



NSW National Parks and Wildlife Service

Submission report

**Illawarra Escarpment Mountain Bike Project:
Network 1, Mount Kembla draft review of
environmental factors**



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1. Summary

The NSW National Parks and Wildlife Service (NPWS) recognises the rapidly growing popularity of mountain biking as a recreational activity in the Illawarra Escarpment area. The demand for mountain bike riding and the construction of unsanctioned trails in the Illawarra Escarpment State Conservation Area (SCA) has increased over recent years.

The Illawarra Escarpment SCA plan of management allows for mountain biking provided it is consistent with a developed mountain bike strategy. NPWS has finalised the *Illawarra Escarpment mountain bike strategy* (NPWS 2022), which includes 2 separate mountain bike networks in Illawarra Escarpment: Network 1 – Mount Kembla and Network 2 – Balgownie.

Mountain bike riding in the Illawarra Escarpment SCA is contentious due to its increasing popularity and use of unsanctioned bike tracks by riders, which impact on the environmental values and cultural significance of the reserve to the Aboriginal community.

This submissions report documents the consultation carried out for the *Illawarra Escarpment Mountain Bike Project: draft review of environmental factors* (draft REF) for the proposed mountain bike network at Mount Kembla. The draft REF was exhibited between 20 June 2022 and 18 July 2022. A total of 57 written submissions and 369 survey submissions were received. During the public exhibition period, targeted consultation was carried out with the Illawarra Escarpment Mountain Bike Advisory Group and the local Aboriginal community.

The report analyses the survey submissions and written submissions separately. All points raised in both the survey and written submissions were analysed and grouped into themes. The major themes raised were:

- biodiversity and ecology
- safety concerns
- soils and erosion
- local residents and other users
- historic and Aboriginal cultural heritage
- contradicting NPWS' mission/purpose
- further investigation and consultation.

1.1 Changes made to the project

The following changes have been made as a result of the matters raised by respondents:

- Amendments to the network have been made to remove some trails from Illawarra Subtropical Rainforest in the Sydney Basin Bioregion threatened ecological community (TEC), and inclusion of elevated boardwalk and low-impact construction techniques in areas of the TEC that could not be avoided.
- Adjustments to trails have been made to avoid heritage items, and only hand digging will be permitted adjacent to these areas.
- Rehabilitation of Mount Keira unsanctioned trails has been bought forward in the delivery program. A rehabilitation plan has been prepared, with rehabilitation works to be undertaken concurrently with Stage One of the Mount Kembla network construction.
- Outcomes from the public exhibition relating to impacts on the local communities have been used to inform a traffic impact assessment, demand study, social impact study and community precinct plan. These reports aim to mitigate and minimise impacts to the local community while exploring the potential benefits of the project.

2. Background

In 2015, a multi-agency approach to develop a sustainable mountain biking approach in the Illawarra Escarpment was established. Following public feedback during the exhibition of a draft mountain bike strategy in 2018, a revised track network in the Mount Kembla area was developed that excluded Mount Keira due to the Aboriginal cultural significance of the area. In June 2021, the NSW Government announced funding for the Illawarra Escarpment Mountain Bike Network that will enable NPWS to complete planning and assessment and commence on-ground works.

The funding will provide 2 separate networks within the Illawarra Escarpment. The first stage of the project is planned for Mount Kembla. The second stage of the project is a separate network at Balgownie.

3. Illawarra Escarpment Mountain Bike Network

3.1 Introduction

In June 2022, NPWS exhibited the *Illawarra Escarpment Mountain Bike Project: draft review of environmental factors* (draft REF) for the proposed mountain bike network between Harry Graham Drive near O'Brien's Drift and Mount Kembla.

The draft REF is for the first stage of the project at Mount Kembla. A second separate REF will cover the second network at Balgownie and is expected to go on public exhibition in the first half of 2023.

The draft REF was exhibited for public comment due to the significant public interest in the proposal. Public consultation on the draft REF provided an important opportunity for the community to have a say in relation to the impacts of this activity proposed by NPWS.

Links to documents referred to in this report can be found in Section 6 'More information'.

3.2 Project documents

Illawarra Escarpment State Conservation Area plan of management

In 2018 the *Illawarra Escarpment State Conservation Area plan of management* was adopted. The plan of management outlines the vision, values and permissibility of activities that can occur within the SCA. The plan of management permits mountain biking within the SCA, providing the activity is consistent with a mountain biking strategy to provide sustainable mountain bike single-track in the park.

Illawarra Escarpment mountain bike strategy

A draft mountain bike strategy was exhibited for public comment in 2018. A total of 956 submissions were received. A broad range of stakeholders provided feedback, including NSW Government, non-government organisations (e.g. Aboriginal stakeholders and environmental groups) and private individuals. Most submissions were made via the website, with a large proportion of submissions being survey responses.

In response to the submissions, NPWS and Wollongong City Council amended the proposal to reduce the number of mountain bike trails on Mount Keira, with a new mountain bike trail network to focus on land between O'Brien's Drift and Mount Kembla and a separate smaller network at Balgownie.

The *Illawarra Escarpment mountain bike strategy* was finalised in late 2022.

Draft review of environmental factors

The draft REF was prepared in accordance with NPWS policy and procedural documents. The proposal is located within the Illawarra Escarpment SCA and private land holdings.

The draft REF examines the likelihood of environmental impacts resulting from the proposal. The draft REF also prescribes the measures required to avoid, minimise or mitigate adverse impacts; and defines the significance of those residual impacts with respect to the natural, cultural and social values of the national park.

The draft REF for this project meets the requirements of Division 5.1 of the NSW *Environmental Planning and Assessment Act 1979* and clause 228 of the Environmental Planning and Assessment Regulation 2000.

3.3 Exhibition and consultation

The *Illawarra Escarpment Mountain Bike Project: draft review of environmental factors* (the draft REF) was placed on public exhibition from **20 June 2022** to **18 July 2022**.

Project webpage content

The draft REF was placed on the NSW Department of Planning and Environment (the department) website, which provided overall project information, document information, background documents, contact information and a survey link. The exhibition webpage provided a summary of the REF and a downloadable link to the draft REF.

A survey was developed and made available on the exhibition webpage. Respondents were also invited to provide their submission in an email or as an attachment. The exhibition was also promoted on the NSW Government 'Have your say' website, which included a brief explanation of the project and provided a link to the exhibition webpage.

Media release and other promotional content

A media release was issued on 20 June 2022 to encourage people to visit the exhibition webpage. The ABC Illawarra radio ran a story about the project and exhibition.

Consultation processes

The consultation process included 4 approaches: online public exhibition, targeted consultation with the Aboriginal community, consultation with the Illawarra Escarpment Mountain Bike Advisory Group and email notifications.

Public exhibition

The draft REF was made publicly available on 20 June 2022, with a media release, distribution of notification emails and release of the documents onto the exhibition website. Hard copies of the REF were also made available at Wollongong Library and Unanderra Library. Six hard copies were distributed to the Mount Kembla Community and 2 to the Illawarra Escarpment Alliance.

The public were asked to provide comments online using the 'Have your say' consultation portal on the department's website and the NSW Government 'Have your say' website. These websites provide information on the purpose and intent of the draft REF.

Email notifications

At the start of the exhibition period, notification emails were sent to all parties that had registered their interest in the project (over 600 recipients at the time).

Notification emails were also sent to Wollongong City Council, community groups and relevant NSW Government agencies and the Illawarra Escarpment Mountain Bike Advisory Group.

The draft Aboriginal cultural heritage assessment report was distributed to registered Aboriginal parties along with an email notification of the public exhibition period.

By mail

No mail notifications were provided for this exhibition.

Mountain Bike Advisory Group

The Illawarra Escarpment Mountain Bike Advisory Group was established in 2019 with a mix of organisations and representatives from community, conservation, mountain biking and community groups. During the public exhibition period, NPWS conducted a face-to-face meeting with the group. At the meeting, NPWS engaged consultants Niche Environment and Heritage, Element Environment and Synergy Trails to provide advice and answer any questions raised by the committee about the draft REF.

Aboriginal community engagement

NPWS is engaging with the Aboriginal community as part of the requirements of preparing an Aboriginal cultural heritage assessment report. NPWS has contracted an experienced consultant to engage with the registered Aboriginal parties who have a vested interest in the project and who have contributed to the cultural values assessment.

The Aboriginal cultural heritage assessment report is informing the finalisation of the REF and the decision whether an Aboriginal heritage impact permit is required. Due to the confidential and sensitive nature of the information in the Aboriginal cultural heritage assessment report, the report is restricted to registered Aboriginal parties and nominated Knowledge Holders.

As the representative of the South Coast Peoples Native Title Claim, NTSCORP has also been consulted as a part of this Aboriginal community engagement.

The NPWS, and contracted consultants, Niche Environment and Heritage and track designers Synergy Trails, met with the registered Aboriginal parties on site over the course of a week to walk the proposed alignment of the network and identify areas of concern. In addition to on-site walkovers, the Illawarra Aboriginal Lands Council (LALC) were invited to all mountain bike advisory group meetings. The registered Aboriginal parties and LALC were also invited to 2 specialist meetings each during the public exhibition period to discuss the proposal.

4. Submissions received

4.1 Overview

A total of 445 **submissions** were received from individuals and organisations during the exhibition/consultation period, comprising:

- 366 survey submissions from individuals
- 3 survey submissions from organisations, community groups and government agencies
- 57 written submissions from individuals or organisations received via email or hard copy.

4.2 How submissions were analysed

The following procedures were followed in handling the submissions and survey data received during the exhibition/consultation period:

- All written/email submissions were filed in CM9 (NPWS's internal document management system) and recorded in the project submission register (Excel spreadsheet).
- All submissions including survey data were provided to a senior social researcher in the Science, Economics and Insights Division of the department to undertake a review and analysis of the data. Insights and suggested themes were then provided to NPWS in the form of Excel spreadsheets and written reports. Each survey question and written submission was analysed separately for common themes. Survey questions and the themes are outlined in graphs provided in this report and written submissions are discussed based on common themes in the report.
- Multiple submissions from the same author that raised new or different issues were recorded and treated as separate submissions.
- Multiple submissions from the one address under different names were treated as separate submissions.
- All submissions received during the exhibition period up to 5 pm on Monday 18 July 2022 have been included in this report. Only if prior agreement had been made with NPWS have late submissions been considered.
- Organisations requiring statutory notification who did not provide a submission or provided limited feedback were given another opportunity to provide comment.
- Additional engagement was undertaken with the Aboriginal community. This engagement is not addressed in this report.

All points raised in submissions were recorded. Similar points were then grouped together into themes according to either:

- site-specific matters relating to a section of the draft REF or component of the proposal
- activity-specific matters relating to an issue across numerous sections of the draft REF.

All collated points within each theme were then considered to see if a change to the proposal was needed. Changes to the proposal presented in the draft REF were considered if any of the submissions raised points that met the following criteria:

- an alternative strategy or action that would better support delivery of the proposal's objectives
- new, updated or additional information of direct relevance to the impact assessment
- a basic factual or editorial error or omission that should be addressed through a change to the proposal.

4.3 Summary of survey submissions and their content

An online survey was developed to support the public exhibition of the draft REF, which was available from 20 June to 18 July 2022. A total of 369 survey submissions were received.

Demographics

The demographic data collected during the survey showed that a high proportion of respondents used the Illawarra Escarpment SCA for cycling/mountain bike riding (78%), followed closely by bushwalking and hiking (69%). Over half of the respondents also indicated observing and connecting to nature (50%) and enjoying the views (51%) as ways in which they used the Illawarra Escarpment SCA, and many respondents reported engaging in more than one activity (Table 1).

The 25–45 and 46–65 year age brackets were overwhelmingly represented in survey respondents, with most using the Illawarra Escarpment SCA weekly (41%) followed by monthly (22%) (Tables 2 and 3).

A total of 4% of respondents identified as Aboriginal or Torres Strait Islander (Table 4), and additional targeted engagement is being undertaken with identified representatives in the Aboriginal community.

Table 1 How do you use the Illawarra Escarpment State Conservation Area?

How do you use the Illawarra Escarpment State Conservation Area? (choose as many as applicable)	Percentage
Cycling/mountain biking	78%
Bushwalking/hiking	69%
Observing and connecting to nature	50%
Enjoying the views	51%
Track running	17%
Connecting to Country	20%
Other	7%

Table 2 How often do you visit the area within the Illawarra Escarpment Conservation Area?

How often do you visit the area within the Illawarra Escarpment Conservation Area?	Percentage
Daily	15%
Weekly	41%
Monthly	22%
A few times a year	16%
Yearly	4%
Never	2%

Table 3 My age is...

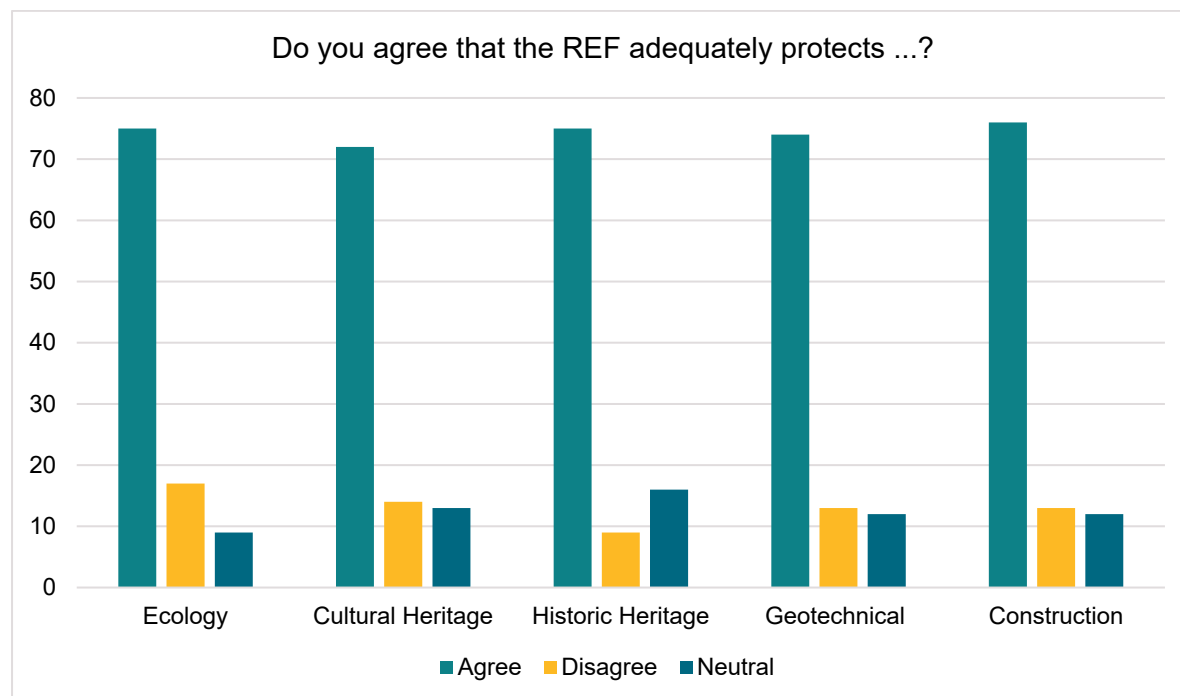
My age is	Percentage
0–24	5%
25–45	40%
45–65	47%
65+	6%
Prefer not to say	1%

Table 4 Are you of Aboriginal or Torres Strait Islander descent?

Are you of Aboriginal or Torres Strait Islander descent?	Percentage
No	88%
None of the above	4%
Prefer not to say	4%
Yes	4%

Draft REF survey feedback

Respondents were asked if they agreed that the draft REF adequately protects and mitigates the impacts of the project for 5 key areas: ecology, cultural heritage, historic heritage, geotechnical and construction. Over 70% of respondents agreed across all these areas (Figure 1). Disagreement and neutral opinion with each key area ranged between 9% to 17%.

**Figure 1 Overall survey responses to the question ‘Do you agree that the REF adequately protects ecology, cultural and historic heritage, geotechnical and construction?’**

Respondents were asked if they agreed that the draft REF adequately assessed the impacts of the project for 5 key areas: ecology, cultural heritage, historic heritage, geotechnical and construction. Over 70% of respondents agreed across all these areas (Figure 2). Disagreement and neutral opinion with each key area ranged between 9% to 16%.

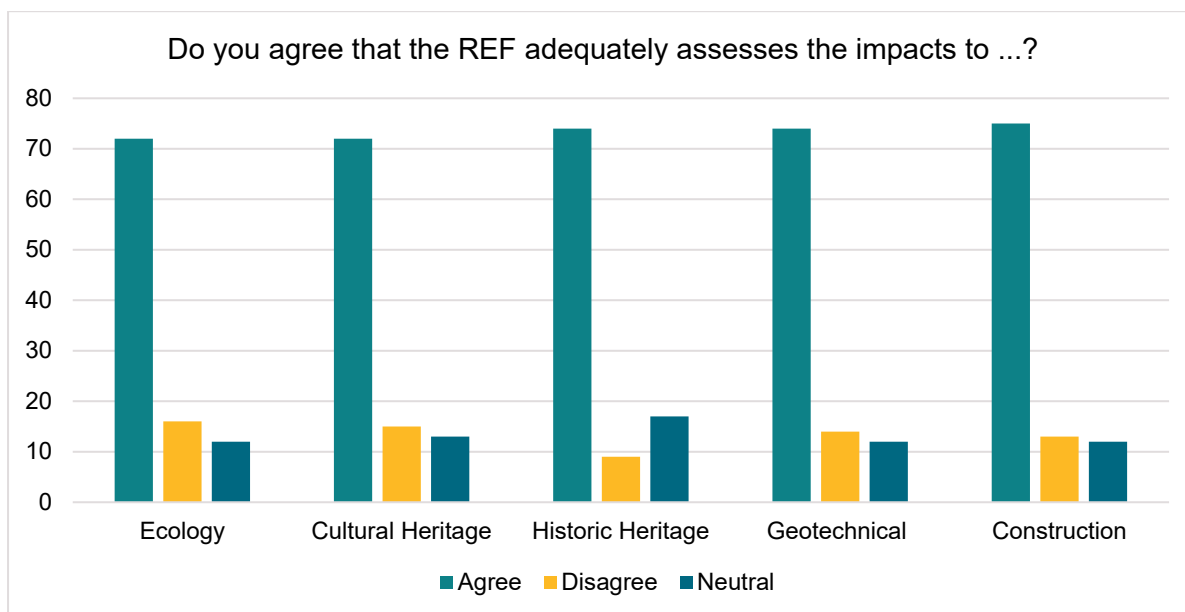


Figure 2 Overall survey responses to the question ‘Do you agree that the REF adequately assesses the impacts to ecology, cultural and historic heritage, geotechnical and construction?’

The survey also provided an opportunity for respondents to provide ‘free-form’ text responses in relation to the 5 key areas. A summary of each key area is provided below. Note that respondents were able to provide multiple comments on an individual key area.

Ecology

Of the 369 survey respondents, 104 respondents provided additional feedback on ecology in the free-form text boxes (Figure 3). Of these 104 respondents:

- 42% were concerned about destruction or disruption to the environment
- 34% thought NPWS needed to focus on closing unsanctioned trails
- 20% considered the proposal to have little to no impact on ecology
- 19% considered that the REF was thorough and adequately considers biodiversity and ecology.

Other matters raised in the free-form text boxes are shown in Figure 3.

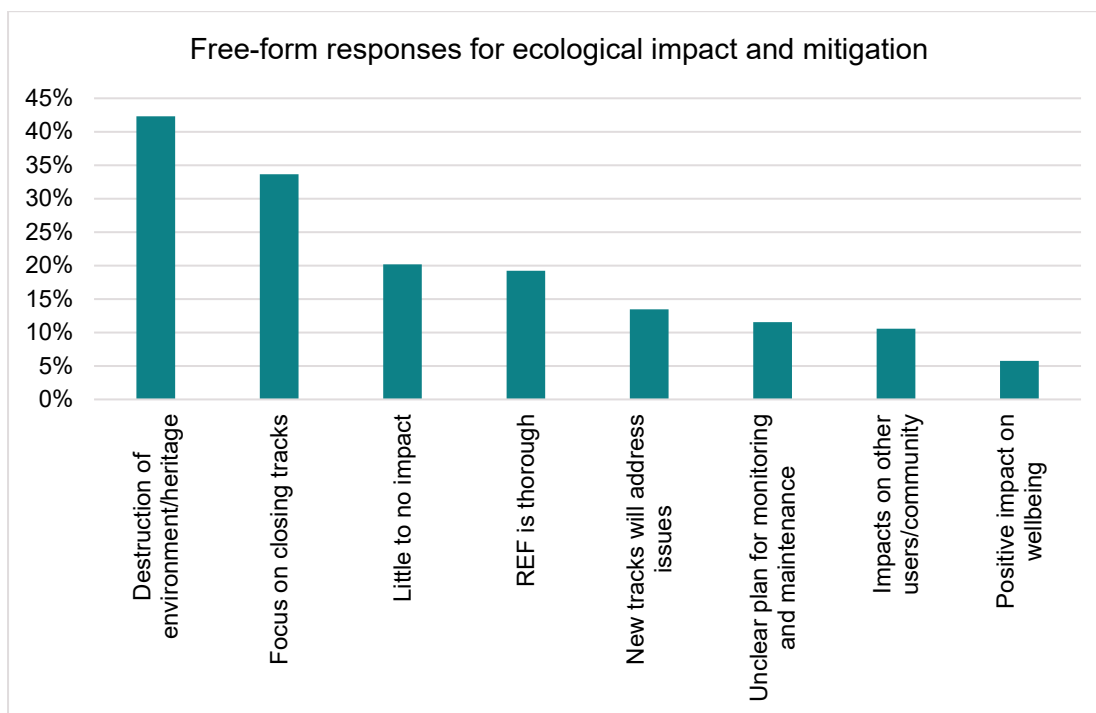


Figure 3 Themed free-form responses for ecological impact and mitigation measures

Cultural heritage

Of the 369 survey respondents, 79 provided additional feedback on cultural heritage in the free-form text boxes. Of these 79 respondents:

- 25% considered the proposal to have a negative impact on cultural heritage of the area
- 16% requested the Aboriginal cultural heritage report
- 15% considered that the REF respects, accounts for and protects local Aboriginal culture.

Many responses were concerned that the Aboriginal cultural heritage assessment report was not published. It is standard practice for NPWS to withhold the release of Aboriginal cultural heritage assessment reports due to the sensitive nature of the information contained in them. The report was released to the registered Aboriginal parties, and engagement with the Aboriginal community will continue throughout the project. Other matters raised in the free-form text boxes are shown in Figure 4.

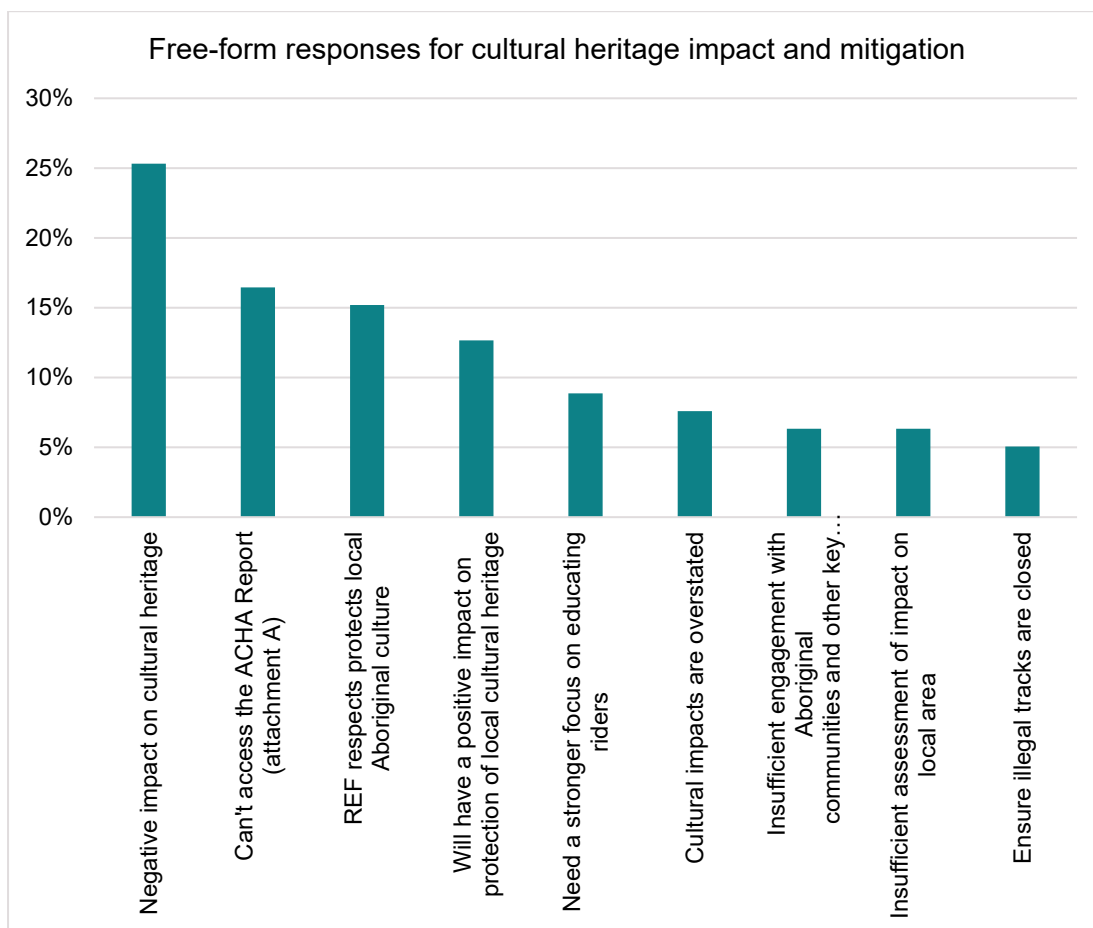


Figure 4 Themed free-form responses for cultural heritage impact and mitigation measures

Historic heritage

Of the 369 respondents, 56 provided additional feedback on historic heritage in the free-form text boxes. Of these responses:

- 21% considered that the proposal would not impact historic heritage
- 13% said the proposal needed to protect, acknowledge and prioritise heritage
- 11% of responses thought the proposal would have a positive impact on protecting historic heritage
- 11% of responses considered the project would have a negative impact on heritage.

The responses generally saw an opportunity to engage the community with the heritage of the escarpment, however, there were concerns about the impact of this.

Other matters raised in the free-form text boxes are shown in Figure 5.

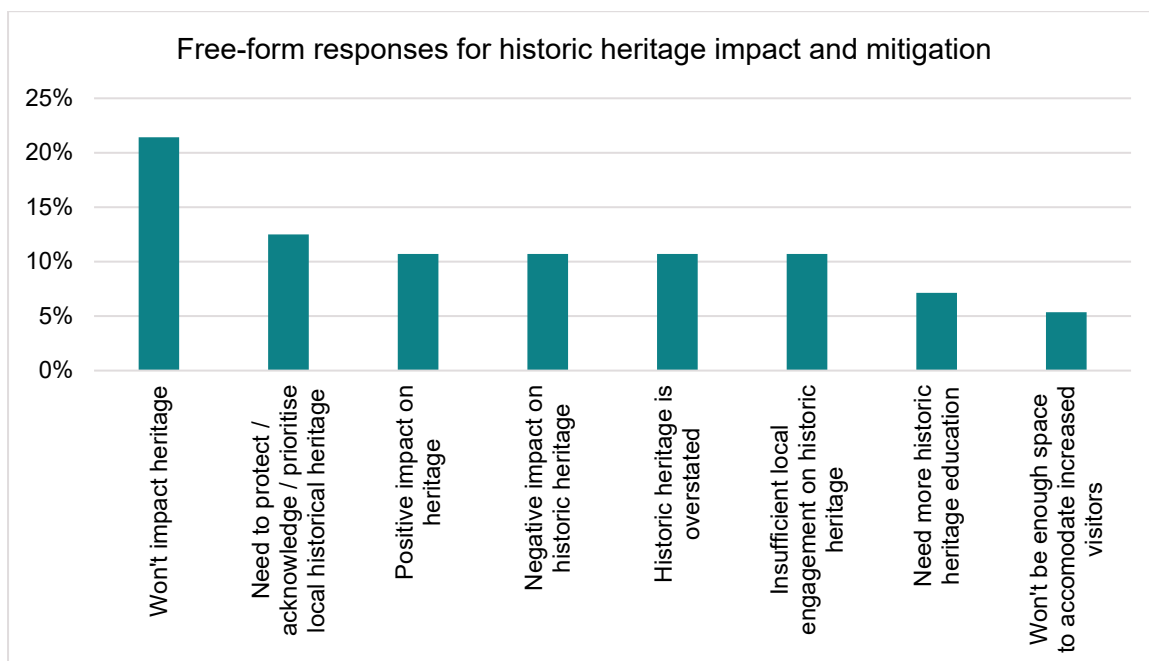


Figure 5 Themed free-form responses for historic heritage impact and mitigation measures

Geotechnical stability and erosion

Of the 369 respondents, 70 respondents provided additional feedback on geotechnical stability and erosion in the free-form text boxes. Of these 70 responses:

- 26% thought the REF underestimates the impacts and does not adequately address them
- 24% of responses consider that the project will have negative impacts on the site and increase erosion and environmental damage
- 23% of responses reported safety concerns, risk of land slips and impacts of severe weather.

Other matters raised in the free-form text boxes are shown in Figure 6.

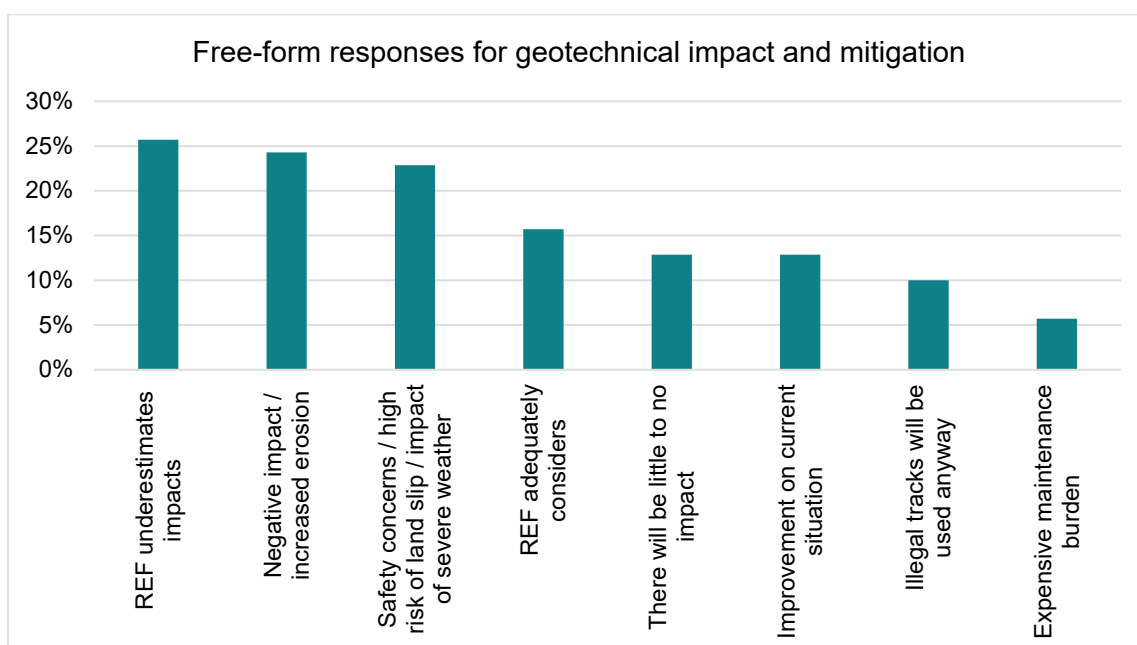


Figure 6 Themed free-form responses for geotechnical impact and mitigation measures

Construction

Of the 369 respondents, 45 respondents provided additional feedback on construction impacts in the free-form text boxes. Of these 45 responses:

- 20% thought construction would have a negative impact on the environment and wildlife
- 18% considered that the construction would have a negative impact on locals
- 16% considered that there would be minimal impact to the environment
- 13% of respondents thought the REF underestimated construction impacts.

Other matters raised in the free-form text boxes are shown in Figure 7.

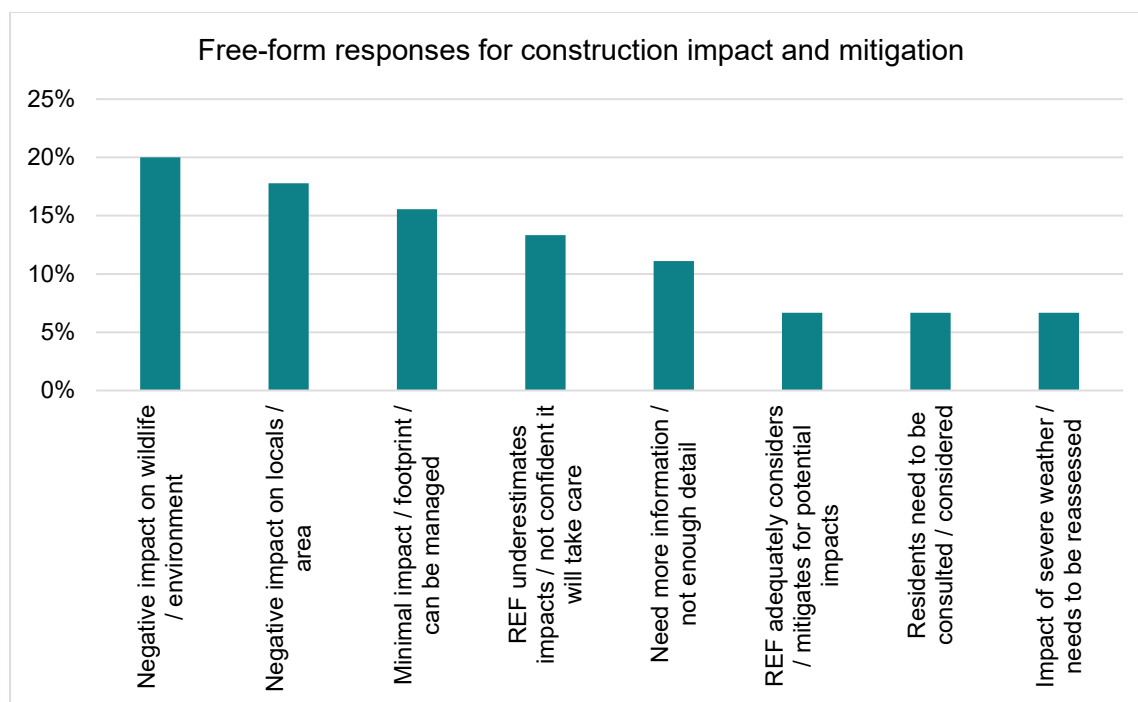


Figure 7 Themed free-form responses for construction impact and mitigation measures

4.4 Summary of written submissions and their content

Many of the written submissions on the draft REF raised similar issues to those received on the draft mountain bike strategy (see Section 3.2). For a more detailed description of the feedback received on the bike strategy and the NPWS response, refer to the *Illawarra Escarpment mountain bike strategy public exhibition report* (see link in 'More information' section).

Overview

A total of 57 written submissions were received.

Just over two-thirds of the written submissions were submitted by individuals (e.g. residents, cyclists and researchers), but there were also responses on behalf of:

- Illawarra Escarpment Alliance
- members of the National Parks Association
- Director Heritage Programs, Heritage NSW (Department of Planning and Environment)
- Bellingen Nature Company
- Urban Biodiversity Illawarra

- Gaia Research Group
- academics from the University of Wollongong.

The feedback collected has been reviewed, summarised, and analysed into themes and subthemes as outlined in Table 5.

Table 5 Written submission theme frequency

Theme	Cases
Negative impacts	
Biodiversity and ecology	20
Safety concerns	17
Soils and erosion	12
Local residents and other users	12
Contradicting NPWS Mission/purpose	9
Historic and cultural heritage	7
Indigenous communities & heritage	4
Needs further assessment – consultation	
REF underestimates key issues	15
Insufficient community and Aboriginal stakeholder consultation	12
Inadequate investigation	11
Unclear, expensive ongoing costs & maintenance	10

Note: 'Cases' refers to the number of written submissions to which that theme was addressed. 57 written submissions were received, many submissions raised more than one theme.

Draft REF written submissions general feedback

Of the 57 written submissions received, 17 responses provided strong support for the project and 15 responses provided strong opposition to the project. The other 25 respondents were concerned about the impacts of the proposal and thought that the REF required additional consideration. Many responses spoke to a need for further investigation or reassessment of geotechnical, ecological, heritage and community impacts. They generally provided detailed responses about environmental, heritage and cultural concerns and impacts and requested additional information.

5. Feedback themes

The report analyses the survey submissions and written submissions separately (see Section 4.3 and Section 4.4, respectively). All points raised in both the survey and written submissions were analysed and grouped into themes. This section outlines the main issues raised by respondents in relation to each of these themes and provides the NPWS response.

5.1 Major themes

Biodiversity and ecology

Concerns raised included the negative impact that new tracks and existing unsanctioned tracks will have on local ecology. Many felt that the draft REF did not adequately gauge the extent of potential damage and that key investigations were insufficient or missing entirely. Many referred to the trails directly impacting endangered, threatened and sensitive species (e.g. powerful owl, noisy pitta, koala, great glider, spotted-tail quoll, Illawarra Subtropical Rainforest TEC) and their habitat, the introduction and spread of weeds and other pathogens through unwashed bikes, and creating easier pathways for the movement of pests such as foxes and deer. Concerns were also raised about the clearing of over half a hectare of Illawarra Subtropical Rainforest TEC from a conservation area.

NPWS response:

- Following public exhibition of the draft REF, adjustments to the trail alignment have been made, where possible, to avoid Illawarra Subtropical Rainforest. Approximately 100 m of proposed new trail has been realigned to avoid a pocket of Illawarra Subtropical Rainforest, reducing the impact from 0.56 ha to 0.45 ha, around 20% reduction.
- While the proposal does involve the removal of native vegetation, it is important to note that the impact would be limited to linear clearing (0.9 m to 2.0 m wide) of groundcover and understorey vegetation. No mature or hollow-bearing trees will be removed as part of the proposal, avoiding and minimising potential impacts to fauna.
- Tests of significance (in accordance with the *Biodiversity Conservation Act 2016*) and assessments of significance (in accordance with the *Environment Protection and Biodiversity Conservation Act 1999*) were conducted for threatened species and ecological communities likely to be impacted by the proposal. These assessments concluded that the proposal is unlikely to result in a significant impact on threatened species and ecological communities.
- NPWS will be working with specialist staff members and ecologists during the micro-sighting of the network alignment and construction works.

Safety concerns

Safety concerns raised included increased risk of landslip through erosion, the risk of serious accident on the network, and ambiguity around insurance and liability. Risks posed to walkers (and those performing other low-impact activities) were also raised. Residents were also concerned about the proximity of trails, amenities and crowds near their homes and the risks posed by overcrowding and increased number of vehicles servicing the network, in particular on local roads.

NPWS response:

- The mountain bike track network is proposed to be a single-use network for mountain bike riders with ascending and descending trails. This separation of users will provide a safer environment for both walkers and mountain bike riders. The network will be clearly

signposted and mapped as a mountain bike track and will function as a network, rather than a labyrinth of variable track types.

- Geotechnical advice was sought during the design of the network, and the network was modified based on this advice. A geotechnical engineer will be engaged during construction where necessary. The network will be managed as per an operations and management plan, which will be developed with advice from a geotechnical engineer.
- NPWS and Wollongong City Council are working together to manage and mitigate traffic and road safety concerns. A traffic impact assessment has been developed, and the recommendations will be delivered as appropriate.

Soils and erosion

Some respondents expressed concerns about the impact of new (both sanctioned and unsanctioned) and existing trails on erosion and its flow-on effects on the environment, and didn't consider that the assessment was adequate. This included concerns that reference to frequent landslips as well as uncharacteristically heavy rain in the period after the assessment, with the possibility of such weather becoming increasingly common due to climate change. Some were also concerned that rainfall as part of the assessment was based on other areas where rainfall was significantly lighter.

NPWS response:

- The track network has been designed in accordance with International Mountain Bike Association (IMBA) trail standards, as set out in the *Australian mountain bike trail guidelines* (MTBA 2019), to mitigate erosion and sedimentation impacts. Table 13 of the draft REF outlines these standards and relevant principles, including trail armouring, sustainable track grades (to limit rider and water speed) and drainage features (to divert water from trails into natural drainage lines).
- In order for the trail network to minimise the risk of erosion and land stability impacts, a routine monitoring a maintenance regime will be implemented by NPWS. The monitoring and maintenance regime will include routine inspections and closures (including following major rainfall events). Maintenance will include repairs to drainage features, track surface hardening, surface crowning and potential rerouting (if required) within the approved corridor.

Impacts on local residents and other users

There was concern that the construction of new sanctioned (and upgraded unsanctioned) trails would lead to increased activity in the area and negatively impact local communities. Shuttle bus and visitor traffic was frequently cited as a safety, noise and traffic risk, while some concerned respondents felt that trails would impede their privacy and security. Some raised concerns that new infrastructure to service the network would impact on the area's charm. It was noted by respondents that there was a perception that consultation with community members was inadequate and that support within the community for the trails was overestimated. Similarly, some had concerns about preferencing the needs of riders over walkers, residents, and those who like to spend time appreciating nature during passive recreation activities and thus creating further division between these groups.

NPWS response:

- A traffic impact assessment, demand analysis and social impact comment have been prepared to inform the project. Mountain biking is currently a popular recreation activity in the area.
- The tracks have been designed to encourage riders to remain within the network and not use public roads for riding. This is intended to reduce road traffic and mitigate the impacts and risks to vehicles and riders. Parking and traffic management is currently being considered.

Aboriginal cultural heritage

Concerns were raised that negative impacts on Aboriginal cultural sites and values could occur without adequate transparency of the Aboriginal and cultural review processes and documentation. Concerns were high that Aboriginal heritage sites, objects and cultural values would be negatively impacted by the proposal, and that further consultation was needed.

NPWS response:

- The draft REF is supported by an Aboriginal cultural heritage assessment and a cultural values assessment. These reports were not published during the public exhibition period for confidentiality and sensitivity reasons. NPWS held a workshop with registered Aboriginal partnerships during public exhibition of the draft REF, and will continue to consult with the Aboriginal community.
- Closure and rehabilitation of unsanctioned trails within the Mount Keira area will be undertaken as part of the project to protect the significant cultural values of this area.

Historic heritage

Concerns were raised that the trails, their construction and secondary impacts would lead to a loss of sense of character and community of the historical precinct of Mount Kembla. References were made to existing heritage sites in the area (including old mine sites), including the Mount Kembla Mine Disaster memorial.

NPWS response:

- The proposal largely avoids historic heritage items. The current iteration of the proposed track network avoids newly listed historic heritage sites identified during site surveys.
- To mitigate against potential impacts to the site elements relating to the historic mine works, fencing will be placed around areas of concern. Works in sensitive historic heritage areas will be undertaken by hand.

NPWS's mission/purpose

Feedback in this theme included the belief that establishing the trails and subsequent environmental impacts would contradict the conservation objectives of NPWS and the Illawarra Escarpment SCA. There was concern that the proposal was attempting to 'please everyone' as opposed to prioritising the primary conservation objective of national park reserves. Others mentioned specific conservation and restoration initiatives and expressed their views that the project would contradict or detract from them.

NPWS response:

- The project aligns with the NPWS *Cycling strategy* (NPWS 2022) and section 2A of the *National Parks and Wildlife Act 1974*.
- The current situation of unsanctioned trails is leading to significant degradation of the values of the escarpment. Closure and rehabilitation of unsanctioned tracks without providing a comparable alternative is not considered appropriate. The proposal provides a sustainable mountain bike network which intends to mitigate and manage impacts whilst closing and rehabilitating all tracks outside the sanctioned network.

5.2 Other themes

REF underestimates key issues

There was a strong perception in some responses that environmental, cultural and heritage impacts were underestimated in the REF, including traffic, crowding and flow-on impacts on the local community (including ancillary infrastructure); the potential for landslip and increased erosion; NPWS's ability to close and prevent further illegal tracks; fragmentation of critically endangered subtropical rainforest; and impacts on local species, ecology and biosecurity. Underestimated and unconsidered social, heritage and cultural impacts were also raised. These related to a perceived lack of transparency and engagement with local Aboriginal communities and potential destruction of sacred sites and artefacts.

NPWS response:

- The REF is supported by specialist studies, including ecology, historic heritage and Aboriginal cultural heritage assessment reports. The Aboriginal cultural heritage reports were not published during the public exhibition period for confidentiality and sensitivity reasons.

Insufficient engagement

Some responses held the view that engagement with Aboriginal communities on the project was not adequate, as the Aboriginal cultural heritage report was not released and there was no information on who the registered Aboriginal parties were. It was also claimed that consultation with local residents and other key local and environmental bodies was insufficient.

NPWS response:

- The draft REF was supported by an Aboriginal cultural heritage assessment and a cultural values assessment. These reports were not published during the public exhibition period for confidentiality and sensitivity reasons. NPWS will continue to consult with the Aboriginal community.
- Key stakeholders have been engaged throughout the process through the Illawarra Escarpment Mountain Bike Advisory Group. Local communities are represented on the advisory group. Consultation has been undertaken with Mount Kembla and Kembla Heights communities and is ongoing.

Inadequate investigation

This theme included a perceived lack of compliance with legislative requirements (Protection of the Environment Operations Act, Commonwealth Environment Protection and Biodiversity Act), a lack of consideration of alternatives, the need to expand the impact assessment of the project to include secondary impacts, insufficient investigation of proximity to and impact on species, as well as insufficient assessment of the impact on local communities. Further investigation and assessment were mentioned as needed as a result of climate impacts and extreme weather. It was also felt that the draft REF should be expanded to assess broader and 'big picture' impacts rather than focusing on specific and limited areas.

NPWS response:

- The draft REF includes supporting specialist assessments by appropriately qualified specialists; and outcomes from these assessments, including mitigation measures and design features, have been incorporated into the final design of the proposal.

Unclear, expensive ongoing costs and maintenance

The perception was presented in some submissions that the draft REF does not adequately detail a plan for how ongoing costs and maintenance would be managed for issues including the closure, rehabilitation, prevention and surveillance of illegal tracks, the monitoring and maintenance of new sanctioned tracks (including for safety), necessary education and compliance measures, ongoing heritage values management, and the ongoing management of surrounding environment and environmental hazards posed by the introduction of weeds and pathogens.

NPWS response:

- NPWS is aware of the maintenance and management requirements of sustainable mountain bike trails and will manage the network under an operations and management plan. NPWS acknowledges that trails will need to be closed for 'rest periods' and after climate events and is working through the process of education tools for compliance measures.
- NPWS will also seek the engagement and 'buy-in' from the local mountain bike community to undertake general maintenance and care. This model has been used successfully in other sanctioned networks.
- NPWS is preparing a rehabilitation plan for unsanctioned trails on the escarpment. NPWS commits to progressively closing and rehabilitating unsanctioned trails.

5.3 Positive themes

Keep existing tracks, add more tracks and new infrastructure

Among those who were positive about the draft REF and the proposed mountain bike tracks, several indicated their support for keeping and incorporating existing track networks along with adding additional tracks of varying difficulties and to connect tracks to other networks. It was also put forth that further investment in accompanying infrastructure was needed such as additional parking, access roads/trails, tables, water supply, toilets and cleaning stations.

Health, wellbeing and economic benefits

Those who were positive about the project were keen to point out its benefits from an economic perspective for businesses and tourism in the Illawarra, as well as health and wellbeing, introducing more families to mountain biking as a sport and healthy outdoor activities.

5.4 Project-wide themes

Managing sanctioned and unsanctioned tracks

One of the most common concerns raised in the written submissions were existing (and future) unsanctioned trails and how they would be managed. There was strong concern that budgeting for the closure and rehabilitation of existing illegal trails was insufficient, and many felt that it was unlikely that this would be possible to maintain. Concerns were raised that even if new trails were constructed, bikers would be reluctant to stop using or creating illegal trails and increased traffic might encourage the creation of new illegal trails. This was reflected in the sentiment of letters from mountain bikers who argued that existing trails needed to be incorporated (rather than closed) into a new trail network along with newly proposed sanctioned trails. Policing unsanctioned trail use was seen as very important but most conceded that they did not think this would be possible or financially viable.

Unsanctioned trails were seen as a serious environmental and erosion risk and plans for mitigation were inadequate, underestimated and unclear.

More signage and education

Many felt that trails needed to be signposted both from a safety perspective but also to help deter the use of unsanctioned trails and walking tracks by mountain bike riders. Suggested signage included warnings for users about potential landslips and safety hazards as well as to prevent collision and injury with walkers. It was also suggested that signage could be used to promote good environmental practice among mountain bike riders, including washing bikes before and after use and deterring riding or closing tracks after very wet weather. Other suggestions included training, education and awareness-building activities with trail construction contractors and riders to increase their understanding of the area's environmental and cultural heritage values.

Find another, more appropriate area

Many held the belief that the proposed sites for the trails were not appropriate given the perceived negative cultural and environmental impacts. Respondents felt it would be more appropriate to relocate to more appropriate sites where impacts would be minimised, away from mine sites to areas with lower cultural heritage impact based on consultation with Aboriginal communities, as well as to other areas of private and degraded land. No proposed alternative locations were given.

Avoid prioritising cyclists over other users

This theme centred around the perception that the proposal prioritised access and usage of the area to mountain bike riders over passive recreational users such as walkers, runners, bird watchers and nature enthusiasts. It was felt that trails should be multi-use, and many were worried that prioritising mountain bike riders would create further division within the community. Other users were considered to be lower impact, and some took issue with allocating new trails to mountain bike riders, given their history of creating unsanctioned trails and environmental damage.

6. More information

- [Australian mountain bike trail guidelines](#) (MTBA 2019)
- [Illawarra Escarpment Mountain Bike Project](#) [webpage]
- [Illawarra Escarpment Mountain Bike Project: draft review of environmental factors](#) (NPWS 2022)
- [Illawarra Escarpment mountain bike strategy](#) (NPWS 2022)
- [Illawarra Escarpment mountain bike strategy public exhibition report](#) (NPWS 2019)
- [Illawarra Escarpment State Conservation Area plan of management](#) (adopted in 2018 and amended in 2023)
- Illawarra Escarpment Mountain Bike Project: draft review of environmental factors
- [NPWS Cycling strategy](#) (NPWS 2022)