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To:
General Manager
Mr Russ Pigg
Shoalhaven City Council

From:
Birdlife Shoalhaven
C/o Chris Grounds
Conservation Officer

**SUBMISSION CONCERNING THE EXHIBITED
COLLINGWOOD BEACH DUNE MANAGEMENT PLAN
from
BirdLife Shoalhaven
OCTOBER 10 2016**

BirdLife Shoalhaven (BLS) advocates for the conservation of birds and their habitats and promotes the appreciation and understanding of birds across the Shoalhaven and beyond. BLS is a branch of BirdLife Australia Limited, an independent, not-for-profit organization, which was established in 1901 and currently has over 12,000 members and 70,000 supporters.

A handwritten signature in black ink, appearing to read "Rob Dunn", is placed over a light grey rectangular background.

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1.0 GENERAL RECOMMENDATIONS and COMMENTS

1.1.1 BLS maintains its opposition to Shoalhaven Council's Collinwood Beach Dune Vegetation Management as proposed and now to the Collingwood Beach Dune Vegetation Management Plan [CBDMP] as exhibited and recommends that it be rejected as an inappropriate Plan.

1.1.2 BLS rejects the Council Amendment of May 2016 as it involves pruning to a 1m height. That position must be reconsidered by the new Council. BLS notes that NGH, the environmental consultants, withdrew their association with the Council variation to the Plan and advised Council the Plan poses a risk to dune stability, and the area will become "more susceptible to extreme weather conditions that could result in adverse impacts to private and public assets as well as the ecological values of the reserve."

1.1.3.a BLS recommends that the site be returned to a Bushcare Management Plan.

1.1.3.b BLS notes Option 1 is the most acceptable to the local community other than nearby residents and that it is this Option only which has some semblance of appropriate biodiversity management.

1.1.4 BLS would emphasise that the fact that the outcome of this long-term consideration of dune vegetation management will set a precedent for the Shoalhaven and must therefore represent much better than a site compromise for Collingwood Beach residents and accommodation property owners who want 'views'.

1.1.5 BLS is also concerned with the projected \$120,000 cost to ratepayers of the CBDMP.

1.1.6.a APPENDIX D Collingwood Beach Preservation Group Proposed Amendments to the Collingwood Beach Draft Dune Vegetation Management Plan.

BLS rejects this document and contests that it should have even been used in the exhibited Plan. The inclusion of the document is a biased strategy. There is no legitimate, particular reason to provide this minority group such a favoured opportunity, especially in light of the exclusion of an alternative community position, which has been excluded. viz "Save Collingwood Beach". This weakens the community consultation process and the CBDMP.

1.1.6.b The Plan itself acknowledges that community feedback in the community engagement process identified a polarized position among ‘stakeholders’. The veracity of the CBDMP has been compromised by offering one side of the polarized issue a privileged position of an exhibited document. Doing this in no way relates to providing ‘equity’ for that group.

1.1.6.c The CBDMP has been further compromised by the serious lack of quality that permeates the CBPG Amendments document. There is a serious lack of rigor in this limited document. There are statements and illustrations used that are contentious, arguable and unacceptable to say the least. An example from Scotland purports to deny that trees are of use in coastal erosion management! There is a tacit denial that the original dune cover would have included trees and obstructed views prior to the highly destructive clearing for residential development on the dune precinct, which was a major contributor to the highly damaging event of the 1970s in this location. The photo of a banksia at Moona Creek surviving on a dune erosion remnant fails totally to recognize that this is an isolated, single instance example in the estuary inlet that in no way typifies the beach dune in question. There are many other questionable inclusions in this document.

1.1.7 Council, through the consulting firm, “Straight Talk”, conducted community workshops the results of which have not been made available to the community or participants. Many participants indicated that opposition to the Dune Management proposals in the local, Vincentia workshops. The absence of the balance of these sources reflects bias toward the CBPG document in the exhibited Plan. The workshop results should have been published and any relevant data included in the exhibited Plan.

1.2.1.a COMMUNITY ENGAGEMENT

BLS notes a concern with the CBDMP as a basis for community engagement in that it is a long and relatively complex document of 94 Pages, 61 Pages of Plan and 33 Pages of Appendices. This is a continuing concern with exhibited Council documents, some of which are of much greater length. BLS recommends there needs to be recognition of the limitation this places on community engagement and an appropriate response with exhibited documents.

1.2.1.b The CBDMP should include reporting to the Council Natural Resources and Floodplain Management Committee as part of the reviews being proposed. This Committee of Council is in a position to make recommendations and involves fifteen merit-selected community representatives.

1.3.1 The NSW Office of Heritage and Environment (OEH) has proposed that the works would be in contradiction of the objectives of the New Coastal Management Bill 2016 and the Coastal Dune Management Manual (2001). OEH also advised that “the clearing and/or pruning of dune vegetation would likely increase the risk of both coastal erosion and coastal inundation from overtopping, thereby exposing private properties to greater risk from these hazards’ and the ‘pruning of mature vegetation to low heights, as proposed, could lead to death of these plants, resulting in further issues for council such as dune instability, blowouts and the need to stabilize these areas through costly works”.

2.0 SPECIFIC RECOMMENDATION AND COMMENTS

2.1 SPECIFIC BLS BIRD RECOMMENDATIONS.

2.1.1 BLS recommends that the required management of dune vegetation for habitat, biodiversity and environmental sustainability can only be attained if the restoration of dune vegetation and protection of the development of vegetation is ensured in both legislative and environmental terms. BLS suggests that the CBDMP does not do this.

2.1.2 As indicated in 1.1.3.a BLS recommends that this could only be achieved with the restoration of a Collingwood Beach Bushcare Management Plan.

2.1.3 BLS contends that appropriate management of the dune vegetation must acknowledge and provide for plants and plant community structure, which supports bird habitat for bird occupation, movement, foraging and nesting.

2.1.4.a On June 26 2016 BLS wrote to Mayor Gash, all Councilors and the General Manager communicating our strong opposition to a demonstration site at Susan Street . In that letter BLS indicated specific reasons for this position at that time and BLS contends the following considerations remain relevant to the exhibited CBDMP.

2.1.4.b Any intrusion or interference in the dune plant community can damage the bird habitat that it represents. The Collingwood Beach dune plant community serves as habitat for many bird species throughout the year. Some of the species involved vary with the seasons. For example, flocks of various species of honeyeaters and Silvereye, which have migrated to the Shoalhaven, can be observed at the site during mid-winter. The range of honeyeaters includes Noisy Friarbirds, Red and Little Wattlebirds, Yellow-faced Honeyeaters, Lewin's Honeyeater, White-naped Honeyeaters and Fuscous Honeyeater. The Little Wattlebird nests and fledglings have been observed on the site. This is clearly related to the extended, seasonal flowering of the Coast banksia [*Banksia integrifolia*]. This banksia is also a food source for the Yellow-tailed Black Cockatoo, which is often observed on the dune community and is the symbol of the Shoalhaven. It is a species whose numbers are in decline in this part of Australia. Other bird species also make use of it as an extension of the more intact bushland further along the beach towards Holden Street. The demonstration site proposed would impact on these species and their activity and the enjoyment for local and visiting birdwatchers. It must also be realized that the connectivity of the dune community to the Jervis Bay foreshore plant community, particularly to the east to Jervis Bay National Park and further to Booderee National Park, is very important in a bay foreshore bird habitat. Additionally, the dune habitat connects to Jervis Bay National Park via the Moona Creek corridor.

2.1.3.c The different zones identified in the CBDMP reflect prior and recent illegal clearing and thus the degree of biodiversity damage that already features on the dune.

2.1.3.d Destruction or interference of any remaining intact vegetation along Collingwood Beach cannot be justified when the exhibited CBDMP may not actually be supported by the community nor approved by Council.

2.2 TREE VANDALISM

2.2.1 The Collingwood Beach Dune is a notorious 'Tree Vandalism' site. All prior management has failed to resolve the vandalism by private individuals on community-Crown Land. BLS recommends Council needs to develop an appropriate 'Tree-Vegetation Vandalism Policy' and in so doing reference example actions and policy in other council LGAs. The CBDMP indicates clearly that Collingwood beach residents want views at any cost [see 2.2.6] and the Review strategies suggested ongoing vandalism is anticipated. The sustainability of vegetation, habitat and biodiversity cannot be ensured in this circumstance.

2.2.2 There has been a public, authenticated and continuing notice by Council over many years that the damage of dune vegetation has been "vandalism" with Council identifying each episode with a "Tree Vandalism" signage. There can be no doubt that much of the 'tree vandalism' is associated with some property owners on Collingwood Beach, many of whom are not residents. Taking down signs will not alter the nature of the acts and characterization as vandalism.

2.2.3 BLS notes "Tree Vandalism" has been well established and has progressed over many years now. Council has failed to resolve the growing concern over these years, leading to growing public frustration that such behavior continued unpunished and unresolved. This is certainly related to the continuing impunity with which people destroying the vegetation have been able to operate.

2.2.4 In 2013 Mayor Joanna Gash stated: "This disgusting and thoughtless act of vandalism could put properties at risk of storm erosion as has occurred in the past. It will also have ongoing negative effects on the local ecosystem and dune stability while seriously harming the area's natural beauty." In 2005 Mayor Greg Watson stated: "Particularly out along Collingwood Beach at Vincentia there was a lot of vandalism that took place there in terms of the foreshore vegetation. I guess people don't realize why we put it there to start with. The reason that we establish the plantings on the dune system there was to establish a foredune to protect the houses."

2.2.5 The Plan reports that Results of Council consultation indicated that: *"Strong feelings were noted regarding vandalism, council signage and litigation regarding vandalism. It was evident that management of the reserve is of great interest and that many people feel strongly about the history of the site and the options for management of the area."*

2.2.6 Community Input **3.2.3** Summary of the Plan reports: *"If the key value a respondent derived from the reserve was maintaining views to the water, they considered that views should be maximized at the expense of other factors including dune stability, natural values and other aesthetic values."* BLS considers that this is a grossly self-interested, unacceptable point of view that suggest holding Council and the local community to ransom and denies any consideration of environmental values at all. **This position conflicts with the legislative requirement for appropriate management of the dune system.**

2.2.7 Section 11 MONITORING AND REVIEW states: *"As illegal tree vandalism has been one of the issues that has necessitated the preparation of this plan, monitoring would also be focused on identifying any additional areas of illegal tree vandalism."* BLS would support this monitoring though surely if vandalism did continue despite the CBDMP, provision needs to be made for Plan B strategies.

2.3 VEGETATION MANAGEMENT

2.3.1 Section 8 APPROACH TO VEGETATION MANAGEMENT 8.3 PROVIDE AN EQUITABLE RESULT

“The management zones have been delineated to provide some degree of benefit for near residents in almost all areas. Mostly this is in maintaining the majority of the views of the bay that currently exist or creating or enhancing views that are currently obscured. In doing this it is hoped that ongoing vegetation vandalism will cease in the reserve.”

The ‘Equity’ concept is very narrowly employed with a focus on ‘views’. The CBDMP suggests with this statement that the management zones are an affirmative action in favour of beach residents and property owners who seem to have ‘special need’. The only ‘special need’ appears to be the ‘VIEW’ based now on the notion that if they ‘don’t get their ‘VIEWS’ they will continue the vandalism. As Point 3.1.5 highlights, this is expected to be at the expense of all other factors, including environment. And the benefit of serving this interest in equity would be – “ongoing vegetation vandalism will cease”. **So it is vandalism after all! It also begs the question of what if the vandalism doesn’t cease?**

What is Plan B?

BLS rejects this position and strategy.

2.3.2 Section 9.0 VEGETATION MANAGEMENT ZONES

The suggestion of Southern Mahogany as a tree planting is appropriate but **the suggestion of Forest Red Gum [Euc. Tereticornis] is not and should be replaced by a typical tree of the immediate Jervis Bay coastal zone, Blackbutt [Euc. pilularis].**

2.3.3 Section 9.6 ZONE 6 : PROTECTION OF INCIPIENT FOREDUNE VEGETATION

The CBDMP in both text and photographs fails to recognize that this zone has been extensively eroded over the last 15 months, particularly in the August 2015 East Coast Low [ECL] event and then in three ECL events of 2015 of which the June 2016 event, with a NE swell impact, was the most severe. The erosion has in many places brought this dune zone to within very close proximity to the main dune vegetation of concern. It is surprising that so little attention has been given to this dune as the erosional front line of coastal erosion impact and to the impact of recent ECL events.

There is a failure in most elements of the Plan to recognize the role of Climate Change and associated weather shifting toward more intense weather events such as ECLs. [except a brief reference P54].

2.3.4 TRIAL TIME FOR REVIEW

The CBDMP should indicate time specific reviews that parallel recording of significant and relevant weather events, such as East Coast Lows, as part of the continuing and termination review.