

I acknowledge we meet on Dharawal country and pay my respects to our elders.

You have heard from many in the community about the negative environmental impacts of the Waterways Planning Proposal. My focus is on the strategic and statutory planning system.

There exists a fundamental conflict between this Proposal and Council's strategic plans. To be specific the proposal works against the stated aims of the Community Plan, Operational Plan and draft Catchments and Waterways Strategy.

In the Community Plan you are clear, and I quote,

We recognise the good fortune to be surrounded by stunning beaches, national parks and waterways and accept that it's our responsibility to protect and preserve these environments.

In the current operational plan you reinforce this sentiment stating that Council *plays an important part in preserving and maintaining our waterways*

Finally, in the Draft Catchments and Waterways Strategy you aspire '*to be recognised as a leader [in] catchment and waterways management*'

I congratulate Council for creating these plans. They are your contract with the community. They are how we know what you stand for.

This zoning change actively undermines our collective ability to deliver these plans, to *protect and preserve* our waterways.

You may believe that approving the desktop study will provide you with the information you need to decide on the rezoning. You don't need any further information; this proposal does not support your contract with the community.

Turning to the statutory planning process.

You are early in the process, and the costs are only just beginning.

You have funded the 2025 Gateway application that failed at the first hurdle. Simply put, the proposal submitted raised significant issues for the state agencies regarding strategic merit and site-specific merit.

Your decision tonight is about approving \$50,000 in further work to make another Gateway application.

The desktop study won't address the shortcomings in strategic merit. It will attempt to reduce the areas rezoned to avoid the site-specific issues raised by the state agencies. The scope will now be limited to areas that abut existing residential uses, are not in a navigable channel, are not in environmentally sensitive areas and provide a buffer from those sensitive areas.

This approach will not improve the chance of success. The state government will not entertain zonings that are fragmented, have odd zone transitions or awkward alignment to the cadastre.

You may be thinking that Council can control development at the development application stage. If Council rejects an application, it can be appealed and the decision moves from Council to the courts. If the zone allows it, the court will seek mediation to find a compromise. This means Council loses control once you open the door through this proposal.

There has also been some commentary that the Shire's planning controls are unreasonably strict. For example, Mr Turner from Harbour Planning was quoted in the Leader newspaper on 13 April 2026 saying '*Sutherland Shire Council was the strictest among all councils he had worked with*'.

I am sure this is correct within his experience, but Sutherland is not the strictest when benchmarked against the 26 relevant coastal LEPs across NSW. For example, Central Coast Council uses Conservation and Environmental Protection zones and mapped overlays to specifically identify visual landscapes and environmentally sensitive areas for protection. These controls are far stricter than Sutherland's current provisions. Also, Sutherland isn't the only council to prohibit mooring pens in W1 zones, 12 of the 26 LEPs prohibit mooring pens.

Mr Turner was also quoted as proposing two potential pathways from here - *amending existing W1 zoning to allow mooring pens, or rezoning W1 land to W2*. Restricting the change to just mooring pens may seem a reasonable compromise. It's a good start but it is not a solution. Mooring pens in the W1 zone are not aligned to your commitment to the community and undermine the ecological health and the long term recreational use of our waterways.

At last month's Council meeting Councillor Gibbons asked about when the statutory planning process prescribes community consultation. Mr Rodham answered correctly, it is post Gateway approval. What wasn't said was that nothing prevents Council from listening to the community and acting now.

Council has told the community that it is responsible for the protection and preservation of our waterways. Your words, not mine. Your decision tonight sends a clear message as to whether you will act consistent with your commitment to the community.

Tom Grosskopf