

The “Save Wallum” campaign which has attracted rapid and broad community support from local ecologists, university professors, legal experts, non-profit and landcare groups including the media. The swell of opposition to the proposed development recently approved in May by NRPP is only just beginning and will continue to persist until the land is conserved into perpetuity. Numerous members of the local community that support the Save Wallum objective to preserve and protect the land located at 15 Torakina Road Brunswick Heads NSW from housing development have recently contacted various government departments at local, state and federal level lodging complaints and objections to the illegal slashing that has happened in the last few weeks. Details of the illegal slashing has occurred four times in the last two weeks on 13 October, 27 October, 30 October and 3 November 2023.

The impact of the persistent slashing has destroyed matters of national environmental significance, MNES including threatened species and their associated habitats, like the Wallum Sedge Frog the Long-nose Potoroo, the Eastern Grass Owl, and numerous other species. The continued slashing over a significant period of time is motivated by the wilful intent to actively destroy these MNES threatened species and any evidence of their existence.

It is noted from the NSW planning portal DA10.2021.575.1 - Conditions of Consent states: *Clause 3 of Vegetation Removal This development consent does not authorise any native tree to be ringbarked, cut down, lopped, removed, or damaged, or caused to be ringbarked, cut down, lopped, removed or damaged Page 4 of 37 beyond those in the area identified as “extent of works” on the Vegetation Management Plan (VMP). No native trees or vegetation may be cleared or removed until a Subdivision Certificate has been issued relevant to those trees and vegetation.*

This is unlawful conduct and should be investigated and an urgent directive provided to the developers to cease all slashing immediately. It is negligent that one government department to the next will not take full responsibility for enforcing compliance.

It is disconcerting that various government departments whether it be Byron council or the Department of environment and heritage (OEH) or the Department of Climate Change Energy Environment & Water (DCCEEW) claim it is the other departments responsibility. This is not acceptable that the regulators are not regulating and enforcing compliance.

It is gross neglect that the illegal annual slashing has continued annually for the last twenty years unabated without any active enforcement by government departments when there have been numerous complaints made in the past. As an environmental scientist lawyer bush regenerator and mediator that has walked this site for over the last twenty years for its rich biodiverse beauty, it is devastating to see how the slashing has increased in the last few years and even more so in the last few weeks with the ill intention to diminish threatened species and their habitats on site to nothing. Evidence of the illegal annual slashing that has taken place over the last two decades can be found in numerous plans and assessments undertaken for the Wallum site, including but not limited to the BDAR prepared by AWC which states: “The central portion of the site comprises wet heathland which is regularly slashed and has been maintained in this state for the last 20 years or more.” Furthermore, refer to letter from ecologist David Millege regarding the illegal slashing with photograph evidence in 2011.

The slashing has been so severe there are extended tracts of exposed sand when previously there were minimal tracts surrounded with lush heath. Even the annual slashing did not diminish it entirely until the slashing increased more frequently whereby land previously covered in heath vegetation has become just bare sand. This is the wilful destruction of nationally threatened species and their

critical habitats by the proponent to justify the poorly conducted environmental assessments done by James Warren and associated in 2011 and 2012 then later reinforced by the inadequate environmental surveys completed by Australian Wetlands Consulting as outlined in the BDAR.

Nonetheless, slashing in the last few weeks has obliterated vast areas of heath vegetation to ground level through persistent slashing. This is no less than environmental vandalism on behalf of the developers forcing community members to put their lives at risk by stopping the slasher last Friday 3 November to protect and preserve critical habitat.

If the departments had done their job properly when complaints were lodged weeks ago then the community would not have had to put themselves into such a precarious and vulnerable position. Simply providing a warning to the proponent is clearly not effective and warrants more direct intervention by the department. Please provide confirmation that this matter will be taken seriously with a thoroughly investigation for repeated non-compliance by the proponent. Moreover, that the department will intervene with more than just a mere warning.

The destruction of MNES evidence should be taken on with the appropriate legal consequences put in place as the long history of slashing associated with this site clearly demonstrates the developers do not take warnings seriously.

Please provide an adequate response to our concerns raised with regard to the ongoing illegal slashing including what measures will be taken to stop this unlawful activity immediately. We kindly request that written confirmation be provided as soon as possible detailing what actions will be taken to stop any further illegal slashing of the wallum site. It is unreasonable to expect the community to continue risking life and limb in front of a slasher for the purpose of upholding EPBC legislation in order to protect threatened species. These questions have been asked previously by the community and we still haven't received any responses to what action has been taken by the government at both the local and state level, we are now requesting the Federal Minister and DCCEEW to urgently intervene and place a stop work order on the proponent to prevent any further destruction of MNES species.

In addition, the Minister Plibersek's office has been contacted by concerned residents, scientists, NGOs and BSC themselves to investigate the matter and, we are under the impression from her office that the matter has been referred to the EPBC . Would you please provide confirmation and what avenues are available to protect threatened species of MNES if the proponent does not self-refer? Moreover, the recent destruction of MNES evidence by the proponent through illegal slashing four times in the last two weeks compromises the referral process under the EPBC Act when evidence has been intentionally destroyed. How can the EPBC referral be given due process if evidence of MNES have been destroyed by slashing?

Both Wallum Sedge Frog, Koala, Glossy Black Cockatoo, Long Nosed Potoroo, Mitchells Rainforest Snail, Eastern Grass Owl, Collared Kingfisher, numerous bats, gliders & aquatic species including other threatened species found throughout the development footprint have been poorly surveyed by the proponent hence why the approval for this DA was premised on inadequate assessments and as such should be revoked.

The fact that regulatory bodies for over the last two decades have allowed the illegal annual slashing to continue unabated raises serious questions of competency and corruption. An independent inquiry as to the mismanagement of this zombie development process given the inconsistencies in assessments as the approval was premised on misleading and inadequate assessments that failed to detail nor factor in several MNES threatened species. Fundamentally, the wallum site is mapped as

high conservation value and that should have been and still can be sufficient grounds alone for the refusal of this DA.

Attached are slashing complaints to OEH in 2011 and early October 2023. Including photographic evidence of the recent slashing in October and early November 2023



Slashing 13 October 2023



13 October 2023





3 November 2023 above and below



Wallum frog & froglet habitat destroyed



Numerous honeybee eater nests destroyed





Wallum Frog & Froglet Habitat destroyed



Wallum Heath & Coastal Swamp destroyed



Intensive & repeated slashing of swamp heath frog habitats. Note height of remaining swamp heath almost as tall as the recently erected fence.





Destruction of MNES threatened species evidence slashed to the ground. Recent slashing indicates broken branches and twigs remaining and more severe slashing shows just sand left behind.



Numerous other species have been decimated by the habitat destruction through repeated and frequent slashing no less than four times in the last two weeks.



Significant areas of the wallum site have been illegally slashed recently causing massive habitat loss.





Above Wallum Frog Breeding material – peat moss destroyed by slashing.



Critical Habitat for endangered frogs impacted by slashing



Recent & repeated slashing of critical habitat for numerous threatened species

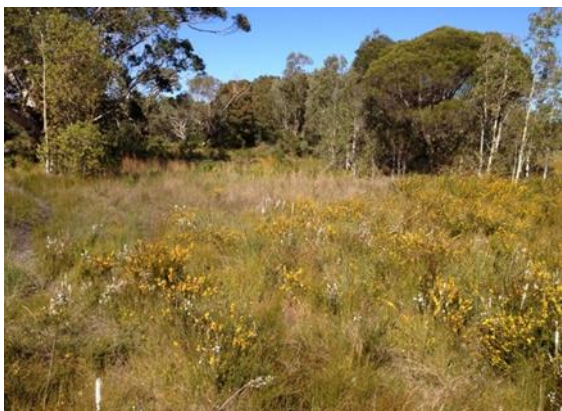


Repetitive Slashing encourages whiskey grass and other weeds to move into pristine habitat





Early October pre slashing hectares of wildflowers wallum heath & coastal swamp destroyed.



Early October Pre-slashing eastern boundary pre -slash & remaining small patch of heath now fenced





Above Fields of wildflowers & orchids recently slashed



This is what rich biodiversity with extreme high conservation value looks like & why it should be preserved.



Wallum Frog & Wallum Froglet Habitats including other species recently slashed and destroyed.





The extent of slashing in October and early November 2023 Vast areas of coastal swamp heath land destroyed killing threatened frogs and their critical habitats. Numerous other flora and fauna species also destroyed by the criminal activity to destroy MNES evidence.



Kind regards,  
Luciana Bowen Spokesperson  
Save Wallum Inc [www.savewallum.com](http://www.savewallum.com)  
0429963691 [lushluch@yahoo.com](mailto:lushluch@yahoo.com)

See below last page of photographic evidence.





Decades of annual slashing to falsely claim that the Wallum site is merely a bare paddock just grassland when in fact it is full of rich biodiversity coastal swamp heath home to numerous species.



This is mapped as having high conservation value slashing the evidence away is not acceptable. Note how easily waterlogged the landscape becomes after rain as it is coastal swamp heathland abundant with threatened species and not remotely suitable for housing.