



**Huskisson Woollamia
Community Voice**

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(4 December 2019)

Shoalhaven City Council
PO Box 42, Nowra NSW 2541

Via email to: council@shoalhaven.nsw.gov.au

Dear General Manager,

(Attn: Eric Hollinger, Coordinator - Special Projects, Shoalhaven City Council; Tel: 4429 3320; Email: eric.hollinger@shoalhaven.nsw.gov.au)

Re-Zoning Proposal - Huskisson church site - Hawke St-Bowen St - Initial Comments from Huskisson Woollamia Community Voice - 6 December 2019



Huskisson Woollamia Community Voice (CCB) understands that Council has received a proponent-initiated Planning Proposal request to re-zone Lots 7 & 8 in DP 758530 at the corner of Hawke, Bowen & Currambene Streets, Huskisson from SP2 – Place of Public Worship to B4 – Mixed Use Business under the Shoalhaven LEP 2014.

We understand that the planning proposal is at an early stage and has not been formally considered by Council, and that **should Council resolve to progress** the Planning Proposal, **community feedback** will be formally sought **at the appropriate stage**, subject to meeting State Government requirements.

The HWCV has initial comments on four central considerations:

1. **Concerns over Heritage matters**
2. **Concerns over Aboriginal history and cultural matters**
3. **Concerns regarding the economic analysis**
4. **Concerns over due process**

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1. Concerns over Heritage matters

The Development Control Plan, DCP2014, Chapter 18 has a section on the heritage management of the old Husky Pub - but is silent on the heritage values of the church block. And yet the Church building and block site is currently listed with the National Trust, and together they tell unique and mixed-culture stories of Huskisson and the area.

The community requested the church be heritage listed in the local planning instrument approximately 15 years ago but this was deleted from the draft LEP without further community consultation.

The community highly values the local heritage and the character this imbues. In the 2019 Community Consultation the top most important aspects of Huskisson Woollamia were:

- Developing, planning villages while preserving character;
- Respecting the village heritage; and
- Preserving the magnificent views.



The site holds strong cultural Aboriginal significance as a pre-contact and contact site, with significant graves present.

With such strong community feeling it would be apposite for the Shoalhaven City Council to mandate an independent heritage survey. The developer's own planning proposal said "This Planning Proposal ... (provides) justification for the amendment to the SLEP 2014"; it does NOT provide an objective analysis of benefits, disbenefits and alternatives.

We are horrified that the Interim Heritage Order recommended by the NSW Heritage Council in late 2018 was rescinded despite the manifest Aboriginal and European

heritage values, and their request to the Shoalhaven City Council to provide heritage protection to the site in the LEP was voted down.

There are known Aboriginal and European graves on the site, including a Swedish sailor from a Norwegian whaling vessel, and a local timber-getter fatally injured in a logging accident.

2. Concerns over Aboriginal history and cultural matters

The local Jerrinja Aboriginal community states firmly that the site has strong cultural significance for them, including highly significant individual burial sites.

The Jerrinja community is deeply concerned at the recent and planned future disturbance of the site. This is causing them great distress.

We are already seeing small sections of the site being fenced off, at Shoalhaven Council's direction, as probable grave sites.

In regard to the archaeology of the grave sites:

a) The site has still not been properly surveyed using Ground Penetrating Radar (GPR) to locate further potential graves. Some of the area is still unsurveyed and a large part of the area has been surveyed by a company that does not have the competency to undertake archaeological investigations, rather they are experienced in finding services such as water, gas, electricity, not graves. Many areas where there could be graves have so many tree roots that it is impossible to say with any certainty using GPR that there is not a grave there. This point especially applies around the trees that the indigenous community believe are the marker trees for King Bud Billy's grave.

b) Currently there are about 13 potential graves spread right across the site, i.e. not confined to a single area. The whole community and especially the indigenous community are very concerned that this whole area is a graveyard and the proposed development will severely disturb this. Disturbing burial sites is an anathema to indigenous people and the general community supports their view. How can a rezoning possibly proceed without first properly understanding the site as a burial area and then working with community to find an acceptable way forward?

3. Concerns regarding the economic analysis

The economic impact analysis of such an enormous development has focused on the potential profit to be made from the large number of proposed apartments. An over simplified consideration has been given to the economic impact on existing businesses – for every 2 jobs gained how many will be lost? The impact of an additional hotel on existing food providers is not considered, only the proposed additional 620 m2 of commercial use.

Additionally it does not consider the social costs. Nor does it consider the longer term economic benefits of alternative uses of the site which would preserve the heritage and activate the site as a tourist attraction. Economics is not a simple count of dollars; it is “the social science that studies the production, distribution, and consumption of goods and services”.

4. Concerns over due process

Community distrust of the process is growing because:

The land and building were not advertised for public sale. In-house discussions took place between the proponent/ putative new owner and Council, without any community participation.

The Council has ignored a public petition with 2000 signatures (67% from the Shoalhaven LGA) requesting that the heritage values of this site be protected.

The Council in its deliberations has ignored expert advice submitted by the community, which makes it appear as if only developers can provide expert advice.

There is ongoing disappointment that Shoalhaven Council removed the site’s LEP heritage listing despite community protest; a move that now looks increasingly foolish and ignorant, and out of step with the community.

Commercial commitments and obligations entered into by the proponent weren’t with any prior consultation with HWCV, the recognised CCB, despite the site being a significant area of the community.

Disregard to Council’s own tourism planning and branding around ‘unspoilt surroundings’, and ‘laidback lifestyle’ (Shoalhaven Destination Management Plan 2018-2023). The proposal to change the character of Huskisson is contrary to the current qualities which attract visitors, and which residents value. The DMP notes the Shoalhaven’s weakness is “Seasonality and crowding in hot spots during peak times impacting customer and resident experience” p 37. – the provision of additional bulk accommodation will not address overcrowding in peak times. Potentially 5 stories overlooking White Sands Park would be hugely intrusive on the amenity of this public recreational space.

The proposal essentially argues it will support the tourism industry but it lacks any reference to the tourist experience or research into the tourist experience, which is a clear direction from the State Destination Management Plan 2019.

The proposal has very little to do with supporting sustainable tourism in Huskisson or Jervis Bay but more about speculation and a development opportunity that isn’t predicated on the Council’s intention that:

We will **work together** in the Shoalhaven to foster a safe, **attractive place** for people to live, work, stay and play; where **sustainable growth, development and environmental protection** are managed to provide a **unique and relaxed lifestyle**.

and values of:

adaptability, collaboration, integrity and respect.

Nor does it address one of the key priorities for the Shoalhaven City Council Community Strategic Plan of:

Sustainable, liveable environments.

Council's guidelines require that any specialist study ...must be prepared by persons with appropriate expertise qualifications, and accreditation (where relevant) and **who are independent from the proponent**. And that in the case of proponent initiated Planning Proposals like the one being considered now, the proponent should not supply his/her own in cases for:

- a) **Heritage studies** (including Aboriginal Cultural Heritage Assessments)
- b) Studies where there is a **significant community interest**
- c) Studies that have a particular significance for Council (including Shoalhaven Water) or have a potential probity issue
- d) Studies that are otherwise significant from a public interest perspective.

It is therefore inappropriate that the supporting documentation for the PP refers to earlier developer instigated reports; or that any other report be supplied by the developer.

Community requests

On the basis of repeated community meetings, circulated petitions (locally and more widely), and representations from the Jerrinja Aboriginal community, we estimate that opposition to the re-zoning proposal is at least 90% of the community against. The majority of businesses that we have talked to do not support this proposal. As representatives of the community we are compelled to argue for the vision which emerged from the 2019 Community Consultation which states:

Huskisson Woollamia community envisages a future that recognises and maintains the built, natural and cultural values of our local area. We accept and want future growth and planning to **co-exit with the existing size and feel of the built environment to maintain our magnificent views, our historical tree-scapes, and both our European and Indigenous history**. We aim for collaboration between council and the community for a harmonious future.

HWCV requests:

1. **Refusal of the requested zone B4 Mixed Use**, which is unacceptable to the local (and wider, as petitions have shown) community. We strongly oppose the suggested height bonus for lot consolidation which goes well beyond anything currently existing in Huskisson.

2. **An independent and comprehensive heritage survey** should be conducted, focussing on Aboriginal and European heritage. Council's guidelines require that any specialist study ...must be prepared by persons with appropriate expertise qualifications, and accreditation (where relevant) and **who are independent from the proponent**. And that in the case of proponent initiated Planning Proposals like the one being considered now, the proponent should not supply his own in cases for:

- a) Heritage studies (including Aboriginal Cultural Heritage Assessments)
- b) Studies where there is a significant community interest
- c) Studies that have a particular significance for Council (including Shoalhaven Water) or have a potential probity issue
- d) Studies that are otherwise significant from a public interest perspective.

This current re-zoning proposal in the meantime, should be shelved.

3. **A first principles, fully consultative planning exercise** should be run by Council, canvassing all possible alternatives for the site, i.e. vis a vis a sole, developer-initiated proposal, on a take it or leave it basis. This exercise would be along the lines of the one run for the Huskisson Foreshore Masterplan in recent years.

It would produce more imaginative, sensitive and sustainable tourism options, rather than this current one. We encourage the Shoalhaven City Council and Councillors to be forward thinking and give consideration to the fact that visitors are looking for “immersive, authentic, educational, local experiences”¹ and the future trend is on visitors looking for sustainable travel with a greater awareness of excessive visitor arrivals. Now is the time to plan to avoid sending the Jervis Bay area into a spiral of ‘overtourism’.

Footnote: Huskisson Heritage Association

The passionate community views on the future of the old church and surrounding graveyard, when confronted by the peremptory high-handedness of the elected Shoalhaven Council, has spawned the foundation and rapid growth of the Huskisson Heritage Association, dedicated *inter alia* to the protection of this site and building. The HHA will make an independent submission on the re-zoning proposal.

HWCV is broadly sympathetic to the goals and aims of the HHA.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Penny Davidson', with a long horizontal flourish extending to the right.

Penny Davidson

Secretary HWCV

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(5 December 2019)

¹ State Destination Plan 2019