

## The Harwood Marine Precinct proposal

### More bad news for the environment

The Clarence Environment Centre has recently been alerted to a rezoning application to the Department of Planning through the “Gateway” process, seeking to change zoned agricultural land and land zoned for environmental protection, to allow the establishment of an industrial complex on relatively remote, flood-prone farmland on the lower Clarence River floodplain in northern New South Wales.

However, we believe those presenting the proposal have not been sufficiently transparent with the information they have provided, so we have made the following observations and forwarded them to the Planning Minister for consideration.

The Harwood Island floodplain is, and always has been, a rural community, dominated by cane fields and other agricultural pursuits. The Harwood Marine complex was established some 40 years ago and, despite its relative proximity to the Harwood Sugar Mill, is something of an anomaly, some say an abomination, and out of place with its 'junk-yard' appearance.



**Junk yard appearance of the Harwood Marine works' site, an eye-sore for neighbours, and a constant threat to air and water quality. Harwood Island is no place for an industrial complex.**

The issues as we see them are as follows:

- **Need for the marine precinct.**

The Clarence Environment Centre believes there is no need for a separate industrial complex on Harwood Island.

The Mid North Coast Regional Strategy does make the assertion that “*Marine-related industry presents an important employment opportunity for the Region combining tourism, manufacturing and transport and storage. There is capacity for the supply of marine berths to grow to meet demand North Coast Region. Commercial synergies can be capitalised on between tourism and boating services to provide specialised employment.*”

The proponent has used this statement to justify the marine precinct proposal. However, we believe this proposal cannot be seen as complementing tourism in any way, and that the Strategy's comments referred to marinas and associated small workshop enterprises rather than a new industrial estate.

- **Native vegetation and threatened flora:**

The proposed marine precinct site contains some of the most significant native vegetation remnants on the island, which includes endangered communities and threatened flora (see below).



**There are extensive stands of mangroves along the river.**

No flora and fauna survey has been undertaken. In fact neither word, flora or fauna, are revealed by a word search of the proposal document, but the consultant does admit that *"Some gallery stands of vegetation will be lost, however, these are minor areas that are not currently mapped for environment protection"*.

The river bank immediately adjoining the the subject land to the north, is currently mapped for environmental protection, and we believe a review would confirm that the protection should have been extended southward to include the extensive mangrove forest (a protected community) on the crown land section, which currently acts as an important protective buffer. Mangroves are protected under Section 205 of the Fisheries Management Act 1994 (Note: the crown land has not been identified on the LEP mapping).

- **Flooding:**

All of the proposed precinct site is flood-prone, much of it inundated to a depth of 1.5 metres (see image below), a fact acknowledged in the proposal document, and clearly mapped as such in the LEP.

Three major record breaking floods have struck the Clarence Valley in as many years, the last in 2013. This is a problem that is certain to worsen over time, as sea levels rise (estimated 1m within 90 years), and more intense weather events occur as a result of climate change. However, the consultant has made the point that *"future climate impacts have not been simulated to date"*.

This proposed development has a 'use-by date", yet when asked if the proposal is "*consistent with applicable state environmental planning policies?*", the consultant answers in the affirmative.

Not only does the consultant assert that it is justifiable to disregard the Section 117 Directions in regard to development on flood-prone land, they also disregard the predicted impacts of climate change. This is simply irresponsible and unacceptable.



**Flooding is a problem at Harwood Island, and it will worsen with climate change. This image is from the relatively small 2009 flood showing Palmers Island in the foreground with the Harwood Marine site in the centre, beyond the three sediment ponds on the far side of the river. The heavily vegetated, heavily flooded land on the right is the protected mangroves and other remnant native vegetation on the proposed development site.**

- **Native Title and Cultural Heritage:**

The proposal outlines the history of two Native Title claims on the site, but deliberately blurs the extent of those claims as follows.

Beginning with a description of the claim on "*the bed of the river and its banks*", from the sea to the Harwood bridge, the proposal document describes the second claim as covering, "*an area of land and water covering the coast from the Wooli River to Yamba and includes the ocean and 1400 square km of land*". Harwood Island happens to be north of the described Wooli River to Yamba area, and at no stage did the proponent mention that the title claim covered the 10ha of accreted Crown land located immediately east of Lot 1 which, according to the proponent, is critical to the effective future operation of the precinct to allow access by the potential businesses to the river.

- **Acid Sulphate Soils.**

The Proposal document informs us that Clarence Valley Council mapped the subject land "*as being class 2 and 3 acid sulfate soils (Australian Soil and Concrete Testing (ASCT, 2008)*". We are also told that ASCT, "*assessed the soils in the centre of Lots 3 and 4 in 2008*", and while these tests confirmed that, "*soils below 1m were generally strongly acidic*", ASCT then concluded that,

*"the soils below 1m were very likely to be **potential** acid sulphate soils, but not **actual** acid sulphate soils."*

We believe the soil testing on those Lots may have been undertaken there by Harwood Marine as part of an approval process for the sediment holding ponds. The apparent change of the composition of the soils from Acid Sulphate to "potential but not actual" acid sulphate soils, possibly allowed the pond construction to go ahead. Now the proponent is using those 'revised' results to support the entire marine precinct proposal.



**Aerial view of the 7.5 hectares of sediment holding ponds already constructed to 1.5m deep, on the subject lands.**

Therefore we believe an independent soil analysis should be undertaken to determine the true status of the soils across the entire site, and request an investigation be held into the management of the ponds generally.

The proposal shows ten raised pads across the site, presumably to house up to ten marine related businesses. Therefore, one question that needs to be asked is, if the approximately 7ha Harwood Marine site requires an equal area of land (7.5ha) for ponds to store flood sediment, how much land will be required for similar disposal of mud by the other ten, and where will those ponds be constructed?

- **Agricultural Land:**

The rezoning of mapped prime agricultural land to allow the construction of an industrial estate, is again described as justifiably inconsistent with applicable state environmental planning policies. With hundreds of millions of people around the world suffering from malnutrition and starvation, to claim justification for concreting food producing land is immoral.

The fact is the Strategy maps the area as 'significant agricultural land', and identifies the need to, *"recognise the value of existing primary industries and ensure land use planning decisions do not hinder the growth and diversification of primary production"*.

Clearly, the proposal to rezone the subject land for a marine precinct is not consistent with the Mid North Coast Strategy, and again, the Clarence Environment Centre sees no justification for changing the zoning of this mapped prime agricultural land to allow the construction of an unneeded industrial complex.

- **Fill:**

Like so many floodplain development proposals that require massive amounts of fill, this proposal fails to consider the environmental impacts at the quarry sites. The Consultant rightly identifies that with the 150km long upgrade of the Pacific Highway from Woolgoolga to Ballina, and a planned eleven hundred home urban development on floodplain at West Yamba, competition for fill will be intense.

Many of the quarries in the Clarence Valley are situated on Kangaroo Creek sandstone, most of which are mapped as centres of endemism in the Northern Rivers Biodiversity Management Strategy, with recommendations for 'priority protection'. The environmental impacts at those quarry sites will be significant.

- **Consistency with the Mid North Coast Regional Strategy:**

There are repeated claims throughout the marine precinct Proposal that the plan is consistent with the objectives and actions contained within the Mid North Coast Regional Strategy, though more often the claim is that the marine precinct plan is “*justifiably inconsistent*” with the Strategy.

The Strategy identifies that: “*increasing numbers of visitors and new residents have been attracted to the Region’s pristine ocean beaches and its natural and rural hinterland*”, *emphasising* the need to build on that attraction. River front industrial zones such as that proposed for the marine precinct, are not compatible with those values, or the aims of the Strategy.

The Strategy also identifies that: “*Outside of reserved and protected areas extensive amounts of high value vegetation provide habitat for a wide range of species including threatened flora and fauna. It is these values, in particular the significance of the coastal environment, that make the Mid North Coast a special place to be protected*”. We believe the remnant native vegetation on the subject lands is one such vitally important example.

The Regional Strategy clearly spells out the need to avoid development in areas that “*are subject to natural hazards such as acid sulphate soils, flooding, and coastal inundation and recession ..., associated with climate change*”. Despite clear threats from all of these, the Proposal fails to consider climate change impacts entirely.

The Strategy identifies the need for industrial development to occur *“at or near the higher order centres”*. The proposed Harwood Marine Precinct is close to 60km from the nearest rail head, and the regional centre of Grafton, while road access to the Pacific Highway is regularly cut by flood-waters.

Clearly, despite claims to the contrary, the marine precinct proposal is not consistent with the Regional Strategy, and does not come close to meeting its objectives.

- **Consistency with Council's Clarence Marine Precinct, Clarence River Way Master plan:**

The proposal makes the judgement that: *“This planning proposal should be regarded as a logical outcome of the Clarence Marine Precinct, and therefore consistent with it”*.

A study of Council's Clarence Marine Precinct document clearly indicates Council's well considered intent to 'cash in' on tourism, with statements such as *“The sector's growth potential is linked to tourism”*, and that, *“this combined with the affordability and capacity of the Clarence, opens doors for fresh thinking around moor, boat and drive particularly targeted at the south east Queensland recreational market.”*

As well Council identifies what it refers to as *“The next big thing”*, referring to *“The shortage of mooring and storage facilities for recreational craft; an established and growing tourism sector, with the prestigious Australian Traveller Magazine awarding Yamba “Best Town in Australia” status. Tourism on the Clarence River includes recreational fishing, water based state and national competitions, community events, adventure sports, eco-tours, sailing, kayaking, canoeing, wakeboarding, river-side markets, house boating and regional food including the famous Yamba Prawns and Wooli Oysters”*.

Council also makes the point that: *“The Clarence Marine Precinct is clearly differentiated from other marine industry precincts”*, citing the quality of the precinct's natural resources, *“with the Clarence being one of the nation's last big, wild and working river systems”*.

Finally, Council's Marine Precinct document identifies that: *“The Clarence Valley has seven industrial estates open for business”*. Harwood is not mentioned, nor is there any suggestion that more are needed.

This is clearly a document focused on spreading the marine precinct across the entire river system wherever the tourist attraction is, and to support existing marine industry businesses, not to develop additional industrial complexes. It specifically spells out that:

*“The ‘traditional’ view of marine industry precincts is one based on a fixed location. The Clarence Marine Precinct is not limited to a single location, but rather has development possibilities located between the river mouth at Yamba and the City of Grafton. This spread of geography ensures that development will not be limited by artificial boundaries”.*

**Conclusion:**

We have informed the Minister for Planning that from an environmental view-point, we can only conclude that the proposed marine precinct at Harwood Island would have unacceptable impacts, and should not proceed.

We also expressed the belief that the proposal is neither economically viable in that location, or socially acceptable, with the likelihood of major impacts on the lives and livelihoods of neighbours which have already suffered deep divisions within their community as a result of the proposal.

We have also requested the Minister, to require departmental officers to closely scrutinise the Harwood marine precinct proposal, to ensure these negative social and environmental impacts are identified, and hopefully averted. The Harwood Island river front is no place for an industrial complex, and there simply is no need for it.

**Compiled by John Edwards  
for Clarence Environment Centre  
11<sup>th</sup> September 2013**

\* \* \*