

DISTRICT COUNCIL OF ROBE
PO BOX 1
ROBE SA 5276

8TH MARCH 2019

SUBMISSION PERTAINING TO DEVELOPMENT
PLAN REZONING DAVENPORT STREET/EVANS
CAVE ROAD.

ATTENTION CHIEF EXECUTIVE OFFICER
MR ROGER SWEETMAN

While I have no formal planning experience I
have contributed 12 years on a council
Development Panel and also contributed as a
member of the Limestone Coast Section 30
planning committee.

During that time certain points consistently
appear in submissions and are relevant here.

Orderly planning, the addition of allotments
adjoining the current industrial zone would be
deemed an orderly addition.

Proper utilization of assets, the addition of
allotments on the western side of Davenport
street would ensure ratable properties both side
of the road contributed to the rates income.

Davenport Street requires construction completing access from town center too Evans cave road to assist with traffic management and alleviate traffic density on Robe Street.

It would be reasonable to assume that the developer would contribute 50% per meter for the section adjoining the development. This would be to the required standard suitable for an industrial zone.

The best-case scenario for allotment layout is along the Davenport street frontage from Evans Cave road northwards towards Flint Street until the point that becomes steep sand hills. This alleviates sand dune damage and retains a buffer zone between the future industrial land and residential allotments and Golf course.

The proposed allotments along Evans cave road infringe too much into the bulk of the Coastal Conservation zone and not supported.

Yours sincerely
Peter Riseley.

Maureen Tyler

From: Jim Wasson <jim@southeastplumbingandgas.com.au>
Sent: Thursday, 28 February 2019 9:09 PM
To: Council; Tom Davidson
Subject: EM201944754 - 3.71.7 - Robe development plan and to re-zone 3.2 hectares of Coastal Conservation Land to Industrial
Attachments: image002.jpg
SynergySoft: EM201944754 - 3.71.7

ATT:
Chief Executive
Robe District Council
PO BOX 1, Robe SA 5276

Please note that i do not support the proposed re-zoning of a Coastal Conservation area and would like to see council investigate other areas that can be used for industry zoned purpose.

Kind Regards,

Jim Wasson
Managing Director

South East Plumbing & Gasfitting Supplies
Phone: 0431 163 336
Email: jim@southeastplumbingandgas.com.au



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SAVE PAPER – THINK BEFORE YOU PRINT

Maureen Tyler

From: Melissa Newman <melissa.newman01@gmail.com>
Sent: Wednesday, 13 March 2019 12:20 PM
To: Council
Subject: EM201944984 - 3.71.7 - I oppose the re-zoning of Robe's Coastal Conservation land to Industrial zoning

SynergySoft: EM201944984 - 3.71.7

To whom it may concern,

I oppose the re-zoning of Robe's Coastal Conservation land to Industrial zoning. This land is coastal conservation and should therefore be protected, and not be made into an industrial area. Robe's natural areas and sand dunes need to be protected in order for the area to remain a natural beauty. This would not only ruin the environment, but also tourism and the local economy.

Kind regards,

Melissa

Maureen Tyler

From: Jess Clark <jess_c7@hotmail.com>
Sent: Monday, 18 March 2019 8:35 PM
To: Council
Subject: EM201945113 - 3.71.7 - Dunes

SynergySoft: EM201945113 - 3.71.7

I oppose the re-zoning of Robe's Coastal Conservation land to Industrial zoning

It is wrong.

We need to protect the Dunes, they can't protect themselves.

Jessica Clark

1

Trevor Thomas

Lot 104/2

Evans Cave Road

Robe

27 March 2019

To the CEO/Acting CEO, Robe Council

Dear Sir/Madam,

I am aware that a Statement of Intent for a DPA to rezone coastal conservation Zone to Industry Zone was presented to the Minister for Planning, Minister Spiers who authorised it on the 18 October 2018 on the basis that it "*will seek to provide opportunities for investment through commercial and industrial development on a small area of land at Robe, adjacent to the existing Industry Zone.*" I am not in dispute that there will be a need to provide further industrial blocks in Robe in the future in order to benefit the ongoing generations of the community; I believe that further residential land will also be required. I do not however agree that the proposed rezoning of the subject coastal conservation land to industry zoning is to the benefit of the community at large or the environment and it is my belief that the proposal is flawed.

- 1) It is unfortunate that investigations into creating an alternate Industrial development site have not been further pursued despite the previous identification of this need. This has not occurred as yet, probably due to the fact that there has been no expressed urgency. It is acknowledged that to develop this land will require comprehensive planning and infrastructure and also an initial influx of finances. Of course the currently offered proposition will also come with an expense to the ratepayers, particularly in order to provide an expensive and needed heavy vehicle access road to enable trucks and semi-trailers to arrive without entering the main township streets. It may be possible to recover some finances by the ultimate rezoning of the existing industry land to residential which has a higher intrinsic value and will also help to satisfy some future demand for that purpose.
- 2) This proposal is in direct conflict with the zoning and desired outcomes of the area and not only has a deleterious effect on the amenity of the properties in close proximity, particularly the Evans Cave Precinct of the rural living zone but may result in a loss in property values. It severely impacts the principles of conservation of the sand dunes and native vegetation. I bring to your attention the following extract from the DPA proposal that appears to be misleading; '*The land does not abut residential zoned land and as a result no interfaces to sensitive residential land uses will be created*', because, whilst the zone abutting might not be residential zoned land, it is a Rural Living Zone and considered as a residential zone and must conform to the residential development rules in the current Robe Development Plan. It is unfortunate that there is no mention of the existence of the residential dwellings (therefore sensitive land use) within the Evans Cave Precinct immediately adjacent to the subject land and across Evans Cave Road to the south.

There are no circumstances where this fact should be allowed to be ignored.

3) Consider the following statement in the DPA; ‘

‘Existing development on the fringe of Robe is considered to contribute to the threat to these local areas via impacts on visual amenity, vegetation damage leading to dune movement/instability, garden escape species, weed invasion and habitat fragmentation.’

The existing allotments on the southern fringe of Robe being the Rural Living Zone ‘Evans Cave Precinct has a caveat in place within the Robe Development Plan as such;

‘ Development must encourage the revegetation of allotments in order to continue the established natural character of the existing vegetation located to the south’.

This obligates the land owners to revegetate and care for natural recovery of the native vegetation and is being achieved with great success. The native vegetation is being nurtured and revegetated and as a result the area is becoming much improved from its previously degraded pastoral condition. I therefore consider that the statement referred to above completely disregards the efforts of the landholders and irrespectively presents no justification for the DPA to be approved. I have personally planted and replaced approximately 2000 native trees and bushes and hand weeded my entire block including the common access land of False Caper for 7 consecutive years only to have my efforts thwarted by the neglect of the abutting surround on the adjacent retention pond. This had allowed False Caper to grow large adjacent the cyclone boundary fence and spread seed to the east over my block during the often windy conditions that emanate from that direction. After some years the false caper was eventually sprayed with poison by those responsible but unfortunately at the same time some of my nurtured trees were killed from unwanted overspray. This also affected others.

I suggest that the subject area, currently zoned coastal conservation, as part of the proponent’s allotment, obligates the owners/proponents to apply to the DWE for vegetation clearance, maintain upkeep, remediate any damage to the native vegetation and eradicate weeds. This is required by the residents of Evans Cave Precinct who do not deny the obligation.

Damage caused by illegal motorcycle use and any illegal dumping (apart from that of the owners/tenants) should have been reported to the police. Degradation caused for any of the above reasons including neglect, should not be used as reasoning to approve the DPA due to any degraded state but instead the onus should be placed upon the owner to remediate the issues since; having the ultimate responsibility.

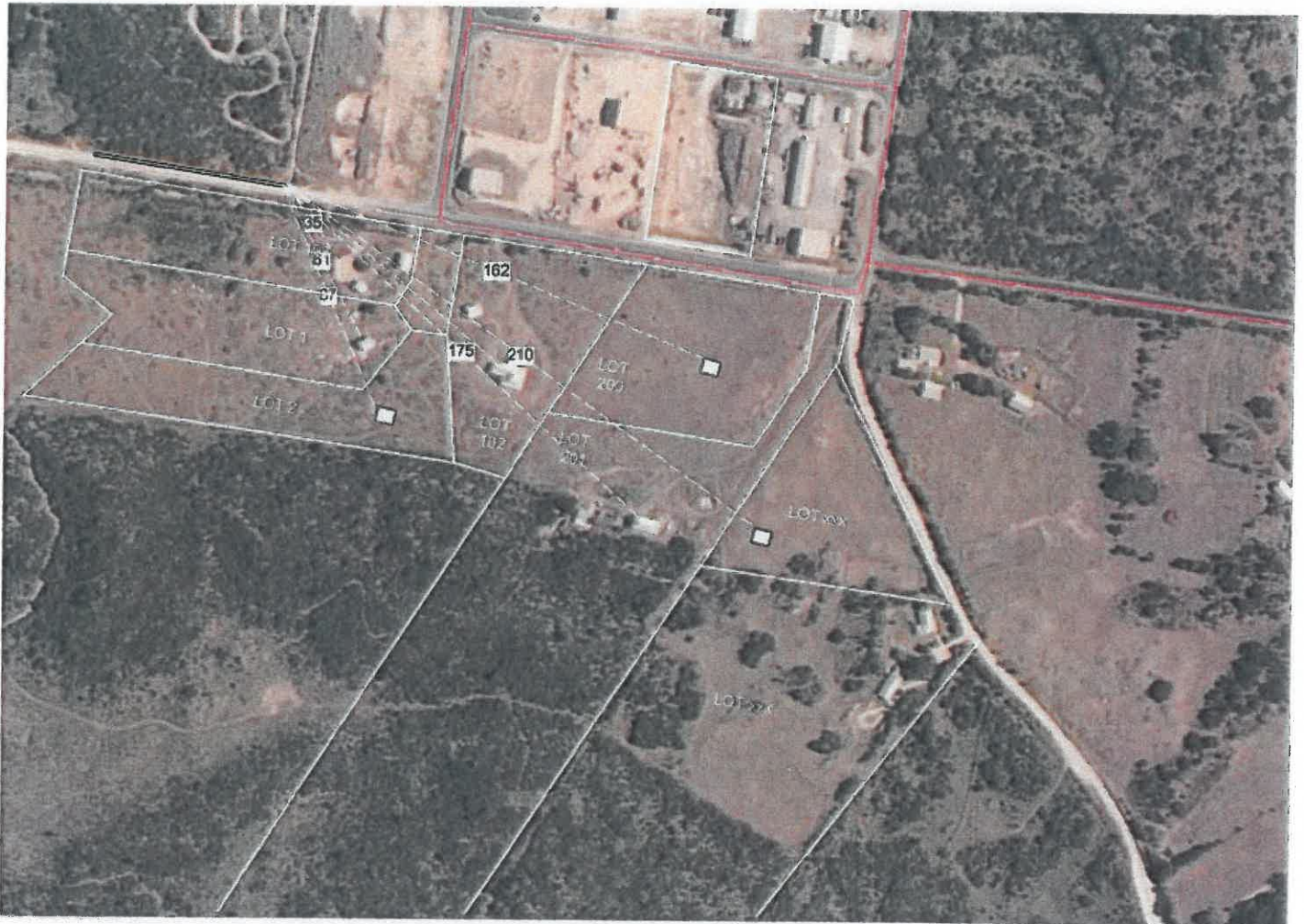
4) Taking in the following extract;

‘Unlike the proposal in action 3.2 which would involve the rezoning of Rural Living land, the subject land is held in one ownership, has no development on it and has a landowner who is known to support the rezoning’. No consultation has ever taken place between any council, previous or current, and the residents/owners of land in the Evans Cave Precinct regarding this matter and consequently no answers or suggestions have ever been supplied, therefore neither council nor the proponent have any idea of what the landowners of the precinct would or would not support, any conclusions derived therefore are only opinions.

5) Considering the proposal has a significant environmental and social impact, it is unfortunate that those who potentially were to be substantially affected were not directly consulted. Had this occurred it may have circumvented this process or at the very least feedback could have been given early.

6) In spite of the poorly justified statements in the questionable DPA, the proposal to rezone the subject land to industrial land presents many obstacles in defiance of the purpose of the current Robe Development Plan, the EPA guidelines, and DWE conservation principles etc., with the following being examples:

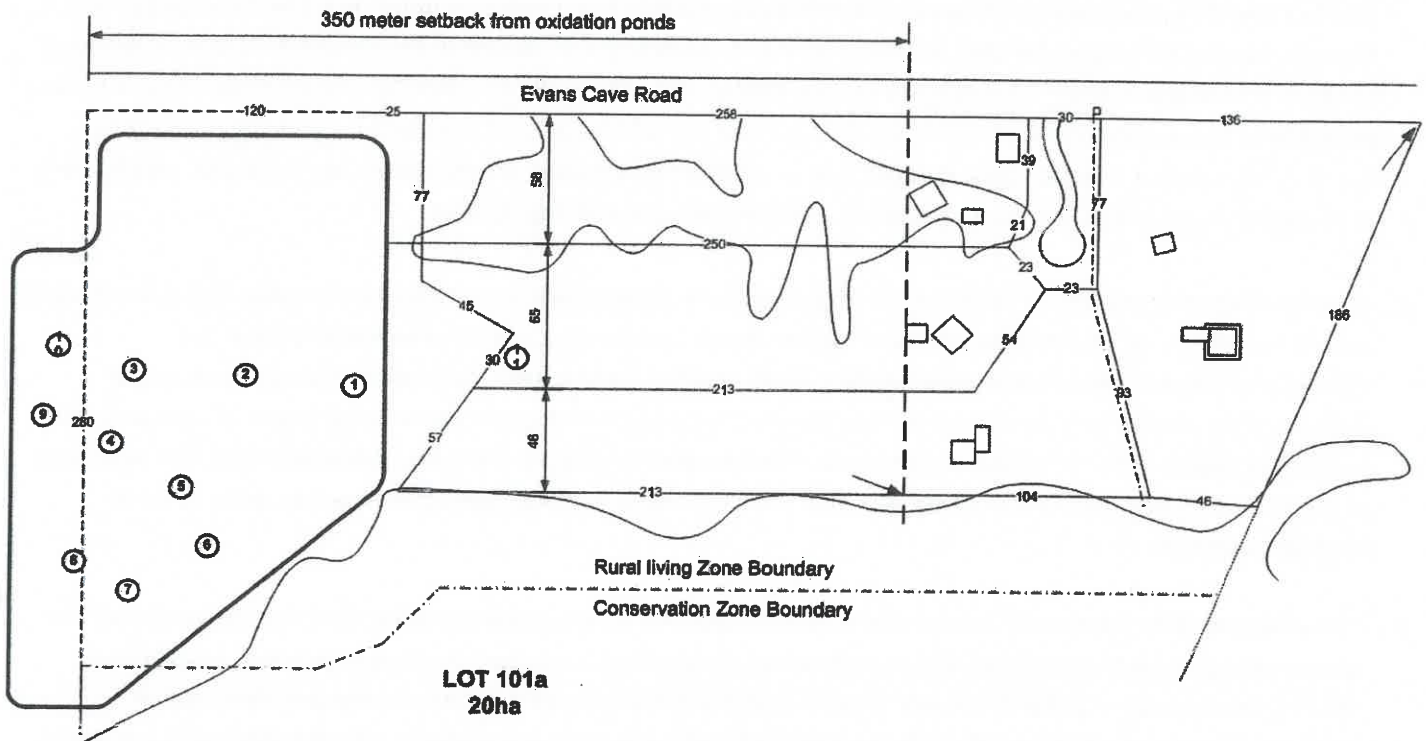
- a) Zoning industrial (irrespective of questionable past behaviour) means that most of the potential uses of the proposed industrial zone should be subject to EPA setback guidelines which are there for the purpose of protecting the sensitive receptor residential areas nearby, including the Evans Cave Precinct of the Rural living zone in the immediate vicinity. This appears to have been ignored in the proposal document since there is no recognition that residences in the Evans Cave Precinct even exist.
- b) The plan below shows the relative distances of residential dwellings within the Rural Living Zone with respect to the proposed industrial rezone location. According to the Robe Development Plan for some of the complying industries that could potentially be approved in the proposed new industry zone the recommended separation distance far exceeds all dwelling locations. In addition, relative to the closest existing dwelling, questionably, there is no industry that could be approved when taking into regard the EPA recommended setback distances.



- c) The rezoning of coastal conservation land to industrial is the antithesis of protecting the character of the coastal environments. One of many statements in the Development Plan supporting it is as follows; 'The protection and enhancement of the natural coastal environment, including environmentally important features of coastal areas such as mangroves, wetlands, sand dunes, cliff tops, native vegetation, wildlife habitat shore and estuarine areas.' The proposal does not achieve this in any form.
- d) The traffic report contracted by the proponent highlighted the potential for reduced sightlines with particular reference to the 'crest' on Evans Cave road. This is a natural feature being part of the sand dunes. There have been options presented to overcome this problem with a direct reference proposed to be inserted within the desired Character of the industry zone. The proposed insert is *"providing safe access for a range of vehicles up to and including semi-trailers, particularly in that portion of the zone west of Davenport Street where direct access is proposed to Evans Cave Road"*. Also, stated within the DPA proposal analysis is *'As such the sight distance available at the intersection will need to be confirmed and remedied if restricted.'* This seems to indicate that the very undesirable removal of the 'crest' (dune) is a possibility!
- a) Interface between land uses, as stated in the Development Plan;
- Objectives**
- 1) Development located and designed to prevent adverse impact and conflict between land uses.
 - 2) Protect community health and amenity and support the operation of all desired land uses.'
- It is very concerning that, in endorsing this proposal, the objectives of the 'Interface between Zones' in the current Robe Development Plan, has been completely ignored. There exists residences of Evans Cave Precinct lying directly south across Evans Cave Road as close as **35 metres** which can be seen from the previous photo. The Proposal makes no mention of the existence of these residents or of Evans Cave Precinct of the Rural Living Zone and it is remiss to not take this into consideration. The EPA in a letter dated 13 March 2019 has identified the need for *'interface between land use policies to be applied when assessing development.'* This proposal has been produced without the rightful consultation of those concerned and without the due consideration of the ethos of the 'Community Engagement Charter' which was produced to be considered in conjunction with the simplified planning procedures. This DPA proposal does present a loss of amenity and there are adverse impacts to the residents and the environment not limited to potential undesirable emissions and safety issues.
- b) In the proposal, regarding wombats, it states that *'Progressive clearance of the vegetation in proximity to the burrows (without the use of heavy machinery) should result in the wombats leaving the area in preference of higher cover areas.'* Also stated in the proposal is *'Management measures are available to mitigate potential impacts on any Wombats located on the subject land should the clearance of native vegetation be approved'.*

The Wombat population has already been forced to re-locate (or were killed) during the wanton and knowing destruction of their habitat previously when the recycled water retention pond was constructed (using heavy machinery). This is despite their burrows having been identified on a scale plan and presented to a previous council before construction. This evidence was unfortunately and conveniently ignored.

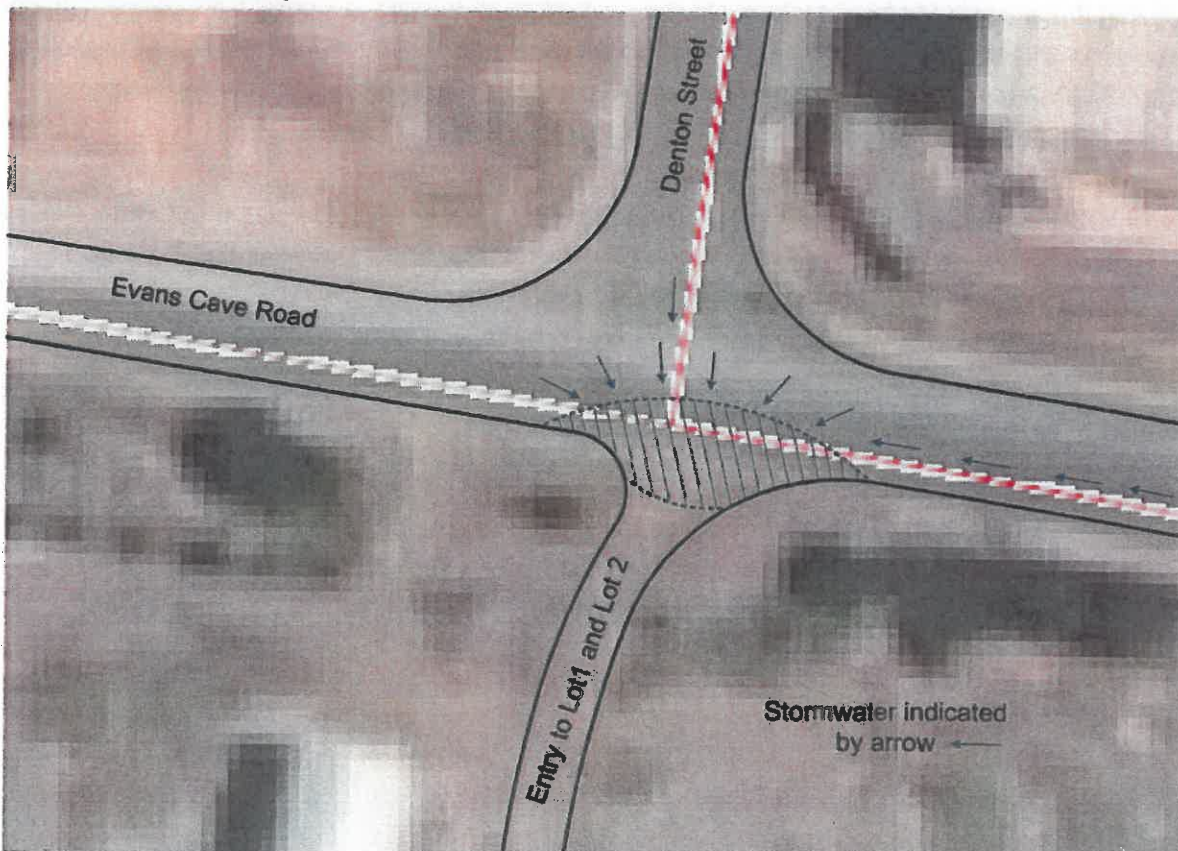
See the following plan over page.



Wombat Burrows

Despite a problem reported in 2011 indicating a significant build-up of storm water at the entrance of Lot 140/1 and 104/2 Evans Cave Road at the extreme end of Denton Drive, it has been ignored. Any further sealing of Evans Cave Road will most likely exacerbate the existing problem unless the extraction of stormwater is properly addressed. The original problem still exists and remedial action by the current council is requested.

See the photo following;



- 7) The current proposal states the need for future industrial blocks, however to this date there has been no urgency. The fact that five industrial blocks were sold relatively recently by a previous council in a private arrangement, cheaply, to a local resident (notably a long term friend, associate and tenant of the proponent) after attempting to sell them for some years, including in a poorly prepared auction indicates that the demand has been very slow. As stated in the proposal thus; *'that at present demand for additional employment land in Robe is relatively limited'*. The current Industry zone is much under-utilised and includes, empty blocks, vacant sheds, blocks used as personal men's sheds and even residences. Market demand will change that.
- 8) It is not a logical transition to approve the rezoning of the subject land to industry on the basis that there exists a second industry zone to the west and south across Evans Cave road as this second industry zone is a infrastructure policy area 3 incorporating the CWMS and has been zoned especially for the purpose of the location of the CWMS and associated infrastructure. The proposal however doesn't indicate it as such and tends to lead the uninformed to believe it otherwise. The two are not related and have completely separate land uses so there is no justification in the statement that the proposal is a logical transition. It would seem to be an illogical statement.
- 9) The proposal lacks substantial independent, written support by the relevant authorities. For the most part the authors have instead chosen to rely on generalities, their own contractors, their own previous reports and studies, the hearsay of initial feedback, interim and preliminary comments mostly derived from verbal discussions had with the EPA, DEW, the council, CFS, DPTI and local stakeholders. The Proposal contains vague statements and unjustified personal opinions including the use of non-definitive words such as should and could. The DEW has in fact stated its *'preference is that the current coastal conservation zoning be retained over the Affected Area to support the conservation values of the area.'* In further correspondence received from the DWE dated 7 February it clearly states that the DEW does not support the proposed rezoning despite the lessening of the proposed area and gives multiple reasons why. The position of the EPA is unsure.

Whilst I have faith that due process has been followed in the production of this DPA proposal, I am concerned with the presence of oversites and obscure reasoning within the document. I am also concerned that since the process has been funded by the proponent in cooperation with the council that the proposal will receive favourable consideration for the proponent. This suspicion is in spite of the statement that *'Council and the Minister for Planning retain full control over the DPA process and decision-making responsibilities in accordance with the Development Act 1993.'*, since only a precis of public opinion and submissions needs to be presented to the Minister in the *'Summary of consultations and proposed amendments report'*. This leaves the potential that the true expression of concern felt in the community may not be fully conveyed.

On Wed, 13 Mar 2019 10:24:50 in order to undertake a comprehensive investigation relating to the subject DPA application I requested a copy (by public access and FOI) of all correspondence to and from the agencies and organisations referred to as to be *'formally consulted'* in the DPA, as below;

- *Department of Environment and Water*
- *Department for Health and Wellbeing (Wastewater Management)*
- *Department of Planning, Transport and Infrastructure*
- *Department of the Premier and Cabinet (Aboriginal Affairs and Reconciliation)*
- *Country Fire Service*
- *State Emergency Service*
- *Environment Protection Authority*
- *SA Power Networks*
- *SA Water*
- *South East NRM*
- *Kingston District Council*

- *Naracoorte Lucindale Council*
- *Wattle Range Council*
- *Mr Nick McBride, MP for MacKillop.*

As a result of the request I have received two documents relating to the DPA, one from the EPA dated 13 March 2019 and one from the DWE dated 7 February 2019. I must assume that currently no more communication documents exist, neither sent nor received.

I have also requested a copy of the agreement between Council and Mr. Barry Bowyer referred to in the statement as expressed in the DPA, as follows;

'This DPA process has been funded by the proponent, Mr Barry Bowyer of Robe in accordance with an agreement with Council.'

I have been advised that the agreement occurred at the previous council meeting of the 14 November 2017 whereby the previous council *'supported the preparation of a developer Development Plan Amendment to rezone the land'*. It would appear that no written agreement between the parties exists, just a decision of support. Neither the proponent nor a representative thereof was present.

Despite the statement that there is no cost impost on the council budget in the production of this DPA (questionable and possibly needing justification) there is no guarantee or definitive statement in the DPA that this will be the case as although some may be recoverable, there is likely to be infrastructure provision costs imposed on the council/ratepayers, if this proposal is accepted.

I note that Access Planning produced a report on behalf of the council *not in support* of the previous SOI. It appears there is no report available from the same consultant for council regarding the current SOI. Access planning has been the preferred planners used by previous councils for many years but was not chosen; instead an alternate private planner Damian Dawson from Planning Chambers Pty. Ltd. was used who stated he was *'satisfied that the draft DPA warrants the endorsement of Council and commencement of both public and agency consultation.'* I bring to your attention that there was neither mention of the existing nearby residences nor the potential tourist accommodation uses associated with them contained within in his report and therefore must not have been considered.

I would like to reiterate my opposition to the rezoning of coastal conservation land in the proposed location and I inform you that I would like to attend the public meeting scheduled for Tuesday 7th May 2019 to be heard.

I thank you for your consideration in this matter and look forward to your response.

Sincerely yours



Trevor Thomas

Mobile: 0409143731

Email: shahne@adam.com.au

Maureen Tyler

From: Robyn Rawlings <Robyn.Rawlings@unisa.edu.au>
Sent: Monday, 15 April 2019 12:58 PM
To: Council
Subject: EM201945683 - 3.71.7 - Rezone approximately 3.2 hectares of land on Davenport Street/Evans Cave Road at Robe from Coastal Conservation Zone to Industry Zone

SynergySoft: EM201945683 - 3.71.7

Dear Council,

I am disappointed to learn of the proposal to rezone a Coastal Conservation Zone to Industry Zone.

I quote:

"The District Council of Robe is located in one of the most diverse and exciting areas within the state of South Australia. Situated along SA's magnificent Limestone Coast, this historic seaside port has an abundance of attractions on offer."

If you do not recall this quote, then you should look at the District Council of Robe website - it is the banner at the bottom of each page.

I recently visited Robe and was astounded at the natural beauty your town and region offers. The wild beauty is obviously a drawcard for many. Please do not make the mistake of replacing your attractions with industry which can be contained in a less sensitive area - visually, ecologically, and for tourism. Natural ecosystems, flora and fauna, cannot be created, they need to be protected *in situ*. Given the flora and fauna extinction rate and the threat of climate change, I would expect the Council to consider long-term solutions to protect the Robe environment and the people who reside there.

The landholder is looking to benefit financially from the rezoning, a human fault of us all. However, there are alternatives. Has the Council considered purchasing the land from revenue of their own or through grants? Would the Council consider 'swapping' the coastal zoned land for inland property? The landholder could consider selling the land as is... Thus, preserving the Coastal Conservation Zone for generations to come.

I trust the Council will consider my opposition to the rezoning

Maureen Tyler

From: Geoff Wells <geoff@ruralaus.com>
Sent: Tuesday, 16 April 2019 3:35 PM
To: Council; Nick Brown; Alison Nunan; Cr Ned Wright; Cr Michael Boyd; Cr Peter Riseley; Cr Rino Dell'Antonio; Cr Bob Bates; Cr David Laurie
Subject: EM201945671 - 3.71.7 - Comments on Davenport Street DPA
SynergySoft: EM201945671 - 3.71.7

I submit these comments on the proposed Development Plan Amendment, Davenport Street, on behalf of my wife Lesley and myself. I write as a ratepayer and as a former senior lecturer in Natural Resources Management for the School of Natural and Built Environments, University of South Australia.

My comments are directed to the DPA Section 3.2.2, 'Review of Flora and Fauna Advice.'

I note that Council engaged Environment and Biodiversity Service (EBS) to conduct a flora and fauna survey of the area in question and to make recommendations accordingly.

I note in particular that the method used, the Bushland Assessment Method, includes the following: "landscape context (e.g. connectivity and relationship to amount of vegetation within local vicinity)".

This dimension is critical to the planning decision, as it places the area of the land which is the subject of the DPA within the wider landscape and land use context. It bears directly on the conservation and biodiversity value of the existing native vegetation.

In my view this dimension has not been given sufficient attention in the review as it is reported in the DPA document. As a result the impact of the proposed development on the conservation value of the coastal conservation zone is incompletely assessed, from a planning perspective.

The following points are relevant:

1. The Conservation Zone has been depleted on a number of occasions and in a number of ways in the past two decades. Most recent was the the Robe Golf Club Expansion DPA, consolidated and gazetted on the 15th December 2016, which rezoned land within the Coastal Conservation zone to the south of the township to expand the existing golf course. It is important to remember that on the landscape scale the Coastal Conservation zone is remnant native vegetation: it is all we have left.
2. What is most important here is the conservation value of the Conservation Zone as a whole. Each time the Conservation Zone is reduced in area its conservation value significantly declines. Here are some of the relevant key principles in the science of landscape ecology and conservation biology:
 - a. *The larger the area of native vegetation left intact, the more species (biodiversity) it supports. Reducing the area of intact vegetation significantly reduces its biodiversity and conservation value.*
 - In modified landscapes larger patches of vegetation typically support more species than smaller ones. It is not just a matter of endangered species but of the species assemblage as a whole.
 - Larger areas are likely to contain at least some areas that remains unaffected by disturbance and which will be an important refuge for species.
 - Larger patches cover more space and are therefore more likely to support more types of habitats that will enable a greater number of species to persist within them.

- The equations relating species numbers with area of native vegetation indicate that the loss of 90% of the native vegetation across a landscape area will likely result in a loss of between 30% and 60% of species.
 - Landscape ecologists recognise a '30% rule': species decline as native vegetation declines across a landscape; and below 30% cover the decline accelerates. Loss of landscape connectivity is the critical variable that comes into play.
 - Reduced species richness is typically associated with both the overall reduction in landscape levels of native vegetation cover and the smaller sizes of individual patches of remnant native vegetation at a more localised scale.
 - In summary, species-area functions highlight the fundamental importance of limiting the amount of native vegetation loss from landscapes and maintaining large patches of remnant vegetation for biological conservation.
- b) Increasing the ratio of edge to total area reduces the conservation value.
- Edge effect pressures reduces biodiversity in both plants and animals. Abiotic edge effect focus on changes to wind, light, and temperature. Biotic edge effects focus on changes in organic matter cycles and interference in reproductive cycles. Maintaining buffers around conservation zones is critical to good conservation outcomes.
 - Larger areas are likely to support interior zones away from edges that can have negative effects on some species.
- c) Degraded habitat contiguous with a larger intact area may eventually recover through natural succession or restoration, or both.
- Even when partially degraded habitat that is contiguous with the larger intact vegetation is potentially of significant conservation value. It is well placed to recover because of its proximity to the large seed reservoir. Natural succession processes will come into play if the area is protected and allowed to move along the recovery trajectory.
- d) Key landscape principles of conservation and biodiversity (below) indicate that further reduction in the coastal conservation zone should not go ahead:
- Plan at the broad spatial scale, not just at local scales.
 - Protect key areas of natural habitat and expand protected areas where possible.
 - Maximise conservation values across a variety of existing habitats and land tenures.
 - Maintain and restore connectivity.
 - Incorporate conservation with other land uses and minimise impacts from more intensive land use.

The above considerations clearly indicate, in our view, that the proposed DPA would add cumulatively to the reduction in conservation value of the coastal conservation zone vegetation around the township and its periphery. Our view is that a line has to be drawn if the conservation value of native vegetation in the Robe area is to be protected. On that basis we urge the Council to withdraw the proposed DPA.

References

T.R.New 2006, *Conservation Biology in Australia: An Introduction*, 2nd edn. Oxford University Press, South Melbourne.

David B. Lindenmayer & Joern Fischer 2006, *Habitat Fragmentation and Landscape Change: An Ecological and Conservation Synthesis*, Island Press, Washington D.C.

Charles J. Krebs 2009, *Ecology: The Experimental Analysis of Distribution and Abundance*, Pearson Benjamin Cummings, San Francisco.

Dr Geoff Wells
PO Box 167, Robe SA 5276
m 0409 671 151

37 Hughes St
Unley SA 5061

To Whom It May Concern:

Re: Development Plan Amendment Davenport Street, Robe to rezone 3.5 ha of land from Coastal Conservation Zone to Industry Zone

I own Section 227, which is immediately west of the proposed rezoned land. I have owned it for 45 years and during that time have undertaken considerable tree planting in areas that had been formerly cleared. I have had cordial relations with Mr Bowyer and it is therefore a difficult matter for me to object to the Development Plan Amendment proposal. He has kept me informed about his various proposals which I have appreciated. However I previously indicated to his planning consultant when contacted that I wouldn't support industrial development where the DPA is proposed. I feel strongly this Development Plan Amendment should not be approved and I make the following submission outlining the reasons why this rezoning should not go ahead.

This is an unfortunate situation that should not have been allowed to get to this stage. On the one hand if it gets approved it will be a very bad planning decision with long-term consequences for the town. If it gets refused Mr Bowyer will have lost the time and money invested in putting together the proposal.

Further to my interest as an adjacent landholder I have a professional interest. Before retirement in 2014 I worked as a coastal scientist for 32 years in the Coastal Management Branch and had some involvement with the Coastal Conservation Zoning process. I am very familiar with South Australian coastal dune systems and the vegetation. I am particularly familiar with the Robe dunes as my career started through my Honours thesis 40+ years ago "Geographic variation in coastal dunes at Robe". Currently I am an Honorary Research Associate at the SA Herbarium.

Existing Coastal Conservation Zoning

Coastal Conservation zoning is applied to areas where development needs to be constrained due to natural values and potential hazards. Coastal Conservation Zoning would have been applied to the land behind Western Beach primarily for two reasons. Firstly it is a large coastal dune complex. Secondly it supports a native vegetation cover. The Coastal Conservation Zone protects both the dune landscape and the vegetation but permits a single residence to be built on each block.

The dunes are derived from sand blown inland from Western Beach within the last 7000 years. The main dune complex can be readily identified from the elevation contours. These are shown in *Figure 1*. The black dashed line marks the perimeter of the main complex identified by a dense pattern of closely spaced contours. The dune system still retains considerable vegetation cover although some of this has been recently cleared for the golf course development. The red

arrow shows that the land proposed for rezoning to Industry is within the dune perimeter.



Figure 1. Contour map of Western Beach dunes. The black dashed line marks the perimeter of the main complex. The red arrow shows the land proposed for rezoning.

The current zoning and the dune perimeter are shown in *Figure 2*. Apart from a small area zoned for the treatment lagoons all of the land is zoned either Coastal Conservation or Open Space. This zoning is appropriate to the dune environment

although the development of the golf course has unfortunately resulted in significant native vegetation loss. Nevertheless the irrigated golf greens stabilize and preserve the dune landscape and the site remains attractive despite the loss of biodiversity. It should be noted that the current Industrial Zone (excluding the lagoons) is outside the dune perimeter.



Figure 2. Current Zoning map of the Western Beach dunes with the main dune perimeter shown. Khaki green is Coastal Conservation. Dark green is Open Space.

The importance of this area to Robe

Protecting the natural values of this area has long been recognized, as I have been well aware as a landowner. This has been reflected in previous Development Plans for Robe, which increasingly gave greater protection to the natural values around the township. The following quote from the *1985 DC Robe Supplementary Development Plan* provides some insight into the rationale for the increased protection.

“The problems, however are not only related to the historical character of Robe. Just as important is the natural environment that embraces the town. The coastlines, lakes, large areas of native vegetation and attractive views around Robe are now also under pressure from development and recreational use. It is therefore imperative that not only the historical fabric of the town is conserved but also the character of its environs, which contribute equally to the character of the town.”

The 1985 Plan identified on a map shown in *Figure 3* the areas where vegetation clearance was to be limited. The map shows that the land currently zoned Coastal Conservation including my land and the proposed industrial lands were within the vegetation clearance control area.

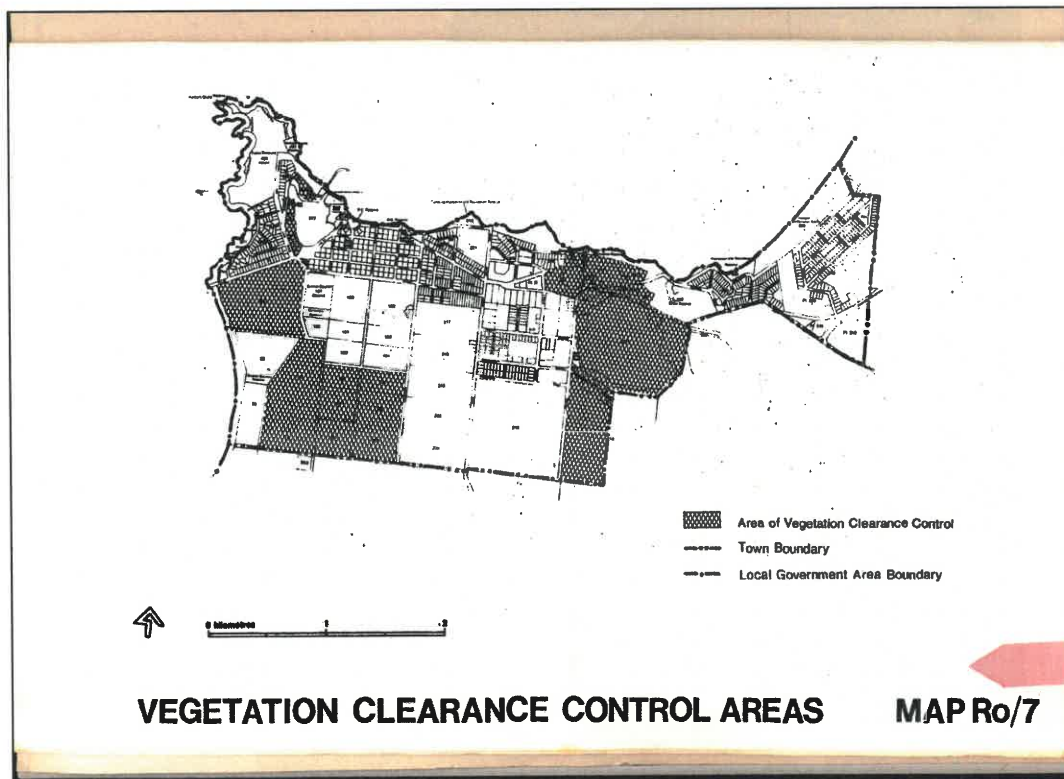


Figure 3. Map showing the Vegetation Control Clearance Areas from the *1985 DC Robe Supplementary Development Plan*.

Not only were these areas identified in the 1985 DC Robe plan they were also specifically identified and protected in the *Native Vegetation Regulations 1991* as shown by the extract from the Act shown in *Table 1* below.

Source: *Native Vegetation Regulations 1991*

Restrictions on clearance of vegetation

4. (1) Native vegetation may not be cleared pursuant to paragraph (f) of regulation 3 where the

vegetation is situated within the following areas:

1. (a) sections 13, 135, 136, 224, 225, 227, 228, 229, 230, 285, 368, 492, 512, 530 and D in the Hundred of Waterhouse; and
2. (b) part sections 13, 30, 223 and 225 that are in the Hundred of Waterhouse; and
3. (c) that part of section 214 that is within the township of Robe; and
4. (d) that part of part section 369, Hundred of Waterhouse, that is east of Christine Drive and Lake Road.

Table 1. *Native Vegetation Regulations 1991* restricting clearance of vegetation on land at Robe including the land currently proposed for rezoning to Industrial .

In subsequent years these strong protections were removed. I don't know the history of this or when it happened but believe the underlying reason was to facilitate the golf course extension into the protected areas.

Nevertheless the Coastal Conservation Zoning still provides good protection but also allows one dwelling per land parcel, which is less restrictive than the earlier protection.

The issue of Native Vegetation loss within the township

Industrial development due to the rezoning will result in the direct loss of 3.5 ha of native vegetation. However it is very likely that further clearance will be necessary to provide a firebreak.

There has already been recent significant loss of native vegetation in the township area in recent years. The following Google Earth air photo images in 2002, 2013 and 2018 show the loss. These are shown as *Figure 4, 5* and *6*. The red arrows on the 2018 photo (*figure 6*) show areas of native vegetation loss during this time period.

Considerable loss has occurred and this will be further compounded if this rezoning proposal for industrial development is granted.

Mr Bowyers land similar to my land has a weed issue and disturbed areas. However I know from 40 years of tree planting and weed management on my section how quickly the vegetation recovers. With management the vegetation would recover quickly. *Polygala myrtifolia* unfortunately is a difficult weed to manage as I am personally aware but considerable investigative work has been undertaken to find a biological control as is effecting other areas in Australia.



Figure 4. February 2002 aerial photo. (Source Google Earth)



Figure 5. October 2013 aerial photo. (Source Google Earth)



Figure 6. December 2018 aerial photo showing locations where loss of vegetation cover is evident. (Source Google Earth)

The possible presence of the Little Dip Spider Orchid on the land proposed for rezoning.

The desktop assessment for this proposal examined 3 nationally threatened species that potentially could be on the land. None were considered likely to occur including the Little Dip Spider Orchid. However this species occurs on my land at several locations including near the eastern boundary.

Figure 7 is a photo of the orchid taken on my land in September 2018. The orchids have underground tubers and are only visible during the winter spring months when a leaf appears. They remain inconspicuous until they produce a leaf, which is distinctive, and/or they flower. Often only the leaf shows. They don't seem to flower every year.

The field survey on Mr Bowyers land was conducted in January 2019 when the plant was not visible. It is therefore possible this nationally threatened plant was present but not visible. Only a survey conducted in September/October could determine this.



Figure 7. Little Dip Spider Orchid on Section 227 adjacent Mr Bowyers land photographed September 2018. The camera recorded the photos location which is shown.

Further loss of character dune landscape within the township area.

Within the township there has been a significant leveling of dunes in recent years for housing development and this flattening of the towns landscape has been detrimental to Robes character. Industrial development in the dunes will require leveling. This is indicated in the DPA as one of the impacts of the industrial development. This means further loss of this character landscape. Yet abundant relatively flat land is available out near the airfield at Sandy Lane. This is the location where the *2013 Economic Development Report* recommended Council consider for future expansion of the Industrial area.

Traffic increase

The Industrial development on Mr Bowyers land will result in more traffic within the town estimated in the PAR proposal to result in an additional 200 trips each day. My mother lives on Robe Street and there is already a traffic issue. The

industrial traffic, work vehicles, trucks, tractors and forklifts travel up and down Robe Street often very early in the morning. Yet this same road services a considerable residential zone, which is expanding.

Ribbon Development

Interestingly the 1985 Development Plan had a statement listed under Principles of Development Control that “*Extensions of built-up areas should not be in the form of ribbon development along roads.*” The rezoning proposal is ribbon development. Although this principle is not specifically outlined in the current Development Plan, ribbon development is generally regarded as bad planning. It is inefficient in regard to the provision of services and maximizes impact on amenity values.

Rationale for the proposed change to Industrial Zoning

Until this privately funded rezoning to Industrial was proposed, no previous independent report has recommended this.

1. The “*2013 Economic Assessment Report*” in its section *Managing Growth* recommended to Council that it identify 20 to 30 hectares of land in proximity to the Robe airport and Sandy Lane for future expansion of the employment area.
2. The Councils 2014 “*Imagine Robe 2040*” *Strategic Directions Report*” provides guidance and recommendations for future expansion of the Industrial Zone as shown in *Table 2* below. It recommends that expansion occur near the airport.

Limestone Coast Region Plan	How Council will achieve this policy	Rationale for response to the policy
Principle 9 - Provide and protect serviced and well-sited industrial land to meet projected demand 9.2 Ensure an adequate supply of appropriately located industrial land to provide opportunities for small-scale and local industries that complement local agriculture, horticulture, fishing and aquaculture, livestock and dairying, and mining in towns throughout the region.	• Consideration of a Deferred Industry Zone near the airport via an Industrial Land Supply DPA to allow for the future relocation of larger industries/activities from the existing Industry Zone within the township and potential establishment of future larger scale industry.	• Review of existing Industrial Zone within the township indicates that there is a limited land supply and that additional industrial/employment land will be required over the long term. • The provision of industrial land near the airport is considered to be an appropriate location given the access to infrastructure and the Southern Ports

Table 2. Extract from the 2014 “*Imagine Robe 2040*” *Strategic Directions Report* concerning the future location of Industrial Land.

Conclusion

There are, as discussed, multiple reasons why this rezoning proposal should not be approved.

- Further loss of native vegetation and risk to a rare plant species
- Further loss of dune landscape
- Increased traffic within the town
- Does not accord with previous recommendations on industry expansion
- Inefficient, wasteful ribbon development

Further expansion of industry should be outside the main township as recommended by the *2013 Economic Assessment Report* and the 2014 "*Imagine Robe 2040*" *Strategic Directions Report*".

In fact I believe this proposal should be a wake up call for revisiting the protections to the towns remnant vegetation and dune landscapes. There has been significant loss of both in recent years. These are important parts of Robes character, which makes it so attractive to visitors.

Walking tracks along the road reserves through the dunes, a bird observatory at the treatment lagoons are actions that will enhance the attractiveness of this area to visitors and locals. The road reserves connect directly with the town. A loop walk through this still largely natural area returning via Western Beach would be a great walk to do.

The current zoning Coastal Conservation is appropriate as it still provides protection of the vegetation and dunes but unlike the previous more restrictive controls does allow a residence per land parcel.

The Davenport Street DPA proposal to change the zoning from Coastal Conservation to Industrial should be refused.

Doug Fotheringham

April 24th 2019

Maureen Tyler

From: Colin Wilson <bevcolin1@bigpond.com>
Sent: Wednesday, 24 April 2019 8:13 PM
To: Council
Subject: EM201945726 - 3.71.7 - Submission re Davenport Street Robe DPA

SynergySoft: EM201945726 - 3.71.7

Dear Sir/Madam

I am wish to present the following submission in opposition to the planned Development Plan Amendment in relation to the Davenport Street industrial development. My opposition is based on the following:

- 1) It is in variance to The Robe District Council's *Strategic Plan 2014-2018* Goal: Natural and Built Environment to 'maintain and enhance our natural environment complimented by sympathetic buildings, infrastructure and facilities'. This goal is introduced as follows, ' Robe has an attractive rural and natural character including vista's (sic) comprising of white beaches, abundant lakes, rugged coastline and productive farm land. Tracts of unspoilt natural vegetation and waterways still exist within the district and its air and seas are clean and relatively free of pollution. The community has expressed a desire to protect the existing natural and built environment to ensure that the area largely retains its current 'rural' seaside ambience. Council's strategies to achieve its Natural and Built Environment goal include:
 - Advocate and facilitate the preservation and enhancement of native vegetation.
 - Advocate for the preservation and enhancement of natural marine and coastal assets.
 - Ensure land use planning policies are consistent with the Natural Resource Management Boards priorities protecting ecological and environmental assets.

The removal of native vegetation for the planned development is not in line with these strategies.

- 2) It is not in line with *South East Natural Resources Management Plan* particularly Goal A. The aim of this goal is described as being:

'about the protection and enhancement of our natural resources. It ensures that we as a community value the biological diversity of the region and recognise the high quality of our natural assets. Targets contributing to this goal include improving the extent and condition of native vegetation, management of threatened plant and animal species and reducing the impact of land based activities on coast and marine habitats.'

- 3) Limestone Coast and Coorong Coastal Action Plan and Conservation Priority Study does not support development as outlined:

The subject land is contained within Cell SE10 Little Dip CP. This Cell extends south from the Robe township to south of Nora Creina and is described as an undulating coastal plain with aeolianite headlands and reefs, beaches and extensive dune systems.

Conservation layers show that areas outside of urban and agricultural lands and de-vegetated dunes show high values for vegetation associations and threatened plant and animal species. Existing development on the fringe of Robe is considered to contribute to the threat to these local areas via impacts on visual amenity, vegetation damage leading to dune movement/instability, garden escape species, weed invasion and habitat fragmentation.

- 4) The Department Environment and Water (DEW) indicated it did not support the proposal to rezone the wider Affected Area "because it will lead to impacts on biodiversity and native vegetation." It further advised its "preference is that the current coastal conservation zoning be retained over the Affected Area to support the conservation values of the area." While it has weakened its opposition, the fundamental reasons for not supporting the proposal still remain.

Matters relating to native vegetation survey by Environmental and Biodiversity Services.

The vegetation quality was assessed as ranging from low to moderate. However, even the worst site assessed eg RVA001 – Site 1 'highly degraded exotic grassland' was described as having some low level regeneration and ground cover plants remnant and also that the site was slowly regenerating with the potential to recover with intervention. While having some disturbance from motorbike trails and weed intrusion the seedbank in the soil is likely to be intact and with weed reduction the native vegetation should regenerate including species not identified as currently

present and national and State threatened flora species may well emerge. This 'lower quality vegetation' area is still a buffer for the higher quality vegetation areas from the direct impact from industrial processes, traffic and residential areas. The idea that replacement plantings can match the original vegetation is a fallacy. There is also no mention about increased greenhouse gas emissions from the native vegetation clearance.

Native fauna species

One nationally threatened species of marsupial, the Swamp Antechinus (mainland), was deemed to have a possible likelihood of occurrence within the subject land, and 22 State threatened fauna species were identified in the BDBSA as being recorded within 5 km of the subject land, with three (Rufous Bristlebird, Swamp Rat, Common Brushtail Possum) assessed as being likely to occur on the subject land. (Development Plan Amendment pg 17). The NSW Threatened Species Scientific

Committee <https://www.environment.nsw.gov.au/determinations/ClearingNativeVegKTPListing.htm> determined that

1. Clearing of native vegetation is recognised as a major factor contributing to loss of biological diversity.
2. Land Clearance is listed as a Key Threatening Process under the Commonwealth's Environment Protection and Biodiversity Act, 1999.
3. Clearing of any area of native vegetation, including areas less than 2 hectares in extent, may have significant impacts on biological diversity. Some of the examples of the impacts of the clearing of native vegetation on biological diversity are:

- Destruction of habitat results in loss of local populations of individual species
- Fragmentation
- Expansion of dryland salinity
- Riparian zone degradation
- Increased greenhouse gas emissions
- Increased habitat for invasive species
- Loss of leaf litter layer
- Changes to soil biota
- Loss or disruption of ecological function—Survival of ecological communities relies on the maintenance of ecological processes and interactions. Loss of habitat and fragmentation may disrupt these processes. For example, small fragments may not be large enough to support viable populations of pollinators or seed dispersers so that reproduction of plant species will be impaired. Disruption of ecological processes may continue long after initial clearing of native vegetation has occurred, with consequent continued decline in biological diversity. In cleared and/or fragmented landscapes there may be an extinction debt, whereby, as a consequence of reduction in population size and disturbance to population structure, future local population extinction is inevitable.
- Clearing has been identified as a threat to a number of species, communities and populations listed under the Threatened Species Conservation Act and could cause species, populations or ecological communities that are not threatened to become threatened.

In addition there were Common Wombat (*Vombatus ursinus*) burrows found on Sites RVA004 and RVA 005. Common wombats have undergone a major decline in both distribution and numbers since European settlement of South Australia (H.M. Owens, AC Robinson, and P.J. Lang, 1995, *A biological survey of Messent Conservation Park South Australia in December 1994*, Department of Environment and Natural Resources). The Development Plan Amendment pg 17 (and the intent repeated in Appendix 2 pg 34) states that 'Progressive clearance of the vegetation in proximity to the burrows (without the use of heavy machinery) should result in the wombats leaving the area in preference of higher cover areas. This sounds like an easy solution except for two facts:

- 1) it assumes that there is sufficient appropriate native habitat into which the wombats can move without threatening others in the area; wombats are territorial about feeding areas and will scent mark their territory or defend it aggressively
- 2) Common wombat burrows are long and complex. This has led to the suggestion that the large amount of energy and time involved in constructing burrows imposes real constraints on how far an animal can move from such an investment, especially as it is the only refuge the animal has from climatic extremes, and reproduction is also constrained. (Tyndale-Biscoe, Hugh, 2005, *Life of Marsupials*, CSIRO Publishing).

I could not find any mention of reptiles or insects in the surveys undertaken.

While the area for the planned development has been reduced to 3.2 hectares as per the information above it still has the potential to have significant impacts on biological diversity.

Finally, this area was zoned as Coastal Conservation Zone after presumably considerable assessment of its value as a conservation area – why is it assumed that it no longer holds that value? We should be preserving and investing in our natural areas not continuing to clear them.

I do not wish to make a public representation.

Yours sincerely

Beverley Maxwell

14 Investigator Ave

Kingscote SA 5223

Submission to District Council of Robe

Development Plan Amendment, Davenport St – proposed change of zoning from conservation to industrial

by Associate Professor S. Petit, Wildlife Ecologist, 25-4-19

Summary: This change of zoning is inappropriate. The landowner, interested in selling his land, has offered his conservation-zoned land for development. After juggling with several concepts, Robe Council has opted for an industrial zone. This approach shows lack of need for this amendment, lack of strategy, short-term view, and financial support for one landowner to the detriment of the community. The proposed change of zone would contribute to: the destruction of Robe as an attractive sea town, the loss of biodiversity, the loss of Robe's adaptation to climate change and extreme weather events, the destruction of part of Robe's Aboriginal heritage, Robe Council's appearance as greedy and non-strategic, the loss of ecosystem functions and services, and geomorphological degradation. The lack of consideration for Aboriginal interests is astonishing. The proposed amendment goes against every principle in the Planning Strategy, the Strategic Direction Report, the Strategic Plan 2014-2018, the South East NRM Plan, and the Limestone Coast and Coorong Coastal Action Plan and Conservation Priority Study. The scant fauna and flora information is misleading. Habitat must be conserved even if specific organisms are not found there one day in January 2017; populations move over time and all habitat is used, including by pollinators and seed dispersers of plants that are not there at one point in time. Habitat expanse and integrity are the factors that allow coastal protection of biodiversity, and also resilience of town and ecosystems in the context of climate change and extreme weather events. The proposed obliteration of the wombats' habitat as a way to make them leave is simply outrageous. The report does not hide that the amendment would not cater for a long-term approach to industrial development. The destruction of this conservation zone, which is not supported by the community, would be irreversible and pointless. A suitable alternative area is mentioned (the airport area), but no explanation is given for why resources are focusing on the coastal conservation zone as opposed to the airport. Importantly, this development would create a terrible precedent for

more destruction of conservation zones. Do we choose to conserve our planet, health, lifestyle, and future opportunities, or do we not?

1. pp. 2-3 “need for the amendment”: the “constraint” to the growth of the town or Robe mentioned on p. 2 is what gives Robe its small sea town character, and brings all the tourists to it. The fact that the “landowner is keen to realise some development potential for his land” is completely irrelevant and not a good reason to destroy conservation land, which is highly needed, unlike the development. The presence of this coastal conservation land next to the town of Robe is an asset that Council should be extremely keen to protect and enhance in view of the ecosystem services it provides, not the least of which is coastal protection and adaptation in the context of climate change. The destruction 3.2 ha of such a valuable asset to make the landowner rich and meet “short to medium term demand” (p. 3) is ludicrous. Robe needs strategic planning for the future, not illogical patchy destruction of assets that give Robe its strength and character, and protect the biodiversity that we are losing rapidly.

2. “Consistency with the Planning Strategy” pp. 7, 8. The analysis is gravely mistaken. Unlike what is stated, the proposed development would NOT “minimise the potential for adverse impacts on biodiversity”. However, avoiding the development and protecting seriously the conservation reserve, as the Council should, would minimise the adverse impacts. All other points of the Planning Strategy are battered by the proposal, which would NOT “avoid impacts on desired town character”. It would in fact do the opposite by destroying an area that gives the town its character. It is not an industrial zone that gives the town its character. The development would also “impact on the region’s tourism industry”. The building of industrial developments in coastal conservation reserves is going to deter tourism. For example, every year we bring student camps to Robe; we are now seriously reconsidering our association with the town in view of its support for inappropriate developments. The rezoning of conservation to industrial status is NOT “providing well-sited industrial land to meet demand”, quite to the contrary. The proposal is NOT “strategically managing the growth of Robe”. It is not strategic to destroy Robe’s best assets for a short-term potential need and enriching one man. Accumulating industrial areas in the town of Robe to the detriment of coastal conservation reserves is NOT “supporting the Robe township as an appealing environment”.

The document refers us to “the appendices”. Appendix A assesses the proposal against the Planning Strategy and fails to make any relevant point in support of the key Principles.

Principle 1: recognise, protect and restore the region’s environmental assets. The proposal goes systematically against Principle 1. For example, Principle 1.10 states “Recognise areas of high biodiversity value, and locate and design development to prevent the loss, degradation and/or fragmentation of native vegetation and any loss of species and/or ecological communities.” The assessment states that a survey was conducted. We have no

detail but “it is likely that approval for clearance of native vegetation on all of its 3.2 ha area will be sought”. The site is deemed to be in “low to moderate condition, largely due to the level of weed incursion”. Destroying the site is not going to improve its condition. It is also going to result in the loss of this environmental asset and all biodiversity and biodiversity potential it holds, as well as its ecosystem services value. One does not “recognise, protect and restore the region’s environmental assets” by ploughing through them with heavy machinery and placing sheds on top.

Principle 3: identify and protect places of heritage and cultural significance, and desired town character. The assessment against this Principle talks about the historic buildings and buildings of appeal to tourists. Of course, a larger industrial zone is going to do nothing to enhance the historic character of the town. Most tragically, the assessment does not say one word about Aboriginal heritage. Robe’s coast is immensely rich in Aboriginal history; it has great cultural significance to the traditional custodians and to others who care about Aboriginal culture and history. How have Aboriginal people been consulted? Where is the report regarding this consultation? By positioning itself as a Council that respects and protects Aboriginal culture and history as well as biodiversity, Council would gain much more than by bulldozing them with a short-term view.

Principle 4: create the conditions for the region to adapt to and become resilient to the impacts of climate change. A priority (Principle 4.2) is to “provide buffer areas of sufficient width to separate development from the foreshore and coastal features and to accommodate long-term physical coastal processes.” As previously of course, the assessment is unable to address this point and states obscurely “There are a number of current Objectives and PDCs in the Development Plan (i.e. under Coastal Areas) in relation to these matters. They will also apply to new developments supported by the proposed DPA.” What?!? By destroying the “buffer areas”, Robe Council would destroy its chances to survive climate change. However, one man would be richer.

Principle 5: protect and build on the region’s strategic infrastructure. There is absolutely nothing strategic about this proposal. It would be a planning disaster.

Principle 8: reinforce the region as a preferred tourism destination. The assessment states that the area is not “a prime tourist spot”. However, tourists come to Robe because of its coastal dunes and small-sea-town character. They do not come to Robe for its industrial zones. The coastal conservation reserve, every bit of it, contributes to the character of Robe and to its structural and ecological integrity.

Principle 9: provide and protect serviced and well-sited industrial land to meet projected demand. It is most extraordinary that anyone could think the proposal would support this Principle. Siting industrial zone in a conservation zone is not “siting well”. For example, Principle 9.3 wants to ensure “management of interfaces with residential areas and other sensitive uses, and protection from encroachment”, yet the development would increase

truck traffic in residential areas and encroach on a coastal conservation reserve. It also does not ensure “provision for future expansion”, unless future and complete destruction of the conservation zone is planned. It does not ensure “an efficient road freight network that minimises the impacts of freight movement on neighbouring areas” – simply look at the map.

Principle 11: strategically plan and manage the growth of towns. As mentioned previously, there is nothing strategic about this development, which has a short-term view and the objective of satisfying one landowner.

Principle 12: design towns to provide safe, healthy, accessible and appealing environments. The construction of an industrial development with added truck traffic in a conservation zone at the edge of town would do exactly the opposite. Principle 12.9 states “design all developments to minimise their visual and physical intrusiveness and ensure they are sympathetic to cultural and landscape features and contribute to the desired character of the area”. Obviously, as mentioned before, the proposal is not at all sympathetic to cultural and landscape features.

The assessment has failed on every point to demonstrate any match whatsoever of the proposed amendment with the key points of the Planning Strategy. Robe Council should not have allowed this development amendment to proceed, since it is causing significant loss of time and money, and distress to the community.

3. Consistency with Council’s strategic directions report (p. 8). In its “Imagine Robe 2040 Strategic Directions Report” Council did not identify “the specific need for a DPA for the area affected”. Yet we are told that to meet “short to medium term demand [...] such a proposal is not inconsistent with the SDR directions.” The lack of strategy in this move can be very destructive when an industrial Band-Aid approach represents a precedent for the destruction of conservation land simply for the economic benefit of a single landowner.

4. Consistency with Council’s Strategic Plan 2014-2018 (pp. 8-10). The proposed rezoning would go against the goal to “maintain and enhance our natural environment”. The report states that “the community has expressed a desire to protect the existing natural and built environment to ensure that the area largely retains its current ‘rural’ seaside ambience.” Building an industrial zone in a coastal reserve protecting the town hardly achieves the aims of the community. To “meet the community’s aspirations” Robe Council want to “ensure that residential, commercial and industrial land uses do not adversely impact the natural environment”. To achieve this goal, conservation land must not be destroyed. Similarly, the proposed rezoning would not “respect the best aspects of the character of Robe.” By proposing this rezoning, Robe Council goes against its own plan to “advocate and facilitate the preservation and enhancement of native vegetation” and “advocate for the preservation and enhancement of natural marine and coastal assets,” and against the NRM Boards priorities to “protect[...] ecological and environmental assets.” The destruction of

coastal zones affects not only the dynamic geomorphological features that protect the coast, but also the terrestrial and marine biodiversity that depend on the coast's integrity.

5. Consistency with the South East NRM Plan (p. 10). The proposed rezoning goes against all the goals of the plan: A – healthy landscapes supporting high value ecological systems (coastal ecosystems are vital to Robe's economy and healthy); B – regional communities active in natural resources management (the destruction of natural resources does not match this goal and the community's wish is to protect the natural environment and sea side ambience); C – resilient industries taking responsibility for sustainable use and management of natural resources (the destruction of conservation zones goes against the principles of sustainability); D – leadership, adaptability and partnerships for effective natural resources management (by destroying a conservation zone, I would argue that Robe Council would show tremendous lack of leadership). Goal A aims to "improve the extent and condition of native vegetation, management of threatened plant and animal species and reducing the impact of land based activities on coast and marine habitats." The proposed rezoning would destroy native vegetation and animals, and increase the impact of land-based activities on coast and marine habitats.

6. Consistency with the Limestone Coast and Coorong Coastal Action Plan and Conservation Priority Study (pp. 10-11). The report correctly states that "existing development on the fringe of Robe is considered to contribute to the threat to these local areas via impacts on visual amenity, vegetation damage leading to dune movement/instability, garden escape species, weed invasion and habitat fragmentation." The proposed rezoning would have all of these unwanted effects.

7. The section on infrastructure (pp. 13-14) mentions that "disposal by infiltration is encouraged." No detailed plan is shown regarding impacts on terrestrial and marine ecosystems of the industrial infrastructure, which are likely to be serious. The land is "undulating and there will be a requirement for earthworks to grade any allotments created to the road reserve." As with vegetation clearance, the direct destruction of the dune system would have dramatic impacts on Robe's coastal resilience and protection of coastline integrity, and damage from climate change and extreme weather events.

8. Review of flora and fauna advice (pp. 16-27). The "key findings" are being waved off as not relevant. However, the integrity of the coastal conservation zone is crucial to processes that are currently still functioning. For example, the habitat is suitable for several threatened species including orchids. Orchids such as the Little Dip spider orchids need vast expanses of intact habitat to exist. Whether or not they occur at this particular site is irrelevant. Spider orchids are pollinated by unique wasp species using sexual deception. Habitat for wasps must be preserved. Similarly for all threatened species concerned, whether or not they occur in this particular area is irrelevant. The point is that populations of plants, animals, fungi move over time (as is my experience studying threatened orchids). Pollinators and seed dispersers need different types of habitats to sustain them. Large

expanses of native habitat preserve ecosystem functions. The report consistently dismisses marine species as likely to be affected by the proposed rezoning. It is incorrect. Marine species are affected by dysfunctional geomorphology and lack of coastal protection. Destroying any part of a conservation zone would have a strong impact on ecosystem resilience and the long-term survival of plant and animal species. The paragraph on wombats, Australian icons that can only improve tourism prospects for Robe, is particularly shocking: "Several Common Wombat (*Vombatus ursinus*) burrows were noted on the subject land [...]. Progressive clearance of the vegetation in proximity to the burrows (without the use of machinery) should result in the wombats leaving the area in preference of higher cover areas." This paragraph shows ignorance regarding wildlife and lack of animal ethics principles. Clearing the habitat and implying that the animals will move to a better place and live happily ever after is absurd. Habitat clearance in this coastal conservation zone would result in the painful death of many animals, and habitat reduction where weeds are already taking their toll. "Management measures are available to mitigate potential impacts of any Wombats located on the subject land should the clearance of native vegetation be approved" (p. 21). Really?!? Clearing the land and saying that the wombats will leave and be happy in fantasy land is NOT a mitigation strategy.

A field survey of one day in January 2017 (p. 17) is insufficient to determine what annual plant and animal species may occur at the site. However, we know what species occur at similar sites and nearby sites, and that this habitat is highly valuable.

The "weed incursion" (p. 21) should be addressed by the landowner. It is too easy to ignore or encourage weeds and then try to get rid of one's land for industrial purposes when it is considered of "low to moderate condition." The land should be restored.

DEW "did not support the proposal to rezone the wider Affected Area 'because it will lead to impacts on biodiversity and native vegetation.' It further advised its 'preference is that the current coastal conservation zoning be retained over the Affected Area to support the conservation values of the area" (p. 21). The report then indicates that the Area Affected was reduced from 24.7 ha to 3.2 ha and so "some of the concerns expressed by DEW are no longer considered relevant." I beg to differ. The concerns are the same: the proposal to rezone will lead to impacts on biodiversity and native vegetation. Every square metre of conservation zone that is destroyed will achieve irreversible destruction with great detriments to ecosystem function and Robe's future. The conservation zone is already very small and affected by urbanisation. The survival of natural processes and the protective role of the zone depend on its integrity.

A most extraordinary statement appears on p. 23. "While it is acknowledged that a larger industry area, potentially catering for larger development forms/major employers, has been mooted in proximity to Robe Airport this has not occurred." It is unclear from this statement whether Robe Council was expecting this investigation to occur by magic or what the impediment was, and why so many resources were suddenly thrown at the

development of a conservation zone, which is acknowledged not to provide for long-term industrial and commercial needs. Shouldn't Council focus on a truly strategic plan for what they believe their industrial needs are? The destruction of the coastal reserve represents a terrible precedent and is irreversible. Council should aim to restore the land in question and examine long-term solutions involving the airport.

The "removal of native vegetation and modification of the land form" (p. 25) in a coastal conservation zone is a very sad objective for a Council that plans to protect its natural environment and retain its rural character. As for the presumed "low" risk of the "subject land to be impacted by dune drift, or its development to cause dune drift," it is wishful thinking. The stabilisation of dunes by buildings is costing South Australia dearly, from surrounding impacts (e.g. loss of beaches).

As we lose more natural areas and more species become extinct, it is absurd to change the zoning of conservation areas. I hope that Robe Council will show strong leadership to respect principles that are based on science and community aspirations.

Maureen Tyler

From: Alice Baker <abaker@NORFOLKRISE.COM.AU>
Sent: Friday, 26 April 2019 3:51 PM
To: Council; Alison Nunan; Cr Ned Wright; Cr Rino Dell'Antonio; Cr Peter Riseley; Cr David Laurie; Cr Bob Bates; Cr Michael Boyd
Subject: EM201945739 - 3.71.7 - Public Comment to Davenport Street DPA
SynergySoft: EM201945739 - 3.71.7

A LINE IN THE SAND

Dear Mayor Nunan and the Elected Members,

We as a town are standing at the precipice of a huge decision. This decision is about far more than this 3.2 hectares of coastal conservation land. This decision will set a precedent and determine the future direction of Robe regarding environmental management and the town's branding, values and identity.

What message do we want to send our residents and visitors current and future? What kind of visitor do we want to attract? Do we want to send a message that we value highly our natural landscapes, native fauna and flora? Do we want to shout out that we will do our best to maintain the natural buffers of the town and appreciate that these spaces are the very reason so many people delight in visiting our town? Do we want to go one step further and begin to invest and care for these spaces by revegetation processes rather than clear them? In doing so we would create a strong message and brand Robe as a pristine and rare environment worth conserving and worth visiting.

I have spent much of my life on Kangaroo Island, a place I believe Robe holds many similarities to. While I have seen Kangaroo Island change from the rarely visited destination of the late 80's to the now world famous tourist destination, the Island has managed to keep it's message and values clear – that it has a pristine and natural environment that is worth protecting. It's catch phrase is in fact "Too good to spoil" That message has not changed and yet tourist numbers do nothing but grow in this region, as do the efforts for coastal conservation and strict environmental management. They have managed well to welcome both domestic and international tourists to the island, presenting unique experiences while simultaneously protecting the fragile coastal environment. They are certainly not re-zoning their coastal conservation zones to Industrial zone. It is some people's belief that clearing this land in Robe will somehow *attract more tourists*. This is ABSOLUTLY INCORRECT and the opposite is true. The conservation of this land and other Coastal Conservation land is what will actually draw more tourists here over time. In addition to more tourists it will attract a certain type of tourist, an environmentally conscious, low impact, respectful and progressive type with a high income who will not blink at spending up in our restaurants and boutiques. Quality over quantity.

I understand the need for industrial land in Robe. But should we really be re-zoning our coastal conservation land to industrial? It seems ludicrous and embarrassing to admit we are even considering this proposal. There IS NOT a demand for industrial land in Robe considering the last blocks that came available were passed in at auction and then sold off as a collection for a measly \$147000 for SEVEN blocks. This is \$21,000 per block!! If we do approve this clearing and sub-division it will give us 20 blocks and a few years? THEN WHAT? This is a very small minded and short-term solution without any long-term vision or strategic planning. It is in complete opposition to the town plan. It's a quick fix. There are other private land owners adjacent to this land also zoned coastal conservation. If we approve this DPA then is it only a matter of time before the surrounding areas of scrub are victims to the same fate? PLEASE draw a line in the sand!

The current industrial zone is a disgrace with the length of Davenport street littered with rubbish at the back of the current industrial blocks. And this is what you want to turn the beautiful scrub into? More cheap blocks for people to turn into a dumping ground or store their boat on? It's time to get serious and plan a proper industrial estate that is properly managed and will serve the town for generations.

Some residents are thinking short term with no regard for the greater global climate battle. While they are placing a higher value on their own businesses and bank accounts over the trees, echidnas, wallabies, kangaroos, animal tracks, native flowers and birdlife, you can bet that their children's children will be thanking you in 50 years' time for saving this scrub! Approve the DPA and continued destruction of coastal conservation land at all of our peril – once this land is cleared it is cleared for good.

THE WORLD HOLDS ENOUGH FOR EVERY MAN'S NEED BUT NOT EVERY MAN'S GREED.

No more will I stand by and watch the environment be slowly destroyed before my very eyes. I will fight to save every last tree, wombat hole and wattle bird call.

WE HAVE NOT INHERITED THIS LAND FROM OUR PARENTS BUT BORROWED IT FROM OUR CHILDREN.

Norfolk Rise
VINEYARD MOUNT BENSON

ALICE BAKER | WINEMAKER

Norfolk Rise Vineyard

438 Limestone Coast Rd, Mount Benson, SA 5275

M: +61 479 119 588 | P: +61 8 8768 4003

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W: norfolkrise.com.au



PIPERS BROOK
WINE & SPIRITS

NINTH ISLAND
WINE & SPIRITS

Norfolk Rise *Prochocombia*
WINE & SPIRITS

April 26, 2019

To Mayor Nunan and the Elected Members,

Please find below my public comment to the proposed Davenport Street DPA.

I wish to be speak on the subject of this DPA in the public forum on Tuesday, May 7th, 2019.

My partner and I own 35 Evans Cave Road, a 1.5 hectare parcel of land running parallel with the Southern side of Evans Cave Road. This property is zoned Rural Living, and is a mere 70 meters South to the proposed DPA development. We have owned this allotment for the past 10 years, and in that time we have significantly revegetated and stabilised the land with over 1600 native trees. On many and repeat occasion we have observed the use of this land as wildlife habitat and corridors. We consistently sight echidnas, wallabies, wombats and birds that utilize the scrub in which we have maintained and enhanced.

First and foremost, several of the DPA's highly summarized assessments of many of the biological impacts that this development would impose are categorically false or flawed. The DPA consistently skims over and omits comment on significant environmental impacts and threats to biodiversity. These shortcomings are outlined below:

1. Sand dune environments and the threats to biodiversity.

The topographical undulations on the subject land are derived from westerly wind and sand deposition from West Beach. This land represents a 7000 year old sand dune system and is a dynamic environment. Much of this land has been allowed the opportunity to regenerate native vegetation and serves a critical role to providing habitat, protection to inland areas from significant wind vectors and long-term coastal water intrusion. It's significance as a Coastal Conservation landscape should not be underestimated.

The DPA fails to recognize or analyse the **economic value of biodiversity** as a major source of tourism attraction to our coastal and wild spaces. Over 500 signatures and comments made on the 'Save Our Sand Dunes' petition on Change.org opposing development of this area reiterates exactly that, quoting: *"Robe's natural beauty and coastal assets are a major reason that attracts residents and visitors. We need to keep Robe's wild spaces for future generations and not destroy them for short sighted and economically driven development."* The short-sightedness of this DPA only brings an economic gain to the private landowner and those that may choose to purchase the land. In contrast the protection, further enhancement and care of our natural environs bring a long-term sustainable tourism that has benefits the entire community, country and planet.

The DPA significantly underpins the **ecological and scientific value of biodiversity** by incorrectly concluding that significant (and endangered) flora and fauna were not present or not likely to occur within the subject land. This is false. Basing conclusive results on a singular and untimely assessment of the area show the nature of it's token gesture. Native Australian animals are reclusive and elusive and require an understanding of their behaviour and life history to study with any authenticity. For example, the endangered Little Dip Sider Orchid (*Caledonia richardsiorum*) is in a dormancy phase in summer – when the 'assessment' was undertaken. Nocturnal animals such as the vulnerable Bare-Nosed or Common Wombat (*vombatis ursinus*) which are known to frequent and reside within the area (See Image 1 in appendix) are rarely present during daytime hours. Furthermore, the South-East is recognised as one of the last remaining strongholds for the Bare-Nosed Wombat within South Australia. It's population is currently reduced to a fragment of it's original size, and deserves conservation. Whilst the Short-Beaked Echidna (*Tachyglossus aculeatus*) may not be of extinction

concern, it's conservation due to it's evolutionary and genetic significance as one of only two monotremes in Australia is of global importance. These fundamental understandings have been conveniently and deliberately overlooked and dismissed in this DPA.

Additionally, as the imminent impacts of climate change impose challenges on the planet, we must act and make decisions as global citizens with the best intention of stewarding the planet from a local, national and global context. Biodiverse scrublands not only sequester and store Carbon from our atmosphere but they return it as Oxygen through photosynthesis, providing a vital and critical ecological role in the Carbon Cycle. If passed, the DPA would not only eradicate this capacity, but it would result in the manufacture of significant Carbon through extensive earthworks and Industry processes. It is easy to defend this statement, by suggesting it's impact is minor, however, the accumulation of many small impacts is monumental, if change doesn't start at a local council level how are we to retain hope in a global level? Let's explore and contrast this impact against an area suggested for Industrial sprawl in the vicinity of the airfield. Firstly there is no need to decimate Coastal Conservation land, as the land has already been cleared and much of it remains low production farmland. Secondly, from a Carbon perspective (which we all have to care about), this area is much more appropriate due to the fact that the cleared area's are not offsetting any Carbon and therefore are much more suitable for development.

The DPA completely disregards any **cultural values to biodiversity**. The DPA does not even consider that these lands are the traditional lands of the Boandik people. Boandik people maintained and preserved the biodiversity of these lands for approximately 40,000 years. It should also be noted that the subject land is home to bush foods and these retain a significant cultural value in Boandik connection to country. To develop Industry on top of ancestral coastal, fore-dune environments that have been set aside as Coastal Conservation is yet another cultural kick in the guts.

The DPA also chooses to make no comment on the **recreational value of biodiversity**. The subject land is a mere 600 metres from the globally and culturally significant Little Dip Conservation Park. Understanding the connectivity and dynamic of sand dune environments, these lands are indeed connected via not only the geology and sand drift, but as biological corridors for wildlife. Each year we, as a town receive thousands of tourists, school groups and camps seeking the recreational opportunities of our coastal and environmental assets. It is precisely these green boundaries to our township that make it an attractive and unique setting conducive to recreation. In fact, anyone travelling West on Evans Cave Road past Davenport Street is destined only to the Little Dip Conservation Park. Is there any logic in developing a beach access road to Industry? Or is this strictly the result of a proposed ribbon style development, where development follows road front corridors for strictly and only a landowner convenience.

In consideration to all the above mentioned values of biodiversity it is a calculated and educated statement to say that ***the subject land in it's current 'coastal conservation' and ecologically functioning state is worth much more to the community, country and globe than it is as an Industrial site only aimed to serve a maximum of 20 potential individual landowners.***

I ask **why** have these significant values been overlooked or negated? Is it because the information you received was highly summarized and written in a pro-development bias? Are you not receiving opinion-free, neutral facts that make it possible to develop a holistic and well understood opinion? Why has the DPA been constructed in a way to 'force fit' it's own agenda into many of Council's and relevant agency's strategic plans and vision statements?

2. DPA contradictions to Relevant Planning Documents and Council's Strategic Plan.

Please find below, a list of professional recommendations and the documents in which they come from. Please find below (in red) a comment exposing how the DPA does **not** conform to any of these recommendations.

1. Policies of the Planning Strategy:

- Minimising the potential for adverse impacts on biodiversity
- Avoiding impacts on desired town character
- Not impacting on the region's tourism industry
- Providing well-sited industrial land to meet demand
- Supporting the Robe township as an appealing environment

The DPA significantly impacts the town character, and therefore the tourism industry. The DPA completely undermines the environmental significance of our coastal conservation zones.

2. Council's Strategic Plan 2014-2018

Goal: Natural and Built Environment. Maintain and enhance our natural environment complimented by sympathetic buildings, infrastructure and facilities.

- Ensure that residential, commercial and industrial land uses do not adversely impact the natural environment.
- Encourage appropriate industrial, commercial and residential developments that respects the best aspects of the character of Robe.
- Establish distinct township boundaries through effective use of land use planning.
- Advocate and facilitate the preservation and enhancement of native vegetation.
- Advocate for the preservation and enhancement of natural marine and coastal assets.
- Ensure land use planning policies are consistent with the Natural Resource Management Boards priorities protecting ecological and environmental assets.

The DPA goes against every goal itemized in the Natural Environment sector of the Council's Strategic Plan. Additionally, accepting that Industry Zoning abutting Coastal Conservation Zoning is a sympathetic development is dishonest, especially to adjacent landowners, whose properties are zoned Rural Living.

3. South East Natural Resources Management Plan

'ensure the protection and enhancement of our natural resources. It ensures that we as a community value the biological diversity of the region and recognise the high quality of our natural assets. Targets contributing to this goal include improving the extent and condition of native vegetation, management of threatened plant and animal species and reducing the impact of land based activities on coast and marine habitats.'

The DPA certainly does not recognise the high quality of our natural assets, nor does it improve the extent and condition of native vegetation, management of threatened plant and animal species.

4. *Limestone Coast and Coorong Coastal Action Plan*

Conservation layers show that areas outside of urban and agricultural lands and de-vegetated dunes show high values for vegetation associations and threatened plant and animal species. Existing development on the fringe of Robe is considered to contribute to the threat to these local areas via impacts on visual amenity, vegetation damage leading to dune movement/instability, garden escape species, weed invasion and habitat fragmentation.

There has been some mention that the subject land has already suffered land degradation from motorcycle tracks and foreign weed invasion.

I ask the councillor's: In what world does the degradation of habitat from illegal activities (such as unlawful dumping and motorbike disturbance) serve as a grounded justification for its further demise from industrial development?

What example does this set to other community members? It seems to suggest that if landowners allow the condition of property to become fragmented through illegal activities and poor land management practices, that we can assume its land holds no environmental significance and is fit for development! Absolutely not! In fact it suggests that council may have to hold landowners to a higher standard of property management and enhance the natural character of our town through maintained revegetation efforts.

5. *'Imagine Robe 2040' Strategic Directions Report (SDR)*

- Consideration should be given to allowing some flexibility in zoning etc. to safeguard the potential to attract **large** industry/employer in the future.
- Consider **20-30 hectare** future industrial site within the **vicinity of the airfield**.

The DPA offers a band aid style solution to a long term space issue. As suggested in the 2040 plan, a consideration of a much larger, more serviceable expansion exists outside the township in the vicinity of the airfield.

6. In the DPA's response to Issues Raised by **Department for Environment and Water (DEW)** they maintain that "some of the concerns expressed by DEW are no longer considered relevant."

A reduction in land size does not automatically remove the DPA from the scrutiny of State government! I ask the councillors, what is no longer considered relevant??? Any loss of native vegetation and Coastal Conservation environment is a DEW issue and their advice has NOT lost any leverage due to the DPA's justification that it is less land.

7. *Environment and Biodiversity Studies (EBS)*

The environmental assessment undertaken by the EBS is flawed by design and are unjustified in their summaries and conclusions for the following points:

- **The assessment was carried out in the middle of Summer (January) and during daytime hours.**
- **Native animals are reclusive and elusive and the summary provided in the DPA suggests that the likelihood of occurrence was low due to poor assessment design.**

3. Conflict to the Desired Character Statement, visual amenity and waste management.

The DPA calls to make an Inclusion of an additional statement in the Desired Character statement for the Industry Zone to reflect the particular need to provide safe access when considering development proposals (including land division) directly accessing Evans Cave Road.

Firstly, there is no safe access off Evans cave Road. Every weekend throughout the year 4 Wheel Drive clubs, Motorbikes and all beach-goers use the Evans Cave Access road at significant speed. The natural undulation and elevation change on Evans Cave Road immediately West of Davenport Street makes any proposed Industrial access illogical and brings with it an elevated risk of collision. Why would council make decisions to mitigate risk factors elsewhere, but not accept the heightened risk of this development? Any attempts to make the subject street corner safe would incur huge earthworks and re-surveying costs. These costs would be passed on to all rate payers. Many of whom are in opposition to the proposed development.

Secondly, the visual amenity of the development proposed in the DPA would bring significant disturbance to all adjacent landowners. The development would replace the view of undisturbed Coastal Conservation space with an Industrial eye sore to all Rural Living landowners on Evans Cave road (See Image 2 in appendix). Further to the visual impacts, comes significant noise increase through large scale machinery, vehicles and industrial processes. Significant sand drift from the extensive land clearing would impose another deleterious flow on impact to adjacent properties. In fact I ask any councillor, that if faced with a DPA that proposes Industrial development in-front of their home (70 metres away)– would they not be in opposition? This disturbance is conveniently and deliberately overlooked in the DPA.

Lastly, waste management remains a significant Council budget expense. Current industrial zoning has a significant waste issue. Many of these landowners choose to use their properties as waste storage or burn off locations (see Image 3 in appendix) . Waste management is only exacerbated by an extension of industrial zoning in windy locations. Accepting and extending this mismanagement will make the waste problem worse and harder to contain.

This DPA should not be assessed lightly. It serves as a critical decision that must be made with a long term and future focused vision. The decision made on this issue will set a precedent or a line in the sand for future developments. For example, if approved, it will only be a matter of time until another industrial development is proposed and further encroachment into Coastal Conservation land is on the table. I ask the councillors to look at this decision as an opportunity to conform with the many professional recommendations and to heed to science in a decision that is made to improve and protect our precious coastal environments.

Sincerely,

Tom Davidson

Appendix of relevant images.



Image 1: An active Common Wombat (*Vomabitis ursinus*) burrow within 10 metres of subject land.



Image 2: Davenport Street and Evans Cave Road intersect showing significant topography, established native vegetation and immediate proximity to adjacent landowners (70 metres).



Image 3: Industrial waste burn pile in current industrial zone. Much of this waste ends up airborne on windy days and drifts onto neighbouring properties.

Maureen Tyler

From: John Davidson <dingorik@gmail.com>
Sent: Wednesday, 27 February 2019 2:52 PM
To: Cr David Laurie; Cr Bob Bates; Cr Michael Boyd; Cr Peter Riseley; Cr Rino Dell'Antonio; Cr Ned Wright; Alison Nunan; Council
Subject: EM201944734 - 3.71.7 - Evans Cave road access.Public comment on Davenport St DPA.

SynergySoft: EM201944734 - 3.71.7

Dear Councillors,

The Davenport St Development Plan Amendment (DPA), currently open for public comment, proposes development entry access from Evans Cave Rd.

At that section there is a natural topographical unsealed roadway rise that makes it particularly unappealing visually, and also raises traffic risks if access were approved.

In the DPA document . . .

Page 32, Item 4 requests . . .

Inclusion of an additional statement in the Desired Character statement for the Industry Zone to reflect the particular need to provide safe access when considering development proposals (including land division) directly accessing Evans Cave Road.

This relates directly to the still undefined topographical appearance of any development on this corner which may be approved. The consultant team said they would provide topographical impact visuals so that the public could assess this application. This has not been provided. How can assessment be made without it?

The plan layout has the proposed sites right up against Evans Cave Road. May I suggest that no entry from Evans Cave road be allowed, thereby avoiding road risk as well as public expense, (*need to provide safe access*), and that a significant visual offset distance, say a 20 metre buffer, be retained to preserve the road topography, vegetation and visual amenity that currently exists? This would dramatically reduce both risk and visual impact for travellers along Evans Cave Rd, as well as for neighbouring residents and visitors.

Please receive this as constructive public comment.

Sincerely,

John Davidson.

Maureen Tyler

From: John Davidson <dingorik@gmail.com>
Sent: Friday, 26 April 2019 9:58 AM
To: Council; Alison Nunan; Cr Ned Wright; Cr Rino Dell'Antonio; Cr Peter Riseley; Cr David Laurie; Cr Bob Bates; Cr Michael Boyd
Subject: EM201945728 - 3.71.7 - DPA Davenport St – public comment.
Attachments: DPA Davenport St – public comment.docx
SynergySoft: EM201945728 - 3.71.7

DPA Davenport St – public comment.

April 26, 2019

Mayor Nunan, and Elected Members,

Thank you for the opportunity to comment on the Davenport St DPA proposal. I would like to speak at the public meeting on May 7th on this topic.

The DPA Davenport St, submitted by Council on behalf of the proponents, contravenes multiple planning proposals commissioned and received by Robe Council over many years, and seeks to change the essential character of Robe.

Robe's sensitive coastal environment, manifest in wild coastal appeal as an essential attraction of the town is under threat by this proposal for industrial sprawl.

Multiple planning experts have consistently and regularly directed industrial expansion inland to the east. It has never been advocated to encroach on Coastal Conservation land toward the coast. Please act on the plan.

The current industrial zone at Robe is in a dip or depression, sheltered by rising sand dunes to the west, commencing at Davenport St. The current industrial zone is already exposed to dust and sand blow in the summer.

The proposed zoning change in the Davenport St DPA is for property on the rise of a sand dune. Industrial activity will expose sand to wind with logical undesirable effects downwind to the north and east.

The vegetation on this Coastal Conservation property has been denuded. This should be cause for scrutiny, not oversight, and definitely not a justification to rezone it. Those living close to this property will attest to the wildlife activity that remains.

The zoning assignment of 'Coastal Conservation' did not occur without foresight. It was not an accidental tag. Was it zoned 'Coastal Conservation' to offset vegetation removal elsewhere, such as has recently happened in the immediate vicinity?

The Davenport St DPA requests a 'Desired Character change', from vegetated dunes to industrial use. How could this possibly conform to Robe's strategic plans and forward vision? How could this appeal to eco-sensitive tourism?

The topographical impact at this site by the proposed development, which calls for proposed 'Desired Character change', has not been revealed. Without this knowledge this DPA is not ready for informed public assessment. The proponents have not delivered what was requested from Council regarding topographical change. At this stage it appears to be 'sheds on a hill'.

The visual impact of 'sheds on a hill' at an important access road to pristine coast is contrary to the Robe Development Plan.

As the principal address of the property is Davenport St, the allowable building distance from Evans Cave Rd is 3 metres since this is a secondary road to the property address.

The safety of traffic entry and exit onto and off Evans Cave Road cannot be secured without significant road and roadside works. How much will the ratepayer be asked to pay for this development?

Evans Cave, for which this road is named, is an especially beautiful juncture with Little Dip Conservation Park. Industrial buildings are no way to introduce the traveler to our coastal gems.

Where does the line get drawn? Please protect the values and virtues, which make Robe an attractive place to live and to visit. Our natural bushland with outstanding coastal outlooks are not to be negotiated in favour of capital enterprise at the cost of Robe's appeal.

Sincerely,

John Davidson.

5 Domaschenz St

Robe, SA 5276.

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Sincerely,

John Davidson.

5 Domaschenz St

Robe, SA 5276.

Maureen Tyler

From: Tom Davidson <tommydavo@gmail.com>
Sent: Sunday, 28 April 2019 8:30 PM
To: Council; Alison Nunan; Cr Ned Wright; Cr Rino Dell'Antonio; Cr Peter Riseley; Cr David Laurie; Cr Bob Bates; Cr Michael Boyd
Subject: EM201945745 - 3.71.7 - Public Petition in Opposition to Davenport Street DPA.
SynergySoft: EM201945745 - 3.71.7

Mayor Nunan & Elected Members,

Please find below a link to an online petition in opposition to the Davenport Street DPA.

As of this evening, 561 signatures have opposed this development.

For your information it is worth noting the comments made.

In order to view these comments you must click to 'view all reasons for signing' at the base of the page. In order to see them in entirety you must 'join the conversation' and all of the comments will be available to view.

link: <https://www.change.org/p/robe-district-council-save-our-sand-dunes-in-robe-sa>

Sincerely,

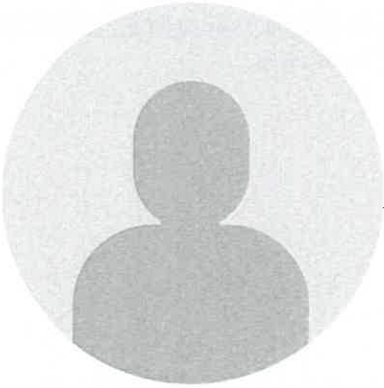
Tom Davidson



SAVE OUR SAND DUNES in Robe, SA



561 have signed. Let's get to 1,000!



[Tom Davidson](#) started this petition to [Robe District Council](#)

A recently proposed Amendment seeks to change the Development Plan of Robe. This proposal seeks to rezone approximately 3.2 hectares of privately owned land on the corner of Davenport Street and Evans Cave Road. This land has always been a Coastal Conservation Zone and the proposal seeks to change this to Industry Zone.

Coastal Conservation land is fragile! These delicate ecosystems not only provide habitat for native plants and animals but protect our township from the impacts of climate change and coastal water intrusion. Robe's wild spaces are disappearing from short sighted and economically driven development. Yet for many, Robe's natural beauty and coastal assets are the sole reason for their residency or visitation. How is Robe expected to maintain its natural and coastal setting when these wild spaces are all gone?

This Development Amendment is open for public comment. If you would like to voice your concerns about this issue please either email Robe Council at council@robe.sa.gov.au or write to Chief Executive, District Council of Robe, PO Box 1 ROBE SA 5276.

If you wish to read the Development Amendment Plan please visit the council website at:
<http://www.robe.sa.gov.au/page.aspx?u=627&c=8565>

You can help us SAVE OUR SAND DUNES by signing this petition.

Start a petition of your own

This petition starter stood up and took action. Will you do the same?

[Start a petition](#)

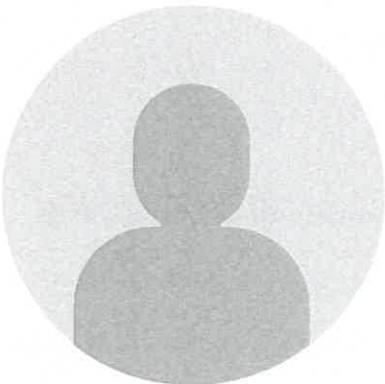
[Start a petition of your own](#)

[This petition starter stood up and took action. Will you do the same?](#)

Updates

1. 2 weeks ago
500 supporters
2. 2 months ago
Tom Davidson started this petition

Reasons for signing



[Jeff Earl](#): 2 months ago

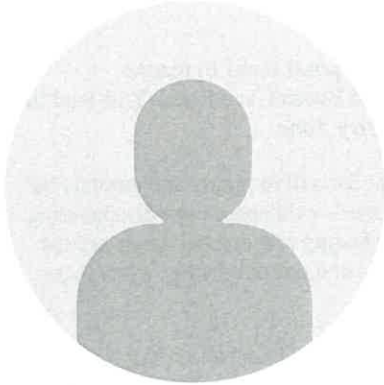
[Plenty of land else where in robe that would be a better choice on so many different levels. People come to Robe because of the way it looks and where it is situated. This would cutting into that so some can make some coin.](#)

-
- 4

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Report



[john davidson](#) · 2 months ago

[Take the Industrial sprawl out of the township and preserve what is left of Coastal Conservation land.](#)

-
- 4

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[Tweet](#)

Report

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Report a policy violation

Complete your signature

561 have signed. Let's get to 1,000!

First name

Last name

Email

Adelaide, 5000

Australia

Australia

Adelaide

5000

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By signing, you accept Change.org's [Terms of Service](#) and [Privacy Policy](#), and agree to receive occasional emails about campaigns on Change.org. You can unsubscribe at any time.

Sign this petition

TO WHOM IT MAY CONCERN

Submission re Development Plan Amendment: Davenport Street, Robe

I believe we need to keep the current zoning for this land that is currently Coastal Conservation Zone.

2.2.2 sets out the goal for the Natural and Built Environments. I believe Robe needs to act to 'maintain and enhance our natural environment'. We truly need to 'ensure that residential, commercial and industrial land uses do not adversely impact the natural environment.' Are we really doing that, or is it only words on paper? Would this development mean that not only the vegetation is cleared but the undulating land would be flattened? What impact would that have on the sandhills and vegetation left standing in that area? What impact would it have on reducing the protection from wind to the town? What other impacts would need to be addressed?

Robe has lost so many areas of native bushland in recent decades within the town. Many visitors come to our area as we have a balance of modern facilities with the natural environment, both on land and at sea. I believe it is essential to keep the 'natural look' of Robe to maintain this balance and to keep it for future generations. Once it is gone, it will not be replaced.

An industrial site at Davenport Street will mean the vegetation will be cleared. I suggest a future industrial site be considered on land that is already cleared and that is flatter. 2.2.1. suggests consideration of a site nearer the airfield

Does 'flexibility of zoning' (2.2.1.) do anything to safeguard the natural environment? Is it all just driven by the dollar? Does anyone ever work out the dollar value of the natural environment?

If this development is supported, does that mean in another decade or two, a precedent has been set up to allow further infiltration into the Coastal Conservation Zone?

'Should the need to stabilise land forms be identified as a result of site works, the use of vegetation and other measures to trap/retain/stabilise drifting sand can be undertaken at that time. The use of vegetation species endemic to the area is preferred given they are well adapted to the local harsh coastal environment and are able to tolerate strong winds. '(p25)

Nature already has the vegetation there stabilising the sand on our harsh coastal environment. In my experience, man frequently makes poor choices looking after the environment when a development is proposed. Let's find another place for an extension of our industrial area. Let that be a place where big trucks etc can access more easily.

3.2.2 The Review of Flora and Fauna advice concerns me. First I find it amazing that a 'desktop assessment' is even valid as it is so much theory and seems to be so little practical knowledge of the land in question. From where do they get the information for this assessment? Does it relate to 2006, or to 'nearby land'?

If you do an assessment in December, or any other month, you will find differences in nature. How are these differences seen if a survey is for example, for one day in a particular month. eg. when are you likely to find the Little Dip Spider Orchid? Just because species are not observed during a survey, doesn't mean they don't exist on that land. Do local people who know about the local environment consulted?

'One species of marsupial, the Swamp Antechinus (mainland), was deemed to have a possible likelihood of occurrence within the subject land, but if it occurred was not considered likely to be present as a permanent resident.'

Words such as 'possible likelihood' and 'considered likely' are extremely vague terms. Birds and animals have territories. If I were a Swamp Antechinus it would be more than very disappointing not to be at home on the day of a survey to show my face! I would find it arrogant of the humans involved to say on my behalf 'but if it occurred was not considered likely to be present as a permanent resident.' (p17) So on behalf of the animals in the area, I say, no-one told me they were coming on January 17th, 2019!

'Progressive clearance of the vegetation in proximity to the burrows (without the use of heavy machinery) should result in the wombats leaving the area in preference of higher cover areas.' (p17) So if heavy machinery is not going to be used, how will this area be cleared? And it seems the wombats are expected to peacefully go to another area. If you have your habitat destroyed you may have to shift too. Where did you say the wombats would shift to?

Wouldn't it be great to keep the vegetation, look after the area and open it to visitors for guided tours to appreciate the natural environment, enjoy the muntrees and to possibly allow them a practical hand in maintaining it under the supervision of a wise environmental leader.

I trust that all due processes have been done correctly.

Heather Gibbons
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29 April 2019

Chief Executive
 District Council of Robe
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Dear Mr Holyman

Re: Davenport Street, Robe DPA

After having studied many reports on Robe including those strongly advocating the need to preserve natural assets such as the dune system and the green belt around the town, in my opinion approval of this Development Plan Amendment should be refused.

We should not be sacrificing yet more of our dune system and native vegetation by rezoning this land that has been zoned as Coastal Conservation Zone for a reason, because it was deemed to be important as part of the Council's objectives in the Robe Council Development Plan (p.105) –

To enhance and conserve the natural features of the coast including visual amenity, landforms, fauna and flora.

Several reports have recommended that industrial land should be provided near the airport, not in this Davenport Street area.

In the document *Development Plan Amendment By the Council – District Council of Robe, Davenport Street Robe* 12 February 2019 (DPA), listed are various points at page 7 under the heading 2.1 Consistency with the Planning Strategy, including how the DPA supports the policies of the Planning Strategy by:

- Avoiding impacts on desired town character
- Not impacting on the region's tourism industry
- Providing well-sited industrial land to meet demand
- Strategically managing the growth of Robe
- Supporting the Robe township as an appealing environment

Impacts on the desired town character will include removing more of the green belt around the town, which has been recognised in many studies as being an important part of the setting of the town.

Also, increasing industrial traffic through the town will make the traffic situation worse than it already is, making the town less attractive to tourists and more dangerous for pedestrians, cyclists and other traffic. I note at page 15 of the DPA under the heading Traffic Impact Assessment it states that

Based on the RTA Guide industrial estate traffic generation, the subject site could generate in the order of 200 vehicles per day,

-2-

The main traffic from the industrial area travels via the Robe Street/ Victoria Street intersection which is already a problem traffic area at most times of the year. Increasing industrial traffic by 200 vehicles a day is likely to make it much worse.

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The point 'Providing well-sited industrial land to meet demand' should not apply to this proposed industrial land but to land out of the town near the airport, which would keep the resulting increased industrial traffic well out of the town and provide room for larger industrial developments as well, and be well away from where the buildings and other industrial additions can impact on the valuable heritage assets and character of the township of Robe.

At page 8 of the DPA under the heading 2.2.1 Council's Strategic Directions Report it states that Council's 'Imagine Robe 2040' Strategic Directions Report (SDR) had not identified the specific need for a DPA for the area affected, but recommended Council consider a '20-30 hectare future industrial site within the vicinity of the airfield'. Essential Economics Pty Ltd also recommended this in their assessment reported on at page 23.

The area affected has an area of approximately 3.2 hectares not 20-30 hectares and is only deferring long-term decisions needing to be made about how the industrial area of Robe could be developed without destroying natural assets and characteristics valued by residents and tourists alike.

In the DPA section on Goal: Economic Development (p.9) it states -

As outcomes, Council is seeking 'A strong diverse tourism, primary production and commercial economy' and 'Infrastructure that supports the District's economy'. It has developed a number of strategies to assist in achieving these outcomes, including:

- *Advocate for and facilitate the provision of appropriate heavy transport routes and associated infrastructure to assist agricultural producers and business to efficiently transport goods.*

In the case of this DPA, seeking a strong diverse tourism economy and providing heavy transport routes in relation to this site, is incompatible.

Further in the DPA (pp 9&10) under the heading Goal: Natural and Built Environment there are several statements about the Council wanting to maintain and enhance the natural environment, including ensuring industrial land uses do not adversely impact the natural environment and advocating and facilitating the preservation and enhancement of native vegetation etc. I cannot see how this development could be considered as fulfilling these goals.

This is backed up on pages 10&11 of the DPA where the Limestone Coast and Coorong Coastal Action Plan and Conservation Priority Study is quoted as-

The subject land is contained within Cell SE10 Little Dip CP. This Cell extends south from the Robe township to south of Nora Creina and is described as an undulating coastal plain with aeolianite headlands and reefs, beaches and extensive dune systems.

Conservation layers show that areas outside of urban and agricultural lands and de-vegetated dunes show high values for vegetation associations and threatened plant and animal species. Existing development on the fringe of Robe is considered to contribute to the threat to these local areas via impacts on visual amenity, vegetation damage leading to dune movement/instability, garden escape species, weed invasion and habitat fragmentation.

And further at page 21 of the DPA in response to Issues Raised by Department for Environment and Water (DEW) / Native Vegetation Branch that 'DEW indicated it did not support the proposal to rezone the wider Affected Area "because it will lead to impacts on biodiversity and native vegetation." It further advised its "preference is that the current coastal conservation zoning be retained over the Affected Area to support the conservation values of the area."

I cannot see how rezoning this land could be justified.

Yours sincerely,

Valerie A Monaghan

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Monday 29th April 2019.

Dear Chief Executive,

Re: Submission - Davenport Street, Robe Development Plan Amendment, – proposed change of zoning from conservation to industrial.

Introduction

I make this submission to you as a traditional owner of the Meintangk and Boandik Peoples and in respect of the proposed change of zoning from coastal conservation to industrial.

As my ancestors have cared for the south east for thousands of years, we had and continue to have an obligation to care for country. It is a travesty that the marginal coastal conservation lands that remain, are proposed for development for industrial purposes.

That travesty is exacerbated by the failure to consider in the assessment of this proposal the value of Aboriginal culture and heritage. It is noted in the assessment **Principle 3: *Identify and protect places of heritage and cultural significance, and desired town character***, no consideration has been given to the value of Aboriginal Culture and Heritage, pursuant to this principle, in the context of the proposal and its assessment.

In failing to give acknowledgement whether by legal obligation or moral obligation and respect for the First Nations who have the oldest and longest connection to the subject lands the following briefly highlights the concerns raised by this assessment process in relation to the Meintangk and Boandik Peoples.

- Ancient Aboriginal history and ongoing connections to the Robe township require proper acknowledgement,

- International law and principles of UNDRIP, obligations to protect Aboriginal culture and heritage, to consult, engage and obtain the consent of Aboriginal peoples has not occurred.
- The SA Aboriginal Heritage Act provides for a consultative process with traditional owners, SA Aboriginal Heritage groups and including the SEFG have not been consulted. As a conservation zone the possibility of Aboriginal cultural sites has not been given any consideration.
- Cth Aboriginal Heritage Act provision for the protection of Aboriginal Heritage, has not been considered.
- Native Title South East First Nations applicant group, have not been consulted.
- SEFG have not been consulted, they are the Aboriginal advisory group to the SE Natural Resources and Management body.

On behalf of my family and First Nations of the south-east I strongly oppose the proposed rezoning. I call upon the Robe Council to not approve this application and continue the current conservation status. At least in your initial assessment of this proposal you should have given proper consideration of Aboriginal culture and heritage.

How has the Robe Council demonstrated the need for a proposed change of use? As opposed to the maintenance of Aboriginal culture and heritage, the ongoing need to care for country, respond to climate change and its consequential threats to our coastal regions?

The proposed change of zone would contribute to the destruction of a fragile ecosystem and the further loss of biodiversity, which is the foundation of our Aboriginal relational system and connection to the natural world, it would cause further damage to our relational and kinship system. For we have an obligation to care for these environments.

The Robe Council also has obligations to uphold principles of caring for the land and this proposal fails to uphold those broad principles, even though the Council have considered their response is a balance between development and the environment.

We have no information regarding the impact this proposal will have on Aboriginal Heritage, the fauna and flora information is underdeveloped and more information is required, to give account of climate change and the shifting seasons and their impact upon biodiversity. The need to provide environmental corridors for our wombats and other native animals, which are threatened by this proposal,

This proposal would provide a precedent for the ongoing industrial development of this

fragile coastal town. Strategic planning, will be disabled by the proposal to rezone, the future of the region and its Aboriginal history and potential to nurture fragile and pristine coastal lands as a benefit for future generations will be further threatened.

I look forward to your positive response.

Kind regards

Irene Watson

Dr Irene Watson.

kungarifirstpeoples@gmail.com.au

29 APR 2019

Davenport Street Robe DPA

28/04/2019

Dear Mayor and Councillors,

Our submission re the Davenport Street DPA for your consideration.

1. The DPA is situated in the Coastal Conservation Zone and fragmentation of this zone is undesirable. Indeed alienating small parcels from this zone every few years should be resisted by this council and future councils. Otherwise the scenario best described as "Death by a thousand cuts" becomes entrenched in the process of Local Government.

Notwithstanding these comments we accept that the commercial area has reached an effective limit and some action is needed to maintain the momentum of progress in Robe. The concept of this proposal can provide a short term solution. However to avoid this in the future Council should undertake immediate steps to facilitate a DPA for a larger industrial area on the outskirts of the town rather than in close proximity to residential areas.

2. Unfortunately the actual location of the DPA on the proponents land does not achieve the best outcome for the Robe community. We submit that the DPA should have been based entirely around the area accessed by Davenport Street and extending to the West of Davenport Street in one rectangular block, with the Northern boundary extending closer to Flint Street. The southern boundary should be buffered along Evans

Cave Road by retention and enhancement of the existing vegetation at least 50 metres in width. The fact that this will bring the DPA closer to the proponents existing dwelling should not be considered as an issue.

3. If the Council approves the DPA as proposed, we submit that a vegetation buffer along Evans Cave road should be part of the approval and the access points along Evans Cave Road should be minimised by the provision of internal road ways.
4. Whatever the outcome the sight distance for the Davenport Street/ Evans Cave Road intersection is unacceptable. This problem can't be mitigated by just signage due to the amount of traffic accessing the beach and the speed of some vehicles. If major excavation is proposed it should involve a slight realignment to the North of Evans Cave Road and the proponent agreeing to a boundary realignment to enable all excavation to occur on the Northern side of the road.
5. We note that it is acknowledged that Common Wombats occupy the said land. There are techniques for relocation of wombats developed in other areas of the State. It is not a job that should be left to earthmovers for example. We submit that consultation with either the SE Landscape Board (NRM) or somebody suitably qualified such as Dr David Taggart should be part of the approval process.



We wish to provide some further comments not directly related to the DPA, but related to the Industry Zone in general. Please advise if you require these to be submitted separately or separate them internally from the document if it is more appropriate for them to be considered in another forum.

1. We note that the 2013 Essential Economics Pty Ltd economic assessment suggests that the Rural Living Zone to the South of the Industry Zone could be considered for rezoning to Industrial. This should be "put to bed " by Council once and for all. It is an almost flippant suggestion, ignores the effect on land values, discounts the fact that there are four dwellings there already, some less than 12 years old, one dwelling under construction and one proposed.
2. There is very little landscaping/ street plantings / buffers in the Industry Zone. This zone adjoins new and indeed up market residential areas and the community would benefit from an improved aesthetic appearance in the zone.
3. Council should consider a long term plan to improve the general tidiness of the zone, not the big stick approach, but a mixture of incentives, cooperative approaches for the removal of rubbish, car bodies etc.
4. Council might want to consider whether some rezoning to a small retail area at the beginning of Flint street occupied by Holiday, Mahalia and the Gym would better reflect the land use.

We hope Council can give thoughtful consideration to this submission. Kerry has had a keen interest in planning and development for many years as well as nine years

experience as an elected member and chair of a planning committee in another area of South Australia.

Yours Sincerely Kerry and Anne Ward

 
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