



AGENDA

Ordinary Meeting of Council

10 September 2019

**ORDINARY MEETING OF COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS, MORUYA**

ON TUESDAY 10 SEPTEMBER 2019

COMMENCING AT 11.00AM

AGENDA

(Proceedings of this meeting will be recorded as per Eurobodalla Shire Council's Code of Meeting Practice)

1. WELCOME

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES

Nil

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

2.1 Ordinary Meeting held on 27 August 2019

3. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

(Declarations also to be made prior to discussions on each item)

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4. MAYORAL REPORTS

Nil

5. NOTICES OF MOTION

Nil

6. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

7. PETITIONS

Nil

8. GENERAL MANAGER'S REPORTS

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**DR CATHERINE DALE
GENERAL MANAGER**

**GMR19/015 NOMINATION TO BATEMANS MARINE PARK ADVISORY
COMMITTEE**

E06.0100

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Marine Park Advisory Handbook [↓](#)

Outcome: Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.3 Advocate and collaborate to advance the region and address local issues

Operational Plan Link: 9.1.3.1 Actively participate in a Joint Organisation

EXECUTIVE SUMMARY

The purpose of this report is to nominate a local government representative and alternative representative to the Batemans Marine Park Advisory Committee for consideration by the Canberra Region Joint Organisation.

Council has been represented on the Batemans Marine Park Advisory Committee since its formation in 2006. The Department of Primary Industries (DPI) has notified the Canberra Region Joint Organisation (CRJO) that membership of the Batemans Marina Park Advisory Committee is due to expire in August 2019 and nominations are now underway. Each marine park advisory committee will include one local government representative. Consistent with the NSW Government's formation of the joint organisation network to help drive better planning and service delivery in regional NSW, each Joint Organisation of Councils are invited to nominate a member and an alternate member.

The Canberra Region Joint Organisation is invited to nominate a local government representative to be appointed to the committee for a period of up to four years. Nominations are invited for one member and one alternative member.

Given that this marine park encompasses all of the Council's coastline it is considered appropriate that a Councillor delegate and alternative delegate should be forwarded to the Canberra Region Joint Organisation for consideration of appointment on the Batemans Marine Park Advisory Committee

Marine park advisory committees will continue to play a key role in providing advice to inform the management of marine parks and the broader marine estate.

Advice from DPI has indicated that most local councils have appointed coastal and estuary management advisory committees to support development and implementation of coastal management programs in accordance with the NSW framework. These committees consist of all relevant stakeholders, and their business often overlaps with marine park management. Where possible, nomination of a local government representative with strong links to a coastal and estuary management committee is encouraged to support linkages between marine park management and the NSW coastal management program.

The Batemans Marine Park on the NSW south coast extends from the most northerly point of Murramarang Beach near Bawley Point to the southern side of Wallaga Lake entrance at Murunna Point.

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The marine park includes:

- approximately 850 km², extending from the three-nautical-mile offshore limit of NSW waters to the mean high water mark within all rivers, estuaries, bays, lagoons, inlets, and saline and brackish coastal lakes (excluding Nargal Lake);
- offshore islands including Tollgate Islands and Montague Island.

The park was established in April 2006 and its zones and management rules commenced in June 2007. Changes to rules regarding fishing from some ocean beaches and headlands were introduced in June 2018.

The marine park [Zoning Map \(PDF, 3368.99 KB\)](#) and [User Guide \(PDF, 2029.36 KB\)](#) provide information about the current zoning arrangements and management rules in the park.

RECOMMENDATION

THAT Council nominate a Councillor and alternative Councillor for consideration by Canberra Region Joint Organisation for appointment to the Batemans Marine Park Advisory Committee.

BACKGROUND

Since the commencement of the *Marine Estate Management Act 2014*, marine park advisory committees have operated as non-statutory advisory bodies. The NSW Government's response to the Independent Scientific Audit of Marine Parks included a commitment to revitalise local marine park advisory committees to give local communities a better say in decision making, and to better consider social and economic values. Marine park advisory committees have continued to provide the NSW Government with valuable advice as implementation of the marine estate reforms has progressed.

The role, establishment, membership, process for appointment and operational procedures of the advisory committees are set out in the Marine Parks Advisory Committee Handbook jointly developed by the DPI and the former Office of Environment and Heritage (OEH) in 2014.

In February 2019, the Marine Estate Management Authority endorsed a recommendation from Transport for NSW to include recreational boating and maritime industry representation on marine park advisory committees. This presented an opportunity to review the handbook more broadly to improve the operation of committees.

The revised Marine Park Advisory Committee Handbook (2019) is attached. Key changes of this document include:

- Addition of a recreational boating representative as standard and a maritime industry representative where present in the local marine park area (section 4).
- One member for each identified category to maintain balanced representation (section 4).
- The size of advisory committees is capped at twelve members (section 4).
- A new code of conduct has been incorporated into the revised handbook consistent with current NSW Government guidelines.

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COMMITTEE**

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CONSIDERATIONS

Marine Park advisory committees provide a voice for local communities in the management of the NSW marine estate and local marine parks.

Marine park advisory committees advise the NSW Government, through the Marine Park Manager, on the management of the marine park, in particular including:

- the application of the Marine Estate Management Act 2014
- the development and implementation of management plans and rules for a marine park
- local environmental, social, cultural and economic values
- local threats, risks and opportunities
- spatial distribution of values and threats and appropriate spatial management
- emerging issues

Marine park advisory committees may also provide advice to the relevant Ministers responsible for the NSW marine estate, the Marine Estate Management Authority and/or the Marine Estate Expert Knowledge Panel on management of the broader marine estate and the system of marine protected areas within NSW.

Marine park advisory committee will:

- engage with local communities and stakeholders
- provide a forum for local communities to identify values, threats, issues and opportunities
- contribute valuable local knowledge to decision making processes
- provide feedback to the NSW Government to support continuous improvement.

The Marine Estate Agency Steering Committee will approve a call for nominations for members of an advisory committee.

All vacancies except for local government will be publicly advertised by the Department of Primary Industries. For local government, each Joint Organisation of Councils (or Regional Organisation of Councils where Joint Organisations have not been declared) will be contacted directly in writing and invited to nominate a local government representative.

The public call for nominations can be sought by the Department of Primary Industries in the following ways:

- Sending letters or emails to stakeholders and throughout local marine park networks
- Publishing a notice on the marine estate and DPI websites
- Placing an advertisement in local newsletters, newspapers or magazines and/or
- Any other means

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COMMITTEE**

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CONCLUSION

The Batemans Marine Park is on the NSW south coast extends from the most northerly point of Murramarang Beach near Bawley Point to the southern side of Wallaga Lake entrance at Murunna Point. Given that this marine park encompasses all of the Eurobodalla Shire Council coast line and therefore it is considered appropriate that a Councillor delegate and alternative delegate should be forwarded to the Canberra Region Joint Organisation for consideration of appointment on the Batemans Marine Park Advisory Committee.



Department of
Primary Industries

Marine Park Advisory Committee Handbook

www.dpi.nsw.gov.au

Marine Park Advisory Committee Handbook

Published by the NSW Department of Primary Industries

Marine Park Advisory Committee - Handbook

First published 2014, Updated Version 2.1 August 2019

More information

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (August 2019). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department of Primary Industries or the user's independent adviser.

Marine Park Advisory Committee Handbook

Superseded documents

This document replaces:

- Memorandum of Understanding between the Marine Parks Authority (MPA) and marine park advisory committees – March 2010
- Marine Parks Advisory Committees Handbook – November 2014 (INT16/65082)

Revision History

Version	Date Issued	Notes	By
1.0	9/1/2015		Manager Marine Operations
2.0	May 2019		Program Leader Marine Operations
2.1	26 August 2019		A/Program Leader Marine Operations

Revision Date

May 2021

Marine Park Advisory Committee Handbook

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1. Purpose

The purpose of this document is to guide the establishment and operation of effective and collaborative marine park advisory committees. The NSW Government has identified these non-statutory committees as a priority to provide a voice for local communities in the management of the marine estate and local marine parks.

Any questions regarding this document and its interpretation should first be directed to the local Marine Park Manager. The Marine Park Manager will escalate any enquiries to the Program Leader Marine Operations where required.

2. Role

Marine park advisory committees provide a voice for local communities in the management of the NSW marine estate and local marine parks.

The NSW Government's response to the Report of the Independent Scientific Audit of Marine Parks in NSW (2013) and marine estate reform identified revitalising local marine park advisory committees as a specific aim.

Marine park advisory committees advise the NSW Government, through the Marine Park Manager, on the management of the marine park, in particular including:

- the application of the *Marine Estate Management Act 2014*
- the development and implementation of management plans and rules for a marine park
- local environmental, social, cultural and economic values
- local threats, risks and opportunities
- spatial distribution of values and threats and appropriate spatial management
- emerging issues

Marine park advisory committees may also provide advice to the relevant Ministers responsible for the NSW marine estate, the Marine Estate Management Authority and/or the Marine Estate Expert Knowledge Panel on management of the broader marine estate and the system of marine protected areas within NSW.

Marine park advisory committee will:

- engage with local communities and stakeholders
- provide a forum for local communities to identify values, threats, issues and opportunities
- contribute valuable local knowledge to decision making processes
- provide feedback to the NSW Government to support continuous improvement.

3. Establishment

Each marine park declared under the *Marine Estate Management Act 2014* will have a marine park advisory committee.

4. Membership

Each marine park advisory committee will include individuals with skills, expertise and knowledge in one or more of the following areas to ensure the wide range of community values can be considered:

1. Aboriginal culture
2. commercial fishing
3. local government
4. marine conservation
5. marine science
6. maritime industry (where present)
7. recreational boating
8. recreational fishing
9. recreational water use (other than expertise areas already listed)
10. tourism

Additional areas of expertise may be identified according to the local needs of each marine park with the approval of the Marine Estate Agency Steering Committee. No more than one representative will be appointed for each identified expertise area. The maximum membership of any marine park advisory committee will be twelve to ensure effective operation and productive discussion.

5. Call for nominations

The Marine Estate Agency Steering Committee will approve a call for nominations for members of an advisory committee.

All vacancies except for local government will be publicly advertised. For local government, each Joint Organisation of Councils (or Regional Organisation of Councils where Joint Organisations have not been declared) will be contacted directly in writing and invited to nominate a local government representative.

The public call for nominations can be sought in the following ways:

- Sending letters or emails to stakeholders and throughout local marine park networks
- Publishing a notice on the marine estate and DPI websites
- Placing an advertisement in local newsletters, newspapers or magazines and/or
- Any other means

6. Appointment

Nominations will be assessed by the Department of Primary Industries. Recommendations for appointment will first be made to the Marine Estate Agency Steering Committee for consideration and final recommendation to the Director General, Department of Primary Industries. Members will be appointed by the Director General, Department of Primary Industries (as lead agency for marine park management).

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People appointed to advisory committees must be suitably qualified and reflect the diversity of the NSW community. Above all, appointees must be committed to ethical practice, understand appropriate governance principles, have the capacity to think critically, be objective, and understand and manage conflicts of interest.

Appointments to advisory committees will be made on the basis of the following principles and selection criteria.

6.1 Merit

Appointments will be made on demonstrated merit. In all cases, potential appointees will be considered against assessment criteria based on the skills, experience and knowledge required for the role.

6.2 Fairness

The process used to assess potential appointees will be transparent, without bias, and open to qualified persons interested in seeking appointment. The same criteria will be used to assess all persons being considered for appointment at that time.

6.3 Diversity

To the extent reasonable, appointments will reflect the diversity of the local community. Particular attention will be given to the representation of Aboriginal people, women, people with a disability, young people, and people from culturally and linguistically diverse backgrounds. Marine park advisory committees aim to reflect a broad range of stakeholder perspectives in line with the values of marine parks.

6.4 Integrity

Only persons of sound reputation, who are prepared to discharge their responsibilities ethically, diligently and with only the public interest in mind will be appointed.

6.5 Appointment criteria

- Demonstrated ability to act with integrity and exercise sound judgement.
- Active involvement in one of the expertise areas identified in section 4 above.
- Recognised as having well developed specialist skills, experience and knowledge in one of the identified expertise areas.
- Ability to liaise and engage with other members of the expertise area.
- Ability to communicate effectively and actively contribute at meetings and out of session. Access to email to facilitate timely and effective out of session discussions is preferred.
- Ability to prepare for meetings (including reading a variety of documents in advance and liaising with other stakeholders).

- Understanding of the key issues relating to the marine estate and marine parks in NSW.
- Understanding of the NSW Government's marine estate reforms and new approach to marine park planning
- Any other relevant selection criteria as determined by the Marine Estate Agency Steering Committee.

7. Term of appointment

Generally, each member will be appointed for a term not exceeding four years. Terms of individual members may be staggered to support committee continuity and knowledge exchange.

Upon the expiry of a term of service on a marine park advisory committee, members are eligible to apply for reappointment for further terms.

Once appointed, members will be given a copy of this handbook, which includes the Code of Conduct for Marine Park Advisory Committees.

Each member must acknowledge in writing their acceptance of these documents and declare any conflicts of interest before commencing as a committee member.

8. Alternate members

Each call for nominations will include a call for alternate members. One alternate member will be identified for each expertise group in section 4. Alternate members will be subject to the same appointment process as standing members (outlined in section 6) and may be appointed from the suitable pool of nominees for standing membership.

Where sufficient suitable nominations exist, a talent pool may be formed from those nominees not successful in gaining appointment but who wish to remain available should a vacancy occur.

In the absence of a standing member, the alternate for that expertise area may act in the place of the member. While acting in the place of a standing member, the alternate:

- has all of the functions of the member and is taken to be the member, and
- is entitled to be paid such allowances (See Section 18).

9. Appointment of the chair

A chair will be appointed from the standing members of each advisory committee. When the chair's role is vacant, advisory committee members will be asked to recommend a chair. A recommendation supported by a majority of votes cast at a meeting of the committee at which a quorum is present will be taken as the recommendation of the committee.

Persons appointed as chairs must have a demonstrated capacity to lead others, facilitate objective and constructive discussions, summarise complex information, and formulate advice in a professional and effective manner.

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The Marine Estate Agency Steering Committee will consider the committee's recommendation for chair based on these criteria, and appoint a chair.

The term of the chair's appointment will be for the remaining term of their committee membership.

The Director General, Department of Primary Industries, may remove the chair at any time in accordance with section 10.

10. Vacancies

The expertise area of an appointed member becomes vacant if the member:

- dies, or
- completes a term of membership and is not re-appointed, or
- resigns the appointment in writing to the relevant Marine Park Manager, or
- is removed by the Director General, Department of Primary Industries.

The Director General, Department of Primary Industries may remove an appointed member or the chair from membership at any time. The Director General may remove a person if in his/her opinion the person:

- breaches the code of conduct for marine park advisory committees (Appendix A)
- becomes unable to adequately provide the skills and expertise the member was appointed for, or
- becomes unable to satisfy the appointment criteria in section 6.5, or
- fails to attend a meeting without providing an apology or valid reason, or ceases to actively contribute to the committee.

The Director General, Department of Primary Industries, may remove a member for any other valid reason. The Director General will seek advice from the Marine Estate Agency Steering Committee before a member is removed.

11. Meetings

The Marine Park Manager will work in conjunction with the chair to determine a schedule of meetings that is appropriate to the committee's role and local issues and priorities. More frequent meetings may be required when a draft management plan is being developed. Advisory committees aim to hold a minimum of two meetings per calendar year. However, out-of-session discussion is recognised as an important tool for effective time management, prompt response to emerging issues and continuous collaboration.

Members of advisory committees give up their time generously and voluntarily on top of work, family and personal commitments. All reasonable efforts should be made to schedule meetings at a time and place to facilitate attendance by a majority of members and make the most productive use of members' time. Meetings will generally be held in person, although where necessary meetings may also be held via teleconference or videoconference.

Not less than seven days' notice should be provided to committee members before each meeting. An agenda and any associated business papers should be provided not less than seven days prior to the meeting.

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Marine Park Managers or their representative(s) will attend each marine park advisory committee meeting and provide all administrative support.

Meeting procedures will be consistent with sound meeting practice and ensure that all members are given fair and equal opportunity to participate in the deliberations of the advisory committee.

During the meeting, the chair is responsible for:

- ensuring respectful and ethical conduct
- ensuring that members are clear about any issue or question before them
- maintaining order and giving everyone a reasonable opportunity to speak
- ensuring that deliberations are recorded to a satisfactory level, and that any resolutions or recommendations accurately reflect the majority view (for example by displaying drafted resolutions on a screen or whiteboard)
- interpreting and helping to clarify points of debate, moving the discussion forward and bringing discussion to a resolution
- facilitating reaching of consensus wherever possible.

Conventional rules of debate apply. All debate should be through the chair. The chair has the right to request any disruptive member to leave the meeting for a specified period. Disrespectful and aggressive conduct will not be tolerated. Repetitive disruption may lead to the person being asked to leave the remainder of the meeting, or a recommendation being made to the Director General, Department of Primary Industries for removal of the member from the committee.

Minutes of the meeting will be captured by the Marine Park Manager or their delegate and be available as a draft for members in a reasonable timeframe, typically two weeks. Outcomes and any actions must be recorded for each meeting. These minutes and all committee records may be requested under the provisions of the *Government Information (Public Access) Act 2009*. Minutes may be made publically available on the DPI or marine estate web sites.

12. Quorum

The quorum for a meeting of the Committee consists of a majority of its members as appointed at the time.

13. Observers

Requests from any community member or stakeholder group to attend a committee meeting as an observer will be at the discretion of the committee.

14. Recommendations and advice

The chair will aim to reach consensus on the recommendations and advice to be provided by the committee. A recommendation supported by a majority of votes cast at a meeting of the committee at which a quorum is present will be taken as the recommendation of the committee. However, advice provided by all committee members is valuable and conflicting

opinion and advice will be noted. Consensus is not essential and diverse stakeholder views are still valuable in guiding marine park management.

15. Conflict of Interest

Members are obliged to declare any conflicts of interests to the chair or Marine Park Manager both when appointed and as committee business arises.

Members declaring a conflict of interest may be asked by the chair to absent themselves from the meeting or refrain from debate while the issue is discussed.

If the chair declares a conflict of interest then an alternate chair will oversee the meeting during discussion of relevant matters.

Should any doubts exist about a declared conflict of interest and the advisory committee is unable to agree whether or not the particular member(s) should refrain from participating in discussions or consideration of the issue, the matter is to be referred to the Marine Park Manager for determination. The marine park advisory committee code of conduct (Appendix A) should be referred to for further guidance on conflicts of interest.

16. Public comment

Public comment includes public speaking engagements, comments on radio or television or to a journalist, views expressed in letters or opinions in newspapers or in books, journals, internet sites, social media and notices where the publication or circulation of the comment is publically available.

A view that is publically expressed by a committee member may be perceived or construed by the broader community as a view of the advisory committee or the Department of Primary Industries. A member of the committee must not at any time:

- initiate contact with the media on matters or issues that have been subject to discussion by the committee
- make public comment on behalf of the committee or the Department of Primary Industries
- make public comment on (including to the media or on social media) any matter or issue that has been subject to discussion by the committee
- share any committee records with the media or on social media.

All media enquiries must be directed to the chair or Marine Park Manager.

The chair is the only member of an advisory committee who is authorised to provide public comment on behalf of the advisory committee. The chair is only authorised to provide public comment after consultation with the Marine Park Manager and the Department of Primary Industries communications team.

17. Confidentiality

Marine park advisory committees will discuss a wide range of issues, many of which will be sensitive or contentious. To enable members to provide informed advice on a particular

matter, it will often be necessary to consider 'privileged' information. Such information should be treated with the utmost confidentiality and kept within the confines of the advisory committee.

Advisory committee members have a primary responsibility to the relevant advisory committee in regard to the confidentiality of matters discussed, irrespective of their affiliation with any other groups or organisations. However, they may report to the community on advisory committee matters where such information would normally be available to the public. More information regarding this can be found in the marine park advisory committee code of conduct (Appendix A).

18. Complaints

Complaints, disputes and grievances should always be handled in a timely and professional manner which is fair, courteous and respectful of privacy.

Complaints which are of a minor or personal nature should in the first instance be dealt with informally, through discussion with the chair or Marine Park Manager.

If this matter remains unresolved, the complainant may elect to make a formal complaint via the Department of Planning, Industry and Environment complaints process. This process is outlined at <https://www.industry.nsw.gov.au/policies/about-our-complaints-handling-process>.

19. Allowances

No sitting fees are paid for members of marine park advisory committees.

Members will be reimbursed for any out-of-pocket expenses for travel to and from meetings and other approved advisory committee activities. Anticipated expenses for official activities other than advisory committee meetings must have the prior approval of the Marine Park Manager. Advisory committee members must submit expense claims in a timely manner.

Where members are required to use their own vehicle to attend official advisory committee functions, they are entitled to receive an allowance for mileage at the NSW Government 'official business rate'.

All claims for reimbursement of actual costs should be lodged with the Marine Park Manager on the official form (Appendix B) and must be accompanied by receipts for the costs incurred. Any official air travel or accommodation will be arranged and paid for directly by the Department of Primary Industries.

20. Public notification of membership

Once the members have been appointed, the chair and membership list, including the name of each member and the relevant membership expertise area, will be published on the Department of Primary Industries web site.

21. Important Resources

Title	Location
Marine Estate Management Act 2014	https://www.legislation.nsw.gov.au/#/view/act/2014/72
Complaints handling process	https://www.industry.nsw.gov.au/policies/about-our-complaints-handling-process
Government response to the Report of the Independent Scientific Audit of Marine Parks in New South Wales 2013	https://www.marine.nsw.gov.au/__data/assets/pdf_file/0008/498617/Government-response-to-the-marine-parks-audit-a-new-approach.pdf
NSW Marine Estate Threat and Risk Assessment Report 2017	https://www.marine.nsw.gov.au/__data/assets/pdf_file/0010/736921/NSW-Marine-Estate-Threat-and-Risk-Assessment-Final-Report.pdf
NSW Marine Protected Areas Policy Statement 2017	https://www.marine.nsw.gov.au/__data/assets/pdf_file/0005/726728/Marine-protected-areas-policy-statement-.pdf
NSW Marine Estate Management Strategy 2018-2028	https://www.marine.nsw.gov.au/__data/assets/pdf_file/0007/815596/Marine-Estate-Management-Strategy-2018-2028.pdf
Marine Parks Pilot Frequently Asked Questions 2018	https://www.marine.nsw.gov.au/__data/assets/pdf_file/0004/827554/FAQ-Batemans-Marine-Park-pilot.pdf

Appendix A

Marine Park Advisory Committee

- Code of Conduct

1. Introduction

As public officials, members of committees have a particular obligation to act in the public interest. You are required to demonstrate standards of professional behaviour that will preserve public trust and deliver the best possible outcomes for the people of NSW.

All members of NSW Government boards and committees must:

- Comply with the Ethical Framework for the public sector set out in the *Government Sector Employment Act 2013*
- Comply with the board or committee's Code of Conduct
- Have a clear understanding of their public duty and legal responsibilities
- Act for a proper purpose and without exceeding their powers.

This Marine Park Advisory Committee Code of Conduct has been developed to assist you to understand your obligations and the NSW Government's expectations and requirements.

2. Personal and professional behaviour

You are expected to always:

- act ethically and in the public interest
- act in a professional and non-political way while advising government
- use public resources efficiently and appropriately
- give accurate and impartial advice to government and, where applicable, implement its programs conscientiously
- follow relevant legislative, industrial and administrative requirements
- treat people with dignity and respect, and contribute to a positive and productive committee
- make sure people feel valued and are able to fully participate in the committee
- not discriminate against, harass or victimise anyone on any grounds including gender identity, marital status, pregnancy, age, race, ethnic or national origin, physical or intellectual impairment, sexuality or political or religious conviction
- prevent bullying
- adhere to this code.

Bullying, harassment, intimidation, public criticism, defamation, abuse or aggression towards any individual committee member, community member or government employee will not be tolerated and will result in removal from the committee under section 10 of the Marine Park Advisory Committee Handbook.

3. Work health and safety

Committee members are considered workers for the purposes of the *Work Health and Safety (WHS) Act and Regulation 2011*. Getting our people home safe and well is a top priority for the Department of Planning, Industry and Environment, as is public safety. We will never ask you to put yourself at risk. We can only achieve a safe workplace with your help so we ask you to:

- be aware of, and implement, the safety systems and practices that help keep you and those around you safe and well
- notify the chair or Marine Park Manager as soon as you observe a safety risk
- report all workplace health and safety (WHS) incidents, including near misses, within 24 hours to the Marine Park Manager.

4. Conflicts of interest

A conflict of interest occurs where your private interests make it difficult for you to perform your duties impartially in the public interest. Conflicts are common and can arise, for example, from close personal relationships at work, family relationships, social friendships or animosities, and work you do outside of the committee, including employment, volunteering or any political activities.

Members of government committees are appointed for their expertise and skill in particular areas. As a consequence of their expertise in these areas, there may be the potential for conflicts of interest to arise between a member's duties to the committee, and his or her personal interests (or his or her duties towards others).

A conflict may be:

- *Actual conflict*: there is a direct conflict between your committee duties and responsibilities and your private interests.
- *Perceived conflict*: a person could reasonably perceive that your private interests are likely to improperly influence the performance of your official duties, whether or not this is the case.
- *Potential conflict*: you have a private interest that could conflict with your official duties in the future.

If a conflict of interest leads to partial decision making, it may constitute corrupt conduct. A conflict of interest, whether real, perceived or potential, may arise for example from:

- Other directorships or employment
- Professional and personal business interests and associations
- Investment interests or the investment interests of friends or relatives
- Family relationships
- Participation in party political activities
- Personal beliefs or attitudes that affect impartiality.

The above list is indicative only and there may be other situations that can lead to a real or perceived conflict of interest.

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Conflicts must be declared so they can be managed in a careful and transparent way. A member has a duty to declare any private interest that may impinge on a committee decision. When an issue arises, the committee member must as soon as practicable disclose full and accurate details of the interest or issue to the committee. A member must disclose interests to the committee (which include positions and pecuniary interests) in corporations, partnerships or other businesses or organisations that may be relevant to the discussions of the committee. A member's interests include those of an associate or close relative. Disclosure must be made at the beginning of a member's term and during the term as matters arise. A register of such interests should be maintained by the committee and Marine Park Manager.

5. Official and confidential information

During your appointment or work you may have access to sensitive, personal and/or commercially confidential information. This information could relate to members of the community, the NSW Government or government employees. You are expected to protect the integrity and security of information and documents for which you are responsible and to adhere to the principles of the *Privacy and Personal Information Protection Act 1998*.

Members must not disclose official information or documents acquired as a consequence of their membership, other than as required by law, or when the member has been given proper authority to do so.

In short, this means that you:

- may not use information for any unofficial purpose outside the committee
- may use confidential or official information only in relation to your committee role and consistent with your obligation to act impartially
- must be cautious and use sound judgement when you discuss sensitive information with others
- may not use information gained in your capacity as a committee member for personal gain
- may disclose information that is normally available to members of the public
- must not improperly collect, use or disclose the personal information of individuals including community and staff members
- must not use information gained in the course of your committee role to cause harm or detriment to government or any person or organisation
- must safely and securely store any committee records, including emails and electronic information
- must not remove official information from government premises unless you need it for committee purposes
- must treat email and electronic records as carefully as hard copy information.

Misuse of official information or documents includes:

- speculation in shares, commodities, or property on the basis of confidential information about the affairs of a business or of proposed government actions
- seeking to take advantage of another person, for personal reasons, on the basis of information held in official records

Marine Park Advisory Committee Handbook

- disclosing sensitive information to members of the public, political parties, clients, lobby groups, other public servants, other government organisations, or members of Parliament, without proper authority
- providing or trading confidential information for use by private investigators, banks, credit agencies or other external parties.

These requirements apply to any information you obtain during the course of your committee membership and continue after you complete your appointed term.

6. Intellectual property

Intellectual property includes rights relating to scientific discoveries, industrial designs, trademarks, service marks, commercial names and designations, inventions and activity in the industrial, scientific, literary or artistic fields.

All intellectual property created by you in the course of your committee role is the intellectual property of the Department of Primary Industries. You may therefore not sell or give away intellectual property created during or in connection with your appointment or engagement with the committee. You must provide the Department of Primary Industries with complete copies of any reports, documents or other materials created in the course of your advisory role or work.

7. Use of public resources

You are expected to be efficient in your use and management of public resources.

Furniture, equipment, staff and other resources may be provided to a committee to perform its functions and should be used only in relation to those functions and in accordance with any guidelines or rules about the use of those resources.

Department of Primary Industries communication devices, including internet access, may not be used to browse or download illegal, inappropriate or offensive material. When you use Department of Primary Industries technology, internet and email facilities, the use must be appropriate, lawful, efficient, proper and ethical.

8. Public comment

Public comment must only be made strictly in accordance with section 16 of the Marine Park Advisory Committee Handbook.

9. Alcohol and drugs

You must take responsibility for ensuring the health and safety of yourself and of others whilst participating as a committee member. In particular, you are responsible for ensuring that you do not, by the consumption of alcohol or other drugs, endanger your own safety or the safety of any other person, including the community.

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Alcohol and other drugs includes alcohol based products, tobacco, illegal drugs, and medically prescribed and non-prescribed substances, which adversely affect your conduct or work performance.

Workplace means any place where committee activities are performed and includes government vehicles, off-site and field areas.

You must also not participate in any committee activities if you are under the influence of alcohol or other drugs likely to adversely affect your ability to fulfil your duties.

10. Allegations of impropriety

It is important that the conduct of committee members reflects the principles and ethical requirements set out in this code at all times. If allegations about inappropriate conduct are made or aired in the public domain which, if true, would constitute a breach of this code, the member concerned may be removed from the committee in accordance with section 10 of the Marine Park Advisory Committee Handbook.

Allegations made in the public domain include:

- being referred to in sworn evidence (either oral or written) in any court or tribunal proceeding
- being the subject of, or named as a person of interest in, any investigations by the Independent Commission Against Corruption
- being the subject of, or named as a person of interest in, any investigation by the NSW Ombudsman
- being the subject of, or named as a person of interest in, any investigation or proceedings by any other governmental or quasi-governmental body in any jurisdiction.

The member may resume his or her membership of the committee when the relevant court, tribunal or other body makes a finding of fact that the allegations are unfounded, or otherwise when the Director General, Department of Primary Industries, so determines.

11. Gifts and benefits

Members should be aware that it is illegal to seek, offer or receive money or gifts in order to obtain a benefit or favour. Members must also not accept gifts or benefits that could place them under an actual or perceived financial or moral obligation to another organisation or individual. Non-financial gifts or hospitality of modest value may be accepted in limited circumstances where the member's position will not be compromised.

If any gift or benefits is offered to or accepted by a committee member from any person or body with interest in marine park management, full and prompt disclosure must be made to the chair.

12. Breaches of the code

Breaches of this code will result in removal of committee members in accordance with section 10 of the Marine Park Advisory Committee Handbook. Serious incidences of misconduct will be referred to the NSW Police or Independent Commission Against Corruption where appropriate.

Appendix B

Meeting expense claim form



Department
of Industry

Expense8 Claim Form for Meeting Expenses

Please complete this form to summarise your travel expenses if you are a member of an official Departmental Board or Committee and forward to your convenor.

If you are the convenor and require the Expense Management team to enter the claim, please email scanned copies of the form and supporting documents to finance.support@industry.nsw.gov.au

MILEAGE CLAIMS	
Please attach a current copy of Comprehensive Car Insurance and Registration papers valid as at the date of travel	
Trip Details Segment – Only One Meeting per Claim Form is to be completed	
Member name (as known by the department)	
Address	
Trip Name (Board or Committee)	
Trip Reason (Purpose of Meeting & Coordinating agency)	
Telephone	
Personnel number Eg. S000000X	
Itinerary Segment – Mileage Details (note each segment of the trip must be logged separately)	
Vehicle registration	
Description (enter if different from above Trip Reason)	
Meeting Date	
Trip From	
Trip To	
Description	
Meeting Date	
Trip From	
Trip To	
Summary Segment	
Other Information/Comments	
TOTAL MILEAGE CLAIMED \$ _____ x _____ km	\$ _____

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OTHER EXPENSES			
Summary of costs			
Taxi, train fares, parking, bus etc		\$	
Airfares		\$	
Accommodation		\$	
Meal Actuals		\$	
TOTAL OTHER EXPENSES		\$	
TOTAL MEETING EXPENSES		\$	
Submission			
Board Member Signature		Date	
Attachments included: Motor Vehicle Comprehensive Insurance and Registration Papers <input type="checkbox"/> Tax Compliant Invoices/receipts or Statutory Declaration <input type="checkbox"/> Please return the form including attachments to the meeting convenor.			
Approval			
Authorised Delegate		Date	
Sitting fees: Sitting fees must be claimed separately and submitted to payroll.processing@industry.nsw.gov.au using a Meeting sitting fee claim form .			
Office use only – Convenor/Expense Management			
EXPENSES TRIP NUMBER CREATED			
Cost Centre / Project Task	Description	GST Applicable	Amount
	Private vehicle use		\$
	Taxi, train fares, parking, bus etc		\$
	Airfares		\$
	Accommodation		\$
	Meal Actuals		\$

PSR19/023 2018-19 NATURAL RESOURCE MANAGEMENT STATUS REPORT

E05.9165

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services
Attachments: Nil
Outcome: Protected and Valued Natural Environment
Focus Area: 3.2 Value, protect and enhance our natural environment and assets
Delivery Program Link: 3.2.2 Work in partnership to provide natural resource management
Operational Plan Link: 3.2.2.2 Plan and implement environmental protection and restoration program

EXECUTIVE SUMMARY

This report provides the annual update on Council's Natural Resource Management (NRM) Program for the period July 2018 to June 2019. Included are updates on the Coast and Estuary Program, Landcare, Marine Debris initiatives, Indian Myna Control and Flying foxes.

Projects are predominately grant funded with Council providing some matching funds of \$139 884. The projects are strategic and aligned with Council plans and directions, along with support of volunteers and landholders. Volunteers have committed a conservative 9,400 hours to NRM during 2018-19 which equates to \$376,000 of in-kind conservation activities. The majority of efforts were spent on weed control and feral animal (Indian Myna birds) control activities across all Eurobodalla suburbs.

RECOMMENDATION

THAT Council:

1. Receive and note the 2018-19 Natural Resource Management Status Report.
2. Thank Landcare volunteers for their contribution.

BACKGROUND

Council operates in a diverse range of NRM areas. Activities are undertaken to:

- protect Eurobodalla's coasts and estuaries in line with the recommended actions in Coastal Management Programs
- protect and enhance bushland and Endangered Ecological Communities (EECs) and improve overall biodiversity
- monitor flying fox camps, implement actions from the Eurobodalla Flying fox Management Plan and minimise the impacts of flying foxes on residents
- reduce marine debris and implement source reduction plans to reduce further impacts on our coastal and marine environment
- assist residential landholders to sustainably manage their gardens by providing plant swap opportunities and garden visits.
- assist rural landholders to sustainably manage their properties, waterways and vegetation
- reduce the impacts and spread of invasive plants and animals

PSR19/023 2018-19 NATURAL RESOURCE MANAGEMENT STATUS REPORT

E05.9165

- involve and support the community and land managers in environmental works and education
- provide education and a control program for the invasive Indian Myna bird.

A range of government organisations and community groups are engaged to develop and implement partnership projects. Works occur across all land tenure to enable landscape-scale environmental outcomes.

Projects are developed and implemented based on delivering environmental outcomes that are supported by Council plans and processes, funding body objectives and the community and/or land manager.

CONSIDERATIONS

Eurobodalla Landcare groups provide significant volunteer labour in undertaking activities, particularly weed control works, in Council reserves. This year over 9,000 hours were contributed to the management of public bushland and foreshore areas.

Prior to 2013, the Landcare Coordinator's position was a full time grant funded role hosted at Council. Over the years the NSW and Australian Governments funding and support has been significantly reduced seeing the position move from 0.5 FTE in 2013 to 2018 to 0.275 FTE (approximately 10 hours per week) from July 2019 -2023.

The reduction in grant funding for the Landcare Coordinator will mean support to Landcare volunteers will be also reduced. This flow on effect will also potentially see an increase in environmental management issues in council reserves and high conservation areas.

Council has also continued to maintain support to Landcare groups through grant funded projects beyond the funds specific to the Landcare Coordinator role. Council will continue to investigate opportunities to enable the continuation of Landcare support inclusive of additional funding models for the Landcare Coordinator role and to provide a level of certainty and consistency for Landcare volunteers.

Legal

All project works are in accordance with legislation.

Council works with the Department of Planning, Investment and Environment – Biodiversity and Conservation Division (formerly NSW Office of Environment and Heritage) to ensure projects also align with State priorities and legislation.

New activities undertaken on Council managed lands are subject to an internal approval process and reported to Council as required. See report PSR19/026 Landcare Project Proposals 2019 for information on works by Landcare.

Environmental

1. Coast and Estuary Program

This program implements the recommended actions from Council's five Estuary Management Plans or the updated Coastal Management Programs (Clyde, Tomaga, Moruya, Tuross/Coila and Wagonga). These plans are prepared by Council in consultation with the community with financial support from the NSW Government. The objective of the plans is to identify and prioritise key environmental works required to maintain the health of the estuaries.

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During 2018/19 estuarine conservation works have been undertaken throughout approximately 700 hectares of Endangered Ecological Communities and high value estuarine areas across Eurobodalla. Works have included weed control and revegetation, community education and engagement and foreshore bank stabilisation.

Grant funding for coast and estuary works has been provided by NSW Office of Environment and Heritage (OEH) and South East Local Land Services (LLS). Coast and estuary projects are often supported by Landcare volunteers and landholders of adjoining properties, to extend the benefits across the landscape.

Council provides customised advice to residents on how to reduce their impacts on the surrounding environment, how best to control invasive plants and animals and recommend sustainable garden options. Nine plant swap events have been completed with over 1000 residents taking part in exchanging weeds from their property for free native plants

2. Landcare Program

During 2018-19 there were 23 Landcare groups volunteering in Eurobodalla, consisting of 300 regular members and approximately 2000 individuals participated in Landcare activities. Over 90% of Landcare weed control activities occur on Council owned or managed land contributing significantly to the natural assets of the Eurobodalla.

Together the groups form an incorporated network, the Eurobodalla Landcare Network, and undertake their work with the assistance of the Landcare Coordinator whose part-time position is funded through Landcare NSW and hosted by Council.

During 2018-19 Landcare 9,400 volunteer hours were recorded valued at \$367 000 (based on the Australian Bureau of Statistics rate of \$40/hour). The main on ground activities were weed control and reducing the impacts of noxious and environmental weeds on native vegetation in reserves and Indian Myna control program.

3. Marine Debris Program

99 clean up events were completed in 2018-19 and information recorded on the National Marine Debris Initiative Database. A focus is on stopping the debris from the source. Activities to reduce impacts on the coast and marine environments have included:

- Ten drain baskets installed in the Batemans Bay CBD catching litter from the streets before entry to the estuary. The litter items are assessed and recorded on the national marine debris database. This trial will assess the success of the baskets and consider main pollutants and source reduction opportunities.
- Working with oyster farmers on the Clyde River to develop a recycling program for waste plastic infrastructure items.
- Annual schools' environmental calendar 2019 was 'use your voice for a better choice'. The progress for the 2020 calendar 'it's our future' is underway.
- Presentation at the NSW Litter Congress on council marine debris and litter programs.

4. Indian Myna Control

Council and Landcare initiated the shire wide trapping program in 2009. This program offers the loan of free volunteer made traps and accompanying staff advice on identification, trapping

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techniques and humane euthanasia. Since the commencement of the program a growing number of areas across the Eurobodalla now being free of Indian Mynas.

The Indian Myna annual council budget of \$10 000 has provided vital resources to increase education and communication with the community to implement proactive management actions. This has been critical to the timely, effective and humane control of this pest species.

Other Councils have been seeking advice from the Eurobodalla and similar programs are now being implemented at adjoining shires.

5. Flying-fox Program

The Eurobodalla Flying-fox Management Plan was endorsed by council on 27 November 2018 (PSR18/089, 18/354). The purpose of the Plan is to provide a framework to reduce impacts of flying-foxes whilst conserving the ecosystems services they provide.

The 2018/19 flying fox season saw five known active camps in the Eurobodalla: Water Gardens, Catalina, Moruya Heads, Tuross Head, and Narooma. Higher animal numbers than in previous years were present at Moruya Heads and Tuross, however community concerns were relatively low. The graph below shows the changes in populations at the five camps that were occupied 2018-2019.

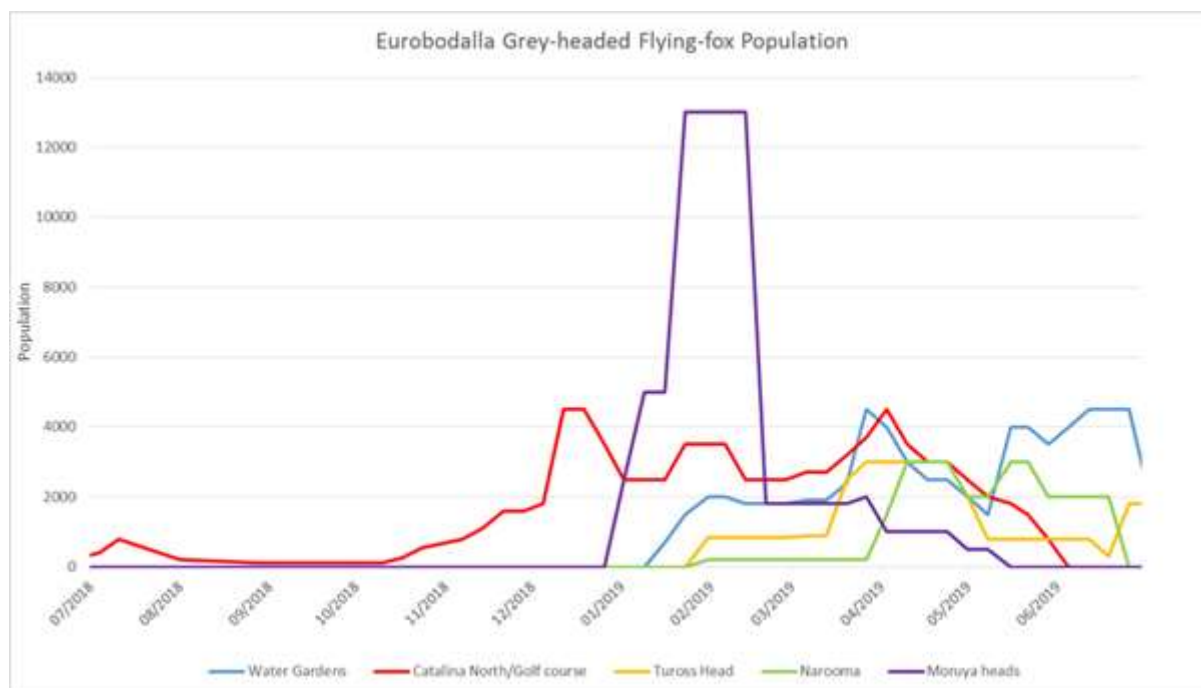


Figure 1. Flying fox camp populations 2018/19

Council continued to work with the NSW and Australian Government agencies and other councils to share knowledge and information to improve flying fox management.

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Social Impact

The projects have a strong emphasis on community engagement and education, providing a range of opportunities for community participation. This occurs in ongoing Landcare group working bees and one-off community events and activities.

The NRM program builds the capacity of private landholders to recognise, maintain and improve their properties' natural assets and to sustainably manage their land for enhanced agricultural productivity and environmental benefits.

Volunteers value the social aspects of Landcare and the feeling of being part of a bigger picture. The 'ownership' they feel for 'their' bushland means that some Landcare volunteers continue their work into senior years, with many continuing in community education or to support Landcare in other ways once they can no longer undertake the physical work.

Eurobodalla residents and visitors value the natural settings and interactions with the environment that Eurobodalla provides. NRM works continue to protect and improve this natural environment and provides volunteer opportunities for residents and visitors.

Economic Development Employment Potential

Many NRM projects utilise local businesses to assist with implementation such as bush regenerators, fencing contractors, local produce, hardware stores, earthwork machinery operators, printers, sign makers and caterers for community training events.

Projects also involve engagement of local indigenous teams through the appropriate Local Aboriginal Land Council where suitable.

Financial

Council's contribution to NRM programs in 2018-19 was \$139 884 made up of:

- Landcare support \$32 147
- Coast and Estuary Management (on ground) \$67 000
- Indian Myna control \$10 000
- Environmental Protection \$10 737
- Flying fox Management \$20 000

These funds were used to match external grants, tools and equipment and contractors for supporting high priority NRM works on Council lands, where there was no external funding or source of volunteers.

Project and funding source	Status	Grant	Start	End
Weed control on Crown Lands Lot 92 (Malabar), Crown Lands	Proposal	\$9 108	3/06/2019	30/06/2020
Weed Control on Crown Lands Victoria Creek Tilba, Crown Lands	Proposal	\$5 016	3/06/2019	30/06/2020
We Care about waste, EPA	Proposal	EOI		

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Clyde Plastic Recycling, EPA	Proposal	EOI		
Protecting and enhancing Moruya River Catchment	Proposal	\$22,130	1/09/2019	31/05/2019
Protecting Saltmarsh EEC, LLS	Active	\$10,000	1/07/2019	30/06/2020
Biodiversity Conservation Trust Outreach, BCT	Active	\$16,728	27/05/2019	31/10/2019
Spiny Rush Mapping and Control, LLS	Active	\$38,116	31/01/2019	31/01/2020
Protect and Enhance Moruya River, LLS	Active	\$22,130	29/08/2019	31/05/2020
Enhancing Eurobodalla's Coastal Environment 2018-2021, OEH	Active	\$300,000	1/07/2018	31/05/2021
Managing established pest animals and weeds (MEPAW), LLS	Active	\$5,000	15/03/2019	31/05/2019
Maintaining momentum and bridging the gaps on the HCVAE Deua River, ET	Active	\$99,647	1/02/2019	1/12/2021
Fighting ferals to protect Eurobodalla's EECs, ET	Active	\$99,987	1/10/2018	20/12/2021
Securing the Deua and Burra River-flat Eucalypt Forests, NPWS	Active	\$31,000	1/03/2018	30/06/2021
Protecting our Warty Zieria - Zieria tuberculata protection project, ET	Active	\$98,854	25/05/2016	31/12/2019
Weed finder - a self-help system for weed control, ET	Active	\$48,762	1/02/2018	1/02/2019
Flying fox Management	Active	\$ 2,000 000	1/07/2016	30/08/2022
TOTAL active projects		\$2 770 224		
Deua River Riparian Restoration Project	Completed	\$223,993	1/09/2012	31/07/2018
Removing threats and improving resilience of Eurobodalla dunes, ET	Completed	\$99,981	1/08/2015	31/07/2018
EPA Council Litter Prevention -We CARE	Completed	\$65, 350	4/04/2018	30/04/2019
TOTAL completed projects		\$389 324		

LLS = South East Local Land Services; OEH – NSW Office of Environment and Heritage; ET = NSW OEH Environmental Trust; BCT=Biodiversity Conservation Trust

Table 1. Grant funded projects proposed, delivered and completed during 2018/19

Community and Stakeholder Engagement

Project development and submissions are undertaken in consultation with the affected landholders, land managers and volunteers involved in the deliverables. Project works on private lands are on a voluntary basis and conducted with the consent and involvement of the landowner.

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New project applications and grant announcements are provided in Councillors' newsletters.

The broader community is informed of project works by newspaper, radio, letter or in person dependent on the nature of the works program and the community interaction required at each locality.

A range of community education events allow staff to consult on projects and to engage the community and landholders. Such events allow for more approachable access to Council officers and advice.

Officers may also meet face to face with residents adjoining bushland reserves to discuss projects.

We have involved the community in the development of the Flying fox Management Plan through workshops; drop in sessions; media and social media receiving 492 responses to the community engagement survey.

CONCLUSION

Council managed natural areas along beaches, rivers and estuaries are a highly valued community asset and for Council to fulfil both legal responsibilities and meet community aspirations, these areas require appropriate management and conservation for the use of the whole community.

The contribution of volunteers is substantial; 9,400 hours and support from Council is vital to the continued delivery of NRM projects. Increased financial support from council is required to continue to provide support to Eurobodalla Landcare due to state funding cuts to Landcare Coordination.

Council's contribution of \$139 884 p.a., with active grants totalling \$2 770 214 and volunteer labour of \$376 000 currently fund the NRM programs.

PSR19/024 2018-19 INVASIVE SPECIES - STATUS REPORT

E80.2982

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services

Attachments: Nil

Outcome: Protected and Valued Natural Environment

Focus Area: 3.2 Value, protect and enhance our natural environment and assets

Delivery Program Link: 3.2.1 Provide education on and manage the impacts associated with invasive species

Operational Plan Link: 3.2.1.1 Undertake noxious weed program

EXECUTIVE SUMMARY

This report details the annual activities, expenditure and considerations related to invasive species management for the 2018-19 period.

Invasive species management, inclusive of weeds and animal pests, is a crucial part of maintaining the biodiversity and agricultural values in Eurobodalla. Council undertakes activities associated with the South East Weeds Action Program as a Local Control Authority and in association with the NSW Government agencies. In addition, external grants have assisted in a variety of invasive species programs and complement other natural resource management works.

During 2018-19, there were 2,146 biosecurity matter (weeds) inspections conducted across all tenure, with 100% compliance from private property owners. Several high threat weed species were uncovered through inspections, enabling a rapid response to impending threats from and Coolatai Grass, Cats Claw Creeper and Frog Bit

Rabbits continue to cause concern and control was enacted within budgetary constraints.

RECOMMENDATION

THAT Council receive and note the 2018-19 Invasive Species Status Report.

BACKGROUND

State investment through the South East Weeds Action Program 2015-2020 is based on the goals of the NSW Invasive Species Plan, which sets out the goals required to avoid or minimise the threat of invasive species in NSW.

The way in which enforcement is carried out aligns with the NSW *Biosecurity Act 2015* (The Act) under which our weed inspection program operates. The Act focuses on a practical risk based approach that makes sense on the ground.

NSW Invasive Species Plan 2015-2022 - provides land managers with a framework upon which investment programs for weeds and vertebrate pests are developed and funded.

South East Weeds Action Program 2015-2020 - is the NSW investment program for invasive plants where the geographical area aligns with the South East Local Lands Service boundaries.

PSR19/024 2018-19 INVASIVE SPECIES - STATUS REPORT

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The program focuses on goals from the Invasive Species Plan, which are to prevent the incursion of serious new weeds and to eradicate or contain infestations.

South East Regional Strategic Weeds Management Plan 2017-2022- sets the vision for weed management in the South East for five years from 2017, and outlines strategies and actions to achieve goals that focus on shared responsibility for weed management, sustainable landscapes and collaborative leadership and innovation.

Weed Control Programs

18 Council endorsed weed control programs were developed for the Eurobodalla to ensure locally significant weeds such as African Love Grass and St John's Wort, are able to be dealt with under the legislation.

CONSIDERATIONS

Biosecurity Matter (weeds), environmental weeds and animal pests can cause major harm to private property, the environment, agriculture, and human and animal health, resulting in adverse economic impacts.

Biosecurity matter (weeds)

Council's inspection program focused on the inspection of previous grant funded projects: for blackberry; the targeted inspection of properties that had the potential to harbor bitou bush; our scheduled inspections for boneseed at Long Beach and Surf Beach; and our scheduled inspection program from Moruya to Coila. During these inspections, the majority of landholders were managing weed infestations and follow up inspections of previous grant funded blackberry control projects were highly successful.

It is important that these projects are followed up to ensure overall reduction in the biomass of serious blackberry (and other) infestations on private property. Our inspections revealed three serious declared weeds, these being Cats Claw Creeper (*Macfadyena unguis-cati*), Frog Bit (*Limnobium laevigatum*) and Coolatai Grass (*Hyparrhenia hirta*).

Regular and systematic weed control on high priority reserves and roadsides continues to be a major focus to reduce the threat of weed spread. High risk pathways are monitored for the presence of new weed threats. Containment of major weed infestations also reduces the threat of weed spread into agricultural land and areas of high biodiversity value.

Table 1: 2018-19 South East Weeds Action Program Activities

	Target	Actual
Inspect all high risk pathways	996	996
Inspect all high risk sites	111	111
Inspect private properties	731	931
Inspect public properties	83	83
Urban area inspections	14	14
Weed control compliance re-inspections #	137	11

PSR19/024 2018-19 INVASIVE SPECIES - STATUS REPORT

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<i>The private property inspection figures above are composed of the following:</i>		
Boneseed		227
Bitou		42
Serrated Tussock		14
St John's Wort		17
Blackberry (Old Man Bed Swamp catchment)		14
Reinspections		11
Moruya south to Coila (west of highway)		411
Clyde River		142
Lantana		53
Total inspections (all)	2,072	2,146

Low numbers of compliance reinspections means that an initial property inspection report has been complied with.

Table 1 shows that 736 primarily private property inspections were conducted over the 2018-19. Weed control compliance is very high with only 11 properties requiring re-inspection and no properties required a notice for non-compliance. A strong emphasis has been on the provision of extension services during inspections, resulting in spending more time on each property and to building positive relationships with our landholders.

Historical data suggests that the majority of our weed incursions stem from urban areas or high risk sites such as saleyards and power line easements. Various weeds were detected being sold and traded through online mediums such as Facebook Buy, Swap Sell and Gumtree.

Consequently, these sites are monitored regularly for illegal activity and the potential Frog Bit incursion was stopped as a result.

Boneseed inspections were scaled back to where infestations were discovered over the past three years, and they may be increased in 2019-20 to account for any possible germination since 2017-18 inspections.

Table 2: Comparison of weed inspection data from 2014-15 to 2018-19

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of private properties inspected	1,632	1,535	2,017	1,241	931
Number of re-inspections	16	23	165 [^]	15	11
Notices Issued	2	7	6	1	0
Compliance from landholders*	99.8%	99.4%	99.7%	99.9%	100%

*Compliance is based on the percentage of inspections that have required the issue of notices to ensure biosecurity matter (weeds) have been controlled.

[^]This figure includes Lantana re-inspections for the grant funded Lantana Pushback Program.

PSR19/024 2018-19 INVASIVE SPECIES - STATUS REPORT

E80.2982

As shown in Table 2, the number of inspections and compliance has been consistently high with minimal enforcement action being required.

In 2018-19, we concentrated on spending more time conducting inspections which included comprehensive extension and education where required, this has again improved our service to our ratepayers.

Animal pests

Control of animal pests is carried out strategically and where appropriate, in consultation with our community. Fox control is carried out in conjunction with the National Parks and Wildlife Service and other key stakeholders to implement the Australian Government's Fox Threat Abatement Plan. Council plays a key role in the protection of endangered species on its tenure and assists in the coordination and delivery of some landscape scale programs such as protection of threatened shorebirds.

Rabbits continue to be a major concern amongst our coastal communities, and control activities were conducted across the Shire, with particular focus on Tuross, Dalmeny – Kianga, Narooma, Mossy Point – Broulee, South Durras and Batemans Bay (Mackay Park). Good control was achieved at the majority of sites.

Many coastal urban areas remain highly problematic, with regards to the number of private dwellings harbouring 'non-targetable' rabbit infestations in urban backyards. Current resources are insufficient to run a control program across the entire shire on an annual basis, and as a result, the rabbit control schedule has been changed to a three year 'north, central, south' cycle to best utilise the funding and outcomes. Opportunities for additional grant funds will be also be monitored.

CONSIDERATIONS

Legal

In 2018-19, Eurobodalla Shire Council were the authorised administrative body for the *Biosecurity Act 2015*, which came into force on 1 July 2017.

The legislation promotes biosecurity as a shared responsibility between government, industry and the community, who will work together to identify, prevent, eradicate, minimise, respond to and manage biosecurity risks.

Environmental

Invasive species are costly to the Australian economy and primary producers, and cause degradation of our native bushland environment. Weeds are acknowledged as the second most serious cause of biodiversity decline after habitat loss from land clearing.

Invasive animals such as rabbits, foxes and Indian mynas cause serious harm to biodiversity, agriculture and ratepayers' properties.

Asset

Council controls invasive plants and animals across much of its tenure within budgetary constraints. We work in partnership with other government agencies and land managers, where possible, to ensure consistent and efficient usage of resources.

PSR19/024 2018-19 INVASIVE SPECIES - STATUS REPORT

E80.2982

Social Impact

Invasive species impact on agriculture, ecosystem services, tourism and recreation. They can have a physical, aesthetic, financial and social impact on property owners, tourists, recreationists and property managers.

Economic Development Employment Potential

Council's Invasive Species Control Program engages local contractors to assist in the delivery of services.

Council's control program also assists in supporting the agricultural sector and minimising the impact of weeds and pests on production. Similarly, the program assists in maintaining our local environmental assets which underpin the tourism industry and amenity which our residents and visitors enjoy.

Financial

The Department of Primary Industries provides grant funding assistance for coordination and inspections through the Weed Action Program. Various funding programs greatly contributed to the control of weeds and vertebrate pests. Crown Lands have funded numerous weed and rabbit control programs on their tenure, Local Lands Services funded weed and rabbit control in natural areas and wetlands, and the Australian Government contributed significantly to the control of weeds on private property such as Bitou Bush, Beach Weeds, Sharp Rush and Lantana.

Table 3: 2018-19 Financial Breakdown

(A) Revenue	
1. South East Weeds Action Program funds	1. \$87,171
2. Other external funds (grants)	2. \$48,711
3. Weeds certificates	3. \$165
TOTAL REVENUE	\$136,047
(B) ESC/SEWAP expenditure	
1. Council/Weed Action Program	1. ESC vertebrate pests: \$12,044
	2. ESC/SEWAP weeds: \$234,661
TOTAL ESC/SEWAP EXPENDITURE	\$246,705
(C) Other external funds expenditure *	\$71,086
TOTAL EXPENDITURE 2018-19 (B + C)	\$317,791

* Encompasses multi-year grant funded programs that have carried over from previous years that are not listed as 2018-19 income.

Council will continue to investigate grant opportunities to aid in the delivery of invasive species services.

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Community and Stakeholder Engagement

Events and extension services are conducted to ensure the community is aware of our activities and to foster a greater level of support and engagement in invasive species control. Council frequently responds to enquiries about invasive species control, plant identification and land management advice.

CONCLUSION

Invasive plants and animals continue to significantly impact upon ratepayers, biodiversity and agriculture in Eurobodalla Shire. Eurobodalla Shire Council managed its requirements as the Local Control Authority for the *Biosecurity Act 2015* in 2018-19 and has delivered a high level of expertise and input into local and regional invasive species management.

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E09.3157

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services

Attachments:

1. Report dated 28 November 2017 [↓](#)
2. Report dated 27 March 2018 [↓](#)
3. Community Groups' Responses [↓](#)
4. Map [↓](#)
5. Office of Environment and Heritage Assessment [↓](#)

Outcome: Protected and Valued Natural Environment

Focus Area: 3.2 Value, protect and enhance our natural environment and assets

Delivery Program Link: 3.2.2 Work in partnership to provide natural resource management

Operational Plan Link: 3.2.2.1 Assist Landcare and community groups and projects

EXECUTIVE SUMMARY

On 27 March 2018, the Long Beach Coastal Wattle Management report was presented to the Ordinary Meeting of Council (Motion 18/58), where the determination was for a deferral pending 'further consultation between the interested parties' following which a further report be prepared for Council outlining the outcomes.

Council has met with the interested parties and this report is in response to Motion 18/58.

Over the past 18 months, Council has reviewed and monitored the site as well as met with the interested parties. Whilst there is consensus from the groups on some of the management actions, there remain differing views for other actions.

RECOMMENDATION

THAT Council

1. Assist Long Beach Landcare and Long Beach Community Association to continue maintenance of the coastal wattle on Long Beach reserve by:
 - (a) ongoing coastal wattle removal on the northern side of the walking track
 - (b) ongoing coastal wattle removal in the wetland zone
 - (c) coastal wattle removal 2m either side of the beach access tracks
 - (d) maintaining the current line of 2016 containment of the coastal wattle
 - (e) allowing natural regeneration of native species.
2. Continue weed and pest animal control throughout the Long Beach reserve.
3. Monitor and report to the community groups following any mapping and aerial review of the Long Beach foreshore reserve in respect to the coastal wattle and regeneration of native plant species.

BACKGROUND

Since the development of the Long Beach area, there has been strong interest in the environmental, social and scenic values of the dunal system. Coastal wattle was first reported to Council as a concern in 2008 (E08/4) and thereafter there have been multiple reports, studies and correspondence related to the appropriateness or otherwise of coastal wattle on

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the dunes in Long Beach. There are varying community views and opinions on the coastal wattle in Long Beach and how it should be managed.

Council has undertaken studies and works in compliance with legislative requirements, and in consultation with the NSW Government and Long Beach community representatives. The project activities were consistent with the Long Beach Coastal Wattle Strategy (Strategy) which was completed with grant funding in May 2010 and adopted (PSM10/05) by Council in June 2010 (PS10/03). The Strategy presented options for management of the coastal wattle.

Prior to commencement of the project, an Implementation Plan and a Property Vegetation Plan were required enabling works to be undertaken, consistent with the Strategy and relevant legislative requirements, and to achieve sound environmental outcomes.

In 2013, Council with the community, oversaw the grant funded project from the NSW Environmental Trust's Restoration and Rehabilitation Program titled *Long Beach Coastal Wattle Management*. The project involved protecting and recovering native vegetation and habitats through the strategic removal of coastal wattle, together with revegetation activities and weed management in the Long Beach area. This project was completed in 2017 and reported to the NSW Government. The NSW Office of Environment and Heritage (OEH) undertook an independent project assessment and provided recommendations for the future management of coastal wattle at Long Beach.

On 28 November 2017, a Coastal Wattle Management – Long Beach report was provided to the Ordinary Meeting of Council (Attachment 1) following the completion of the grant funded project, with the recommendation:

THAT Council

1. *Assist Long Beach Landcare and Long Beach Community Association to continue maintenance of the coastal wattle by:*
 - (a) *Ongoing coastal wattle removal on the northern side of the walking track*
 - (b) *Coastal wattle removal 2 metres either side of the beach access tracks*
 - (c) *Maintaining the current line of containment of the coastal wattle.*
2. *Continue weed and pest animal control throughout the reserve.*
3. *Support Long Beach Landcare in planting additional native species (including tall growing shrubs and trees) at the western end of the reserve (Trial Area 1). No taller species are to be planted in front of houses.*

Council determined (Motion 17/374):

THAT Council defer this matter to enable consideration of proposals put by the Long Beach Community Association.

On 27 March 2018, a Long Beach Coastal Wattle Management report was provided to the Ordinary Meeting of Council (Attachment 2) with the recommendation

THAT Council:

1. *Assist Long Beach Landcare and Long Beach Community Association to continue maintenance of the Coastal Wattle by:*

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- (a) ongoing Coastal Wattle removal on the northern side of the walking track*
 - (b) Coastal Wattle removal 2m either side of the beach access tracks*
 - (c) maintaining the current line of containment of the Coastal Wattle*
 - (d) removal in the wetland zone.*
2. *Continue weed and pest animal control throughout the reserve.*
 3. *Support Long Beach Landcare in planting additional native species (including tall growing shrubs and trees) at the western end of the reserve (Trial Area 1) only. No taller species are to be planted in front of houses*
 4. *Support Long Beach Landcare in revegetating areas where Coastal Wattle has died and replace with lower growing species. All plantings should give consideration to the amenity of those who reside near and are users of the reserve.*

Council determined (18/58):

THAT Council defer this matter for further consultation between interested parties and a further report be prepared outlining the outcomes of that consultation.

Meetings were held with the interested community groups and whilst there is consensus on some management actions, differing views exist for other actions. A summary of the results of the consultation is attached to this report (Attachment 3).

CONSIDERATIONS

1. Coastal wattle management

During the grant funded project works between 2013 and 2017, an approved area of 0.54ha of coastal wattle was strategically removed from the Long Beach reserve.

In November 2018, due to availability of machinery on site for fire mitigation works, Council undertook coastal wattle pruning to maintain the wattle containment line established in 2016. Minimal work was required as little regrowth had occurred.

Since March 2019 there has been significant coastal wattle dieback in excess of the approved cleared areas. The latest monitoring has shown a decrease of coastal wattle in the reserve by approximately 30% since 2013. The attached map (Attachment 4) shows the extent of coastal wattle in 2013 and now. Note, the extent of the coastal wattle as it is interspersed with coastal tea tree.

There are four broad courses of action for managing the remaining coastal wattle - do nothing; ongoing maintenance to contain coastal wattle; further removal of coastal wattle; total removal of coastal wattle. The latter three options were put to the groups as 'do nothing' was not deemed an option by any party.

There is consensus from all parties for the continued maintenance of the current containment line. (Attachment 3)

There are differing views on further staged removal and total removal of coastal wattle:

- Long Beach Community Association would like to see total removal but they do not reasonably expect that Council will be able to remove all of the wattle. Emphasis for

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any activity should be at the western end of the beach near Square Head abutting the National Park

- Sandy Place Residents Group would like to see all coastal wattle removed
- Long Beach Landcare group would like no further coastal wattle removed and for natural dieback and regeneration to take place.

Staff comment:

Extensive coastal wattle dieback and the active removal of wattle through the project, has seen a significant reduction of coastal wattle in the Long Beach reserve area. The removal of coastal wattle has seen natural regeneration with the exception of taller species.

The removal of coastal wattle has not seen an increase in biodiversity in the reserve and this is the findings of the independent assessment of the project by OEH (Attachment 5). All parties agree that at a minimum, maintenance of the coastal wattle to the containment line is essential and monitoring of the recent wattle dieback should be ongoing.

Coastal wattle removal along the pathways and north of the track has been achieved and Landcare has undertaken to continue to maintain these areas together with the wetland area. Where Landcare is unable to undertake this work, Council may assist through mechanical pruning with the tritterer which has proved to be successful when required.

2. Native vegetation – natural regeneration and new plantings

The works associated with the grant has shown that natural regeneration of native species has been successful except for taller species. There is some evidence that taller growing plants, such as *Banksia sp* have regenerated but in the majority of cases, these have not survived as such regeneration is dominated by native grasses.

As part of the grant project works, 2600 new plantings, of which 15 taller species were planted. None of the planted or regenerated taller species have survived. The taller species have in the main, died through attrition, animal damage or vandalism.

Where coastal wattle has died naturally or been treated and left in place the dominate species is currently the native groundcover, *Rhagodia candalleana*, Seaberry Saltbush. Note that the dieback is recent and there will be anticipated changes in species regenerating and species dominance over time.

OEH has indicated that successful regeneration for building long term dune resilience and improving biodiversity, should include shrubs and trees as well as grasses and groundcovers.

There is consensus from all parties for natural regeneration vs new planting of all species, exclusive of weeds. Long Beach Community Association and Sandy Place Residents Group do not want any natural regeneration of coastal wattle in the areas where it has been removed or has died.

There are slightly differing views on new plantings:

- Long Beach Community Association do not support new plantings
- Sandy Place Residents Group do not support new plantings

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- Long Beach Landcare group do not support new plantings except where no natural regeneration is occurring on large bare areas.

Staff comment:

Natural regeneration has proved successful and in the main, no additional new plantings should be required. All native plant regeneration is supported, inclusive of taller species, encouraging plant species diversity. There is no requirement to replant except on the large bare areas where monitoring determines there is no native regeneration and to minimise coastal wattle regeneration in these locales.

3. Weed and rabbit control

All parties agree that weed and rabbit control should be ongoing. Landcare primarily conducts weed control in line with Council programs and management will focus on the key weeds: bitou bush, Cape ivy, moth vine, turkey rhubarb and other garden escapees.

Rabbit control will be conducted by Council with the assistance of Landcare within existing program and resources.

Staff comment:

Support Landcare to manage weeds throughout the reserve and conduct rabbit control in line with the Eurobodalla Rabbit Control Schedule.

4. Monitoring and reporting

The coastal wattle management at Long Beach has been considered by Council over the past 10 years. As such and considering the more recent rapid decline in the coastal wattle, future monitoring of the site is important and agreed by all parties. This will assist in monitoring the regrowth of species, the spread or reduction in coastal wattle, identification of weeds and any vandalism in the area.

Staff comment:

Support regular monitoring of the area by visual walk overs, mapping and drone photography every six months for a minimum of two years. Information and results should be made available to all community groups.

Legal

Project activities are in accordance with legislative requirements.

Environmental

The removal of vegetation from a coastal dune system has required a sound and considered approach and was undertaken in line with the Coastal Wattle Implementation Plan and approvals under NSW Government legislation. The works to date have not improved biodiversity which was an aim of the NSW grant funds.

Financial

The Environmental Trust funded project included a grant of \$52,692 and in-kind support from community groups and Council.

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Future costs from Council's allocated budgets will include Landcare support, invasive species control, fence and track maintenance within resource capacity. Trittling to ensure the containment of coastal wattle where Landcare is unable to undertake the works may also be required and is estimated at \$1 000 every three years.

Community and Stakeholder Engagement

Coastal wattle at Long Beach has been the subject of long standing community interest. As such, Council has engaged with Long Beach Landcare and the Long Beach Community Association significantly since 2013 and also prior.

Council staff met with the parties on:

- 9 August 2018 meeting with Long Beach Landcare representatives.
- 31 August 2018 meeting with Long Beach Community Association and with Sandy Place representatives.
- 15 May 2019 meeting with Long Beach Community Association and Sandy Place representatives.

CONCLUSION

Coastal wattle management at Long Beach has utilised considerable time and effort from staff, the Long Beach community and other agencies over the past decade. The recommendations in this report have carefully considered all responses from the community groups, relevant legislation and independent NSW Government recommendations.

Coastal wattle has been eradicated in the wetland zone and the landward movement of the species has been restricted by mechanical removal and pruning. In addition two trial areas have seen a total of over 0.5 hectares of coastal wattle removed.

As of March 2019, there has been significant natural dieback of the coastal wattle and this will be monitored to encourage species diversity and alternate species than coastal wattle. The natural regeneration of species on the site has been successful and is to be encouraged where coastal wattle has been removed or there is dieback.

It has been identified that the movement of coastal wattle is relatively stable, and there is the ability to physically constrain the spread of the wattle landward. It is anticipated that further natural dieback may also see a decline in coastal wattle in the reserve.

Ongoing monitoring of the coastal wattle on the reserve aims to assist with potential future actions in consultation with the community groups.

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E00.4494**

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services

Attachments:

1. Office of Environment and Heritage Evaluation
2. Map 1 CW management zones
3. Map 2 CW Trial areas map
4. Map 3 Coastal Wattle removal as at October 2017
5. EnviroTrust Project Budget

Focus Area: Sustainable Communities

Delivery Program Link: S4.4 Encourage and support community sustainability and environmental projects

Operational Plan Link: S4.4.2 Support community activities and groups such as Landcare and community gardens

EXECUTIVE SUMMARY

This report is to provide information on the completion of the grant funded project from the NSW Environmental Trust's Restoration and Rehabilitation Program titled *Long Beach Coastal Wattle Management*. This project commenced in 2013 and has recently been completed and reported to the NSW Government. The Office of Environment and Heritage has undertaken project evaluation of the environmental success of the works.

There has been strong interest with the environmental, social and scenic values of the Long Beach dune system since the development of the area. Coastal wattle has been of interest to the community at Long Beach for a lengthy period of time and there are varying views on the matter. It was first reported to Council in 2008 (E08/4) and thereafter there have been multiple reports, studies and correspondence related to the appropriateness or otherwise of coastal wattle on the dunes in Long Beach.

Council has undertaken studies and works consistent with legislative requirements and in consultation with the NSW Government and Long Beach community representatives. The project activities were consistent with the Long Beach Coastal Wattle Strategy (*Strategy*) which was completed with grant funding in May 2010 and reported to Council in June 2010 (PS10/03). The *Strategy* presented options for management of the coastal wattle. Prior to the commencement of the project an Implementation Plan and a Property Vegetation Plan were required to enable the works to be undertaken that: were consistent with the *Strategy*; relevant legislative requirements at the time; and to achieve sound environmental outcomes.

The project involved protecting and recovering native vegetation and habitats through the strategic removal of coastal wattle, and revegetation activities and weed management in the Long Beach area.

The aim was to improve biodiversity in an environmental sensitive coastal zone where the growth and spread of coastal wattle has occurred developing a monoculture. Overall the project did not achieve this outcome due to the inability to establish tertiary plants such as *Banksia* and *Eucalyptus* species.

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The project did achieve a number of positive outcomes including:

- Working relationships between Long Beach Landcare and the Long Beach Community Association
- Volunteer hours contributed were significant
- Usage of mechanical machinery, the tritterer, was highly effective and cost efficient in pruning the coastal wattle with minimal impact on the dunes
- Natural regeneration on the site was good with a prominence of grass species
- Weed and rabbit control has been effective

The project was implemented in a staged and considered approach with the view to determine the success or otherwise of the coastal wattle removal and the impact on the dune system. The evaluation of the project by the NSW Office of Environment and Heritage indicates that whilst the project has led to positive environmental and social outcomes, limited improvements to the overall biodiversity of the area have been achieved. The project objective of limiting the expansion and landward migration of coastal wattle has been addressed over the project period with the removal of approximately 0.54ha. However, limiting the continued landward migration of coastal wattle without the need for ongoing control in the longer term has not been achieved due to the inability to establish tertiary vegetation to restrict the natural expansion.

RECOMMENDATION

THAT Council

1. Assist Long Beach Landcare and Long Beach Community Association to continue maintenance of the coastal wattle by:
 - (a) Ongoing coastal wattle removal on the northern side of the walking track
 - (b) Coastal wattle removal 2 metres either side of the beach access tracks
 - (c) Maintaining the current line of containment of the coastal wattle.
2. Continue weed and pest animal control throughout the reserve.
3. Support Long Beach Landcare in planting additional native species (including tall growing shrubs and trees) at the western end of the reserve (Trial Area 1). No taller species are to be planted in front of houses.

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BACKGROUND

Council has received reports, briefings and correspondence on Coastal Wattle and this includes:

1. 22 July 2008 Long Beach Community Coastcare Submission (E08/4)

The report provided Council with the project information on an application to the Australian Government for funding for works and a study for the Long Beach area titled *Coastal Wattle Management Study and Weed Control for the Long Beach Foreshore*.

2. 16 December 2008 Acacia sophorae usage in the Long Beach area (E08/6)

The report provided information on the history, usage and appropriateness of Coastal Wattle in Long Beach and for Council to support the Coastal Wattle project which subsequently developed the Coastal Wattle Strategy.

3. 1 June 2010 Long Beach Coastal Strategy (PS10/03)

Report provided the outcomes of the *Coastal Wattle Management Study and Weed Control for the Long Beach Foreshore* with particular focus on the *Long Beach Coastal Wattle Strategy*. There were two components to the project which included coastal exotic weed control and the coastal wattle management study. The study identified a Coastal Wattle Management Program within the *Strategy* and identified management zones and the preferred management actions for the designated area along with timing and priority. This includes consolidate, manage and monitor zone (10.1ha); wetland eradication zone (1.3ha); a fore dune stage eradication zone (1.1ha) and other areas as outlined. Actions specific to each zone are prescribed in the *Strategy* and include planting of endemic fore dune vegetation in the fore dune staged eradication zone as a trial.

As identified in the *Strategy*, consent was required from the then Southern Rivers Catchment Authority (now the Local Land Services) to remove vegetation and this was sought.

4. 13 September 2011 Coastal Wattle Update – Long Beach (FS11/60) (deferred minute FSM11/111)

During 2011 Council worked collaboratively with the Southern Rivers Catchment Authority (now the Local Land Services) to develop mechanisms for management and removal of Coastal Wattle consistent with the *Strategy* and to ensure environmental benefits for the study area. Community representatives from Long Beach Landcare (LBL) and Long Beach Community Association (LBCA) liaised with both Council and the Catchment Authority. A steering group was also established to work on the Implementation Plan.

5. 8 May 2012 Councillor and Public Workshop on the Implementation Plan

6. 26 June 2012 Long Beach Coastal Wattle Control Implementation Plan (012/121 min 12/141)

Council adopted the Implementation Plan and added an additional trial control area 2, near the picnic area and funding was to be pursued.

The Implementation Plan outlined a staged approach requirement for the works and this is primarily due to the sensitivity of the landscape and the potential to undermine the dunal areas.

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7. 30 July 2013 Council Briefing on Coastal Wattle Management – Long Beach Environmental Trust grant
8. 27 August 2013 Coastal Wattle Management – Long Beach (013/144)
Council endorsed the acceptance of the funding offer of \$52 692 from NSW Environmental Trust.
9. 21 November 2017 – Council briefing on the completion of the NSW Environment Trust project and overview of the coastal wattle at Long Beach

Note that there has also been regular meetings with the working group and advice to councillors via newsletter and briefings.

CONSIDERATIONS

Due to differing views on the appropriateness or otherwise of coastal wattle in the Long Beach foreshore area, Council sought grant funds to engage independent consultants to undertake the study and develop the Long Beach Coastal Wattle Strategy. The *Strategy* would guide future management of coastal wattle in Long Beach reserves.

Since the completion of the *Strategy* works have been implemented according to the *Strategy* and other legislative and project requirements.

Council has worked actively with representatives from both the Long Beach Landcare and Long Beach Community Association who formed a working group to assist implementation of the latest Environmental Trust funded project.

This project involved removal and pruning of some coastal wattle, other weed control, revegetation and rabbit control. See details under 'Environmental.'

The project has been independently assessed (attachment 5) by the Office of Environment and Heritage and their primary findings include:

- Stopping the coastal wattle moving landward is possible through more extensive revegetation along the back of the foredune using tertiary dune species which would restrict the coastal wattle.
- Increasing species diversity into the dune through revegetation in areas where Coastal Wattle has naturally died off, and/or other disturbed areas, should be a high priority for improving dune resilience and biodiversity
- The weed control and rabbit control was successful and achieved improvements to biodiversity
- Council's commitment to facilitating sustainable environmental and social outcomes through community consultation is a very positive outcome from the project. It also highlights the passion in the community about this matter.

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Legal

Council undertook project activities in accordance with legislative requirements. Coastal Wattle is endemic to the coast of the Eurobodalla Shire and consent was required for the removal of the species under the then *Native Vegetation Act 2003*. This involved development of a Property Vegetation Plan which details the management actions allowed in the various zones within the reserve.

The project area covered two parcels of Council land: Lot 7011 DP 1059358 is the seaward parcel of the reserve and zoned E2 Environmental Conservation in the Eurobodalla Local Environment Plan 2012; and Lot 55 DP 849895 is the hind dune and wetland area of the reserve. It is also zoned E2 Environmental conservation with the exception of the picnic area which is RE1 Public Recreation.

The parcels of land have been identified in the Eurobodalla Coastal Hazard Assessment (WRL 2017) as potentially at risk from coastal hazards with this risk projected to increase as sea levels rise. This coastal hazard information is being used to assist Council identify risks and vulnerabilities associated with coastal hazards and develop a Coastal Management Program for the Eurobodalla area. The development of the Coastal Management Program will consider the future management of coastal dunes with regards to maintaining and improving dune resilience to assist with providing natural protection to coastal hazards.

Environmental

The removal of vegetation from a coastal dune system has required a considered approach as identified in the *Strategy*.

The *Strategy* breaks the reserve into five management zones (see Map 1 coastal wattle management zones). The three zones of relevance to Coastal Wattle management are:

- Foredune staged eradication zone
- Wetland eradication Zone
- Consolidate, control and monitor zone

The Foredune Staged Eradication Area (Trial Area 1) was identified as an area to direct initial activities. With agreement from both community groups, this remained consistent in the Implementation Plan and is located west within the study area and abuts the National Park at Square Head, providing connectivity to existing vegetation and minimal impacts on landholders.

In 2012 an additional trial area was identified and agreed by all parties. Trial Area 2 is located in the dunes near the picnic area. It does not directly adjoin houses but is near to properties on Blairs Road (see Map 2 Trial areas map)

The project aimed to strategically remove coastal wattle to enable other native plant species to establish to ultimately improve the ecological diversity of the area and enhance biodiversity.

The areas and extent of coastal wattle removal were governed by the approvals in the Property Vegetation Plan and the Council adopted Implementation Plan.

The project activities aimed to remove coastal wattle:

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- Up to 15% in the two trial areas;
- All coastal wattle in the hind dunes west of the walking track (Consolidate, control and monitor zone);
- Along the length of the main infestation in the mid/hind dune to prevent encroachment past this line (Consolidate, control and monitor zone);
- Throughout the Wetland Eradication Zone

Removal and pruning was undertaken manually and by tritterer machine. The machine mulches vegetation and has soft track tyres to minimise ground disturbance.

The removal of coastal wattle enabled the replanting of species identified in the *Strategy* as the most appropriate species for revegetation in this area. The trial areas were to have a mix of species that were representative of the endemic species, including tall growing tertiary species. The tertiary species in the main were not successful in establishing due to vandalism, animal damage and dry conditions. Note that no tertiary species have been planted in front of properties.

Coastal wattle has also been removed in the Wetland Eradication Zone, primarily by Long Beach Landcare and the group continue to monitor and control any new emergence of wattle in this zone.

The sites have also been monitored by Council over a four year period to determine the success or otherwise of the plantings, to undertake weed and rabbit control as required.

Attachment 3 identifies the coastal wattle removal as at October 2017.

Table 1: Summary of Project Activities and Future Works

ZONE	ACTIVITIES COMPLETED	RECOMMENDED FUTURE WORKS
Wetland Eradication Zone	Pruning and removal of Coastal Wattle, weed control, monitoring. Works undertaken by Landcare	Long Beach Landcare and Council will maintain
Foredune Staged Eradication Zone	Trial Area 1: <ul style="list-style-type: none"> • Removal of 1350m² of coastal wattle • Revegetation of 1380m² and maintenance • Weed control • Monitoring. 	Long Beach Landcare and Council to plant additional species in trial area 1. This includes tertiary species. Maintain current status of coastal wattle by pruning and removal of new plants in trial area
	Trial Area 2: <ul style="list-style-type: none"> • Removal of 670m² coastal wattle 	Long Beach Landcare and Council will maintain by pruning and removal of coastal wattle in trial

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	<ul style="list-style-type: none"> • Revegetation of 788m² and maintenance • Weed control • Monitoring. 	area 2.
Consolidate, Control and Monitor	Pruning of 800m coastal wattle to prevent further spread Removal of all coastal wattle north of the walking track and in hind dune area.	Long Beach Landcare and Council will maintain coastal wattle spread by pruning and replant low species where coastal wattle die-off occurs.
Road Reserve and Track Maintenance	Removal of coastal wattle as required occurred 2m either side of the tracks.	Coastal wattle removal 2m either side of the tracks to be maintained by Landcare and Council
Other	Monitoring and evaluation of project undertaken by Council for the Funding body.	Council undertake ongoing monitoring of coastal wattle and plantings
	Assessment of the project undertaken by the Office of Environment and Heritage September 2017.	Nil
	Weed and rabbit control	Council within budget constraints

The latest project has been independently assessed by the Office of Environment and Heritage and their recommendations for future management include (page 15-16 of attached report):

- Greater focus on establishing a more diverse and densely vegetated foredune and hind dune through targeted revegetation throughout the entire dune system, particularly in areas that are poorly vegetated and disturbed and where Coastal Wattle dieback is occurring. This will increase dune stability and resilience to coastal hazards, as well as improve the ecological function and biodiversity of the dunes.
- Continue to revegetate using a mix of primary, secondary and tertiary native species, with a focus on establishing tertiary vegetation at the back of the foredune that will naturally limit landward encroachment of coastal wattle.
- Continue to implement management activities that target the control of priority weed and pest species that threaten the longer term stability and biodiversity of the dune system.
- Abandon broadscale clearing and modification of coastal wattle and focus on dune revegetation with minor pruning of coastal wattle only to maintain recreational access points and any necessary emergency access provisions. Further coastal wattle removal

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without successful establishment of tertiary species at the back of the foredune is not considered to be economically sustainable or environmentally sound for the Long Beach dune system.

- Stage dune rehabilitation works such as weeding and revegetation over smaller sections of the dune to focus limited resources and attempt to more fully restore a section of the entire dune profile. Once a section is successfully weeded and appropriately planted out, then move onto another section, with follow up minor maintenance of the previous section only.
- To assist with protecting the environmental and social values of the Long Beach dune system, consideration of other management strategies for dealing with illegal vegetation clearing is encouraged. This could involve the use of surveillance and visual deterrents in the form of screens and bolder signage in areas where vandalism has occurred; and development of community awareness information regarding the process, including contacts for providing information on illegal clearing.
- To increase community awareness regarding the importance of the role of dune vegetation, continue to deliver community education initiatives highlighting the social, environmental and financial benefits of a well maintained and vegetated dune system

Financial

The project funded by Environmental Trust (\$52, 692) commenced in September 2013. The majority of grant funds were allocated for on-ground removal of coastal wattle within the identified trial areas using both mechanical and hand removal techniques.

In 2014 a variation was sought in order to incorporate additional invasive species control across the site. This came in response to savings made on the original budget for removal and to address issues identified by the community.

An extension was sought in November 2015 to extend the life of the project by an additional 12 months, furthering the reach and effectiveness of the project. Attachment 4 provides the breakdown of expenditure.

Volunteers have invested heavily in the implementation and success of the Environmental Trust project dedicating over 2,700 volunteer hours over the project period. Volunteer support is costed at \$30/hr. Using this rate, the volunteer contribution to the project is worth over \$80,000.

The costs associated with the development of the Strategy included \$25,063 in Australian Government funds (Caring for Country-Community Coastcare) and an additional \$18,000 in kind from Council and volunteers.

The costs incurred for the development of the Implementation Plan, Property Vegetation Plan and supervision of the activities associated with coastal wattle project at Long Beach have been borne by Council with assistance from the NSW Office of Environment and Heritage and South East Local Land Services.

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Minimal maintenance work by volunteers can be undertaken under the current budgets however Council will need to allocate additional funds if it wants to do additional work in this area. Such a budget allocation would need to be prioritized against other environmental works and would be at the expense of other projects.

Community and Stakeholder Engagement

Coastal wattle at Long Beach has been the subject of long standing community interest. Council facilitated a working group consisting of representation from Long Beach Landcare and Long Beach Community Association to assist with the management of the issue and implementation of the project.

Volunteers, residents and the broader community were widely consulted and heavily involved in the implementation of the Environmental Trust project. Over the project period there were;

- 4 Media releases
- 3 Signs erected
- 4 Working group meetings (held annually) included Council, Long Beach Landcare and Long Beach Community Association
- 7 Community planting days
- 4 Educational events
- Additional mail outs to relevant/adjoining property owners

After completion of the project, the final working group meeting occurred on 28 September 2017 and included officers from the NSW Office of Environment and Heritage who presented the assessment report. Both group representatives provided feedback on the project.

Long Beach Landcare representative indicated:

1. Concerns over the lack of increased biodiversity and the lack of tertiary species due to vandalism and natural attrition.
2. Does not support the planting of tertiary species in front of houses, but it strongly supports primary secondary and tertiary planting in the long reaches of sand dunes and bare areas that are not backed by housing, particularly in trial area 1.
3. Do not want a return to the fractious disputes over the planting plan that occurred previously prior to the project implementation.
4. Strategic removal of coastal wattle outside the trial areas showed good natural regeneration – again taller species appear to be vandalised.
5. Coastal wattle removal along the pathways and north of the track has been achieved and Landcare can continue to maintain these areas along with the wetland area.
6. There is wide community concern for the amenity of the area and many in the community like the forested dunes

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7. Project achieved overall outcomes such as volunteer hours, weed and rabbit control, and coastal wattle removal.

Council staff comments related to Long Beach Landcare:

Landcare can be supported to:

- undertake coastal wattle removal in the Wetland Eradication Zone;
- undertake coastal wattle removal two metres either side of the beach access tracks;
- maintain and prune the current coastal wattle south of the track to stop inland encroachment of the wattle undertake weed control and assist with rabbit control;
- revegetate with endemic and taller species in Trial Area 1;
- revegetate with low growing species where coastal wattle dies back in other areas of the reserve.

Long Beach Community Association representative reported that some members of the association identified the following:

1. The coastal wattle removal undertaken in the Illawarra by Beach Care Illawarra could be applied to Long Beach. Dunes need low growing deeply rooted species and coastal wattle interrupts the air flows that carry sand for dune replenishment.
2. Planting of Coastal Wattle in the 1990's has resulted in the monoculture evident on Long Beach today and the areas should be restored to grasslands as was identified when it was grazed in the 1960s and as the areas is a naturally occurring heathland.
3. Objects to the reference to 'vandalism' in the NSW Office of Environment Heritage report and animal damage and insufficient watering caused the loss of vegetation.
4. Long Beach Community Association volunteers assisted with project works and revegetation maintenance.
5. Will aim to reduce future expansion of coastal wattle area and encourage residents to remove it from their gardens, reducing impacts on surrounding areas.
6. Supports the total removal of coastal wattle to enable views for the houses abutting the reserve which was donated to the community. This includes removal of Banksia and other tall growing species.
7. The project did not increase biodiversity.

Council staff comments related to the Community Association matters raised:

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1. The Beach Care Illawarra Facebook site is administered by a community group and does not have the support of the Office of Environment and Heritage or other government agencies. The information presented by the community group is not consistent with NSW legislation, policy or best practice dune management techniques. The modification of dune vegetation referred to by this group in Wollongong were to aid surf club visual access for water safety and associated with the *Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches*. This example is not applicable to Long Beach as it is not a patrolled beach by a surf club. Council staff have liaised with Wollongong City Council on the associated works.
2. The Strategy and Implementation Plan identified that coastal wattle was dominant and as such the trial areas and strategic plantings to reduce the monoculture were instigated. This is identified as primarily unsuccessful due to the inability to establish tertiary species. The area may have been grasslands at some stage due to cattle grazing and the impacts of human settlement. The natural regeneration and adjoining coastal ecosystems suggest a diversity of plant species are suitable for use in revegetation at Long Beach as identified in the *Strategy*.
3. Plant loss was identified as vandalism and this is a consistent term applied to illegal vegetation clearing or damage. There was evidence of vandalism as well as animal damage and potential natural attrition.
4. Significant volunteer hours were contributed to the project by both groups.
5. Support the removal of coastal wattle in private gardens and to maintain and prune the current coastal wattle south of the track to stop inland encroachment of the wattle.
6. No tall species were planted in front of houses and are not recommended to be planted in front of private residences. Council does not undertake environmental project works on public reserves for individual view enhancement.

Both groups agree that biodiversity was not improved by the project.

CONCLUSION

There has been extensive consultation with the community, Local Land Service (and previously Catchment Management Authority) and the NSW Office of Environment and Heritage on the management of coastal wattle at Long Beach for more than a decade.

The latest Environmental Trust project was developed and implemented based on the recommendations and approvals in various plans and strategies, mainly:

- Long Beach Coastal Wattle Strategy
- Long Beach Coastal Wattle Control Implementation Plan
- Property Vegetation Plan for Sandy Place Reserve

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- NSW Environmental Trust Restoration and Rehabilitation Project agreement

The Long Beach Landcare group and the Long Beach Community Association were consulted regularly and were represented on a working group to implement the project. Volunteers contributed over 2 700 hours of time to the project activities which exceeded the grant requirements.

The two community groups have provided their feedback on the project and future management.

The Office of Environment and Heritage has assessed the project and found that although there have been significant successes with weed control, rabbit control and community engagement, the overall aim of improved biodiversity has not been met. Their recommendations for future management have been provided.

The Long Beach coastal wattle works have been extensive and overall costly to implement in respect to environmental outcomes.

There are still varied opinions on the best way to manage the coastal wattle at Long Beach however all stakeholders agree that for the immediate future the coastal wattle should be controlled to prevent it spreading.

Importantly the two groups have worked respectfully and cohesively delivering significant volunteer hours, weed control and on ground efforts in regard to the coastal wattle project and works in the Long Beach area.

PSR18/060 LONG BEACH COASTAL WATTLE MANAGEMENT

**E09.3157;
E00.4494**

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services

Attachments:

1. Long Beach Community Association submission of 28 November 2017 (previous Council meeting)
2. Long Beach Community Association submission of 5 March 2018
3. Long Beach Landcare submission of 25 February 2018
4. Under Separate Cover - Confidential - Submission of 16 February 2018
5. Under Separate Cover - Confidential - submission dated 8 March 2018
6. Under Separate Cover - Response to proposals of Long Beach Community Association of 28 November 2017

Focus Area: Sustainable Living

Delivery Program Link: 4.3 Support and encourage sustainable choices and lifestyles

Operational Plan Link: 4.3.1 Partner with schools and community to deliver environmental education programs and projects

EXECUTIVE SUMMARY

This report is in response to the Council Motion 17/374 on 28 November 2017, where the Coastal Wattle Management Report (PSR17/060) was deferred to enable consideration of proposals put forward by the Long Beach Community Association (Association).

The Coastal Wattle Management Report provided information on the completion of the grant funded project from the NSW Environmental Trust's Restoration and Rehabilitation Program titled 'Long Beach Coastal Wattle Management' which commenced in 2013, along with the history of the works to date associated with Coastal Wattle in the Long Beach area. The project was consistent with the Long Beach Coastal Wattle Strategy 2010 (Strategy) (PSM10/05) which sets out the framework for activities.

The project involved protecting and recovering native vegetation and habitats through the strategic removal of Coastal Wattle, revegetation activities and weed management in the Long Beach area.

The project achieved a number of positive outcomes including:

- working relationships between Long Beach Landcare and the Long Beach Community Association
- significant volunteer hours contributed
- usage of mechanical machinery, the tritterer, which was highly effective and cost efficient in pruning the Coastal Wattle with minimal impact on the dunes
- natural regeneration on the site was good with a prominence of grass species

- weed and rabbit control has been effective.

The aim to improve biodiversity in an environmental sensitive coastal zone where the growth and spread of Coastal Wattle has occurred developing a monoculture, was not fully achieved.

On 28 November 2017, via the Public Forum, the Secretary of the Long Beach Community Association made a submission and sought Council to adopt five Motions, which are addressed in attachment one.

Since this submission, the Association has submitted an alternative position, received in March 2018 (attachment two). The position of the Long Beach Community Association is to endorse the recommendations of the Council report (PS17/060), as presented in November 2017.

The position of Long Beach Landcare (attachment three) also supports the recommendations of the Council report and in addition, seeks funding for trittering of the Coastal Wattle on a regular basis.

Importantly, the positions of both groups have enabled the positive progression for the future management of Coastal Wattle in Long Beach, as both the Association and the Landcare group are primarily aligned and supportive of the recommendations presented. This includes the ongoing containment of Coastal Wattle to the current state, natural regeneration of all plant species, and replanting of only low growing species in front of houses.

RECOMMENDATION

THAT Council:

1. Assist Long Beach Landcare and Long Beach Community Association to continue maintenance of the Coastal Wattle by:
 - (a) ongoing Coastal Wattle removal on the northern side of the walking track
 - (b) Coastal Wattle removal two metres either side of the beach access tracks
 - (c) maintaining the current line of containment of the Coastal Wattle
 - (d) removal in the wetland zone.
2. Continue weed and pest animal control throughout the reserve.
3. Support Long Beach Landcare in planting additional native species (including tall growing shrubs and trees) at the western end of the reserve (Trial Area 1) only. No taller species are to be planted in front of houses.
4. Support Long Beach Landcare in revegetating areas where Coastal Wattle has died and replace with lower growing species. All plantings should give consideration to the amenity of those who reside near, and are users of, the reserve.

BACKGROUND

Council has received reports, briefings and correspondence on Coastal Wattle since 2008. The focus of the report PSR17/060 was on the completion of the Environment Trust grant funded project and provides information on the background and works to date.

The project was implemented in a staged and considered approach with a view to determining the success, or otherwise, of the Coastal Wattle removal and the impact on the dune system. The NSW Office of Environment and Heritage independent evaluation of the project indicates that whilst the project has led to positive environmental and social outcomes, limited improvements to the overall biodiversity of the area has not been achieved.

The project objective of limiting the expansion and landward migration of Coastal Wattle has been addressed over the project period with the removal of approximately 0.54ha of Coastal Wattle. However, limiting the continued landward migration of Coastal Wattle without the need for ongoing control in the longer term has not been achieved due to the inability to establish tertiary (taller) vegetation to restrict the natural expansion. Tertiary vegetation is deemed critical to naturally limit landward encroachment of Coastal Wattle. This occurs by shadowing the Coastal Wattle and enabling a diverse mix of plant species endemic to the area.

CONSIDERATIONS

Council has worked actively with representatives from both the Long Beach Landcare and Long Beach Community Association, who formed a working group to assist implementation of the project.

The project involved protecting and recovering native vegetation and habitats through the strategic removal of Coastal Wattle, and revegetation activities and weed management in the Long Beach area.

The project activities were consistent with the Long Beach Coastal Wattle Strategy (Strategy), which was completed with grant funding in May 2010 and reported to Council in June 2010 (PS10/03). The Strategy presented options for management of the Coastal Wattle. Prior to the commencement of the project, an Implementation Plan and a Property Vegetation Plan were required to enable the works to be undertaken that: were consistent with the Strategy; relevant legislative requirements at the time; and to achieve sound environmental outcomes.

The project has been independently assessed by the NSW Office of Environment and Heritage, and their primary findings include:

- Stopping the Coastal Wattle moving landward is possible through more extensive revegetation along the back of the foredune using tertiary dune species, which would restrict the Coastal Wattle.
- Increasing species diversity into the dune through revegetation in areas where Coastal Wattle has naturally died off, and/or other disturbed areas, should be a high priority for improving dune resilience and biodiversity.
- The weed control and rabbit control was successful and achieved improvements to biodiversity.
- Council's commitment to facilitating sustainable environmental and social outcomes through community consultation is a very positive outcome from the project. It also highlights the passion in the community about this matter.

An assessment of the proposal put forward by the Long Beach Community Association on 28 November 2017 is provided in attachment six.

Legal

Council undertook project activities in accordance with legislative requirements.

Environmental

The Coastal Wattle project and management has been independently assessed by the Office of Environment and Heritage, and their recommendations for future management are included in summary in the report PSR17/060.

The future works proposed include the removal of Coastal Wattle in the wetland zone two metres either side of beach access tracks, and on the northern side of the walking track. The ongoing maintenance of the current line of containment of the Coastal Wattle is supported by Long Beach Community Association and Long Beach Landcare.

Where Coastal Wattle naturally dies back, natural regeneration of native species may occur. There is also the opportunity to replant in these areas with suitable species dependant on the location and consideration of the amenity of residents, further reducing the monoculture created by Coastal Wattle and enhancing biodiversity of the areas.

Financial

There is no budget allocation for any further works associated with Coastal Wattle management at Long Beach.

Community and Stakeholder Engagement

Council notified the Long Beach Community Association and Landcare of the deferred report, and both groups sought to provide submissions (attached) in response to the Long Beach Community Association proposals of November 2017. Submissions have been received from Long Beach Community Association and Long Beach Landcare, which are supportive of the position recommended to Council.

Council will continue to consult with the community, and in particular Long Beach Landcare and the Long Beach Community Association, on Coastal Wattle management matters.

CONCLUSION

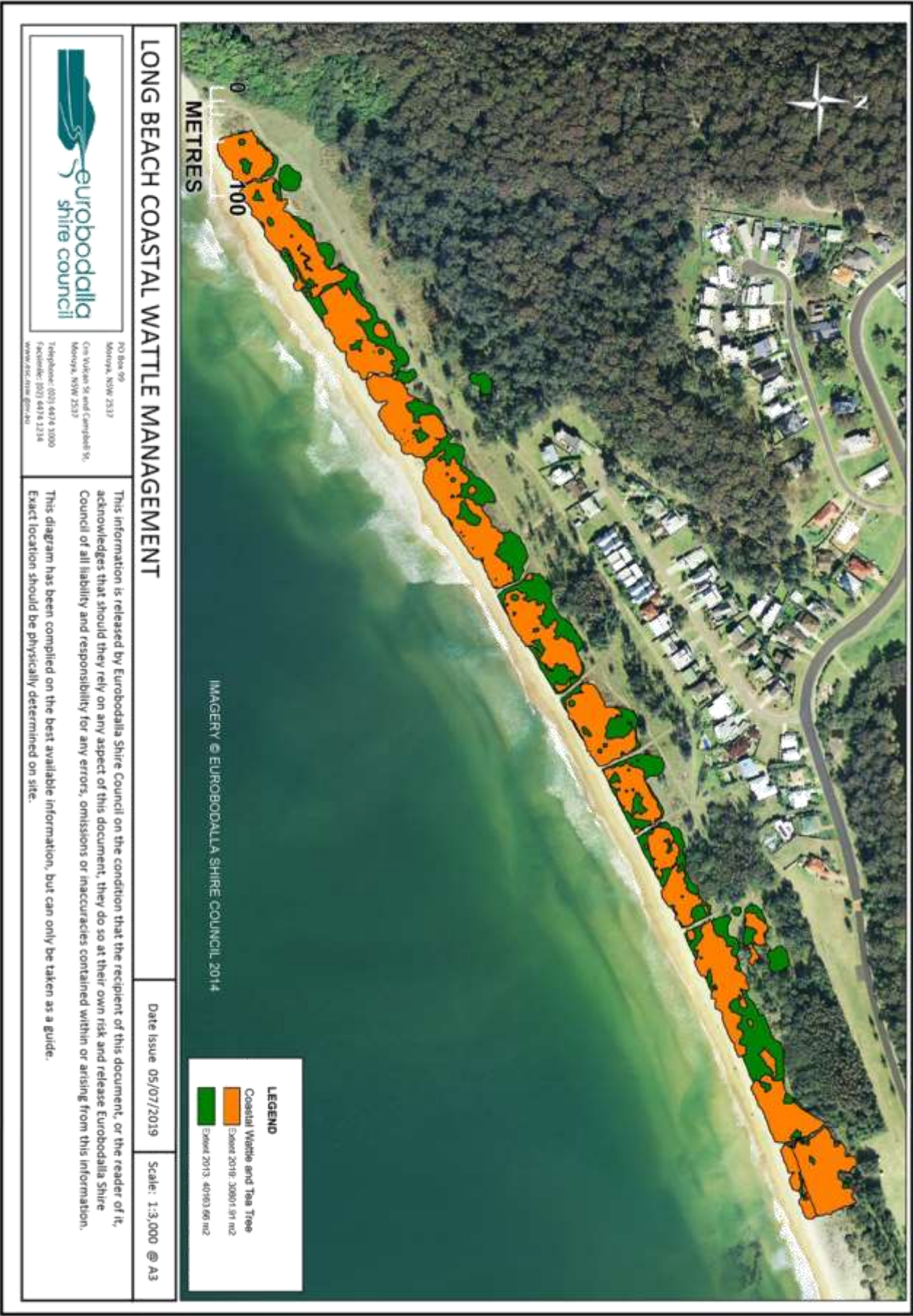
Council has invested significant resources into the management of Coastal Wattle in the Long Beach area with the assistance of Long Beach Landcare and the Long Beach Community Association. This has included eradication in the wetland zone and restricted landward movement of the species. It has been identified that the movement of Coastal Wattle is relatively stable, and there is the ability to physically constrain the spread of the wattle landward. Ideally, the planting of taller species would naturally suppress the spread of Coastal Wattle and these plantings, in the main, have been unsuccessful due to vandalism, natural attrition and damage by animals.

Whilst the overall aim of improved biodiversity has not been met, there have been significant positive outcomes, including the working relationship between Long Beach Community Association, Landcare and Council on this project. Long Beach Landcare and the Long Beach Community Association have worked respectfully and cohesively, delivering significant volunteer hours, weed control and on-ground efforts in regard to the Coastal Wattle project and works in the Long Beach area. Both groups are fundamentally aligned in their recommendations for the future management of Coastal Wattle at Long Beach.

ORDINARY MEETING OF EUROBODALLA SHIRE COUNCIL ON TUESDAY 10 SEPTEMBER 2019
 PSR19/025 COASTAL WATTLE MANAGEMENT, LONG BEACH
 COMMUNITY CONSULTATION OUTCOMES
 ATTACHMENT 3 COMMUNITY GROUPS' RESPONSES

1. Coastal Wattle Management			2. Native Vegetation – natural regeneration and new plantings		3. Weed and rabbit control	4. Monitoring and Reporting	
Maintain CW to current containment line	Remove all CW	Conduct further staged CW removal	Replant where CW has been removed or died	Allow natural regeneration of all species	Ongoing	Monitoring (mapping and/or drone)	Reporting
Long Beach Community Association							
Yes	Yes We would like to see the coastal wattle eradicated. But we do not reasonably expect that Council will be able to remove all of the wattle	Yes To ensure that the wattle does not encroach on pristine original bushland such as that at Square Head	No	Yes Except coastal wattle or weeds. Having said this, we support this as a cost effective way of restoring the dunes. As stated by Council, LBCA, Landcare and Sandy Place residents we have all seen evidence that the natural regeneration has been successful whereas replanting new plants has not been successful.	Yes	Yes	Yes
Sandy Place Residents							
Yes Die back will hopefully promote the retreat of the current containment line, otherwise Council should budget for trittering in future years.	Yes	Yes	No	Yes Regeneration of all naturally occurring dune species except Coast Wattle.	Yes	Yes Drone monitoring of dieback to be every six months as discussed and reporting including drone footage would be much appreciated	Yes
Long Beach Landcare							
Yes	No	No	If there is no regeneration of any kind then there	Yes	Yes	Yes	Yes

			probably should be some planting, especially if the area is large. If regeneration through other species is happening, then clearly the ecosystem is taking care of itself. The ideal will be a generous spread of diversity – including some wattle				
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OEH Environmental Assessment of the Long Beach Coastal Wattle Management Project



September 2017

This project evaluation has been prepared by Andrew Williams and Danny Wiecek from OEH
on behalf of Eurobodalla Shire Council



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Photos – All photos by Danny Wiecek (OEH) except where indicated.

1 Introduction

Eurobodalla Shire Council (Council) sought the input of coastal management staff from the Office of Environment and Heritage (OEH) to evaluate the environmental outcomes of the Long Beach Coastal Wattle Management Project, funded by the NSW Environmental Trust.

This report has been prepared to assist Council understand whether or not the funding and significant Council and community resources expended on the project have led to environmental outcomes consistent with best practice dune rehabilitation. This understanding can then be used to inform decisions about future dune management works both at Long Beach and more broadly across the Eurobodalla local government area.

2 Background

There has been a strong and ongoing community interest associated with the environmental, social and scenic values of the Long Beach dune system since development of the area. Since the establishment of a Dunecare Group in the mid 1990's, Council has provided support and guidance in collaboration with various NSW Government agencies on coastal dune management at Long Beach (Eurobodalla Shire Council, 2012). In more recent years, various interest groups and residents have expressed concerns regarding the spread and growth of Coastal Wattle *Acacia longifolia* subsp. *sophorae* at Long Beach and its impacts on beach amenity, views and biodiversity of the dunes and adjacent areas. However, these concerns are not shared by all, with the community consultation completed with Long Beach residents indicating that the priorities and expectations relating to the scenic and environmental values of the dune system are highly varied and often polarised.

The ongoing concerns expressed by some sections of the community with Coastal Wattle proliferation led to the preparation of the 'Long Beach Coastal Wattle Strategy' (Eco Logical Australia, 2010), Council obtaining a Property Vegetation Plan (PVP) to trial clearing of a small amount of Coastal wattle based on this strategy, and the 'Long Beach Coastal Wattle Control Implementation Plan' (ESC, 2012) to guide implementation of the PVP. These documents formed the basis for Council's application to the NSW Environmental Trust for funding to improve the biodiversity of the dunal area through targeted removal of Coastal Wattle and revegetation with other native dune species.

Prior to commencing the project in 2013, Council sought advice from various NSW Government agencies including OEH. The initial advice provided by OEH detailed that the primary aim of the project should be to improve the biodiversity and long term resilience of the dune system through a focus on revegetation, rather than on clearing Coastal Wattle. It was advised that this would best be achieved using a variety of native primary, secondary and tertiary dune species planted out in poorly vegetated areas, areas subject to Coastal Wattle dieback, and the landward extent of the foredune.

3 Long Beach Coastal Wattle Project Overview

The Long Beach Coastal Wattle Management Project was undertaken by Council with funding assistance from the NSW Environment Trust's Restoration and Rehabilitation program and completed over a 4-year period, from 2013 – 2017. Extensive in-kind support was provided by

An Assessment of the Long Beach Coastal Wattle Management Project

September 2017

Council and local community groups including Long Beach Landcare (LBL) and the Long Beach Community Association (LBCA).

The focus of the Coastal Wattle Management Project was to increase the floristic diversity of the dune system through a reduction in Coastal Wattle and revegetation. To assist with achieving sustainable dune management outcomes, the key objective that guided the project was, *“to improve the biodiversity of the dunal area at Western Long Beach which is under pressure from the invasion of Coastal Wattle, a native species creating a monoculture, and preventing its incursion into coastal hind dunes and wetland”*.

The key activities completed throughout the life of the project have included the mechanical removal (trittering) and pruning of Coastal Wattle, primary and secondary weeding, pest species control, the planting and maintenance of local native species and community consultation. A monitoring and evaluation program was also established for the project which incorporated vegetation survey, photo point monitoring, GPS survey and GIS mapping. These activities were implemented to assist with achieving the primary purpose of the project, which was to reduce and control Coastal Wattle to facilitate an increase in the biodiversity of the Long Beach dune system. Table 1 provides a summary of the key project details and outputs for the project.

Table 1. Summary of Long Beach project details and outputs.

Long Beach Coastal Wattle Management - Project Details & Outputs	
NSW Environment Trust Grant funding	\$52,692
Total project cost	\$86,255
Total approx. work hours (Council staff and contractors)	1110
Total approx. work hours (volunteers only)	2723
Total approx. works area	11.6ha
Total approx. area of Coastal Wattle removed	0.54ha (0.2ha in trial areas)
Total approx. length of foredune where Coastal Wattle pruned	800m
Total number of plants planted	2600

4 Project Evaluation

This project evaluation has incorporated a review of project outcomes, with consideration to the key guiding principles that underpin coastal management detailed within policy, legislation and industry guidelines for dune management. The evaluation includes a review of the progress reports and final report prepared and submitted to the NSW Environment Trust in fulfilling the grant funding program requirements of the project. To assist with interpreting these reports and to undertake an independent evaluation of project outcomes on the ground, OEH has completed a number of site inspections from 2013 onwards, with the last inspection of the Long Beach project site on 6th September 2017.

This section is broken up under key headings to outline what the environmental and/or other outcomes are in terms of the projects key components.

4.1 Reduction in Coastal Wattle extent

A review of the project indicates that the objective of limiting the expansion and landward migration of Coastal Wattle has been addressed over the project period. A reduction of Coastal

An Assessment of the Long Beach Coastal Wattle Management Project

September 2017

Wattle extent through trittering and pruning is evident when comparing before and after photos (Figure 1, and Figures 1-5 in Appendix D), and has also been accurately mapped by Council (Appendix A). The GPS survey and GIS mapping of vegetation extent undertaken as part of the project demonstrates this reduction to be around 0.54ha.



Figure 1: A direct pre and post project comparison along the landward extent of the Long Beach foredune showing a typical area of Coastal Wattle that was removed (left, 24-9-2013) and the same location at project completion without Coastal Wattle and now dominated by groundcover species (right, 6-9-2017).

While these methods have reduced the Coastal Wattle extent as proposed, the ability to limit the landward migration of Coastal Wattle without the need for ongoing control in the longer term has not been achieved. This will only be possible through extensive revegetation along the back of the foredune using tertiary dune species, characteristic of the hind dune zone in the central area of Long Beach (Figure 2). These species would include Coast Banksia *Banksia intergrifolia*, and to a lesser extent Bangalay *Eucalyptus botryoides*, Forest Red Gum *Eucalyptus tereticornis* and She-Oak *Casurina glauca*. The establishment of such species, characteristic of intact hind dune vegetation at Long Beach, would naturally restrict Coastal Wattle dominating the less vegetated areas across the back of the dune system once established.



Figure 2: A view showing a section of Coastal Wattle backed by grass only (foreground) compared to a section of well vegetated hind dune comprising tertiary species dominated by Coast Banksia and where Coastal Wattle is largely naturally absent (6-9-2017).

Few, if any, tertiary species that were planted in the areas where Coastal Wattle was removed at the back of the foredune have survived. While some tertiary species were planted in these areas, it is understood that contributing factors to their loss were vandalism, herbivory, and dry seasonal conditions. The vegetation that has established is predominately grasses with some small shrubs, and over time is not likely to be sufficient in restricting the spread of Coastal Wattle, which can outcompete and grow over smaller species. This lack of tertiary species can be clearly seen when looking through time series of photos taken prior to and throughout the course of the project (Figure 3).

The overall environmental benefit of the reduction in Coastal Wattle is not significant and is not expected to provide long-term benefits without ongoing manual control.



Figure 3: Time series of a section at the back of the foredune from prior to work starting (top left, 24-9-13), after removal of Coastal Wattle encroaching landward (top right, 7-3-14), revegetation of the cleared area with a variety of species (bottom left, 25-6-14), and at project completion showing only ground cover species have survived (bottom right, 1-8-17).

4.2 Building longer term dune resilience

Dunes that are densely vegetated and consist of a variety of native dune species are more likely to be stable long-term and provide a natural defence against windblown sand and other coastal hazards. Maintaining or creating a stable and resilient dune system should be a priority strategy for any beach, and is a key recommendation in best practice dune management guidelines (DLWC, 2001).

While Coastal Wattle is a native species that is commonly found on the foredune along the NSW coast, it is recognised that a monoculture of this species is less than ideal in terms of long-term dune resilience. Without a variety of native foredune species, dunes covered only in Coastal Wattle can be destabilised and left open to weed invasion and erosion when the Coastal Wattle dies off, which for this species is likely after 8-10 years (DLWC, 2001). In this situation, increasing species diversity into the dune through revegetation with a variety of other native species in areas where Coastal Wattle has naturally died off, and/or other disturbed areas where vegetation density is low, should be a high priority. Long Beach has extensive areas where dieback has occurred and where revegetation would assist with improving dune resilience (Figure 4, and Figures 15-16 in Appendix D).



Figure 4: Examples of natural dieback of Coastal Wattle along the foredune at Long Beach. Targeted revegetation in these areas would improve long-term dune resilience and limit weed invasion and destabilisation through erosion (left, 6-9-2017 and right, 1-8-17).

Large sections at the back of the foredune underwent revegetation with a variety of species. However, practically none of the tertiary species planted that contribute to long-term dune stability have survived (as previously noted in Section 4.1). In addition, only limited revegetation occurred more broadly across the foredune in barer and disturbed areas (Figure 5), or where Coastal Wattle had died off. As a result, it is considered that the project has not led to any significant improvements to long-term dune resilience.



Figure 5: Example of an area of foredune disturbed through illegal vegetation clearing that was revegetated with a variety of species (left, 25-6-2014). However, only a few scattered low-lying species are evident at project completion (right, 6-9-2017).

Any future works planned for the Long Beach dune system should prioritise revegetation of the hind dune with a focus on establishing tertiary species. Additionally, revegetation throughout the dune system in areas where Coastal Wattle dieback has occurred and in disturbed and poorly vegetated areas should be a priority.

4.3 Improving the biodiversity of the dunes

Improving the biodiversity of the dunes was an important component to this project. To achieve this, several activities were undertaken including reducing Coastal Wattle extent, weeding and pest species control, and revegetation, all with differing levels of success.

Reduction of Coastal Wattle extent

Despite a reduction in extent of Coastal Wattle consistent with the aims of the project (see Section 4.1), the monoculture of Coastal Wattle along the foredune remains dominant (Figure 6). As the reduction in extent has been targeted at the back of the foredune, this has likely slowed down the landward spread of this species in the short term. However, as previously discussed, this is not considered to be sustainable longer term due to the intensive nature of ongoing mechanical removal that will be required in the absence of the natural control that tertiary vegetation provides. The biodiversity outcomes achieved from this component of the project are not considered obvious (Figure 7) or significant. At a cost of ~\$15,000 (mechanical \$5000; hand removal \$10,000) for this component, this money is likely to have been better utilised on more extensive revegetation.



Figure 6: Typical sections along the foredune crest dominated by Coastal Wattle (top, 1-8-17; bottom, 13-2-2017).

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Figure 7: An area along the rear of the foredune where trittering was undertaken to reduce the landward extent of Coastal Wattle (left, 7-3-14) and the same location at project completion (right, 13-2-17). While the landward extent of Coastal Wattle has been reduced by a couple of metres, there are no obvious biodiversity benefits. This is a good example of where planting tertiary species such as Bangalay and Coast Banksia would have led to biodiversity improvements.

Weeding and pest species control

Weeding and pest species (rabbit) control are considered successful and contributed to improving local biodiversity. Invasive weeds were continually targeted across the works area to assist with reducing the extent of weed cover, encouraging natural recruitment of native species and enhancing the success of revegetation. The final site inspections completed by OEH highlighted little evidence of weed species over the project area due to this effective control (Figure 17, Appendix D).

The rabbit control undertaken during early stages of the project was also successful in limiting the local population and impacts to natural regeneration and revegetation of the dune system. The weeding and rabbit control aspects of the project are considered to have led to positive environmental outcomes and good value for money at around \$20,000.

Revegetation and natural recruitment

A total of 2600 plants comprising a mixture of primary, secondary and tertiary species (See plant list – Appendix B) were planted along the foredune at Long Beach. The vast majority of these were planted towards the western end of the beach at the back of the foredune. At a cost of ~\$10, 000 (tubestock, guards, other materials) this component of the project has been a mixed success. Some biodiversity improvement has been achieved and the number of plants established represents good use of funding and resources. However, better outcomes would have been achieved through significantly expanding the revegetation component across the entire dune profile, and including a greater variety and quantity of secondary and tertiary species at the back of the foredune.

The species that have successfully established from the revegetation completed include primary and secondary ground cover species such as White Correa *Correa alba*, Spiny Headed Mat Rush *Lomandra longifolia*, Coastal Rosemary *Westringia fruticosa*, Kangaroo Grass, *Themada australis*, Seaberry Saltbush, *Rhagodia candolleana* and Knobby Club Rush *Ficinia nodosa* (Figure 8, and Figures 6-14 in Appendix D). The planting of such species has led to some dune biodiversity improvement and assisted with reducing weed incursion in areas disturbed by trittering. It is noted however, that these species are more typically found at the

back of foredune in association with larger shrub and tree species, rather than predominantly in isolation of other larger species. Had larger species established from the efforts of Council and volunteers who planted them on more than one occasion, then greater long term biodiversity outcomes would have been achieved. In addition, there are some existing Eucalypt tree species at the back of the dune (Figure 8) that over time will increase habitat complexity and provide a good basis for adding to with further tertiary dominated revegetation.



Figure 8: Looking west along the back of the foredune across a section that was planted out (left, 25-6-2014), and the same location at project completion showing successful establishment of a variety of ground cover species in an area that was tritterted, as well as some of the existing Eucalypt trees present prior to the project (right, 6-9-2017).

The vegetation monitoring and reporting undertaken by Council indicated that the natural recruitment of local native species, particularly Knobby Club Rush, had been very successful in areas where tritterting and restoration activities were completed. While this is a positive outcome, it was noted on the OEH site inspections that removal of vegetation and ground disturbance, particularly where revegetation did not occur, only promoted groundcover and/or pioneer species (Figure 9). Revegetation using larger species would have assisted rehabilitation of these areas and improved environmental outcomes.



Figure 9: A typical area after tritterting of Coastal Wattle where some natural regeneration of groundcover species (Knobby Club Rush) occurred in the layer of mulch left on site (29-9-2015).

4.4 Community consultation, education and project challenges

Community consultation and education

Both prior to and throughout the current Coastal Wattle Management Project, Council has facilitated ongoing community consultation with Long Beach residents regarding management of the dune vegetation. Consultation activities have included meetings with both land owners and stakeholder groups, public workshops and media releases (Eurobodalla Shire Council, 2012).

From the commencement of the project, stakeholder meetings were held involving community interest group representatives including LBL and LBCA and various Council staff. The stakeholder meetings were held as a forum to discuss the planned activities and outcomes under the project, and any concerns raised by stakeholder representatives. Stakeholder groups were specifically consulted regarding the development of a project planting schedule. Feedback was provided by LBL and LBCA on preferred species and locations for certain species to be planted. Input was also sought regarding the locations for trial areas of Coastal Wattle removal in accordance with the PVP.

In addition to the project specific stakeholder meetings, Council engaged with community representatives and volunteers extensively, through attending site meetings as well as conducting community planting and education activities at Long Beach. For example, Council coordinated seven community planting days during the first year of the project, with four education events also held over the project duration. These activities were held in addition to regular monthly 'working bees' of LBL (Figures 18-19, Appendix D).

The measurable outcomes of the project with regards to stakeholder and community education and participation, indicate that extensive resources were allocated to engaging the community. During the project, over 70 individuals were reached with 67 volunteers contributing towards over 2700 volunteer hours and over 100 attendees participating in educational activities. This highlights Council's commitment in aiming to facilitate sustainable environmental and social outcomes through community consultation and is a very positive outcome from the project. It also highlights the passion within the local community for this project.

Project challenges

While the project has incorporated extensive stakeholder and community participation and education, there have been a range of challenges that have limited the success of the project. The revegetation completed under the project has been subject to illegal vandalism, and this has compromised the environmental benefits of the project as discussed previously.

In addition, the existing established dune vegetation has also been subject to ongoing clearing and vandalism, particularly mature trees and shrubs (Figure 10). The clearing and modification of dune vegetation significantly increases the risk of dune instability issues and also increases the risk from coastal hazards overtime.

In an attempt to address the ongoing vandalism at Long Beach, Council has engaged with local residents regarding the role of dune vegetation and the purpose of the Coastal Wattle Management Project. To reinforce the intent and purpose of the project and discourage further vandalism, educational signage was also installed along the rear of the foredune, along with illegal tree removal notices where vandalism occurred (Figure 11).

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While these strategies may have reduced instances of illegal clearing, this sort of vandalism still remains an issue at Long Beach, as it does at other locations in the Eurobodalla and more broadly where conflict exists around vegetation and views. A review of how Council manages the issue of illegal clearing of vegetation may be necessary, and could include consideration of other management strategies involving surveillance and visual deterrents in the form of screens and bolder signage in areas where vandalism has occurred.



Figure 10: An example of illegal vandalism of vegetation showing poisoned Coastal Banksias (main image, 1-8-2017) and another area where similar vandalism occurred and where illegal tree vandalism signage was installed (photo insert top left, 23-8-2013).



Figure 11: Educational signage installed by Council regarding the intent of the Long Beach Coastal Wattle Management Project (left), and illegal tree removal signage installed by Council in an area where Coastal Banksia's were poisoned and lopped (right).

4.5 Monitoring, reporting and evaluation

The project monitoring and reporting completed by Council for the life of the project is comprehensive. The monitoring activities, which have included photo monitoring, vegetation surveys pre and post completed works, and GIS mapping of works completed and changes in Coastal Wattle distribution, are considered best practice. These aspects have been valuable in determining the baseline condition of the dune vegetation and recording changes as a result of the management activities completed under the project.

For example, the Coastal Wattle extent in 2013, prior to control works starting, and again in 2017 after control works were completed, was mapped by Council (Appendix A), and this has enabled the change in Coastal Wattle distribution across the dunes to be accurately quantified. The use of photo monitoring points to highlight changes on the ground has also been an excellent way of showing changes through each stage of the project. Both these aspects enable a thorough evaluation of whether the project has met its objectives, as well as allowing independent evaluation of the environmental outcomes achieved.

The implementation of any future dune management works at Long Beach, or other beaches across the Eurobodalla, should incorporate monitoring activities similar to those under this project, which will enable their success to be easily quantified. Through completing effective monitoring and reporting activities, not only can the success of management actions be measured, but also, any constraints and barriers can be identified that may assist with developing and revising future management strategies.

5 Comparison to Another Dune Rehabilitation Project

To put the environmental outcomes of the Long Beach project into perspective, comparison is made to a similar dune rehabilitation project, the Warilla Beach Dune and Habitat Rehabilitation Project, considered to have achieved successful environmental outcomes consistent with best practice dune management.

The Warilla Beach Dune and Habitat Rehabilitation Project was co-funded by Shellharbour City Council and OEH under the Coastal Management Program, with an overall aim to improve dune stability and resilience. For context, Warilla Beach is located in the Shellharbour local government area and is backed by urban development for much of its length, similar to Long Beach. Also similar to Long Beach, the dune vegetation was degraded and in areas heavily dominated by single species including Coastal Wattle and/or Tea Tree. Large areas were also poorly vegetated and contained a number of weed species.

Rehabilitation works at Warilla Beach commenced in 2009 and were staged until 2015. Works were staged to complete smaller sections of the dune at a time, before moving on to another dune section in subsequent years (see Appendix C). While the level of funding for the project was greater at Warilla Beach compared to Long Beach (Table 2), the types of works involved were similar. These involved primary weeding, mulching and planting across the works area. One of the key differences between the projects was there was no attempt to remove species like Coastal Wattle in areas where it was forming a monoculture in the Warilla dunes, with works instead focusing on increasing species diversity across the whole dunes through revegetation in areas of vegetation die off, in other disturbed areas where species cover and diversity was poor, and where weeding had been undertaken. Another difference was that

more extensive weeding was required at Warilla Beach and this component was completed through the use of contractors, adding to the total project cost significantly.

Table 2 – Warilla Beach dune and habitat rehabilitation project details and outputs.

Warilla Beach Dune & Habitat Rehabilitation Project Details & Outputs	
Project Duration	2009-2015
Total project funding (Coastal Management Program)	\$84,000
Total Project Cost	\$168, 000
Total approx. work hours (Council staff and contractors only)	2817
Total approx. works area	4ha
Total number of plants planted	4875

The selection of species utilised for the Warilla Beach project was reflective of local dune vegetation communities such as Coastal Sand Scrub and Bangalay Sand Forest, and included a selection of primary, secondary and tertiary species (Appendix B, Table 2), similar to that at Long Beach. However, Coastal Wattle was also used amongst a variety of other species in some poorly vegetated areas. Like Long Beach, there was a lack of tertiary species behind the foredune, and revegetation with tertiary species was a key strategy used to promote long term dune stability and improve the capacity of the dunes as a buffer to coastal hazards.

As per Long Beach, monitoring of the works was undertaken for the life of the project to record changes to the dune system and asses the success of the on-ground management activities. Key components to this monitoring included the use of photo points and annual vegetation surveys. What the monitoring highlighted was that key environmental outcomes were able to be achieved, which included:

- Enhanced long term dune stability and resilience through the successful establishment of a variety of local native dune species in areas that were degraded and poorly vegetated. This included tertiary species behind the foredune where this vegetation type was poorly represented (Figures 12 and 13 and Appendix C).
- Improved natural regeneration capacity of the dune system through removal of weeds and increased species diversity through extensive revegetation over the entire dune system.
- Increased local biodiversity and habitat connectivity through focusing on revegetation in sparsely vegetated areas and where monocultures of species such as Coastal Wattle occurred.



Figure 12: Section along the back of the foredune at Warilla Beach just after mulching and planting into a bare area (left, 6-7-12) and the same location (right, 11-9-2017) with well established tertiary species and smaller groundcovers underneath.

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Figure 13: Section along the back of the foredune at Warilla Beach just after mulching of a bare area prior to planting (left, 1-2-2012) and the same location (right, 11-9-17) showing well established tertiary species.

While this project was not as constrained by polarised views on dune management as at Long Beach, some illegal removal and vandalism of dune vegetation also occurred over the life of the project and required management consideration. In response to this, supplementary planting was carried out for some areas using a similar mix of primary, secondary, and tertiary vegetation. While some removal of tertiary species still resulted, extensive areas at the back of the foredune now have well established tertiary species (Figures 12 and 13). Whilst this is an example of a successful dune restoration project, continued investment in weeding and supplementary planting is still required to ensure outcomes are not compromised over time.

What this comparison highlights is that although considerable effort has been expended on the Long Beach Coastal Wattle Management Project, the overall environmental outcomes achieved have not been as significant and do not closely align with other successful dune management projects that are considered to better reflect best practice. While some of this can be attributed to the greater amount of funding and concentration of work over a smaller area at Warilla Beach compared to Long Beach, it is also reflective of the overall focus of each project. From a cost benefit point of view, although the Warilla Beach total project cost is approximately double that of Long Beach, the environmental benefits from this expenditure are much clearer.

6 Evaluation Summary

The project review and evaluation undertaken by OEH highlights Council's commitment to improving the ecological condition and value of the Long Beach dune system. This is demonstrated through the restoration activities completed across the works area including weeding, revegetation and rabbit control. Through working collaboratively with key community groups including LBL and LBCA in delivering the project, a number of co-benefits including an increase on the social awareness of the importance of coastal dunes continue to be achieved. However, opposing community views and perspectives regarding dune vegetation, as evident through vandalism of taller species, both planted and already established, remains a management constraint.

The mechanical removal of Coastal Wattle has assisted with partially achieving the project objectives, however the benefits associated with this work are considered to be short term. Whilst the control techniques including trittering and pruning have restricted the immediate expansion of Coastal Wattle, the overall long-term project success in this regard has been limited.

Revegetation of the dune system following trittering has been compromised through illegal activity including vegetation removal and vandalism. Along with other contributing factors, this has resulted in the unsuccessful use of tertiary species in revegetation that would have led to greater longer term environmental outcomes through: limiting the expansion of Coastal Wattle; building longer term dune resilience and stability; and increasing the floristics and ecological value of the hind dune system.

A review of this project from an environmental perspective indicates that the implementation of future Coastal Wattle removal and modification should not be a priority as a management strategy for the Long Beach dune system. To increase long-term dune resilience and develop more complex and diverse dune vegetation, it will be necessary to undertake staged revegetation using appropriate species suited to various zones across the whole of the dune system. For any sustainable dune management program to be effective at Long Beach, continued community consultation and education will be necessary to address competing community priorities, expectations and opposing attitudes relating to dune management and choice of species used in revegetation. Based on the environmental outcomes achieved, it is anticipated that further dune management activities focusing around the removal of Coastal Wattle at Long Beach will be difficult for funding bodies to financially support.

7 Recommendations for Future Dune Management at Long Beach and More Broadly Across the Eurobodalla

The recommendations outlined below have been included to guide future dune restoration activities at Long Beach, and are also likely to be applicable more broadly across other Eurobodalla beaches:

- Greater focus on establishing a more diverse and densely vegetated foredune and hind dune through targeted revegetation throughout the entire dune system, particularly in areas that are poorly vegetated and disturbed and where Coastal Wattle dieback is occurring. This will increase dune stability and resilience to coastal hazards, as well as improve the ecological function and biodiversity of the dunes.
- Continue to revegetate using a mix of primary, secondary and tertiary native species, with a focus on establishing tertiary vegetation at the back of the foredune that will naturally limit landward encroachment of Coastal Wattle.
- Continue to implement management activities that target the control of priority weed and pest species that threaten the longer term stability and biodiversity of the dune system.
- Abandon broadscale clearing and modification of Coastal Wattle and focus on dune revegetation with minor pruning of Coastal Wattle only to maintain recreational access points and any necessary emergency access provisions. Further Coastal Wattle removal without successful establishment of tertiary species at the back of the foredune is not considered to be economically sustainable or environmentally sound for the Long Beach dune system.

- Stage dune rehabilitation works such as weeding and revegetation over smaller sections of the dune to focus limited resources and attempt to more fully restore a section of the entire dune profile. Once a section is successfully weeded and appropriately planted out, then move onto another section, with follow up minor maintenance of the previous section only.
- To assist with protecting the environmental and social values of the Long Beach dune system, consideration of other management strategies for dealing with illegal vegetation clearing is encouraged. This could involve the use of surveillance and visual deterrents in the form of screens and bolder signage in areas where vandalism has occurred; and development of community awareness information regarding the process, including contacts for providing information on illegal clearing.
- To increase community awareness regarding the importance of the role of dune vegetation, continue to deliver community education initiatives highlighting the social, environmental and financial benefits of a well maintained and vegetated dune system.

8 References

NSW Department of Land and Water Conservation (2001). *Coastal Dune Management: A Manual of Coastal Dune Management and Rehabilitation Techniques*. Coastal Unit DLWC, Newcastle.

Ecological Australia, (2010). *Coastal Wattle Strategy*, Prepared for Eurobodalla Shire Council.

Eurobodalla Shire Council (2012). *Long Beach Coastal Wattle Control Implementation Plan*. Notes from the Environment Report to Ordinary Meeting of Council, 26 June 2012.

Appendix A

Map 1 – Distribution of Coastal Wattle mapped by Council prior to any work being undertaken in 2013



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Map 2 – Coastal Wattle distribution in 2017 and areas where trittering and hand removal works were completed



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Map 3 – Change in Coastal Wattle distribution between 2013 and 2017 upon completion of works



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Appendix B – Species Planting List
Table 1 – Long Beach revegetation plant species list

Species	Common name	Description	Foredune	Mid-dune	Hind dune	Number planted
<i>Atriplex cinerea</i>	Grey Saltbush	Low greyish shrub of open coastal areas. Leaves semi-fleshy, grey, narrow, with white flecks on surface. Flowers -cream-yellow, Sep to Oct or Dec.	x	x		145
<i>Banksia integrifolia</i>	Coast Banksia	Tree growing 10-12m. Full sun or dappled shade. Tolerates coastal exposure. Yellow flowers summer / winter			x	5
<i>Banksia serrata</i>	Old Man Banksia	Tree to 8m with gnarled trunk. Sun or semi shade needs good drainage. Large greyish yellow flowers from summer to winter.			x	5
<i>Carpobrotus glaucescens</i>	Pig Face	Prostrate perennial with stems to 2 m long, Groundcover producing large, striking, deep pink-purple flowers from October to January.	x	x		200
<i>Correa alba</i>	White Correa	Dense bushy shrub to 2m. Requires good drainage prefers full sun. White flowers from winter to summer.		x	x	125
<i>Eucalyptus botryoides</i>	Bangalay	Large spreading tree. Thick dark green glossy leaves. Cream flowers Summer - Autumn. Tolerates poorly drained soils.			x	15
<i>Ficinia nodosa</i> previously <i>Isolepis nodosa</i>	Knobby Club Rush	Tufted perennial sedge up to 1m high. Grows in a range of soils. Tolerates water logging. Salt tolerant	x	x	x	425

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<i>Leucopogon parviflorus</i>	Coast Beard Heath	Bushy medium sized shrub 1 to 3m. Sandy or clay soils must have good drainage. Woolly white flowers during spring/summer.	x	x		Nil (unable to be sourced)
<i>Lomandra longifolia</i>	Spiny-headed Matt Rush	Tussock to 1m x 1m. Found in most habitats. Suits any situation. Flowers in spring. Fruits orange when ripe in summer.	x	x	x	625
<i>Poa poliformis</i>	Coast Tussock Grass	Tufted perennial grass which forms tussocks from 60cm to 1.2m. For most soils including cliff tops and sand dunes. Sun to semi-shade. Cut off at just above ground level to rejuvenate.	x	x	x	200
<i>Rhagodia candolleana</i>	Seaberry Saltbush	Medium shrub to 1.5m. Sandy soil in full sun can take semi-shade. Reasonable drainage. Flowers pale spikes most of year followed by red berries. Front row coastal plant erosion control.	x	x	x	250
<i>Spinifex sericeus</i>	Beach Spinifex	Stoloniferous grass with long runners. Covering several meters. Sand binding and colonising on coastal sand dunes. Full sun. Drought and salt tolerant.	x			200
<i>Themeda australis</i>	Kangaroo Grass	Tufted perennial grass up to 1.2m high by 0.5 across. Full sun or part shade. Well drained soils. Salt tolerant. Flowers spring-summer.		x	x	200
<i>Zoyisia macrantha</i>	Prickly couch	Spreading perennial grass to 0.25cm tall. Full Sun or part shade. Well drained soils. Frost and salt tolerant. Suitable as a turf species.	x	x		200
<i>Casuarina Glauca</i>	Swamp Oak	Tree 8-20m high, producing suckers. Full sun or part shade. Tolerates sandy soils.			x	5

Table 2 – Warilla Beach revegetation plant species list

Species	Common name	Foredune	Mid-dune	Hind dune
<i>Acacia longifolia</i> subsp. <i>Sophorae</i>	Coastal Wattle		X	X
<i>Angophora floribunda</i>	Rough Barked Apple			X
<i>Banksia integrifolia</i>	Coast Banksia			X
<i>Carpobrotus glaucescens</i>	Pig Face	X	X	
<i>Correa alba</i>	White Correa		X	X
<i>Eucalyptus botryoides</i>	Bangalay			X
<i>Dichelachne crinita</i>	Long Haired Plume Grass		X	X
<i>Eucalyptus robusta</i>	Swamp Mahogany			X
<i>Ficinia nodosa</i> previously <i>Isolepis nodosa</i>	Knobby Club Rush		X	X
<i>Leucopogon parviflorus</i>	Coast Beard Heath		X	X
<i>Leptospermum laevigatum</i>	Coastal Tee Tree			X
<i>Lomandra longifolia</i>	Spiny-headed Matt Rush	X	X	X
<i>Poa poliformis</i>	Coast Tussock Grass	X	X	X
<i>Spinifex sericeus</i>	Beach Spinifex	X		
<i>Themeda australis</i>	Kangaroo Grass		X	X

Appendix C – Warilla Beach Aerial Photo Comparison

An example of one stage of works (100m length of beach) completed at Warilla Beach. Every year a new stage was started once primary weeding and revegetation were completed, with only follow up maintenance works occurring in the prior stages.



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Appendix D – Additional Long Beach Photos

Reduction of Coastal Wattle



Figure 1. Before (top, 24-9-2013) and after (bottom, 6-9-2017)

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Figure 2. Before (left, 24-9-2013) and after (right, 1-8-2017)



Figure 3. Before (left, 24-9-2013) and after (right, 7-3-2014)



Figure 4. Before (left, 24-9-2013) and after (right 6-9-2017)

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Figure 5. Mechanical removal of Coastal Wattle during an early trial (14/11/2013).

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Revegetation - examples of the primary revegetation completed under the project



Figure 6. Before (left, 25-6-2014) and after (right, 13-2-17)



Figure 7. Before (left, 25-6-2014) and after (right, 6-9-2017)



Figure 8. Before (left 25-6-2014) and after (right, 1-8-2017)

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Figure 9. After trittering (left, 7-3-2014) and after revegetation (right 25-6-2014) and at project completion (bottom 12-2-2017).



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Figure 10. Before (top, 7-3-2014) and after (bottom, 6-9-2017)

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Figure 11. (13-2-2017)



Figure 12. (1-8-2017)

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Figure 13. (6-9-2017)



Figure 14. (6-9-2017)

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Coastal Wattle Dieback



Figure 15. (6-9-2017)



Figure 16. (12-2-2017)

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Weed Removal – examples of areas successfully weeded



Figure 17. Area of weeds after dune disturbed from fire (top, 29-9-2015) and at project completion where no weeds are evident (below, 6-9-2017).

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Community Engagement



Figure 18. A community engagement activity that was held within Long Beach Reserve*.



Figure 19. A volunteer planting day completed as part of the project*.

**Photos used in Figure 18-19 were used in the Environmental Trust reports prepared for the project and provided by ESC.*

PSR19/026 LANDCARE PROJECT PROPOSALS 2019

E02.6272

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services
Attachments: 1. Summary of Landcare Project Proposals and sites [↓](#)
Outcome: Protected and Valued Natural Environment
Focus Area: 3.2 Value, protect and enhance our natural environment and assets
Delivery Program Link: 3.2.2 Work in partnership to provide natural resource management
Operational Plan Link: 3.2.2.1 Assist Landcare and community groups and projects

EXECUTIVE SUMMARY

This report seeks Council endorsement for existing Landcare projects/works across the Eurobodalla.

New projects must be approved by Council however, every five years Council's re-approval is sought for existing Landcare projects to ensure that works being undertaken, align with Council's plans and programs, and relevant legislation. There are currently 23 existing projects are being resubmitted to Council for approval.

Council's endorsement for existing projects, enables the continuation of the tasks being undertaken by the Landcare groups on weed control and other minor works in reserves. Other activities may include erosion control, strategic small-scale planting of native vegetation, encouraging mammal conservation through the use of nesting boxes, protecting local native birds by eliminating Indian Mynas, delivery of community education and displays, and general maintenance of public assets and reserves.

This report provides an update of ongoing works being undertaken by Landcare volunteers and Council, across the Eurobodalla.

Funding to assist Landcare groups to undertake their work is procured from external grants.

RECOMMENDATION

THAT Council

1. Receive and note the report titled Landcare Project Proposals 2019.
2. Endorse the Landcare projects as outlined in the attached summary of Landcare works and sites.
3. Council thank and acknowledge the work of Landcare volunteers and the valuable contribution they make to maintain our local environment.

BACKGROUND

Eurobodalla Landcare groups operate in a diverse range of areas throughout the Eurobodalla Shire and they work across all land tenure. Works include weed control, revegetation, erosion control, Indian myna bird control, delivering community education and displays and general maintenance of public assets and reserves.

The Eurobodalla Landcare Network consists of 23 groups working from South Durras to Tilba. There are 300 active volunteers with another 2,000 residents participating in one off events. In

PSR19/026 LANDCARE PROJECT PROPOSALS 2019

E02.6272

2018-19 Landcare groups undertook 9,400 hours of volunteer work which equates to \$376,000 of labour.

The network and groups are coordinated by the Landcare Coordinator who is employed by Council with external grant funding.

Approximately 90% of Landcare work occurs on Council land. Council must ensure that works are aligned with legislation and Council's plans and programs, and are carried out in compliance with Work, Health and Safety (WHS) procedures.

Landcare projects are approved through the Landcare Project Proposal process and reported to Council as required for new projects and existing projects are reapproved by Council every five years.

New Landcare Project Proposals were submitted in June 2019 and Council's internal approval process was completed which ensured that the works met the requirements of legislation, Council's plans and programs.

CONSIDERATIONS

Previously endorsed Landcare works must be re-approved every five years to renew Council consent to work on community and Council managed land.

New project proposals are accepted at any time. The process is:

1. The Landcare Group develops the project proposal with assistance from the Landcare Coordinator, who undertakes a pre project checklist and risk assessment to ensure it meets Council requirements and fits Council priorities.
2. The proposal is submitted to Council and is reviewed by relevant officers in Infrastructure Services (Maintenance; Parks and Gardens; Technical Services, and Water and Sewer) and Environmental Services.
3. The Project Proposal is signed off once it meets the requirements of each section.
4. New projects are reported to Council for endorsement.
5. Council mapping overlays are updated to show current Landcare approved works which can be accessed by all sections of Council.

In recent years many groups have continued to maintain project sites rather than commencing new projects.

Legal

All projects will be conducted in compliance with the relevant legislation and legal responsibility of Council, and affected land managers/owners.

Where proposed works are occurring on land tenure outside of Council's control, those land owners/managers have provided consent for works to occur.

For works on private property, volunteers are covered by independent insurance through the Eurobodalla Landcare Network Inc. (INC1700254) as well as adhering to the Eurobodalla

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E02.6272

Landcare Network project activity register and obtaining the landholder's written consent for the works.

Volunteers undertake inductions and WHS obligations, and are assisted by the Landcare Coordinator.

For Council endorsed projects, Council's Natural Resource Supervisor will ensure WHS obligations are met by the volunteers.

Environmental

The project proposals cover works across all Landcare group sites. The activities seeking approval are predominately weed control and can also include dune fence maintenance, erosion control, planting native vegetation, encouraging mammal conservation through the use of nesting boxes, and protecting local native birds by eliminating Indian Mynas.

The project proposals have been assessed according to the risk management matrix and determined low risk to Council, the community and the environment.

Landcare groups work with Council staff, contractors, other agencies and independently to tackle environmental issues in their local area. Each group is managed by a local group Coordinator with active groups in the following suburbs: Broulee/Mossy Point, Budd Island, Burra Creek (private property PP), Burrawang (PP), Catalina, Congo, Dalmeny, Deua Rivercare (predominately PP), Guerilla Bay, Indian Myna control group (PP), Lilli Pilli/Malua Bay, Long Beach, McKenzies Beach, Mosquito Bay, Mystery Bay, Narooma Little Lake, Narooma Bill Smythe, Rosedale, South Durras, Surf Beach, Surfside, Tilba, Tomakin and Tuross.

The attached summary of proposed Landcare works and sites, summarises the proposed work sites at each suburb, identified by lot and DP numbers.

Asset

The Eurobodalla community value the environment and want the natural assets retained and enhanced. The Landcare projects will ensure that another five years of works are approved for these natural areas. This work is essential for maintaining the natural values on Council managed lands and significantly reduces the maintenance costs to Council for managing these assets.

Social Impact

Last financial year, Landcare volunteers carried out 9,400 hours of work on Landcare projects with over 90% of this occurring on Council land.

Landcare provides opportunities for residents of all abilities to get involved and volunteers report that it is a great source of fitness, socialising and giving back to the community.

Economic Development Employment Potential

Where works fall outside the capability of volunteers or to complement and enhance Landcare projects, grants are sought. These grants allow for engagement of bush regeneration contractors, nursery suppliers, consultant botanists or other specialised services, tree management services and caterers.

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Financial

The proposed works are estimated to be undertaken with 9,400 hours of volunteer work equating to \$376,000 of labour. The financial contribution from Council is the Landcare Works budget of \$32 737 which matches grants, supports coordination support and on ground works.

The Landcare Coordinator is currently grant funded through the Local Land Services, however across the state funding has been reduced for the next period 2019-2023. Current funding allows employment of a coordinator for 10 hours per week a substantial reduction in support.

Community and Stakeholder Engagement

We have involved the community in the development of the Landcare proposal through engagement with Landcare volunteers and Eurobodalla Landcare Network meetings.

All residents are welcome to be involved with Landcare and more information can be found on Council's [Landcare](#) page and on the NSW Landcare Gateway with group Coordinator contact details [members-listing](#)

CONCLUSION

Eurobodalla Landcare groups are seeking Council's re-endorsement to continue on-ground works at various sites throughout the Eurobodalla. The Landcare projects proposed will further the work of the Landcare groups in assisting Council with implementing natural resource management in Eurobodalla Shire and provide benefits to the volunteers and wider community.

The project proposals cover works across all Landcare group sites. The main activity seeking approval is weed control. Other activities can include erosion control, strategic small-scale planting of native vegetation, encouraging mammal conservation through the use of nesting boxes, protecting local native birds by eliminating Indian Mynas, delivery of community education and displays and general maintenance of public assets and reserves.

Council's internal approval process has been completed with input from the relevant sections to ensure that these proposals meet the requirements of legislation and Council's plans and programs.

Landcare Group sites by suburb – Lot and DP

Group Name	Area of proposed works	Work type	PIN(s) Lot & DP	Comments
Broulee/Mossy Point Dunecare	Council, Crown and National Park reserves between Mossy Point and Moruya Airport	Weed control; selective replanting; fence maintenance; Educational events	7311/1147050 362/15396 7310/1147050 7009/1030643 F/39088 7004/1119035 758168 1-10/758168 7010/1119042 7301/1138570 7005/1074630 7007/1074631 7303/1147052 50/837279	
Budd Island Landcare	Budd Island (Council reserve)	Weed control and rubbish removal	7003/1023833	
Burra Creek Landcare	National Park reserve and private properties adjoining Burra Creek	Weed control, rubbish removal		Does not require Council consent – no works on Council tenure
Burrawang Landcare	Council reserve and private property between Northern end of Barlings Beach to Franks Beach	Weed control	20/802598 21/802598 95/586642	
Catalina Landcare	Council reserves behind Melaleuca Crescent and Calga Crescent	Weed control	752151 752137 18-22/19036 752137 192/1147059 7/708709 101/626417 DP21869	
Congo Landcare	National Park, Crown land and some Council land (Congo Beach)	Weed control	7/708709	
Deua Rivercare	All land tenure adjoining Deua River between Araluen Creek and Kiora	Weed control; Revegetation; Erosion control; Litter collection	Lot 142 DP257104 Lot 141 DP257104	Predominantly private property
Guerilla Bay Landcare	Community land, Crown under Council	Weed control	Lot 5 DP241594 Lot 16 DP20907	

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ATTACHMENT 1 SUMMARY OF LANDCARE PROJECT PROPOSALS AND SITES

	control throughout Guerrilla Bay		Lot 7023 DP1122598 Lot 7053 DP1122599 Lot 17 DP20907	
Dalmeny Landcare	Kianga/Dalmeny foreshore reserves	Weed control; selective re planting around screened area	Lot 2 DP255138 Lot 3 DP255138 Lot 1 DP255138 Lot 5 DP42865 Lot 270 DP203032	
Indian Myna Bird Control Landcare	Multiple properties as necessary	Feral animal control		Private property
Lilli Pilli/Malua Bay Landcare	Council foreshores and creek reserves including Grandfathers Gully, Lilli Pilli Beach and Creek, Fairview Drive Headland and Reedy Creek	Weed control; minimal planting at LP Beach where vandalism has occurred	Lot 7047 DP1035133 Lot 573 DP32008 Lot 7314 DP1164125 Lot 7019 DP1021196 Lot 19 DP239662 Lot 7316 DP1164156 Lot 1 DP1151734	
Little lake Landcare	Council reserve adjoining Little Lake foreshore	Weed control; revegetation maintenance	Lot 7008 DP1123405	
Long Beach Landcare	Council reserves and National Park	Weed control; pruning of coastal wattle back from beach tracks; maintenance of revegetation	Lot 321 DP1059058 Lot 58 DP880731 Lot 7010 DP1055247 Lot 253 DP1120747 Lot 55 DP849895 Lot 7011 DP1059358 Lot 131 DP222540	
McKenzie's Beach Landcare	Council reserves on headland from Pretty Point to McKenzies Beach; private properties	Weed control; selective replanting adjoining headland walking track	Lot 1109 DP236653	
Mosquito Bay Bushcare	Council reserves adjoining Mosquito Bay Creek	Weed control; selective replanting on creek bank	Lot 41 DP1061842 Lot 110 DP1059933 Lot 17 DP202012 Lot 18 DP202012 Lot 21 DP242498	
Mystery Bay Coastcare	Council camp ground and foreshore reserve, bushland adjoining Lamont Young Drive	Weed control; selective replanting (campground)	16470 20678	Adhering to Councils POM for Mystery bay Campground
Narooma Bushcare	Bushland reserve surrounding Bill Smythe Oval	Weed control	Lot 1 DP1205774 Lot 2 DP1205774 Lot 7026 DP1020248	
Rosedale Landcare	Council foreshore reserves at North and	Weed control	Lot 980 DP773657 Lot 34 DP22106	

PSR19/026 LANDCARE PROJECT PROPOSALS 2019

ATTACHMENT 1 SUMMARY OF LANDCARE PROJECT PROPOSALS AND SITES

	South Rosedale		Lot 7 DP21641 Lot 1 DP870380 Lot 29 DP32176 Lot 3 DP747770	
South Durras Landcare	Council, Crown and National Park reserves from South Durras to Maloney's Beach	Weed control; feral animal control; selective replanting adjoining Durras Lake	Lot 95 DP755904 Lot 7013 DP1094560 Lot 1 DP1224658 Lot 3 DP1224658 Lot 7012 DP1094557 Lot 94 DP755904 Lot 2 DP1224658 Lot 92 DP755904 Lot 103 DP755904 Lot 194 DP726773 Lot 7002 DP1094559 Lot 7001 DP1094562 Lot 7003 DP1094556 Lot 83 DP259212	
Surf Beach Landcare	Council reserves adjoining Surf Beach pony club and beach/creek	Weed control; fence maintenance	Lot 221 DP578305 Lot 37 DP263586 Lot 37 DP263742 Lot 1 DP233597 Lot 1 DP126070	
Surfside Landcare	Wetland reserve adjoining BBPS; Surfside Beach foreshore reserve	Weed control	Lot 7311 DP1140785 Lot 3 DP1044536 Lot 2 DP1044536	
Tomakin Coastcare	Tomakin Spit, Jack Buckley Park and Tomakin Beach foreshore	Weed control, bank stabilisation and selective revegetation	Lot 353 DP211966 Lot 7005 DP1125042 Lot 415 DP211964 Lot 112 DP211965	
Tuross Coastal Landcare	Clive Park, Chatham Park, Coila Park and Tuross Foreshore (from Coila Lake entrance to One Tree Point)	Weed control and infrastructure (fence and track) maintenance; selective revegetation	Lot 7010 DP1071339 Lot 177 DP15425 Lot 273 DP15425 Lot 7306 DP1158369 Lot 1 DP869944 Lot 1 DP1170505 Lot 272 DP15425 Lot 10 DP29684 Lot 1 DP569490	

IR19/020 LOCAL TRAFFIC COMMITTEE NO 2 FOR 2019-20

E16.0002

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services
Attachments: Nil
Outcome: Connected and Accessible Places
Focus Area: 7.1 Work in partnership to provide an integrated transport network
Delivery Program Link: 7.1.2 Provide a safe efficient and integrated transport network
Operational Plan Link: 7.1.2.5 Coordinate the Local Traffic Committee

EXECUTIVE SUMMARY

The Local Traffic Committee is primarily a technical review committee. It advises Council on traffic control matters that relate to prescribed traffic control devices or traffic control facilities for which Council has delegated authority.

The minutes of the Eurobodalla Local Traffic Committee meeting are included in this report for Councillors' review. The main issues covered at the Eurobodalla Local Traffic Committee meeting, held 8 August 2019, are as follows:

- Signage – 'No Parking' within Perry Street Off-street Carpark, Batemans Bay
- Signage and Line marking – Modifications to Accessible Parking and 'No Parking' within Church Street West Off-street Carpark, Moruya
- Signage and Line marking – Accessible Parking and Pedestrian (Zebra) Crossing linking the library precinct with the sports grounds precinct on Hanging Rock Place, Batemans Bay
- Signage and Line marking – 'STOP' sign on Lake Street at the intersection of Hector McWilliam Drive, Tuross Head.

RECOMMENDATION

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 2 for 2019-20 be received and noted.
2. Council Plan No. 5156 Set BK Sheet 04 detailing the 'No Parking' signage within Perry Street Off-street Carpark, Batemans Bay be approved
3. Council Plan No. 5156 Set BP Sheet 06 detailing the modified Accessible Parking and additional 'No Parking' signage within Church Street west Off-street Carpark, Moruya be approved
4. Council Plan 4069 Set Sheets 10 & 11 detailing the Accessible Parking and Pedestrian (Zebra) Crossing linking the library precinct with the sports grounds precinct on Hanging Rock Place, Batemans Bay be approved
5. Council Plan No. 5156 Set BB Sheet 17 detailing the 'STOP' sign and line marking on Lake Street at the intersection of Hector McWilliam Drive, Tuross Head be approved

IR19/020 LOCAL TRAFFIC COMMITTEE NO 2 FOR 2019-20

E16.0002

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 2 for 2019-20 was held on 8 August 2019. The meeting was attended by Councillor Anthony Mayne (Chair), Danielle Brice (representative for the Hon Andrew Constance MP), Jesse Fogg via phone (Roads and Maritime Services), Senior Constable Scott Britt (NSW Police), Dave Hunter (Traffic Coordinator), Daniel Weekes (Maintenance Planning Officer), Celia Davey (Administrative Support) and Matt Cormick (Administrative Support).

APOLOGIES

Apologies were received from Kate McDougall (Road Safety Officer).

DEPUTATIONS

Nil

MINUTES OF PREVIOUS MEETING

The minutes of the Eurobodalla Local Traffic Committee Meeting No 1 for 2018-19 held on 4 July 2019 were confirmed and accepted.

OUTSTANDING ITEMS FROM PREVIOUS MEETING

There were no outstanding items requiring additional attention.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION

2020.RT.004 Signage – ‘No Parking’ within Perry Street Off-street Carpark, Batemans Bay

A request has been received to review the parking arrangements within the Perry Street Off-street Carpark, Batemans Bay.

A majority of the carpark is 90 degree 3 hour timed parking, 5.5m deep with a 7m wide centre lane.

At the section opposite the Bayview Hotel entry / exit there is a kerb extension and occasionally vehicles parallel park there. This means the centre lane width is reduced.

It is proposed to designate this kerb extension section as ‘No Parking’. This will improve traffic flow while still allowing set down and pick up manoeuvres.

Plan No. 5156 Set BK Sheets 04, detailing the line marking associated with ‘No Parking’ signage within Perry Street Off-street Carpark, was reviewed by the Committee.

Recommendation:

That Council Plan No. 5156 Set BK Sheet 04 detailing the ‘No Parking’ signage within Perry Street Off-street Carpark, Batemans Bay be approved.

2020.RT.005 Signage and Line marking – Modifications to Accessible Parking and ‘No Parking’ within Church Street West Off-street Carpark, Moruya

The owner of ‘The River Moruya’ restaurant has requested that the driveway to their business within the Church Street west Off-street Carpark be designated as ‘No Parking’. This will assist to keep the driveway clear and also allow set down and pick up manoeuvres.

IR19/020 LOCAL TRAFFIC COMMITTEE NO 2 FOR 2019-20

E16.0002

Additionally the two accessible parking spaces near the carpark entry from Church Street have been reconfigured to meet the current standard.

Plan No. 5156 Set BP Sheets 06, detailing the 'No Parking' signage and accessible parking line marking within the Church Street west Off-street Carpark, was reviewed by the Committee.

Recommendation:

Council Plan No. 5156 Set BP Sheet 06 detailing the modified Accessible Parking and additional 'No Parking' signage within Church Street west Off-street Carpark, Moruya be approved.

2020.RT.006 Signage and Line marking – Accessible Parking and Pedestrian (Zebra) Crossing linking the library precinct with the sports grounds precinct on Hanging Rock Place, Batemans Bay

Over the past two years, Council has upgraded a section of Hanging Rock Place, from Beach Road through to the tennis courts. This has resulted in an increase in formal carpark spaces and reduced risk to all road users including pedestrians.

The Committee reviewed the plan at our meeting on 31 January 2019 with a recommendation to approve the associated signage and line marking including accessible parking, 'No Stopping', 'No Entry', 'Loading Zone' and two road humps. These devices were depicted on Council Plan 4069 Set Sheets 10. The plan was adopted by Council at the 12 March 2019 Ordinary Meeting.

The Committee reported in our minutes:

"The RMS representative suggested including a pedestrian (zebra) crossing on the wider eastern road hump as this abuts a concrete path linking either side of the road. Additionally concerns were raised that the two adjoining 90 degree spaces may encourage drivers to reverse across the road hump.

The Committee agreed that the installation of a pedestrian crossing and removal of the two adjoining carpark spaces should be investigated".

As a result of the investigations it is now proposed to install a pedestrian (zebra) crossing on the wider eastern road hump as suggested by the Committee.

Hanging Rock Place is within a 50Km/h speed zone. The 85th percentile speed has not been measured, however as this section of the street includes two road humps it is predicted the 85th percentile speed is less than 30km/h.

Technical references used were the Australian Standard 1742.10-2009 and the RMS supplement to this AS1742.10 standard – Version 2.4.

The RMS supplement amongst other things recommends that the practice for numerical warrants includes that in a typical day pedestrian flow per hour (P/h) should be at least 30 and vehicular flow through site (V/h) at least 500. This can be reduced where there are children, aged or impaired pedestrians to P/h30 and V/h200.

The year 2019 Average Annual Daily Traffic on Hanging Rock Place at the Beach Road intersection is projected as AADT 2010 (based on year 2018 counts). The estimated hourly count (10%) is therefore 201 V/h at the intersection.

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E16.0002

A manual count was undertaken on 7 August 2019 around noon with estimated peak results V90/h at Beach Road intersection along with P40/h and V0/h (zero) at the proposed pedestrian crossing. Note that there was no activity at either oval on this day.

The counts are in this case, less than the RMS guide to warrant the pedestrian crossing, however it is recommended that the pedestrian crossing be installed considering:

- Regular high volumes of Pedestrians and Vehicles are expected most weekends, particularly when Saturday Rugby, Australian Rules and Cricket events are held
- Other high volumes of Pedestrians and Vehicles are expected during special events such as Carols by Candlelight and Outdoor Music Performances
- There will be a reduced risk to pedestrians along this section of Hanging Rock Place
- There are no significant adverse impacts on traffic flows.

Two accessible parking spaces are also proposed adjoining the western side of the crossing. Apart from providing more parking spaces to assist people with disabilities, this installation also reduces the likelihood that vehicles will reverse across the pedestrian crossing.

Council Plan 4069 Set sheets 10 & 11, detailing the Accessible Parking and Pedestrian (Zebra) Crossing linking the library precinct with the sports grounds precinct on Hanging Rock Place, Batemans Bay, was reviewed by the Committee.

The representative for the Hon Andrew Constance MP asked if tactile indicators should be installed at the pedestrian crossing to assist people with disabilities. The Traffic Officer will investigate and arrange installation as necessary.

Recommendation:

That Council Plan 4069 Set Sheets 10 & 11 detailing the Accessible Parking and Pedestrian (Zebra) Crossing linking the library precinct with the sports grounds precinct on Hanging Rock Place, Batemans Bay be approved.

2020.RT.007 Signage and Line marking – ‘STOP’ sign on Lake Street at the intersection of Hector McWilliam Drive, Tuross Head

A request has been received from the Tuross Head Progress Association to install a ‘STOP’ sign on Lake Street at the intersection of Hector McWilliam Drive, Tuross Head.

There is currently a ‘GIVE WAY’ sign installed at this intersection.

Hector McWilliam Drive at this location is within a 60 speed zone and the intersection is just east of a crest. There is no recorded crash history in the Centre for Road Safety database over the past 5 years.

The sight line was measured at 83 metres to the north and over 120 metres to the south. Referencing AS 1742.2-2009 Fig 2.2 (Stop Sign minimum requirement) this would be adequate for up to a 90km/h speed with the current ‘Give Way’ sign. Therefore, based on an assumed 85th percentile speed of 70km/h a stop sign would normally not be needed.

However given the community request, the proximity of crest and the likelihood that vegetation across the sightline to the north would not always be maintained by the resident,

IR19/020 LOCAL TRAFFIC COMMITTEE NO 2 FOR 2019-20

E16.0002

Council proposes to replace the 'GIVE WAY' sign with a 'STOP' sign to reduce the risk to all road users.

Plan No. 5156 Set BB Sheets 17, detailing the 'STOP' sign and line marking on Lake Street at the intersection of Hector McWilliam Drive, Tuross Head, was reviewed by the Committee.

Recommendation:

Council Plan No. 5156 Set BB Sheet 17 detailing the 'STOP' sign and line marking on Lake Street at the intersection of Hector McWilliam Drive, Tuross Head be approved

INFORMAL ITEMS FOR DISCUSSION

Nil

GENERAL BUSINESS

- i) Councillor Anthony Mayne asked if the speed bumps along Mylott Close, heading into Kyla Park, could be restored. These were removed previously due to drivers by-passing them via the grassed areas. Speed counts will be gathered to assess the actual speed of travel with the results brought back to the Committee.
- ii) The NSW Police representative asked about the installation of a 'Keep left unless overtaking' sign on George Bass Drive north of Sunshine Bay Road, and the line marking near the Sunshine Bay roundabout. These matters will be investigated and brought back to the Committee at a future meeting.

NEXT MEETING

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 5 September 2019 in Council's Committee Room.

CCS19/041 REQUEST FOR TENDER 2019/CCD051 - CONCRETE SUPPLY PANEL

E00.4061

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services

Attachments: Nil

Outcome: Innovative and Proactive Leadership

Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations

Delivery Program Link: 9.2.3 Provide administrative, technical and trade services to support the organisation

Operational Plan Link: 9.2.3.6 Provide procurement and stores

EXECUTIVE SUMMARY

Every two years Council establishes a panel for the supply of concrete to support its operations across the Shire. The purpose of establishing a panel is to achieve the administrative benefits of pre-qualification (rather than numerous procurement processes), economy of scale and supply availability.

A Request for Tender (RFT) No. 2019/CCD051 Concrete Supply Panel was called on 11 June 2019 and closed on 10 July 2019. Three submissions were received in response to the RFT however initial screening of compliance with mandatory criteria determined that supply availability could not be established across the Shire.

A fourth submission was received late however under Clause 177 of the *Local Government (General) Regulation* it was unable to be legally accepted.

Due to the inability to establish supply availability through the process, consideration to cancel the RFT and invite fresh bids is requested. Direct negotiation with existing panelled suppliers for the interim period is also requested.

RECOMMENDATION

THAT Council

1. Reject the tenders received in response to 'Request for Tender (RFT) No. 2019/CCD051 – Concrete Supply Panel'.
2. Enter into direct negotiation with the existing Concrete Supply Panel of 2017-2019 until a new panel is determined.
3. Permits the calling of fresh bids to establish a Concrete Supply Panel for the period 2019-2021.
4. A further report be provided to Council advising successful bids for provision of a Concrete Supply Panel for the period 2019-2021 once a re-tendering process has been undertaken, for approval to enter into Deeds of Standing Offers with the proposed panel of tenderers subject to the terms specified in the Request for Tender unless otherwise varied in accordance with that report.

CCS19/041 REQUEST FOR TENDER 2019/CCD051 - CONCRETE SUPPLY PANEL

E00.4061

BACKGROUND

Every two years Council establishes a panel for the supply of concrete to support its operations across the Shire. The purpose of establishing a panel is to achieve the administrative benefits of pre-qualification (rather than numerous procurement processes), economy of scale and supply availability.

The existing Concrete Supply Panel expires on 31 August 2019 and tenders for a new arrangement were called on 11 June 2019, with offers closing at 2.00pm on 10 July 2019.

The proposed panel included the following concrete types:

- 20 Megapascal (MPa) compressive strength concrete
- 25 MPa compressive strength concrete
- 32 MPa compressive strength concrete
- 40 MPa compressive strength concrete
- Kerb and gutter mix
- Sand and cement mix.

A total of three submissions were received in response to the RFT No. 2019/CCD051 from:

- AGRA Resource Management Pty Ltd (AGRA)
- Cadgee Enterprises Pty Ltd (Cadgee)
- Holcim (Australia) Pty Ltd.

A Tender Evaluation Plan (TEP) was distributed amongst the Tender Evaluation Committee (TEC) prior to the closing date.

Initial screening was carried out in accordance with the TEP. It was determined at the screening that supply availability could not be established across the Shire.

A fourth submission was received late from Boral Country Concrete however under Clause 177 of the *Local Government (General) Regulation* the late submission was not legally able to be accepted. Clause 177 states in part:

‘(2) A council must not consider a tender that is not submitted to the council by the deadline for the closing of tenders. This subclause is subject to subclauses (4) and (5).

(4) However, if a council has specified in the relevant tender documents issued by the council that a tender will not be considered unless formal tender documents are submitted to the council, then (despite subclause (3)), the council is not obliged to consider a tender transmitted to it in accordance with that subclause (being a tender that does not include formal tender documents) unless:

- (a) the tenderer is able to satisfy the council that formal tender documents and all other requisite essential information were posted or lodged at a Post Office or other recognised delivery agency before the deadline for the closing of tenders, and*
- (b) the council actually receives those documents within such period as it decides to be reasonable in the circumstances.*

CCS19/041 REQUEST FOR TENDER 2019/CCD051 - CONCRETE SUPPLY PANEL

E00.4061

(5) A council must also consider a tender received within such period after the deadline for the closing of tenders as it decides to be reasonable in the circumstances if the tenderer satisfies the council that the tender documents and all other requisite essential information were posted or lodged at a Post Office or other recognised delivery agency in sufficient time to enable the documents to have been received by the council in the ordinary course of business before that deadline."

Due to the inability to establish supply availability through the tender process, consideration can be given to cancelling the RFT No. 2019/CCD051 and invite fresh bids. Additionally, it is considered appropriate that Council resolve to directly negotiate with existing panelled suppliers, consistent with the 2017-2019 panel for the interim period.

The proposal to cancel the tendering process and invite fresh bids is compliant under Clause 178 of the *Local Government (General) Regulation*, which states in part:

*"(1) After considering the tenders submitted for a proposed contract, the council must either:
(a) accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or
(b) decline to accept any of the tenders.*

*(3) A council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of the following:
(b) invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details,"*

CONSIDERATIONS

Legal

The RFT was advertised in accordance with *Local Government (General) Regulation* REG 167 and Section 55 of the *Local Government Act 1993*. The tender was advertised on Council's noticeboard page in two local newspapers, in the Sydney Morning Herald and at Council's Tenderlink web portal www.tenderlink.com/eurobodalla.

The proposal that Council resolves to enter into direct negotiation with existing panelled suppliers, consistent with the 2017-2019 panel for the interim period is made under Sect 55(3)(i) of the *Local Government Act 1993*, which states in part (where normally Public Tender process would apply):

*"(3) This section does not apply to the following contracts:
(i) a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders,"*

CCS19/041 REQUEST FOR TENDER 2019/CCD051 - CONCRETE SUPPLY PANEL

E00.4061

Accordingly this report seeks support from Council that the issue of supply availability regarding tendering process for RFT No. 2019/CCD051 represents an “extenuating circumstance” under the *Local Government Act 1993*.

Policy

The procurement activity for which this report applies has been conducted in accordance with Council’s Procurement Policy, Code of Practice - Procurement, Code of Practice – Tendering, and the Local Government Procurement Guidelines, *Local Government (General) Regulation 2005* and the *Local Government Act 1993*.

Financial

Inviting fresh tenders will ensure participation is maximised across all areas of the Shire as well as additional time for prospective suppliers to achieve compliance.

Community and Stakeholder Engagement

The new tender will be advertised on Council’s noticeboard page in two local newspapers, in the Sydney Morning Herald and at Council’s Tenderlink web portal www.tenderlink.com/eurobodalla .

Companies that provided bids for the RFT No. 2019/CCD051 will be advised in writing of the re-tendering process to be undertaken and given the opportunity to re-apply.

CONCLUSION

The tender process for Request for Tender (RFT) No. 2019/CCD051 was conducted in accordance with mandatory Council and Local Government requirements.

Due to the inability to establish supply availability through the tender process consideration can be given to cancelling the Request for Tender No. 2019/CCD051 and inviting fresh bids. Additionally, it is considered appropriate that Council resolve to directly negotiate with existing panelled suppliers, consistent with the 2017-2019 panel for the interim period.

CCS19/042 RATING SYSTEM REVIEW - LOCAL GOVERNMENT

E13.7121

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services

Attachments: 1. Minister for Local Government, Shelley Hancock MP [↓](#)
2. ESC - Submission to Rating System Review [↓](#)
3. Rating Professionals - submission [↓](#)

Outcome: Innovative and Proactive Leadership

Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations

Delivery Program Link: 9.2.4 Responsibly manage Council's finances and maintain Fit for the Future status

Operational Plan Link: 9.2.4.4 Collect rates and charges

EXECUTIVE SUMMARY

On 21 June 2019 Council received a request from The Honourable Shelly Hancock MP, Minister for Local Government seeking feedback on a series of reviews undertaken by the Independent Pricing and Regulatory Tribunal (IPART). A copy of the letter is attached to this report.

The reviews, *Local Government Rating System Review*, *Reporting & Compliance Burdens on Local Government*, and *Local Government Compliance and Enforcement* were commissioned to support the NSW Government's long term commitment to ensuring a fair and equitable rating system, cutting red tape and reducing costs and delays for business and the community.

The *Rating System Review* requires feedback to be submitted no later than 13 September 2019.

This report provides a response to the *Rating System Review* for Council consideration.

The remaining reviews close at later dates and reports will be provided to Council closer to that time.

RECOMMENDATION

THAT

1. Council submit to the Office of Local Government responses to the recommendations raised in the IPART report '*Rating System Review*', as attached to this report.

BACKGROUND

The reviews, *Local Government Rating System Review*, *Reporting & Compliance Burdens on Local Government*, and *Local Government Compliance and Enforcement* were commissioned to support the NSW Government's long term commitment to ensuring a fair and equitable rating system, cutting red tape and reducing costs and delays for business and the community.

The reviews address a number of complex issues, including the current structure of the local government rating system, arrangements around rating exemptions and pensioner concessions, and a broad range of matters relating to local government regulation and compliance.

A copy of each IPART final report together with a short consultation guide for each report are available on the Office of Local Government (OLG) website at:

CCS19/042 RATING SYSTEM REVIEW - LOCAL GOVERNMENT

E13.7121

www.olg.nsw.gov.au/strengthening-local-government/ipart-local-government-reports-consultation-2019

The Local Government *Rating System Review* requires feedback to be submitted no later than 13 September 2019. The review contains 42 recommendations. Of these, the Office of Local Government has determined that a number of these recommendations have either been implemented through other reform programs or are currently the subject of separate consultation. Some recommendations have been ruled out by OLG because they may have adverse impacts on vulnerable members of the community, affect regional jobs and economies, or substantially increase costs for taxpayers and the broader community.

One of the recommendations of the *Rating System Review* are changes to the Capital Improved Value (CIV) and Unimproved Value (UV) methods as the basis for setting rates. This could result in a situation where Council can choose which option is utilized. There are implications for either options that will need to be considered at that time.

The recommendations are attached to this report and include staff's considered responses. Staff responses to the recommendations will be provided to OLG no later than 13 September 2019.

CONSIDERATIONS

The NSW Revenue Professionals, the Local Government rating network, has reviewed the recommendations and a copy of its submission is attached. A consistent approach to the recommendations is preferred. The NSW Revenue Professionals submission responses have been reviewed and are consistent with Council's determinations.

Social Impact

The OLG has determined that a number of the recommendations have either been implemented through other reform programs or are currently the subject of separate consultation. Some recommendations have been ruled out because they may have adverse impacts on vulnerable members of the community, affect regional jobs and economies, or substantially increase costs for taxpayers and the broader community.

Community and Stakeholder Engagement

A copy of Council's submission to the *Rating System Review* is attached to this report and will be made available to the public via Council website.

CONCLUSION

The Local Government *Rating System Review* requires feedback to be submitted no later than 13 September 2019. The review contains 42 recommendations.

The NSW Revenue Professionals, the Local Government rating network, has provided submission responses and these have been reviewed and are consistent with staff's recommendations.

It is considered appropriate that Council provide a submission to the recommendations of the *Rating System Review* as attached to this report.

From: NSW Gov No Reply <noreply@minister.nsw.gov.au>
Sent: Friday, 21 June 2019 11:57 AM
To: Council
Subject: IPART Local Government Reports - Consultation 2019

Categories: Myree



The Honourable Shelley Hancock MP
Minister for Local Government

Dear Dr Dale

I am writing to invite your feedback on a series of reviews of the local government system, which were undertaken by the Independent Pricing and Regulatory Tribunal (IPART).

The NSW Government has been considering these reports for some time and a number of the issues raised have now been addressed. However, the full suite of recommendations, if implemented, could substantially change our local government system and impact directly upon communities.

I believe it is important that councils, community members and organisations representing the interests of local government should have the opportunity to fully consider these issues before the Government proceeds with a final response to the reports.

I would value your feedback on these reports and their final recommendations. Your views, together with the feedback of other councils, communities and others, will be taken into account in finalising the Government's response to the reviews.

The reviews were commissioned to support the NSW Government's long term commitment to ensuring a fair and equitable rating system, cutting red tape and reducing costs and delays for business and the community. They address a number of complex issues, including the current structure of the local government rating system, arrangements around rating exemptions and pensioner concessions, and a broad range of matters relating to local government regulation and compliance.

In all, IPART's final reports total approximately 1,000 pages and contain 135 recommendations. The closing dates for submissions have been staggered to allow sufficient time to consider each report individually. They are as follows:

- Local Government Rating System – 13 September 2019;
- Reporting and Compliance Burdens on Local Government – 25 October 2019;

- Local Government Compliance and Enforcement – 15 November 2019.

To help guide consultation, the Office of Local Government has placed a copy of each IPART final report, together with a short Consultation Guide for each report on its website at <https://www.olg.nsw.gov.au/strengthening-local-government/ipart-local-government-reports-consultation-2019>. This page also features an online feedback form for each review report.

A number of recommendations in the IPART reports have already been implemented through other reform programs, or are currently the subject of separate consultation. There are also a number of recommendations that the Government has ruled out, because they may have adverse impacts on vulnerable members of the community, affect regional jobs and economies, or substantially increase costs for taxpayers and the broader community. Further consultation is not being undertaken on these recommendations, as indicated in the online feedback form.

Questions on the consultation process or other submissions about IPART's recommendations for each report may be directed to the relevant report email address listed on the website or referred to OLG's Policy Team on 02 4428 4100.

I look forward to continuing to work closely with you to strengthen local government across NSW.

Yours sincerely



Shelley Hancock MP
Minister for Local Government

IPART RATING RECOMMENDATIONS

There are a number of recommendations that the government has ruled out and they are marked “OLG comment – not for consultation”

IPART Recommendation	Council Response	Actioning Officer	Page No.
Use the CIV valuation method to levy local council rates			
1. The <i>Local Government Act 1993</i> (NSW) should be amended to mandate Capital Improved Value (CIV) as the basis for setting ad valorem rates in the metropolitan council areas defined by IPART.	Support.		25
2. The <i>Local Government Act 1993</i> (NSW) should be amended to allow non-metropolitan councils to choose between the Capital Improved Value and Unimproved Value (UV) methods as the basis for setting ad valorem rates at the rating category level.	Support. The option of being able to choose. However it appears that once the Emergency Services Levy is introduced it will be mandatory to use the Capital Improved Value for this levy (see recommendation 41). It is unreasonable to expect non-metro councils to pay for and maintain two sets of values if they elect to use the Unimproved Value for rating purposes.		25
3. The <i>Local Government Act 1993</i> (NSW) should be amended to facilitate a gradual transition of rates to a Capital Improved Value method. - The amount of rates that any ratepayer is liable to pay to the council should increase by no more than 10 percentage points above the rate peg (as adjusted for Special Variations) each year as a result of a council adopting a Capital Improved Value method for settling rates. Councils could apply to IPART to exceed this 10% limit.	Do not support. Under this scenario it would appear that council may have to forgo rate revenue above the 10% cap during the transition period. Software would also require significant modifications to support this method. The cap refers to the net amount a ratepayer pays which		41

	may be influenced by other factors such as changes in domestic waste management services or pensions rebate concessions		
4. Section 497 of the <i>Local Government Act 1993</i> (NSW) should be amended to remove minimum amounts from the structure of a rate, and section 548 of the <i>Local Government Act 1993</i> (NSW) should be removed.	Do not support. Councils should be given a choice when determining their rating structures.		43

Allow councils' general income to grow as the communities they serve grow			
5. The <i>Local Government Act 1993</i> (NSW) should be amended so that the growth in rates revenue outside the rate peg is calculated using the formula based on changes in CIV, defined by IPART. - For non-metropolitan councils, this formula would be independent of the valuation method chosen as the basis for setting ad valorem rates.	Support. The methodology on page 50 of the report better reflects the growth in properties, population and services to those new properties.		50
6. The NSW Government fund the NSW Valuer General for the upfront cost of establishing the database to determine Capital Improved Values.	Support. The NSW Government should also fund the ongoing costs for the Capital Improved Values for Non-Metro councils that choose to retain the unimproved value for the setting of rates. Recommendation 41 indicates Capital Improved values will be mandatory for the levying of the Emergency Services Levy once introduced. This will mean non-metro councils that choose to set rates on Unimproved Values will need to maintain and update two		62

	sets of values.		
7. The NSW Government fund the cost for a non-metropolitan council to set up a Capital Improved Value database for the purposes of implementing our recommended formula for calculating growth in rates revenue outside the rate peg, where the Unimproved Value method for setting rates is maintained.	Support- See 6 above.		62
8. The <i>Local Government Act 1993</i> (NSW) should be amended to allow councils to levy a new type of special rate for new infrastructure jointly funded with other levels of Government. This special rate should be permitted for services or infrastructure that benefit the community, and funds raised under this special rate should not: - form part of a council's general income permitted under the rate peg, nor - require councils to receive regulatory approval from IPART.	Partially support. There is concern regarding the opportunity that this presents to shift costs onto Local Government.		65
9. Section 511 of the <i>Local Government Act 1993</i> (NSW) should be amended to reflect that, where a council does not apply the full percentage increase of the rate peg (or any applicable Special Variation) in a year, within the following 10-year period, the council can set rates in a subsequent year to return it to the original rating trajectory for that subsequent year.	Support. Provided that it delivers greater flexibility in varying the time of rates indexation over a long period of time.		66
			66

Give councils greater flexibility when setting residential rates			
<p>10. The <i>Local Government Act 1993</i> (NSW) should be amended to remove the requirement to equalise residential rates by ‘centre of population’. Instead, the <i>Local Government Act 1993</i> (NSW) should allow councils to determine a residential subcategory, and set a residential rate, by:</p> <ul style="list-style-type: none"> - separate town or village, or - residential area. 	Support. This does allow more flexibility and rates may then be modified to reflect the unique characteristics of certain residential areas. This will introduce additional complexities to the already challenging process of setting rates and determining rating categories.		73
<p>11. The <i>Local Government Act 1993</i> (NSW) should outline that:</p> <ul style="list-style-type: none"> - A ‘residential area’ is an area within a contiguous urban locality that has, on average, different access to, demand for, or costs of providing council services or infrastructure (relative to other areas in that locality). - Council could use geographic markers to define the boundaries for a residential area, including postcode boundaries, suburb boundaries, geographic features (eg, water ways, bushland) and/or the location of major infrastructure (eg, arterial roads, railway lines). 	Support. Agree with the ability to subcategorise residential properties within a residential area, as it allows councils to identify within their revenue policy the rates based on the area having different access, demand or costs to services within that area.		73
<p>12. The <i>Local Government Act 1993</i> (NSW) should be amended so, where a council uses different residential rates within a contiguous urban locality, it should be required to:</p> <ul style="list-style-type: none"> - ensure the highest rate structure is no more than 1.5 times the average rate structure across all residential subcategories (ie, so the maximum difference between the highest and average ad valorem rates and base amounts is 50%), or obtain approval from IPART to exceed this maximum difference, and - publish the different rates (along with the reasons for the different rates) on its website and in the rates notice received by ratepayers. 	Do not support. The “1.5” times is A subcategory that has been defined by necessity should not then be limited in its application based on an arbitrary number. The amount of the differential should be determined by the council based on the degree of difference in the access to, demand for, or cost of works, services, facilities and activities provided in the area.		86

<p>13. At the end of the 4-year rate path freeze, new councils determine whether any pre-merger areas are separate towns or villages, or different residential areas.</p> <ul style="list-style-type: none"> - In the event that a new council determines they are separate towns or villages, or different residential areas, it should be able to continue the existing rates or set different rates for these pre-merger areas, subject to metropolitan councils seeking IPART approval if they exceed the 50% maximum differential. It could also choose to equalise rates across the pre-merger areas, using the gradual equalisation process outlined below. - In the event that a new council determines they are not separate towns or villages, or different residential areas, or it chooses to equalise rates it should undertake a gradual equalisation of residential rates. The amount of rates a resident is liable to pay to the council should increase by no more than 10 percentage points above the rate peg (as adjusted for Special Variations) each year as a result of this equalisation. The <i>Local Government Act 1993</i> (NSW) should be amended to facilitate this gradual equalisation. 	<p>Do not support. We consider the application of a 10% increase is an arbitrary amount. It may not be appropriate for individual ratepayers or for a council's demographic circumstances. The preferred approach is to formalise as guidelines more robust opportunities for councils to consider the individuals circumstances and where genuine hardship occurs due to significant categorisation changes some form of relief be provided.</p>		90
<p>Better target rate exemption eligibility</p>			
<p>14. Sections 555 and 556 of the <i>Local Government Act 1993</i> (NSW) should be amended to:</p> <ul style="list-style-type: none"> - exempt land on the basis of use rather than ownership, and to directly link the exemption to the use of the land, and - ensure land used for residential and commercial purposes is rateable unless explicitly exempted. 	<p>OLG comment – Not for consultation.</p>		98
<p>15. Land that is used for residential care as defined in Section 41-3(1) of the <i>Aged Care Act 1997</i> (Cth) be proportionally rateable according to the share of places whose maximum Refundable Accommodation Deposit is above the level set by the Minister for Health and Aged Care (currently \$550,000).</p>	<p>OLG comment – Not for consultation.</p>		107

16. Section 556(1)(i) of the <i>Local Government Act 1993</i> (NSW) should be amended to include land owned by a private hospital and used for that purpose.	Do not support - in line with NSW Revenue Professions submission. "Unlike public hospitals private hospitals do not provide any free community services to the general public. They operate as commercial businesses and provide services to consumers that often live outside of the local government area they are situated in. It is unjust for a council to be burdened with the revenue loss for a commercial entity that services a region".		109
17. The following exemptions be removed: - land that is vested in, owned by, or within a special or controlled area for, the Hunter Water Corporation, Water NSW or the Sydney Water Corporation (<i>Local Government Act 1993</i> (NSW) section 555(1)(c) and section 555(1)(d)) - land that is below the high water mark and is used for the cultivation of oysters (<i>Local Government Act 1993</i> (NSW) section 555(1)(h)) - land that is held under a lease from the Crown for private purposes and is the subject of a mineral claim (<i>Local Government Act 1993</i> (NSW) section 556(1)(g)), and - land that is managed by the Teacher Housing Authority and on which a house is erected (<i>Local Government Act 1993</i> (NSW) section 556(1)(p)).	OLG comment – Not for consultation.		112
18. Section 555(1)(b1) of the <i>Local Government Act 1993</i> (NSW) should be amended to remove the current rating exemption for land that is the subject of a conservation agreement and instead require it to be rated using the Environmental Land category.	Support. Removes an area of complexity and delivers a fairer individual rate outcome. New approach via an environmental category is detailed in 29 below.		112
19. The following exemptions not be funded by local councils and hence should	OLG comment – Not for		116

<p>be removed from the Local Government Act and Regulation:</p> <ul style="list-style-type: none"> - land that is vested in the Sydney Cricket and Sports Ground Trust (<i>Local Government Act 1993</i> (NSW) section 556(1)(m)) - land that is leased by the Royal Agricultural Society in the Homebush Bay area (<i>Local Government (General) Regulation 2005</i> reg 123(a)) - land that is occupied by the Museum of Contemporary Art Limited (<i>Local Government (General) Regulation 2005</i> reg 123(b)), and - land comprising the site known as Museum of Sydney (<i>Local Government (General) Regulation 2005</i> reg 123(c)). <p>The NSW Government should consider whether to fund these local rates through State taxes.</p>	<p>consultation.</p>		
<p>20. Where a portion of land is used for an exempt purpose and the remainder for a non-exempt activity, only the former portion should be exempt, and the remainder should be rateable.</p>	<p>OLG comment – Not for consultation.</p>		117
<p>21. Where land is used for an exempt purpose only part of the time, a self-assessment process should be used to determine the proportion of rates payable for the non-exempt use.</p>	<p>OLG comment – Not for consultation.</p>		117
<p>22. A council's maximum general income not be modified as a result of any changes to exemptions from implementing our recommendations.</p>	<p>Do not support. Council's general income should be modified to reflect: Any revenue lost in the first year of granting a newly introduced exemption. This mechanism does not need to affect other ratepayers or result in a permanent increase to council's Notional Income. An increase would be once only and reflective of the annual income lost</p>		121

	<p>in the first year of granting an exemption.</p> <p>A permanent increase to council's Notional Income where existing exemptions are removed. This would only be required for land that has not previously been rateable at any time.</p> <p>The current rating framework does not provide a mechanism for a council to recover any loss in revenue due to an exemption being given in the year that is granted or any future year part way through the year.</p>		
<p>23. A council may apply to IPART for a Special Variation to take account of the changes in exemptions using a streamlined process in the year that our recommended exemption changes come into force. The council would need to demonstrate:</p> <ul style="list-style-type: none"> - it satisfies the first criteria for Special Variation applications in the OLG guidelines relating to the need for and purpose of a different revenue path for the council's General Fund, and - that any subcategory rating structure applied to previously exempt properties is not greater than the average rate structure across the relevant rating category. 	<p>Do not support. Council should simply be able to retain or increase its level of rate income, without having to make an application for SV.</p>		121
<p>24. The <i>Local Government Act 1993</i> (NSW) should be amended to remove the current exemptions from water and sewerage special charges in section 555 and instead allow councils discretion to exempt these properties from water and sewerage special rates in a similar manner as occurs under section 558(1).</p>	<p>Support. More appropriate that all users that have access and use of the water and sewerage services pay the appropriate charges.</p>		124
<p>25. At the start of each rating period, councils calculate the estimated value of</p>	<p>Support. (will require software</p>		124

rating exemptions within the council area. This information should be published in the council's annual report or otherwise made available to the public.	modifications to provide relevant information).		
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Improve assistance for pensioners			
26. For new and existing eligible pensioners, introduce a rate deferral scheme operated by the NSW Government, where: - Eligible pensioners would be allowed to defer payment of ordinary council rates up to \$1,000 per annum and indexed to CPI, or any other amount as determined by the NSW Government.	OLG comment – Not for consultation.		128
27. Give existing eligible pensioners the option to access, either: - the current pensioner concession, or - the rate deferral scheme, as defined in Recommendation 26.	OLG comment – Not for consultation.		128
28. Funding pensioner assistance: - The current pensioner concession funding arrangements would continue. - The rate deferral scheme (defined in Recommendation 26) would be funded by the NSW Government. The loan should be charged interest at the NSW Government's 10-year borrowing rate, and could become due when property ownership changes.	OLG comment – Not for consultation.		128
Provide more rating categories			
29. Section 493 of the <i>Local Government Act 1993</i> (NSW) should be amended to add a new environmental land category and a definition of 'environmental land' should be included in the <i>Local Government Act 1993</i> (NSW). - Land subject to a state conservation agreement is categorised as 'environmental land' for the purposes of setting rates.	Support. Replaces 18 above.		136
30. Section 529(2)(d) of the <i>Local Government Act 1993</i> (NSW) should be amended to allow business land to be subcategorised as 'industrial' and or 'commercial' in addition to centre of activity.	Support. Allows some level of flexibility in the Business category.		138
31. Section 493, 519 and 529 of the <i>Local Government Act 1993</i> (NSW) should be amended to add an optional vacant land subcategory for residential, business and	Partially support. This will be highly important if CIV is introduced.		139

mining land.	Vacant land should also be able to be subcategorised by location.		
32. Section 529(2)(a) of the <i>Local Government Act 1993</i> (NSW) should be replaced to allow farmland subcategories to be determined based on geographic location.	Partially support. There is some advantage in using location however the impact on rating revenue would need to be addressed during any transition period. Probably more relevant to larger western rural councils.		142
33. Section 518 of the <i>Local Government Act 1993</i> (NSW) should be amended to reflect that a council may determine by resolution which rating category will act as the residual category. - The residual category that is determined should not be subject to change for a 4-year period. - If a council does not determine a residual category, the business category should act as the default residual rating category.	Partially support. There are parcels of land such as closed roads and land locked parcels that may be better suited by the use of a residential category rather than the current default being the business category.		143
34. Any difference in the rate charged by a council to a mining category compared to its average business rate should primarily reflect differences in the council's costs of providing services to the mining properties.	Do not support. Rates are a tax imposed at a local level and not purely a fee for service. As such, councils need the flexibility to set appropriately for their communities.		145
Recovery of council rates			
35. Councils have the option to engage the State Debt Recovery Office to recover outstanding council rates and charges.	Support.		149
36. The existing legal and administrative process to recover outstanding rates be streamlined by reducing the period of time before a property can be sold to recover rates from five years to three years.	Support. The option of sale of land is used as a last resort for councils to recover unpaid rates		150
37. All councils adopt an internal review policy, to assist those who are late in	OLG comment – Not for		151

paying rates, before commencing legal proceedings to recover unpaid rates.	consultation.		
38. The <i>Local Government Act 1993</i> (NSW) should be amended or the Office of Local Government should issue guidelines to clarify that councils can offer flexible payment options to ratepayers.	OLG comment – Not for consultation.		152
39. The <i>Local Government Act 1993</i> (NSW) should be amended to allow councils to offer a discount to ratepayers who elect to receive rates notices in electronic formats, eg, via email.	OLG comment – Not for consultation.		153
40. The <i>Local Government Act 1993</i> (NSW) should be amended to remove section 585 and section 595, so that ratepayers are not permitted to postpone rates as a result of land rezoning, and councils are not required to write-off postponed rates after five years.	Support. Properties where a residence is located in a zoning area that permits industry, commerce or residential flats or the land may be subdivided into two or more lots, may qualify for postponed rates. Postponed rates allows a proportion of rates to be postponed for five years and then that proportion is written off in the fifth year. All owners of land should be paying the full value of the annual rates. The legislation was initially used to assist ratepayers where expansion of a CBD and the like encroached on the family home. This now rarely occurs and applications for postponed rates tend to be from new purchasers intending to reduce part of the rate liability whilst holding the property		155

	speculating on future development or sale. The process carries a high level of administration including annual inspections, specialised accounting and separate valuation controls for a negative rate return.		
Other recommendations			
41. The valuation base date for the Emergency Services Property Levy and council rate be aligned. - The NSW Government should levy the Emergency Services Property Levy on a Capital Improved Value basis when Capital Improved Value data becomes available state-wide.	OLG comment – not for consultation.		158
42. After the NSW Valuer General has established the database to determine Capital Improved Values for rating purposes (see Recommendation 3), councils be given the choice to directly buy valuation services from private valuers that have been certified by the NSW Valuer General.	Support. Providing provisions are in place to ensure integrity of the data. Councils should be given a choice to use certified private valuers although there should still be a high level of oversight on pricing and service delivery provided by NSW Government through IPART and the Auditor General. The process of using the NSW Valuer General provides transparency, certainty of delivery, reliability and separation/ independence of the service.		161



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20 August 2019

Office of Local Government
Locked Bag 3015
NOWRA NSW 2541

lgratingsystem@olq.nsw.gov.au

Dear sir or madam

Submission to the IPART final report into the local government rating system

Thank you for the opportunity to present this submission on behalf of the NSW Revenue Professionals Inc. (NSWRP) in accordance with your correspondence received 28 June 2019.

The NSW Revenue Professionals Inc. is the peak body of NSW Local Government revenue employees and was formed in order to:

- unite in a common organisation, those Local Government employees who are engaged in rating and revenue functions,
- improve and elevate the technical and general knowledge of Local Government employees who are engaged in rating and revenue functions,
- distribute amongst its members, and the regional NSWRP groups, information on all matters affecting or pertaining to the profession of rating and revenue management within Local Government by way of meetings, newsletters, conferences, or any other method available to the Committee,
- promote a professional image of Rating and Revenue practitioners in Local Government New South Wales,
- promote quality services to Local Government in New South Wales through the dissemination of best practice,
- encourage members to keep up to date with finance related activities and legislative changes through continuing professional development,
- identify the skills and knowledge needed by employees and facilitate training and education,
- make the expertise of members available to professional bodies and government departments as required.

Our group is represented by an Executive Committee made up of four metropolitan and five regional council representatives. We have also established twelve regions, each region meet from once a year to three times a year to discuss relevant industry matters and provide an annual minute report on the items raised.

Advancing Professionalism in Revenue Raising

www.rp.nsw.gov.au

We also facilitate our own sourced material training to assist staff new to local government or provide improved skills to developing rating practitioners.

Overall the NSWRP's Executive agrees with the IPART report, we are disappointed that the NSW Government has taken a number of key reforms away from the public forum, we hope that these will still be considered as part of a holistic reform that benefits all ratepayers and have included our comments in our submission.

[Submission response](#)

1. The Local Government Act 1993 should be amended to mandate Capital Improved Value (CIV) as the basis for setting ad valorem rates in the metropolitan council areas as defined by IPART.

Support: CIV is widely recognised as a fair and sustainable approach to the valuation process both nationally and internationally. We believe it is more easily understood by the ratepayer, as most people know or have an idea of what their property is worth.

2. The Local Government Act 1993 should be amended to allow non-metropolitan councils to choose between the Capital Improved Value and Unimproved Value (UV) methods as the basis for setting ad valorem rates at the rating category level.

Support: Non-metropolitan councils should be given the opportunity to choose. Each council may have unique parcels of land that would not necessarily have a reliable data set to produce CIV and to do so could be a costly exercise for both council and Valuer-General. Accordingly UV may be the only reliable option available.

3. If Recommendation 1 and/or 2 are supported by the NSW Government, should the Local Government Act 1993 be amended to facilitate a gradual transition of rates to a Capital Improved Value method?

Don't support: We have significant concerns regarding the setting a limit or cap. Consideration needs to be made on the value of the 10% - for example if the annual rate increase is \$100 the quarterly instalment increase would equate to \$25 or \$8.30 per month. The suggested cap refers to the net amount a ratepayer pays which may be influenced by other factors such as changes in domestic waste management services or pension rebate concessions.

It is expected that any changes to the valuation basis for council rates would be well publicised, allowing property owners sufficient time to anticipate and prepare for change. In addition, Councils are already equipped with provisions that allow them to assist ratepayers in genuine hardship. Ratepayers in financial difficulty as a result of the change to CIV would be able to negotiate more manageable payment arrangements with their council. We would prefer to work with the NSW Government on the methodology and consequently the community impact of transitioning to CIV prior to supporting this recommendation.

It is recommended that the current hardship provisions relating to changes in valuation movements be utilised for individuals, this should be a matter for each council.

4. If Recommendation 1 and/or 2 are supported by the NSW Government, should section 497 of the Local Government Act 1993 be amended to remove minimum amounts from the structure of a rate, and section 548 of the Local Government Act 1993 be removed?

Don't support: Councils should be given the choice when determining their rating structures and the current ability for councils to choose between a straight ad valorem rate, and ad valorem subject to a minimum rate, or a base amount plus ad valorem rate should be retained.

The "fairness" or "appropriateness" of rates may be considered in the light of the benefit principle and the ability to pay principle. Setting a minimum rate allows a council to determine the minimum amount one parcel of rateable land should contribute to the running of the local government area. This goes toward ensuring that, at a minimum, the extent to which those who receive the benefits of council's services also pay for those services regardless of the value of the land.

5. If Recommendation 1 and/or 2 are supported by the NSW Government, should the Local Government Act 1993 be amended so that the growth in rates revenue outside the rate peg is calculated using the formula based on changes in CIV, as defined by IPART?

Support: The methodology on page 50 of the report better reflects the growth in properties, population and services to those new properties. It will allow for the average rates per property to be maintained as both the properties and services grow.

6. If Recommendation 1 and/or 2 are supported by the NSW Government, should the NSW Government fund the NSW Valuer General for the upfront cost of establishing the database to determine Capital Improved Values?

Support: Agree that the NSW Government should fund the upfront costs of the CIV database. These costs should not form part of the annual calculation costs by the Valuer-General that are on charged to councils annually.

7. If Recommendation 1 and/or 2 are supported by the NSW Government, should the NSW Government fund the cost for a non-metropolitan council to set up a Capital Improved Value database for the purposes of implementing IPART's recommended formula for calculating growth in rates revenue outside the rate peg, where the Unimproved Value method for setting rates is maintained?

Support: Agree that the NSW Government should fund all associated costs in capturing data for transitioning to CIV. (e.g. software upgrades, valuation costs)

8. The Local Government Act 1993 should be amended to allow councils to levy a new type of special rate for new infrastructure jointly funded with other levels of Government. This special rate should be permitted for services or infrastructure that benefit the community, and funds raised under this special rate should not:

- form part of a council's general income permitted under the rate peg, nor
- require councils to receive regulatory approval from IPART.

Partially support: There is concern regarding the opportunity that this presents to shift costs onto local government. We believe the sector would be influenced by robust legislation put in place that provides for community consultation and community support for any such infrastructure projects before being burdened on local communities. Part of this process should also give consideration to the extent to which local ratepayers may be asked to contribute to broader and wider reaching benefits than those to the local community or economy.

Alternative models may need to be examined that allows for the uplift in valuations used for rating purposes (be it CIV or UCV) to be reflected in the annual rates paid by the beneficiaries of infrastructure. Value capture has been successful in achieving funding outcomes in cities around the world, these could be implemented subject to the CIV method chosen by the government.

9. Section 511 of the Local Government Act 1993 should be amended to reflect that, where a council does not apply the full percentage increase of the rate peg (or any applicable Special Variation) in a year, within the following 10-year period, the council can set rates in a subsequent year to return it to the original rating trajectory for that subsequent year.

Support: Provided that it delivers greater flexibility in varying the time of rates indexation over a long period of time. This also has benefits for regional areas that may be affected by drought, flood or other natural or economic disasters, as well as the newly merged councils that are transitioning into one rating structure.

10. The Local Government Act 1993 should be amended to remove the requirement to equalise residential rates by 'centre of population'. Instead, the Local Government Act 1993 should allow councils to determine a residential subcategory, and set a residential rate, by:

- separate town or village, or*
- residential area.*

Support: This recommendation has an equitable approach to the transition of merged councils, by providing the flexibility for councils to subcategorise on suburbs or communities that have access or demand to services.

11. The Local Government Act 1993 should outline that:

- A 'residential area' is an area within a contiguous urban locality that has, on average, different access to, demand for, or costs of providing council services or infrastructure (relative to other areas in that locality).*
- Councils could use geographic markers to define the boundaries for a residential area, including postcode boundaries, suburb boundaries, geographic features (eg, waterways, bushland) and/or the location of major infrastructure (eg, arterial roads, railway lines).*

Support: Agree with the ability to subcategorise residential properties within a residential area, as it allows councils to identify within their revenue policy the rates based on the area having different access, demand or costs to services within that area.

12. The Local Government Act 1993 should be amended so, where a council uses different residential rates within a contiguous urban locality, it should be required to:

- ensure the highest rate structure is no more than 1.5 times the average rate structure across all residential subcategories (ie, so the maximum difference between the highest and average ad valorem rates and base amounts is 50%), or obtain approval from IPART to exceed this maximum difference, and*
- publish the different rates (along with the reasons for the different rates) on its website and in the rates notice received by ratepayers.*

Don't support: We do not support this recommendation as the "1.5 times" is arbitrary and has no rational basis. A subcategory that has been defined by necessity should not then be limited in its application based on an arbitrary number. The amount of the differential should be determined by the council based on the degree of difference in the access to, demand for, or cost of works, services, facilities and activities provided in the area.

Information regarding the determination and rationale of subcategories is provided in either the Revenue Pricing Policy or separate council policy or both. The rate notice does not allow space for additional information, a reference to the determination should be made instead.

13. At the end of the 4-year rate path freeze, new councils determine whether any pre-merger areas are separate towns or villages, or different residential areas.

- In the event that a new council determines they are separate towns or villages, or different residential areas, it should be able to continue the existing rates or set different rates for these pre-merger areas, subject to metropolitan councils seeking IPART approval if they exceed the 50% maximum differential. It could also choose to equalise rates across the pre-merger areas, using the gradual equalisation process outlined in the report.*
- In the event that a new council determines they are not separate towns or villages, or different residential areas, or it chooses to equalise rates, it should undertake a gradual equalisation of residential rates. The amount of rates a resident is liable to pay to the council should increase by no more than 10 percentage points above the rate peg (as adjusted for Special Variations) each year as a result of this equalisation. The Local Government Act 1993 should be amended to facilitate this gradual equalisation.*

Don't support: We consider the application of a 10% increase is an arbitrary amount. As previously discussed it may not be appropriate for individual ratepayers or for a council's demographic circumstances. The preferred approach is to formalise as guidelines more robust opportunities for councils to consider the individuals circumstances and where genuine hardship occurs due to significant categorisation changes some form of relief be provided.

We would welcome the opportunity to work with the NSW Government on possible amendments to Section 601 of the Local Government Act on this item.

14. Sections 555 and 556 of the Local Government Act 1993 should be amended to:

- exempt land on the basis of use rather than ownership, and to directly link the exemption to the use of the land, and
- ensure land used for residential and commercial purposes is rateable unless explicitly exempted.

Support: There have been no less than four independent reviews into local government prior to the latest IPART review, all of which refer to land rate exemptions as being poorly targeted, regressive and detrimental to the future sustainability of local councils in providing services to their communities.

We note the NSW Governments response ruled out the IPART's recommendations 'that would adversely impact vulnerable members of the community, such as pensioners or charities,' and seek to open up a separate discussion that would look into this item. The NSW Government has reduced its operational costs for social housing by establishing financial mechanisms that enable public assets to be used by Community Housing Providers (CHP). It allows a CHP to leverage equity and thereby operate independent to the NSW Government. What has not been discussed is the impact to local communities where major CHP's are operating without making any contributions towards the costs in providing the local government works, services, facilities or activities that the CHP and its tenant's will enjoy. As local government services are largely funded by land rates, CHP's should be required to contribute to the land rates just as Housing NSW does.

It is not appropriate that the rest of the community pay more in land rates to fill the funding gap if CHP's were exempt from rates. Social housing is to be funded by the NSW Government which has its own mechanisms of generating income. Ratepayers should not be burdened again through increased land rates.

We seek to work with the NSW Government on a solution to this emerging and growing inequity in the current rating system.

15. Land that is used for residential care as defined in Section 41-3(1) of the Aged Care Act 1997 (Cth) be proportionally rateable according to the share of places whose maximum Refundable Accommodation Deposit is above the level set by the Minister for Health and Aged Care (currently \$550,000).

Support: Please see item 14. Additionally a change in policy could lead to land being developed or transitioned to a strata plan resulting in 'spot' exemption applications.

16. Section 556(1)(i) of the Local Government Act 1993 should be amended to include land owned by a private hospital and used for that purpose.

Don't support: Unlike public hospitals private hospitals do not provide any free community services to the general public. They operate as commercial businesses and provide services to consumers that often live outside of the local government area they are situated in. It is unjust for a council to be burdened with the revenue loss for a commercial entity that services a region.

17. *The following exemptions be removed:*

- *land that is vested in, owned by, or within a special or controlled area for, the Hunter Water Corporation, Water NSW or the Sydney Water Corporation (Local Government Act 1993 section 555(1)(c) and section 555(1)(d))*
- *land that is below the high water mark and is used for the cultivation of oysters (Local Government Act 1993 section 555(1)(h))*
- *land that is held under a lease from the Crown for private purposes and is the subject of a mineral claim (Local Government Act 1993 section 556(1)(g)), and*
- *land that is managed by the Teacher Housing Authority and on which a house is erected (Local Government Act 1993 section 556(1)(p)).*

Support: See comments under item 14.

18. *Section 555(1)(b1) of the Local Government Act 1993 should be amended to remove the current rating exemption for land that is the subject of a conservation agreement and instead require it to be rated using the Environmental Land category.*

Support: Agree that this be removed from the Local Government Act 1993 and be included as part of the new proposed 'Environment Land' category.

19. *The following exemptions not be funded by local councils and hence should be removed from the Local Government Act and Regulation:*

- *land that is vested in the Sydney Cricket and Sports Ground Trust (Local Government Act 1993 section 556(1)(m))*
- *land that is leased by the Royal Agricultural Society in the Homebush Bay area (Local Government (General) Regulation 2005 reg 123(a))*
- *land that is occupied by the Museum of Contemporary Art Limited (Local Government (General) Regulation 2005 reg 123(b)), and*
- *land comprising the site known as Museum of Sydney (Local Government (General) Regulation 2005 reg 123(c)).*

The NSW Government should consider whether to fund these local rates through State taxes.

Support

20. *Where a portion of land is used for an exempt purpose and the remainder for a non-exempt activity, only the former portion should be exempt, and the remainder should be rateable.*

Support

21. *Where land is used for an exempt purpose only part of the time, a self-assessment process should be used to determine the proportion of rates payable for the non-exempt use.*

Partially support: We would welcome the opportunity to work with the NSW Government on this item to establish some objectives and guiding principles.

22. A council's maximum general income not be modified as a result of any changes to exemptions from implementing IPART's recommendations

Don't support: Council's general income should be modified to reflect

- a) Any revenue lost in the first year of granting a newly introduced exemption. This mechanism does not need to affect other ratepayers or result in a permanent increase to councils Notional Income. An increase would be once only and reflective of the annual income lost in the first year of granting an exemption.
- b) A permanent increase to council's Notional Income where existing exemptions are removed. This would only be required for land that has not previously been rateable at any time.

The current rating framework does not provide a mechanism for a council to recover any loss in revenue due to an exemption being given in the year that is granted or any future year part way through the year. This results in the council being unable to achieve its full budgeted income for the year. We would welcome the opportunity to work with the NSW Government on this item to establish some objectives and guiding principles.

23. A council may apply to IPART for a Special Variation to take account of the changes in exemptions using a streamlined process in the year that IPART's recommended exemption changes come into force.

The council would need to demonstrate:

- it satisfies the first criteria for Special Variation applications in the OLG guidelines relating to the need for and purpose of a different revenue path for the council's General Fund, and
- that any subcategory rating structure applied to previously exempt properties is no greater than the average rate structure across the relevant rating category.

Don't support: The Council should simply be able to retain or increase its level of rate income, in circumstances as we have outlined in our response to the previous recommendation without having to make an application for SV.

24. The Local Government Act 1993 should be amended to remove the current exemptions from water and sewerage special charges in section 555 and instead allow councils discretion to exempt these properties from water and sewerage special rates in a similar manner as occurs under section 558(1).

Support

25. At the start of each rating period, councils calculate the estimated value of rating exemptions within the council area. This information should be published in the council's annual report or otherwise made available to the public.

Support: Agree to publish data to show the impact on the community due to exemptions being granted.

26. *For new and existing eligible pensioners, introduce a rate deferral scheme operated by the NSW Government, where:*

- *Eligible pensioners would be allowed to defer payment of ordinary council rates up to \$1,000 per annum and indexed to CPI, or any other amount as determined by the NSW Government*

Don't support: We note the government's initial response to rule out 'vulnerable members of the community, such as pensioners or charities, or have a substantial financial impact upon taxpayers or the broader community' however making no changes is not considered to be a sustainable option.

The IPART recommendation provided an option for eligible pensioners to decide upon continuing with the current scheme or opt in to the new deferred payment scheme, and would welcome the opportunity to discuss this matter further. Hardship should be a consideration.

27. *If the NSW Government supports Recommendation 26, should the NSW Government give existing eligible pensioners the option to access, either:*

- *the current pensioner concession, or*
- *the rate deferral scheme, as defined in Recommendation 26.*

Support

If the NSW Government supports Recommendation 26, should the NSW Government support funding pensioner assistance through:

- *Continuing the current pensioner concession funding arrangements.*
- *The rate deferral scheme (defined in Recommendation 26) funded by the NSW Government. The loan should be charged interest at the NSW Government's 10-year borrowing rate, and could become due when property ownership changes.*

Partially support: We would welcome the opportunity to work with the NSW Government on alternatives suitable to benefit pensioners without adversely affecting local communities or taxpayers.

29. *Section 493 of the Local Government Act 1993 should be amended to add a new environmental land category and a definition of 'environmental land' should be included in the Local Government Act 1993.*

Support: We have some concerns that land reserved for 'Bio-banking' will fall under this category the definition, 'Regulatory restrictions could include laws or agreements preventing development of property in order to conserve nature. For example, private land under conservation agreements with the NSW Office of Environment and Heritage would fall under this category. See Box 8.1 for more information' needs to exclude bio-banking agreements. Such agreements often represent a significant or substantial commercial gain for the land owner.

30. Section 529(2)(d) of the Local Government Act 1993 should be amended to allow business land to be subcategorised as 'industrial' and or 'commercial' in addition to centre of activity.

Support: This will have other implications should CIV be implemented, a broader discussion around the use of the Australian Valuation Property Classification Codes (AVPCC) may further influence this item.

Centre of activity caused some issues for councils as properties are wide spread through the council area and made it quite difficult for centre of activity to be determined for the different rates to be applied. By using the Local Environment Plan (LEP) zonings or the Australian Valuation Property Classification Codes (AVPCC) to assist with identifying these properties councils would be able to better define a subcategory.

31. Sections 493, 519 and 529 of the Local Government Act 1993 should be amended to add an optional vacant land subcategory for residential, business and mining land.

Partially support: This will be highly important if CIV is introduced, we would welcome the opportunity to work with the NSW Government on implementing this change. Vacant land should also be able to be subcategorised by location.

32. Section 529 (2)(a) of the Local Government Act 1993 should be replaced to allow farmland subcategories to be determined based on geographic location.

Partially support: for merged councils as an interim measure to help align rating structures similar to residential.

33. Section 518 of the Local Government Act 1993 should be amended to reflect that a council may determine by resolution which rating category will act as the residual category.

- *The residual category that is determined should not be subject to change for a 4-year period.*
- *If a council does not determine a residual category, the business category should act as the default residual rating category.*

Partially support: The definition of Business land needs to be determined for this process to work. We suggest that the residual category should be subject to change for a 4 year period aligning with both councils' delivery program and the term of the elected council.

34. Any difference in the rate charged by a council to a mining category compared to its average business rate should primarily reflect differences in the council's costs of providing services to the mining properties.

Don't support: Rates are a tax imposed at a local level and not purely a fee for service. As such, councils need the flexibility to set appropriately for their communities. The IPART analysis behind this recommendation appears to be based predominantly on rating data and there seems to be no enquiry as to why the ratios may be in place within individual LGA's. There should be consideration of the impacts mining operations have on the local community and economy in both the short and long terms.

Mining companies buy agricultural land and permanently take these lands out of production, and in doing so, affect the longer-term prospects of the local economy. It is because of these long-term or permanent effects on the economy in relation to the demise of previously stable and sustainable farmland land use, that mining operations should be contributing over and above their current draw on services provided by councils. When the mining activity is finished, that land remains unproductive and as such, reduces its ability to contribute to the local economy permanently.

The majority of the draft recommendations made in the Report are recommending changes to increase flexibility this recommendation is eliminating flexibility on a local level for the benefit of reducing costs for a small number of property owners. The mining activity is taking away an existing mineral asset from the local community and it is considered only reasonable that the local community receives long lasting benefits from the mines operations. Once mining is finished, local government areas are left with unproductive land and no minerals the local wealth is gone.

There seems little justification to mandate the effective capping of mining rates. In any event, this seems an ineffective mechanism to achieve that aim. There will be a great variation in the level of land values/mine rates/business rates across LGA's. Setting a single mandated relativity is unlikely to achieve the result desired in all LGA's.

If a Council was seen to be unreasonably targeting mines by implementing extremely high mine rates, the current provisions of Section 528(2) of the Local Government Act allow the Minister to effectively implement this recommendation on an individual basis. This seems a far better mechanism to achieve targeted protection for mines against unreasonable rates.

35. Councils have the option to engage the State Debt Recovery Office to recover outstanding council rates and charges.

Support: Local government welcomes any opportunities that benefit the community. The NSWRP has been in conversations with Revenue NSW regarding their current framework and supports councils having the freedom of choice.

36. The existing legal and administrative process to recover outstanding rates be streamlined by reducing the period of time before a property can be sold to recover rates from five years to three years.

Support: The option of sale of land is used as a last resort for councils to recover unpaid rates.

37. All councils adopt an internal review policy, to assist those who are late in paying rates, before commencing legal proceedings to recover unpaid rates.

Support

38. The Local Government Act 1993 should be amended or the Office of Local Government should issue guidelines to clarify that councils can offer flexible payment options to ratepayers.

Support

39. The Local Government Act 1993 should be amended to allow councils to offer a discount to ratepayers who elect to receive rates notices in electronic formats, eg, via email.

Don't support: We disagree with this recommendation, as again it is moving away from the intention of the reform to give councils more flexibility in its operational tasks. Most NSW councils already encourage ratepayers to have their notices delivered electronically. However, a discount equivalent to the savings experienced by the council would not be significant enough to an individual ratepayer to generate change. Also, the provision of a discount would erode the efficiency savings for a council, which it currently already loses through the IPART imposed productivity factor deduction in the rate peg calculation.

Further, it is recommended that the common practice currently used by utility providers, of charging customers for paper bills and communications, be explored for use by local governments.

40. The Local Government Act 1993 should be amended to remove section 585 and section 595, so that ratepayers are not permitted to postpone rates as a result of land rezoning, and councils are not required to write-off postponed rates after five years.

Support: It is important to note that the removal of any form of concession where land is valued reflecting its permitted use, rather than its actual use, could result in financial hardship for some ratepayers. However, if this concession was removed simultaneously with the introduction of CIV, no hardship would result.

We suggest that provision be included to allow a valuation concession on these properties in local government areas that do not move to CIV. This allowance would remain in place whilst the property meets the current postponed rates criteria and would discontinue also subject to the same reasons. Changing the format from postponed rates to a valuation allowance would remove the administrative and financial burden for councils of administering postponed rates.

We recommend a transition period would be required on how councils phase out the current accumulated postponed debts should this recommendation be implemented. The NSWRP would welcome the opportunity to work with the NSW Government on this item.

41. The valuation base date for the Emergency Services Property Levy and council rates be aligned.

•The NSW Government should levy the Emergency Services Property Levy on a Capital Improved Value basis when Capital Improved Value data becomes available state-wide.

Support: Land valuations across the state have been aligned to the same base date which occurred after this report was finalised. CIV would help to overcome many of the distribution issues the FESL encountered, we would welcome the opportunity to work with the NSW Government should the need arise.

42. After the NSW Valuer General has established the database to determine Capital Improved Values for rating purposes, councils be given the choice to directly buy valuation services from private valuers that have been certified by the NSW Valuer General.

Support: We support this recommendation providing provisions are in place to ensure integrity of the data.

Councils should be given the choice to use certified private valuers although there should still be a high level of oversight on pricing and service delivery provided by NSW Government through IPART and the Auditor General.

The NSWRP appreciates the example provided in IPART's final report (detailed at Box G.3 on page 199 of the Report) that shows the cost of valuations is 40% lower per assessment in Wodonga, Victoria as compared with the cost in Albury, New South Wales, despite the fact that the City of Wodonga Council receives three sets of valuation methods from its contractor while Albury City Council only receives one.

It is agreed that this suggests that "there could be substantial benefits in allowing councils to directly purchase valuations from the market."

In a number of responses we have commented that we would welcome the opportunity to work with the NSW Government and its agencies on improving the rating system in NSW. Together and partnering with LGNSW we believe that there is room for improvement albeit not substantial but relevant to today's community expectations.

We believe that we are strategically positioned to provide relevant and constructive feedback as our members are 'at the coal face' being the closest level of government to their local communities we hear their concerns.

Thank you for the opportunity to provide this feedback and I look forward to hearing from you soon.

Yours faithfully



Andrew Butcher
President NSW Revenue Professionals

15. DEALING WITH MATTERS IN CLOSED SESSION

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

EUROBODALLA SHIRE COUNCIL

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

CONFLICT OF INTEREST

A conflict of interest is a clash between private interest and public duty. There are two types of conflict: Pecuniary – regulated by the *Local Government Act* and Department of Local Government; and Non-Pecuniary – regulated by Codes of Conduct and policy, ICAC, Ombudsman, Department of Local Government (advice only).

THE TEST FOR CONFLICT OF INTEREST

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

IDENTIFYING PROBLEMS

- 1st** Do I have private interests affected by a matter I am officially involved in?
- 2nd** Is my official role one of influence or perceived influence over the matter?
- 3rd** Do my private interests conflict with my official role?

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

AGENCY ADVICE

Officers of the following agencies are available during office hours to discuss the obligations placed on Councillors, Officers and Community Committee members by various pieces of legislation, regulation and Codes.

CONTACT	PHONE	EMAIL	WEBSITE
Eurobodalla Shire Council Public Officer	4474-1000	council@eurocoast.nsw.gov.au	www.esc.nsw.gov.au
ICAC	8281 5999	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
Local Government Department	4428 4100	dlg@dlg.nsw.gov.au	www.dlg.nsw.gov.au
NSW Ombudsman	8286 1000 Toll Free 1800 451 524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

Reports to Committee are presented generally by 'exception' - that is, only those items that do not comply with legislation or policy, or are the subject of objection, are discussed in a report.

Reports address areas of business risk to assist decision making. Those areas include legal, policy, environment, asset, economic, strategic and financial.

Reports may also include key planning or assessment phrases such as:

Setback Council's planning controls establish preferred standards of setback (eg 7.5m front; 1m side and rear);

Envelope taking into account the slope of a lot, defines the width and height of a building with preferred standard of 8.5m high;

Footprint the percentage of a lot taken up by a building on a site plan.

Acronym	Meaning	Description
ACR	Australian Capital Region	The political and strategic grouping of the ACT government and 17 adjacent councils.
AEP	Annual Exceedance Probability	For floods expressed as a % eg 1% = 1:100 year event. The NSW Flood Guidelines nominate types of development and controls.
AHD	Australian Height Datum	Floor levels for buildings set to remain at or above flood level (expressed as 'freeboard').
APZ	Asset Protection Zone	Area to be cleared and maintained around habitable buildings in bushfire prone areas.
AS	Australian Standard	Standards set by national body as minimum construction, service, system, planning or design requirements.

Acronym	Meaning	Description
BCA	Building Code of Australia	Prescribes minimum standards or performance base for building construction.
CAMP	Companion Animal Management Plan	Required by state law, plan nominating management of dogs and cats and areas for access for the exercise of dogs (eg beaches and reserves).
CC	Construction Certificate	Floor plans approved by council or private certifier in compliance with development conditions and BCA.
COPW	Condition of Public Works Report	Required by state law to define the condition of infrastructure assets, the cost to upgrade to defined standards, the current costs of maintenance and desired levels of maintenance.
CP	Cultural Plan	A cultural plan enables identification of cultural assets, identity and needs as well as providing a framework to develop cultural initiatives to increase opportunities for residents.
CSR	Complaint and Service Request	Requests received from public by phone, letter, email or Councillor to attend to certain works (eg pothole) or complain of certain service or offence (eg dogs barking).
DA	Development Application	Required by state law to assess suitability and impacts of a proposed development.
DAP	Disability Action Plan	Council plan outlining proposed works and services to upgrade facilities to progressively meet Disability Discrimination Act.
DCP	Development Control Plan	Local planning policy defining the characteristics sought in residential, commercial land.
DECCW	Department of Environment, Climate Change and Water (formerly EPA, NPWS, DEC)	State agencies (former Environment Protection and National Parks), DNR managing state lands and natural resources and regulating council activity or advising on development applications.
DWE	Department of Water and Energy	State agency managing funding and approvals for town and country water and sewer services and State energy requirements.
DoP	Department of Planning	State agency managing state lands and regulating council activity or advising on development applications or strategic planning.
DLG	Department of Local Government	State agency responsible for regulating local government.
DoL	Department of Lands	State agency managing state lands and advising on development applications or crown land management.
DoC	Department of Commerce	State agency (formerly Public Works) managing state public water, sewer and buildings infrastructure and advising/supervising on council infrastructure construction.

Acronym	Meaning	Description
DoH	Department of Health	State agency responsible for oversight of health care (community and hospital) programs. Also responsible for public warning of reportable health risks.
DOTAR	Department of Infrastructure, Transport and Regional Development and Local Government	Federal agency incorporating infrastructure, transport system, and assisting regions and local government.
EBP	Eurobodalla Bike Plan	Strategic Plan identifying priorities and localities for cycleways in the Shire.
EIS	Environmental Impact Statement	Required for designated and state developments researching and recommending solutions to social, economic and environmental impacts.
EMP	Estuary Management Plan	Community based plan, following scientific research of hydrology and hydraulics, recommending actions to preserve or enhance social, economic and environmental attributes of estuary
EMS	Environmental Management System	Plans prepared by council (such as waste management and strategic planning) around AS14000.
EOI	Expressions of Interest	Often called in advance of selecting tenders to ascertain capacity and cost of private sector performing tasks or projects on behalf of council.
EP&A	Environment Planning & Assessment Act	State law defining types of development on private and public lands, the assessment criteria and consent authorities.
ESC	Eurobodalla Shire Council	
ESD	Ecologically Sustainable Development	Global initiative recommending balance of social, economic and environmental values in accord with 7 ESD principles.
ESS	Eurobodalla Settlement Strategy	Council strategy prepared with assistance of government to identify best uses and re-uses of urban lands, the appropriate siting of private and public investment (eg institutions, employment areas or high density residential) based on current and planned infrastructure and land capacity.
ET	Equivalent Tenement	Basis of calculation of demand or impact of a single dwelling on water and sewer system.
FAG	Financial Assistance Grant	Federal general purpose grant direct to local government based on population and other 'disability' factors.

Acronym	Meaning	Description
FSR	Floor Space Ratio	A measure of bulk and scale, it is a calculation of the extent a building floor area takes up of an allotment.
GIS	Geographic Information System	Computer generated spatial mapping of land and attributes such as infrastructure, slope, zoning.
IPART	Independent Pricing & Regulatory Tribunal	State body that reviews statutory or government business regulatory frameworks and pricing levels.
IPWEA	Institute Public Works Engineers Australia	Professional association.
IWCMS	Integrated Water Cycle Management Strategy (or Plan)	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation to water, sewer and stormwater systems.
IWMS	Integrated Waste Management (Minimisation) Strategy	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation of waste (solids, effluent, contaminated, liquid trade waste).
LEP	Local Environment Plan	The statutory planning instrument defining the zones and objectives of urban and rural areas.
LGAct	Local Government Act	State law defining the role of Mayor, Councillors, staff, financing, approvals etc.
LGMA	Local Government Managers Australia	Professional association.
LGNSW	Local Government NSW	Representative advisory and advocacy group for councils in NSW.
MOU	Memorandum of Understanding	Agreement in principle between parties (eg council and agency) to achieve defined outcomes.
NPWS	National Parks & Wildlife Service	Now merged into DECCW.
NRM	Natural Resource Management	
NVC	Native Vegetation Act 2003	State law defining means of protection of threatened legislation and approval processes to clear land.
OC	Occupation Certificate	Issued by council or private certifier that building is safe to occupy and in compliance with development conditions and BCA.
OSMS	On site sewage management system	Includes septic tanks, aerated systems, biocycles etc.
PCA	Principal Certifying Authority	The person or organisation appointed by applicant to inspect and certify structures.

Acronym	Meaning	Description
PIA	Planning Institute of Australia	Professional association.
POEO	Protection of the Environment Operations Act	State law outlining standards for emissions and discharges and penalties for pollution.
PoM	Plan of Management (usually for community land)	Council plan nominating type of uses for community land and range of facilities progressively to be provided on land.
PPP	Public Private Partnerships	
PTS	Public Transport Strategy	Council strategy to initiate mechanisms to promote and facilitate public transport (bus, taxi, community transport, cycles) in design of subdivisions, developments and council works.
REF	Review of Environmental Factors	Council examination of risk and social, economic and environmental benefit of proposed works, assessed against state planning, environment and safety laws.
REP	Regional Environment Planning Policy	Outlines compulsory state planning objectives to be observed in development assessment and strategic planning.
RFS	Rural Fire Service	State agency responsible for providing equipment and training for volunteer firefighter brigades, and the assessment and approval of developments in bushfire prone lands.
RLF	Regional Leaders Forum	The group of mayors and general managers representing the councils in the ACR.
RMS	Roads & Maritime Service	State agency responsible for funding, construction and maintenance of state roads, the approval of council works on arterial roads and development applications.
S64	S64 Contributions Plan	Developer contributions plan to enable, with council and state funds, the augmentation of water, sewer and stormwater infrastructure.
S94 S94A	S94 Contributions Plan S94A Contributions Plan Levy Plan	Developer contributions to enable construction of public infrastructure and facilities such as roads, reserves, carparks, amenities etc.
SCG	Southern Councils Group	Political and strategic grouping of councils along the NSW south coast from Wollongong to the border, lobbying government for assistance (eg highways) and resourcing sharing initiatives.
SCRS	South Coast Regional Strategy	Regional Strategy prepared by DoP for ESC, BVSC and part SCC to guide new LEPs.

Acronym	Meaning	Description
SEA	Strategic Environment Assessment	Spatial assessment of environmental constraints of land considered in design and assessment of subdivision and infrastructure. Scientific research behind assessment of capacity of land and waterways in rural residential and urban expansion lands to sustain human settlement.
SEPP	State Environmental Planning Policy	Outlines compulsory state planning objectives.
SNSWLHD	Southern NSW Local Health Districts	State board commissioned with oversight of health care in Highlands, Monaro and Far South Coast.
SoER	State of the Environment Report	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social, economic and environmental features of the Shire and appropriate responses to address or preserve those issues.
SP	Social Plan	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social framework of the community, their services and facilities and economic interactions.
.....SP	Structure Plan	Plan promoting landuses and siting of infrastructure and facilities in towns (eg, BBSP – Batemans Bay Structure Plan).
SRCMA	Southern Rivers Catchment Management Authority	State agency commissioned with assessment and monitoring of health and qualities of catchments from Wollongong to the border, and determine directions and priorities for public and private investment or assistance with grants.
STP	Sewer Treatment Plant	Primary, secondary and part tertiary treatment of sewage collected from sewers before discharge into EPA approved water ways or irrigation onto land.
TAMS	Total Asset Management System	Computer aided system recording condition and maintenance profiles of infrastructure and building assets.
TBL	Triple Bottom Line	Commercial term coined to encourage business to consider and disclose social and environmental risk, benefit and costs in the conduct of business to guide investors as to the long term sustainability and ethics of a business. Taken up by Council to record the basis of prioritisation, the review of condition, the monitor of progress and the financial disclosure of preventative or maintenance investment in council based social and environmental activities.
ToR	Terms of Reference	
TSC	Threatened Species Conservation Act 1995	State law governing the protection of nominated species and relevant assessment and development controls.

Acronym	Meaning	Description
WCF	Water Cycle Fund	Combination of water, sewer and stormwater activities and their financing arrangements.
WSUD	Water Sensitive Urban Design	Principle behind the IWCMS and council development codes requiring new developments to reduce demand and waste on water resources through contemporary subdivision and building design.