



# Sutherland Shire Environment Centre

Dharawal Country | [office@ssec.org.au](mailto:office@ssec.org.au) | [www.ssec.org.au](http://www.ssec.org.au)  
PO Box 589 Sutherland NSW 1499 | ABN 96 127 431 611

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## **Sutherland Shire Environment Centre - Media Release Sutherland Shire Council - Waterways Planning Proposal**

The Sutherland Shire Environment Centre (SSEC) strongly opposes the progress of the waterways planning proposal that is to be considered by Sutherland Shire council on 23 March.

SSEC spokesperson Cooper Riach said, "This planning proposal has been struggling to make any headway since it was first proposed in December 2023. The proposal hasn't progressed and was recently knocked back by the Department of Planning Housing and Infrastructure because Council is unable to demonstrate the merit of the proposal."

"It is perplexing that Council recognises in its business paper that after a \$500,000 investment in studies to support the proposal '*...there remains uncertainty regarding the extent to which additional rezoning could ultimately be supported*' yet it proposes a \$50,000 desk top study in the hope that it will provide some support for some rezoning." Cooper Riach added

"This proposal is fatally flawed. There is no housing, jobs, growth or economic case to make these changes. It is also inconsistent with Ministerial directions and regional plans. A \$50,000 desk top study won't fix the reasons for DPHI rejecting the proposal in the first place." Cooper Riach said, "Council should take the option outlined in their business paper and withdraw the planning proposal."

"The proposal risks greater damage to so many things that we love about our waterways – Loss of vital fish nursery habitat will risk losing the ability to take our kids or grandkids out to catch a decent fish; the loss of nesting trees for the Sea Eagles and Osprey that grace our skies, just for the sake of a tennis court or boathouse; and overall losing the landscapes and views that give the Sutherland Shire its characteristic beauty" Cooper Riach said

"Why, when every rate dollar is precious, is Council continuing to commit time and money to pursue a proposal that has so little merit. No-one can justify ongoing investment in this proposal." Cooper Riach said

"Council's business paper mentions that 142 submissions in support of the proposal. What is it that these submissions are supporting when we have no final proposal? When the desk top study is completed, how many of these residents will still benefit from the rezoning? I doubt it will be all of the 142 letter writers." Cooper Riach added

"This proposal is not a good investment. It will lead to even greater losses to the beauty and ecological function of our wonderful waterways, as well as waste valuable rates and Council time, all for the possibility of more development in areas that already have significant opportunity for waterfront infrastructure." Cooper Riach concluded.

### **Media Contact**

Cooper Riach, spokesperson – 0427 384 688

Tom Grosskopf, background and technical advice – 0427 221 090

## **Background – Not for direct quote**

### **What is the proposal**

- The proposal is to extend the area of W2 zones across Port Hacking and the Georges River waterways. By how much is yet to be determined.
- In W1 areas waterfront property owners can already
  - build moorings without consent and
  - develop aquaculture; boat launching ramps; environmental facilities; environmental protection works; flood mitigation works; passenger transport facilities and water recreation structures with consent.
- W1 zoned lands are already highly developed with a wide range of infrastructure.
- Do we really need increased development intensity in these areas?
- This proposal will allow property owners in the new W2 areas to
  - Do everything already permitted in the W1 zone plus
  - build boat sheds; charter and tourism boating facilities; kiosks; marinas; mooring pens and outdoor recreation facilities (think swimming pools, water skiing facilities and tennis courts) with consent.
- These types of development will change the character of the rezoned areas for everyone living nearby and have a dramatic impact on the commercial, recreational, residential and environmental values of our waterways.

### **Will a desktop study convince the state agencies?**

- It is highly unlikely that the desktop study will provide the information required
- The first hurdle is strategic merit. The proposal will not meet the test
  - It doesn't align with any state priority – housing, employment, growth...
  - It is, in part, inconsistent with Ministerial directions 3.10 (Water Catchments) and 4.2 (Coastal Management)
  - It is, in part, inconsistent with the Greater Sydney Region Plan and South District Plan
  - These 'in part inconsistencies' are enough to sink the proposal.
- The second hurdle is site specific merit
  - If the proposal fails the strategic merit hurdle DPHI won't look at site-specific merit
  - The desktop study will reduce the areas of zone change significantly due to sea grass beds, navigation channels, remnant vegetation and other limitations
  - Many environmentally significant areas are not well mapped, it is likely that the boundaries of these areas will be contested by the agencies and the community.
  - The only solution is further study, survey and reports
- DPHI have identified '*significant issues raised by state agencies*'. A desktop study won't fill in the gaps. It is a practical strategy to keep the proposal moving to its inevitable demise.
- Council will spend another \$50,000 now and be asked to find further money for specific studies when the state agencies and the community ask further questions.

### **What are other Councils doing?**

- Northern Beaches Council is the most comparable council area to Sutherland.
- That Council is currently consolidating its LEP and it has gone through Gateway
- Their provisions work differently, however, what is clear is that they are retaining limits on permissible uses in their waterway areas, specifically
  - W1 zones have been maintained or converted to
    - a Conservation 2 zoning with equal protections where there is bushland, or,
    - RE1 for land containing public infrastructure (Narrebeen Lake car park and Manly rock pool), mown reserves (Jamieson Park) and the sand portion of Shelly Beach.
  - W2 zones, that are only in Pittwater, were retained
  - W2 zones only allow environmental protection works without consent, no moorings to protect sea grass beds.
  - W2 developments with consent are consistent with Sutherland except:
    - Pittwater allows Emergency Service facilities, jetties, signage and boat building and repair facilities
    - Sutherland allows outdoor recreation facilities (that will have a big impact on tree cover)
  - Foreshore development is also controlled through landscaping area controls that require 75% of the foreshore to be landscape area, or if it is already less than 75%, not to further reduce the landscape area.

### **What are the environmental values at risk?**

- Sea grass beds, especially the threatened *posidonia australis* species
- Fish nursery habitat linked to all sea grass beds
- Riparian vegetation that provides habitat for birds and arboreal mammals
- Visual landscapes through increased infrastructure and tree loss
- Clear clean water and sand caused by sedimentation and turbidity through increased run off and poor erosion and sediment control
- Migratory bird habitat through changed wave and tidal energy resulting from greater armouring of the foreshore to protect new assets
- Increased public liability risk through further development of land vulnerable to sea level rise, resulting in uninsurable assets in the future, higher insurance premiums for everyone from increased claims and calls on governments to bail out affected land owners