DOC

Office of Environment & Heritage
NSW National Parks & Wildlife Service

Our reference: DOC18/
Contact: Helen Hayward

Nathan Ladmore: Ranger ESC
Eurobodalla Shire Council
Vulcan Street
Moruya NSW 2537

Dear Nathan,

Thank you again for the opportunity to comment on the ESC Companion Animal Management Plan (CAMP) review and for the National Parks and Wildlife Service (NPWS) inclusion in the ongoing collaborative discussions. NPWS have considered the draft CAMP and would like to offer the following response to your recent questions regarding the following sites:

South Broulee

The South Broulee map includes Shark Bay and South Broulee Beach. Although no changes were proposed for this area, a large number of surveys opposed the proposed maps indicating that they would like to see access made available, particularly at Shark Bay to facilitate access via loop back to Broulee.

NPWS response: The retention of Shark Bay as a prohibited area aligns with protection of threatened Sooty Oystercatcher habitat that extends from Broulee Island Nature Reserve and includes Shark Bay beach and the sheltered shoreline at the southern end of north Broulee Beach. The extension of the prohibited area out to Bayside Street beach access point would improve habitat protection for this species which often forages on the beach wrack washed onto these afore mentioned locations. Repeated incursions by dog walkers into the NPWS estate would be reduced by increasing this boundary margin also. North Broulee Beach from Bayside Street access point to just south of Candlagan Creek offers lower shorebird foraging/nesting opportunities and aligns with the ESC off-leash dog area.

North Broulee

The proposal to increase the prohibited area from the national parks boundary to Bayside Street was generally not supported. There is a lot of support to allow the access to remain at the national park boundary as exists currently.

See above.

Coila Beach

There were some comments questioning the shorebird nesting area at this location e.g. the area is incorrect, the birds nest on the sand spit at Potato Point not that area at Coila Lake. Additionally, at the community drop-in session it was suggested by a small number that the retention of the shorebird nesting area is based on 'old' observations and there has been no evidence of shorebirds in this area for some time.

NPWS response: The Coila Beach shorebird area on ESC managed tenure offers abundant shorebird nesting and foraging habitat. The northern lake margins support foraging by migratory shorebird species, all of which are suffering population decline and many being threatened and listed within the national *Environment Protection and Biodiversity Conservation Act 1999* or the state *Biodiversity Conservation Act 2016*. Multiple shorebird surveys over the past 20 years conducted by NPWS as well as local birdwatching groups identifies Coila Lake supporting foraging and nesting by Sanderling, Pied Oystercatcher, Fairy Tern, Little Tern, Hooded Plover, Red Knot and the Curlew Sandpiper – which is critically endangered nationally (NPWS survey data, Eurobodalla Natural History Society field surveys). The water levels and shoreline of this intermittently closed and open lake/lagoon (ICOLL) vary annually. However, Coila Lake northern shoreline provides opportunity for shorebird foraging continuously and opportunistic nesting by Pied Oystercatchers, Little Terns and Fairy Terns – all endangered, in this locality of the lake. Its continued protection for shorebirds is advocated by NPWS. In added to this, support is given for access by companion animals to the ocean shoreline and beach north of Coila Lake entrance away from the shorebird breeding area. This ocean front does not support shorebird foraging/nesting and is the ideal fit for a dog access area.

Lavender Bay – Tuross Head

This area is currently signposted dogs prohibited and hence was included as a proposed map to formalise the arrangements currently in place at this location. The majority did not support the proposed map to prohibit dogs at Lavender Bay and the boat ramp thus removal of the prohibition is under consideration.

NPWS response: The grassed area of Lavender Bay and its immediate (10 - 20m estimate) beachfront above the mean high tide mark would not be supported as a leash free dog area. The concern from NPWS is its proximity to the intertidal sandflats which run out from Lavender Bay and their importance for foraging habitat for the numerous pairs of nesting Pied Oystercatcher (largest number on the South Coast) which nest within Tuross Lake annually. Tuross Lake is recognised nationally as an important shorebird site – Birdlife Shorebird 2020 program inclusion, NPWS/OEH shorebird management site for NPWS South Coast Shorebird Recovery Program, local naturalist groups for over 15 species of migratory/resident species (Curlew Sandpiper, Pied Oystercatcher, Little Tern, Fairy Tern, Sanderling, Bar-tailed Godwit, Sooty Oystercatcher, Lesser Sandplover, Great Knot, Red Knot, Lesser Sandplover, Hooded Plover, Sharp-tailed Sandpiper, Eastern Curlew, Whimbrel, Golden Plover, Ruddy Turnstone, Double Banded Plover). Dogs must be prohibited from all intertidal sandflats and islands within Tuross Lake to reduce the threat to these shorebirds.

If the prohibition is removed for Lavender Bay the general intertidal prohibition for Batemans Marine Park would need to be clearly conveyed to the public by all organisations including ESC, across all information platforms (website, brochures) as well as on the ground at this site through clear signposting. A close governance over the leashing of dogs above the intertidal zone by ESC would have to be upheld.

Lewis Island

The proposal to prohibit dogs from Lewis Island was generally not supported. People want to continue to have dog access to Lewis Island.

Lewis Island and all the intertidal islands within Wagonga Inlet support nesting Pied Oystercatchers. A pair's fidelity to this location annually sees them attempt to nest, always unsuccessfully, on Lewis Island. The vulnerability of this pair to dog attack is heightened by the small size of this island, as is predation of eggs and chicks. NPWS would strongly back a decision by Council to support Pied Oystercatcher conservation on Lewis Island through prohibition of dogs allowing this small island to realise its potential to successfully support threatened shorebird breeding.

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Mystery Bay

Proposal to prohibit dogs from the sand spit received mixed views. There are some who would like to retain access to the sand spit area between the national park and beach. There were some who supported the prohibition from this area.

The far eastern rock platform/sandspit supports annual foraging opportunities for migratory Golden Plover, Ruddy Turnstone and threatened Sooty Oystercatcher as well as critically endangered Hooded Plover. In recent years, Little Penguins have hauled out at this location and wildlife carers and NPWS staff have taken public calls regarding Little Penguins at this location, often with concerns for the potential for negative interaction with dogs. Improvements to the management of this site now need to be undertaken in relation to protection of migratory bird species and this review presents an opportunity to strengthen the protection to these shorebird and seabird species that frequent the sandspit and rock platform. Ideally, the dog prohibited area could extend to the nearby boat ramp access to afford a large enough buffer for this purpose, given the northern portion of the beach will be timeshare off leash and enable time/distance for control of dogs nearing prohibited boundaries.

General Intertidal zone comments

More broader comments need to be made regarding the importance of intertidal zones and estuary islands within the Eurobodalla. Numerous lakes, lagoons, estuaries and beaches offer year-round opportunities for shorebird foraging within the intertidal zone. The islands within these, and the above high tide shorelines offer additional shorebird nesting opportunities. NPWS requests ESC support conservation management of the intertidal zone and tidal islands, through formal inclusion of prohibition to any intertidal islands on ESC managed estate, by conveying clearly to the public the prohibition of companion animals within the intertidal zone and intertidal islands, reiterating the governance of Batemans Marine Park and NPWS estate and dog prohibition where they apply within public companion animal information and signage where appropriate. This represents a collaborative approach to companion animal management within Eurobodalla, supported by ESC through their consideration of the importance of the intertidal zone and estuary islands to shorebirds, many species of which are threatened.

Yours sincerely

HELEN HAYWARD
A/ Manager
Eurobodalla Area
National Parks and Wildlife Service

30 May 2018

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Reference: OUT18/7222

Mr Nathan Ladmore
Eurobodalla Shire Council
PO Box 99 Moruya 2537

Dear Mr Ladmore,

Re: Eurobodalla Companion Animal Plan

Thank you for your referral of 2nd May 2018 seeking comments on the above Companion Animal Plan from the Batemans Marine Park a division of NSW Department of Primary Industries - Fisheries.

In considering the potential effects of this plan, the Batemans Marine Park is principally concerned with ensuring that the companion animal plan does not adversely affect the marine biodiversity and ecological values of the park. These values are expressed and regulated through the *Marine Estate Management Act 2014*, the *Marine Estate Management Regulation 2009*, and the *Marine Estate Management (Management Rules) Regulation 1999*.

Currently, domestic animals in the marine park are regulated by clause 7.27 of the *Marine Estate Management (Management Rules) Regulation 1999*, which states that a person cannot bring a domestic animal into tidal lands if these lands are directly seaward of:

(i) a nature reserve, national park or Aboriginal area dedicated or reserved under the National Parks and Wildlife Act 1974, or

(ii) a place in which the animal is prohibited under the Companion Animals Act 1998,

(b) waters of the marine park that are not part of a nature reserve or national park dedicated or reserved under the National Parks and Wildlife Act 1974 if the animal remains confined to a vessel,

(c) tidal lands of the marine park that are directly seaward of a nature reserve, national park or Aboriginal area dedicated or reserved under the National Parks and Wildlife Act 1974 if permitted under a plan of management under that Act.

In lieu of the above legislation we would like Eurobodalla Shire Council to consider the following points when finalising the new Companion Animal Management Plan:

Buffer Zones

It is noted that many of the existing on leash and time share areas adjacent to National Parks are now proposed to be “dogs allowed off – leash at all times”. In view of the high conservation values of the national park tidal areas and the threats that unleashed dogs contribute to these values, particularly with respect to protected species under the Biodiversity Conservation Act 2016, it is recommended that a buffer zone of at least 100 metres be established adjacent to the national park/tidal boundary of any proposed dogs prohibited area.

Special Interest Zones – Dogs Prohibited

It is recommended that in some circumstances ESC have the ability to declare a dogs prohibited zone due to an area of conservation or public safety on beaches. An example of this would be a rare or endangered migratory wader, a nesting, stranding or haul-out event related to a species protected under the Biodiversity Conservation Act 2016. (eg Marine Turtle, Seals, Whales & Dolphins and Shore Birds)

Signage

It is recommended that consistent and multi-agency companion animal signage be established for the purpose of effective communication, education and compliance. It is envisaged that the key messages from clause 7.27 of the *Marine Estate Management (Management Rules) Regulation 1999* would be incorporated into this signage. We would be happy to work with ESC and contribute to the design and cost of any future signage.

Implementation and Review.

It is recommended that Batemans Marine Park be involved in any current and future actions in regard to the implementation and review of this plan.

Please contact our Ranger Ian Kerr on 02 4476 0802, ian.kerr@dpi.nsw.gov.au if you have any questions in relation to the above.

Yours sincerely,

Shamaram Eichmann
A/Manager
Batemans Marine Park

7 May 2018