region, and the extension of the (currently disused) rail line from Murwillumbah to connect with the Queensland light rail from Brisbane to Varsity Lakes and (eventually) Coolangatta. We believe this is appropriate and necessary for a popular sustainable transport system in the future.

We support the provision of public transport throughout the region as a pre-requisite to further growth.

We note the comments (5.3) on noise from freight movements in relation to vehicular traffic, and suggest that rather than creating barriers to buffer traffic noise, the use of compression braking on trucks be banned altogether. Such a ban occurs throughout Europe, and indeed is adopted in many states of the USA where the health, economic and social effects of compression braking noise have been recognised.

Finally we are concerned by the failure of the NSW Government and its Departments to follow their own guidelines in many recent development approvals, including the West Byron Urban Release Area, approved without a Growth Strategy, and passed contrary to the Settlement Planning Guidelines. The development is entirely inappropriate in scale, and promises to create a traffic nightmare on the only entrance to the Bay from the Pacific Highway, as well as destroying established and documented koala habitat. There are also concerns about acid sulphate soils and the effect on Belongil Creek. The Draft Report's statement that Planning guidelines will be followed (Ps 35 & 50) is compromised, and a more reliable control mechanism is warranted in such situations.

Signed,

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For Community Asserting Nature's Rights (Byron Shire)

