



Central Coast Council

**Coastal Open Space System**

**ATTACHMENTS PROVIDED UNDER  
SEPARATE COVER**

**Tuesday 5 September 2023**

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**Central Coast Council**  
**ATTACHMENTS PROVIDED UNDER SEPARATE COVER to the**  
**Coastal Open Space System**  
**To be held Remotely - Online,**  
**on Tuesday 5 September 2023**  
**Commencing at 2:00pm**

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132	9/6/2021	The Committee request the Project Manager provide a briefing on the airport masterplan, plan of management and subdivision plan at the next meeting.	Unit Manager Environmental Management	Airport Masterplan update emailed to members 14 February 2022. Verbal update provided on 15 March 2022 meeting.	Complete
139	21/9/2021	Luke Sulkowski to confirm whether the letter sent from Council to National Parks is able to be distributed and will review what information has previously been provided to the COSS Committee regarding this matter.	Unit Manager Environmental Management	The Land Transfer Council to National Parks Chronology was discussed at the 13 December 2021 COSS meeting. Amy Walpole to double check, it seems we may have already provided a copy of the letter to the Minister/National Parks. 16/02: LM to reconfirm that a copy of the letter was circulated to the committee Update as at 07/06/2022 meeting: Follow up regarding letter and circulation to Committee. Update as of 13/09/2022 meeting: Distributed and complete	Complete
140	21/9/2021	Section Manager Flood Strategy and Planning to obtain more information regarding the two Conservation areas and provide feedback to Gary Chestnut.	Section Manager Flood Strategy and Planning	Peter Sheath currently liaising with Gary Chestnut on this matter.  9/08: An update has been provided to Gary via the AG	Complete
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				<p>by Council before it is accepted. Once accepted the representative has stated that they will then carry out the recommendations of the report.</p> <p>It is expected that the draft plan will be available for review in the next few weeks.</p>	
144	13/12/2021	Regarding previous action 124, Council to send a follow up letter to the Minister advising of the significant community concerns regarding the clearing of land (public and private) and request that if the legislation isn't going to be changed, that regulatory control of deferred matters zoned land be given back to Council as opposed to DPIE and LLS.	Unit Manager Environmental Management	<p>At the 8 February 2022 Council Meeting, Council resolved:</p> <p>That Council send a follow up letter to the Minister advising of the significant community concerns regarding the clearing of land (public and private) and request that if the legislation isn't going to be changed, that regulatory control of deferred matters zoned land be given back to Council as opposed to DPIE and LLS. Letters sent 2 March 2022 to Minister for Agriculture and Minister for Planning and Homes.</p>	Complete
145	13/12/2021	The Coastal Open Space System (COSS) Committee members would like to express to Council their rejection of any mountain biking trails being established in COSS land or being identified for inclusion in COSS land as part of the Central Coast Mountain Biking Plan which will be reported to Council at the Ordinary Meeting on 14 December 2021.	The Committee / Meeting Support Officer	<p>At the 8 February 2022 Council Meeting, Council resolved:</p> <p>That Council note the COSS Committee's rejection of any mountain biking trails being established in COSS land or being identified for inclusion in COSS land as part of the Central Coast Mountain Biking Plan that was reported to</p>	Complete

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		Identify likely tasks required in order to proceed with such a project.			
150	15/03/2022	Staff to collate a list of initiatives taken by Council regarding QR codes and provide an update to the Committee at the next meeting. Consideration to also be given to other possible applications software (e.g., Hovr).	Unit Manager Environmental Management	Update provided at 07/06/2022 Committee meeting and outcomes included in meeting minutes	Complete
151	15/03/2022	Committee members are invited to provide any suggestions or feedback on the plan (Environmental Education Strategy) to <a href="mailto:advisorygroups@centralcoast.nsw.gov.au">advisorygroups@centralcoast.nsw.gov.au</a> by Friday 25 March 2022	The Committee	<i>COSS Committee - NAB Environmental Education Strategy</i> emailed to members 18/3/2022  Update provided to Carlita Dhillon and Nick Carson via email 30/3/2022 – final confirmation of all feedback received – one email from Gary Chestnut.	Complete
152	15/03/2022	Copies of the letters sent to Minister for Agriculture and Minister for Planning and Homes regarding Deferred Matters Land to be sent to Adam Crouch Parliamentary Secretary for the Central Coast and Member for Terrigal, for his information	Unit Manager Environmental Management	9/08: Larry to follow up and confirm if and when these letters were sent to the Members of Parliament  Update as of 13/09/2022: Larry to draft correspondence to Adam Crouch MP (including letters to Ministers) to Director for Approval  5/10/22: Letter sent to Adam Crouch MP	Complete
153	15/03/2022	A copy of all presentations from today's meeting to be provided to Committee Members	Meeting Support Officer	<i>COSS Committee Presentations</i> emailed to members 16/03/2022	Complete

Action Number	Meeting Date	Action	Responsible Party	Action Update	Status
154	07/06/2022	A copy of all presentations from today's meeting to be provided to Committee Members.	Meeting Support Officer	9/08: AG to update	Complete
155	07/06/2022	Refresher regarding opportunities for committee members to become involved, suggestions and feedback welcomed, please send via AdvisoryGroups email address.	COSS Committee members	9/08: AG to update	Complete
156	07/06/2022	Chair will seek advice from Team Leader Landcare and SM Natural Assets and Biodiversity regarding whether this is to be re-introduced.	Unit Manager Environmental Management	9/08: Update to be provided during the Action Log item. This program is not being re-introduced at this stage. Current resourcing levels for the nursery only allow for plants to be supplied to environmental volunteering program groups for restoration of their worksites. Further consideration will be given to the potential for plant giveaways to be incorporated as part of the 2023 National Tree Day	Complete
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158	13/09/2022	Larry Melican and Andrew Bayley coordinating visit to Wambina with Committee members	Section Manager Natural Assets and Biodiversity	As of 11/11: Inspection yet to be arranged. Update 6/12 – rescheduled to Feb 2023	Ongoing
159	13/09/2022	Presentations to be distributed to Advisory Group members.	Meeting Support Officer	18/7/2023 – forward presentations to committee members for every meeting.	Ongoing



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160	13/09/2022	That the COSS Advisory Group support for the dedication of the C2 Environmental Conservation Zoned land at 39 Dell Road, West Gosford, pending the determination of the Planning Proposal, be noted by Council.	COSS Committee members	Council noted COSS minutes of the 13 September meeting. This was not specifically noted by Council.  Update 6/12 – Query regarding if advice is provided to Planning staff. Proposed action to convey this information. To be discussed in meeting at item 5?  18/07/2023 – Completed.	Completed
161	13/09/2022	Chair to provide update on website improvements at next meeting and master plan regarding mountain bike riding.	Unit Manager Environmental Management	Agenda Item for 6 December meeting  Update 6/12 – to be postponed until the New Year  18/7/2023 – addressed by chair during general business. Council to provide links on the COSS information page on Council's website to include walking trails.	Ongoing
162	13/09/2022	Civic Support Team to update Terms of Reference and call for new members	Meeting Support Officer	New members can only be added via an EOI process per the Terms of Reference.	Incomplete
163	27/03/2023	Additional feedback requested in relation to the Davistown Wetlands Acquisition Fund	Civic Support Staff	No feedback was received. 18/07/2023 – addressed by chair during meeting	Complete

Action Number	Meeting Date	Action	Responsible Party	Action Update	Status
164	18/07/2023	The Committee be invited to a site inspection of the recently acquired land known as Warnervale Floodplain R0360. The members are to also be invited to a separate workshop to identify measures of success and failure of the proposed COSS trial in relation to Report 2.3 tabled at the meeting.	Unit Manager Environmental Management		



Central Coast Council

## Coastal Open Space System

Held Remotely - Online

18 July 2023

# MINUTES

### Attendance

#### Members

	<b>Status</b>
John Andrews	Present
Paul Links	Present
Barbara Wills	Present
Douglas Williamson	Present
Deb Holloman	Apology
Daniel Keating	Apology

#### Non-voting member

Gary Chestnut	Present
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#### Staff

	<b>Status</b>
Luke Sulkowski- Unit Manager Environmental Management	Present

Rochelle Lawson- Senior Ecologist	Present
Andrew Robinson- Technical Officer Environmental Infrastructure	Present
Larry Melican- Section Manager Natural Assets and Biodiversity	Apology

Steve Atkins – National Parks representative	Present
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**Minutes of the Coastal Open Space System of Council 18 July 2023 contd**

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**PROCEDURAL ITEMS**

**1.1 Introduction: Welcome, Acknowledgement of Country, Apologies, Disclosure of Interest**

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The Chairperson, declared the meeting open at 2:08pm

The Chair read an Acknowledgement of Country statement.

Apologies received were noted.

The Chair called for any disclosures of interest. No disclosures were received

**1.2 Previous business: Confirmation of minutes, review action log**

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Time commenced: 2:15pm

The group confirmed the minutes of previous meeting as noted below, which were distributed to members via email and uploaded to Council's website:

[Coastal Open Space System \(COSS\) - Minutes 27 March 2023](#)

[Coastal Open Space System \(COSS\) - Minutes 07 March 2023](#)

Action Log reviewed and updates made ( attached below)

**REPORTS**

**2.1 Update on Biodiversity Strategy & Land Acquisition & Prioritisation**

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Time commenced: 2:25pm

Moved: Luke Sulkowski

***Resolved***

***That the information be noted.***

*Presentation by Rochelle Lawson*

*Visual Presentation by Andrew Robinson*

- *Little Tern Breeding*
- *Loggerhead Sea Turtle*

Steve acknowledged all the work that Andrew and Council did.

**Minutes of the Coastal Open Space System of Council 18 July 2023 contd**

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**2.2 Update on Davistown Wetlands Acquisition Fund and the draft Central Coast Conservation Fund Policy**

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Time commenced: 2:50pm

Moved: Luke Sulkowski

**Resolved**

***That the Committee notes the a verbal update on Council's resolution of 23 May 2023 will be provided to the COSS Committee at its meeting on 5 September 2023.***

**2.3 Update on proposed trial of COSS in the former Wyong LGA (Action 149)**

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Time commenced: 3:15pm

Moved: Luke Sulkowski

**Resolved**

- 1. That based on the discussions held between Council staff and Gary Chestnut tabled in this report, and presented at this meeting, that the COSS Committee members***
  - a. be invited to a site inspection of the recently acquired land known as Warnervale Floodplain R0360 which may be considered as a suitable site for the proposed trial.***
  - b. be invited to a separate workshop to identify measures of success and failure of a proposed COSS trial.***

***Committee members interested in being a part of the workshop:***

*Workshop the discussion points outside of this meeting. Complete a walking tour as well.*

*Douglas*

*Gary*

*John*

*Paul*

**Minutes of the Coastal Open Space System of Council 18 July 2023 contd**

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**2.4 Update on visit to Wambina (Action 158)**

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Time commenced: 3:25

Moved by Luke Sulkowski

**Resolved**

***That the Committee notes***

***Steve Atkins discussed they are working to finalise of the report and will get back to Council***

**2.5 Update from External Representatives (Standing Agenda Item)**

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Time commenced: 3:30pm

Verbal presentation given by Steve Akins – National Parks

**2.6 Update from Community Representatives (Standing Agenda Item)**

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*Time commenced 3:35pm*

*Paul Links raised a regulatory illegal dumping matter. Luke asked him to email him directly.*

*Luke to give Comms feedback on the challenging Webpage on how to navigate. Links to walking trails maps on COSS webpage to be further considered and investigated.*

**2.7 General Business**

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*Time commenced: 3:40pm*

*Update given by Luke Sulkowski  
Webpage updates and progress of mountain biking plan  
Natural reserves page now has information about COSS*

*Update on mountain biking plan- has not progressed due to lack of capacity at this time.  
Options being considered to determine how to advance.*

*Staff doing fire trail inspections currently in advance of summer. Council staff have also now filled a staffing gap for a Bio Security Weeds Officer to better facilitate us in addressing weed management obligations. Council is looking to increase capacity for bushfire and conservation team within Council through some changes which we may be able to update further on at the next meeting.*

**Minutes of the Coastal Open Space System of Council 18 July 2023 contd**

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**The Meeting** concluded at 3:50pm.

**NEXT MEETING 5<sup>TH</sup> SEPT**

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## Minutes of the Coastal Open Space System of Council 18 July 2023 contd

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**Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"**



**Prepared for Central Coast Council**

**May 2023**

Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

Document Name/No.	Issue Date	Version	Author	Description/Changes
Pippi Point TSA	18/4/2023	1	GS	first issue to client
Pippi Point TSA	3/5/2023	1A	GS	Minor amendments following Council comments and added in AHIMS search results etc

**Cover Photograph:** Three threatened shorebirds foraging on intertidal seagrass beds between Pippi Point and Lintern St Wharf in March 2023: Bar-tailed Godwit (yellow circles), Australian Pied Oystercatcher (red circle), Eastern Curlew (blue circle). (Photograph by G. Staines).

#### Disclaimer

The recommendations provided in this report are based on the results from currently accepted and naturally limited ecological survey techniques. While every effort is made, and reasonable care taken to detect all threatened species that may have potential to occur in the locality, subject site and/or proposed work area, many threatened species are cryptic and/or seasonal by nature and may only be detected (if ever) by repeated survey over several seasons and/or years.

Any representation, statement, opinion or advice expressed or implied in this report is made in good faith on the basis that Future Ecology Pty Ltd, its agents and employees are not liable (whether by reason of negligence, lack of care or otherwise) to any person for any damage or loss whatsoever which has occurred or may occur in relation to that person taking or not taking (as the case may be) action in respect of any representation, statement or advice referred to above.

#### Certification

I certify that:

- The ecological survey and report has been prepared largely in accordance with the relevant ecological survey guidelines given the scope of the project, the size of the site and the limited time available.
- The threatened fauna surveys and species lists for this report were compiled by Garon Staines of Future Ecology.
- The results presented in this report are a true and accurate record in the opinion of the author.
- The results of the ecological surveys carried out for this project will be supplied to DPE for their Bionet Atlas database.
- The author of this report is Garon Staines.
- Garon has a Bachelor degree in Applied Science (Coastal Management) from University of New England – Northern Rivers (1993).
- Garon is a member of the Ecological Society of Australia (ESA), the Ecological Consultants Association of NSW (ECA) and the Australian Association of Bush Regenerators (AABR) and has over 20 years experience in natural resource management both in the private and public sectors.
- Ecological surveys for this report have been carried out under the following and current licences



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

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from the NSW Department of the Environment and Climate Change and NSW Department of Primary Industries:

- Section 132 Scientific Licence No. SL100856
- Animal Ethics Committee Approval and Animal Research Authority No. 15/2047



Garon Staines B.App.Sc.

Director

**Future Ecology P/L**



0423 981 786 | GARON@FUTUREECOLOGY.COM.AU | FUTUREECOLOGY.COM.AU



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

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## Introduction

### Project Background

Central Coast Council ('Council') is responsible for managing the Illoura Reserve ('reserve') at Davistown including the area known as Pippi Point (Figures 1 and 2). Part of the reserve is a Council approved off-leash dog exercise area (Figure 3).

The reserve and adjacent area is also known to provide habitat for the endangered Bush Stone Curlew (*Burhinus grallarius*), as well as a number of threatened migratory shorebird species including the Eastern Curlew (*Numenius madagascariensis*) and Bar-tailed Godwit (*Limosa lapponica*).

Council has engaged Future Ecology (FE) to assess the impacts to threatened species, including migratory shorebirds and their potential habitat, from off-leash dog activity in this area and to determine whether a Review of Environmental Factors (REF) prepared for the activity in the reserve over 10 years ago (Whelans Insites, 2010), is still 'fit for purpose'.

### Requirements

In accordance with the Council brief, FE has undertaken the following tasks:

- A peer review/critical analysis of a Review of Environmental Factors (REF) prepared by Whelans Insites Development Consultants titled "Potential Impacts of Dog Off-leash Activities" (May 2010) to determine whether it remains fit-for-purpose in terms of its findings and recommendations given the time since it was published. The determination includes appropriate and detailed justification as well as exploring any limitations.
- An investigation of Bush Stone Curlew populations, pairs or individuals currently nesting or utilising the area under investigation using both desktop and field based methodologies as appropriate. Where no populations, pairs or individual exists, the investigation has identified the suspected cause of why they might not exist and whether they could/would return were dogs excluded from off-leash activities in the area under investigation.
- An investigation of other relevant migratory species populations, pairs or individuals currently nesting or utilising the area under investigation using both desktop and field based methodologies as appropriate. Where no populations, pairs or individual exists, the investigation has identified the suspected cause of why they might not exist and whether they could/would return were dog's excluded from off-leash activities in the area under investigation.
- The provision of a final Report to Council with recommendations i.e., management actions for the area known as Pippi Point in relation to conservation of threatened species, migratory shorebirds and their habitats (i.e. this report).

### Site Location and Description

That part of Illoura Reserve is described as part of Lot 7037 DP1075591 Pyang Avenue Davistown (NSW Spatial Services, 2023).

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Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

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The current off leash dog exercise area ('the site') is located at Pippi Point within the reserve and is directly accessed via Mirreen Ave Davistown although there are other access points off Malinya Avenue and Lintern Street (Figure 1). Pippi Point itself is a relatively narrow point of land which extends southwest into Brisbane Water and is located opposite Rileys Island Nature Reserve to the west across the Lintern Channel and opposite part of the Empire Bay protected coastal wetlands to the south across another channel which eventually leads to the Kincumber Broadwater (Figures 1 and 2).

The site includes areas of regularly mown grass comprising native and introduced species, small patches of regenerating / remnant native plants such as Swamp Oak (*Casuarina glauca*), Grey Mangrove (*Avicennia marina*), Seablite (*Suaeda australis*) and the introduced Sharp Rush (*Juncus acutus*). There is a sandy beach around the very tip of Pippi Point containing many native Heart Cockle shells (family Cardiidae) as well as intertidal flats and seagrass beds extending north to Lintern Street wharf on the western side of the point and northwest towards Mirreen Ave on the southeastern side of the point. The intertidal flats on the western side of the point are wider and more extensive than the other side. There is an area of regenerating native vegetation including Swamp Oak enclosed within a fenced area on Pippi Point. This was originally erected in 2010 when this area was re-instated as a leash free dog exercise area with the aim of providing a safe roosting / nesting habitat for the endangered Bush Stone-curlew.



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

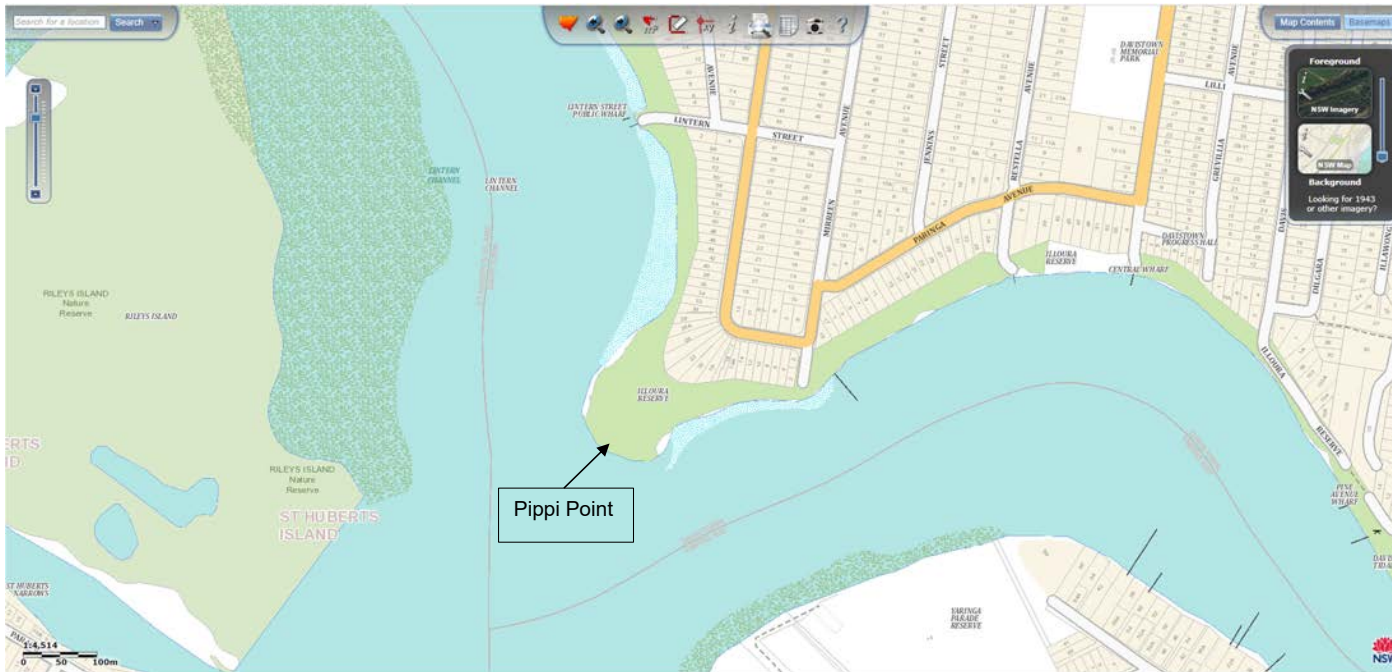


Figure 1: Pippi Point and Illoura Reserve Davistown  
Source: NSW Spatial Services (2023)



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Figure 2: Pippi Point and Illoura Reserve Davistown (aerial photograph)

Source: NSW Spatial Services (2023)



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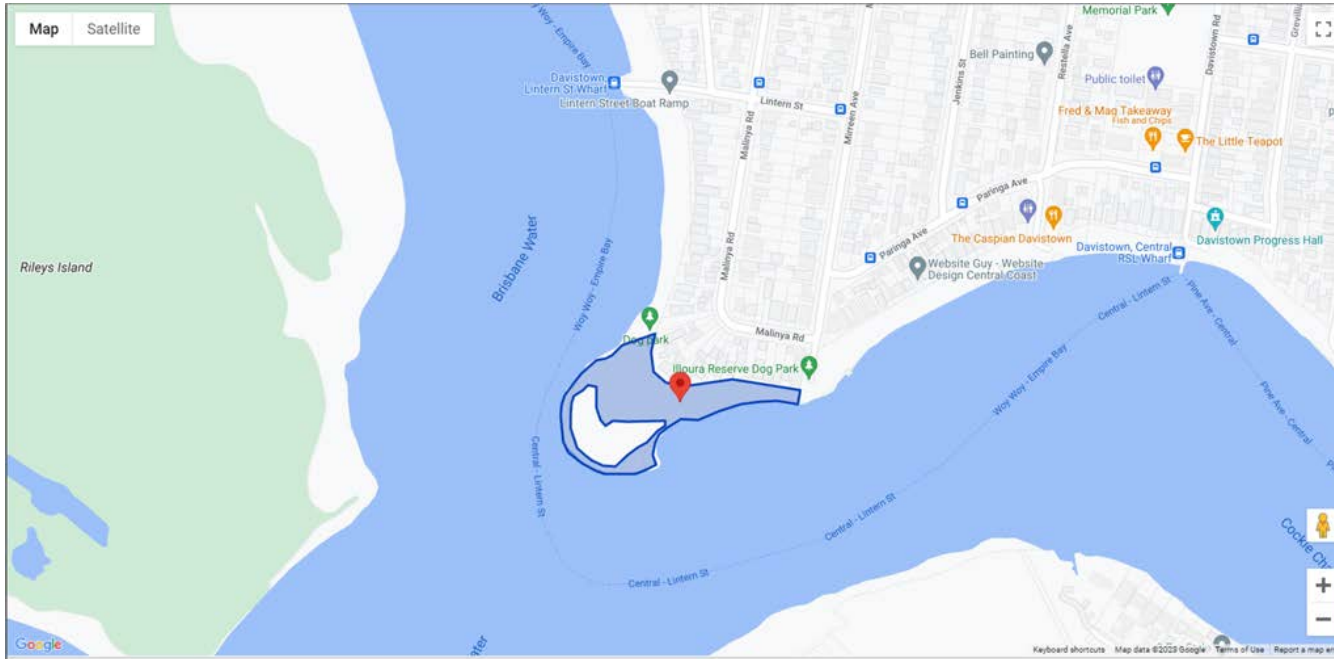


Figure 3: Off-leash dog exercise area Illoura Reserve Davistown

Source: Central Coast Council



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## Relevant Legislation

### NSW Biodiversity Conservation Act 2016

Native plants and animals in NSW are protected by the *Biodiversity Conservation Act 2016* (BC Act). Threatened species and ecological communities in NSW are listed in the Schedules of the BC Act. The BC Act aims to conserve biodiversity in NSW through a variety of mechanisms including establishment of a scientific method for assessing the impacts of development on biodiversity. The method incorporates the avoid, minimise and offset hierarchy and provides a standardised mechanism for calculating and establishing biodiversity offsets.

### Federal Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) identifies nationally threatened species and ecological communities and migratory species. The EPBC Act identifies the extent of assessment required to determine the impacts associated with development.

### NSW Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) sets out the laws under which planning in NSW takes place. The main parts of the EP&A Act that relate to development assessment and approval are Part 4 (Development Assessment) and Part 5 (Environmental assessment).

### NSW Fisheries Management Act 1994

The objects of this Act are to conserve, develop and share the fishery resources of the State for the benefit of present and future generations.

### NSW Environmental Planning and Assessment Act 1979

The objects of the *Fisheries Management Act 1994* (FM Act) Act are to conserve, develop and share the fishery resources of the State for the benefit of present and future generations.

### National Parks and Wildlife Act 1974 (NPW Act).

The main piece of legislation for managing and protecting Aboriginal cultural heritage in New South Wales is the National Parks and Wildlife Act 1974 (NPW Act). The NPW Act is complemented by the National Parks and Wildlife Regulation 2019 which:

- provides for the management of Aboriginal land, Aboriginal Places and Aboriginal objects
- makes administrative arrangements for Boards and Advisory Committees.

Aboriginal cultural heritage is also protected under the Heritage Act 1977, through the listing of State Heritage Register items which are of State significance.

## Methods

### Desktop Review of Databases

A desktop review was undertaken to provide an initial understanding of the biodiversity values of the site and the locality. The following threatened species databases were searched:

- NSW Bionet Atlas using a 10km and then 1km search radius around the site (Department of Planning and Environment – DPE, 2023a);





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- EPBC Act Protected Matters Search Tool using a 1km search radius (Department of Climate Change, Energy, the Environment and Water – DCCEE, 2023).
- Birddata for the site and immediately adjacent to the site (Birdlife Australia, 2023)
- Fisheries NSW Spatial Data Portal (DPI, 2023)
- The Central Resource for Sharing and Enabling Environmental Data in NSW (SEED) map (DPE 2023b)

The databases provide a list of threatened species that have been recorded in the search area, or have the potential to occur. Any additional threatened species, populations and/or ecological communities which were not generated by these search functions but known by the author to occur in the locality and for which suitable habitat was present on site or were relevant issues listed for the locality under the *Fisheries Management Act 1994*, were added to these preliminary lists. A likelihood of occurrence assessment was undertaken for these species to establish whether they are likely to occur at the site and whether they are likely to be impacted by development (see Appendix B).

In addition the Aboriginal Heritage Information Management System (AHIMS) Web Services (Heritage NSW, 2023) was searched for any relevant indigenous heritage issues in the study area.

### Review of REF

A review of the original REF (Whelans Insites, 2010) was undertaken and included a comparison with current threatened and protected migratory fauna species listings and current legislation.

### Field Surveys

Field surveys were undertaken by one ecologist (Garon Staines) on several dates as per Table 1 below and including diurnal and nocturnal surveys. Four sessions of diurnal and three sessions of nocturnal surveys were completed.

### Weather, Tide and Astronomical Conditions

Diurnal surveys were carried out during low, mid and high tide conditions. Weather conditions were generally dry and mild to warm for all surveys with light to moderate winds. The final survey of 14/4/2023 was carried out following >20mm of rain in the previous 24 hours and the site was quite wet with some standing water lying in reserve.

Total survey effort was 6.5 hours consisting of 4.75 hours of diurnal survey and 1.75 hours of nocturnal survey.

### Limitations

The surveys were limited by the following:

- They were carried out for 6.5 hours over three to four different days during the warm to late warm season and therefore the surveys can only provide a snapshot of fauna values detectable in this relatively short timeframe;
- During surveys, the site was sometimes impacted by noise, light and movement associated with its urban setting (e.g. boat traffic) which may have inhibited fauna activity and/or detection of fauna



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**Table 1: Field survey dates, techniques, effort as well as tidal, weather and astronomic conditions, Illoura Reserve, Davistown**

Date	Survey Type	Start*	Finish*	Hours	Tide <sup>^</sup>	Min. Temp (°C)	Max. Temp (°C)	Rainfall (mm)	Sunrise	Sunset	Moonrise	Moonsset	Moon Phase
16/2/23	Site induction then Diurnal	11:30	13:00	1.5	Low 11:15 (0.51m) High 17:09 (1.22)	15.1	28.3	0	05:31	18:46	00:17	15:32	Waning Crescent (24%)
10/3/23	Diurnal	16:15	19:15	2	High 9:57 (1.63m) Low 16:07 (0.42m)	15.2	25.9	0.4	05:50	18:20	19:48	08:00	Waning Gibbous (94%)
10/3/23	Nocturnal	19:15	19:45	0.5	As above	As above	As above	As above	As above	As above	As above	As above	As above
15/3/23	Diurnal	9:30	10:00	0.5	Low 08:24 (0.62) High 14:16 (1:18)	19.6	27.8	4.2	05:54	18:14	23:05	13:21	Last Qtr (50%)
15/3/23	Nocturnal	18:30	19:15	0.75	As above	As above	As above	As above	As above	As above	As above	As above	As above
14/4/23	Diurnal	17:15	18:00	0.75	Low 08:37 (0.52) High 15:45 (1.27m)	15.3	22	20.6	06:16	17:34	-	14:07	Waning Crescent (42%)
14/4/23	Nocturnal	18:00	18:30	0.5	As above	As above	As above	As above	As above	As above	As above	As above	As above

\*All times are Australian Eastern Standard Time (AEST).

<sup>^</sup>Predicted tidal times are for Fort Denison in Sydney Harbour (Transport for NSW, 2022). There is an approximate 30-90 minute time lag for high and low tide at Davistown after Fort Denison (Transport for NSW, 2022). Times have been adjusted to AEST.



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

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## Results

### Review of REF

The REF (Whelans Insites, 2010) concluded that the proposal to re-instate the leash free dog exercise area within the Pippi Point section of Illoura Reserve (or anywhere within Illoura Reserve):

- did not constitute a significant impact on the tested threatened species (in terms of the then 7-part test under Section 5A of the EP&A Act),
- however parts of Illoura Reserve (including Pippi Point) are mapped as moderate and high quality habitat for some of those tested species as well as migratory shorebirds
- recommended that the leash free dog exercise area be placed within a low habitat quality part of the reserve (namely that section between Mirreen Avenue west to Magnolia Avenue although the REF preferred the Restella Avenue part of this section)
- recommended that the leash free dog exercise area not be located within the Pippi Point section of Illoura Reserve or any part of the moderate or high quality sections of Illoura Reserve

Council did not follow the recommendations of the REF and re-instated the leash free dog exercise area within the Pippi Point section of Illoura Reserve.

In addition the REF did not adequately address potential indigenous heritage issues on the site and did not include a search of the Aboriginal Heritage Information Management System (AHIMS) Web Services (Heritage NSW, 2023). The REF (Whelans Insites, 2010, pg. 27) states that: "The subject site at Davistown does not contain any areas of European or Aboriginal heritage or cultural significance. In any case, the proposal would not be likely to adversely affect any heritage or cultural values." This statement is incorrect as a current search of the AHIMS database shows two Aboriginal heritage items recorded on the site (Appendix F). The works associated with establishing the leash free dog exercise area did require excavation for fencing and signage and therefore potential disturbance to Aboriginal heritage items. The REF does not comply with the current requirements for assessing and protecting indigenous heritage including the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (Department of Environment, Climate Change and Water, 2010). It is noted however this came into effect in September 2010 while the REF was produced in May 2010.

To answer the question as to whether the REF is still 'fit for purpose' the short answer is no. This is mainly due to the fact that:

- The legislative framework in which the REF was originally written has changed
- Some of the legislation discussed within the REF is no longer in force and/or has been replaced e.g. Threatened Species Conservation Act 1995 (replaced by Biodiversity Conservation Act 2016), State Environmental Planning Policy No. 71 – Coastal Protection (SEPP 71) and SEPP 14 Coastal Wetlands (replaced by Coastal Management Act 2016 and SEPP (Resilience and Hazards) 2021).
- Section 5A of the EP&A Act (the 7-part test of significance for threatened species), is no longer in force and has been replaced by more recent legislation namely Section 7.3 of the BC Act (the 5-part test of significance).



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- REF incorrectly states on page 15 that the site "is of little relevance in relation to waders and migratory waders (in particular the Bush Stone-curlew, Osprey, Pied Oystercatcher, Bar-tailed Godwit, Eastern Curlew, Greytailed Tattler and Whimbrel).", when four of these species were observed on the site during recent surveys and there are many previous records from the site via Birddata (Birdlife Australia, 2023) and Bionet Atlas (DPE, 2023a).
- Several additional relevant threatened entities (which have been recorded near Pippi Point via Birddata and/or Bionet Atlas and/or observed during current surveys) have been added to the listings of threatened entities under either the BC Act or EPBC Act since the REF was written in 2010 including:
  - The Eastern Curlew (*Numenius madagascariensis*) is now listed as Critically Endangered as well as a Migratory species under the EPBC Act
  - The Bar-tailed Godwit (*Limosa lapponica*) is now listed as a Vulnerable and Migratory species under the EPBC Act
  - White-bellied Sea-Eagle (*Haliaeetus leucogaster*) is now listed as a Vulnerable species under the BC Act
  - Coastal Swamp Oak (*Casuarina glauca*) Forest of New South Wales and South East Queensland ecological community is now listed as Endangered under EPBC Act
  - Subtropical and Temperate Coastal Saltmarsh is now listed as vulnerable under EPBC Act
  - *Posidonia australis* seagrass is now listed as an endangered population in Brisbane Water estuary under the FM Act
- The Section 5A threatened species assessment of significance in the REF did not consider the NSW BC Act listed threatened ecological communities: Swamp Oak Floodplain Forest or Coastal Saltmarsh
- The REF assumes that all dog owners are responsible and all dogs will be kept under control within the leash free dog exercise area. This is unlikely to be the case and in fact during the current surveys the following was observed:
  - some dogs were observed to be running into the water and along the exposed intertidal seagrass beds near foraging shorebirds
  - dog faeces which had not been picked up by the owners was often evident in the reserve and in one case a dog was observed to defecate directly into the water
  - Most dog walkers were ignoring the signs saying not to walk around the tip of Pippi Point or into intertidal areas with their dogs.
- The REF does not address known indigenous heritage values of the site

### Desktop Assessment

The NSW Bionet Atlas database search of all valid records of NSW threatened species (listed on BC Act 2016), Commonwealth listed threatened species and CAMBA, JAMBA or ROKAMBA (protected migratory) fauna listed entities (listed under EPBC Act) in selected area (North: -33.43 West: 151.31 East: 151.41 South: -33.53), returned a total of 2,972 records of 97 species within 10km of the site (DPE, 2023a) (Appendix A). This included thirteen (13) threatened flora species, 84 threatened fauna species and 26 EPBC listed migratory fauna species. When the Bionet Atlas search was narrowed down to a 1km area around the site it returned 426 records of 44 species including 31 threatened fauna species and 16 protected migratory fauna species (some species are dual listed). When the Bionet Atlas search was narrowed down to a 100m area around the site it returned 14 records of eight



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(8) species including three (3) threatened fauna species and five (5) EPBC listed migratory fauna species (DPE, 2023a).

The EPBC Protected Matters report for a 1km buffer area around the site returned no world heritage properties, no national heritage places, no wetlands of international importance (Ramsar), no Great Barrier Reef Marine Park, no Commonwealth Marine Area, six (6) nationally listed threatened ecological communities, 79 listed threatened species and 54 listed migratory species which could potentially occur within 10km of the site (Appendix B) (DCCEE, 2023a).

Birddata (Birdlife Australia, 2023) has 97 species recorded on and immediately adjacent to the site Appendix C. It includes nine (9) listed threatened species under the BC Act, five (5) listed threatened species under the EPBC Act and eight (8) listed migratory species under the EPBC Act (Table 2).



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**Table 2: Listed threatened and/or migratory species recorded via Birddata near Pippi Point, Illoura Reserve, Davistown, NSW**

Common Name	Scientific Name	Count	Reporting Rate	NSW Status	National Status
White-throated Needletail	<i>Hirundapus caudacutus</i>	1	1.25%		V
Bush Stone-curlew	<i>Burhinus grallarius</i>	8	10.00%	E	
Australian Pied Oystercatcher	<i>Haematopus longirostris</i>	20	25.00%	V	
Whimbrel	<i>Numenius phaeopus</i>	5	6.25%		M
Eastern Curlew	<i>Numenius madagascariensis</i>	40	50.00%		CE, M
Bar-tailed Godwit	<i>Limosa lapponica</i>	33	41.25%		V, M
Black-tailed Godwit	<i>Limosa limosa</i>	1	1.25%	V	M
Curlew Sandpiper	<i>Calidris ferruginea</i>	1	1.25%	E	CE, M
Grey-tailed Tattler	<i>Tringa brevipes</i>	1	1.25%		M
Caspian Tern	<i>Hydroprogne caspia</i>	9	11.25%		M
Crested Tern	<i>Thalasseus bergii</i>	7	8.75%		M
Shy Albatross	<i>Thalassarche cauta</i>	1	1.25%	V	V
Southern Giant-Petrel	<i>Macronectes giganteus</i>	1	1.25%	E	E
Osprey	<i>Pandion haliaetus</i>	9	11.25%	V	
Little Eagle	<i>Hieraaetus morphnoides</i>	1	1.25%	V	
White-bellied Sea-Eagle	<i>Haliaeetus leucogaster</i>	8	10.00%	V	

Key

V: listed as vulnerable under BC Act and/or EPBC Act

E: listed as endangered under BC Act and/or EPBC Act

M: listed as migratory under BC Act and/or EPBC Act



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The Fisheries NSW Spatial Data Portal (DPI, 2023a) shows the seagrass species *Posidonia australis* as occurring immediately to the west and south of the site (Figure 4). *Posidonia australis* in Brisbane Water is a listed Endangered Population under the NSW Fisheries Management (FM) Act 1994 as it has suffered a significant decline in this estuary. Following disturbance (including trampling of seagrass beds due to wading by humans and domestic animals), *Posidonia australis* is extremely slow to regenerate, taking up to 50 years to regrow a 1m<sup>2</sup> area (DPI, 2023b). It also shows a small area of mangroves as occurring on the southeast side of Pippi Point (which was also observed during field surveys). All mangroves are protected under the FM Act. The Fisheries portal also shows the waterways adjacent to the site mapped as Key Fish Habitat. There are also several mapped Priority Oyster Aquaculture Areas adjacent to the site (DPI, 2023a).

The SEED website had a number of relevant biodiversity layers for the site including currently mapped plant community types (PCTs) (Figure 5) (DPE, 2023b).

## Vegetation

### Previously Mapped Vegetation Communities

PCT4027 Estuarine Swamp Oak Mangrove Forest is mapped as a few small patches on the site (DPE, 2023b) (Figure 5). PCT4027 is part of the listed threatened ecological community Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions (endangered under BC Act).

### Observed Vegetation Communities and Threatened Ecological Communities

A remnant / regenerating Swamp Oak Floodplain Forest vegetation was observed on the site as scattered trees in the mown grassy areas of the reserve as well as a more substantial patch within the fenced off area on Pippi Point (Figure 6). This community is equivalent to the following listed threatened ecological communities:

- Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions (endangered under BC Act)
- Coastal Swamp Oak (*Casuarina glauca*) Forest of New South Wales and South East Queensland ecological community (endangered under EPBC Act and subject to size and condition criteria).

Some small patches of remnant / regenerating Coastal Saltmarsh vegetation was observed throughout the site particularly in the southeast section of Pippi Point as well as on the northwest side of the site and then further along towards Lintern Street Wharf (Figure 6). This community is equivalent to the following listed threatened ecological communities:

- Coastal Saltmarsh in the New South Wales North Coast, Sydney Basin and South East Corner Bioregions (endangered under BC Act)
- Subtropical and Temperate Coastal Saltmarsh (vulnerable under EPBC Act and subject to size and condition criteria).



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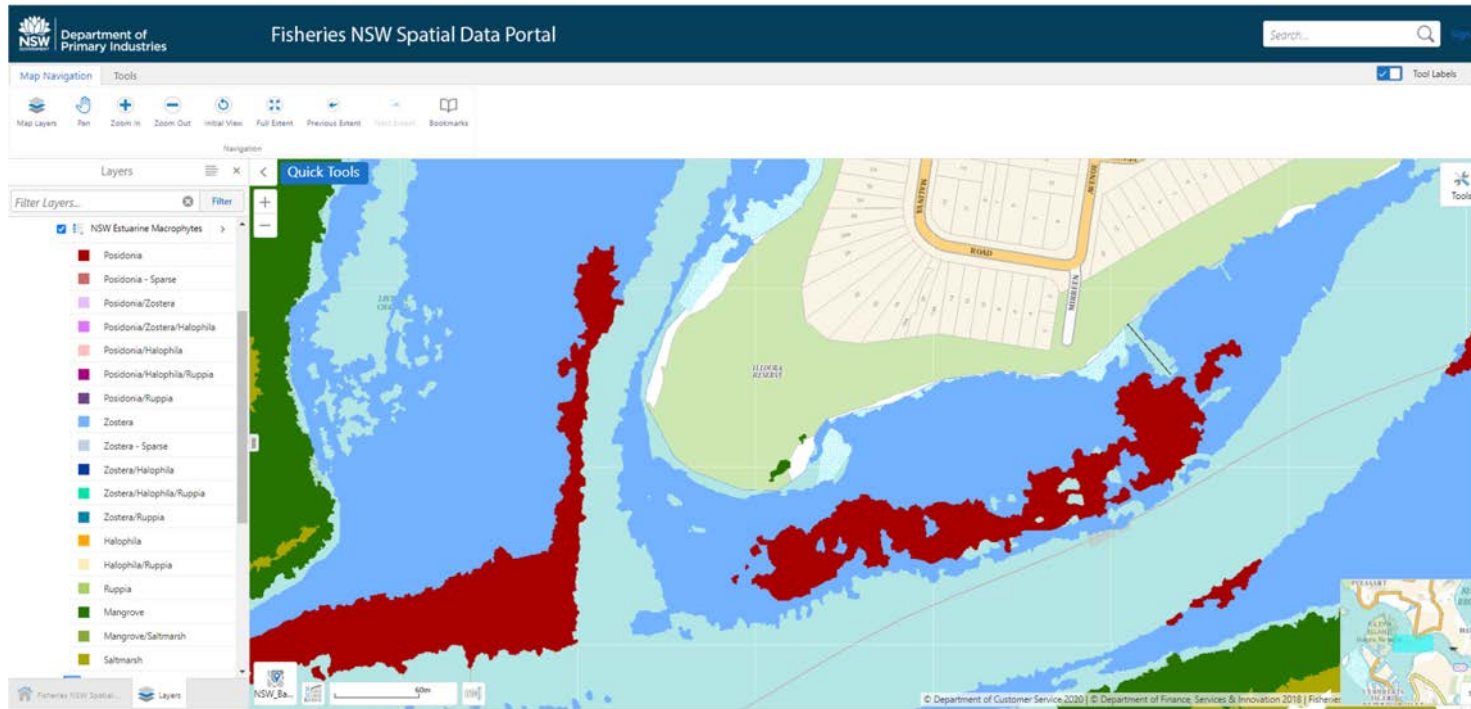


Figure 4: *Posidonia australis* Endangered Population (red) mapped close to Pippi Point  
 Source: Fisheries NSW Spatial Data Portal (DPI, 2023a)



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Figure 5: Mapped Plant Community Types (PCT) within approximately 500m of site  
Source: SEED (DPE, 2023b)



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Figure 6: Observed native vegetation communities and ecological features at Pippi Point – Feb to April 2023

Key

Red polygon – Swamp Oak Floodplain Forest TEC

Orange polygon – Coastal Saltmarsh TEC

Green polygon – Intertidal 'mudflat' areas with seagrass meadows

Purple star - Grey Mangrove (*Avicennia marina*)

Black outline polygon – currently fenced area for Bush Stone-curlew

Yellow diamond – oyster lease high tide roosts



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### Observed Fauna

At least 35 fauna species were recorded during surveys including 30 bird species, three mammal species, one amphibian species and one reptile species (Appendix D). 33 species are natives and two (2) are introduced. At least one additional mammal species – an unknown microbat species (5-10 individuals) - was observed foraging over the reserve at dusk on 14/4/2023 perhaps indicating a nearby roost.

### Observed Threatened and/or Migratory Fauna

The following NSW listed threatened fauna species were recorded during field surveys (Table 3):

- Bush-stone Curlew (observed / heard during one nocturnal survey)
- Pied Oystercatcher (observed during two diurnal surveys)
- Grey-headed Flying-fox (*Pteropus poliocephalus*) (observed during one nocturnal survey)

The following nationally listed threatened and/or migratory fauna species were recorded during field surveys (Table 3):

- Eastern Curlew (observed during three diurnal surveys)
- Bar-tailed Godwit (observed during two diurnal surveys)
- Grey-headed Flying-fox (*Pteropus poliocephalus*) (observed during one nocturnal survey)

### Habitat

The intertidal seagrass beds and mudflats on and immediately adjacent to the site provide good quality foraging habitat for several observed and previously recorded threatened and/or migratory shorebirds.

The open grassy areas in the reserve provide good quality foraging habitat for the threatened Bush Stone-curlew.

The sandy beach around the perimeter of Pippi Point itself has already been identified as a high quality potential high tide roost site for shorebirds (Whelans Insites, 2010).

The fenced off area at the southern tip of Pippi Point was apparently originally built by Council as an area in which Bush Stone-curlew could use as a day roost and potentially as a breeding site. The understorey is currently too overgrown to be used by this species which prefers a sparse grass groundlayer particularly for breeding (DPE, 2023c).

### Wildlife Corridors

The site is not mapped as a wildlife corridor but would provide some marginal 'stepping stone' connectivity for more mobile species such as birds.

### Indigenous Heritage

A Basic and then Extensive search of the Aboriginal Heritage Information Management System (AHIMS) Web Services (Heritage NSW, 2023) returned two aboriginal sites recorded on the site as follows:

- Illoura Reserve Easement Potential Archaeological Deposit (PAD)
  - Davistown shoreline midden - Aboriginal Resource and Gathering
- 



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The results of the Basic and Extensive AHIMS searches are presented in Appendix F.

While I am not an archaeologist or traditional owner, this ecologist observed what appeared to be a large partly exposed shell midden covering large parts of Pippi Point during field surveys. On 15/3/2023 an archaeological team was observed on the site carrying out a number of test digs as part of due diligence for an Ausgrid proposal to replace power poles at Pippi Point. A short discussion took place with some of the team who identified as traditional Guringai tribal owners and they confirmed the indigenous heritage value of the site.



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**Table 3: Observed threatened and/or migratory fauna species at Pippi Point Illoura Reserve Davistown during field surveys – Feb to April 2023**

Scientific Name	Common Name	Time Stamp	Quantity	Survey method	NSW Status	Federal Status	Comment
<i>Haematopus longirostris</i>	Australian Pied Oystercatcher	16/02/2023 12:56	2	o	E		SE side of Pippi Point at low tide sea grass beds foraging
<i>Numenius madagascariensis</i>	Eastern Curlew	16/02/2023 12:57	1	o		CE, M	SE side of Pippi Point at low tide sea grass beds foraging
<i>Burhinus grallarius</i>	Bush Stone-curlew	10/03/2023 20:20	1	ow	E		Responded within 1 min to call playback then got one individual on spotlight west side grassy area of Pippi Point.
<i>Haematopus longirostris</i>	Australian Pied Oystercatcher	10/03/2023 19:28	1	o	E		West side of Pippi Point at low tide sea grass beds foraging
<i>Limosa lapponica</i>	Bar-tailed Godwit	10/03/2023 17:55	4	o		V, M	About 100m north of Pippi point on exposed mud flat seagrass bed as tide going out. Three closer to Lintern St wharf. Non-breeding plumage.
<i>Numenius madagascariensis</i>	Eastern Curlew	10/03/2023 17:57	1	o		CE, M	About 150-200m north of Pippi Point on exposed mudflat as tide going out. Closer to Lintern St wharf. Possibly juvenile. Pretty mellow got within 15m
<i>Limosa lapponica</i>	Bar-tailed Godwit	10/03/2023 19:20	2	o		V, M	SE side of Pippi Point at low tide sea grass beds foraging with other species then flew off east
<i>Limosa lapponica</i>	Bar-tailed Godwit	10/03/2023 19:32	4	o		V, M	Same West side location as couple hours ago. Birds foraging on exposed seagrass beds at low tide between Pippi point and Lintern St Wharf but closer to wharf
<i>Limosa lapponica</i>	Bar-tailed Godwit	15/03/2023 10:39	4	o		V, M	Foraging on exposed seagrass beds just south Lintern St Wharf. One bird starting to get reddish breeding plumage.
<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	15/03/2023 19:42		o	V	V	
<i>Numenius madagascariensis</i>	Eastern Curlew	14/04/2023 17:47	1	o		CE, M	Flying past Pippi Point from west to east.

**Key**

V: listed as vulnerable under BC Act and/or EPBC Act  
E: listed as endangered under BC Act and/or EPBC Act

CE: listed as critically endangered under BC Act and/or EPBC Act  
M: listed as migratory under EPBC Act



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### Discussion

It is likely that some dog behaviour within the off leash dog exercise area may impact on foraging time or foraging efficiency of shorebirds including threatened species at least some of the time. This may be a critical issue for migratory shorebirds which need to gain a certain amount of weight prior to leaving for their northern hemisphere breeding ground with flight distances of several thousand kilometres. The Eastern Curlew which is now listed as critically endangered under the EPBC Act will burn off 40 percent of its body weight to fuel its 13,000 km journey between Australia and Siberia (Queensland Department of Environment and Science, 2023).

The Bush Stone-curlew which is a nocturnal feeder is less likely to be impacted by off leash dogs however the fenced part of the site which was set aside as habitat for this species is now overgrown and is not suitable for roosting or nesting. This species has not been previously recording nesting or roosting on the site however there are many records of it foraging (DPE, 2023a, author pers. obs.)

Brisbane Water is listed in the Directory of Important Wetlands in Australia (DCCEEW, 2023b). The 'Notable fauna' section of the listing states that "The area is considered to be of international significance because it holds more than 1% of the total Australian population of one species of waterbird, the Eastern Curlew (*Numenius madagascariensis*) which is listed under JAMBA and CAMBA. The NPWS Species Management Plan for Waders (Smith 1991) rates Brisbane Water as Priority 4 for wader sites in NSW. Priority for the conservation of individual species was also recommended for the Bush Stone-Curlew (*Burhinus grallarius*) (Priority 1) which is considered as endangered at a state level (Se), Pied Oystercatcher (*Haematopus longirostris*) (Priority 2) which is considered vulnerable at a state level (Sv) and Eastern Curlew (Priority 3). Morris pers. comm. estimates 5-10 pr of Bush Stone-Curlew and 8 pairs of Pied Oystercatcher as resident, c.50 Eastern Curlews during Spring-Autumn."

The numbers of Eastern Curlew within the Brisbane Water estuary has dropped dramatically in the last 10 years possibly due to loss of habitat for this species elsewhere along the East Asian-Australasian Flyway (Alan Morris pers. comm.).

The REF (Whelans Insites, 2010) is no longer 'fit for purpose' and the Pippi Point section of Illoura Reserve is likely to be even less suitable as a leash free dog exercise area now in terms of the high fauna habitat value of the site.

### Conclusion and Recommendations

The REF (Whelans Insites, 2010) recommended that the leash free dog exercise area not be located within the Pippi Point section of Illoura Reserve. The REF actually recommended that it be placed within a low quality fauna habitat section of Illoura Reserve near Restella Avenue. Council did not follow the recommendations of the REF.

The Pippi Point section of Illoura Reserve contains actual habitat for several threatened and/or migratory entities listed under the NSW BC Act and/or the Federal EPBC Act including:

- White-bellied Sea-eagle (previous records)
- Bush-stone Curlew (observed and previous records)
- Pied Oystercatcher (observed and previous records)



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

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- Bar-tailed Godwit (observed and previous records)
  - Eastern Curlew (observed and previous records)
  - Whimbrel (previous record)
  - Caspian Tern (previous record)
  - Crested Tern (previous record)
  - Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions (observed on site)
  - Coastal Saltmarsh in the New South Wales North Coast, Sydney Basin and South East Corner Bioregions (observed on site)
  - Coastal Swamp Oak (*Casuarina glauca*) Forest of New South Wales and South East Queensland ecological community (potentially occurs on site)
  - Subtropical and Temperate Coastal Saltmarsh (potentially occurs on site)
  - Seagrass *Posidonia australis* endangered population (mapped immediately adjacent to site)

The REF is no longer 'fit for purpose' due to changes in threatened species and environmental assessment legislation as well as new listings of threatened entities and/or migratory species which were not considered.

Is it recommended that an updated REF be prepared for this activity under the EP&A Act and that a new location for a leash free dog exercise area be located away from Pippi Point,

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### APPENDIX A: PREVIOUSLY RECORDED THREATENED FAUNA SPECIES ON BIONET ATLAS WITHIN A 10KM, 1KM AND 100M AREA AROUND PIPPI POINT

Kingdom	Class	Family	Species Code	Scientific Name	Common Name	NSW status	Comm. status	Records 10km	Records 1km	Records 100m
Animalia	Amphibia	Myobatrachidae	3116	<i>Pseudophryne australis</i>	Red-crowned Toadlet	V		56	1	
Animalia	Amphibia	Limnodynastidae	3042	<i>Heleioporus australiacus</i>	Giant Burrowing Frog	V	V	2		
Animalia	Amphibia	Hylidae	3166	<i>Litoria aurea</i>	Green and Golden Bell Frog	E	V	17	2	
Animalia	Reptilia	Cheloniidae	2004	<i>Caretta caretta</i>	Loggerhead Turtle	E	E	5		
Animalia	Reptilia	Cheloniidae	2007	<i>Chelonia mydas</i>	Green Turtle	V	V	20	1	
Animalia	Reptilia	Cheloniidae	2008	<i>Eretmochelys imbricata</i>	Hawksbill Turtle	P	V	1		
Animalia	Reptilia	Dermochelyidae	2013	<i>Dermochelys coriacea</i>	Leatherback Turtle	E	E	3		
Animalia	Aves	Columbidae	0023	<i>Ptilinopus superbus</i>	Superb Fruit-Dove	V		4	1	
Animalia	Aves	Apodidae	0335	<i>Apus pacificus</i>	Fork-tailed Swift		MI	4		
Animalia	Aves	Apodidae	0334	<i>Hirundapus caudacutus</i>	White-throated Needletail		V, MI	10	2	
Animalia	Aves	Diomedidae	0086	<i>Diomedea exulans</i>	Wandering Albatross	E	E	2		
Animalia	Aves	Procellariidae	0071	<i>Ardenna tenuirostris</i>	Short-tailed Shearwater		MA	7		
Animalia	Aves	Procellariidae	0929	<i>Macronectes giganteus</i>	Southern Giant Petrel	E	E	1	1	
Animalia	Aves	Ciconiidae	0183	<i>Ephippiorhynchus asiaticus</i>	Black-necked Stork	E		1		
Animalia	Aves	Ardeidae	0196	<i>Ixobrychus flavicollis</i>	Black Bittern	V		7	1	
Animalia	Aves	Accipitridae	0226	<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	V		144	24	2



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Kingdom	Class	Family	Species Code	Scientific Name	Common Name	NSW status	Comm. status	Records 10km	Records 1km	Records 100m
Animalia	Aves	Accipitridae	0231	<i>Hamirostra melanosternon</i>	Black-breasted Buzzard	V		1		
Animalia	Aves	Accipitridae	0225	<i>Hieraaetus morphnoides</i>	Little Eagle	V		2	1	
Animalia	Aves	Accipitridae	0230	<i>Lophoictinia isura</i>	Square-tailed Kite	V		9		
Animalia	Aves	Accipitridae	8739	<i>Pandion cristatus</i>	Eastern Osprey	V		110	18	
Animalia	Aves	Burhinidae	0174	<i>Burhinus grallarius</i>	Bush Stone-curlew	E		697	146	5
Animalia	Aves	Haematopodidae	0131	<i>Haematopus fuliginosus</i>	Sooty Oystercatcher	V		10	1	
Animalia	Aves	Haematopodidae	0130	<i>Haematopus longirostris</i>	Pied Oystercatcher	E		284	40	1
Animalia	Aves	Charadriidae	0139	<i>Charadrius mongolus</i>	Lesser Sand-plover	V	E, MI	2		
Animalia	Aves	Charadriidae	0136	<i>Pluvialis squatarola</i>	Grey Plover		MI	2		
Animalia	Aves	acanidae	0171	<i>Irediparra gallinacea</i>	Comb-crested Jacana	V		1		
Animalia	Aves	Scolopacidae	0157	<i>Actitis hypoleucos</i>	Common Sandpiper		MI	2	2	
Animalia	Aves	Scolopacidae	0163	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper		MI	5	3	
Animalia	Aves	Scolopacidae	0164	<i>Calidris canutus</i>	Red Knot		E, MI	1	1	
Animalia	Aves	Scolopacidae	0161	<i>Calidris ferruginea</i>	Curlew Sandpiper	E	CE, MI	2	2	
Animalia	Aves	Scolopacidae	0162	<i>Calidris ruficollis</i>	Red-necked Stint		MI	1	1	
Animalia	Aves	Scolopacidae	0168	<i>Gallinago hardwickii</i>	Latham's Snipe		MI	2		
Animalia	Aves	Scolopacidae	0153	<i>Limosa lapponica</i>	Bar-tailed Godwit		MI	137	34	1
Animalia	Aves	Scolopacidae	0152	<i>Limosa limosa</i>	Black-tailed Godwit	V	MI	2	1	
Animalia	Aves	Scolopacidae	0149	<i>Numenius madagascariensis</i>	Eastern Curlew		CE, MI	241	70	2
Animalia	Aves	Scolopacidae	0151	<i>Numenius minutus</i>	Little Curlew		MI	1	1	



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Kingdom	Class	Family	Species Code	Scientific Name	Common Name	NSW status	Comm. status	Records 10km	Records 1km	Records 100m
Animalia	Aves	Scolopacidae	0150	<i>Numenius phaeopus</i>	Whimbrel		MI	87	19	1
Animalia	Aves	Scolopacidae	0155	<i>Tringa brevipes</i>	Grey-tailed Tattler		MI	8	3	
Animalia	Aves	Scolopacidae	0154	<i>Tringa glareola</i>	Wood Sandpiper		MI	2		
Animalia	Aves	Scolopacidae	0158	<i>Tringa nebularia</i>	Common Greenshank		MI	6		
Animalia	Aves	Scolopacidae	0159	<i>Tringa stagnatilis</i>	Marsh Sandpiper		MI	1	1	
Animalia	Aves	Scolopacidae	0160	<i>Xenus cinereus</i>	Terek Sandpiper	V	MI	3	1	
Animalia	Aves	Laridae	0112	<i>Hydroprogne caspia</i>	Caspian Tern		MI	67	11	1
Animalia	Aves	Laridae	0953	<i>Sterna hirundo</i>	Common Tern		MI	11		
Animalia	Aves	Laridae	0117	<i>Sternula albifrons</i>	Little Tern	E	MI	5		
Animalia	Aves	Laridae	0115	<i>Thalasseus bergii</i>	Crested Tern		MI	64	5	1
Animalia	Aves	Cacatuidae	0265	<i>Calyptorhynchus lathami</i>	Glossy Black-Cockatoo	V	MI	53	2	
Animalia	Aves	Psittacidae	0260	<i>Glossopsitta pusilla</i>	Little Lorikeet	V		29	4	
Animalia	Aves	Psittacidae	0309	<i>Lathamus discolor</i>	Swift Parrot	E	CE	10		
Animalia	Aves	Psittacidae	0302	<i>Neophema pulchella</i>	Turquoise Parrot	V		2		
Animalia	Aves	Cuculidae	8922	<i>Cuculus optatus</i>	Oriental Cuckoo		MI	1		
Animalia	Aves	Strigidae	0246	<i>Ninox connivens</i>	Barking Owl	V		18	2	
Animalia	Aves	Strigidae	0248	<i>Ninox strenua</i>	Powerful Owl	V		93		
Animalia	Aves	Tytonidae	0250	<i>Tyto novaehollandiae</i>	Masked Owl	V		7		
Animalia	Aves	Tytonidae	9924	<i>Tyto tenebricosa</i>	Sooty Owl	V		33		
Animalia	Aves	Acanthizidae	0504	<i>Chthonicola sagittata</i>	Speckled Warbler	V		1	1	
Animalia	Aves	Meliphagidae	0603	<i>Anthochaera phrygia</i>	Regent Honeyeater	CE	CE	21		
Animalia	Aves	Meliphagidae	0448	<i>Epthianura albifrons</i>	White-fronted Chat	V		1	1	



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Kingdom	Class	Family	Species Code	Scientific Name	Common Name	NSW status	Comm. status	Records 10km	Records 1km	Records 100m
Animalia	Aves	Pomatostomidae	8388	<i>Pomatostomus temporalis temporalis</i>	Grey-crowned Babbler (eastern subspecies)	V		1		
Animalia	Aves	Neosittidae	0549	<i>Daphoenositta chrysoptera</i>	Varied Sittella	V		20	5	
Animalia	Aves	Artamidae	8519	<i>Artamus cyanopterus cyanopterus</i>	Dusky Woodswallow	V		5	1	
Animalia	Aves	Petroicidae	0380	<i>Petroica boodang</i>	Scarlet Robin	V		2		
Animalia	Aves	Estrildidae	0652	<i>Stagonopleura guttata</i>	Diamond Firetail	V		1		
Animalia	Mammalia	Dasyuridae	1008	<i>Dasyurus maculatus</i>	Spotted-tailed Quoll	V	E	41		
Animalia	Mammalia	Peramelidae	1710	<i>Isoodon obesulus obesulus</i>	Southern Brown Bandicoot (eastern)	E	E	2	1	
Animalia	Mammalia	Phascolarctidae	1162	<i>Phascolarctos cinereus</i>	Koala	E	E	5		
Animalia	Mammalia	Burramyidae	1150	<i>Cercartetus nanus</i>	Eastern Pygmy-possum	V		1		
Animalia	Mammalia	Petauridae	1136	<i>Petaurus australis</i>	Yellow-bellied Glider	V	V	53	1	
Animalia	Mammalia	Petauridae	1137	<i>Petaurus norfolkensis</i>	Squirrel Glider	V		8		
Animalia	Mammalia	Pseudocheiridae	1133	<i>Petauroides volans</i>	Greater Glider	E	E	38	2	
Animalia	Mammalia	Potoroidae	1175	<i>Potorous tridactylus</i>	Long-nosed Potoroo	V	V	1		
Animalia	Mammalia	Pteropodidae	1280	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	V	V	78	3	
Animalia	Mammalia	Emballonuridae	1321	<i>Saccolaimus flaviventris</i>	Yellow-bellied Sheath-tail-bat	V		7		
Animalia	Mammalia	Molossidae	1329	<i>Micronomus norfolkensis</i>	Eastern Coastal Free-tailed Bat	V		14		
Animalia	Mammalia	Vespertilionidae	1353	<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat	V	V	8	1	



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Kingdom	Class	Family	Species Code	Scientific Name	Common Name	NSW status	Comm. status	Records 10km	Records 1km	Records 100m
Animalia	Mammalia	Vespertilionidae	1372	<i>Falsistrellus tasmaniensis</i>	Eastern False Pipistrelle	V		6		
Animalia	Mammalia	Vespertilionidae	1357	<i>Myotis macropus</i>	Southern Myotis	V		6	1	
Animalia	Mammalia	Vespertilionidae	1369	<i>Phoniscus papuensis</i>	Golden-tipped Bat	V		1		
Animalia	Mammalia	Vespertilionidae	1361	<i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat	V		21	3	
Animalia	Mammalia	Miniopteridae	1346	<i>Miniopterus australis</i>	Little Bent-winged Bat	V		42	1	
Animalia	Mammalia	Miniopteridae	3330	<i>Miniopterus orianae oceanensis</i>	Large Bent-winged Bat	V		55	3	
Animalia	Mammalia	Muridae	1466	<i>Pseudomys gracilicaudatus</i>	Eastern Chestnut Mouse	V		2		
Animalia	Mammalia	Dugongidae	1558	<i>Dugong dugon</i>	Dugong	E		1		
Animalia	Mammalia	Balaenidae	1561	<i>Eubalaena australis</i>	Southern Right Whale	E	E	1		

#### Key

- V - listed vulnerable species under the NSW BC Act and/or Federal EPBC Act  
 E - listed endangered species under the NSW BC Act and/or Federal EPBC Act  
 CE - listed critically endangered species under the NSW BC Act and/or Federal EPBC Act  
 MI - listed protected migratory species under the Federal EPBC Act  
 MA - listed protected marine species under the Federal EPBC Act



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Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

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**APPENDIX B: EPBC PROTECTED MATTERS SEARCH REPORT FOR A 1KM AREA AROUND PIPPI POINT**

(included within PDF version of this report)



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Australian Government

Department of Climate Change, Energy,  
the Environment and Water

## EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected. Please see the caveat for interpretation of information provided here.

Report created: 17-Apr-2023

[Summary](#)

[Details](#)

[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

[Acknowledgements](#)



## Summary

### Matters of National Environment Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

<a href="#">World Heritage Properties:</a>	None
<a href="#">National Heritage Places:</a>	None
<a href="#">Wetlands of International Importance (Ramsar)</a>	None
<a href="#">Great Barrier Reef Marine Park:</a>	None
<a href="#">Commonwealth Marine Area:</a>	None
<a href="#">Listed Threatened Ecological Communities:</a>	6
<a href="#">Listed Threatened Species:</a>	79
<a href="#">Listed Migratory Species:</a>	54

### Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <https://www.dcceew.gov.au/parks-heritage/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

<a href="#">Commonwealth Lands:</a>	2
<a href="#">Commonwealth Heritage Places:</a>	None
<a href="#">Listed Marine Species:</a>	60
<a href="#">Whales and Other Cetaceans:</a>	None
<a href="#">Critical Habitats:</a>	None
<a href="#">Commonwealth Reserves Terrestrial:</a>	None
<a href="#">Australian Marine Parks:</a>	None
<a href="#">Habitat Critical to the Survival of Marine Turtles:</a>	None

### Extra Information

This part of the report provides information that may also be relevant to the area you have

<a href="#">State and Territory Reserves:</a>	2
<a href="#">Regional Forest Agreements:</a>	1
<a href="#">Nationally Important Wetlands:</a>	1
<a href="#">EPBC Act Referrals:</a>	1
<a href="#">Key Ecological Features (Marine):</a>	None
<a href="#">Biologically Important Areas:</a>	1
<a href="#">Bioregional Assessments:</a>	1
<a href="#">Geological and Bioregional Assessments:</a>	None

## Details

### Matters of National Environmental Significance

#### Listed Threatened Ecological Communities [ [Resource Information](#) ]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Status of Vulnerable, Disallowed and Ineligible are not MNES under the EPBC Act.

Community Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community</a>	Endangered	Community likely to occur within area	In feature area
<a href="#">Coastal Swamp Sclerophyll Forest of New South Wales and South East Queensland</a>	Endangered	Community likely to occur within area	In feature area
<a href="#">Coastal Upland Swamps in the Sydney Basin Bioregion</a>	Endangered	Community may occur within area	In feature area
<a href="#">Posidonia australis seagrass meadows of the Manning-Hawkesbury ecoregion</a>	Endangered	Community likely to occur within area	In feature area
<a href="#">River-flat eucalypt forest on coastal floodplains of southern New South Wales and eastern Victoria</a>	Critically Endangered	Community likely to occur within area	In feature area
<a href="#">Subtropical and Temperate Coastal Saltmarsh</a>	Vulnerable	Community likely to occur within area	In feature area

#### Listed Threatened Species [ [Resource Information](#) ]

Status of Conservation Dependent and Extinct are not MNES under the EPBC Act. Number is the current name ID.

Scientific Name	Threatened Category	Presence Text	Buffer Status
<b>BIRD</b>			
<a href="#">Anthochaera phrygia</a> Regent Honeyeater [82338]	Critically Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Botaurus poiciloptilus</a> Australasian Bittern [1001]	Endangered	Species or species habitat likely to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Callocephalon fimbriatum</a> Gang-gang Cockatoo [768]	Endangered	Species or species habitat likely to occur within area	In feature area
<a href="#">Calyptorhynchus lathami lathami</a> South-eastern Glossy Black-Cockatoo [67036]	Vulnerable	Species or species habitat known to occur within area	In feature area
<a href="#">Charadrius leschenaultii</a> Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Climacteris picumnus victoriae</a> Brown Treecreeper (south-eastern) [67062]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Diomedea antipodensis</a> Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Diomedea antipodensis gibsoni</a> Gibson's Albatross [82270]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Diomedea epomophora</a> Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Diomedea exulans</a> Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Diomedea sanfordi</a> Northern Royal Albatross [64456]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Erythrotriorchis radiatus</a> Red Goshawk [942]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Falco hypoleucos</a> Grey Falcon [929]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Grantiella picta</a> Painted Honeyeater [470]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area	In feature area
<a href="#">Lathamus discolor</a> Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area	In feature area
<a href="#">Limosa lapponica baueri</a> Nunivak Bar-tailed Godwit, Western Alaskan Bar-tailed Godwit [86380]	Vulnerable	Species or species habitat known to occur within area	In feature area
<a href="#">Macronectes giganteus</a> Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Macronectes halli</a> Northern Giant Petrel [1061]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Melanodryas cucullata cucullata</a> South-eastern Hooded Robin, Hooded Robin (south-eastern) [67093]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Neophema chrysostoma</a> Blue-winged Parrot [726]	Vulnerable	Species or species habitat likely to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Pachyptila turtur subantarctica</a> Fairy Prion (southern) [64445]	Vulnerable	Species or species habitat known to occur within area	In feature area
<a href="#">Pycnoptilus floccosus</a> Pilotbird [525]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Rostratula australis</a> Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area	In feature area
<a href="#">Stagonopleura guttata</a> Diamond Firetail [59398]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Sternula nereis nereis</a> Australian Fairy Tern [82950]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Thalassarche bulleri</a> Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Thalassarche bulleri platei</a> Northern Buller's Albatross, Pacific Albatross [82273]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Thalassarche cauta</a> Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Thalassarche eremita</a> Chatham Albatross [64457]	Endangered	Foraging, feeding or related behaviour may occur within area	In feature area
<a href="#">Thalassarche impavida</a> Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Species or species habitat may occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Thalassarche melanophris</a> Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Thalassarche salvini</a> Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Thalassarche steadi</a> White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour known to occur within area	In feature area
<b>FISH</b>			
<a href="#">Epinephelus daemeli</a> Black Rockcod, Black Cod, Saddled Rockcod [68449]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Macquaria australasica</a> Macquarie Perch [66632]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Prototroctes maraena</a> Australian Grayling [26179]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Thunnus maccoyii</a> Southern Bluefin Tuna [69402]	Conservation Dependent	Species or species habitat likely to occur within area	In feature area
<b>FROG</b>			
<a href="#">Heleioporus australiacus</a> Giant Burrowing Frog [1973]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Litoria aurea</a> Green and Golden Bell Frog [1870]	Vulnerable	Species or species habitat known to occur within area	In feature area
<a href="#">Mixophyes balbus</a> Stuttering Frog, Southern Barred Frog (in Victoria) [1942]	Vulnerable	Species or species habitat may occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Mixophyes iteratus</a>			
Giant Barred Frog, Southern Barred Frog [1944]	Vulnerable	Species or species habitat may occur within area	In feature area
<b>MAMMAL</b>			
<a href="#">Chalinolobus dwyeri</a>			
Large-eared Pied Bat, Large Pied Bat [183]	Vulnerable	Species or species habitat known to occur within area	In feature area
<a href="#">Dasyurus maculatus maculatus (SE mainland population)</a>			
Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Notamacropus parma</a>			
Parma Wallaby [89289]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Petauroides volans</a>			
Greater Glider (southern and central) [254]	Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Petaurus australis australis</a>			
Yellow-bellied Glider (south-eastern) [87600]	Vulnerable	Species or species habitat known to occur within area	In feature area
<a href="#">Petrogale penicillata</a>			
Brush-tailed Rock-wallaby [225]	Vulnerable	Species or species habitat may occur within area	In buffer area only
<a href="#">Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)</a>			
Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104]	Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Potorous tridactylus tridactylus</a>			
Long-nosed Potoroo (northern) [66645]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Pseudomys novaehollandiae</a>			
New Holland Mouse, Pookila [96]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Pteropus poliocephalus</a>			
Grey-headed Flying-fox [186]	Vulnerable	Foraging, feeding or related behaviour known to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<b>PLANT</b>			
<a href="#">Acacia bynoeana</a> Bynoe's Wattle, Tiny Wattle [8575]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Acacia pubescens</a> Downy Wattle, Hairy Stemmed Wattle [18800]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Acacia terminalis subsp. terminalis MS</a> Sunshine Wattle (Sydney region) [88882]	Endangered	Species or species habitat may occur within area	In buffer area only
<a href="#">Caladenia tessellata</a> Thick-lipped Spider-orchid, Daddy Long-legs [2119]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Cryptostylis hunteriana</a> Leafless Tongue-orchid [19533]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Eucalyptus camfieldii</a> Camfield's Stringybark [15460]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Genoplesium baueri</a> Yellow Gnat-orchid, Bauer's Midge Orchid, Brittle Midge Orchid [7528]	Endangered	Species or species habitat likely to occur within area	In feature area
<a href="#">Melaleuca biconvexa</a> Biconvex Paperbark [5583]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Melaleuca deanei</a> Deane's Melaleuca [5818]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Persicaria elatior</a> Knotweed, Tall Knotweed [5831]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Prostanthera askania</a> Tranquillity Mintbush, Tranquillity Mintbush [64958]	Endangered	Species or species habitat may occur within area	In buffer area only



Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Prostanthera densa</a> Villous Mintbush [12233]	Vulnerable	Species or species habitat may occur within area	In buffer area only
<a href="#">Rhizanthella slateri</a> Eastern Underground Orchid [11768]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Rhodamnia rubescens</a> Scrub Turpentine, Brown Malletwood [15763]	Critically Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Rhodomyrtus psidioides</a> Native Guava [19162]	Critically Endangered	Species or species habitat likely to occur within area	In feature area
<a href="#">Syzygium paniculatum</a> Magenta Lilly Pilly, Magenta Cherry, Daguba, Scrub Cherry, Creek Lilly Pilly, Brush Cherry [20307]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Thesium australe</a> Austral Toadflax, Toadflax [15202]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<b>REPTILE</b>			
<a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Eretmochelys imbricata</a> Hawksbill Turtle [1766]	Vulnerable	Species or species habitat known to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Hoplocephalus bungaroides</a> Broad-headed Snake [1182]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Natator depressus</a> Flatback Turtle [59257]	Vulnerable	Foraging, feeding or related behaviour known to occur within area	In feature area
<b>SHARK</b>			
<a href="#">Sphyrna lewini</a> Scalloped Hammerhead [85267]	Conservation Dependent	Species or species habitat likely to occur within area	In feature area
<b>Listed Migratory Species</b>			<b>[ Resource Information ]</b>
Scientific Name	Threatened Category	Presence Text	Buffer Status
<b>Migratory Marine Birds</b>			
<a href="#">Anous stolidus</a> Common Noddy [825]		Species or species habitat may occur within area	In feature area
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area	In feature area
<a href="#">Ardenna grisea</a> Sooty Shearwater [82651]		Species or species habitat likely to occur within area	In feature area
<a href="#">Calonectris leucomelas</a> Streaked Shearwater [1077]		Species or species habitat known to occur within area	In feature area
<a href="#">Diomedea antipodensis</a> Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Diomedea epomophora</a> Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Diomedea exulans</a> Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Diomedea sanfordi</a> Northern Royal Albatross [64456]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Fregata ariel</a> Lesser Frigatebird, Least Frigatebird [1012]		Species or species habitat likely to occur within area	In feature area
<a href="#">Fregata minor</a> Great Frigatebird, Greater Frigatebird [1013]		Species or species habitat may occur within area	In feature area
<a href="#">Macronectes giganteus</a> Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Macronectes halli</a> Northern Giant Petrel [1061]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Phaethon lepturus</a> White-tailed Tropicbird [1014]		Species or species habitat may occur within area	In feature area
<a href="#">Thalassarche bulleri</a> Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Thalassarche cauta</a> Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Thalassarche eremita</a> Chatham Albatross [64457]	Endangered	Foraging, feeding or related behaviour may occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Thalassarche impavida</a> Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Thalassarche melanophris</a> Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Thalassarche salvini</a> Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Thalassarche steadi</a> White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour known to occur within area	In feature area
<b>Migratory Marine Species</b>			
<a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Dugong dugon</a> Dugong [28]		Species or species habitat may occur within area	In feature area
<a href="#">Eretmochelys imbricata</a> Hawksbill Turtle [1766]	Vulnerable	Species or species habitat known to occur within area	In feature area
<a href="#">Lamna nasus</a> Porbeagle, Mackerel Shark [83288]		Species or species habitat likely to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Mobula alfredi as Manta alfredi</a> Reef Manta Ray, Coastal Manta Ray [90033]		Species or species habitat may occur within area	In feature area
<a href="#">Mobula birostris as Manta birostris</a> Giant Manta Ray [90034]		Species or species habitat may occur within area	In feature area
<a href="#">Natator depressus</a> Flatback Turtle [59257]	Vulnerable	Foraging, feeding or related behaviour known to occur within area	In feature area
<b>Migratory Terrestrial Species</b>			
<a href="#">Cuculus optatus</a> Oriental Cuckoo, Horsfield's Cuckoo [86651]		Species or species habitat may occur within area	In feature area
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area	In feature area
<a href="#">Monarcha melanopsis</a> Black-faced Monarch [609]		Species or species habitat known to occur within area	In feature area
<a href="#">Motacilla flava</a> Yellow Wagtail [644]		Species or species habitat likely to occur within area	In feature area
<a href="#">Myiagra cyanoleuca</a> Satin Flycatcher [612]		Species or species habitat known to occur within area	In feature area
<a href="#">Rhipidura rufifrons</a> Rufous Fantail [592]		Species or species habitat known to occur within area	In feature area
<a href="#">Symposiachrus trivirgatus as Monarcha trivirgatus</a> Spectacled Monarch [83946]		Species or species habitat known to occur within area	In feature area
<b>Migratory Wetlands Species</b>			
<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat may occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Species or species habitat known to occur within area	In feature area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat known to occur within area	In feature area
<a href="#">Charadrius bicinctus</a> Double-banded Plover [895]		Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Charadrius leschenaultii</a> Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [863]		Species or species habitat likely to occur within area	In feature area
<a href="#">Gallinago megala</a> Swinhoe's Snipe [864]		Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Gallinago stenura</a> Pin-tailed Snipe [841]		Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Limosa lapponica</a> Bar-tailed Godwit [844]		Species or species habitat known to occur within area	In feature area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Numenius minutus</a> Little Curlew, Little Whimbrel [848]		Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Numenius phaeopus</a> Whimbrel [849]		Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Pandion haliaetus</a> Osprey [952]		Species or species habitat known to occur within area	In feature area
<a href="#">Pluvialis fulva</a> Pacific Golden Plover [25545]		Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Tringa brevipes</a> Grey-tailed Tattler [851]		Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Tringa nebularia</a> Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area	In feature area

## Other Matters Protected by the EPBC Act

### Commonwealth Lands [ [Resource Information](#) ]

The Commonwealth area listed below may indicate the presence of Commonwealth land in this vicinity. Due to the unreliability of the data source, all proposals should be checked as to whether it impacts on a Commonwealth area, before making a definitive decision. Contact the State or Territory government land department for further information.

Commonwealth Land Name	State	Buffer Status
Communications, Information Technology and the Arts - Telstra Corporation Limited Commonwealth Land - Australian Telecommunications Commission [11763]	NSW	In buffer area only
Commonwealth Land - Australian Telecommunications Commission [11762]	NSW	In buffer area only

### Listed Marine Species [ [Resource Information](#) ]

Scientific Name	Threatened Category	Presence Text	Buffer Status
Bird			

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat may occur within area	In feature area
<a href="#">Anous stolidus</a> Common Noddy [825]		Species or species habitat may occur within area	In feature area
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area overfly marine area	In feature area
<a href="#">Ardenna grisea as Puffinus griseus</a> Sooty Shearwater [82651]		Species or species habitat likely to occur within area	In feature area
<a href="#">Bubulcus ibis as Ardea ibis</a> Cattle Egret [66521]		Species or species habitat may occur within area overfly marine area	In feature area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Species or species habitat known to occur within area	In feature area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area overfly marine area	In feature area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area overfly marine area	In feature area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat known to occur within area overfly marine area	In feature area
<a href="#">Calonectris leucomelas</a> Streaked Shearwater [1077]		Species or species habitat known to occur within area	In feature area



Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Charadrius bicinctus</a> Double-banded Plover [895]		Foraging, feeding or related behaviour known to occur within area overfly marine area	In feature area
<a href="#">Charadrius leschenaultii</a> Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Diomedea antipodensis</a> Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Diomedea antipodensis gibsoni</a> as <a href="#">Diomedea gibsoni</a> Gibson's Albatross [82270]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Diomedea epomophora</a> Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Diomedea exulans</a> Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Diomedea sanfordi</a> Northern Royal Albatross [64456]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Fregata ariel</a> Lesser Frigatebird, Least Frigatebird [1012]		Species or species habitat likely to occur within area	In feature area
<a href="#">Fregata minor</a> Great Frigatebird, Greater Frigatebird [1013]		Species or species habitat may occur within area	In feature area
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [863]		Species or species habitat likely to occur within area overfly marine area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Gallinago megala</a> Swinhoe's Snipe [864]		Foraging, feeding or related behaviour likely to occur within area overfly marine area	In feature area
<a href="#">Gallinago stenura</a> Pin-tailed Snipe [841]		Foraging, feeding or related behaviour likely to occur within area overfly marine area	In feature area
<a href="#">Haliaeetus leucogaster</a> White-bellied Sea-Eagle [943]		Species or species habitat known to occur within area	In feature area
<a href="#">Himantopus himantopus</a> Pied Stilt, Black-winged Stilt [870]		Foraging, feeding or related behaviour known to occur within area overfly marine area	In feature area
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area overfly marine area	In feature area
<a href="#">Lathamus discolor</a> Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area overfly marine area	In feature area
<a href="#">Limosa lapponica</a> Bar-tailed Godwit [844]		Species or species habitat known to occur within area	In feature area
<a href="#">Macronectes giganteus</a> Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Macronectes halli</a> Northern Giant Petrel [1061]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Merops ornatus</a> Rainbow Bee-eater [670]		Species or species habitat may occur within area overfly marine area	In feature area
<a href="#">Monarcha melanopsis</a> Black-faced Monarch [609]		Species or species habitat known to occur within area overfly marine area	In feature area
<a href="#">Motacilla flava</a> Yellow Wagtail [644]		Species or species habitat likely to occur within area overfly marine area	In feature area
<a href="#">Myiagra cyanoleuca</a> Satin Flycatcher [612]		Species or species habitat known to occur within area overfly marine area	In feature area
<a href="#">Neophema chrysostoma</a> Blue-winged Parrot [726]	Vulnerable	Species or species habitat likely to occur within area overfly marine area	In feature area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Numenius minutus</a> Little Curlew, Little Whimbrel [848]		Foraging, feeding or related behaviour likely to occur within area overfly marine area	In feature area
<a href="#">Numenius phaeopus</a> Whimbrel [849]		Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Pachyptila turtur</a> Fairy Prion [1066]		Species or species habitat known to occur within area	In feature area
<a href="#">Pandion haliaetus</a> Osprey [952]		Species or species habitat known to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Phaethon lepturus</a> White-tailed Tropicbird [1014]		Species or species habitat may occur within area	In feature area
<a href="#">Pluvialis fulva</a> Pacific Golden Plover [25545]		Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Rhipidura rufifrons</a> Rufous Fantail [592]		Species or species habitat known to occur within area overfly marine area	In feature area
<a href="#">Rostratula australis as Rostratula benghalensis (sensu lato)</a> Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area overfly marine area	In feature area
<a href="#">Symposiachrus trivirgatus as Monarcha trivirgatus</a> Spectacled Monarch [83946]		Species or species habitat known to occur within area overfly marine area	In feature area
<a href="#">Thalassarche bulleri</a> Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Thalassarche bulleri platei as Thalassarche sp. nov.</a> Northern Buller's Albatross, Pacific Albatross [82273]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Thalassarche cauta</a> Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Thalassarche eremita</a> Chatham Albatross [64457]	Endangered	Foraging, feeding or related behaviour may occur within area	In feature area
<a href="#">Thalassarche impavida</a> Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Species or species habitat may occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Thalassarche melanophris</a> Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Thalassarche salvini</a> Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In feature area
<a href="#">Thalassarche steadi</a> White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Tringa brevipes as Heteroscelus brevipes</a> Grey-tailed Tattler [851]		Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Tringa nebularia</a> Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area overfly marine area	In feature area
<b>Mammal</b>			
<a href="#">Dugong dugon</a> Dugong [28]		Species or species habitat may occur within area	In feature area
<b>Reptile</b>			
<a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Foraging, feeding or related behaviour known to occur within area	In feature area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Foraging, feeding or related behaviour known to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Eretmochelys imbricata</a> Hawksbill Turtle [1766]	Vulnerable	Species or species habitat known to occur within area	In feature area
<a href="#">Natator depressus</a> Flatback Turtle [59257]	Vulnerable	Foraging, feeding or related behaviour known to occur within area	In feature area

## Extra Information

### State and Territory Reserves [ [Resource Information](#) ]

Protected Area Name	Reserve Type	State	Buffer Status
Cockle Bay	Nature Reserve	NSW	In buffer area only
Rileys Island	Nature Reserve	NSW	In buffer area only

### Regional Forest Agreements [ [Resource Information](#) ]

Note that all areas with completed RFAs have been included.

RFA Name	State	Buffer Status
<a href="#">North East NSW RFA</a>	New South Wales	In feature area

### Nationally Important Wetlands [ [Resource Information](#) ]

Wetland Name	State	Buffer Status
<a href="#">Brisbane Water Estuary</a>	NSW	In feature area

### EPBC Act Referrals [ [Resource Information](#) ]

Title of referral	Reference	Referral Outcome	Assessment Status	Buffer Status
Not controlled action				
<a href="#">Improving rabbit biocontrol: releasing another strain of RHDV, sthrn two thirds of Australia</a>	2015/7522	Not Controlled Action	Completed	In feature area

### Biologically Important Areas

Scientific Name	Behaviour	Presence	Buffer Status
Seabirds			
<a href="#">Ardeanna pacifica</a> Wedge-tailed Shearwater [84292]	Foraging	Likely to occur	In feature area

### Bioregional Assessments

SubRegion	BioRegion	Website	Buffer Status
Hunter	Northern Sydney Basin	<a href="#">BA website</a>	In feature area

# Caveat

## 1 PURPOSE

This report is designed to assist in identifying the location of matters of national environmental significance (MNES) and other matters protected by the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) which may be relevant in determining obligations and requirements under the EPBC Act.

The report contains the mapped locations of:

- World and National Heritage properties;
- Wetlands of International and National Importance;
- Commonwealth and State/Territory reserves;
- distribution of listed threatened, migratory and marine species;
- listed threatened ecological communities; and
- other information that may be useful as an indicator of potential habitat value.

## 2 DISCLAIMER

This report is not intended to be exhaustive and should only be relied upon as a general guide as mapped data is not available for all species or ecological communities listed under the EPBC Act (see below). Persons seeking to use the information contained in this report to inform the referral of a proposed action under the EPBC Act should consider the limitations noted below and whether additional information is required to determine the existence and location of MNES and other protected matters.

Where data are available to inform the mapping of protected species, the presence type (e.g. known, likely or may occur) that can be determined from the data is indicated in general terms. It is the responsibility of any person using or relying on the information in this report to ensure that it is suitable for the circumstances of any proposed use. The Commonwealth cannot accept responsibility for the consequences of any use of the report or any part thereof. To the maximum extent allowed under governing law, the Commonwealth will not be liable for any loss or damage that may be occasioned directly or indirectly through the use of, or reliance

## 3 DATA SOURCES

Threatened ecological communities

For threatened ecological communities where the distribution is well known, maps are generated based on information contained in recovery plans, State vegetation maps and remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species

Threatened, migratory and marine species distributions have been discerned through a variety of methods. Where distributions are well known and if time permits, distributions are inferred from either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc.) together with point locations and described habitat; or modelled (MAXENT or BIOCLIM habitat modelling) using

Where little information is available for a species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc.).

In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More detailed distribution mapping methods are used to update these distributions

## 4 LIMITATIONS

The following species and ecological communities have not been mapped and do not appear in this report:

- threatened species listed as extinct or considered vagrants;
- some recently listed species and ecological communities;
- some listed migratory and listed marine species, which are not listed as threatened species; and
- migratory species that are very widespread, vagrant, or only occur in Australia in small numbers.

The following groups have been mapped, but may not cover the complete distribution of the species:

- listed migratory and/or listed marine seabirds, which are not listed as threatened, have only been mapped for recorded
- seals which have only been mapped for breeding sites near the Australian continent

The breeding sites may be important for the protection of the Commonwealth Marine environment.

Refer to the metadata for the feature group (using the Resource Information link) for the currency of the information.

## Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [-Office of Environment and Heritage, New South Wales](#)
- [-Department of Environment and Primary Industries, Victoria](#)
- [-Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [-Department of Environment, Water and Natural Resources, South Australia](#)
- [-Department of Land and Resource Management, Northern Territory](#)
- [-Department of Environmental and Heritage Protection, Queensland](#)
- [-Department of Parks and Wildlife, Western Australia](#)
- [-Environment and Planning Directorate, ACT](#)
- [-Birdlife Australia](#)
- [-Australian Bird and Bat Banding Scheme](#)
- [-Australian National Wildlife Collection](#)
- [-Natural history museums of Australia](#)
- [-Museum Victoria](#)
- [-Australian Museum](#)
- [-South Australian Museum](#)
- [-Queensland Museum](#)
- [-Online Zoological Collections of Australian Museums](#)
- [-Queensland Herbarium](#)
- [-National Herbarium of NSW](#)
- [-Royal Botanic Gardens and National Herbarium of Victoria](#)
- [-Tasmanian Herbarium](#)
- [-State Herbarium of South Australia](#)
- [-Northern Territory Herbarium](#)
- [-Western Australian Herbarium](#)
- [-Australian National Herbarium, Canberra](#)
- [-University of New England](#)
- [-Ocean Biogeographic Information System](#)
- [-Australian Government, Department of Defence](#)
- [Forestry Corporation, NSW](#)
- [-Geoscience Australia](#)
- [-CSIRO](#)
- [-Australian Tropical Herbarium, Cairns](#)
- [-eBird Australia](#)
- [-Australian Government – Australian Antarctic Data Centre](#)
- [-Museum and Art Gallery of the Northern Territory](#)
- [-Australian Government National Environmental Science Program](#)
- [-Australian Institute of Marine Science](#)
- [-Reef Life Survey Australia](#)
- [-American Museum of Natural History](#)
- [-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [-Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.



Please feel free to provide feedback via the [Contact us](#) page.

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Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

### APPENDIX C: BIRDATA FROM PIPPI POINT AND IMMEDIATELY ADJACENT AREA (BIRDLIFE AUSTRALIA, 2023)

Common Name	Scientific Name	Count	Reporting Rate	NSW Status	National Status
<b>Black Swan</b>	<i>Cygnus atratus</i>	1	1.25%		
Pacific Black Duck	<i>Anas superciliosa</i>	1	1.25%		
Northern Mallard	<i>Anas platyrhynchos</i>	15	18.75%		
Chestnut Teal	<i>Anas castanea</i>	12	15.00%		
Australian Wood Duck	<i>Chenonetta jubata</i>	10	12.50%		
Brown Quail	<i>Synoicus ypsilophora</i>	3	3.75%		
Rock Dove	<i>Columba livia</i>	2	2.50%		
Spotted Dove	<i>Streptopelia chinensis</i>	7	8.75%		
Crested Pigeon	<i>Ocyphaps lophotes</i>	9	11.25%		
Eastern Koel	<i>Eudynamys orientalis</i>	1	1.25%		
Channel-billed Cuckoo	<i>Scythrops novaehollandiae</i>	5	6.25%		
Fan-tailed Cuckoo	<i>Cacomantis flabelliformis</i>	1	1.25%		
<b>White-throated Needletail</b>	<i>Hirundapus caudacutus</i>	<b>1</b>	<b>1.25%</b>		
<b>Bush Stone-curlew</b>	<i>Burhinus grallarius</i>	<b>8</b>	<b>10.00%</b>	<b>E</b>	
<b>Australian Pied Oystercatcher</b>	<i>Haematopus longirostris</i>	<b>20</b>	<b>25.00%</b>	<b>V</b>	
Masked Lapwing	<i>Vanellus miles</i>	42	52.50%		
<b>Whimbrel</b>	<i>Numenius phaeopus</i>	<b>5</b>	<b>6.25%</b>		<b>MI</b>
<b>Eastern Curlew</b>	<i>Numenius madagascariensis</i>	<b>40</b>	<b>50.00%</b>		<b>CE, MI</b>
<b>Bar-tailed Godwit</b>	<i>Limosa lapponica</i>	<b>33</b>	<b>41.25%</b>		<b>V, MI</b>
<b>Black-tailed Godwit</b>	<i>Limosa limosa</i>	<b>1</b>	<b>1.25%</b>	<b>V</b>	<b>MI</b>
<b>Curlew Sandpiper</b>	<i>Calidris ferruginea</i>	<b>1</b>	<b>1.25%</b>	<b>E</b>	<b>CE, MI</b>



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Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

Common Name	Scientific Name	Count	Reporting Rate	NSW Status	National Status
<b>Grey-tailed Tattler</b>	<i>Tringa brevipes</i>	1	1.25%		MI
Silver Gull	<i>Chroicocephalus novaehollandiae</i>	50	62.50%		
<b>Caspian Tern</b>	<i>Hydroprogne caspia</i>	9	11.25%		MI
White-fronted Tern	<i>Sterna striata</i>	1	1.25%		
<b>Crested Tern</b>	<i>Thalasseus bergii</i>	7	8.75%		MI
Indian Yellow-nosed Albatross	<i>Thalassarche carteri</i>	1	1.25%		
<b>Shy Albatross</b>	<i>Thalassarche cauta</i>	1	1.25%	V	V
<b>Southern Giant-Petrel</b>	<i>Macronectes giganteus</i>	1	1.25%	E	E
Fairy Prion	<i>Pachyptila turtur</i>	1	1.25%		
Australian Pelican	<i>Pelecanus conspicillatus</i>	40	50.00%		
Nankeen Night-Heron	<i>Nycticorax caledonicus</i>	1	1.25%		
Striated Heron	<i>Butorides striata</i>	7	8.75%		
Cattle Egret	<i>Bubulcus ibis</i>	1	1.25%		
Great Egret	<i>Ardea alba</i>	20	25.00%		
White-faced Heron	<i>Egretta novaehollandiae</i>	27	33.75%		
Little Egret	<i>Egretta garzetta</i>	7	8.75%		
Australian White Ibis	<i>Threskiornis moluccus</i>	23	28.75%		
Royal Spoonbill	<i>Platalea regia</i>	7	8.75%		
Little Pied Cormorant	<i>Microcarbo melanoleucos</i>	37	46.25%		
Great Cormorant	<i>Phalacrocorax carbo</i>	1	1.25%		
Little Black Cormorant	<i>Phalacrocorax sulcirostris</i>	28	35.00%		
Pied Cormorant	<i>Phalacrocorax varius</i>	30	37.50%		
Australasian Darter	<i>Anhinga novaehollandiae</i>	30	37.50%		



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

Common Name	Scientific Name	Count	Reporting Rate	NSW Status	National Status
<b>Osprey</b>	<i>Pandion haliaetus</i>	9	11.25%	V	
<b>Little Eagle</b>	<i>Hieraaetus morphnoides</i>	1	1.25%	V	
<b>White-bellied Sea-Eagle</b>	<i>Haliaeetus leucogaster</i>	8	10.00%	V	
Whistling Kite	<i>Haliastur sphenurus</i>	4	5.00%		
Brahminy Kite	<i>Haliastur indus</i>	1	1.25%		
Dollarbird	<i>Eurystomus orientalis</i>	1	1.25%		
Sacred Kingfisher	<i>Todiramphus sanctus</i>	2	2.50%		
Laughing Kookaburra	<i>Dacelo novaeguineae</i>	4	5.00%		
Galah	<i>Eolophus roseicapilla</i>	5	6.25%		
Long-billed Corella	<i>Cacatua tenuirostris</i>	6	7.50%		
Little Corella	<i>Cacatua sanguinea</i>	5	6.25%		
Sulphur-crested Cockatoo	<i>Cacatua galerita</i>	6	7.50%		
Eastern Rosella	<i>Platycercus eximius</i>	7	8.75%		
Rainbow Lorikeet	<i>Trichoglossus moluccanus</i>	24	30.00%		
Superb Fairy-wren	<i>Malurus cyaneus</i>	6	7.50%		
Scarlet Honeyeater	<i>Myzomela sanguinolenta</i>	3	3.75%		
Striped Honeyeater	<i>Plectorhyncha lanceolata</i>	2	2.50%		
Little Friarbird	<i>Philemon citreogularis</i>	1	1.25%		
Brown Honeyeater	<i>Lichmera indistincta</i>	17	21.25%		
New Holland Honeyeater	<i>Phylidonyris novaehollandiae</i>	1	1.25%		
Eastern Spinebill	<i>Acanthorhynchus tenuirostris</i>	1	1.25%		
Spiny-cheeked Honeyeater	<i>Acanthagenys rufogularis</i>	7	8.75%		
Little Wattlebird	<i>Anthochaera chrysoptera</i>	25	31.25%		



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

Common Name	Scientific Name	Count	Reporting Rate	NSW Status	National Status
Red Wattlebird	<i>Anthochaera carunculata</i>	8	10.00%		
Fuscous Honeyeater	<i>Ptilotula fusca</i>	1	1.25%		
White-plumed Honeyeater	<i>Ptilotula penicillata</i>	5	6.25%		
Yellow-faced Honeyeater	<i>Caligavis chrysops</i>	8	10.00%		
Bell Miner	<i>Manorina melanophrys</i>	1	1.25%		
Noisy Miner	<i>Manorina melanocephala</i>	19	23.75%		
Mangrove Gerygone	<i>Gerygone levigaster</i>	1	1.25%		
Yellow Thornbill	<i>Acanthiza nana</i>	2	2.50%		
Black-faced Cuckoo-shrike	<i>Coracina novaehollandiae</i>	11	13.75%		
Rufous Whistler	<i>Pachycephala rufiventris</i>	1	1.25%		
Eastern Whipbird	<i>Psophodes olivaceus</i>	1	1.25%		
Australasian Figbird	<i>Sphecotheres vieilloti</i>	6	7.50%		
Olive-backed Oriole	<i>Oriolus sagittatus</i>	1	1.25%		
Pied Currawong	<i>Strepera graculina</i>	2	2.50%		
Australian Magpie	<i>Gymnorhina tibicen</i>	22	27.50%		
Pied Butcherbird	<i>Cracticus nigrogularis</i>	1	1.25%		
Grey Butcherbird	<i>Cracticus torquatus</i>	8	10.00%		
White-breasted Woodswallow	<i>Artamus leucorhynchus</i>	6	7.50%		
Willie Wagtail	<i>Rhipidura leucophrys</i>	23	28.75%		
Australian Raven	<i>Corvus coronoides</i>	14	17.50%		
Magpie-lark	<i>Grallina cyanoleuca</i>	26	32.50%		
Mistletoebird	<i>Dicaeum hirundinaceum</i>	23	28.75%		
House Sparrow	<i>Passer domesticus</i>	2	2.50%		



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

Common Name	Scientific Name	Count	Reporting Rate	NSW Status	National Status
Fairy Martin	<i>Petrochelidon ariel</i>	1	1.25%		
Welcome Swallow	<i>Hirundo neoxena</i>	28	35.00%		
Common Starling	<i>Sturnus vulgaris</i>	2	2.50%		
Common Myna	<i>Acridotheres tristis</i>	8	10.00%		
Black Duck-Mallard hybrid		6	7.50%		
Corella spp		2	2.50%		
Crow & Raven spp		3	3.75%		
Domestic Duck		7	8.75%		

Note that this is for birds recorded within the below polygon via the following survey techniques: 2ha, 20 minute search; 2ha, non-20 minute search, 5 minute point search, 500m area search, fixed route search, incidental search, shorebird count.

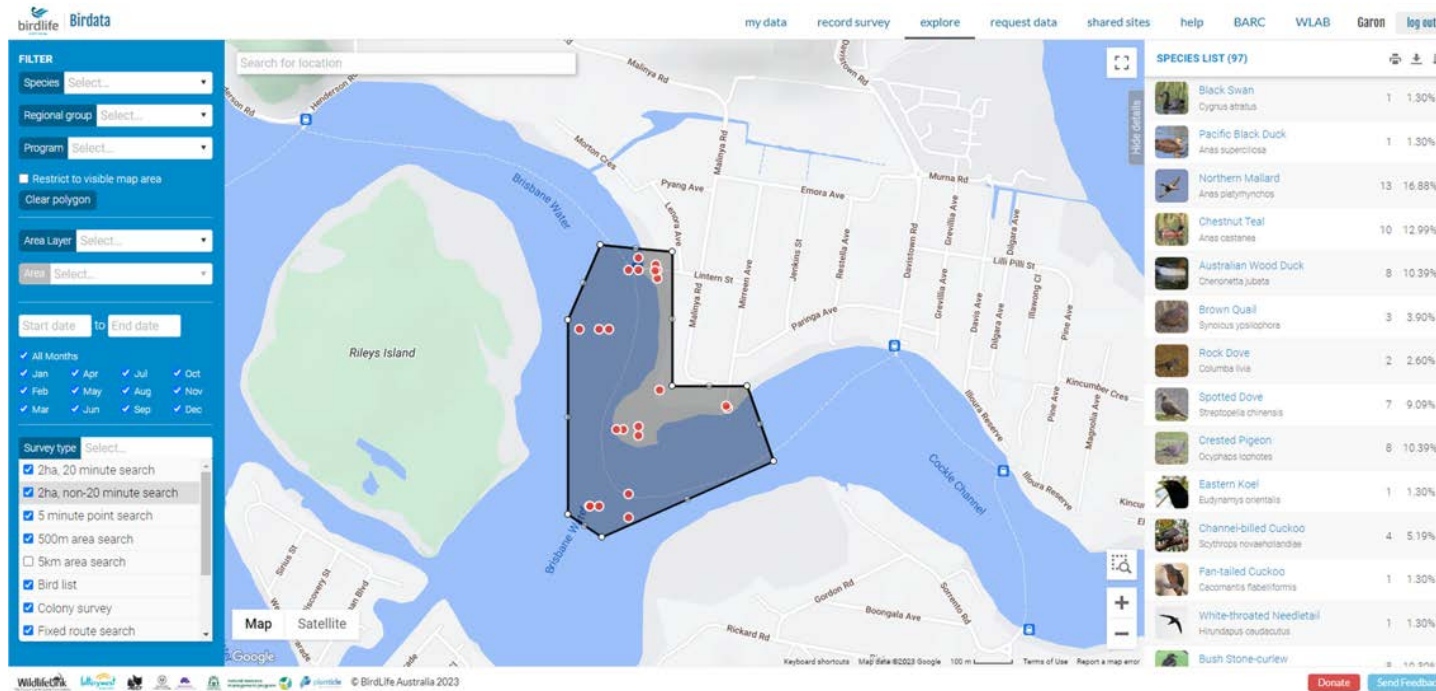
Key

V - listed vulnerable species under the NSW BC Act and/or Federal EPBC Act  
 E - listed endangered species under the NSW BC Act and/or Federal EPBC Act  
 CE - listed critically endangered species under the NSW BC Act and/or Federal EPBC Act  
 MI - listed protected migratory species under the Federal EPBC Act  
 MA - listed protected marine species under the Federal EPBC Act



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Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"



Map of polygon used to generate Birddata for Pippi Point



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Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

#### APPENDIX D: OBSERVED FAUNA AT PIPPI POINT ILLOURA RESERVE DAVISTOWN DURING FEB TO APRIL 2023 SURVEYS

Species Group	Scientific Name	Common Name	Time Stamp	Quantity	Survey method	Comment
Aves	<i>Anas castanea</i>	Chestnut Teal	10/03/2023 19:03	2	o	East side feeding on exposed mud flat
Aves	<i>Anas castanea</i>	Chestnut Teal	10/03/2023 17:21	2	o	In channel
Aves	<i>Anas gracilis</i>	Grey Teal	10/03/2023 20:28	15	o	
Aves	<i>Anas platyrhynchos</i>	Northern Mallard	14/04/2023 17:42	6	o	
Aves	<i>Anas platyrhynchos</i>	Northern Mallard	15/03/2023 19:47		o	
Aves	<i>Anas platyrhynchos</i>	Northern Mallard	10/03/2023 18:54	2	o	
Aves	<i>Anas superciliosa</i>	Pacific Black Duck	10/03/2023 19:33	12	o	West side
Aves	<i>Anas superciliosa</i>	Pacific Black Duck	10/03/2023 18:35	2	o	In channe
Aves	<i>Anhinga novaehollandiae</i>	Australasian Darter	10/03/2023 17:33	1	o	Roosting in oyster lease
Aves	<i>Anthochaera carunculata</i>	Red Wattlebird	10/03/2023 18:32		w	I fenced area
Aves	<i>Burhinus grallarius</i>	Bush Stone-curlew	10/03/2023 20:20	1	ww	Responded within 1 min to call playback then got one individual on



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Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

Species Group	Scientific Name	Common Name	Time Stamp	Quantity	Survey method	Comment
						spotlight west side grassy area of Pippi Point. In dog leash free area.
Aves	<i>Cacatua sanguinea</i>	Little Corella	14/04/2023 17:54	5	ow	
Aves	<i>Cacatua sanguinea</i>	Little Corella	10/03/2023 19:38	50	ow	
Aves	<i>Cacatua sanguinea</i>	Little Corella	10/03/2023 17:41		o	Fly past
Mammalia	<i>Canis lupus</i>	Dingo, Domestic Dog	10/03/2023 17:41		o	
Mammalia	<i>Canis lupus</i>	Dingo, Domestic Dog	16/02/2023 13:21	7	o	
Aves	<i>Chenonetta jubata</i>	Australian Wood Duck	10/03/2023 20:06		w	
Aves	<i>Chroicocephalus novaehollandiae</i>	Silver Gull	10/03/2023 19:38	10	o	West side
Aves	<i>Chroicocephalus novaehollandiae</i>	Silver Gull	10/03/2023 17:41		o	
Aves	<i>Chroicocephalus novaehollandiae</i>	Silver Gull	16/02/2023 14:00	1	o	
Aves	<i>Chroicocephalus novaehollandiae</i>	Silver Gull	16/02/2023 13:23	1	o	
Aves	<i>Cracticus tibicen</i>	Australian Magpie	10/03/2023 18:03		o	
Aves	<i>Cracticus torquatus</i>	Grey Butcherbird	10/03/2023 18:13		w	



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

Species Group	Scientific Name	Common Name	Time Stamp	Quantity	Survey method	Comment
Aves	<i>Cracticus torquatus</i>	Grey Butcherbird	16/02/2023 13:31		w	
Aves	<i>Egretta novaehollandiae</i>	White-faced Heron	15/03/2023 19:41	2	o	
Aves	<i>Egretta novaehollandiae</i>	White-faced Heron	10/03/2023 18:24	2	o	East side.
Aves	<i>Egretta novaehollandiae</i>	White-faced Heron	10/03/2023 17:58	2	o	About 150-200m north of Pippi Point on exposed mudflat as tide going out
Aves	<i>Egretta novaehollandiae</i>	White-faced Heron	16/02/2023 14:00	2	o	
Aves	<i>Egretta novaehollandiae</i>	White-faced Heron	16/02/2023 12:59	1	o	
Aves	<i>Grallina cyanoleuca</i>	Magpie-lark	10/03/2023 18:14		o	
Aves	<i>Haematopus longirostris</i>	Australian Pied Oystercatcher	10/03/2023 19:28	1	o	West side
Aves	<i>Haematopus longirostris</i>	Australian Pied Oystercatcher	16/02/2023 12:56	2	o	Low tide sea grass beds foraging
Aves	<i>Hirundo neoxena</i>	Welcome Swallow	10/03/2023 18:14		o	
Reptilia	<i>Lampropholis delicata</i>	Grass Skink	10/03/2023 18:42	1	o	In fenced area
Amphibia	<i>Limnodynastes peronii</i>	Striped Marsh Frog	14/04/2023 18:33	2	w	In bsc fenced area
Aves	<i>Limosa lapponica</i>	Bar-tailed Godwit	15/03/2023 10:39	4	o	Mudflats just south Lintern St wharf



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

Species Group	Scientific Name	Common Name	Time Stamp	Quantity	Survey method	Comment
Aves	<i>Limosa lapponica</i>	Bar-tailed Godwit	10/03/2023 19:32	4	o	Same location as couple hours ago. On west side - birds here at low tide between Pippi point and Lintern St wharf but closer to wharf
Aves	<i>Limosa lapponica</i>	Bar-tailed Godwit	10/03/2023 19:20	2	o	On exposed mudflat with other species then flew east furthers along
Aves	<i>Limosa lapponica</i>	Bar-tailed Godwit	10/03/2023 17:55	4	o	About 100m north of Pippi point on exposed mud flat seagrass bed as tide going out. Three closer to Lintern St wharf. Non-breeding plumage. Pretty mellow got within 10m i.e. still on grassy reserve but close to them
Aves	<i>Malurus cyaneus</i>	Superb Fairy-wren	10/03/2023 18:36	6	ow	In fenced off area
Aves	<i>Malurus cyaneus</i>	Superb Fairy-wren	16/02/2023 13:32	3	ow	
	<i>Microbats</i>		14/04/2023 17:50	5	o	Foraging over grass area while still well light
Aves	<i>Microcarbo melanoleucos</i>	Little Pied Cormorant	10/03/2023 18:23	6	o	East side foraging close to shore in a group. But moved when people walked within 20m
Aves	<i>Microcarbo melanoleucos</i>	Little Pied Cormorant	10/03/2023 18:15	2	o	Roosting on boat rope .
Aves	<i>Microcarbo melanoleucos</i>	Little Pied Cormorant	10/03/2023 17:32	1	o	In channel



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

Species Group	Scientific Name	Common Name	Time Stamp	Quantity	Survey method	Comment
Aves	<i>Numenius madagascariensis</i>	Eastern Curlew	14/04/2023 17:47	1	o	Flying past around point from west to east
Aves	<i>Numenius madagascariensis</i>	Eastern Curlew	10/03/2023 17:57	1	o	About 150-200m north of Pippi Point on exposed mudflat as tide going out. Closer to Lintern St wharf. Possibly juvenile. Pretty mellow got within 15m
Aves	<i>Numenius phaeopus</i>	Whimbrel	16/02/2023 14:01	1	o	Chased off by silver gull
Mammalia	<i>Oryctolagus cuniculus</i>	Rabbit	10/03/2023 19:12		o	
Aves	<i>Pelecanus conspicillatus</i>	Australian Pelican	10/03/2023 19:38	3	o	West side
Aves	<i>Pelecanus conspicillatus</i>	Australian Pelican	10/03/2023 18:16	3	o	Roosting on poles in water
Aves	<i>Pelecanus conspicillatus</i>	Australian Pelican	16/02/2023 13:23	1	o	In channel
Aves	<i>Phalacrocorax carbo</i>	Great Cormorant	10/03/2023 17:40	1	o	Fly past
Aves	<i>Phalacrocorax sulcirostris</i>	Little Black Cormorant	10/03/2023 17:32	3	o	Roosting in oyster lease in channel
Aves	<i>Phalacrocorax varius</i>	Pied Cormorant	10/03/2023 17:21	1	o	In channel
Aves	<i>Phalacrocorax varius</i>	Pied Cormorant	16/02/2023 13:23	1	o	Overfly
Mammalia	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	15/03/2023 19:42		o	



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Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

Species Group	Scientific Name	Common Name	Time Stamp	Quantity	Survey method	Comment
Aves	<i>Strepera graculina</i>	Pied Currawong	10/03/2023 19:10		o	Fly over
Aves	<i>Sturnus tristis</i>	Common Myna	10/03/2023 18:14		ow	
Aves	<i>Threskiornis molucca</i>	Australian White Ibis	10/03/2023 19:34	3	o	West side
Aves	<i>Threskiornis molucca</i>	Australian White Ibis	10/03/2023 18:04	1	o	About 150-200m north of Pippi Point on exposed mudflat as tide going out
Aves	<i>Threskiornis molucca</i>	Australian White Ibis	16/02/2023 14:00	1	o	
Aves	<i>Threskiornis molucca</i>	Australian White Ibis	16/02/2023 13:20	2	o	Foraging on exposed sea grass beds
Aves	<i>Threskiornis molucca</i>	Australian White Ibis	16/02/2023 12:58	1	o	Low tide exposed sea grass beds and mud flats at Pippi Point
Aves	<i>Trichoglossus haematodus</i>	Rainbow Lorikeet	10/03/2023 18:14		w	
Aves	<i>Vanellus miles</i>	Masked Lapwing	14/04/2023 17:44	2	o	
Aves	<i>Vanellus miles</i>	Masked Lapwing	15/03/2023 19:47		o	
Aves	<i>Vanellus miles</i>	Masked Lapwing	10/03/2023 18:24	3	o	East side on beach
Aves	<i>Vanellus miles</i>	Masked Lapwing	10/03/2023 17:58	1	o	About 150-200m north of Pippi Point on exposed mudflat as tide going out
Aves	<i>Zosterops lateralis</i>	Silvereeye	10/03/2023 18:03		o	About 150-200m north of Pippi Point on exposed mudflat as tide going out



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

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## APPENDIX E: PHOTOGRAPHS



**Photograph 1: Intertidal seagrass meadows exposed at low tide on south-east side of Pippi Point on 16 February 2023**

Note all photographs by G. Staines



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Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"



**Photograph 2: Sandy foreshore at very tip of Pippi Point. Note fenced off vegetation in background. 16 February 2023**



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"



**Photograph 3: Overgrown vegetation within fenced off area of Pippi Point does not currently provide the sparse grassy groundlayer required for roosting or nesting by Bush Stone-curlew. 16 February 2023**





Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"



**Photograph 4: Intertidal seagrass meadows exposed at low tide on western side of Pippi Point (looking towards Lintern Street Wharf) on 16 February 2023**



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"



**Photograph 5: Bar-tailed Godwits foraging in seagrass meadows between Pippi Point and Lintern Street Wharf on 15 March 2023**



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"



**Photograph 6: Eastern curlew foraging Intertidal seagrass meadows exposed at low tide on south-east side of Pippi Point on 16 February 2023**



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"



**Photograph 7: Two Australian Pied Oystercatchers foraging within intertidal seagrass meadows exposed at low tide on south-east side of Pippi Point on 16 February 2023**



Threatened species assessment for the portion of Illoura Reserve, Davistown known locally as "Pippi Point"

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**APPENDIX F: RESULTS OF ABORIGINAL HERITAGE INFORMATION MANAGEMENT SYSTEM (AHIMS) DATABASE SEARCH**





**AHIMS Web Services (AWS)**  
**Search Result**

Your Ref/PO Number : PippiPoint  
 Client Service ID : 778375

Future Ecology P/L  
 546 Bellingen Road  
 Missabotti New South Wales 2449  
 Attention: Garon Staines  
 Email: garon@futureecology.com.au

Date: 03 May 2023

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lat, Long From : -33.4892, 151.3518 - Lat, Long To : -33.487, 151.3557, conducted by Garon Staines on 03 May 2023.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

<b>2</b>	<b>Aboriginal sites are recorded in or near the above location.</b>
<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](https://www.legislation.nsw.gov.au/gazette) (<https://www.legislation.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
  
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.



**AHIMS Web Services (AWS)**  
**Extensive search - Site list report**

Your Ref/PO Number : PippiPoint

Client Service ID : 778375

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status**	SiteFeatures	SiteTypes	Reports
45-3-4668	Illoura Reserve Easement PAD	GDA	56	347071	6293404	Open site	Valid	Potential Archaeological Deposit (PAD) :-		
	<u>Contact</u>									
	<u>Recorders</u>									
				Mr.Peter Saad						
45-3-4769	Davistown shoreline midden	GDA	56	347000	6293443	Open site	Valid	Aboriginal Resource and Gathering :-	5007	
	<u>Contact</u>									
	<u>Recorders</u>									
				Guringai Tribal Link Aboriginal Corporation,Mrs.Tracey Howie						

**\*\* Site Status**  
**Valid** - The site has been recorded and accepted onto the system as valid  
**Destroyed** - The site has been completely impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution.  
**Partially Destroyed** - The site has been only partially impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There might be parts or sections of the original site still present on the ground  
**Not a site** - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified

Report generated by AHIMS Web Service on 03/05/2023 for Garon Staines for the following area at Lat, Long From : -33.4892, 151.3518 - Lat, Long To : -33.487, 151.3557. Number of Aboriginal sites and Aboriginal objects found is 2

This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.





Illoura Reserve  
Restella Avenue, Davistown

Potential Impacts of Dog Off-leash Activities

Review of Environmental Factors

31<sup>st</sup> May 2010

	<p><b>Whelans InSites Pty Ltd</b> Level 12/80 Clarence Street Sydney NSW 2000 ph: 02 – 8234 8300 fax: 02 – 9262 6511 email: dfanning@insites.com.au</p>
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Illoura Reserve  
Restella Avenue, Davistown

## Potential Impacts of Dog Off-leash Activities

## Review of Environmental Factors

31<sup>st</sup> May 2010

Principal Authors: F Dominic Fanning	Version: 2.0	Date: 31 <sup>st</sup> May 2010
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**ILLOURA RESERVE  
RESTELLA AVENUE, DAVISTOWN**

**POTENTIAL IMPACTS of DOG OFF-LEASH ACTIVITIES  
REVIEW of ENVIRONMENTAL FACTORS**

31<sup>st</sup> May 2010

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ILLOURA RESERVE  
RESTELLA AVENUE, DAVISTOWN

POTENTIAL IMPACTS of DOG OFF-LEASH ACTIVITIES

REVIEW of ENVIRONMENTAL FACTORS

31<sup>st</sup> May 2010

<b>PART A</b>	<b>INTRODUCTION &amp; INFORMATION BASE</b>
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## 1 INTRODUCTION

This *Review of Environmental Factors* (REF) has been prepared by Environmental InSites pursuant to Section 111 of the *Environmental Planning & Assessment Act 1979* (EP&A Act), and has taken into consideration those factors specified in Clause 228 of the *Environmental Planning & Assessment Regulation 2000*. The document “*Is an EIS required? - Best Practice Guidelines for Part 5 of the Environmental Planning and Assessment Act 1979*”, prepared by the then Department of Infrastructure, Planning & Natural Resources (DIPNR)<sup>1</sup>, has also been used in compiling this assessment.

Consideration of the matters detailed in Parts B and C of this REF enables Gosford City Council to take into account, “*to the fullest extent possible*”, all relevant matters affecting or likely to affect the environment by reason of Council undertaking the activity, as outlined below.

### 1.1 Background

This REF was commissioned by Gosford City Council (hereafter ‘Council’) in response to concerns raised by an element of the community in relation to the potential impacts of dog exercise activities on threatened species, specifically on the Bush Stone-curlew *Burhinus grallarius*. This species is listed as “*endangered*” on the *Threatened Species Conservation Act 1995* (TSC Act), and is known to reside in or utilise a number of foreshore reserves within and around Brisbane Water.

In 2009, Council passed a motion to revoke the existing dog ‘off-leash’ exercise areas within a number of its foreshore reserves until such time as a review of the potential impacts of that activity on wildlife (particularly on relevant threatened species) could be completed.

<sup>1</sup> The *Guidelines* were prepared by the then DIPNR which is now the Department of Planning (DoP).

### 1.2 The Subject Land

The land that is the subject of this REF (the “*subject land*”) is known as the Illoura Reserve, and can be accessed via the southern end of Restella Avenue, Davistown (Figures 1 and 2). The subject land is an existing Foreshore Reserve which essentially occupies the entire foreshore area of Davistown (and the southern boundary of the town) from Pyang Avenue on its western side to just north of Amy Street in the east (Figure 2). Part of the Illoura Reserve (the “*subject site*” – Figure 5) had previously been used for dog ‘off-leash’ exercise (until revoked by Council in 2009).

That part of the subject land previously used for dog ‘off-leash’ activities constitutes the “*subject site*”. This area is the focus of the *Section 5A Assessments of Significance* in relation to dog ‘off-leash’ exercise activities in the Reserve (Figure 2), whilst the general ecological values of the Reserve *in toto* is also addressed in Chapter 11.

The Illoura Reserve adjoins the Cockle Channel, which is part of Brisbane Water (Figure 1), and covers a distance of approximately 4km. Brisbane Water is generally tidal, and at the shoreline immediately adjacent to the Reserve, are a number of small periodically exposed sandy beaches and mud-flats which extend out to the channel. In particular, there is large stretch of sandy mud-flat adjacent to the southeastern part of the Reserve, as well as a small sandy beach at the “*subject site*” (known as Pipi Point) to the southwest (Figure 1).

Vegetation in the western half of the Reserve, between Pyang and Magnolia Avenues, is rather isolated and fragmented (Figure 2), with a sparse tree cover, and is bound by existing residential development to the north. Further, the natural vegetation on this part of the site has been mostly cleared, and the groundcover is subject to regular maintenance by Council (refer to photos in Appendix A).

In contrast, the eastern half of Illoura Reserve, from Magnolia Avenue to the north of Amy Road, is moderately to well vegetated in parts, or is adjoined by large stands of vegetation, some of which would conform to various “*endangered ecological communities*” listed on the TSC Act, including Swamp Oak Floodplain Forest (SOFF) and Coastal Saltmarsh (CSM), as well as protected stands of Mangrove communities.

The subject land is zoned 6(a) - *Open Space (Recreation)*, and “*passive recreation*” (including *inter alia* the exercising of dogs, both on-leash and off-leash) is permissible under this zoning.

### 1.3 Definitions

The definitions for relevant terms employed in this *Report* are:

- “*subject site*” that part of Illoura Reserve in which dog ‘off-leash’ exercise activities had previously been approved (Figure 2)
- “*subject land*” Illoura Reserve, Davistown (Figures 1 and 2)
- “*study area*” the Brisbane Water Estuary and adjoining foreshore lands (Figure 1)
- “*locality*” an area of 10km radius around the “*subject site*”

Other terms used in this REF conform to the definitions contained in the relevant legislation and planning instruments (see *Glossary*).

### 1.4 The Activity

The proposal considered in this REF is that the previous dog ‘off-leash’ exercise area at the Illoura Reserve be made available again (as it was revoked in 2009) for ‘off-leash’ dog exercise, providing that this activity can be accommodated within the parameters of relevant environmental responsibilities and regulations.

In particular, it is necessary to consider the potential impacts of uncontrolled dogs on threatened biota, including *inter alia* the Bush Stone-curlew and other relevant threatened species of fauna recorded in the vicinity (eg the Osprey, Pied Oystercatcher, Black Bittern and Green & Golden Bell Frog), as well as on potential wading and migratory species.

### 1.5 Scope and Aims of this Report

This document fulfils three functions:

- collation and analysis of available data regarding relevant biota, including threatened species and migratory waders (Chapter 6.1 and 6.2);
- the provision of a *Review of Environmental Factors*, pursuant to Part 5 of the EP&A Act, in respect of the use of the subject site for dog ‘off-leash’ activities (all of the document except for Chapter 11.2 and 11.3); and
- an assessment of the value of various parts of the reserve for the relevant native biota (Chapter 11.2) and of ecological appropriate management activities in the Reserve (Chapter 11.3).

For the purposes of Part 5 of the EP&A Act, consideration must be given to the likely impacts of a proposed “*activity*” on the environment. Under the provisions of the Act, Council (as the “*determining authority*”) must, in its consideration of an activity, “*examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity*”.

For the purposes of this *Report*, the term “to the fullest extent possible” is interpreted in accordance with the judgements in *Jugiong Quarries v Water Administration Ministerial Corporation* (NSW LEC No. 40001 of 1995) and *Guthega Developments v Minister Administering the National Parks & Wildlife Act* (NSW Court of Appeal 7 NSWLR 353). Those judgements conclude *inter alia* that the term should be interpreted as “to the fullest extent reasonably possible” (emphasis added).

Under the provisions of the EP&A Act, an “activity” means:

- a) *The use of land;*
- b) *The subdivision of land;*
- c) *The erection of a building;*
- d) *The carrying out of a work;*
- e) *The demolition of a building or work; and*
- f) *Any other act, matter or thing referred to in section 26 that is prescribed by the regulations for the purposes of this definition, but does not include:*
  - g) *Any act, matter or thing for which development consent under Part 4 is required or has been obtained, or*
  - h) *any act, matter or thing that is prohibited under an environmental planning instrument.*

The requirement to examine the environmental impact of an “activity” (including *inter alia* the “use of land” for dog exercise activities) obliges Council to identify, examine and consider the scale and significance of potential environmental effects of the “activity”, with a view to determining whether “the activity should proceed, be modified, reviewed or not undertaken at all”.

Clause 228 of the *Environmental Planning & Assessment Regulation 2000* outlines the factors which “must be taken into account when consideration is being given to the likely impact of an activity on the environment”. The assessment contained in this REF has addressed the EP&A Act and the factors contained in Clause 228 of Regulation 2000 utilising the *Guidelines* prepared by the then DIPNR entitled “*Is an EIS required? - Best Practice Guidelines for Part 5 of the Environmental Planning and Assessment Act 1979*”.

In addition to considering the likely impacts of using the relevant parts of the Illoura Reserve for dog ‘off-leash’ activities (contained in Parts B and C of this document), this REF contains an assessment of the habitat values for relevant threatened species biota (pursuant to both the TSC Act and the EPBC Act) and/or migratory birds (listed in the EPBC Act).

The results of this investigation (as detailed in Chapters 6 and 11 of this *Report*) also indicate which parts of the subject land provide habitat for threatened species, in particular the Bush Stone-curlew, and will assist decision-makers in Council to determine which parts of the Illoura Reserve should be used for dog exercise activities (with or without restrictions).



## 2 INFORMATION BASE

The observations and opinions expressed in this REF are based on relevant databases and the published scientific literature, particularly with respect to threatened biota, including:

- the *Atlas of NSW Wildlife* (DECCW<sup>2</sup> 2009);
- the *Atlas of Australian Birds* (Birds Australia 2009);
- vegetation mapping for the Gosford Local Government Area (Bell 2004);
- the Bush Stone-curlew Nesting Database (Central Coast Community Environment Network);
- liaison with local experts (including particularly a local bird expert Mr Alan Morris) in relation to threatened avifauna; and
- review of relevant consultant *Reports* and other *Reports* commissioned by Council concerning the environment of the study area (as listed below).

The specific Council *Reports* which form the basis of this REF include:

- *Brisbane Water Estuary Process Study* (GCC 2006);
- *The Birds of Brisbane Water Estuary* (Robinson 2006);
- *Conservation Status of the Bush Stone-curlew in the Brisbane Water Area* (Morris 2002);
- *The Bush Stone Curlew on the Central Coast of NSW* (Price 2004); and
- *Annual Census of Bush Stone-curlew *Burhinus grallarius* - Locations, Numbers and Breeding Success in the Brisbane Water Area for 2007* (Pygmy Possum Pty Ltd 2007).

In addition to the extensive database of existing information, this REF is based on:

- an inspection of the Illoura Reserve undertaken on the 28<sup>th</sup> of October 2009 by Environmental InSites to assess the level of suitable habitat at the subject site and in the vicinity;
- review of the relevant aerial photography; and
- the experience and knowledge (local and general) of the Environmental InSites team, including that of the principal author of this *Report*.

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<sup>2</sup> The DECCW (Department of Environment, Climate Change & Water) includes the National Parks & Wildlife Service (NPWS), and was previously the Department of Environment & Climate Change (DECC) or the Department of Environment & Conservation (DEC).

## PART B

## LEGISLATIVE CONSIDERATIONS

### 3 LEGISLATIVE CONSIDERATIONS

This *Report* has been prepared with due consideration to the following Acts, Regulations, Policies and Environment Planning Instruments:

- *Environment Protection & Biodiversity Conservation Act 1999* (EPBC Act)
- *Environment Planning & Assessment Act 1979* (EP&A Act)
- *Environment Planning & Assessment Regulation 2000* (EP&A Regulation)
- *Protection of the Environment Operations Act 1997* (PoEO Act)
- *Threatened Species Conservation Act 1995* (TSC Act)
- *National Parks & Wildlife Act 1974* (NP&W Act)
- *State Environmental Planning Policy 14 – Coastal Wetlands* (SEPP 14)
- *State Environmental Planning Policy 19 – Bushland in Urban Areas* (SEPP 19)
- *State Environmental Planning Policy 26 – Littoral Rainforests* (SEPP 26)
- *State Environmental Planning Policy 44 – Koala Habitat Protection* (SEPP 44)
- *State Environmental Planning Policy 71 – Coastal Protection* (SEPP 71)

#### 3.1 Environment Protection & Biodiversity Conservation Act

The *Environmental Protection & Biodiversity Conservation Act 1999* (EPBC Act) is administered by the Commonwealth of Australia, and provides the legislative framework for:

- environmental approvals from the *Federal Minister for the Environment Protection, Heritage & the Arts*;
- the implementation of Bilateral Agreements between the Commonwealth and the States and self-governing Territories which provide *inter alia* for protection of the environment;
- undertaking environmental assessments and the subsequent approval process; and
- the conservation of biodiversity and heritage at a Federal level, including the protection of migratory shorebirds in accordance with the Ramsar Convention and international treaties such as:
  - the *Agreement between the Government of Australia and the Government of Japan for the Protection of Migratory Birds 1974* (JAMBA);
  - the *Agreement between the Government of Australia and the Government of the Peoples Republic of China 1986* (CAMBA); and
  - the *Agreement between the Government of Australia and the Government of the Republic of Korea 2007* (ROKAMBA).

The EPBC Act has the following “objectives” (Part 1 Section 3(1)):

- “(a) to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance;
- (b) to promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources;
- (c) to promote the conservation of biodiversity;
  - (ca) to provide for the protection and conservation of heritage;
- (d) to promote a cooperative approach to the protection and management of the environment involving governments, the community, land holders and indigenous peoples;
- (e) to assist in the cooperative implementation of Australia's international environmental responsibilities;
- (f) to recognise the role of indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity; and
- (g) to promote the use of indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge”.

The EPBC Act is relevant to the proposed activity and to future use of the Reserve generally for dog exercise activities, due to the presence of listed migratory bird species within the study area. An assessment of the potential impacts of use of part of the Reserve for dog 'off-leash' exercise on migratory birds pursuant to the EPBC Act is provided in Chapters 6 and 9 of this *Report*.

That assessment determines whether the proposed activity would constitute a “controlled action”, and would thus require subsequent *Referral* to the Federal Minister for the Environment.

### 3.2 Environmental Planning & Assessment Act

The assessment contained within Part C of this REF has been prepared in accordance with the requirements of Part 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act), and the REF also addresses the requirements of Clause 228 of the EP&A Regulation 2000.

Specifically, the process of undertaking this environmental assessment has involved:

- identifying the characteristics of the “activity” that are likely to result in environmental impacts;
- determining whether the “activity” is likely to affect “environmentally sensitive areas”;
- analysing the extent of any identified impacts; and
- developing mitigative measures to minimise the extent of environmental impacts.

The detailed assessments pursuant to the EP&A Act and the EP&A Regulation 2000 are contained in Part C of this REF. The REF contains:

- a conclusion as to whether further use of the relevant part of Illoura Reserve for dog 'off-leash' activities should proceed (in Chapters 10 and 11); and
- recommendations with respect to the appropriate and environmentally responsible management of the Illoura Reserve, including *inter alia* with respect to dog exercise activities (in Chapter 11).

### 3.3 Protection of the Environment Operations Act

The *Protection of the Environment Operations Act 1997* (PoEO Act) *inter alia* regulates pollution in NSW including water pollution, air pollution, noise pollution and the pollution of land. The aims of the Act are achieved by way of *Protection of the Environment Policies*, licensing and by the issuing of *Environmental Protection Notices* to persons or organisations that are found to be polluting the environment.

With regard to the PoEO Act, the proposed activity (being re-use of the previous dog 'off-leash' activity area) would have only a very limited impact on the natural environment, and would not contravene the aims and objectives of that Act. This assessment assumes that the Reserve is appropriately managed and maintained by the Council, and that dog owners act responsibly (and in accordance with the *Companion Animals Act 1998*) in controlling their dogs and in removing dog faeces.

### 3.4 Threatened Species Conservation Act

The *Threatened Species Conservation Act 1995* (TSC Act) *inter alia* provides for the listing of threatened species, endangered populations, endangered ecological communities, key threatening processes and critical habitat. In most instances, when undertaking development within NSW, potential impacts on listed species, populations, communities and critical habitats need to be considered in the environmental assessment process, pursuant to Section 5A of the EP&A Act.

The subject land (Illoura Reserve) within Brisbane Water Estuary, including the associated foreshore areas, provides habitat for a variety of "*threatened species*" and "*endangered ecological communities*", including the Bush Stone-curlew, the Green & Golden Bell Frog, and potentially the Osprey, Pied Oystercatcher and Black Bittern.

There are also various "*endangered ecological communities*" including Swamp Oak Floodplain Forest (SOFF) and Coastal Saltmarsh (listed on the TSC Act), within and/or adjacent to the Reserve, as well as protected stands of Mangrove communities (listed on the *Fisheries Management Act 1994*) on the subject site or immediately adjacent to it.

A full assessment of the potential impacts of the proposed activity on and within the subject site, pursuant to Section 5A of the EP&A Act, is included in Part C and Appendix C of this REF. In addition, Chapter 11 of this *Report* provides a qualitative assessment of habitat values throughout the Reserve and consequent recommendations regarding appropriate dog exercise activities.

As detailed in Appendix C, there would not be “likely” to be a “significant effect” imposed upon the Bush Stone-curlew, the Osprey, the Pied Oystercatcher, the Black Bittern or the Green & Golden Bell Frog as a consequence of the proposed use of the “subject site” within the Illoura Reserve for dog ‘off-leash’ exercise activities. Whilst habitat at the subject site has been attributed with *Moderate* or *High* habitat value, these threatened species are not likely to rely *in toto* upon that part of the Illoura Reserve for their survival. Further, the sandy banks and/or the waterway adjoining the “subject site” would constitute only a minute proportion of habitat for any individual of those species.

### 3.5 National Parks & Wildlife Act

The *National Parks & Wildlife Act 1974* (NPW Act) *inter alia* provides for the administration of the National Parks & Wildlife Service (NPWS), the reservation and management of land for conservation, the reservation and management of historic sites (including areas of Aboriginal heritage) and the protection of native flora and fauna.

With respect to the NPW Act, the proposed activity within the subject land at Davistown:

- does not occur on land administered by the National Parks & Wildlife Service;
- would not affect any historic sites, Aboriginal or otherwise; and
- would not disturb a significant area of habitat for any protected native flora or fauna species (as addressed in detail in the following Chapters of this REF).

### 3.6 SEPP 14 – Coastal Wetlands

Part of the subject land (at the east of the Illoura Reserve, between Kyoga Avenue and Romford Close) contains a small portion of a mapped wetland known as “*Davistown East Wetland*” (SEPP No. 937, No. 939 and No. 939a) listed in *State Environmental Planning Policy No. 14 – Coastal Wetlands* (SEPP 14). However, given that the proposed activity does not involve any clearing or development of those wetlands, the proposal would not be in breach of SEPP 14.

Given those circumstance, and given that the proposed activity would not involve the imposition of any direct (or indeed indirect) impacts upon any SEPP 14 wetland, this *Policy* is not of relevance to the proposed activity in the Illoura Reserve at Davistown.

### 3.7 SEPP 19 – Urban Bushland

The subject land at Davistown is zoned 6(a) - *Open Space (Recreation)*, and consequently *State Environmental Planning Policy No. 19 – Bushland in Urban Areas* (SEPP 19) is applicable to the site. The specific 'aims' and 'objectives' of SEPP 19 in relation to the proposal are considered below.

The "*general aims*" of SEPP 19 would be satisfied by the proposed use of the Illoura Reserve at Davistown (as recommended in this REF) insofar as:

- a. use of the Reserve for dog exercise activities would have a negligible impact on the 'natural heritage' value at the subject site, given the disturbed and modified nature of the subject site;
- b. the 'aesthetic value' of the built and natural environments on or adjacent to the subject site would not be changed by the proposed dog exercise activities in the Reserve; and
- c. the value of the subject site as a "*recreational, educational and scientific resource*" is not likely to be changed.

The "*specific aims*" of SEPP 19 would also be satisfied by the proposed activities on the subject land at Davistown because the proposal would:

- a. not affect any remnant plant communities;
- b. not affect the size and/or configuration of bushland or have any effect on the long-term survival of existing biota (as discussed in Part C of this REF);
- c. not adversely affect endangered vegetation and/or habitat for threatened flora and fauna species;
- d. not adversely "*affect habitats for native flora and fauna*";
- e. not adversely affect "*wildlife corridors and vegetation links with other nearby bushland*";
- f. not adversely affect bushland "*as a natural stabiliser of the soil surface*";
- g. not adversely affect bushland for its "*scenic values*" or "*the unique visual identity of the landscape*";
- h. not impose impacts on any "*significant geological features*";
- i. not affect "*existing landforms, such as natural drainage lines, watercourses and foreshores*";
- j. not impact on any "*archaeological relics*";
- k. not adversely affect the "*recreational potential of bushland*";
- l. not adversely affect the "*educational potential of bushland*";
- m. maintain bushland at the subject site without reducing the overall accessibility to the community; and
- n. not affect the quality of any bushland and or affect the "*public enjoyment of the bushland compatible with its conservation*".

Given the considerations outlined above (particularly that the proposal would not involve any disturbance to “bushland”), the proposed activity would not be in breach of any of the ‘aims’ or ‘objectives’ of SEPP 19. In addition, although the Illoura Reserve is zoned 6(a) - *Open Space (Recreation)*, there is no “bushland” present either on the “subject site” itself or on any directly adjoining land which is to be affected by the proposal.

### 3.8 SEPP 26 – Littoral Rainforests

The subject land at Davistown does not contain any Littoral Rainforest, and *State Environmental Planning Policy No. 26 – Littoral Rainforests* (SEPP 26) is therefore not relevant to the proposal.

### 3.9 SEPP 44 – Koala Habitat Protection

The subject land at Davistown does not contain any Koala habitat. *State Environmental Planning Policy No. 44 – Koala Habitat Protection* (SEPP 44) is therefore not relevant.

### 3.10 SEPP 71 – Coastal Protection

The subject land at Davistown is not located within the coastal zone as defined in *State Environmental Planning Policy No. 71 – Coastal Protection* (SEPP 71). Council therefore has no requirement to consider the implications of SEPP 71 for the purpose of assessing impacts of dog ‘off-leash’ exercise activities in the Illoura Reserve.

## PART C

## IMPACT ASSESSMENT

**4 RELEVANT ENVIRONMENTAL FACTORS**

The factors which require consideration pursuant Clause 228 of the *Environmental Planning & Assessment Regulation 2000*, as required in Part 5 of the EP&A Act, are addressed below by reference to the *Guidelines* of the Department of Planning (DoP) titled "*Is an EIS required? - Best Practice Guidelines for Part 5 of the Environmental Planning and Assessment Act 1979*".

The process of undertaking this environmental assessment has involved:

- identifying the characteristics of the "activity" that are likely to result in environmental impacts;
- determining whether the proposed "activity" is likely to affect "environmentally sensitive areas";
- analysing the extent of any identified impacts; and
- developing mitigative measures to minimise the extent of environmental impacts.

It is to be noted in particular, when considering the relevant matters raised in Clause 228 of the *2000 Regulation*, that the proposal which is the subject of this REF is for the use of part of the Illoura Reserve for dog 'off-leash' recreational and exercise activities, as was previously the case prior to Council revoking that use in 2009 (ie the "subject site" – Figure 5). The proposal does not involve any structures or physical works, and does not involve activities likely to degrade the environment (assuming that dog-owners act in a responsible manner – as noted below).

The REF also incorporates information regarding relevant threatened or migratory biota and the value of various parts of the whole Reserve for these biota (Chapter 6). Recommendations have also been provided (supplementary to the REF itself) for future management of the Reserve in respect of the different conservation values throughout the Reserve, particularly with respect to dog exercise activities (Chapter 11).



## **5 PHYSICAL IMPACTS OR POLLUTION IMPACTS (CONSTRUCTION & OPERATION)**

### **5.1 Air Quality Impacts**

The proposed activity would not involve any adverse impacts on air quality, assuming that dog-owners act responsibly and collect any faeces deposited by their dogs, and dispose of those faeces properly.

### **5.2 Water Impacts**

The proposed activity would not involve any impacts on water quality, again assuming that dog-owners collect and properly dispose of any dog faeces.

### **5.3 Soil and Stability Impacts**

The proposed activity would not involve any impacts on soils and/or soil stability.

### **5.4 Noise and Vibration Impacts**

The proposed activity would not involve any relevant noise or vibration impacts, perhaps other than the occasional barking of dogs.

### **5.5 Other Physical or Pollution Impacts**

The proposed activity would have no physical or pollution impacts on the natural environment. Again, this assumes that dog-owners will act responsibly (and legally) in collecting and properly disposing of any faeces deposited by their animals.

### **5.6 Cumulative Physical or Pollution Impacts**

The proposed activity would not have cumulative physical or pollution impacts (subject to the caveats identified above).

## 6 BIOLOGICAL IMPACTS

The potential for the proposed activity (being 'off-leash' dog exercise within the previous dog 'off-leash' area in the Illoura Reserve at Davistown) to impose any relevant or significant adverse impacts upon native fauna or upon any threatened biota or migratory species is considered in detail in the following Chapters of this REF.

The recent site investigation has also determined areas of *Low*, *Moderate* and *High* habitat or biodiversity value throughout the Reserve (Figure 5), and the recommendations contained in this *Report* (Chapter 11) are based on these values.

A detailed assessment both of threatened species which do or may occur on or near the Illoura Reserve is provided below (in Chapter 6.1), and *Section 5A Assessments of Significance* have been prepared for the Bush Stone-curlew, Osprey, Pied Oystercatcher, Black Bittern and the Green & Golden Bell Frog (Appendix C). In addition, detailed consideration of migratory waders and relevant threatened species listed on the EPBC Act is provided in Chapter 6.2.

As discussed below, it is not "*likely*" that "*a significant effect*" or a "*significant impact*" would be imposed upon those threatened species and migratory waders, pursuant to either the TSC Act or the EPBC Act, if the subject site within the Illoura Reserve (which was previously used for dog 'off-leash' activities) is re-instituted.

There is some slight potential for adverse impacts to be imposed upon individuals of some native fauna species by dogs exercising 'off-leash' within the Illoura Reserve. Doubtless, dogs would occasionally chase native birds (such as the Common Sea Gull, Ibis, Noisy Miner, Galah) or other species which may occasionally occur in the Illoura Reserve (notwithstanding that this is an offence pursuant to the *Companion Animals Act 1998*), or may prevent other bird species from landing or utilising parts of the Illoura Reserve at times. It is also possible that dogs 'off-leash' could chase individuals of some migratory waders or threatened species if present at the time.

Such adverse impacts, however, are of little concern given the extent of natural and native habitats for such species in the immediate vicinity and general locality, and the lack of such resources on the subject site itself. It is noted in this regard that Section 16 of the *Companion Animals Act 1998* states that it is an offence "*if a dog rushes at, attacks, bites, harasses or chases any .. animal (other than vermin), whether or not any injury is caused to the .. animal*". Section 20 of the *Companion Animals Act 1998* also requires that "*if a dog defecates in a public place .. the owner of the dog .. must immediately remove the dog's faeces and properly dispose of them*".

### 6.1 Threatened Fauna

Review of the *Atlas of NSW Wildlife* (DECCW 2009) indicates that 75 threatened fauna species have been recorded within the study area (Appendix A). Mapping of migratory avifauna provided by DECCW (2009) indicate that 22 of these are threatened migratory shorebirds (listed on the EPBC Act). That part of the Reserve previously approved for dog 'off-leash' exercise activities does not provide breeding habitat for these species and foraging habitat similar (and better than) that on the subject site would be readily available across the remainder of the Brisbane Water area.

The following observations have been made in relation to the presence of threatened fauna within the Illoura Reserve and its vicinity:

- the Bush Stone-curlew is reported to forage on virtually a nightly basis in that section of the Reserve between Lintern St and Mirreen Avenue (including Pipi Point);
- migratory waders (such as the Bar-tailed Godwit, Eastern Curlew, and to a lesser extent the Grey-tailed Tattler and Whimbrel) utilise the sandy mud-flats south of the Reserve, between Mirreen Avenue and Pipi Point and between Magnolia Avenue and Amy Street;
- a population of the Green & Golden Bell Frog exists within the dense stands of Swamp Oak Floodplain Forest (SOFF) at the eastern part of the subject site, between Magnolia Avenue and Kincumber Crescent;
- there are DECCW records for the Green & Golden Bell Frog, Osprey, Pied Oystercatcher, Glossy Black Cockatoo, Superb Fruit Dove, Powerful Owl, Regent Honeyeater, Little Lorikeet and Yellow-bellied Glider within the subject land (Appendix B); and
- potential habitat for the Black Bittern and Glossy Black Cockatoo, as well as threatened forest-dependent bats (such as the Greater Broad-nosed, Eastern Freetail and Grey-headed Flying Fox), also exists within the dense stands of SOFF at the eastern end of the subject site, between Magnolia Avenue and Kincumber Crescent.

Given the nature, condition and context of the subject site (*ie* that part of the Illoura Reserve which was previously permitted for dog 'off-leash' exercise), that area:

- would not be utilised by any forest-dependent threatened mammals (such as the Yellow-bellied Glider, Tiger Quoll or Koala);
- is of extremely little or no relevance to forest-dependent flying mammals (such as the Greater Broad-nosed Bat, Eastern Falsistrelle or other microchiropteran bats, or the Grey-headed Flying Fox), as individuals of these species would also not be present or would utilise the site to only a very limited extent;
- does not contain any threatened amphibian or reptile habitat and is approximately 1.3 km from the Green & Golden Bell Frog population and its habitat to the east;
- is only likely to be utilised occasionally, if at all, by individuals of wide-ranging and highly mobile threatened species (such as the Glossy Black Cockatoo, Regent Honeyeater and Little Lorikeet). In any case, the proposed activity is not likely to have any adverse impact on these species; and
- is of little relevance in relation to waders and migratory waders (in particular the Bush Stone-curlew, Osprey, Pied Oystercatcher, Bar-tailed Godwit, Eastern Curlew, Grey-tailed Tattler and Whimbrel).

### 6.1.1 Bush Stone-curlew

The Bush Stone-curlew is listed as “*endangered*” on the TSC Act due to population decline resulting from human endeavours such as clearing for urban development and agricultural enterprises. This species was once widespread in northern and eastern Australia, but is now only common in the north of its range (Marchant & Higgins 1993).

In NSW, the Bush Stone-curlew occurs mainly on the western slopes and plains and in the Riverina, and is rare east of the Great Dividing Range, with the exception of isolated populations in Gosford and Glossoidia (Marchant & Higgins 1993). It is generally associated with lightly timbered open forest and woodlands, with a groundcover of short sparse grasses with few or no shrubs, and an abundance of logs and forest litter.

The Bush Stone-Curlew also occurs in partly cleared farmland with remnant woodland patches, and is often recorded in *Casuarina* woodlands and forests (Marchant & Higgins 1993). It is described as a sedentary species and is often territorial when breeding, although individuals may undertake small local movements when not breeding (Marchant & Higgins 1993). The Bush Stone-curlew nests on the ground, near dead timber, usually under trees within open woodlands that have an understory of short grass or among brushwood.

A *Recovery Plan* for the Bush Stone-curlew was prepared in 2006 by the then *Department of Environment & Conservation* (DEC), which lists a number of “*Recovery Actions*” which are designed primarily to ensure that this species does not become extinct in NSW. As recommended in Chapter 11 of this REF, Council might consider addressing these *Recovery Actions* within a Council-wide *Plan of Management* for the Bush-stone Curlew.

Periodic surveys for the Bush Stone-curlew within the study area have been undertaken since 2002 by several groups (see Chapter 2). These surveys have provided a reliable estimate of population size and habitat use, and indicate that the species is at risk of local extinction, due largely to the loss and fragmentation of habitat as a result of recent urbanisation. The local population consists of between 10 and 15 individual birds, and currently there are only two known breeding pairs – one on St Huberts Island around Marine Cove and Crescent Cove, and the other around the oval at Umina High School (Garon Staines *pers comm* 2009; Figure 3).

The small size of the local population suggests that the Bush Stone-curlew is highly susceptible to further decline (DEC 2006; Marchant & Higgins 1993) as a result *inter alia* of:

- further loss of habitat for development and other human endeavors;
- predation pressure from feral and domestic animals (predominantly foxes, cats and dogs, but also rats and pigs);

- the use of pesticides and other chemicals within foraging habitat which can lead to mortality, directly through bioaccumulation of toxins, and indirectly through loss of foraging resources as a result of pesticide use; and
- habitat modification as a result of stochastic environmental events (*ie* bushfires and storms) which, whilst generally natural events, can be significant because the habitats are fragmented and dispersal is limited. Such events can therefore render areas of habitat unsuitable (in the short to medium term), and ultimately result in a significant population decline.

Some, or all, of the above factors usually operate simultaneously in the circumstances of the Brisbane Water population of the Bush Stone-curlew, and it is not generally possible to apportion blame to one specific threat for a population decline. In a small population, such as that within the study area, one single event (*eg* a fox attack on an adult bird – particularly one of the breeding pairs, a large fire, or the clearing of a small area of habitat) may play a greater role in the general demise of a population than it would where habitat is more extensive or contiguous.

That part of the Illoura Reserve which had previously been used for dog 'off-leash' exercise (*ie* the "subject site") provides foraging habitat for the Bush Stone-curlew, and the species is regularly recorded (on almost a nightly basis) foraging around Pipi Point and father north, along that part of the Reserve adjacent to the Lintern Channel (Paul Shelley *pers comm* 2009; CEN *Report*; Alan Morris *Report*). Consequently, the "subject site" (also known as Pipi Point) has been identified as having *Moderate* or *High* quality habitat for this species (Figure 5).

The subject site is located approximately 600m north of the breeding site for the Bush Stone-curlew on St Huberts Island (Figure 3). Whilst the Reserve is in proximity to St Huberts Island, the species has not been recorded breeding at this location. Although the site is considered to provide *Moderate* or *High* quality habitat it does not contain any of the key features of the preferred natural habitat for the Bush Stone-curlew. The subject site lacks a fully formed woodland ecosystem, typically characterised by native grasses, dead timber and leaf litter, and without these features, the Bush Stone-curlew is not likely to rely, to any significant extent, upon the subject site for either foraging or breeding.

Given those considerations the proposed activity within the subject site at Illoura Reserve would not be likely to impose significant adverse impacts on the local population of the Bush Stone-curlew. However, given the presence and/or proximity of *High* quality habitat (in the form of a relatively extensive sandy beach frequented by the species), dog 'off-leash' activities could affect individuals of the "local population". An assessment of the potential impacts of the proposed action (pursuant to Section 5A of the EP&A Act) is provided in Appendix C of this REF.

### 6.1.2 Osprey

The Osprey is currently listed as “*vulnerable*” on the TSC Act.

In Australia, this species has a disjunct distribution including a northern, western and southern range. The northernmost population of this species is continuous from Broome across northern Australia and south to the south coast of NSW. The southern population occurs from Kangaroo Island and extends west to the Great Australian Bight, and the western population occurs from Esperance to about Keraudren (Marchant & Higgins 1993).

This species occupies littoral habitats, terrestrial wetlands and coastal areas, only ranging inland along large rivers in northern Australia (Marchant & Higgins 1993). It mostly preys on fish and requires large areas of clear open water (fresh, brackish or saline) as habitat (Marchant & Higgins 1993). Ospreys breed mainly on coasts and islands, and construct large nests of sticks, driftwood, seaweed and sometimes human refuse (*eg* rope and plastic). Nests are usually constructed high in a dead tree, or dead crown of a live tree, or on cliffs and rocks (Marchant & Higgins 1993).

It is estimated that there is probably only one pair of birds within the study area, and there is no evidence to suggest that they are breeding (Alan Morris *pers comm* 2009). The most recent observations are from the Davistown/Rileys Island area, in close proximity to the subject site.

Threats to this species (DEC 2005) include:

- the removal of large trees near the coast that could be used as nest sites, and disturbance to existing nest sites;
- disturbance to water quality, such as the disposal of treated effluent or stormwater runoff, that increases turbidity in feeding areas; and
- ingestion of fish containing discarded fishing tackle.

Given that the Osprey is known to roost on Rileys Island and has been observed relatively frequently directly across from Lintern Street (*pers obs*; Paul Shelly *pers comm*; Alan Morris *pers comm*), there is potential that the species might forage adjacent to the western side of the Reserve, between Pyang Avenue and Pipi Point.

However, the proposed activity is unlikely to affect this species given that it predominantly forages in aquatic habitats and there are no known nesting sites within the subject site itself. An assessment of the likely impacts of the proposed activity on this species is included in Appendix C of this *Report*.

### 6.1.3 Pied Oystercatcher

The Pied Oystercatcher is currently listed as “*vulnerable*” on the TSC Act, although a *Preliminary Determination* was made by the NSW Scientific Committee in May 2009 to upgrade its status to “*endangered*”, allegedly on the basis that the populations of this species within NSW are in decline.

The Pied Oystercatcher occurs around the entire coastline of Australia, including offshore islands, except where cliffs replace sandy beaches (Marchant & Higgins 1993). The species is almost entirely coastal, preferring intertidal mudflats and sandbanks in large marine embayments. It is also found on sandy beaches (Marchant & Higgins 1993), particularly in less developed parts of the coast (*pers obs*). Pied Oystercatchers generally nest on areas of sand, shell-grit or shingle, immediately above the high-tide watermark on beaches, sand-bars and the margins of estuaries and lagoons (Marchant & Higgins 1993).

The Pied Oystercatcher is a breeding resident within the study area, and it is estimated that there are approximately 10 breeding pairs present, plus a number of individuals within the population (Alan Morris *pers comm* 2009).

Threats to the Pied Oystercatcher (DEC 2005) include:

- disturbance to coastal feeding, nesting and roosting areas through beach-combing, fishing, dog-walking, horse-riding and 4WD vehicles;
- predation of eggs and chicks by foxes, dogs, cats, Australian Ravens and raptors;
- habitat destruction as a result of residential, agricultural and tourism developments; and
- hydrological changes to estuaries and similar water bodies causing modification or loss of important areas of suitable habitat.

This species is known to forage within sections of the Reserve (DECCW 2009; *pers obs*), particularly within the area from Magnolia Avenue to Amy Street. There is also potential foraging habitat also along the foreshore between Mirreen Avenue and Lintern St, although there are no formal records in this area (which indicates that this species would only use the site infrequently).

An assessment of the potential impacts of the proposed activity pursuant to Section 5A of the EP&A Act is provided in Appendix C to this *Report*.

#### 6.1.4 Black Bittern

This Black Bittern is listed as a “*vulnerable*” species on the TSC Act, under threat by activities such as the clearing or grazing of riparian vegetation, as well as predation by foxes and feral cats. The Black Bittern roosts during the day in trees or on the ground amongst dense reeds, and when disturbed will freeze in a characteristic bittern posture, leaving it particularly susceptible to attack by predators.

The species has a wide distribution, from southern NSW north to Cape York and along the north coast to the Kimberley region, as well as in the southwest of Western Australia. In NSW, records of the Black Bittern are scattered along the east coast, with individuals rarely being recorded south of Sydney or inland. It inhabits both terrestrial and estuarine wetlands, generally in areas of permanent water and dense vegetation. Where permanent water is present, the species may occur in flooded grassland, forest, woodland, rainforest and mangroves.

Although habitat for this species exists in the SOFF vegetation at the eastern end of the subject site, there are no known records of this species from the subject land. Further, given that the proposed dog ‘off-leash’ exercise areas will avoid that part of the Reserve which is vegetated by SOFF it is not likely that the species would be affected by the proposed activity. An assessment of the potential impacts of the proposed activity pursuant to Section 5A of the EP&A Act is provided in Appendix C to this *Report*.

#### 6.1.4 Green & Golden Bell Frog

The Green & Golden Bell Frog is currently listed as “*endangered*” on the TSC Act, and “*vulnerable*” on the EPBC Act. This species is under threat by factors such as habitat destruction, alteration to natural water regimes, herbicides, the Chytrid fungus and predation by Foxes and exotic fish.

This species is distributed along the NSW north coast from near Brunswick Heads, southwards along the NSW coast to Victoria, where it extends into east Gippsland and as far west as Bathurst, Tumut and the ACT region. It typically inhabits marshes, dams and stream-sides, particularly those containing bullrushes (*Typha* spp.) or spikerushes (*Eleocharis* spp.). Optimum habitat includes water-bodies that are unshaded, have a grassy area nearby and diurnal sheltering sites, although the species is known to inhabit highly disturbed sites (eg old brick pits) in the Sydney metropolitan.

A population of the Green & Golden Bell Frog is present within the SOFF vegetation in the eastern part of Illoura Reserve. Given the (approximately) 1.3km between the subject site and that population, and given the lack of any suitable habitat in that part of the Reserve proposed for dog ‘off-leash’ exercise, it is not likely that the Green & Golden Bell Frog, would be affected. An assessment of the potential impacts of the proposed activity pursuant to Section 5A of the EP&A Act is provided in Appendix C to this *Report*.



## 6.2 Migratory Shorebirds

Australia provides critical non-breeding habitat for millions of migratory waterbirds each year. To ensure their conservation, the Australian Government has fostered international co-operation through a range of agreements, including:

- the Ramsar Convention and the Convention on Migratory Species (the Bonn Convention);
- bilateral agreements with Japan, China and the Republic of Korea; and
- the recently launched East Asian-Australasian Flyway Partnership (DEWHA 2009).

Brisbane Water has been recognised as a wetland of national importance (Environment Australia 2001), due to its location along the East Asian-Australasian Flyway, and the fact that at least 21 migratory waders have been documented in the estuary (Table 1; Robinson 2006). The most frequently observed migratory waders are the Bar-tailed Godwit, Whimbrel and Eastern Curlew (Robinson 2006), which are discussed in more detail below. According to Robinson (2006), other wader species are infrequently recorded in the study area.

**Table 1** Migratory Waders recorded in the Brisbane Water estuary (Robinson 2006)

Scientific Name	Common Name	TSC
<i>Gallinago hardwickii</i>	Latham's Snipe	
<i>Limosa limosa</i>	Black-tailed Godwit	Vulnerable
<i>Limosa lapponica</i>	Bar-tailed Godwit	
<i>Numenius minutus</i>	Little Curlew	
<i>Numenius phaeopus</i>	Whimbrel	
<i>Numenius madagascariensis</i>	Eastern Curlew	
<i>Tringa stagnatilis</i>	Marsh Sandpiper	
<i>Tringa nebularia</i>	Common Greenshank	
<i>Xenus cinereus</i>	Terek Sandpiper	Vulnerable
<i>Actitius hypoleucos</i>	Common Sandpiper	
<i>Heteroscelus brevipes</i>	Grey-tailed Tattler	
<i>Arenaria interpres</i>	Ruddy Turnstone	
<i>Calidris canutus</i>	Red Knot	
<i>Calidris alba</i>	Sanderling	Vulnerable
<i>Calidris ruficollis</i>	Red-necked Stint	
<i>Calidris acuminata</i>	Sharp-tailed Sandpiper	
<i>Calidris ferruginea</i>	Curlew Sandpiper	
<i>Limicola falcinellus</i>	Broad-billed Sandpiper	Vulnerable
<i>Pluvialis fulva</i>	Pacific Golden Plover	
<i>Pluvialis squatarola</i>	Grey Plover	
<i>Charadrius mongolus</i>	Lesser Sand Plover	Vulnerable

M – Migratory Species pursuant to the EPBC Act

V – Vulnerable pursuant to the TSC Act

### 6.2.1 Bar-tailed Godwit

The Bar-tailed Godwit is listed as “*migratory*” on the EPBC Act.

In Australasia, this species is mainly coastal, and is generally associated with large intertidal mudflats, estuaries, inlets, harbours, coastal lagoons and bays (Higgins & Davies 1996; Geering *et al* 2007). Birds usually forage near the water’s edge, or in shallow water at low tide, and prefer exposed sandy substrates on intertidal flats, banks and beaches (Higgins & Davies 1996). A reliable population estimate for the study area is unknown, although in 2001 as many as 35 individuals were recorded (Birds Australia 2009).

The sand flat between Mirreen Avenue and Pipi Point (Figure 5) is an important low-tide foraging area for this species (Robinson 2006; Alan Morris *pers comm* 2009; Paul Shelley *pers comm* 2009; *pers obs*), and Pipi Point (*ie* the “*subject site*”) displays optimal characteristics for a high tide roosting site (Alan Morris *pers comm* 2009).

Whilst the subject site is adjacent to suitable and known foraging habitat for the Bar-tailed Godwit there are a number of other areas of similar foraging habitat at the locality. In addition to this, the site is not a known breeding ground and it is not likely that the Bar-tailed Godwit would rely on that area for its survival.

Given the considerations above, the Bar-tailed Godwit would not be likely to be adversely affected, to any significant extent, by dog ‘off-leash’ exercise activities within the subject site at Restella Avenue, Davistown.

### 6.2.2 Eastern Curlew

The Eastern Curlew is listed as “*migratory*” on the EPBC Act.

In Australasia, this species utilises sheltered coasts, including estuaries, embayments, harbours, inlets and coastal lagoons with large intertidal mudflats or sandflats (Higgins & Davies 1996). Individuals usually forage on soft and sheltered intertidal sandflats or mudflats which are open, with no vegetation or seagrass.

Eastern Curlews roost on sandy spits and islets (Higgins & Davies 1996), and within the study area are often observed roosting on oyster leases (*pers obs*; Paul Shelley *pers comm* 2009). Alan Morris (*pers comm* 2009) indicates that there have been as many as 50 individuals within the study area, which is considered to be a reasonably significant population. It should be noted that recent counts have recorded numbers substantially less than 50.

The sand flat between Mirreen Avenue and Pipi Point (Figure 5) is an important low-tide foraging area for this species (Robinson 2006; Alan Morris *pers comm* 2009; Paul Shelley *pers comm* 2009; *pers obs*), and Pipi Point (*ie* the “*subject site*”) displays optimal characteristics for a high tide roosting site (Alan Morris *pers comm* 2009).

Whilst the subject site is adjacent to suitable and known foraging habitat for the Eastern Curlew there are a number of other areas of similar foraging habitat at the locality. In addition to this, the sand-flat is not a known breeding ground and it is not likely that the Eastern Curlew would rely on that area for its survival.

Given the considerations above, the Eastern Curlew would not be likely to be adversely affected, to any significant extent, by dog ‘off-leash’ exercise activities within the subject site at Restella Avenue, Davistown.

### 6.2.3 Whimbrel

The Whimbrel is listed as “*migratory*” on the EPBC Act.

This species generally utilises intertidal mudflats on sheltered coasts, harbours, lagoons, estuaries and river deltas, and prefers mudflats with mangroves (Higgins & Davies 1996). The Whimbrel predominantly forages on intertidal mudflats, along the muddy banks of estuaries, or within mangrove-dominated or un-vegetated coastal lagoons (Higgins & Davies 1996). A reliable population estimate for the study area is unknown, but in 2001 as many as 13 individuals were observed (Birds Australia 2009).

The sand flat between Mirreen Avenue and Pipi Point (Figure 5) is an important low-tide foraging area for this species (Robinson 2006; Alan Morris *pers comm* 2009; Paul Shelley *pers comm* 2009; *pers obs*), and Pipi Point (*ie* the “*subject site*”) displays optimal characteristics for a high tide roosting site (Alan Morris *pers comm* 2009).

Whilst the subject site is adjacent to suitable and known foraging habitat for the Whimbrel there are a number of other areas of similar foraging habitat at the locality. In addition to this, the site is not a known breeding ground and it is not likely that the Whimbrel would rely on that area for its survival.

Given the considerations above, the Whimbrel would not be likely to be adversely affected, to any significant extent, by dog ‘off-leash’ exercise activities within the subject site at Restella Avenue, Davistown.

#### 6.2.4 Other Migratory Waders

In addition to the above species, there are infrequent records of an additional 18 migratory waders in the Brisbane Water Estuary (Robinson 2006; Table 1). Of these species, the Grey-tailed Tattler is probably the most frequently recorded (Birds Australia 2009; Paul Shelley *pers comm* 2009), although this species is not known from the subject land.

The low number of records of these species, together with the marginal quality of the potential habitat present within the subject land, indicates that they are not likely to be present. These species are thus unlikely to be adversely affected by the proposed activity within the Illoura Reserve at Davistown.

#### 6.3 Flora Impacts

The proposed activity would not require the removal of any native vegetation, and will not relevantly alter the current environment within the subject site.

Consequently, the proposed activity would not be likely to have any impacts on native flora.

#### 6.4 Section 5A of the EP&A Act

The *Threatened Species Conservation Act 1995* (TSC Act) has modified the *Environmental Planning & Assessment Act 1979* (EP&A Act) by, *inter alia*, including a requirement to determine “*whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats*”.

Five threatened species listed on the TSC Act (the Bush Stone-curlew, Pied Oystercatcher, Osprey, Black Bittern and Green & Golden Bell Frog) are considered in detailed *Section 5A Assessments of Significance* attached to this REF (Appendix C). Given the condition, nature and quality of the habitats present within the subject site, no other threatened species listed on the TSC Act are considered to be even potentially relevant to the proposed activity within the subject site.

The proposed activity on the subject site at Davistown would not be likely to impose a “*significant effect*” on any of the species assessed, or on any other “*threatened species, populations or ecological communities, or their habitats*”, because:

- there are no recent records of any of threatened biota (other than the Bush Stone-curlew), and there are little or (in most cases) no relevant habitat or resources in the area to be effected;
- the subject site *per se* does not provide optimal or potentially important breeding habitat for any such biota;

- the area of potentially relevant habitat for any threatened species is limited on the subject site; and
- the subject site provides only a relatively small area of habitat, as compared to similar habitat within the vicinity.

With respect to threatened species that could potentially occur on the Illoura Reserve at Davistown, the proposed use of the “*subject site*” (Figure 1) for dog ‘off-leash’ activities would not involve the imposition of a “*significant effect*” because:

- the subject site is not likely to not support either a significant proportion of a “*viable local population*”, or indeed a “*viable local population*” *in toto*, of any threatened species;
- the relevant part of the Illoura Reserve does not contain habitat or resources which could be of significance or particular value for any threatened species, as compared to habitat in the vicinity;
- it is not likely that even an individual of any “*threatened species*” would be dependent on that part of the Illoura Reserve proposed for dog ‘off-leash’ activities for its survival in this location;
- the existing recreational use of that part of the Illoura Reserve is likely to preclude many threatened species from utilising the site on other than occasional basis, if at all; and
- the proposal will not involve the loss of or modification to any relevant habitat for any threatened biota.

Given those considerations, it is not “*likely*” that the proposed activity on the Illoura Reserve would result in a “*significant effect*” imposed upon any “*threatened species, populations or ecological communities, or their habitats*”.

Notwithstanding that assessment, however, the potential for some adverse impacts on threatened biota or habitat to be imposed by re-use of the original dog ‘off-leash’ area means that the activity at this location is not regarded as appropriate.

## 6.5 Ecological Impacts

The proposed activity, as assessed *in toto* within this *Report* (ie the re-use of Pipi Point which was previously used for dog ‘off-leash’ activities) would not be likely to impose any relevant adverse impacts on the ecological processes operating within or adjacent to the site at Davistown, given:

- the highly modified nature of the subject site;
- the limited area of natural vegetation and/or relevant habitats within the subject site;
- the existing levels of disturbance and recreational activities on the subject land;
- the lack of any relevance of the subject site for the survival of any threatened biota;
- the minimal impacts of the proposal on any such biota, including *inter alia* the Bush Stone-curlew; and
- that dogs would be controlled at those areas of better quality habitat.

Whilst there are not likely to be any significant adverse impacts on native biota or their habitats, it is clear that:

- the subject site is NOT an appropriate location for dog 'off-leash' exercise activities; and
- there are many other more appropriate areas of the Reserve that could be used for that activity.

#### **6.6 Cumulative Biological Impacts**

The proposed activity would not have any significant cumulative biological impacts.

### **7 RESOURCE USE IMPACTS (CONSTRUCTION & OPERATION)**

#### **7.1 Community Resources**

The activity would not require the commitment of any unusual or additional community resources.

#### **7.2 Natural Resources**

The activity would not relevantly involve the use of natural resources.

#### **7.3 Cumulative Resource Use Impacts**

The activity would not have any effect on cumulative resource availability or use.

### **8 COMMUNITY IMPACTS (CONSTRUCTION & OPERATION)**

#### **8.1 Social Impacts**

There is often conflict between different sectors of the community in relation to the use of foreshore reserves. Whilst Council is expected to provide local residents with areas for passive recreation, including areas in which the public can exercise their pets (pursuant to the *Companion Animals Act 1998*), Council is also required to ensure that any such activities in recreational areas do not impose significant adverse impacts on the natural environment, including threatened and migratory species and their habitats.

The use of Illoura Reserve by dogs is particularly contentious because some sections of the Reserve which are of importance to the Bush Stone-curlew and/or several migratory waders are also regularly frequented by dog-owners, and have been for a long period of time. In this instance, the only part of the Illoura reserve which had been previously open to dog 'off-leash' access (Figure 1), is in fact an area frequented by these native species. The approach to this situation, as recommended within this *Report*, provides a balanced solution to the conflicts between the social and environmental factors on the subject land.

In the case of the "*subject site*" at Restella Avenue, there is no preferred habitat for the potentially relevant threatened and/or migratory species, given:

- its isolation from significant areas of natural vegetation;
- its long history of passive recreation; and
- its current nature and condition.

It is not likely that the activity of dog 'off-leash' exercise within the subject site would have a 'significant' adverse impact on threatened species at the locality. As previously mentioned within the REF, it is an offence "*if a dog rushes at, attacks, bites, harasses or chases any .. animal (other than vermin), whether or not any injury is caused to the .. animal*" (Section 16 of the *Companion Animals Act 1998*). Section 20 of the *Companion Animals Act 1998* also requires that "*if a dog defecates in a public place .. the owner of the dog .. must immediately remove the dog's faeces and properly dispose of them*".

It is also to be noted that it is an offence of "*a dog rushes at, attacks, bites, harasses or chases any person .. whether or not any injury is caused*" pursuant to Section 16(1) of the *Companion Animals Act 1998*.

## 8.2 Economic Factors

The proposed activity would have no adverse economic impacts in respect of employment opportunities, industry activities or property values.

## 8.3 Heritage, Aesthetic, Cultural Impacts

The subject site at Davistown does not contain any areas of European or Aboriginal heritage or cultural significance. In any case, the proposal would not be likely to adversely affect any heritage or cultural values.

In this regard, it will be a requirement (punishable by fines pursuant to the *Companion Animals Act 1998*) that dog-owners collect pet droppings *inter alia* to alleviate potential adverse impacts of the proposed activity on the aesthetics and amenity of the environment on the subject site.

#### 8.4 Land Use Impacts

The proposed activity within the Illoura Reserve at Davistown would not have any significant land use impacts.

#### 8.5 Transportation Impacts

The proposed activity within the Illoura Reserve at Davistown would not have any impacts on transportation.

#### 8.6 Cumulative Community Impacts

Adoption of the recommendations attached (in Chapters 11.2 and 11.3) to this REF would assist Council in their provision of dog exercise areas, and concomitantly would also enable them to fulfil its environmental obligations relating to threatened and migratory species and their habitats. In this regard, the proposed activity would be unlikely to have any adverse cumulative community impacts.

### 9 ENVIRONMENTAL PROTECTION & BIODIVERSITY CONSERVATION ACT

Given the nature of the proposed activity “being *the exercising of dogs ‘off-leash’* within the area previously used for this activity at the Illoura Reserve (*ie the “subject site”*) and, given the nature and existing condition of the Illoura Reserve, it is not “*likely*” that the activity would involve the imposition of a “*significant impact*” on any *Matter of National Environmental Significance* (MNES).

In particular, with relation to the “*subject site*” (Figure 1):

- there are no “*threatened species*” which are likely to be dependent on that portion of Illoura Reserve for their survival;
- the proposed activities are not likely to adversely affect any potential threatened biota which could be present on that section of Illoura Reserve;
- the sandy shorelines immediately adjacent to those parts of the Illoura Reserve are not of particular relevance or significance for any migratory species; and



- better quality habitat for migratory birds (in the form of sandy-mudflats with a thick protective foreshore of mangroves) is present at the eastern part of Illoura Reserve as well as on Rileys Island to the west (and indeed at numerous other locations across the Brisbane Water area).

Given those considerations, and the lack of any likelihood of a “*significant impact*” being imposed upon any MNES, there is no requirement for a *Referral* to the Commonwealth. There is, consequently, no requirement for an approval by the Commonwealth Minister for the Environment.

It should be noted that the EPBC Act is not a matter for consideration by a consent authority pursuant to the EP&A Act in NSW. Further, no consent authority (including Gosford Council) is empowered to require either consideration of the EPBC Act or a “*Referral*” to the Commonwealth for any matter.

**PART D****EVALUATION & ENVIRONMENTAL MANAGEMENT****10 EVALUATION of the PROPOSED ACTIVITY**

Section 13(6) of the *Companion Animals Act 1998* states *inter alia* that “there must at all times be at least one public place in the area of a local authority that is an off-leash area” (emphasis added). Thus, the *Companion Animals Act* makes it a requirement of every Council to provide “*at least one public place*” for dog ‘off-leash’ exercise.

The proposed use of part of the Illoura Reserve (*ie* the “*subject site*” - Figure 5) for dog ‘off-leash’ exercise activities (as had previously been approved by Council) has been considered in detail in this REF. Particular attention is provided with respect to the relevant elements of Section 5A of the EP&A Act and the relevant matters contained in Clause 228 of the *2000 Regulation*, in Parts B and C of this REF, and the associated Appendices.

In determining whether or not to grant approval for use of that part of the Illoura Reserve for dog ‘off-leash’ activities, Council needs to take into consideration *inter alia*:

- the relevant statutory and planning matters pertaining to that approval;
- the nature and condition of the Reserve, and its current uses;
- the nature of the proposed activity; and
- the potential for adverse impacts being imposed upon the natural environment in general and upon threatened biota and/or their habitats in particular.

In the case of the subject land at Davistown (*ie* the Illoura Reserve):

- parts of the Reserve contain suitable habitat for threatened biota and/or migratory species, and are consequently not suitable for public recreation activities, in particular for dog ‘off-leash’ exercise;
- parts of the Reserve provide transitory habitat for threatened species because they are partly cleared, adjoin large stands of natural vegetation and/or adjoin expanses of sandy mud flats; and
- parts of the Reserve are highly degraded, are isolated from any areas of natural vegetation and/or do not contain any particularly suitable habitat for threatened biota (and/or migratory species). These areas are therefore more suitable for the exercising of dogs ‘off-leash’.

In terms of specific habitat value for flora and fauna, the Illoura Reserve comprises:

- *Low* quality habitat, in the form of cleared land (which facilitates public recreation);
- *Moderate* quality habitat, in the form of remnant vegetation adjoining foreshore habitat; and
- *High* quality habitat in the form of an extensive sandy tidal-beach or dense, well-connected native vegetation, which in some instances form SEPP 14 wetlands (Figure 5).

Those parts of the “*subject site*” that contain *Low* quality habitat are not considered to be of relevance for any threatened species or local biota in general, and would be suitable for dog ‘off-leash’ exercise activities. Further, those parts of the *Low* quality habitat which do not adjoin the *Moderate* and *High* quality habitat are most suitable for dog ‘off-leash’ exercise activities.

Conversely, those parts of the “*subject site*” where *Moderate* and *High* quality habitat was observed would be affected by dog ‘off-leash’ activities. Therefore, it is recommended within this REF, based on the level and condition of habitat for native biota present in the “*subject site*”, that these parts of the Reserve be designated for only either dog ‘on-leash’ exercise or dog ‘exclusion’ (see Chapter 11).

The recommendations attached to, but separate from, this REF (Chapters 11.2 and 11.3) are intended to assist Council in the balancing of both its community and its environmental obligations.

## 11 ENVIRONMENTAL MANAGEMENT

### 11.1 Outcomes of the REF

This REF has concluded that no “*significant effect*” (pursuant to section 5A of the EP&A Act) would be imposed upon threatened biota and/or migratory species as a result of use of that part of the Reserve as a dog ‘off-leash’ exercise area (Figure 5), given:

- the nature and condition of the “*subject site*” within the Illoura Reserve;
- the lack of significance (particularly in terms of breeding habitat) of this area for threatened biota in general (and for the Bush Stone-curlew in particular); and
- the availability of other areas of similar or better foraging habitat at the locality.

In particular, no significant adverse impact upon the Bush Stone-curlew would be anticipated by the re-use of the subject site for dog ‘off-leash’ exercise activities. However, by virtue of the possibility that, although not significant to the survival of the species, there is the chance (indeed the likelihood) of adverse impacts on individuals of threatened and/or migratory waders (in particular the Bush Stone-curlew) to be imposed by that activity, the “*subject site*” is not considered the most appropriate location for such activities.

On that basis, and on the (reasonable) assumption that not all dogs or dog owners would behave appropriately, this REF concludes that use of the “*subject site*” (*ie* that part of the Reserve previously used for dog ‘off-leash’ activities) for that purpose is not appropriate. It should be noted that other parts of the Reserve could potentially be suitable for that purpose.

The conclusion of the REF, therefore, is that the subject site should NOT be used for dog 'off-leash' activities. In the event that Council and/or the community desires that there be dog 'off-leash' activities in the Illoura Reserve, other parts of the Reserve should be selected for that purpose (see Chapters 11.2 and 11.3).

### 11.2 Environmental Values of the Reserve

The Illoura Reserve provides a range of *Low*, *Moderate* and *High* quality habitat (Figure 5) and parts of the Reserve (particularly the eastern half) contain areas of special habitat value or significance for threatened biota, including SOFF, Coastal Saltmarsh and mangrove habitats and are known to be utilised by the Green and Golden Bell Frog and the Bush Stone-curlew. In addition, extensive sandy mud-flats are present at the south, adjacent to the southern boundary of the Reserve and would provide habitat for a number of other migratory waders.

Whilst a large portion of the Reserve in general is considered to have conservation value, especially in regard to threatened species, *Low* quality habitat is present through the majority of the central part of the Reserve (Figure 5).

The centre of the Reserve is largely cleared and is an area frequently used for various foreshore recreational activities. This part of the Reserve is therefore regarded as providing only *Low* quality habitat, and does not provide significant or relevant habitat for threatened species or biota.

Those sections of the Illoura Reserve with *Low* habitat value (Figure 5):

- contain existing child playground equipment;
- are largely isolated and do not adjoin areas of suitable habitat for the relevant native biota (such as large stands of native vegetation and/or sandy mudflats); and/or
- do not contain records of regular use by threatened species or migratory waders.

Four areas of *Moderate* quality habitat are present at the Illoura Reserve, separated by areas of *High* and/or *Low* quality habitat (Figure 5). These areas have been attributed this value given that, whilst they are generally largely cleared, they abut either extensive sandy mud-flat habitat or other areas of *High* quality habitat (Figure 5), and might provide occasional or intermittent habitat for threatened species. Therefore, their value as support to foreshore habitat should be considered when assessing the potential impacts of dog 'off-leash' activities.

Those sections of the Reserve with *Moderate* habitat value (Figure 5):

- contain a sparse cover of native vegetation;
- adjoin the SEPP 14 wetland;
- provide intermittent (generally night) foraging habitat for the Bush Stone-curlew (note – these areas should be subject to a night curfew on dog activities); and/or

- adjoin areas of suitable habitat in the form of large dense tracts of vegetation and/or sandy mudflats.

Three areas of *High* quality habitat are also present in the Illoura Reserve, generally separated from areas of *Low* quality habitat by areas *Moderate* quality habitat (Figure 5). These areas have been attributed this value given the presence of Swamp Oak and Mangrove Forest which adjoin a larger area of similar native vegetation. This vegetation is considered to provide significant habitat for threatened species at the locality, and is likely to provide important habitat for local biota in general.

Those sections of the Reserve with *High* habitat value (Figure 5):

- include the SEPP 14 wetland;
- contain a dense cover of native vegetation;
- are currently largely inaccessible to the public, in any case; and/or
- provide known or suitable areas of habitat for threatened species (addressed below).

The “*subject site*” (ie area previously approved for dog ‘off-leash’ activities) comprises:

- *Moderate* quality habitat, in the form of remnant vegetation adjoining foreshore areas with some evidence of use by threatened species (in particular the Bush Stone-curlew); and
- *High* quality habitat in the form of a sandy beach with adjoining native vegetation which is used regularly used by threatened and/or migratory birds (Figure 5).

In a ranking system of various reserves and parts thereof in the vicinity, the Illoura Reserve is considered to contain a range of *Low* to *High* habitat quality in respect of ecological values in general, including with respect to threatened biota and/or migratory species.

In recognition of that *Low* to *High* quality ranking (Figure 5), the cleared, central portion of the Reserve (of *Low* value) could be designated by Council for either dog ‘off-leash’ or dog ‘on-leash’ activities, whilst the eastern and western edges (of *Moderate* value in part) should not be available for dog ‘off-leash’ activities. As noted elsewhere in this document, however, it is important that dog owners act responsibly (and legally) with respect to the *Companion Animals Act 1998*, and do not permit their dogs to harass or harm either other human users of the Illoura Reserve or any native wildlife.

### 11.3 Environmental Management Measures

A number of appropriate environmental measures should be implemented in the event that any use of the Reserve by dogs is approved, notwithstanding the *Low* to *High* habitat value ranking of the Illoura Reserve.

Appropriate environmental measures should include:

- the provision of signage throughout the Reserve to remind dog-owners of their responsibilities, both in terms of the local community and in terms of the *Companion Animals Act 1998*;
- the provision of appropriate containers for the depositing of dog faeces by dog-owners;
- regular monitoring by Council officers of use of the Reserve to identify any conflicts which may arise and/or to enforce the *Companion Animals Act 1998*;
- the implementation of allocated dog 'on-leash' and dog 'exclusion' areas;
- the implementation of a 'night-curfew' where dog 'on-leash' activities are proposed within *Moderate* quality habitat at the western edge of the Reserve (located between Pyang Avenue and Malinya Road); and
- where monitoring by Council and/or local bird groups detect the Bush Stone-curlew breeding on the Illoura Reserve, the area in which the breeding is taking place should be immediately and temporarily closed to dogs until the duration of breeding is complete.

In addition, Council may need to consider relevant *Actions* contained in the *Recovery Plan* for the Bush Stone-curlew through the implementation of a Council-wide *Plan of Management for the Bush Stone-curlew*, which should consider the Illoura Reserve.

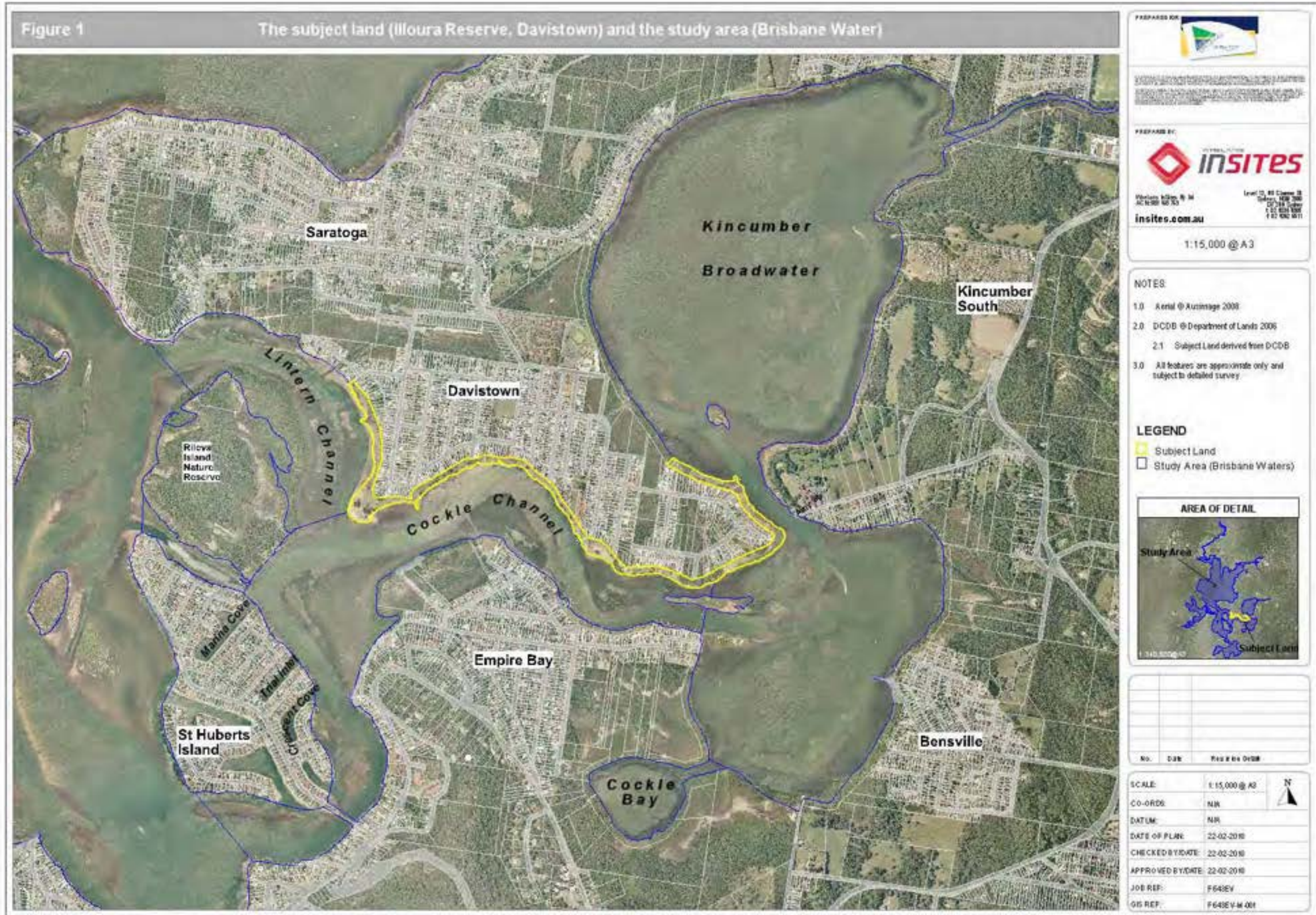
It is assumed for the purposes of that assessment, however, that the recommended management of dog access is implemented, as well as appropriate and responsible (and legally required) management of exercising dogs will be undertaken by dog-owners. In this regard, it is of particular relevance that:

- dog-owners prevent their animals from chasing or harassing any native wildlife (as well as other human users of the Reserve); and
- dog-owners collect any faeces deposited by their animals and dispose of those in an appropriate and environmentally sound manner.

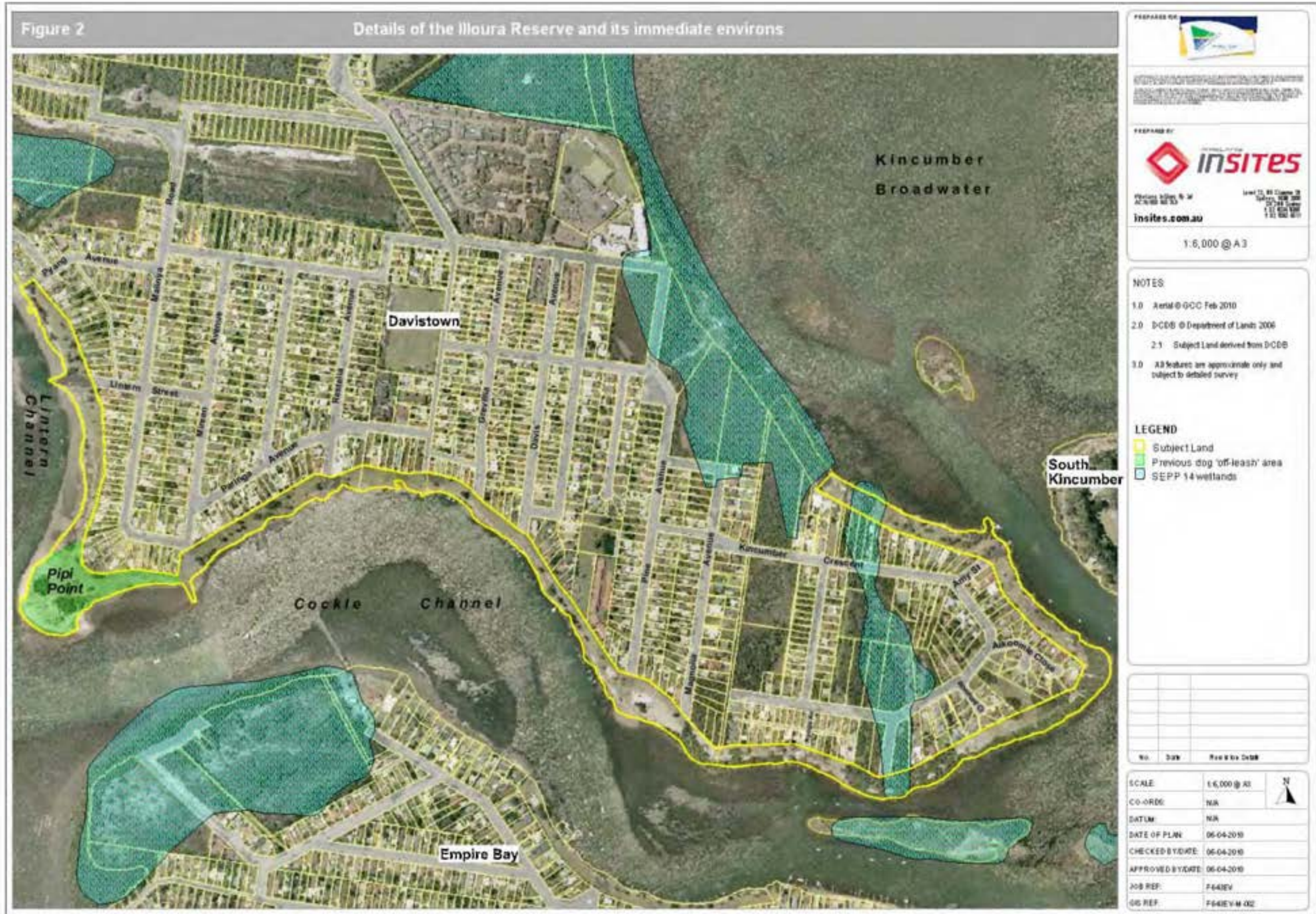
As noted above, it is a legal requirement of the *Companion Animals Act 1998* that dog-owners undertake those responsible actions, and their failure to do so constitutes an offence pursuant to the *Companion Animals Act 1998*.

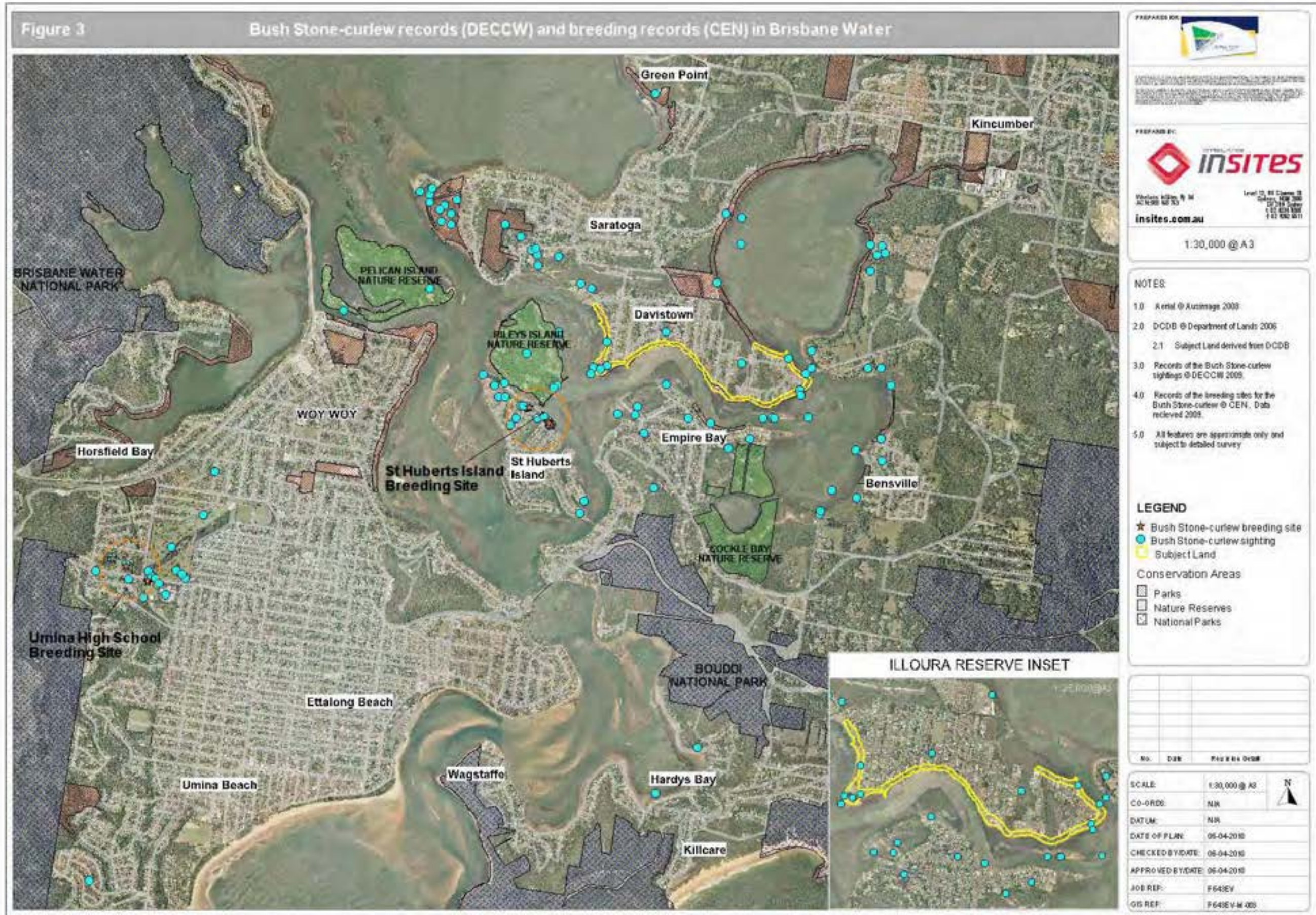
## GLOSSARY

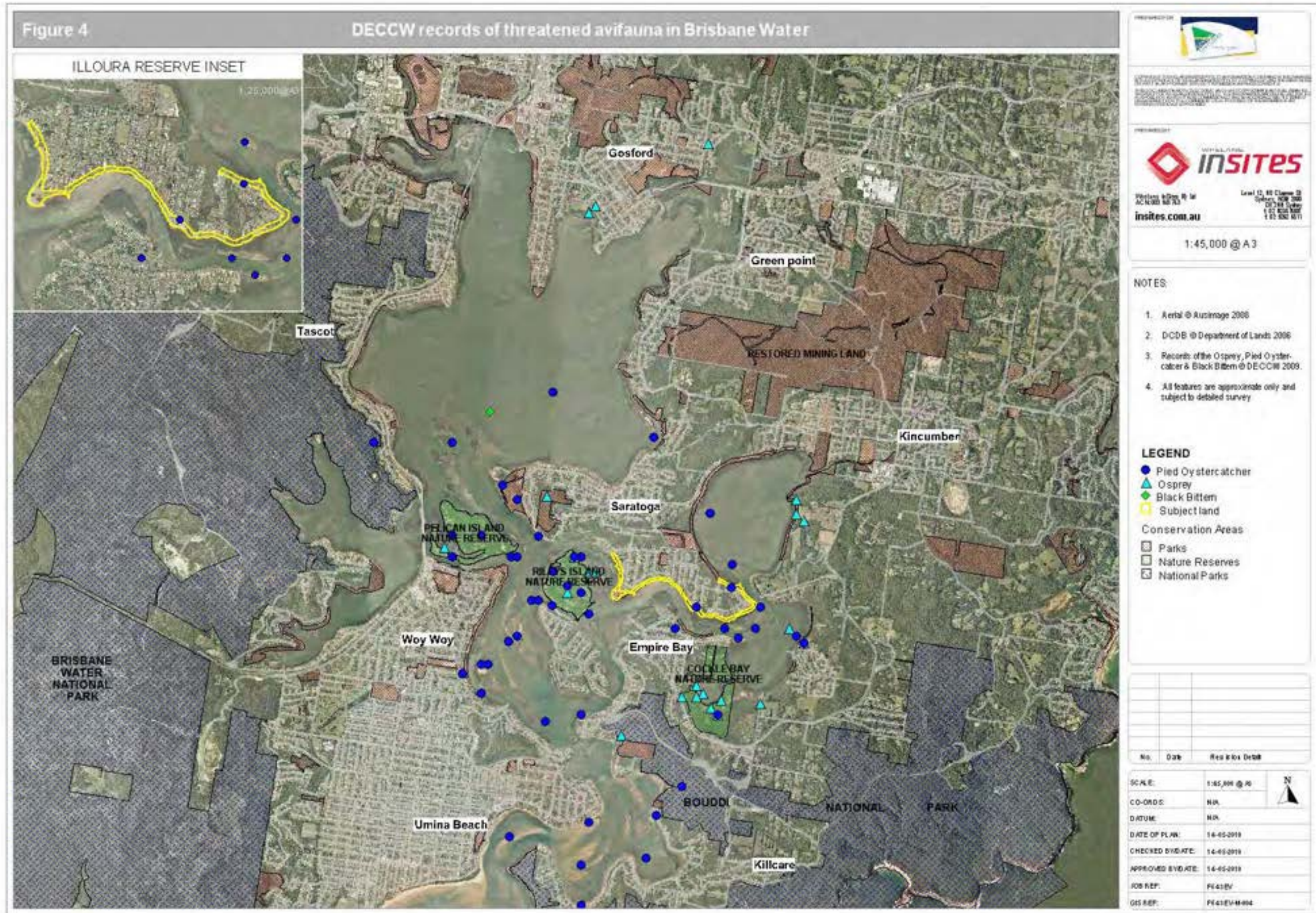
Activity	means: (a) the erection of a building; (b) the carrying out of a work in, on, over or under land; (c) the use of land or of a building or work; and (d) the subdivision of land, and includes any act, matter or thing for which provision may be made under Section 26 of the EP&A Act and which is prescribed for the purposes of this definition, but does not include: (e) any act, matter or thing for which development consent under Part 4 is required or has been obtained; or (f) any act, matter or thing which is prohibited under an environmental planning instrument
DA	<i>Development Application</i> prepared pursuant to the EP&A Act
Development	in relation to land, means: (a) the erection of a building on that land; (b) the carrying out of a work in, on, over or under that land; (c) the use of that land or of a building or work on that land; and (d) the subdivision of that land, but does not include any development of a class or description prescribed by the regulations for the purposes of this definition
DEC	Department of Environment & Conservation
DECC	Department of Environment & Climate Change
DECCW	Department of Environment, Climate Change & Water (which is the current incarnation of <i>inter alia</i> the DEC, DECC and NPWS)
Endangered Ecological Community	"an ecological community specified in Part 3 of Schedule 1" of the TSC Act
Endangered Population	"a population specified in Part 2 of Schedule 1" of the TSC Act
EP&A Act	<i>Environmental Planning &amp; Assessment Act 1979</i>
Key Threatening Process	"a threatening process specified in Schedule 3" of the TSC Act
Locality	"the area within a 10km radius of the study area" (DGRs)
NPWS	NSW National Parks & Wildlife Service
Proposal	"the development, activity or action proposed" (DGRs)
Recovery Plan	"a plan prepared and approved under Part 4" of the TSC Act
Region	"a bioregion defined in a national system of bioregionalisation that is determined (by the Director-General by order published in the Gazette) to be appropriate for those purposes" (TSC Act)
SIS	<i>Species Impact Statement</i> prepared pursuant to s.109, s.110 and s.111 of the TSC Act
Threatening Process	"a process that threatens, or may have the capability to threaten, the survival or evolutionary development of species, populations or ecological communities" (TSC Act)
Threatened Species	"a species specified in Part 1 or 4 of Schedule 1 or in Schedule 2" of the TSC Act
TSC Act	<i>Threatened Species Conservation Act 1995</i>

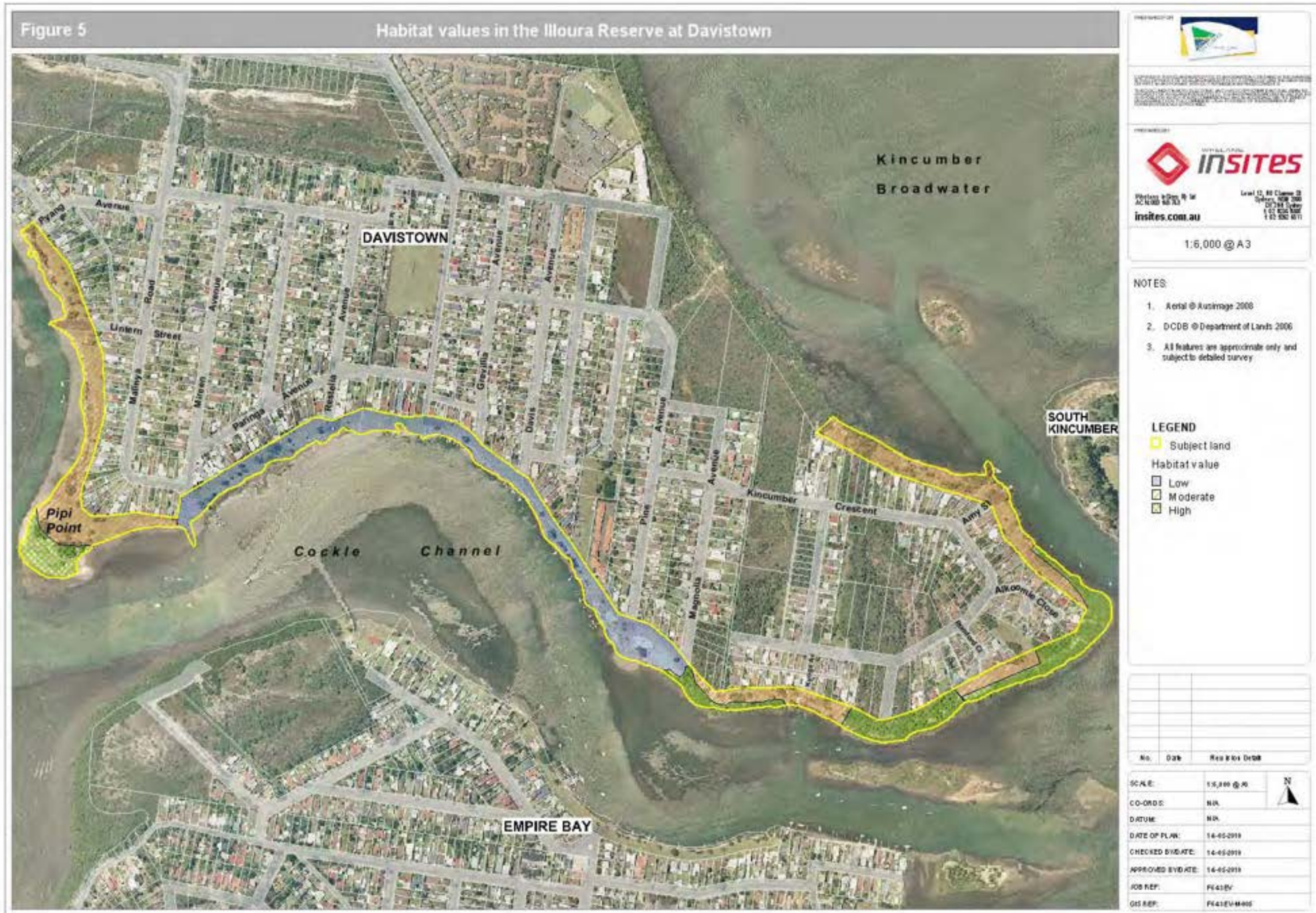















Illoura Reserve  
Restella Avenue, Davistown

Potential Impacts of Dog Off-leash Activities

Review of Environmental Factors

Appendix A  
Photographs of the subject land at Davistown

31<sup>st</sup> May 2010

	<p><b>Whelans InSites Pty Ltd</b> Level 12/80 Clarence Street Sydney NSW 2000 ph: 02 – 8234 8300 fax: 02 – 9262 6511 email: <a href="mailto:dfanning@insites.com.au">dfanning@insites.com.au</a></p>
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**APPENDIX A** Photographs of the Illoura Reserve at Davistown.



**Photo 1** View from the entry to the Illoura Reserve at Restella Avenue facing east into the area of *Low* quality habitat value.



**Photo 2** View facing south from the boat ramp at the entry to the Illoura Reserve on Amy Street, Davistown.

## APPENDIX A contd Photographs of Illoura Reserve, at Davistown.



**Photo 3** Facing north into *Moderate* quality habitat and towards the boat ramp at Amy Street, Illoura Reserve.



**Photo 4** View from just south of Amy Street facing east into the channel between Davistown and Kincumber South, on the edge of Illoura Reserve.

APPENDIX A contd Photographs of Illoura Reserve, at Davistown.



**Photo 5** View from just south of Amy Street facing southeast into the point at which *Moderate* quality habitat becomes *High* quality (Figure 5).



**Photo 6** Area of *Moderate* quality habitat south of Romford Close in the Illoura Reserve at Davistown.



## APPENDIX A contd Photographs of Illoura Reserve, at Davistown.



**Photo 7** The extensive sandy mudflats south of the *Moderate* quality habitat off Romford Close at Illoura Reserve.



**Photo 8** The *High* quality habitat Swamp Oak Floodplain Forest (SOFF) community at the southernmost point of the Illoura Reserve at Davistown.




Illoura Reserve  
Restella Avenue, Davistown

Potential Impacts of Dog Off-leash Activities

Review of Environmental Factors

Appendix B  
DECC Wildlife Atlas search

31<sup>st</sup> May 2010

	<p><b>Whelans InSites Pty Ltd</b> Level 12/80 Clarence Street Sydney NSW 2000 ph: 02 – 8234 8300 fax: 02 – 9262 6511 email: <a href="mailto:dfanning@insites.com.au">dfanning@insites.com.au</a></p>
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APPENDIX B DECCW Wildlife Atlas search for threatened species within 10km.

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NSW National Parks & Wildlife Service  
atlas of nsw wildlife

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**Search Results**

Your selection: Fauna, threatened species. Selected Area - 151.25643,-33.57746,151.47205,-33.36783  
 returned a total of 4184 records of 75 species.  
 Report generated on 17/02/2010 - 14:55 (Data valid to 07/02/2009)

Choose up to 3 species to map.  
\* Exotic (non-native) species

Amphibia	Map Scientific Name	Common Name	Legal Status	Count	Info
	<b>Hydidae</b>				
<input type="checkbox"/>	<i>Litoria aurea</i>	Green and Golden Bell Frog	E1	35	
<input type="checkbox"/>	<i>Litoria brevipalmata</i>	Green-thighed Frog	V	1	
	<b>Myobatrachidae</b>				
<input type="checkbox"/>	<i>Crinia binnula</i>	Wallum Froglet	V	1	
<input type="checkbox"/>	<i>Heleioporus australiacus</i>	Giant Burrowing Frog	V	160	
<input type="checkbox"/>	<i>Mixophyes balbus</i>	Stuttering Frog	E1	1	
<input type="checkbox"/>	<i>Mixophyes iterabus</i>	Giant Barred Frog	E1	2	
<input type="checkbox"/>	<i>Pseudophryne australis</i>	Red-crowned Toadlet	V	170	
	<b>Aves</b>				
	<b>Acanthizidae</b>				
<input type="checkbox"/>	<i>Pyrrholaemus sagittatus</i>	Speckled Warbler	V	1	
	<b>Accipitridae</b>				
<input type="checkbox"/>	<i>Hamirostra melanostemon</i>	Black-breasted Buzzard	V	1	
<input type="checkbox"/>	<i>Leopoldina leura</i>	Square-tailed Kite	V	2	
<input type="checkbox"/>	<i>Pandion haliaetus</i>	Osprey	V	38	
	<b>Ardeidae</b>				
<input type="checkbox"/>	<i>ixobrychus flavicollis</i>	Black Bittern	V	5	
	<b>Burhinidae</b>				
<input type="checkbox"/>	<i>Burhinus grallarius</i>	Bush Stone-curlew	E1	303	
	<b>Cacatidae</b>				
<input type="checkbox"/>	<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo	V	9	
<input type="checkbox"/>	<i>Calyptrorhynchus lathamii</i>	Glossy Black-Cockatoo	V	174	
	<b>Charadriidae</b>				
<input type="checkbox"/>	<i>Charadrius mongolus</i>	Lesser Sand-plover	V	2	
	<b>Iconiidae</b>				
<input type="checkbox"/>	<i>Ephippiorhynchus asiaticus</i>	Black-necked Stork	E1	1	
	<b>Columbidae</b>				
<input type="checkbox"/>	<i>Ptilinopus regina</i>	Rose-crowned Fruit-Dove	V	1	
<input type="checkbox"/>	<i>Ptilinopus superbis</i>	Superb Fruit-Dove	V	7	
	<b>Diomedidae</b>				
<input type="checkbox"/>	<i>Diomedea exulans</i>	Wandering Albatross	E1	3	
<input type="checkbox"/>	<i>Thalassarche cauta</i>	Shy Albatross	V	1	
<input type="checkbox"/>	<i>Thalassarche melanophris</i>	Black-browed Albatross	V	1	
	<b>Striidae</b>				

<http://www.ildlilratlas.nationalparks.nsw.gov.au/wildlilratlas/wildlilratlasSpecies.jsp>
17/02/2010

APPENDIX B contd DECCW Wildlife Atlas search for threatened species within 10km.

NPWS - Atlas of NSW Wildlife		Page 2 of 4	
<input type="checkbox"/>	<i>Stagonopleura guttata</i>	Diamond Firetail	V 1
<b>Haematopodidae</b>			
<input type="checkbox"/>	<i>Haematopus fuliginosus</i>	Sooty Oystercatcher	V 16
<input type="checkbox"/>	<i>Haematopus longirostris</i>	Pied Oystercatcher	V 58
<b>Laridae</b>			
<input type="checkbox"/>	<i>Gygis alba</i>	White Tern	V 1
<input type="checkbox"/>	<i>Sterna albifrons</i>	Little Tern	E1 5
<input type="checkbox"/>	<i>Sterna fuscata</i>	Sooty Tern	V 1
<b>Meliphagidae</b>			
<input type="checkbox"/>	<i>Xanthomyza phrygia</i>	Regent Honeyeater	E1 30
<b>Rhaethonidae</b>			
<input type="checkbox"/>	<i>Rhaethon rubricauda</i>	Red-tailed Tropicbird	V 2
<b>Pomatostomidae</b>			
<input type="checkbox"/>	<i>Pomatostomus temporalis temporalis</i>	Grey-crowned Babbler (eastern subspecies)	V 2
<b>Procellariidae</b>			
<input type="checkbox"/>	<i>Macronectes giganteus</i>	Southern Giant Petrel	E1 1
<input type="checkbox"/>	<i>Pterodroma leucoptera leucoptera</i>	Gould's Petrel	V 2
<input type="checkbox"/>	<i>Pterodroma solandri</i>	Providence Petrel	V 1
<input type="checkbox"/>	<i>Puffinus assimilis</i>	Little Shearwater	V 3
<input type="checkbox"/>	<i>Puffinus carneipes</i>	Flesh-footed Shearwater	V 3
<b>Psittacidae</b>			
<input type="checkbox"/>	<i>Glossopsitta pusilla</i>	Little Lonkeet	V 17
<input type="checkbox"/>	<i>Lathamus discolor</i>	Swift Parrot	E1 10
<input type="checkbox"/>	<i>Neophema pulchella</i>	Turquoise Parrot	V 10
<b>Scolopacidae</b>			
<input type="checkbox"/>	<i>Kenus cinereus</i>	Terek Sandpiper	V 1
<b>Strigidae</b>			
<input type="checkbox"/>	<i>Ninox connivers</i>	Barking Owl	V 40
<input type="checkbox"/>	<i>Ninox strenua</i>	Powerful Owl	V 174
<b>Tytonidae</b>			
<input type="checkbox"/>	<i>Tyto novaehollandiae</i>	Masked Owl	V 27
<input type="checkbox"/>	<i>Tyto tenebricosa</i>	Sooty Owl	V 142
<b>Insecta</b>			
	Map Scientific Name	Common Name	<a href="#">Local Status</a> Count Info
<b>Petaluridae</b>			
<input type="checkbox"/>	<i>Petalura gigantea</i>	Giant Dragonfly	E1 1
<b>Mammalia</b>			
	Map Scientific Name	Common Name	<a href="#">Local Status</a> Count Info
<b>Balaenidae</b>			
<input type="checkbox"/>	<i>Eubalaena australis</i>	Southern Right Whale	V 3
<b>Balaenopteridae</b>			
<input type="checkbox"/>	<i>Megaptera novaeangliae</i>	Humpback Whale	V 10
<b>Burramyidae</b>			
<input type="checkbox"/>	<i>Cercartetus nanus</i>	Eastern Pygmy-possum	V 14
<b>Dasyuridae</b>			
<input type="checkbox"/>	<i>Dasyurus maculatus</i>	Spotted-tailed Quoll	V 113
<input type="checkbox"/>	<i>Dasyurus viverrinus</i>	Eastern Quoll	E1 1
<b>Dugongidae</b>			
<input type="checkbox"/>	<i>Dugong dugon</i>	Dugong	E1 1

APPENDIX B contd DECCW Wildlife Atlas search for threatened species within 10km.

<b>Emballonuridae</b>	<input type="checkbox"/> <i>Saccoleimus flaviventris</i>	Yellow-bellied Shearwater	V	6	
<b>Macropodidae</b>	<input type="checkbox"/> <i>Macropus parma</i>	Parma Wallaby	V	1	
<b>Molossidae</b>	<input type="checkbox"/> <i>Mormopterus norfolkensis</i>	Eastern Freetail-bat	V	17	
<b>Muridae</b>	<input type="checkbox"/> <i>Pseudomys gracilicaudatus</i>	Eastern Chestnut Mouse	V	6	
<b>Otariidae</b>	<input type="checkbox"/> <i>Arctocephalus forsteri</i>	New Zealand Fur-seal	V	2	
	<input type="checkbox"/> <i>Arctocephalus pusillus doriferus</i>	Australian Fur-seal	V	1	
<b>Peramelidae</b>	<input type="checkbox"/> <i>Doodon obesulus obesulus</i>	Southern Brown Bandicoot (eastern)	E1	3	
<b>Petauridae</b>	<input type="checkbox"/> <i>Petaurus australis</i>	Yellow-bellied Glider	V	80	
	<input type="checkbox"/> <i>Petaurus norfolkensis</i>	Squirrel Glider	V	17	
<b>Phascogasteridae</b>	<input type="checkbox"/> <i>Phascogaster cinereus</i>	Koala	V	164	
	<input type="checkbox"/> <i>Phascogaster cinereus</i>	Koala in the Pittwater Local Government Area	E2	29	
<b>Physeteridae</b>	<input type="checkbox"/> <i>Physeter macrocephalus</i>	Sperm Whale	V	4	
<b>Potoridae</b>	<input type="checkbox"/> <i>Potorous tridactylus</i>	Long-nosed Potoroo	V	6	
<b>Pteropodidae</b>	<input type="checkbox"/> <i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	V	2038	
<b>Vespertilionidae</b>	<input type="checkbox"/> <i>Chalinolobus dwyeri</i>	Large-eared Pied Bat	V	1	
	<input type="checkbox"/> <i>Falstretellus tasmaniensis</i>	Eastern False Pipistrelle	V	15	
	<input type="checkbox"/> <i>Miniopterus australis</i>	Little Bentwing-bat	V	52	
	<input type="checkbox"/> <i>Miniopterus schreibersii oceanensis</i>	Eastern Bentwing-bat	V	66	
	<input type="checkbox"/> <i>Myotis macropus</i>	Southern Myotis	V	17	
	<input type="checkbox"/> <i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat	V	24	
<b>Reptilia</b>	Map Scientific Name	Common Name	<a href="#">Legal Status</a>	Count	Info
<b>Cheloniidae</b>	<input type="checkbox"/> <i>Chelonia mydas</i>	Green Turtle	V	17	
<b>Dermodactylidae</b>	<input type="checkbox"/> <i>Dermodactylus coriacea</i>	Leathery Turtle	V	2	
<b>Elapidae</b>	<input type="checkbox"/> <i>Hoplocephalus stephensi</i>	Stephens' Banded Snake	V	1	
<b>Varanidae</b>	<input type="checkbox"/> <i>Varanus rosenbergi</i>	Rosenberg's Goanna	V	3	

\* Exotic (non-native) species

**Choose up to 3 species to map.**

DISCLAIMER: The Atlas of New South Wales Wildlife contains data from a number of sources including government agencies, non-government organisations and private individuals. These data are only indicative and cannot be considered a comprehensive inventory, and may contain errors and omissions. Find out [more](#) about the Atlas.

APPENDIX B contd DECCW Wildlife Atlas search for threatened species within 10km.

NPWS - Atlas of NSW Wildlife Page 1 of 2

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atlas of nsw wildlife

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### Search Results

Your selection: Flora, threatened species, Selected Area - 151.25641,-33.57746,151.47205,-33.36763  
 returned a total of 1000 records of 24 species.  
 Report generated on 17/02/2010 - 15:28 (Data valid to 14/02/2010)

Choose up to 3 species to map.  
 \* Exotic (non-native) species

Plants	Map Scientific Name	Common Name	Local Status	Count	Info
Araliaceae	<input type="checkbox"/> <i>Astrorhiza crassifolia</i>	Thick-leaf Star-hair	V	10	
Asteraceae	<input type="checkbox"/> <i>Senecio spathulatus</i>	Coast Groundsel	E1	4	
Dilleniaceae	<input type="checkbox"/> <i>Hibbertia procumbens</i>	Spreading Guinea Flower	E1	302	
Elaeocarpaceae	<input type="checkbox"/> <i>Tetrarhca glandulosa</i>		V	2	
	<input type="checkbox"/> <i>Tetrarhca juncea</i>	Black-eyed Susan	V	2	
Ericaceae	<input type="checkbox"/> <i>Epacris purpurascens</i> var. <i>purpurascens</i>		V	3	
Euphorbiaceae	<input type="checkbox"/> <i>Chamaesyce psammogeton</i>	Sand Spurge	E1	12	
Fabaceae (Mimosoideae)	<input type="checkbox"/> <i>Acacia pubescens</i>	Downy Wattle	V	1	
Jurcaginaceae	<input type="checkbox"/> <i>Maunderia triglochoides</i>		V	1	
Lamiaceae	<input type="checkbox"/> <i>Prostanthera askania</i>	Tranquility Mintbush	E1	67	
	<input type="checkbox"/> <i>Prostanthera junonis</i>	Somersby Mintbush	E1	232	
Lindsaeaceae	<input type="checkbox"/> <i>Lindsaea fraseri</i>	Fraser's Screw Fern	E1	1	
Myrtaceae	<input type="checkbox"/> <i>Callistemon linearifolius</i>	Netted Bottle Brush	V	34	
	<input type="checkbox"/> <i>Darwinia glaucophylla</i>		V	263	
	<input type="checkbox"/> <i>Eucalyptus camfieldii</i>	Heart-leaved Stringybark	V	8	
	<input type="checkbox"/> <i>Eucalyptus glaucina</i>	Slaty Red Gum	V	1	
	<input type="checkbox"/> <i>Melaleuca biconvexa</i>	Biconvex Paperbark	V	85	
	<input type="checkbox"/> <i>Syzygium paniculatum</i>	Hagerita Lilly Pilly	E1	33	
Orchidoceae	<input type="checkbox"/> <i>Cryptochylis hunteriana</i>	Leafless Tongue Orchid	V	1	
	<input type="checkbox"/> <i>Dendrobium malaleucaphyllum</i>	Spider orchid	E1	1	
	<input type="checkbox"/> <i>Diuris bracteata</i>		E1	1	
Proteaceae	<input type="checkbox"/> <i>Grevillea chirensii</i>		V	7	
	<input type="checkbox"/> <i>Parsoonia hirsuta</i>	Hairy Geebung	E1	1	

<http://wildlifeatlas.nationalparks.nsw.gov.au/wildlifeatlas/watlas/Species.jsp>
17/02/2010

APPENDIX B contd DECCW Wildlife Atlas search for threatened species within 10km.






Illoura Reserve  
Restella Avenue, Davistown

Potential Impacts of Dog Off-leash Activities

Review of Environmental Factors

Appendix C  
Section 5A Assessments of Significance

31<sup>st</sup> May 2010

	<p><b>Whelans InSites Pty Ltd</b> Level 12/80 Clarence Street Sydney NSW 2000 ph: 02 – 8234 8300 fax: 02 – 9262 6511 email: <a href="mailto:dfanning@insites.com.au">dfanning@insites.com.au</a></p>
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Appendix C Section 5A Assessments of Significance.

ILLOURA RESERVE  
RESTELLA AVENUE, DAVISTOWN

POTENTIAL IMPACTS of DOG OFF-LEASH ACTIVITIES  
REVIEW of ENVIRONMENTAL FACTORS

SECTION 5A ASSESSMENTS of SIGNIFICANCE

31<sup>st</sup> May 2010

1 INTRODUCTION

1.1 Statutory Considerations

The *Threatened Species Conservation Act 1995* (TSC Act) has modified the *Environmental Planning & Assessment Act 1979* (EP&A Act) by, *inter alia*, including a requirement to determine “whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats”. Section 5A identifies seven factors which “must be taken into account” by a consent or determining authority in administering Sections 78, 79B, 79C, 111 and 112 of the EP&A Act, as relevant in the circumstances.

The factors contained within Section 5A of the EP&A Act which “must be taken into account” in determining “whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats” were amended in 2005, after proclamation of the *NSW Threatened Species Amendment Act 2002* (TSAA Act). This *Report* addresses the amended version of Section 5A and the relevant factors contained therein.

1.2 Relevant Biota

A detailed *Section 5A Assessment of Significance* has been prepared for the following threatened species which have been recorded on the Illoura Reserve, or which are regarded as requiring consideration pursuant to Section 5A:

- the Bush Stone-curlew;
- the Pied Oystercatcher;
- the Osprey;
- the Black Bittern; and
- the Green & Golden Bell Frog.

These four threatened species are the only threatened biota (*ie* species, population or community) considered to require a detailed *Section 5A Assessment of Significance*. A number of other threatened species which could potentially occur on the subject site have been considered in a generic *Section 5A Assessment of Significance* contained within the main *Report*.

**Appendix C** Section 5A Assessments of Significance.

**1.3 Definitions Used in This Report**

The definitions of areas of relevance to this *Report* and to the assessment of potential or real impacts arising from the proposed development are:

“*subject site*” that part of the Illoura Reserve in which dog ‘off-leash’ exercise activities had previously been approved (Figure 2)

“*subject land*” the Illoura Reserve at Davistown (Figures 1 and 2)

“*study area*” the Brisbane Water Estuary and adjoining foreshore lands (Figure 1)

“*locality*” an area of 10km radius around the “*subject site*”.

With respect to the relevant terms contained in Section 5A of the EP&A Act, the DECC *Guidelines* (August 2005) provide some definitions. However, some of those definitions are either inappropriate or ecologically meaningless, unless interpreted in a scientific and ecologically relevant manner.

An explanation of the interpretation and meaning of relevant terms used in this *Section 5A Assessment of Significance* is provided.

*Study Area*

For the purposes of this *Report*, the “*study area*” is not confined solely to the “*subject land and any additional areas which are likely to be affected by the proposal, either directly or indirectly*”, as defined in the DECC *Guidelines*.

The area contained within that definition of “*study area*” could not conceivably support even a single individual of the relevant threatened species (or any other potentially relevant threatened biota), much less a “*viable local population*” of any such species.

In this case, the “*local occurrence*” of those species in question extends considerably beyond the “*subject land*”, and well beyond the area likely to be affected (directly or indirectly) by the proposal.

*Local Occurrence*

On the same basis as discussed above, the relevant “*viable local population*” of the Bush Stone-curlew, Pied Oystercatcher, Osprey, Black Bittern and Green & Golden Bell Frog could not be confined to either the subject site or the subject land. The “*local occurrence*” of a “*threatened species*” is defined in the *Guidelines* as that which “*occurs in the study area*”.

All four of these species of bird are wide-ranging and highly mobile (particularly the Osprey and the Pied Oystercatcher), and are likely to inhabit the whole of Brisbane Water, as indicated by the records of these species throughout the study area (Figures 3 and 4).

Periodic surveys for the Bush Stone-curlew within the study area have been undertaken since 2002. The “*local population*” consists of between 10 and 15 individual birds, and currently there are only two known breeding pairs – one on St Huberts Island around Boyd Close and Marina View Parade, and the other around the oval at Umina High School (Garon Staines *pers comm* 2009).

**Appendix C** Section 5A Assessments of Significance.

The records of the Bush Shore-Curlew on the subject site are closest to the breeding pair on St Huberts Island, with records of approximately 5km around that breeding location (Figure 3 of main *Report*). This might be considered the approximate distribution of this population (although it may be larger were more survey effort applied to monitoring of the species across the local area). For the purposes of this *Assessment of Significance*, this is considered the “viable local population” of the Bush Stone-curlew.

The local population of Green & Golden Bell Frog would not be restricted to the Swamp Oak Floodplain Forest (SOFF) vegetation at the east of the subject land, but would extend north into the SEPP 14 Wetland, or Davistown East Wetland, (Figure 2). For the purposes of this *Assessment of Significance*, this is considered to be the extent of the “viable local population” of the Green & Golden Bell Frog.

*Risk of Extinction*

It is to be noted that Factors a, b and c of Section 5A of the EP&A Act address the issue of whether the relevant biota “is likely to be placed at risk of extinction” (emphasis added).

In considering the likelihood of a “significant effect” to be imposed as a result of any proposed development, therefore, it is necessary to consider whether that activity renders the relevant biota “likely” to be completely obliterated or rendered totally unviable on a “local” scale.

In this regard, it is not sufficient that a proposal be likely to adversely affect such biota in an adverse manner, or even that there be some notable reduction in population or the distribution or abundance of relevant resources. Rather, it must be “likely” that the “local population” of a threatened species be rendered incapable of surviving in the locality.

**Appendix C** Section 5A Assessments of Significance.

**2 SECTION 5A - FACTORS for CONSIDERATION**

The factors which “*must be taken into account*” pursuant to Section 5A of the EP&A Act (as amended in 2005) are:

- (a) in the case of threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction.
- (b) in the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction.
- (c) in the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:
  - (i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or
  - (ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction.
- (d) in relation to the habitat of a threatened species, population or ecological community:
  - (i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and
  - (ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and
  - (iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality.
- (e) whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly).
- (f) whether the action proposed is consistent with the objectives or actions of a *Recovery Plan* or *Threat Abatement Plan*.
- (g) whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

**Appendix C** Section 5A Assessments of Significance.

### 3 FACTORS for CONSIDERATION

#### 3.1 Bush Stone-curlew

##### Factor (a) Threatened Species and the Risk of Extinction

The Bush Stone-curlew has been recorded foraging on a regular basis from within the “*subject site*” at the Illoura Reserve (Figure 3), however the species has not been recorded breeding here. That part of the Reserve, therefore, represents only a small part of similar foreshore habitat available for foraging by the Bush Stone-curlew within the Brisbane Water area.

The record on the subject site is in proximity to the breeding pair on St Huberts Island, and on this basis the “*local population*” would occur throughout the study area and within adjoining foreshores (Figure 2), within an area of approximately 5km around the subject site. The subject site is a highly modified foreshore reserve which contains very little (marginal) habitat for this species, and the proposed activity would not involve any significant impact on any relevant breeding habitat for the Bush Stone-curlew.

The proposed activity on the Illoura Reserve will not adversely affect “*the life cycle*” of the Bush Stone-curlew “*such that a viable local population of the species is likely to be placed at risk of extinction*” (emphasis added), given:

- the considerable extent of better quality habitat within the study area;
- the existing nature and condition of the subject site, particularly its marginal value for the Bush Stone-curlew; and
- the existing levels of recreational activity on the site and around it.

##### Factor (b) Endangered Populations and the Risk of Extinction

The TSC Act defines an “*endangered population*” as “*a population specified in Part 2 of schedule 1*” of the Act.

The Bush Stone-curlew is not an “*endangered population*”.

##### Factor (c) Endangered Ecological Communities and the Risk of Extinction

The TSC Act defines an “*endangered ecological community*” as “*an ecological community specified in Part 3 of Schedule 1*” of the Act.

The Bush Stone-curlew is not an “*endangered ecological community*”.

**Appendix C** Section 5A Assessments of Significance.

**Factor (d) Habitat Removal, Modification, Fragmentation, Isolation and Importance**

The proposed activity in the Illoura Reserve at Davistown would not affect any significant habitat for the Bush Stone-curlew, as the subject site constitutes foraging and/or transitory habitat, and is not likely to support in its entirety individuals of the species. The Reserve represents only a very small proportion of the foraging and/or transitory habitat available to the "local population", and is not considered to be of "importance" to the survival of the species in the locality.

With regard to the relevant matters addressed in Factor (d) of Section 5A:

- the proposed development would involve the "modification" of only a very small area of transitory habitat for this species, which in the local context is insignificant;
- there would be no further fragmentation or isolation of habitat for this species as a result of the proposal; and
- the small area of foraging habitat in the Reserve which would be "removed, modified, fragmented or isolated" by the exercising of dogs on the subject site at Davistown is of no relevance to "the long-term survival" of the Bush Stone-curlew in this locality.

**Factor (e) Critical Habitat – Direct and Indirect Effects**

The TSC Act 1995 defines "critical habitat" as "habitat declared to be critical habitat under Part 3" of the Act.

At the time of this Report, no "critical habitat" for the Bush Stone-curlew had been declared.

**Factor (f) Recovery Plans and Threat Abatement Plans**

A Recovery Plan for the Bush Stone-curlew was prepared in 2006 by the then Department of Environment & Conservation (DEC), which lists a number of 'Recovery Actions' designed primarily to ensure that this species does not become extinct in NSW.

Whilst none of these Recovery Actions are considered relevant to the specific management of the subject site, some are relevant within the study area, and could be implemented within a Council-wide Bush Stone-curlew Management Plan.

**Factor (g) Key Threatening Processes**

There are no "key threatening processes" of relevance to the Bush Stone-curlew or its habitat which would be exacerbated by the proposed activity (the exercising of dogs 'off-leash' within the subject site at Illoura Reserve).

However, a number of "key threatening processes" may be already (theoretically at least) be in operation at the site, including:

- predation by feral cats; and
- predation by the European Red Fox.

**Appendix C** Section 5A Assessments of Significance.

Management of these “*key threatening processes*” needs to be considered by Council in the broader context throughout the LGA, although not in the subject site itself, for the protection *inter alia* of the Bush Stone-curlew.

Given those circumstances, the “*action proposed*” will not involve the “*operation of .. a key threatening process*”, and the proposed action will not exacerbate any “*key threatening process*” in respect of the conservation of the Bush Stone-curlew.

**CONCLUSIONS**

The relevant factors which must be considered pursuant to Section 5A of the EP&A Act in the determination of “*whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats*” are discussed above with regard to the Bush Stone-curlew and the proposed activity in the Illoura Reserve at Davistown.

Given that the subject site, in its current state, is highly degraded and lacks any real significance from the Bush Stone-curlew or its habitat, particularly when compared to the extent of suitable habitat for the species within the study area, the action as proposed is not “*likely*” to impose “*a significant effect*” upon the Bush Stone-curlew. A *Species Impact Statement* is not required for the proposed activity with respect to the Bush Stone-curlew.

**3.2 Pied Oystercatcher**

**Factor (a) Threatened Species and the Risk of Extinction**

The Pied Oystercatcher is a predominantly coastal wading species which prefers “*intertidal mudflats and sandbanks in large marine embayments*”, and also utilises sandy ocean beaches and sandbeds (Marchant & Higgins 1993). This species forages on these muddy and sandy substrates, probing for invertebrates and hunting molluscs and crabs. The Pied Oystercatcher nests on the ground above the high water mark, predominantly on beaches and sand deposits (Marchant & Higgins 1993).

The Pied Oystercatcher occurs around the Australian coast, including along the whole of the NSW coast. This species is listed as “*vulnerable*” on the TSC Act.

The subject site at Illoura Reserve itself is of little relevance to the Pied Oystercatcher. Further, the sandy beach which adjoins the subject site (to its immediately south), on the edge of the Cockle Channel, is of little value for the species, given:

- its relatively small size; and
- the extent of more suitable sandy-beach habitat within the study area, particularly at the eastern end of Illoura Reserve and on Rileys Island to the west.

There is no possibility that a “*viable local population*” of the Pied Oystercatcher would be dependent on the Illoura Reserve or the small adjoining beach. Indeed, there is no possibility that even a single individual of this species would be reliant upon those features for its survival in this locality.

**Appendix C** Section 5A Assessments of Significance.

The proposed use of the Illoura Reserve for the purposes of dog 'off-leash' exercise activities is not "likely" to place a "viable local population" of the Pied Oystercatcher "at risk of extinction" (emphasis added).

**Factor (b) Endangered Populations and the Risk of Extinction**

The TSC Act defines an "endangered population" as "a population specified in Part 2 of schedule 1" of the Act.

The Pied Oystercatcher is not an "endangered population".

**Factor (c) Endangered Ecological Communities and the Risk of Extinction**

The TSC Act defines an "endangered ecological community" as "an ecological community specified in Part 3 of Schedule 1" of the Act.

The Pied Oystercatcher is not an "endangered ecological community".

**Factor (d) Habitat Removal, Modification, Fragmentation, Isolation and Importance**

As noted above, the subject site (within Illoura Reserve) *per se* does not constitute "habitat" for the Pied Oystercatcher. Further, the small adjoining sandy beach is regarded as of only a small portion of similar habitat at the locality and does not constitute a significant, relevant or "important" area of habitat for the species.

With respect to the relevant matters addressed in Factor (d) of Section 5A of the EP&A Act:

- the proposed activity on the Illoura Reserve (being the exercising of dogs 'off-leash') would not involve any habitat for the Pied Oystercatcher being "removed or modified";
- the proposal would not involve any habitat for the species becoming "fragmented or isolated from any other areas of habitat for this species"; and
- the small sandy beach adjacent to the subject site, as noted above, is of no "importance .. to the long-term survival of the species .. in the locality".

**Factor (e) Critical Habitat – Direct and Indirect Effects**

The TSC Act 1995 defines "critical habitat" as "habitat declared to be critical habitat under Part 3" of the Act.

At the time of this *Report*, no "critical habitat" for the Pied Oystercatcher had been declared.

**Factor (f) Recovery Plans and Threat Abatement Plans**

There is currently no relevant *Recovery Plan* for the Pied Oystercatcher, and no relevant *Threat Abatement Plan*.



**Appendix C** Section 5A Assessments of Significance.

**Factor (g) Key Threatening Processes**

There are no “*key threatening processes*” of relevance to the Pied Oystercatcher, or its habitat, at the subject site, that would be exacerbated by the proposed activity.

Given those circumstances, the “*action proposed*” would not involve the “*operation of .. a key threatening process*”, and the proposed action would not exacerbate any “*key threatening process*” in respect of the conservation of the Pied Oystercatcher.

**CONCLUSIONS**

The relevant factors which must be considered pursuant to Section 5A of the EP&A Act in the determination of “*whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats*” are discussed above with regard to the Pied Oystercatcher and the proposed activity in the Illoura Reserve at Davistown.

The small beach adjoining the Reserve constitutes a relatively small area of foraging habitat for the Pied Oystercatcher, and is (in any case) already affected by existing recreational activities. The proposed use of the Reserve for dog ‘off-leash’ exercising is not “*likely*” to impose “*a significant effect*” upon the Pied Oystercatcher. A *Species Impact Statement* is not required for the proposed activity with respect to the Pied Oystercatcher.

**3.3 Osprey**

**Factor (a) Threatened Species and the Risk of Extinction**

The Osprey is a cosmopolitan species which in Australia is predominantly coastal, although populations do extend along the major watercourses around the northern and eastern parts of Australia, as well as in the lower parts of the Murray River. This species appear to have a discontinuous distribution around Australia, with apparent gaps in its distribution including along the coast to the west of Broome, along much of the Great Australian Bight, in Spencer Gulf (in South Australia), along most of the Victorian coastline and along the Tasmania coastline.

The Osprey forages along the coast and in estuaries predominantly, plunging with extended talons into the water to catch fish or taking fish from the water surface. This species constructs large nests of twigs and branches in the crowns of dead trees or in the dead crowns of large trees, including in urban areas and/or in farmed paddocks.

Ospreys are known to occur within and around Brisbane Water, and elsewhere in Broken Bay (*pers obs*). Individuals are regularly seen in the vicinity of (*albeit* not within) the Illoura Reserve and Davistown. This species is relatively wide-ranging and occupies a very large home range.

Neither the subject site nor the immediately adjoining beach are of any particular relevance to the Osprey. Whilst individuals of this species may forage along the Cockle Channel (to the south of the Illoura Reserve), it is not considered likely that the proposed use of that Reserve for dog ‘off-leash’ activities would adversely affect any foraging Ospreys in this locality.

**Appendix C** Section 5A Assessments of Significance.

There is no likelihood of the subject site at Illoura Reserve, or adjacent areas, being of particular relevance for the survival of a “viable local population” of the Osprey. There is no possibility that the proposed activity on the subject site would result in a “viable local population” of that species “being placed at risk of extinction” (emphasis added).

**Factor (b) Endangered Populations and the Risk of Extinction**

The TSC Act defines an “endangered population” as “a population specified in Part 2 of schedule 1” of the Act.

The Osprey is not an “endangered population”.

**Factor (c) Endangered Ecological Communities and the Risk of Extinction**

The TSC Act defines an “endangered ecological community” as “an ecological community specified in Part 3 of Schedule 1” of the Act.

The Osprey is not an “endangered ecological community”.

**Factor (d) Habitat Removal, Modification, Fragmentation, Isolation and Importance**

Neither the “subject site” within Illoura Reserve nor the adjoining mudflats/sandy-beach constitute relevant “habitat” for the Osprey. There are no resources of particular relevance for the species within the Illoura Reserve, and neither the subject site nor the adjoining waterway would be of particular value or significance for the Osprey at this locality.

With respect to the relevant matters addressed in Factor (d) of Section 5A of EP&A Act:

- the activity proposed in the Illoura Reserve would not result in any relevant habitat for the Osprey being “removed or modified”;
- there is no possibility of any areas of habitat for the Osprey becoming “fragmented or isolated from other areas of habitat as a result of the proposed action” on the Illoura Reserve; and
- the subject site and immediately adjoining areas are of no “importance” to the Osprey.

**Factor (e) Critical Habitat – Direct and Indirect Effects**

The TSC Act 1995 defines “critical habitat” as “habitat declared to be critical habitat under Part 3” of the Act.

At the time of this Report, no “critical habitat” for the Osprey had been declared.

**Appendix C** Section 5A Assessments of Significance.

**Factor (f) Recovery Plans and Threat Abatement Plans**

There is currently no relevant *Recovery Plan* for the Osprey, and there is no relevant *Threat Abatement Plan*.

**Factor (g) Key Threatening Processes**

There are no “*key threatening processes*” of relevance to the Osprey, or its habitat, that would be exacerbated by use of the subject site at Illoura Reserve for dog ‘off-leash’ exercise activities.

Given those circumstances, the “*action proposed*” would not involve the “*operation of .. a key threatening process*”, and the proposed action will not exacerbate any “*key threatening process*” in respect of the conservation of the Osprey.

**CONCLUSIONS**

The relevant factors which must be considered pursuant to Section 5A of the EP&A Act in the determination of “*whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats*” are discussed above with regard to the Osprey and the proposed activity on the subject site at Davistown.

Given that the subject site at Illoura Reserve does not constitute relevant habitat for the Osprey, the proposed use of the Reserve for dog ‘off-leash’ exercise activities would not be “*likely*” to impose “*a significant effect*” upon this species. A *Species Impact Statement* is not required for the proposed activity with respect to the Osprey.

**3.4 Black Bittern**

**Factor (a) Threatened Species and the Risk of Extinction**

The Black Bittern is listed as a “*vulnerable*” species on the TSC Act, under threat by activities such as the clearing or grazing of riparian vegetation, as well as predation by foxes and feral cats.

The species has a wide distribution, from southern NSW north to Cape York and along the north coast to the Kimberley region, as well as in the south-west of Western Australia. In NSW, records of the species are scattered along the east coast, with individuals rarely being recorded south of Sydney or inland. It inhabits both terrestrial and estuarine wetlands, generally in areas of permanent water and dense vegetation. Where permanent water is present, the species may occur in flooded grassland, forest, woodland, rainforest and mangroves.

During the day the Black Bittern roosts in trees or on the ground amongst dense reeds and when disturbed, it will freeze in a characteristic bittern posture, leaving it particularly susceptible to attack by feral foxes and cats. The species is relatively sedentary and is known to occur within and around Brisbane Water (Figure 4), however there are no known records of the species from the subject land or the Davistown area in general.

**Appendix C** Section 5A Assessments of Significance.

Although habitat for the species exists in the Swamp Oak Floodplain Forest (SOFF) at the east of the subject site, neither the subject site at Illoura Reserve nor the immediately adjoining beach are of any particular relevance to the Black Bittern. Given the proposed activity will avoid that part of the Illoura Reserve vegetated by SOFF it is not likely that the species would be impacted by the proposed activity.

There is no likelihood of the subject site at Illoura Reserve or adjacent areas being of any particular relevance for the survival of a “*viable local population*” of the Black Bittern. There is no possibility that the proposed activity on the Illoura Reserve would result in a “*viable local population*” of that species “*being placed at risk of extinction*” (emphasis added).

**Factor (b) Endangered Populations and the Risk of Extinction**

The TSC Act defines an “*endangered population*” as “*a population specified in Part 2 of schedule 1*” of the Act.

The Black Bittern is not an “*endangered population*”.

**Factor (c) Endangered Ecological Communities and the Risk of Extinction**

The TSC Act defines an “*endangered ecological community*” as “*an ecological community specified in Part 3 of Schedule 1*” of the Act.

The Black Bittern is not an “*endangered ecological community*”.

**Factor (d) Habitat Removal, Modification, Fragmentation, Isolation and Importance**

Neither the subject site at Illoura Reserve nor the adjoining sandy beach constitute relevant “*habitat*” for the Black Bittern. There are no resources of particular relevance to the species, and neither the Reserve nor the adjoining watercourse would be of any particular value or significance for the Black Bittern at this locality.

With respect to the relevant matters addressed in Factor (d) of Section 5A of EP&A Act:

- the activity proposed in the subject site (within Illoura Reserve) would not result in any relevant habitat for the Black Bittern being “*removed or modified*”;
- there is no possibility of any areas of habitat for the Black Bittern becoming “*fragmented or isolated from other areas of habitat as a result of the proposed action*” on the Illoura Reserve; and
- the subject site at Illoura Reserve and the immediately adjoining areas are of no “*importance*” to the Black Bittern.

**Factor (e) Critical Habitat – Direct and Indirect Effects**

The TSC Act 1995 defines “*critical habitat*” as “*habitat declared to be critical habitat under Part 3*” of the Act. At the time of this *Report*, no “*critical habitat*” for the Black Bittern had been declared.

**Appendix C** Section 5A Assessments of Significance.

**Factor (f) Recovery Plans and Threat Abatement Plans**

There is currently no relevant *Recovery Plan* for the Black Bittern, and there is no relevant *Threat Abatement Plan*.

**Factor (g) Key Threatening Processes**

There are no “*key threatening processes*” of relevance to the Black Bittern, or its habitat, that would be exacerbated by use of the subject site at Illoura Reserve for dog ‘off-leash’ exercise activities.

Given those circumstances, the “*action proposed*” will not involve the “*operation of .. a key threatening process*”, and the proposed action will not exacerbate any “*key threatening process*” in respect of the conservation of the Black Bittern.

**CONCLUSIONS**

The relevant factors which must be considered pursuant to Section 5A of the EP&A Act in the determination of “*whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats*” are discussed above with regard to the Black Bittern and the proposed activity on the subject site at Davistown.

Given that the subject site within the Illoura Reserve does not constitute relevant habitat for the Black Bittern, the proposed use of the site for dog ‘off-leash’ exercise activities is not “*likely*” to impose “*a significant effect*” upon this species. A *Species Impact Statement* is not required for the proposed activity with respect to the Black Bittern.

**3.5 Green & Golden Bell Frog**

**Factor (a) Threatened Species and the Risk of Extinction**

The Green & Golden Bell Frog is currently listed as “*endangered*” on the TSC Act and “*vulnerable*” on the EPBC Act, and is under threat by factors such as habitat destruction, alteration to natural water regimes, herbicides, the Chytris fungus and predation by foxes and exotic fish.

The species is distributed along the NSW north coast near Brunswick Heads, southwards along the NSW coast to Victoria where it extends into east Gippsland and as far west as Bathurst, Tumut and the ACT region. It typically inhabits marshes, dams and stream-sides, particularly those containing bullrushes (*Typha* spp.) or spikerushes (*Eleocharis* spp.). Optimum habitat includes water-bodies that are unshaded, have a grassy area nearby and diurnal sheltering sites, although the species is known to inhabit highly disturbed regions of the Sydney metropolitan.

A population of Green & Golden Bell Frog is known to occur within the Davistown East Wetland at, and adjacent to, the eastern part of the Illoura Reserve and is approximately 1.3km from the “*subject site*”. Given that distance, as well as the lack of any remotely suitable habitat within the subject site,

**Appendix C** Section 5A Assessments of Significance.

there is no likelihood that the Green & Golden Bell Frog, or indeed any other threatened amphibian species, could be impacted by the proposed activity.

Neither the subject site at Illoura Reserve nor the immediately adjoining beach is of any relevance to the Green & Golden Bell Frog. Whilst there is a significant population of the species within proximity to the subject site (at the eastern end of the Illoura Reserve), it is not considered likely that the proposed use of the subject site for dog 'off-leash' activities would adversely affect any habitat for the Green & Golden Bell Frogs in this locality.

There is no likelihood that the subject site (within Illoura Reserve) or adjacent areas would be of any particular relevance for the survival of a "viable local population" of the Green & Golden Bell Frog. There is no possibility that the proposed activity on the Illoura Reserve would result in a "viable local population" of that species "being placed at risk of extinction" (emphasis added).

**Factor (b) Endangered Populations and the Risk of Extinction**

The TSC Act defines an "endangered population" as "a population specified in Part 2 of schedule 1" of the Act.

The Green & Golden Bell Frog is not an "endangered population".

**Factor (c) Endangered Ecological Communities and the Risk of Extinction**

The TSC Act defines an "endangered ecological community" as "an ecological community specified in Part 3 of Schedule 1" of the Act.

The Green & Golden Bell Frog is not an "endangered ecological community".

**Factor (d) Habitat Removal, Modification, Fragmentation, Isolation and Importance**

Neither the Illoura Reserve nor the adjoining sandy beach constitute relevant "habitat" for the Green & Golden Bell Frog. There are no resources of particular relevance to the species, and neither the Reserve nor the adjoining watercourse would be of any particular value or significance for the Green & Golden Bell Frog at this locality.

With respect to the relevant matters addressed in Factor (d) of Section 5A of EP&A Act:

- the activity proposed in the Illoura Reserve would not result in any relevant habitat for the Green & Golden Bell Frog being "removed or modified";
- there is no possibility of any areas of habitat for the Green & Golden Bell Frog becoming "fragmented or isolated from other areas of habitat as a result of the proposed action" on the Illoura Reserve; and
- the Illoura Reserve and immediately adjoining areas are of no "importance" to the Green & Golden Bell Frog.

**Appendix C** Section 5A Assessments of Significance.

**Factor (e) Critical Habitat – Direct and Indirect Effects**

The TSC Act 1995 defines “critical habitat” as “habitat declared to be critical habitat under Part 3” of the Act.

At the time of this *Report*, no “critical habitat” for the Green & Golden Bell Frog had been declared.

**Factor (f) Recovery Plans and Threat Abatement Plans**

There is currently no relevant *Recovery Plan* for the Green & Golden Bell Frog, and there is no relevant *Threat Abatement Plan*.

**Factor (g) Key Threatening Processes**

There are no “key threatening processes” of relevance to the Green & Golden Bell Frog, or its habitat, that would be exacerbated by use of the subject site at Illoura Reserve for dog ‘off-leash’ exercise activities.

Given those circumstances, the “action proposed” will not involve the “operation of .. a key threatening process”, and the proposed action will not exacerbate any “key threatening process” in respect of the conservation of the Green & Golden Bell Frog.

**CONCLUSIONS**

The relevant factors which must be considered pursuant to Section 5A of the EP&A Act in the determination of “whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats” are discussed above with regard to the Green & Golden Bell Frog and the proposed activity on the subject site at Davistown.

Given that the subject site at the Illoura Reserve does not constitute relevant habitat for the Green & Golden Bell Frog, the proposed use of the Reserve for dog ‘off-leash’ exercise activities is not “likely” to impose “a significant effect” upon this species. A *Species Impact Statement* is not required for the proposed activity with respect to the Green & Golden Bell Frog.



# Draft Dogs in Open Space Action Plan

## **CONSULTATION REPORT**

Central Coast Council

July 2023



# 1 Executive Summary

## 1.1 Background

The Central Coast Local Government Area (LGA) has the largest number of registered dogs in NSW (based on NSW Office of Local Government companion animal data) with a growing population of both people and their pets.

To accommodate this population of people and pets, Central Coast Council (Council) currently manages and maintains 62 off leash dog areas including dedicated beaches, open space reserves and enclosed off leash dog parks.

The draft Dogs in Open Space Action Plan (draft Plan) was developed to improve and expand the opportunity for dog exercise on the central coast in light of an increasing population while reducing the potential and/or actual negative impacts of dog exercise areas/activities on the environment and public amenity.

The draft Plan can be found on the consultation page can be found [here](#).

To support the development of the draft Plan Council:

- Reviewed all historical consultation and other data regarding dog ownership
- Prepared the draft Plan utilising the above data as well as relevant technical advice on the future development and management of dogs in open spaces and how Council should prioritise the delivery of potential new infrastructure
- Placed the draft Plan on public exhibition and invited the community to have their say and provide submissions

Council exhibited the draft Plan from 1 July and 26 August 2022.

This Consultation Report provides an overview of the engagement activities undertaken for the exhibition of the draft Plan, documents the methods and approach of these engagement activities and provides an analysis of and response to community and stakeholder feedback received.

## 1.2 What we heard

Council received a total of **3159** written submissions via the online guided submission form.

High-level results revealed the following:

- **37.3%** of participants agreed with the actions identified under planning for dog owners and their dogs; **45%** did not agree and **17.7%** were unsure.
- **15.5%** of participants agreed with the decommissioning/relocation of specific Off-Leash Areas (OLAs); **69.3%** did not agree and **15.2%** were unsure.
- **15.8%** of participants agreed with the boundary changes of specific OLAs; **52.2%** did not agree and **32%** were unsure.
- **51.9%** of participants agreed with the additional OLAs listed; **29.5%** did not agree and **18.6%** were unsure.
- **37.7%** of participants agreed with the actions identified under dog exclusion areas; **44.8%** did not agree and **17.5%** were unsure.
- **26.3%** of participants agreed with actions identified under compliance with dog control regulations; **64.4%** did not agree and **12.3%** were unsure.
- **57.5%** agreed with actions identified under access to foreshore off-leash areas; **21.4%** did not agree and **21.1%** were unsure.
- **61%** of participants agree with actions identified under dog registrations; **22%** did not agree and **17%** were unsure.
- **45.5%** of participants agreed with the actions identified under fencing off-leash areas; **21.1%** did not agree and **33.4%** were unsure.
- **48.1%** of participants agreed with the actions identified under effective control of dogs; **39.8%** did not agree and **12.1%** were unsure.
- **46.3%** of participants agreed with the actions listed under management of off-leash areas; **23.2%** did not agree and **30.5%** were unsure.
- **63.2%** of participants agreed with the actions listed under community partnerships, education and communication; **22.1%** did not agree and **14.6%** were unsure.

## 1.3 Key consultation findings

The key findings from the community and stakeholder feedback received are as follows:

- Dogs are an important part of many households on the central coast and Council recognises the emotional, physical and social benefits that are derived from dog ownership.
- The community generally agree with the principles of the draft Plan, however, there is a level of disagreement with actions proposed that may affect them directly (i.e. where OLAs are proposed or are proposed to be decommissioned in their neighbourhood, and timed/seasonal beach access).
- The environment (including relevant biodiversity values) needs to be protected in planning for OLAs.

A full list of themes raised throughout consultation can be found in Section 4. Council's response to these themes can also be found in Section 2.

## 1.4 Next steps

Council is now preparing to work with selected participants via workshops to further refine the draft Plan by codesigning solutions to some of the key issues identified prior to a revised draft Plan being re-exhibited. Council is also undertaking further technical and/or environmental assessments to ensure an informed and considered position is provided in relation to key issues of contention, such as the proposed conversion of the Terrigal and Davistown OLA's to on leash areas.

The revised draft Plan is expected to be presented to Council in either August or September 2023 with a further 28-day consultation period before the final Plan is put to Council for adoption in late 2023.



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## 2 Feedback Overview

### 2.1 Introduction

Council is committed to considering and addressing community and stakeholder feedback as far as possible and practicable noting that it is not always possible to accommodate all feedback or suggestions raised, particularly where there are competing and diverging interests. In these circumstances, Council's role is to find the appropriate balance for the community while considering a range of factors, including legislative factors to which Council must comply.

Due to the large volume and variety of content contained within the community and stakeholder feedback and to provide a succinct summary to those matters raised, Council has grouped the key items of feedback or suggestions via the table at Section 2.2 below and provided feedback in relation to each of the key themes listed.

### 2.2 Feedback

Theme	Summary of theme / Example of comment	Council's response
Governance	That it is not appropriate for the draft Plan to be progressed while Council is under Administration arrangements	Council's Administrator Mr Rik Hart was appointed by the State Government to exercise all functions of Council per Section 258 of the <i>Local Government Act 1993</i> .  Therefore, it is both lawful and appropriate that the Administrator make decisions informed by community views and Council staff recommendations.
Planning	Need improved planning for OLAs	A core consideration of the draft Plan is the establishment of a framework to improve decision-making around the establishment of OLAs as well as education and enforcement activities, amongst other actions. The draft Plan seeks to balance the diversity of demands that are placed on our open space network. The diversity of demands is summarised below for context: <ul style="list-style-type: none"> <li>protecting the environment and public amenity</li> <li>enhancing the recreational and sporting needs of the community (which includes the needs of both dog owners and non-dog owners)</li> </ul>



Theme	Summary of theme / Example of comment	Council's response
		<ul style="list-style-type: none"> <li>• managing risk (including public safety risks)</li> <li>• balancing competing or differing views (e.g., dog owners and non-dog owners sharing public places)</li> </ul> <p>Prior to the development and implementation of any OLA, further consultation will be undertaken with surrounding residents.</p>
Responsible pet ownership	That the majority of owners on the central coast are responsible pet owners	<p>Council appreciates and acknowledges those pet owners who are responsible and use designated OLAs correctly.</p> <p>Given there are now over 150,000 microchipped dogs residing within the Central Coast LGA (based on NSW Office of Local Government data (March 2023)), it is important that there are clear guidelines in place to manage and balance the use of our open spaces, including for those persons who do not wish to be around dogs, while considering environmental and public amenity issues and the sustainable use of land.</p>
Policing, enforcement and compliance	Need additional rangers and additional education and policing initiatives	<p>Council understands and acknowledges that there is significant community frustration with non-compliance in relation to those dog owners who do not behave in a responsible manner and/or in contravention of relevant laws/rules.</p> <p>While Council does actively respond to these concerns as far as possible (e.g., ongoing community education initiatives and enforcement action), the draft Plan recommends that the resourcing of Ranger Services be reviewed in consideration of:</p> <ul style="list-style-type: none"> <li>• Increasing capacity to undertake proactive compliance monitoring and enforcement</li> <li>• Increased capacity to expand community engagement and education</li> <li>• Scheduled patrols of beaches during summer and holiday periods and dog prohibited areas</li> <li>• Monitoring of leashing requirements in on leash areas</li> </ul>



Theme	Summary of theme / Example of comment	Council's response
Timed beach access	Management and suitability of timed off-leash beach access	<p>Dogs are currently prohibited from all beaches unless those beaches are specifically designated as an off-leash area. Timed and/or seasonal off leash access to beaches was a consideration of the draft Plan.</p> <p>Council has considered the community and stakeholder feedback received on this issue and decided not to proceed with this option at this time. This will be specifically addressed in any revised draft Plan.</p>
Sports fields/ovals access	Consider changing the restrictions on sports fields and ovals	<p>Off leash dogs on sports fields and ovals present a risk to children and other members of the community who use the fields for recreation (e.g., the digging of holes by dogs can result in injury for the users of sports fields and ovals, particularly during sporting events). Sports fields and ovals are also maintained for sporting and other recreational uses which is also impacted by the general wear associated with dog movements and dog poo.</p> <p>Council staff are however reviewing this action in the revised draft Plan to look at where sports fields and ovals can be more accommodating to on leash dogs. This will be specifically addressed in any revised draft Plan.</p>
Terrigal Haven	Objection to conversion of locality from an off-leash area to an on-leash area.	<p>Council recognises that this location is extremely popular with dog owners.</p> <p>The draft Plan proposed that this locality be converted from an off-leash area to an on-leash area due to the safety risks for both dog owners and their dogs given the proximity of the locality to the cliff edge as well as the proximity and intensity of use of adjoining roads and parking areas. This locality has also been the subject of ongoing complaints over time regarding the conflict between dogs and other users of the locality, dogs not being under effective control when off leash including around the cliff tops, dogs being off leash in adjoining areas including car parks and complaints of accidents within the carpark as a result of uncontrolled dogs. The natural amenity and surface of the locality has also been impacted by dog activity because of its gradient and maintenance has proven to be consistently costly.</p>



Theme	Summary of theme / Example of comment	Council's response
		<p>Council has considered the community and stakeholder feedback received on this issue and undertook a further risk assessment of the locality in response. This risk assessment again confirmed Council's position that the locality be converted to an on-leash area. It is not recommended that the locality be fenced or partially fenced to address these risk management issues because the amenity and aesthetics elements would be significantly compromised.</p> <p>Council has considered all aspects and submissions and formed the position that the conversion of this locality from an off-leash area to an on-leash areas is the best available compromise position to balance all the issues associated with this locality. Dogs will still be permitted at this locality, but the proposal is that they will be required to be on-leash at all times. This will be specifically addressed in any revised draft Plan.</p> <p>The draft Plan notes that the 3km radius provision of the nearby Wamberal Beach OLA encompasses the current Terrigal OLA however, an additional OLA site within the Terrigal Haven catchment is proposed at Duffy's Road.</p> <p>Further details regarding Council's position in respect of Duffy's Road is outlined below.</p>
Duffy's Reserve	Concerns regarding this proposed OLA	<p>Council acknowledges that the Terrigal area is limited in the available open space for additional OLAs and as such, Council is continuing its investigations into any available alternate options to the proposed Duffy's Road OLA.</p> <p>That said, the Wamberal Beach OLA, a large district sized OLA, caters for off-leash provisions within a 3km radius. This area encompasses provision for most of Terrigal, including Terrigal Haven, which is only 1.3km away. The North Avoca OLA is also just under 2km to the South.</p> <p>The Duffy's Road locality was proposed as a local level OLA only. Local level OLAs cater to homes within a 1km radius (walking distance) of the site. Although on-site parking is a bonus for these facilities, only on street parking is generally required. With an intended 15-30</p>





Theme	Summary of theme / Example of comment	Council's response
		<p>minute stay for OLA users, it is proposed that Council provide seating, water and bins.</p> <p>10 Yarang Close and 6 Ashley Avenue were investigated as an option but determined to be too small in size. 162 Riviera Avenue was investigated but was in close proximity to a play space. Further consultation will be held with the ASPECT school prior to any development of this site. This will be specifically addressed in any revised draft Plan.</p>
Davistown, Illoura Reserve (Pippi Point)		<p>Council recognises that this location is extremely popular with dog owners.</p> <p>The draft Plan proposed that this locality be converted from an off-leash area to an on-leash area primarily due to the environmental sensitives of this locality in conjunction with competing uses and impacts to ground surfaces and public amenity. In 2012, Council engaged an independent ecological assessment to determine the potential impacts of off-leash activities at this locality due to concerns of potential impacts on biodiversity values. The resulting report recommended "that the subject site NOT be used for 'dog off-leash' activities".</p> <p>Council has considered the community and stakeholder feedback received on this issue and engaged a further independent ecological assessment in 2023. This assessment identified that the locality contains actual habitat for several threatened and/or migratory entities listed under the <i>Environment Protection and Biodiversity Conservation Act (Commonwealth)</i> and the <i>Biodiversity Conservation Act 2016 (NSW)</i> including the critically endangered Eastern Curlew, the endangered Bush Stone-Curlew, the endangered Pied Oystercatcher and several more vulnerable species, noting that the NSW Recovery Plan for the Bush Stone-Curlew states that "Leash-free dog parks should not be situated within 500m of Bush Stone-Curlew habitat". The resulting report recommended "that a new location for a leash free dog exercise area be located away from Pippi Point".</p>



Theme	Summary of theme / Example of comment	Council's response
		<p>An Aboriginal Heritage Information Management System (AHIMS) assessment was also undertaken in May 2023 which identified two aboriginal sites recorded at this locality.</p> <p>A resulting risk assessment that considered the above further determined that this locality is inappropriate for off-leash use.</p> <p>In addition, Council acknowledges that there is poor compliance with leashing requirement along pathways and foreshore areas leading to this locality as well as poor control of dogs within the reserve where there are multiple users.</p> <p>Council has considered all aspects and submissions and formed the position that the conversion of this locality from an off-leash area to an on-leash areas is the best available compromise position to balance all the issues associated with this locality. Dogs will still be permitted at this locality, but the proposal is that they will be required to be on-leash at all times. This will be specifically addressed in any revised draft Plan.</p> <p>Council is still investigating alternative OLAs in the Davistown area which will also be addressed in any revised draft Plan.</p>
Caraval Street Reserve, Hamlyn Terrace		<p>Council does not have any record of this reserve being earmarked for a play space. Council staff will review the appropriateness of this reserve as an OLA given its close proximity to the proposed District Hilltop site.</p>



## 3 Engagement Approach

### 3.1 Purpose of engagement

The purpose of Council's engagement was to:

- Inform the community about the development of the draft Plan and the need for its development
- Seek feedback on the guiding principles and proposed changes
- Understand community preferences for the management of OLAs
- Work with stakeholders and the community to identify issues which may affect the proposal and work to find a solution where possible

### 3.2 Our engagement framework

Consultation has been designed in accordance with Council's Engagement Framework. This framework is available to view [here](#).

### 3.3 How we consulted

#### Consultation methods

Written submissions	<p>All residents and stakeholders could make a written submission via email, the online guided submission form on <a href="http://yourvoiceourcoast.com">yourvoiceourcoast.com</a>, or via post. <b>3159</b> submissions via the online guided submission form were received and <b>184</b> submissions were received via email.</p> <p>A copy of the submission form can be found in <b>Appendix G</b></p>
Interactive map demonstrating proposed infrastructure changes	<p>An interactive map depicting the proposed infrastructure changes was developed.</p> <p>The interactive map received <b>1542</b> visits during the exhibition period.</p>



### Promotion of activities

We carried out promotion of the public exhibition to ensure the community and stakeholders were aware of the opportunity to participate.

Your Voice – Our Coast website	<ul style="list-style-type: none"> <li>• Online project page launched 1 July 2022 attracting <b>12387</b> visits during the consultation period. <a href="http://www.yourvoiceourcoast.com/dogs">www.yourvoiceourcoast.com/dogs</a></li> </ul>
Media Releases	<ul style="list-style-type: none"> <li>• Feedback invited from the community on draft Plan 4 July 2022</li> <li>• Council receives strong community response to its draft Plan 30 August 2022</li> </ul> <p>Copies of the media releases can be found in <b>Appendix A</b></p>
Coast Connect articles	<ul style="list-style-type: none"> <li>• Have your say on the draft Plan 6 July 2022</li> <li>• Share feedback on off-leash areas 14 July 2022</li> <li>• Have your say on the draft Plan 21 July 2022</li> <li>• Have your say on the draft Plan 27 July 2022</li> <li>• Have your say on the draft Plan 4 August 2022</li> <li>• Tell us your thoughts on dogs in open spaces 11 August 2022</li> </ul> <p>Copies of the articles can be found in <b>Appendix B</b></p>
Facebook	<ul style="list-style-type: none"> <li>• 🐾 Join the 500 community members who have already had their say on the draft Plan. Facebook, <b>21353</b> reached and <b>49</b> engagements. 19 July 2022</li> <li>• 🗨️ Provide your input and influence community decisions Facebook, <b>6524</b> reached and <b>15</b> engagements 25 July 2022</li> <li>• 🐾 Don't forget to have your say on our draft Plan. We want to hear from everyone, whether you have a dog or not. Facebook, <b>10450</b> reached and <b>29</b> engagements 12 August 2022</li> </ul>



	<ul style="list-style-type: none"> <li>• 🐶 REMINDER: There's only three days left to have your say on the draft Plan. We want to hear from everyone, whether you have a dog or not, with consultation closing this Friday 26 August. Facebook, <b>1168</b> reached and <b>36</b> engagements 24 August 2022</li> <li>• 🐶 That's a wrap! We received over 3,200 submissions to the draft Plan. Facebook, <b>5427</b> reached and <b>21</b> engagements 31 August 2022</li> </ul> <p>Copies of the Facebook posts can be found in <b>Appendix C</b>.</p>
Instagram	<ul style="list-style-type: none"> <li>• 🐶 Join the 500 community members who have already had their say on our draft Dogs in Open Space Action Plan. Instagram, <b>4856</b> reached and <b>79</b> engagements. 19 July 2022</li> <li>• Provide your input and influence community decisions 🙋 Instagram, <b>1446</b> reached and <b>17</b> engagements. 25 July 2022</li> <li>• 🐶 Don't forget to have your say on our draft Dogs in Open Space Action Plan. We want to hear from everyone, whether you have a dog or not. Instagram, <b>2220</b> reached and <b>55</b> engagements. 12 August 2022</li> <li>• 🐶 REMINDER: There's only three days left to have your say on our draft Dogs in Open Space Action Plan. We want to hear from everyone, whether you have a dog or not, with consultation closing this Friday 26 August. Instagram, <b>3094</b> reached and <b>47</b> engagements. 24 August 2022</li> <li>• 🐶 That's a wrap! We received over 3,200 submissions to our Draft Dogs in Open Space Action Plan. Instagram, <b>901</b> reached, <b>18</b> engagements. 31 August 2022</li> </ul> <p>Copies of the Instagram posts can be found in <b>Appendix D</b>.</p>
Twitter	<ul style="list-style-type: none"> <li>• We are currently seeking feedback on: the draft Plan (and other matters) 25 July 2022</li> </ul>



	<ul style="list-style-type: none"> <li>🐶 That's a wrap! We received over 3,200 submissions to our Draft Dogs in Open Space Action Plan. 31 August 2022</li> <li>Copies of the tweets can be found in <b>Appendix E</b>.</li> </ul>
Linked In	<ul style="list-style-type: none"> <li>Provide your input and influence community decisions. 25 July 2022</li> </ul> <p>A copy of the linked in post can be found in <b>Appendix F</b>.</p>
Posters	<p><b>40</b> posters were distributed across the Central Coast.</p> <p>A copy of the poster can be found in <b>Appendix G</b>.</p>
Project screensavers	Project screensavers displays across <b>17</b> Council libraries, customer service centres and recreation facilities.
Emails	<b>7,342</b> direct emails sent out to a variety of stakeholders.



## 4 Detailed Analysis

### 4.1 Introduction

Council, as indicated above, sought community and stakeholder feedback between 1 July and 26 August 2022 using a range of mechanism. Key matters and statistics have been provided in Sections 2 and 3 of this Consultation Report.

Provided below is more information relating to Council's analysis of the feedback provided.

### 4.2 Theme coding rationale

Council, when large amounts of feedback are provided, uses theming to break down and further analyse data. A copy of the theme coding rationale for each of the comments and their associated questions (as per the guided submission form) is available below.

**Q1: Do you agree with the actions identified under planning for dog owners and their dogs?**

Theme	Summary of theme
Environment	Local environment (including biodiversity) needs to be protected
Beach (access)	Beach access for dogs should be retained
Beach (restrictions)	Beach access for dogs should be restricted
Human wellbeing	Off Leash Areas provide important social connections for owners.  Off Leash Areas allow owners to feel a part of the community
Dog wellbeing	Off Leash Areas provide valuable opportunities for dogs to socialise
Economic benefits	Off Leash Parks are a significant contributor to local economies
Lifestyle	Off Leash Areas contribute to the lifestyle of Central Coast residents
Policing	The policing of irresponsible ownership should be increased.
Planning	Comments about the need to strategically plan for the management of open space areas and dogs



Theme	Summary of theme
Safety	<p>Off leash dogs make the area un-pleasant</p> <p>Off leash dogs make the area un-safe for children</p> <p>Will ensure that dogs have a safe place to</p>
Responsible ownership	<p>Some dog owners disregard rules</p> <p>Some dog owners are irresponsible</p> <p>OLA attract irresponsible owners</p> <p>Dog poo is an issue with owners not taking responsibility or accountability for dog's mess</p> <p>Don't ruin it for those who do the right thing just to punish the few that do the wrong thing</p>
Effective control	<p>Dogs are completely out of control</p> <p>Effective control or a leash are the lowest of expectations</p> <p>Experienced out of control dogs</p> <p>Support the requirement for effective control</p>
Inappropriate alternate location	Does not agree with the proposed alternative location (flag in location if relevant)
Leave as is (location and rules)	Would like current OLA to remain (flag in location if relevant)
Support for proposal	<p>Support for location changes</p> <p>Support for overall document</p>
Location	Terrigal Haven
	Davistown (Pippi Point)
	Duffys Reserve
	Wamberal Beach
	Umina Beach
	Beach (generic)
	Other location





**Q2: Do you agree the proposed decommissioning/relocation of these OLA?**

Theme	Summary of theme
<b>Environment</b>	Local environment (including biodiversity) needs to be protected
<b>Responsible owners</b>	Comments about responsible owners using these sites to exercise their pets  Comments about irresponsible owners using the sites
<b>Socialisation (dogs)</b>	Comments on the importance of OLA for socialisation between dogs.
<b>Dog poo (issues)</b>	Comments about how much dog poo is at the OLA's
<b>Public safety</b>	Comments about safety for children at OLA  Comments about public safety for OLA
<b>Dog Safety (issues)</b>	Comments about the safety of dogs at these locations
<b>Use of OLAs</b>	Comments about the use of OLAs
<b>Inappropriate alternate location</b>	Does not agree with the proposed alternative location (flag in location if relevant)
<b>Leave as is (location)</b>	Would like current OLA to remain (flag in location if relevant)
<b>Leave as is (process)</b>	Would like the current arrangements to stay in place
<b>Support for proposal</b>	Support for location changes  Support for overall document
<b>Previous answer</b>	Refers to previous answer provided
<b>Location</b>	Terrigal Haven
	Davistown (Pippi Point)
	Duffys Reserve
	Wamberal Beach
	Umina Beach
	Killcare
	Beach (generic)
	Other location



Theme	Summary of theme
Other	Other comments not suited to codes listed above

**Q3: Do you agree with the proposed changes to OLA boundaries?**

Theme	Summary of theme
Responsible ownership	Comments about responsible ownership Comments about irresponsible owners
Increase in size	Comments supporting an increase in size
Decrease in size	Comments about not supportive of decreasing the size of OLAs
Suggestion for further change	Comments suggesting other areas to be added
Public safety	Comments about public safety in/around OLAs
Use of OLAs	Comments about the use and supply of OLAs
Leave as is (location)	Would like current OLA to remain (flag in location if relevant)
Leave as is (process)	Would like the current arrangements to stay in place
Support for proposal	Support for location changes Support for overall document
Previous answer	Refers to previous answer provided
Location	Terrigal Haven
	Davistown (Pippi Point)
	Duffys Reserve
	Wamberal Beach
	Umina Beach
	Killcare
	Beach (generic)
Other location	
Other	Other comments not suited to codes listed above



**Q4: Do you agree with the proposed additional OLA site locations?**

Theme	Summary of theme
Responsible ownership	Comments about responsible ownership Comments about irresponsible owners
Support for proposal	Support for location changes Support for overall document
Not supportive of proposal	Not supportive of proposed location (tag location if available)
Public safety (tag location if mentioned)	Comments about public safety
Previous answer	Refers to previous answer provided
Location listed	Davistown
	Duffys Reserve
	Beach (generic)
	Other location
Other	Other comments not suited to codes listed above

**Q5: Do you agree with the actions identified under dog exclusion areas? (Why?)**

Theme	Summary of theme
Responsible ownership	Comments about responsible ownership Comments about irresponsible owners Comments about dog poo issues
Exclusion areas	Comments about too many areas excluding dogs Comments about not enough areas excluding dogs Comments about public safety
Enforcement/policing	Comments supporting the need for exclusion areas to assist in regulating the areas



	Comments about signage
Effective control	Comments about the effective control of dogs
Support for proposal	Support exclusion areas Support for overall document
Not supportive of proposal	Not supportive of exclusion areas (tag location if available)
Previous answer	Refers to previous answer provided
Location listed	Beach
	Sports fields/ovals
	Bush
	Waterfront reserve (COSS)
	Playgrounds
	Other location
Other	Other comments not suited to codes listed above

**Q6: Do you agree with the actions identified under compliance with dog control regulations?**

Theme	Summary of theme
Responsible ownership	Comments about responsible ownership Comments about irresponsible owners Comments about dog poo issues
Enforcement/policing	Comments around policing these rules Support for increased enforcement patrols
Governance	Comments about this being over-governed
Support for proposal	Support for compliance with dog control regulations Support for overall document
Not supportive of proposal	Not supportive of dog control regulations
Previous answer	Refers to previous answer provided



Other	Other comments not suited to codes listed above
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**Q7: Do you agree with the actions identified under access to foreshore off-leash areas?**

Theme	Summary of theme
Responsible ownership	Comments about responsible ownership Comments about irresponsible owners Comments about dog poo issues
Environment	Local environment (including biodiversity) needs to be protected
Recreation	Comments about
Education/signage	Comments about signage
Support for proposal	Support for compliance with dog control regulations Support for overall document
Not supportive of proposal	Not supportive of proposals for foreshore areas
Previous answer	Refers to previous answer provided
Other	Other comments not suited to codes listed above

**Q8: Do you agree with the action identified under dog registrations?**

Theme	Summary of theme
Responsible ownership	Comments about responsible ownership Comments about irresponsible owners Comments about dog behaviour
Enforcement/policing	Comments around policing these rules Support for increased enforcement patrols
Governance	Comments about this being over-governed Comments supporting governance the plan offers
Support for proposal	Support for compliance with dog registrations



	Support for overall document
Not supportive of proposal	Not supportive of dog registration requirements
Previous answer	Refers to previous answer provided
Other	Other comments not suited to codes listed above

**Q9: Do you agree with the actions identified under fencing off-leash areas?**

Theme	Summary of theme
Responsible ownership	Comments about responsible ownership Comments about irresponsible owners Comments about dog behaviour
Enforcement/policing	Comments around policing these rules Support for increased enforcement patrols
Fencing (required)	Comments supporting improving sensory experience is good but still require fencing
Support for proposal	Support for fencing off-leash areas Support for overall document
Not supportive of proposal	Not supportive of not fencing OLAs
Previous answer	Refers to previous answer provided
Other	Other comments not suited to codes listed above

**Q10: Do you agree with the actions identified under effective control of dogs?**

Theme	Summary of theme
Responsible ownership	Comments about responsible ownership Comments about irresponsible owners Comments about dog behaviour
Enforcement/policing	Comments around policing these rules Support for increased enforcement patrols



Support for proposal	Support for effective control regulations Support for overall document
Not supportive of proposal	Not supportive of requirements for effective control
Previous answer	Refers to previous answer provided
Other	Other comments not suited to codes listed above

**Q11: Do you agree with the actions listed under management of off-leash areas?**

Theme	Summary of theme
Enforcement/policing	Comments around policing these rules Comments about not punishing the majority for a minority. Comments about Ranger resourcing and powers
Support for proposal	Support for actions listed under management of OLAs Support for overall document
Not supportive of proposal	Not supportive of actions listed under management of OLAs
Previous answer	Refers to previous answer provided
Other	Other comments not suited to codes listed above

**Q12: Do you agree with the actions listed under community partnerships, education and communication?**

Theme	Summary of theme
Cost benefit	Comments about access to services being free Questions around if this is a useful allocation of money
Enforcement/policing	Comments around policing these rules Comments about Ranger resourcing Comments around visitors and tourist enforcement Comments around policing the minority that do not follow the rules



Support for proposal	Support for actions listed under community partnerships, education and communication Support for overall document
Not supportive of proposal	Not supportive of actions listed under community partnerships, education and communication
Previous answer	Refers to previous answer provided
Other	Other comments not suited to codes listed above

**Q13: Submission comments:**

Theme	Summary of theme
Environment	Local environment (including biodiversity) needs to be protected
Beach (access)	Beach access for dogs should be retained
Beach (restrictions)	Beach access for dogs should be restricted
Wellbeing	Off Leash Areas provide important social connections for owners. Off Leash Areas allow owners to feel a part of the community Off Leash Areas provide valuable opportunities for dogs to socialise
Economic benefits	Off Leash Parks are a significant contributor to local economies
Lifestyle	Off Leash Areas contribute to the lifestyle of Central Coast residents
Policing	The policing of irresponsible ownership should be increased. Comments about over-policing
Planning	Comments about the need to strategically plan for the management of open space areas and dogs
Safety	Off leash dogs make the area un-pleasant Off leash dogs make the area un-safe for children Will ensure that dogs have a safe place to exercise
Responsible ownership	Some dog owners disregard rules





Theme	Summary of theme
	<p>Some dog owners are irresponsible</p> <p>OLA attract irresponsible owners</p> <p>Dog poo is an issue with owners not taking responsibility or accountability for dogs mess</p> <p>Don't ruin it for those who do the right thing just to punish the few that do the wrong thing</p>
Effective control	<p>Dogs are completely out of control</p> <p>Effective control or a leash are the lowest of expectations</p> <p>Experienced out of control dogs</p> <p>Support the requirement for effective control</p>
Inappropriate alternate location	Does not agree with the proposed alternative location (flag in location if relevant)
Leave as is (location and rules)	Would like current OLAs to remain (flag in location if relevant)
Support for proposal	Support for overall document
Location	Terrigal Haven
	Davistown (Pippi Point)
	Duffys Reserve
	Wamberal Beach
	Umina Beach
	Beach (generic)
	Other location
Other	Other comments that do not suit the above codes

### 4.3 Method 1 – Online guided submission form

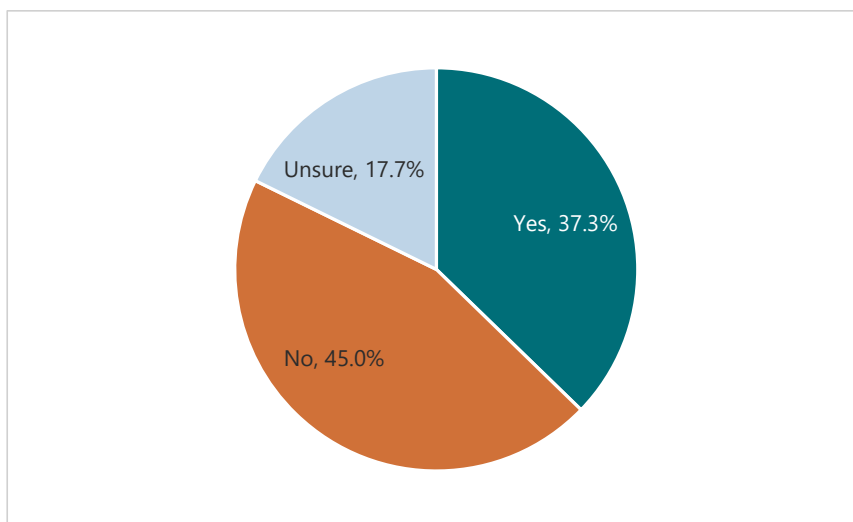
Between 1 July and 27 August 2022, an online guided submission form was launched to seek feedback on the draft Plan.



A total of **3159** submissions via the online guided form were received during the consultation period.

The theme coding rationale detailed in section 4.1 has been applied to further analyse the submissions received via the guided submission form.

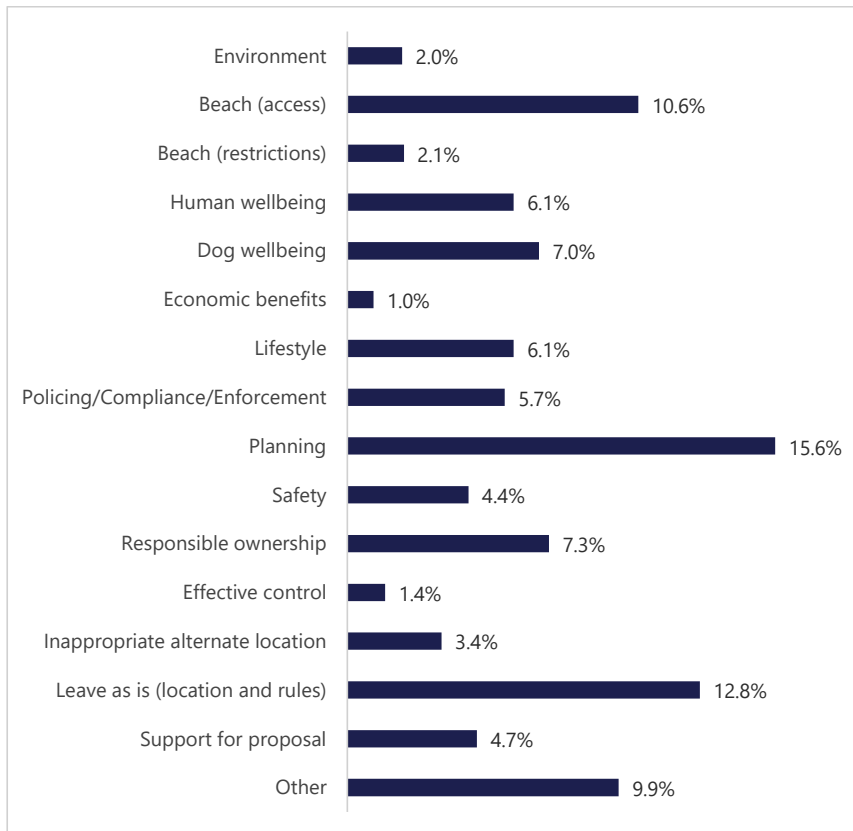
**Figure one:** Do you agree with the actions identified under planning for dog owners and their dogs?



Total responses: 2628

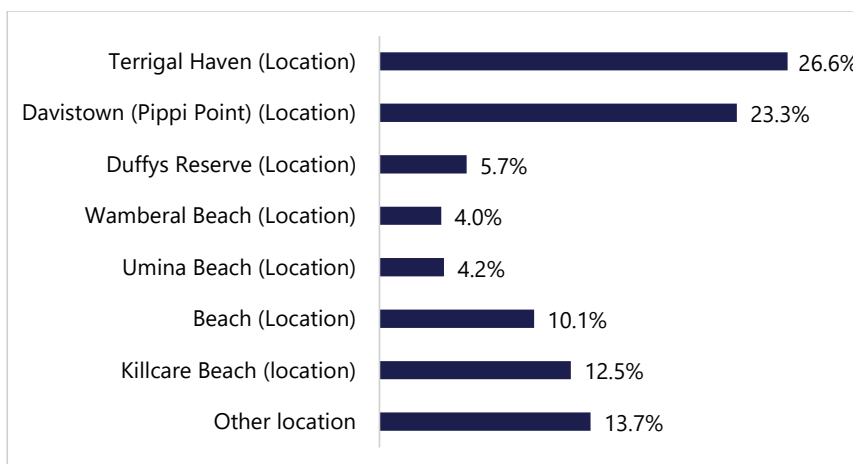


**Figure two:** Do you agree with the actions identified under planning for dog owners and their dogs? Why? *Coded responses*



Total codes applied: 3381

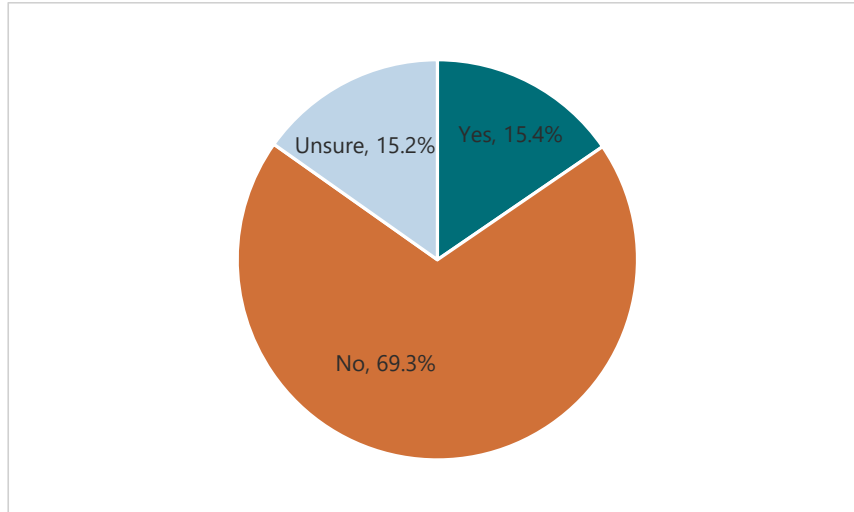
**Figure three:** Do you agree with the actions identified under planning for dog owners and their dogs? Why? *Location specific coded responses*



Total location codes applied: 546

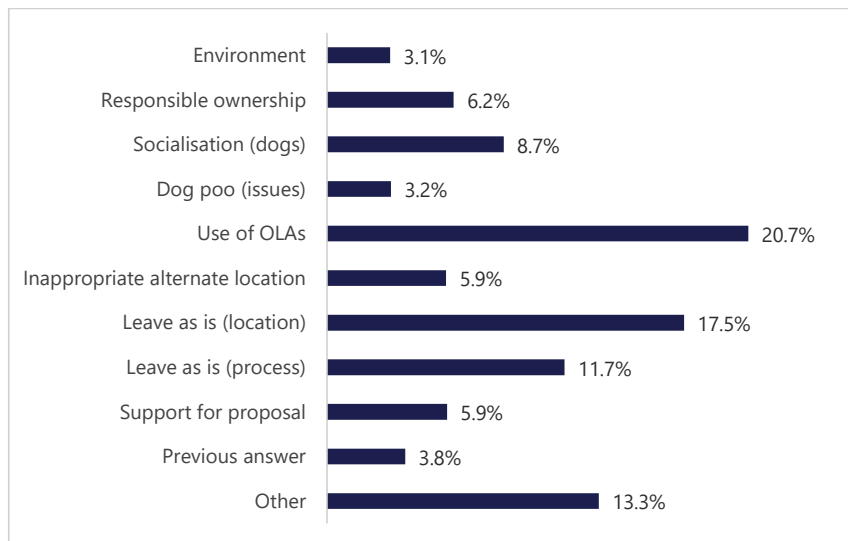


**Figure four:** Do you agree the proposed decommissioning/relocation of these OLA?



Total responses: 2505

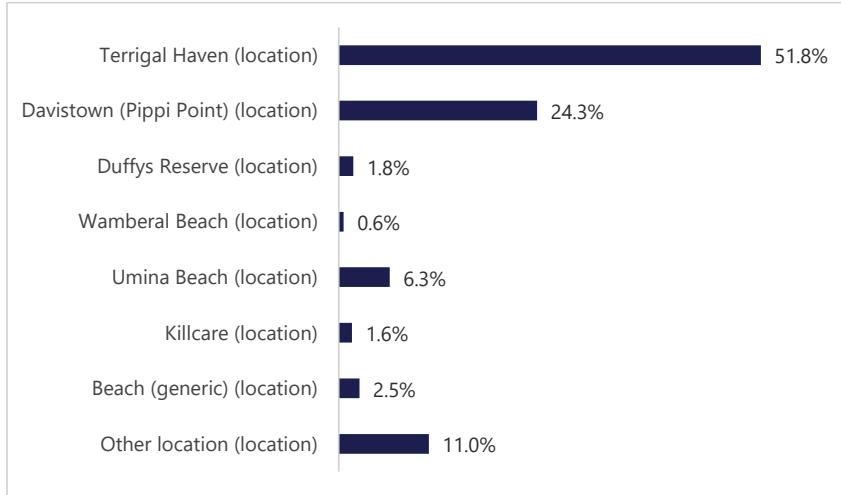
**Figure five:** Do you agree the proposed decommissioning/relocation of these OLA? Why?  
Coded responses



Total codes applied: 2442

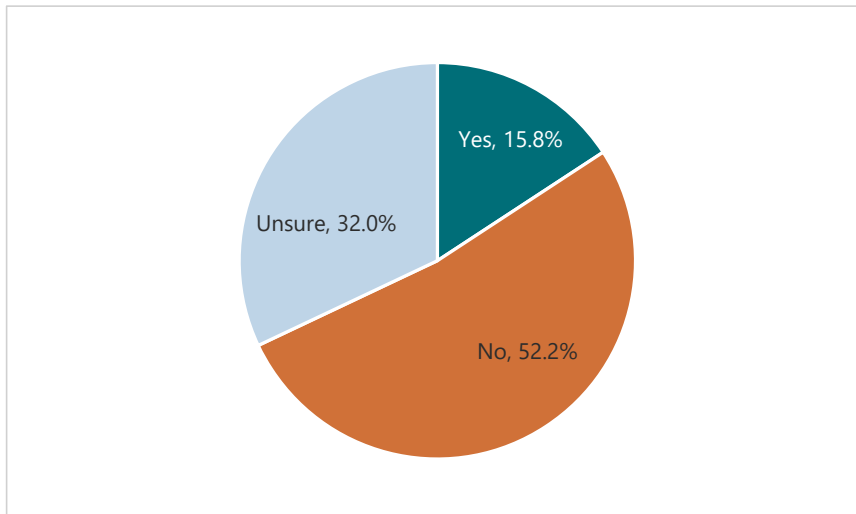


**Figure six:** Do you agree the proposed decommissioning/relocation of these OLA? Why?  
*Location specific coded responses*



Total location codes applied: 670

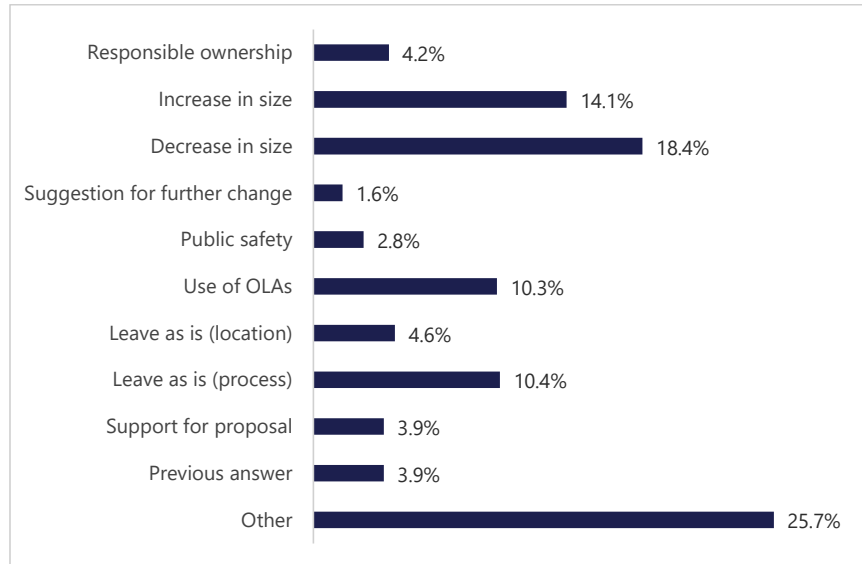
**Figure seven:** Do you agree with the proposed changes to OLA boundaries?



Total responses: 2429

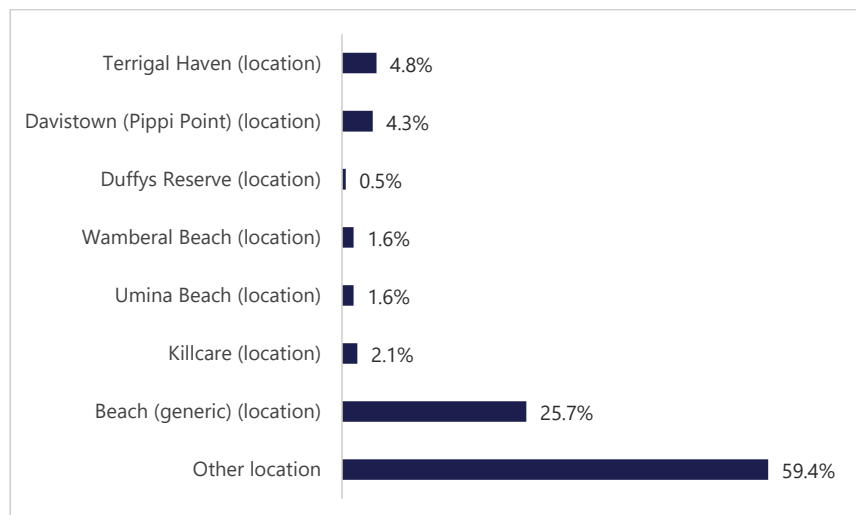


**Figure eight:** Do you agree with the proposed changes to OLA boundaries? Why? Coded responses



Total codes applied: 1775

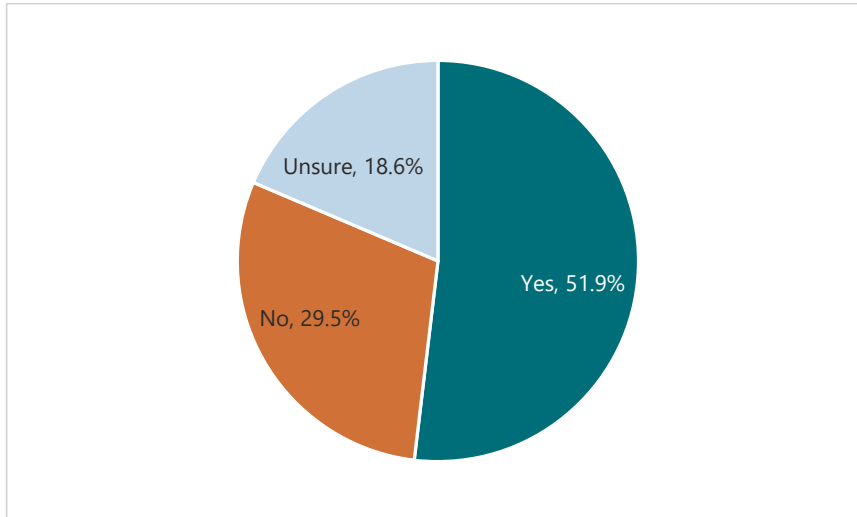
**Figure nine:** Do you agree with the proposed changes to OLA boundaries? Why? Location specific coded responses



Total location codes applied: 187

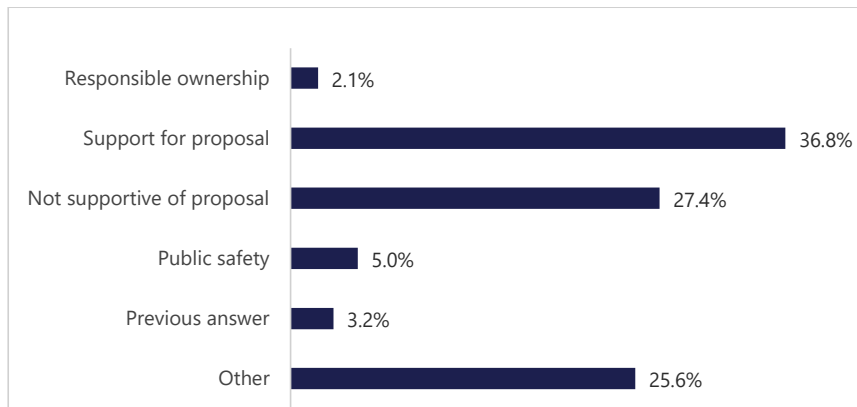


**Figure ten:** Do you agree with the proposed additional OLA site locations?



Total responses: 2378

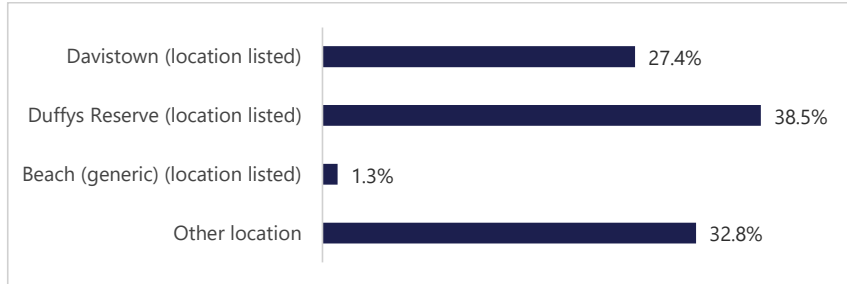
**Figure eleven:** Do you agree with the proposed additional OLA site locations? Why? Coded responses



Total codes applied: 1219

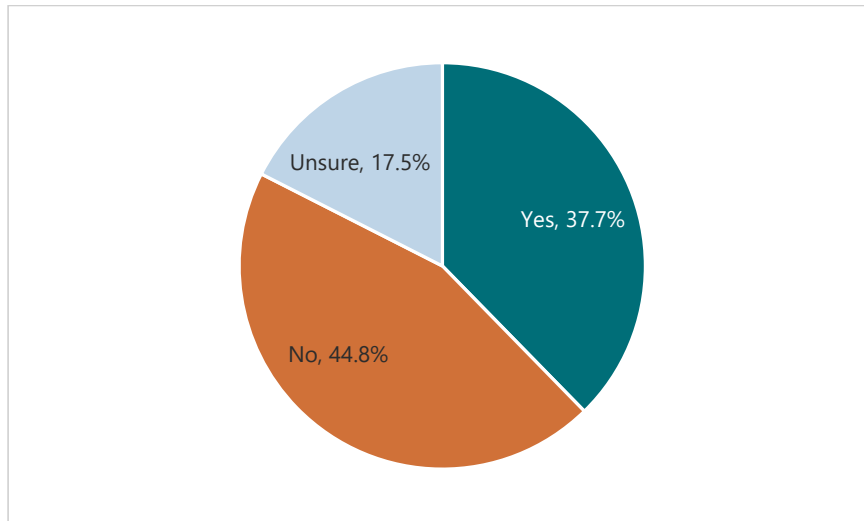


**Figure twelve:** Do you agree with the proposed additional OLA site locations? Why? Location specific coded responses



Total location codes applied: 299

**Figure thirteen:** Do you agree with the actions identified under dog exclusion areas?

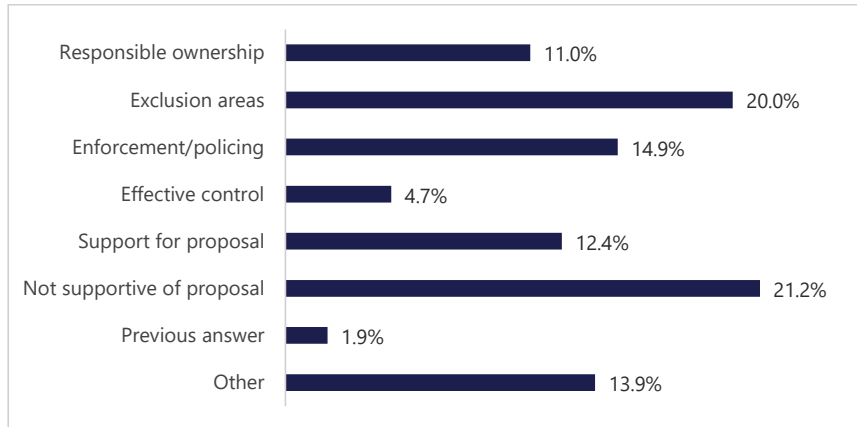


Total responses: 2319



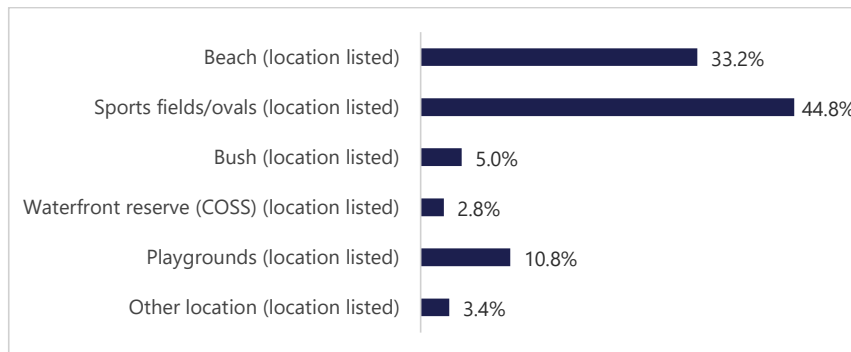


**Figure fourteen:** Do you agree with the actions identified under dog exclusion areas? Why?  
Coded responses



Total codes applied: 1478

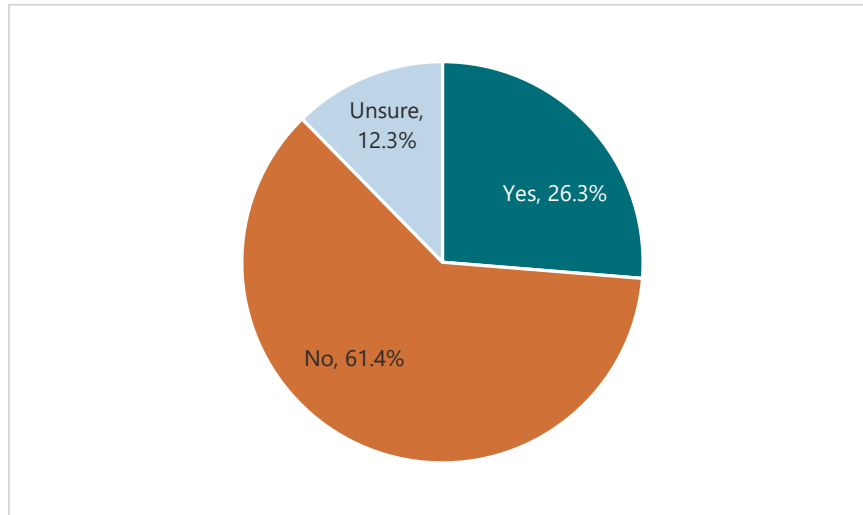
**Figure fifteen:** Do you agree with the actions identified under dog exclusion areas? Why?  
Location specific coded responses



Total location codes applied: 464

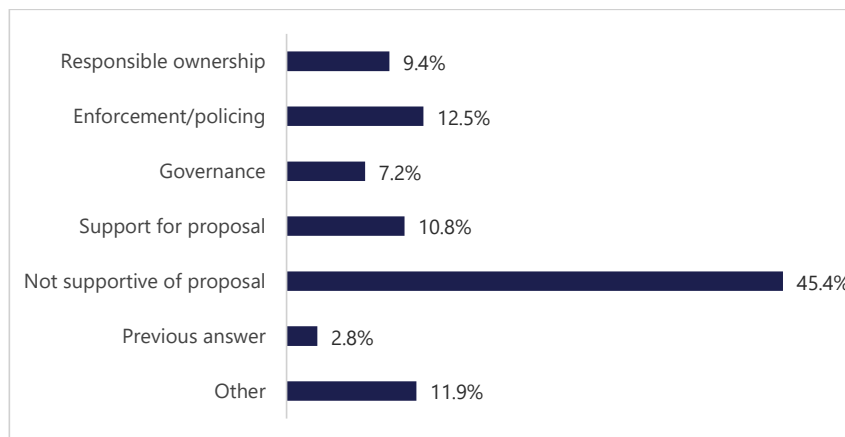


**Figure sixteen:** Do you agree with the actions identified under compliance with dog control regulations?



Total responses: 2272

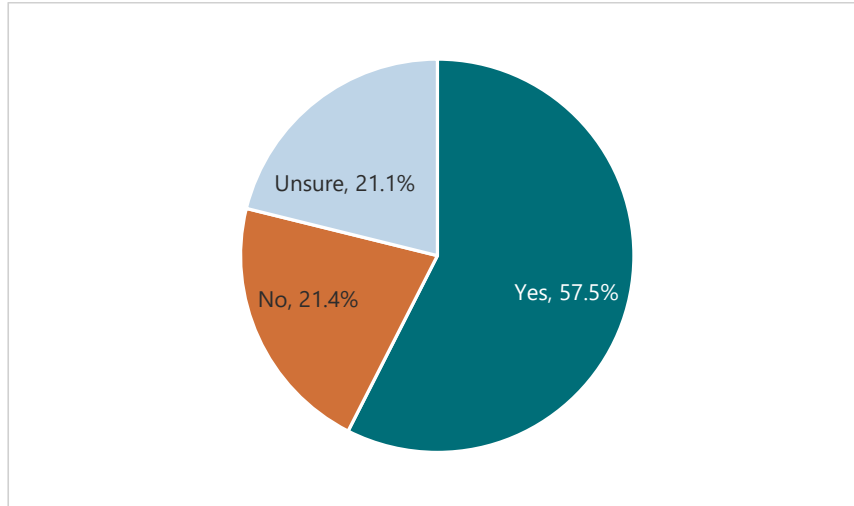
**Figure seventeen:** Do you agree with the actions identified under compliance with dog control regulations? Why? Coded responses



Total codes applied: 1836

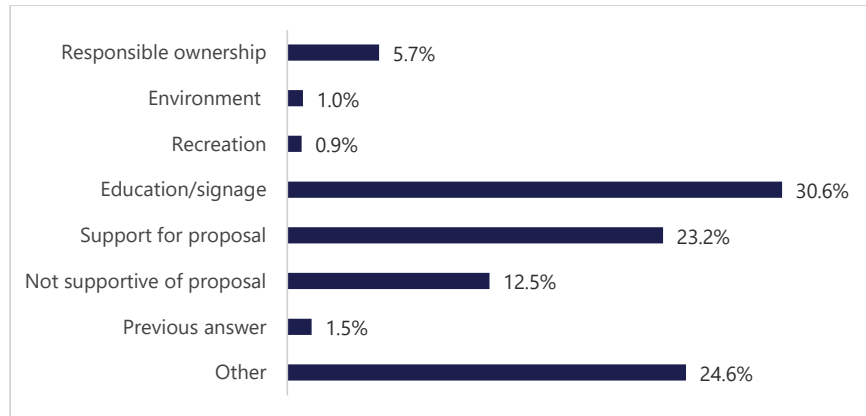


**Figure eighteen:** Do you agree with the actions identified under access to foreshore off-leash areas?



Total responses: 2219

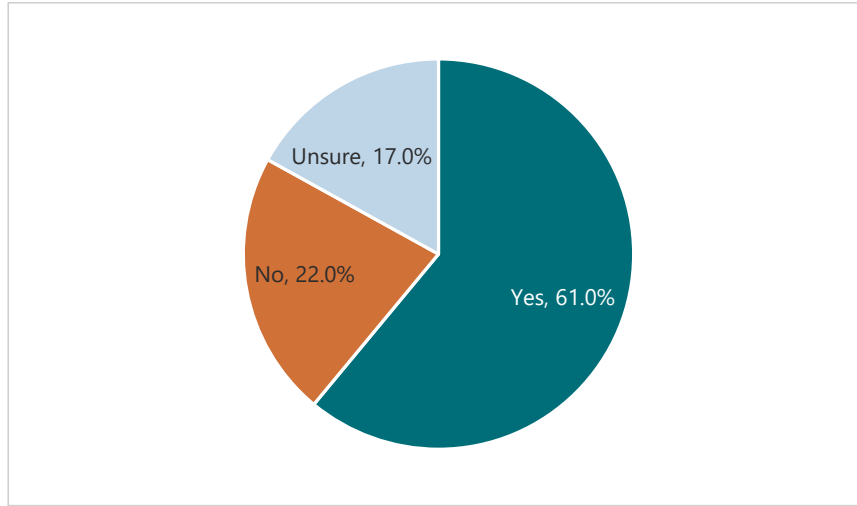
**Figure nineteen:** Do you agree with the actions identified under access to foreshore off-leash areas? Why? Coded responses



Total codes applied: 1128

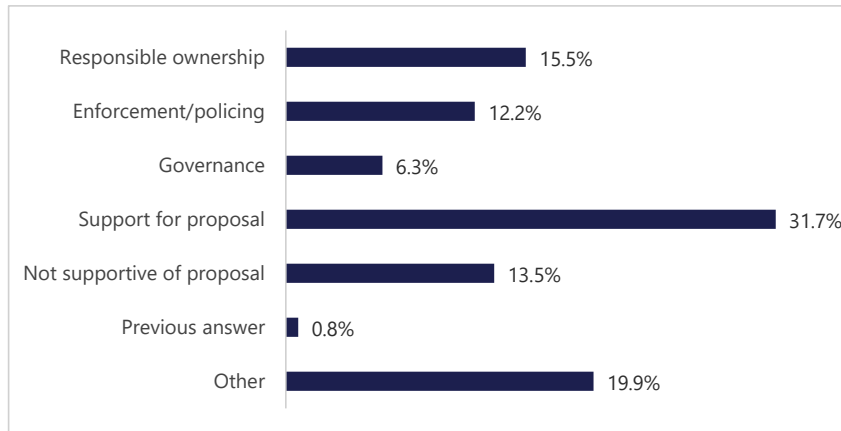


**Figure Twenty:** Do you agree with the action identified under dog registrations?



Total responses:2217

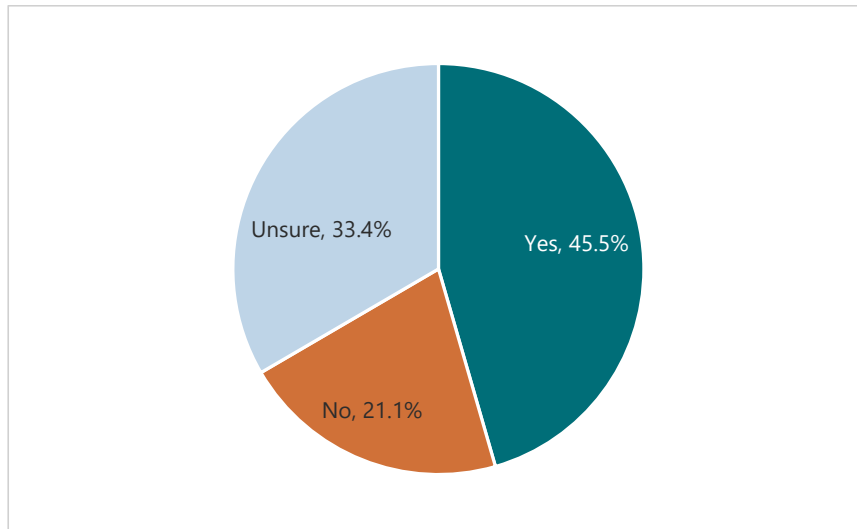
**Figure Twenty one:** Do you agree with the action identified under dog registrations? Why?  
Coded responses



Total codes applied: 1119

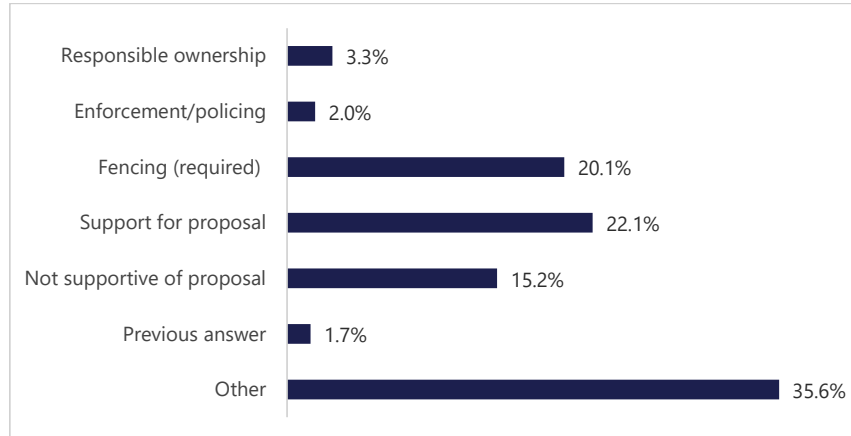


**Figure Twenty two:** Do you agree with the actions identified under fencing off-leash areas?



Total responses: 2170

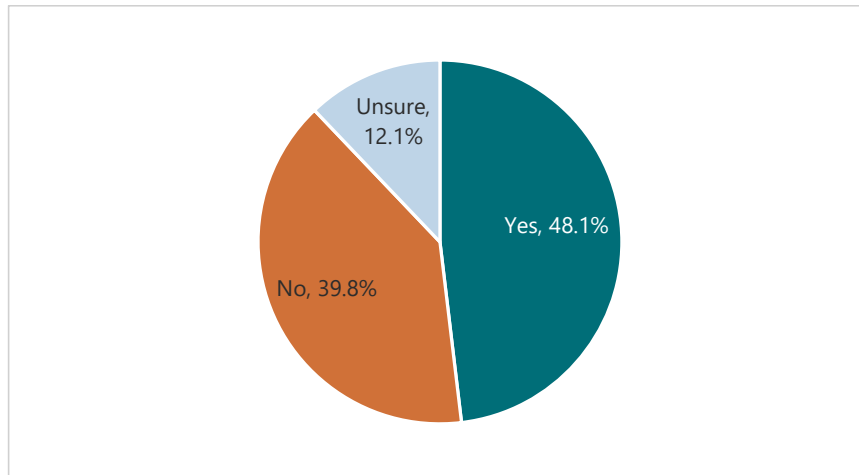
**Figure Twenty three:** Do you agree with the actions identified under fencing off-leash areas? Why? Coded responses



Total codes applied: 882

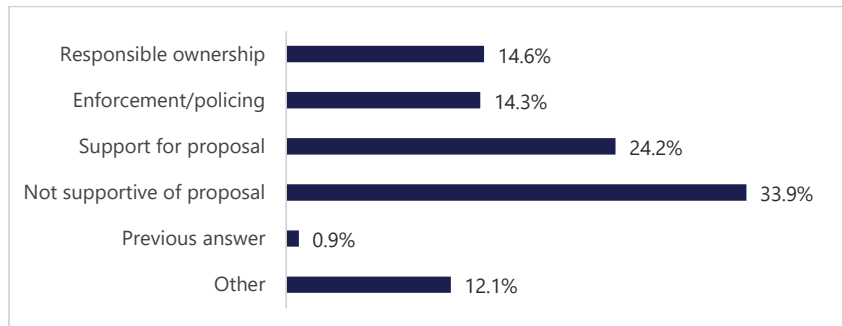


**Figure Twenty four:** Do you agree with the actions identified under effective control of dogs?



Total responses: 2166

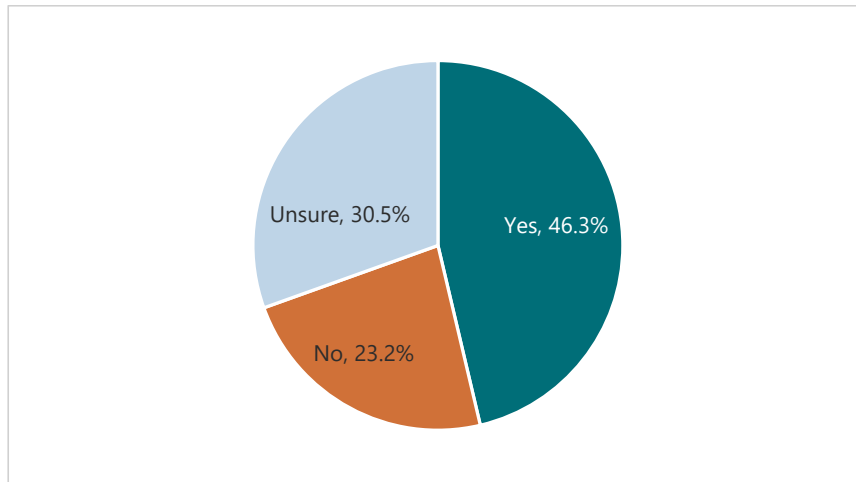
**Figure Twenty five:** Do you agree with the actions identified under effective control of dogs? Why? Coded responses



Total codes applied: 1477

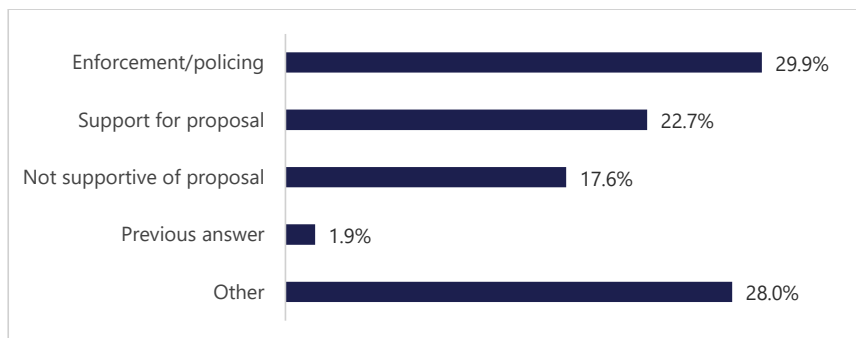


**Figure Twenty six:** Do you agree with the actions listed under management of off-leash areas?



Total responses: 2125

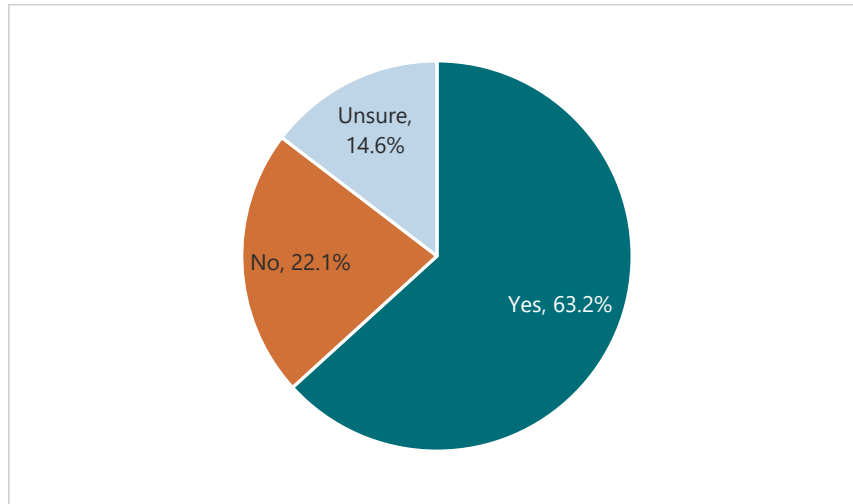
**Figure Twenty seven:** Do you agree with the actions listed under management of off-leash areas? Why? Coded responses



Total codes applied: 807

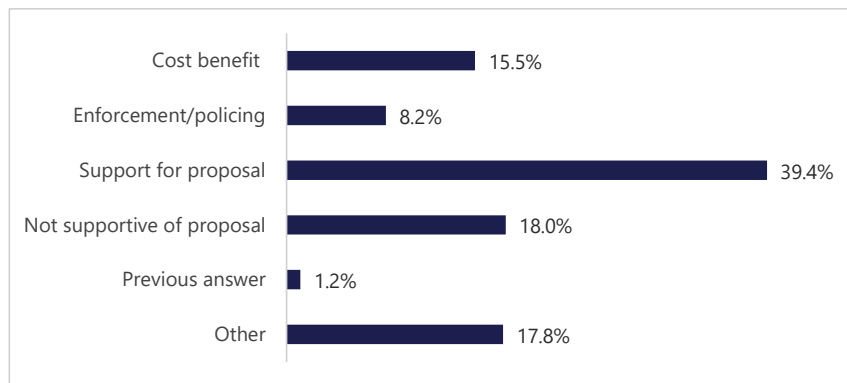


**Figure Twenty eight:** Do you agree with the actions listed under community partnerships, education and communication?



Total responses: 2114

**Figure Twenty nine:** Do you agree with the actions listed under community partnerships, education and communication? Why? Coded responses

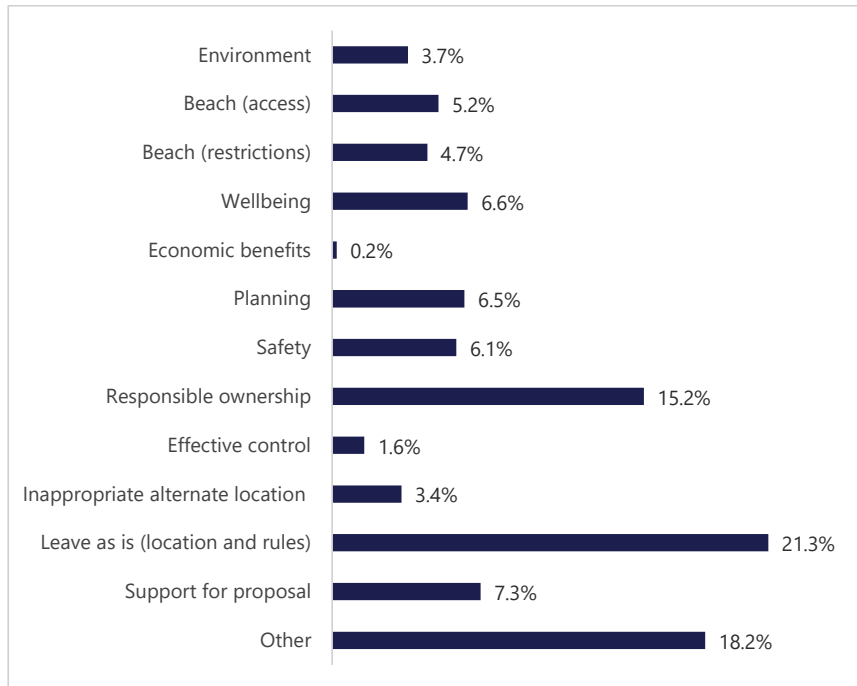


Total codes applied: 956



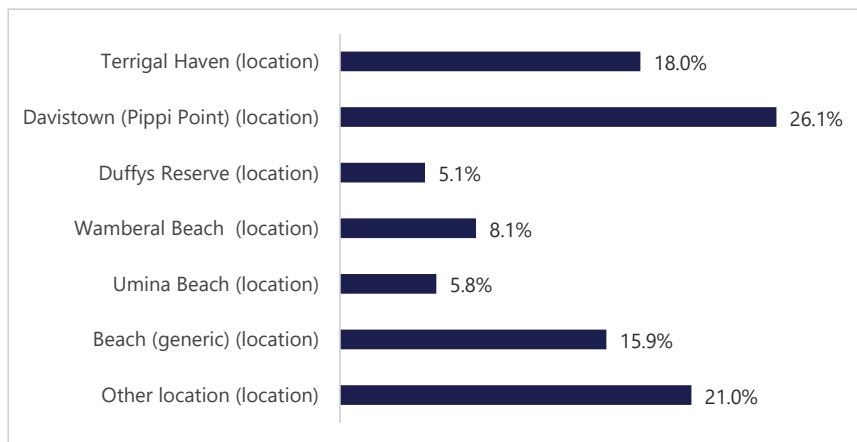


Figure Thirty: Overall comments - Coded responses



Total codes applied: 1267

Figure Thirty one: Overall comments - Coded responses - Location specific coded responses



Total location codes applied: 295

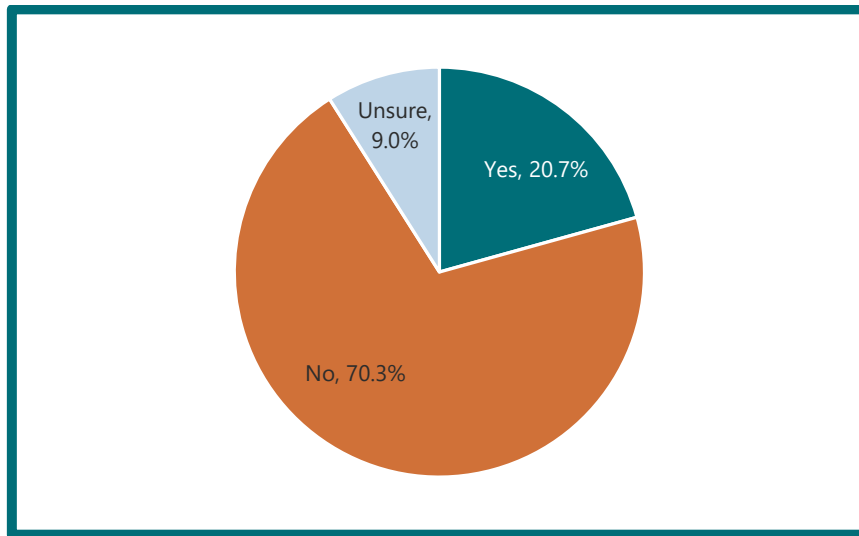
**A note about sampling bias:** The online surveys was 'opt-in', which means participants proactively sought to complete the surveys as opposed to a sample or respondents being selected to more accurately reflect and represent the population makeup of the Central Coast community.



### Terrigal outcomes highlight

Council received a large amount of feedback relating specifically to Terrigal Haven. To appropriately consider the outcomes, the following graphs provide in-depth results for respondents that have specifically related to the Terrigal Haven Off Leash Area.

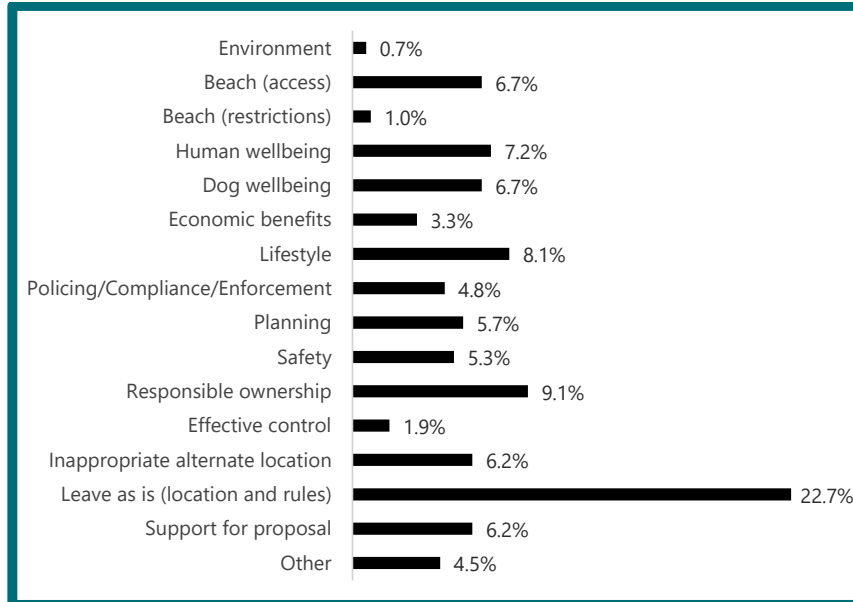
**Figure thirty-two:** Do you agree with the actions identified under planning for dog owners and their dogs? *Filtered by Terrigal Haven tagged location.*



Total responses: 145

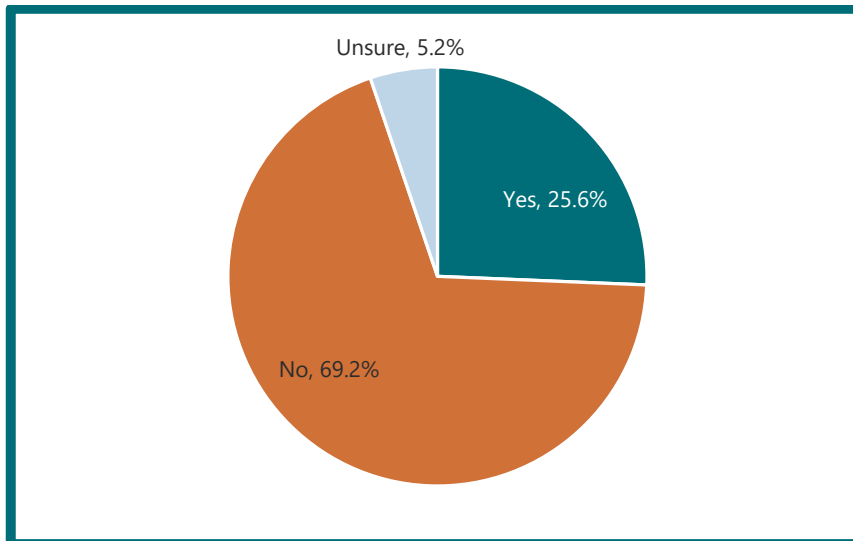


**Figure thirty three:** Do you agree with the actions identified under planning for dog owners and their dogs? Coded responses with a Terrigal Haven tagged location.



Total codes applied: 419

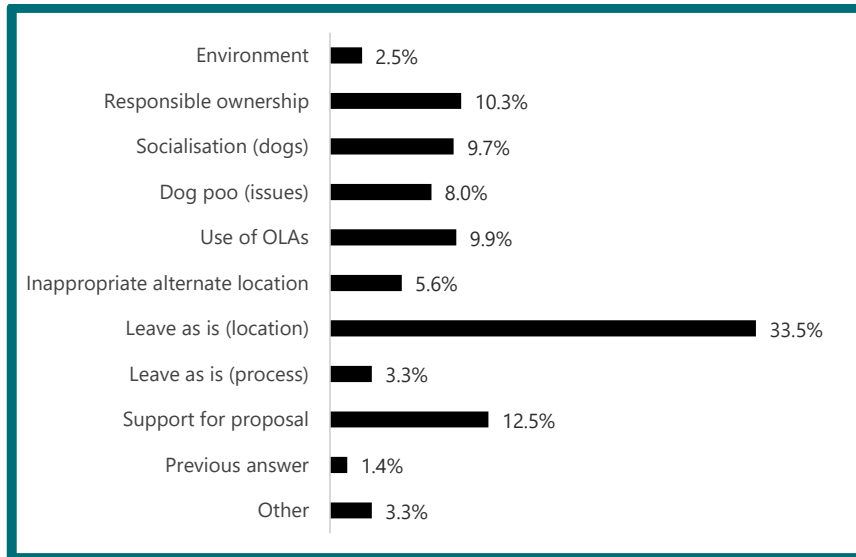
**Figure thirty four:** Do you agree with the actions identified under planning for dog owners and their dogs? Filtered by Terrigal Haven tagged location.



Total responses: 347

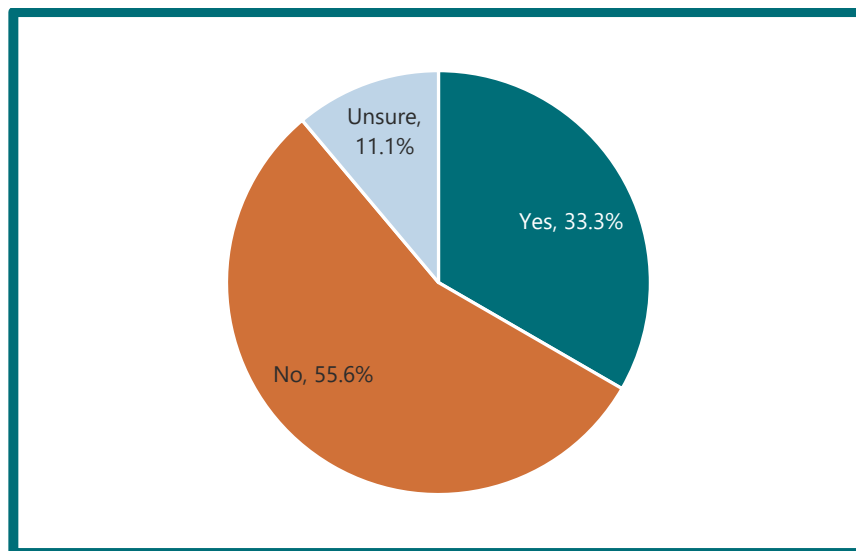


**Figure thirty five:** Do you agree with the actions identified under planning for dog owners and their dogs? Coded responses with a Terrigal Haven tagged location.



Total codes applied: 514

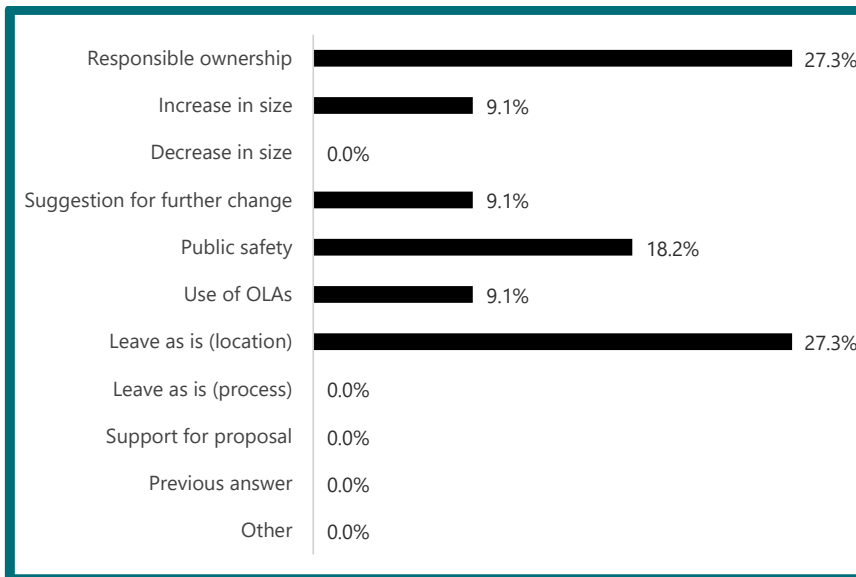
**Figure thirty six:** Do you agree with the proposed changes to OLA boundaries? Filtered by Terrigal Haven tagged location.



Total responses: 9

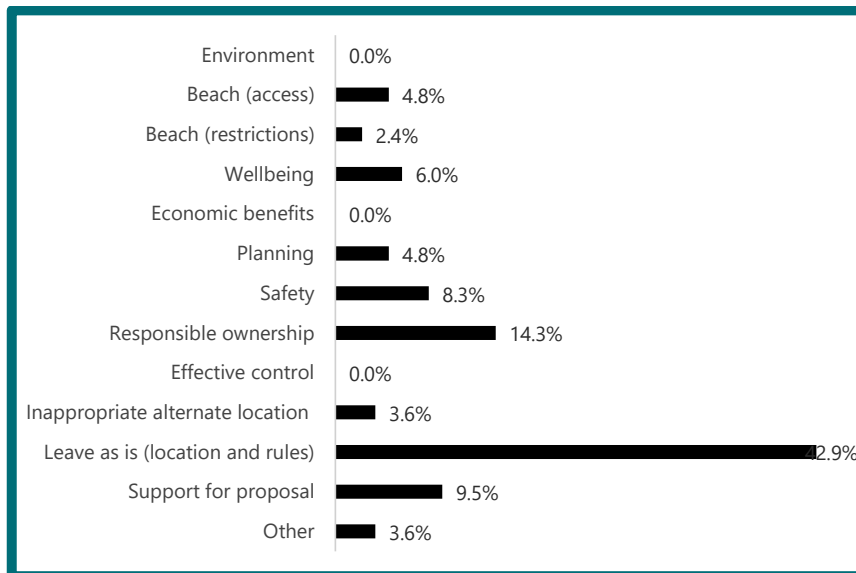


**Figure thirty seven:** Do you agree with the proposed changes to OLA boundaries? Coded responses with a Terrigal Haven tagged location.



Total codes applied: 11

**Figure thirty eight:** Overall comments - Filtered by Terrigal Haven tagged location.



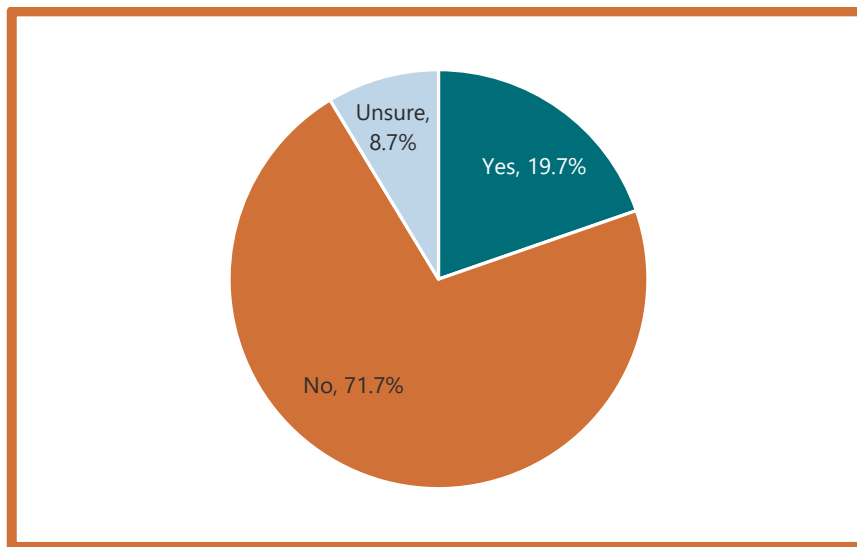
Total codes applied: 84



### Davistown outcomes highlight

Council received a large amount of feedback relating specifically to Davistown (Pippi Point). To appropriately consider the outcomes, the following graphs provide in-depth results for respondents that have specifically related to the Davistown Off Leash Area.

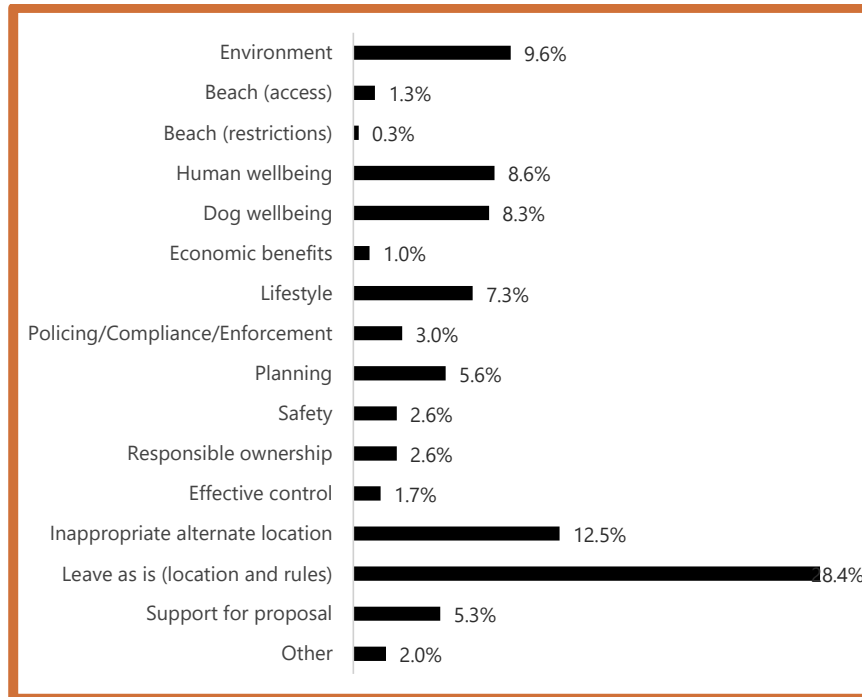
**Figure thirty-nine:** Do you agree with the actions identified under planning for dog owners and their dogs? *Filtered by Davistown tagged location.*



Total responses: 127

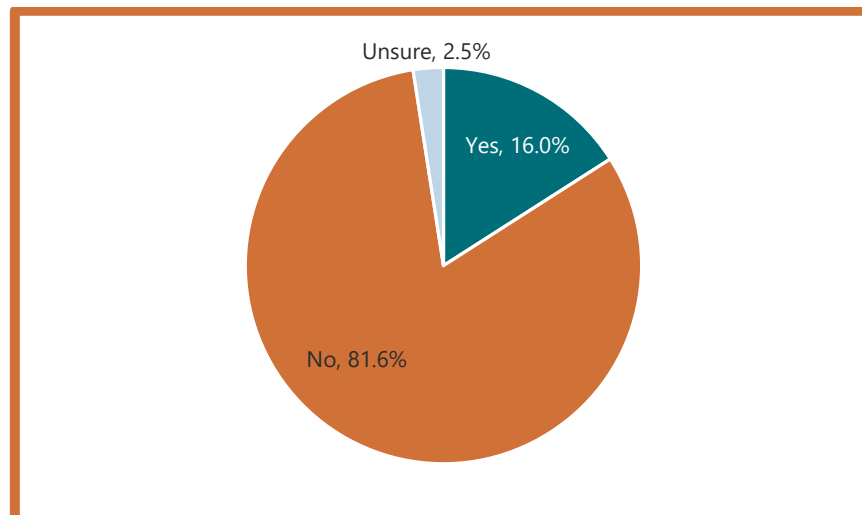


**Figure forty:** Do you agree with the actions identified under planning for dog owners and their dogs? Coded responses with a Davistown tagged location.



Total codes applied: 303

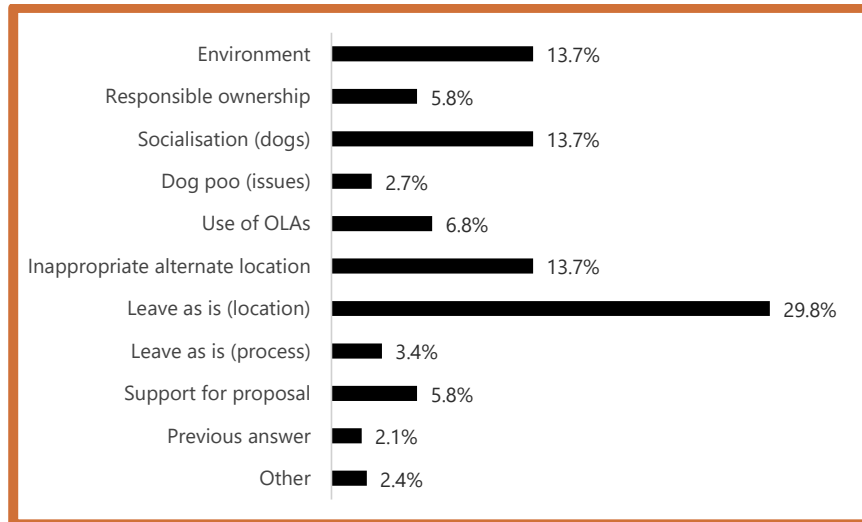
**Figure forty one:** Do you agree the proposed decommissioning/relocation of these OLA? Filtered by Davistown tagged location.



Total responses: 163

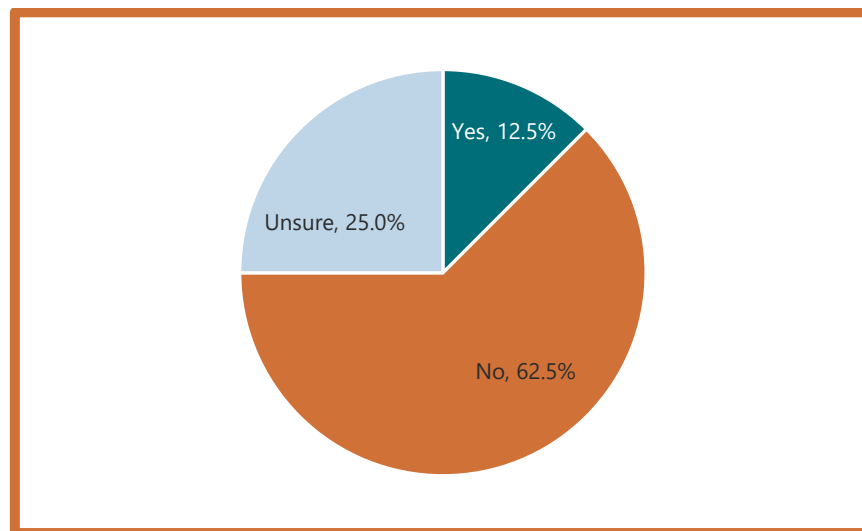


**Figure forty two:** Do you agree the proposed decommissioning/relocation of these OLA? Coded responses with a Davistown tagged location.



Total codes applied: 292

**Figure forty three:** Do you agree with the proposed changes to OLA boundaries? Filtered by Davistown tagged location.

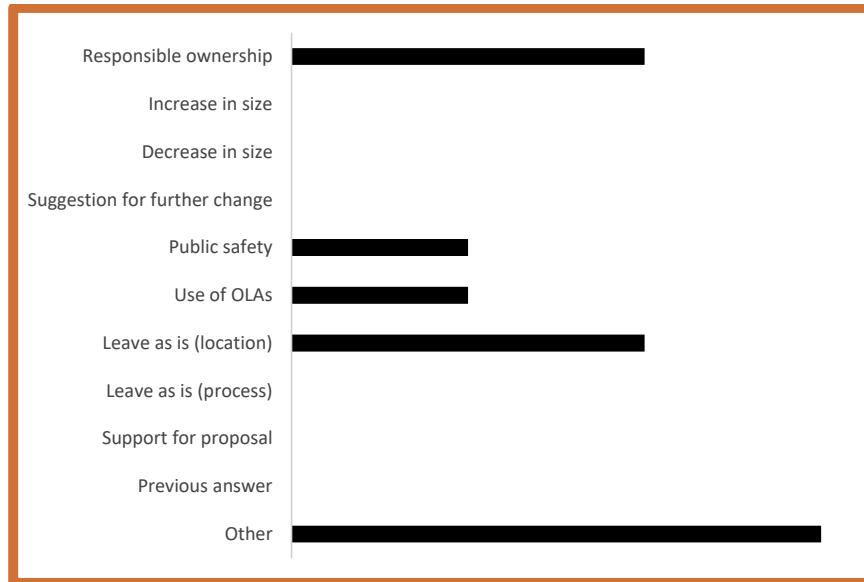


Total responses: 8



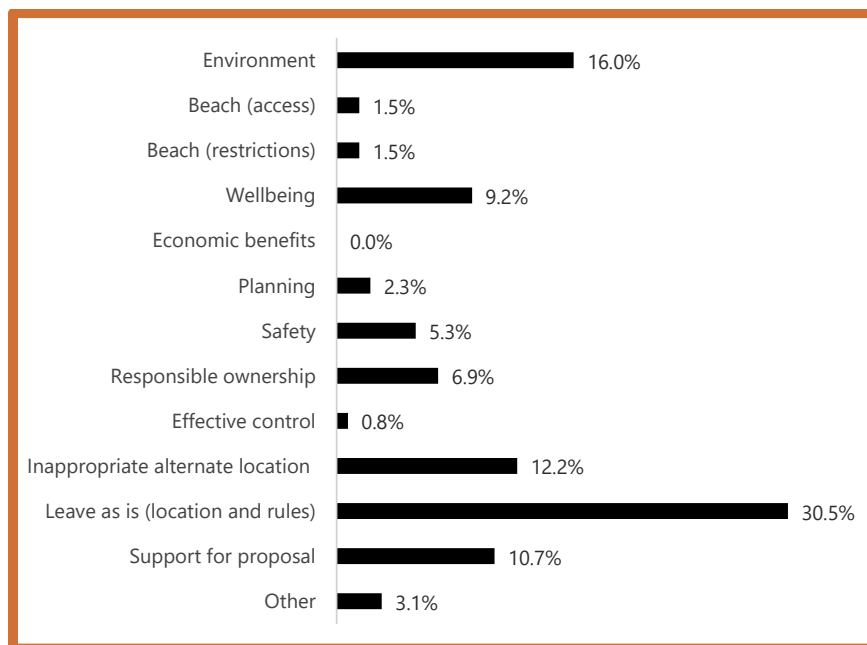


**Figure forty four:** Do you agree with the proposed changes to OLA boundaries? Coded responses with a Davistown tagged location.



Total codes applied: 9

**Figure forty five:** Overall comments - Coded responses with a Davistown tagged location.



Total codes applied: 131



## 4.4 Method 2 – Written submissions

A total of **184** submissions were received via email and post during the consultation period.

## 4.5 Method 3 – Petitions

Council also received **4** petitions during the exhibition period, the details on the petitions are outlined below.

### **Petition one:**

"YES TO EDUCATION NO FOR REGULATION

NO TO TIMED ACCESS ON OFF LEASH BEACHES IN SUMMER

NO TO BANNING DOGS AT ALL TIMES FROM OVALS – OFF LEASH OR ON LEASH

PETITION TO CENTRAL COAST COUNCIL FOR THE ALLOWING OF DOGS ON ETTALONG BEACH

To the Central Coast Council:

The allowing of dogs on Ettalong Beach is important to the local community and aligns with the views, wellbeing and interests of local ratepayers, The banning of dogs on the beach inhibits the rightful enjoyment of the resource by locals and is a threat to the sense of community that dogs afford.

WE the undersigned petition the Central Coast Council to remove recently installed signage banning dogs and to allow access for dogs to be on the beach in the presence of their owners."

**187** signatures present.

### **Petition two:**

Central Coast Council Dogs in Open Spaces Action Plan – this is what the community want

[NAME] started this petition

Please do not allow the minority to control the majority.

Responsible dog owners across the Central Coast have a wide and supportive community that kept them going during lockdown, has helped ease newcomers into the area and seen lifelong friendships forged. Responsible dog owners pick up other dogs poo on the beach and owners as well as litter from holidaymakers, they make the beaches and ovals cleaner.

In response to your Dogs in Open Spaces Action Plan, the Central Coast Responsible Dog Ownership community request the following:



1. Please consider not introducing this policy until we have elected Councillors in place otherwise the community have no voice. Council should consider a community elected responsible dog ownership group to monitor complaints and issues from within the community.

2. If this is strategic and for future planning, then the following strategic needs must be considered:

- Off leash grass and beach areas for active dogs to prevent our dogs becoming a nuisance and complaints being made to Council.
- Size and length of areas need to be planned in terms of current dog ownership and projected dog ownership.
- Off leash and on leash areas should be within 15 minutes walking distance of people's homes, not everyone drives.
- Dog attacks are more prevalent on streets and in FOLAs making OLAs a majority option. Safety for people and animals is paramount.

3. Timed access is not a majority option for the following reasons:

- People are shift workers and can't get to the beach before 9am or after 5pm.
- People time their visits to the beach according to the weather, kids in school and the tide being out amongst other things.
- Having a concentration of dogs at limited times could increase the number of attacks.
- The caravan park at Umina has recently approved stays for pets. Should visitors lock up their animals between 9 and 5pm in the summer in a tent?

4. Ovals to be designated off leash areas when the ovals are not being used which is 75% of the time.

Other Councils do:

- Dogs like both grass and sand and often socialise better when on grass. These informal groups police their groups, including picking up dog poo and socialising new dogs.
- They are a community resource and dogs playing do not significantly impact the area.
- Many elderly people cannot walk on sand and grass is their only option and the dogs their only companions and access to community. They comprise 30% of our community.
- Provide poo bags at ovals and at regular intervals on beaches to enable dog poo to be more easily picked up. And provide bins on the beach all year round.

5. Hire more rangers to actively police problems such as registration, desexing, dogs off leash on streets, escaped dogs, picking up dog poo. The Central Coast has only 8 rangers, covering 1,680km and has the highest number of dog attacks in NSW. More Rangers = more revenue = less cost for Council.



Please do not allow the minority to control the majority."

**2485** names listed. **203** signatures present.

**Petition three:**

"Save Pippi Point Dog Park from closure

Our beloved off leash dog park at Illoura Reserve in Davistown is under threat. Unless we take action on this and come together as a community council plans to close it in the very near future.

Central Coast Council's new Dogs In Open Spaces Draft plan has now been put out to public for consultation. While the council claims that more dog parks will be opening what is actually happening is that more foreshore and beach areas are being taken away or restricted. Of particular concern is the proposed removal of the off leash area in Davistown where we live.

It is widely accepted that dogs that are well socialised and exercised are likely to be healthier, happier and less aggressive. Designated off-leash dog areas provide a safe community setting where dogs can play. We naturally tend to assume that off-leash parks are primarily for the benefit of our beloved dogs, but experienced dog park users know better, Off-leash parks offer just as many benefits to us humans as they do to dogs: both to dog owners as well as the wider community. The elderly can exercise our dogs without much effort, we can all socialise with other dog lovers, bond and play with our animals, practice off-leash training skills, swim together on hot days and enjoy the entertaining antics of our canine friends. In short it is extremely beneficial for our physical and mental health.

As in many similar situations it seems like council here have taken the complaints of a few residents adjoining the park and decided to punish the many responsible dog owners here who do the right thing. There should be a focus on retaining and improving this area at Illoura reserve and on reducing usage intensity on this area through allowing additional areas to be used for dogs to run and swim. The new proposed site at Pine Avenue Reserve in Davistown is far from ideal as it is under a foot of water each time it rains, has no parking and is not fenced.

The other historic argument here is the one about the protection of the Bush Stone Curlew habitat in the reserve. While the plight of this endangered bird is of great concern to us there is no evidence that the bird has nested in this spot for many, many years despite there being a substantial securely fenced area designated for their protection. It does live in other areas in Davistown and its wonderful call can be heard overnight in many other areas here and the surrounding suburbs. Even if the birds nesting at Illoura currently then surely it is proof that they can coexist with dogs in this area as they do in many other areas of Australia.

To restrict an area loved by so many in the hope that the bird "may" choose to nest there one day is a theory not backed by any discernible evidence. Surely Council needs to promote evidence-based decision-making in the development of policy that delivers a fair share of public open space to all usage groups, including families with dogs.

9 years ago council took away the off leash area at Illoura Reserve and the community all clubbed together to get it reopened. We can do this again!



The fact is that, at the Illoura reserve off leash area, dogs, wildlife and humans have managed to coexist for nearly 40 years since the off leash area was established in 1984. The Majority of the community want it to stay as it is and would for your support in this matter."

**2238** names listed.

**Petition four:**

"To Central Coast Council:

In response to your Dogs in Open Spaces Action Plan, the Central Coast Responsible Dog Ownership community request the following:

1. Please consider not introducing this policy until we have elected Councillors in place otherwise the community have no voice. Council should consider a community elected responsible dog ownership group to monitor complaints and issues from within the community.
2. If this is strategic and for future planning, the following strategic needs must be considered:
  - \* off leash grass and beach areas for active dogs to prevent our dogs becoming a nuisance and complaints being made to Council.
  - \* Dog attacks are more prevalent on streets and in FOLAs making OLAs a majority option. Safety for people and animals is paramount.
3. Timed access to beaches is not a majority option for the following reasons:
  - \*People are shift workers and can't get to the beach before 9am or after 5pm.
  - \* People time their visits to the beach according to the weather, kids in school and low tide, amongst other things.
  - \* Having a concentration of dogs at limited times could increase the number of attacks.
4. Provide poo bags at ovals and at regular intervals on beaches to enable dog poo to be more easily picked up. provide bins on the beach all year round."

**1241** names listed.



## 4.6 Sample of comments from consultation

*Below is a sample of comments respondents provided via the guided submission form.*

### **Environment**

*"Local biodiversity needs to be considered and protected by any Council strategy, especially one dealing with recreational use of natural areas."*

### **Beach access**

*"Dogs should be allowed off leash on the beach at all times"*

*"I am very concerned about the suggestion to limit access times to leash off beaches."*

*"I have never once had an issue with community members about our dogs on our dog friendly beaches."*

*"Reducing to hours for pets only just compounds issues of more dogs at the same time - beaches are public places for all."*

*"I'm not a dog owner but I support dog owners and their need to exercise their dogs. As a beachgoer, I enjoy going to beaches where dogs can run. There are plenty of beach areas on the coast that already exclude dogs."*

*"As a dog owner who goes to Shelley beach off leash area, I am there virtually every day. In over fifteen years of taking my dogs there, I have never had anything more than minor incidents with other dogs. This is why it is important to have these areas remain open, so that the dogs can be socialized. If user times are restricted then a lot of dog owners will be disadvantaged through a timing issue. Furthermore, it will put more dogs in an area at the same time which I believe will worsen whatever situation you think is occurring by increasing the density of dog traffic. I find this to be an ill-conceived and uninformed proposal to a situation that does not really exist."*

### **Beach restrictions**

*"There are so many dog owners using the beach that it has restricted the use for people to enjoy our beautiful beach without the fear of dogs or the unpleasantness of dog litter left & the smell of dog urine."*

*At \*location\* many dog walkers use the entire beach front to allow their dogs off leash rather than the designated areas. The number of dogs is often excessive, and it is a regular occurrence for dogs to jump up on walkers. Restricting dogs between 9 and 5 during the summer months would be a good idea.'*

### **Human wellbeing**

*"Dogs need space to run, people need interaction with others like minded."*



*"People often have a closer connection to their pet due to depression or anxiety. This gives them a place to feel comfortable with other people and to feel joy from watching their pets thrive and play."*

#### **Dog wellbeing**

*"I need the personal social connection at these areas as I am 84 and have no peer group close by where I live. My dog is my link to the community."*

*"Dogs need open areas to run and exercise with other dogs."*

#### **Economic benefits**

*"My husband and I have a small Airbnb on our property which is pet friendly. 80% of our guests bring their dogs. Our guests come to Umina because of the dog friendly beaches. Closing dog beach access will hurt our small business and will keep tourists out of Umina Beach. We have 100% booking rate in the summer high season and 70% in the winter. We have never had a dog do any damage to our property. Our hospitality business supports other businesses in \*location\* Beach. The proposed new rules will hurt many types of businesses in \*location\*."*

#### **Lifestyle**

*"One of the reasons I purchased house in area was for these dog free areas."*

*"The beauty of living in these areas is the shared space dog owners can use. Dog friendly spaces should be encouraged and added to, not removed."*

#### **Policing / enforcement**

*"Plan for more supervision of existing off leash areas."*

*"Closer supervision of dog free areas is needed as is undertaken in the Byron Shire where heavy fines are imposed for breeches - good revenue source."*

*"There is a need for certainty so Council can regulate effectively."*

*"Clear signage should be provided for all excluded areas."*

*"Compliance in these areas is very poor and almost never policed."*

#### **Planning**

*"It is essential for all of the Public to have plans in place and have them regulated in line with catering to the needs of all of the community."*

*"It's too restrictive and takes away space when we actually need more dog friendly and off leash space not less."*

*"Under current arrangements many walkers, particularly the elderly, are out at risk by poorly-controlled dogs and by owners who flout the on-leash rules."*



*"I absolutely support OLAs and FOLAs on the Central Coast- it provides a sharing community opportunity for people to chat with other dog owners and lovely interaction as a whole for all ages."*

#### **Safety**

*"\*location\* is well used by locals and tourists. An off leash dog area needs to be separate to a space also used by groups of people."*

*"The general public or native animals/ birds are unable to utilize or relax in this area because of multiple exuberant dogs."*

*"I don't feel safe. The areas are dirty and pooped on. Kids aren't safe."*

#### **Responsible ownership**

*"Owners who take their dogs down to the beach let them off leash irrespective of the legal boundaries. Most consider the beach to be a dog playground with total disregard for people."*

*"If I had a dollar for every owner that has said their dog 'just wants to play', when their hair is up and they are showing teeth, I could afford a nice holiday!"*

*"Bad experiences and the apparent need for owner education."*

*"I strongly believe that numerous dog owners don't obey or care about the rules for areas dogs are allowed in. I would like to see these enforced."*

*"It seems to me that the irresponsible actions of a few are to the detriment of the many Coasties who are responsible dog owners."*

*"About 70% of dog owners do the right thing and the other 30% ruin it for everybody else!"*

*"\*location\* is a landmine of dog poo. No one wants to sit on grass for a picnic or on the sand at the beach and find a big poo mess!"*

#### **Effective control**

*"On numerous occasions I have personally witnessed and experienced a ridiculous amount of dogs that are completely out of control, aggressive and poorly supervised."*

*"We have small children and have had times where off leash dogs have approached our children in an uncontrolled manner - they are now scared to visit these areas and are fearful of dogs."*

#### **Use of OLAs**

*"We need to keep and increase more dog friendly and off leash areas to make them safer to use and not crowded. More people are moving to the Central Coast and dog ownership has increased significantly."*





# 5 Appendices

## Appendix A – Media Releases

### Central Coast Council Media Release

**30 August 2022**

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#### **Council receives strong community response to its Draft Dogs in Open Space Action Plan**

Council has received over 3,200 submissions to its Draft Dogs in Open Space Action Plan, with community consultation now closed.

Central Coast Council Director Environment and Planning, Alice Howe said Council would like to thank all community members who shared their valuable feedback.

“Council reviewed a strong community response to the Draft Plan and we now have a lot of feedback to analyse and consider,” Ms Howe said.

“This is not the last conversation that Council will have with our passionate community on this topic. Council will provide feedback on how your submissions have been considered and what changes are proposed to the Draft Plan in response to that feedback.



“Following detailed review of submissions there may also be a need to engage further with our community on particular elements of the Draft Plan. In the meantime, the current on-leash, off-leash, and dog-prohibited areas will continue to be in place.

“The Central Coast has one of the highest populations of companion dogs in New South Wales, and we know the community is very interested in the delivery of infrastructure and the provision of open space that support responsible pet ownership. This was further reinforced from the community feedback received on the Draft Plan.

“Our aim is to provide improved opportunity for dedicated off-leash dog exercise areas and open space that all community members can safely enjoy, while protecting and enhancing our natural environments.”

Council Administrator, Rik Hart said it is fantastic to see so many Central Coast community members share their thoughts on the Draft Plan.

“We know dogs in open spaces is a passionate topic for the local community, and it is great to hear the many varied views from community members across the region,” Mr Hart said.

“Council has a lot of work to do to strike the right balance which caters to the whole community and will continue to update our community with key outcomes.”

**ENDS**

*Images available on request.*



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View all Central Coast Council's recent media releases at [centralcoast.nsw.gov.au](https://centralcoast.nsw.gov.au)

Keep up to date with Council's breaking news by signing up to our enews at [centralcoast.nsw.gov.au/enews](https://centralcoast.nsw.gov.au/enews)

## Central Coast Council Media Release

4 July 2022

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### Feedback invited from community on draft Dogs in Open Space Action Plan

Council is encouraging the community to have their say on the draft Dogs in Open Space Action Plan now on exhibition.

The 10-year Action Plan provides a framework for future planning, management and prioritisation of infrastructure, including where dogs are allowed on or off-leash and where they are prohibited. The Plan also includes clear criteria and direction for infrastructure development, to ensure there are adequate and safe areas to accommodate dog exercise within the region.

Council Unit Manager Environmental Compliance and Systems, Luke Sulkowski said Council is keen to hear from all community members, including those without dogs as pets, on the allocation of dog exercise areas across the Central Coast.



“With our LGA having one of the highest populations of companion dogs in New South Wales, we know the community is very interested in the delivery of infrastructure and the provision of open space that support responsible pet ownership,” Mr Sulkowski said.

“Council currently manages and maintains 61 off-leash dog areas including open space reserves, beaches and fenced off-leash areas. This draft Action Plan proposes modifications to the boundary of ten off-leash areas, the decommissioning of six sites and the addition of thirteen additional off-leash areas.

“Whilst we are proposing to close some off-leash areas, we plan to relocate and/or provide new open space where pets can enjoy some time off-leash, under the close supervision of their owner.

“The aim is for improved opportunity for dedicated dog exercise areas and open spaces that all community members can safely enjoy.

“It’s important however to remember that your dog is your responsibility when taking it into public spaces, to ensure all community members can safely enjoy our beaches, parks and open spaces.”

Over the past 18 months, Council has been consulting with the community on a range of topics including the Responsible Dog Ownership Policy, Helen Reserve, Gorokan – Dog Park, and Our Coast, Our Waterways. During these conversations with the community, the issues of dogs, infrastructure and the environment were explored. Council has used the information collected during these consultations to inform the development of the draft Dogs in Open Space Action Plan.



The activities in the draft Action Plan are not currently funded in Council's budget, nor from external funding. In order for Council to allocate funding in the annual budgets or attract funding from external sources such as grant funding, an adopted strategy or plan must be in place.

The draft Action Plan gives the community the opportunity to provide input and feedback on where the proposed off-leash and fence off-leash areas are located.

For more information on the draft Action Plan and to have your say, visit [yourvoiceourcoast.com/dogs](http://yourvoiceourcoast.com/dogs).

**Public exhibition closes Friday 26 August 2022.**

**ENDS**

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View all Central Coast Council's recent media releases at [centralcoast.nsw.gov.au](http://centralcoast.nsw.gov.au)

Keep up to date with Council's breaking news by signing up to our enews at [centralcoast.nsw.gov.au/enews](http://centralcoast.nsw.gov.au/enews)



## Appendix B – Coast Connect



### **Community urged to remain vigilant**

Severe weather continues to impact the Central Coast causing heavy rainfall, localised flooding, dangerous ocean conditions and increased flooding with many residents in low lying areas requiring evacuation.

Council continues to work alongside all local emergency agencies with the Emergency Operations Centre activated as NSW State Emergency Service (NSW SES) leads this emergency.



Council would like to thank the many volunteers with local SES, Rural Fire Service and other local support services providing invaluable assistance to keep our community safe.

This includes Council staff working around the clock to closely monitor local roads, waterways, beaches, water and sewer systems and other essential services with crews attending to any impacts.

Community members are urged to remain vigilant, exercise extra caution on roads and reminded to never enter or drive through flood waters.

Stay up to date



Evacuation centre in place

If possible, stay with family and friends or go to the Evacuation Centre set up at Diggers at The Entrance. Evacuation centres will provide accommodation assistance and support, with residents from evacuated areas able to bring domestic animals with them if they are unable to be accommodated elsewhere.

Find out more



Current road closures

As heavy rainfall continues, we urge the community to take extra caution as flooding continues to cause road closures, and debris over roads. Be sure to plan ahead before leaving your house and check local road closures, follow all signage and never drive through flood waters.

Stay updated



**SANDBAG POINT**

FOR EMERGENCY ASSISTANCE IN FLOOD, STORM AND TSUNAMI CALL **132 500**

**SES**  
NEW SOUTH WALES EMERGENCY SERVICES

**Sandbag points**

Sand and empty sandbags available at NSW SES Wyong Unit and NSW SES Gosford Unit.

For more



### Update on Entrance Channel

The Entrance Channel remains open. Following flood forecasts above 1.3m on Tuesday 5 July 2022, Council staff deployed heavy machinery to undertake berm management in accordance with procedure. Machinery remains on site through Wednesday 6 July to undertake berm management in advance of the expected flood peak.

[Find out more](#)

### Disaster relief and support

Central Coast is under a natural disaster declaration. Affected communities and individuals may be able to access a range of special assistance measures from the NSW Government.

[Eligibility](#)

## More across the Coast







<p><b>Contact us</b></p> <p><b>Wyong Office</b></p> <p>2 Hely Street Wyong NSW 2259 Ph: 1300 463 954</p> <p><b>Email us</b></p> <p><a href="mailto:ask@centralcoast.nsw.gov.au">ask@centralcoast.nsw.gov.au</a></p>	<p><b>Important links</b></p> <p><a href="#">Public toilet closures due to flooding</a></p> <p><a href="#">Celebrating NAIDOC Week on the Central Coast</a></p> <p><a href="#">Have your say on draft Dogs in Open Space Action Plan</a></p> <p><a href="#">Have you joined our recycle service trial from home?</a></p>
<p>   </p>	



## Recovery for flood impacted communities

Following the recent severe weather and flooding event that took place across the Central Coast, impacted residents have turned their sights toward recovery and clean-up efforts.

The Resilience NSW recovery team with Central Coast Council, Service NSW, Services Australia and a range of other support teams remain at these rapid recovery hubs, offering recovery assistance, providing access to information and services for flood-affected Central Coast residents.

- **The Entrance Hub** - located at The Entrance Community Centre, Battley Ave, The Entrance and open Monday to Friday 10am-4pm and Saturday to Sunday 10am-2pm.
- **Spencer Hub** - located at Spencer Community Hall, 4776 Wisemans Ferry Road, Spencer and open Monday to Friday 10am-4pm and Saturday to Sunday 10am-2pm.



Council would again like to thank the many volunteers with local SES, Rural Fire Service, and other local support services who continue to provide invaluable assistance to keep our community safe.

[Find out more](#)



### Clean-up of flood affected waste

Council and its contractors have begun letterbox drops to flood inundated properties, with information on collection days of flood affected waste. Our waste facilities are also open to receiving self-hauled waste from residents and businesses, with reduced fees applying for flood impacted mixed waste.

[Further waste updates >](#)



### Health and safety during clean-up

A reminder to never enter a damaged building or structure, unless deemed safe to do so by authorities and take great care around electricity. If removing or moving waste, always use appropriate personal protective equipment, including dust mask, gloves, covered shoes or boots and full-length clothing to cover your arms and legs.

[More on health and safety >](#)



**Disaster relief support**

Community members affected by the recent severe weather event can access a range of special assistance measures.

[Eligibility](#)



### Share feedback on off-leash areas

We're calling all community members, including those without dogs, to provide feedback on off-leash areas. Our aim is to improve opportunity for dedicated dog exercise areas and provide open space that all community members can safely enjoy. The draft Dogs in Open Action Plan remains on public exhibition until 26 August.

[Have your say >](#)

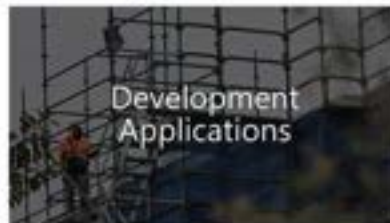


### Council awarded NSW Community Sports Award

Council has won the Sport NSW Local Council of the Year Community Sports Award, which recognises contributions to the community in sport and active recreation. The Awards celebrate the outstanding achievements and contributions of community coaches, officials, administrators, organisations and local council's of the past year.

[Find out more >](#)

## More across the Coast





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### **Support during flood clean up and recovery**

The recent severe weather event that hit the Central Coast this month, created the biggest flood on Tuggerah Lakes since 1949 and the biggest flood on the Hawkesbury River in the last 100 years.

Council staff worked closely alongside the NSW State Emergency Service, coordinating activities from the Emergency Operations Centre at Charmhaven.

The Central Coast local government area is included in the NSW Government's Natural Disaster Declaration announced on Tuesday 5 July 2022, meaning people in our community who have been affected by this severe weather and flooding event can access a range of special assistance measures.

Council and flood evacuation impacted residents are now well into recovery and clean-up efforts, and this is expected to take some time.

I would like to thank all of the staff and volunteers who have worked tirelessly during the weather event and the recovery. Also, thank you to the members of the community who have contacted my office and local MPs' offices and have offered to help participate in the clean-up.



I strongly encourage all in the community to take extra care of yourselves on the roads, beaches, near flood affected areas and if you are helping with the clean-up.

Rik Hart, Administrator

Recovery Information



Your mental health matters

Natural disasters, cleaning up and recovery can take a toll on your mental and physical health. Those in flood-affected communities may be feeling anxious, worried or afraid. It's vital that you seek support and look after both yours and your loved ones' wellbeing. There are many local and state services available to help if you need support.

Find support information >



Want to keep fit in winter?

Council manages 30 tennis facilities across the Central Coast which are run by either Council, or clubs and community groups - many of which are free to use! Tennis is a great activity for all ages including seniors, as it's low impact and helps maintain balance and co-ordination skills. It's also a perfect way to catch up with friends and family.

Find a tennis court near you >



**Next Council meeting**

The next Ordinary Council Meeting will be held Tuesday 26 July at Wyong. Come along or watch the live webcast.

[Read more](#)



### Have your say on sea wall design requirements

It's the last week to provide feedback on the Draft Wamberal Beach Terminal Protection Structure Engineering Design Requirements. These guidelines will enable foreshore property owners to undertake approved development to protect their assets against coastal erosion, whilst the beach public amenity and environment is protected appropriately.

**Public exhibition until 27 July >**



### Infrastructure works underway in July

In addition to the works being undertaken to clean up from the floods, Council crews continue to build, fix and maintain community infrastructure across the coast. The sports amenities building at Ettalong Lemon Grove Netball Courts is in the final construction stages, and works continue across the region to upgrade playspaces and sportsgrounds.

**See summary of works in progress >**

## More across the Coast



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<p>   </p>	



### **Support for community impacted by floods**

Three new Recovery Hubs have opened at Chittaway, Wyong and San Remo this week, in addition to the two hubs at The Entrance and Spencer to assist flood impacted residents and businesses across the Central Coast.

The Recovery Hubs provide face-to-face support on:

- Emergency accommodation
- Finance assistance
- Mental health support



- Community support services
- Legal and insurance guidance
- Clean-up advice

Please share this information with any neighbours, friends or local residents impacted by flooding who may need support.

Opening hours



### Connect with nature on National Tree Day

National Tree Day will be celebrated on the Central Coast on Sunday 31 July at Umina Beach and Porters Creek Wetland (9am-12pm). Dune vegetation plays an important role in our coastal environments as it reduces the impacts of wind and water erosion, meaning less sand will be lost during high seas and large swells. Join us to rejuvenate the area and learn about our environment.

Get your hands dirty this weekend >



### More to your local modern library than books

We've just finished maintenance and improvement works at Toukley, Tuggerah, Kincumber, Lake Haven, Woy Woy and Bateau Bay libraries so now is the perfect time to swing by and take advantage of all that your local library offers. There are study spaces, author events, workshops, adult and children programs, magazine subscriptions, music, DVDs and much more.

Discover what's on offer >



### Keep up your fitness this winter on a bike

Explore more of the Central Coast by cycling along a scenic shared pathway

popular pathways



### More across the Coast



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#### Contact us

##### Wyong Office

2 Hely Street  
Wyong NSW 2259  
Ph: 1300 463 954

##### Email us

[ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au)

#### Important links

- New LEP and DCP in effect 1 Aug
- Chemical CleanOut events in August
- Have your say on Draft Dogs in Open Space Action Plan
- Council Meeting highlights, 26 July





### Harmonised plans will benefit our region

The consolidated [Central Coast Local Environmental Plan](#) and [Central Coast Development Control Plan](#) came into effect on 1 August 2022.

The harmonisation of the former Gosford and Wyong Shire Councils' planning controls provide consistent planning framework for the region and pathway toward a smoother process for development applications and assessment - benefiting the Central Coast community, investors and Council staff.

This also encourages investment, provides a boost to local jobs and increases quality housing and infrastructure for our growing population.

Over several years, Council staff undertook extensive community and stakeholder consultation that resulted in 750 public submissions from agencies, residents, and businesses which provided valuable input and enabled the creation of a consolidated Plan that reflects community priorities.



It is noteworthy that this is a process that began with the participation of the then elected Councillors of the newly formed Central Coast Council, who were involved in developing the consultation plans and also provided their input whilst they were still elected officials of the Council.

Rik Hart, Administrator

[View planning controls](#)



### Further recovery support for flood-affected residents

Rental support payments for flood victims and grants for rural landholders will soon be available for all communities affected by the June-July NSW flood event with more than \$23 million in relief funding from the Australian and New South Wales governments. Recovery assistance points (recovery hubs) are still operating at The Entrance, San Remo, Chittaway, and Wyong for Central Coast residents impacted by floods.

[More support information >](#)



### Program of events live for upcoming Music Festival

Council has partnered with an array of local artists, venues and organisations to host the first Central Coast Music Festival. Gosford CBD will be a hub of live music and a variety of activities and workshops from 10 to 18 September, with the major concert on Saturday 17 September at Central Coast Stadium. The festival has been created to contribute to the growth and development of the local music industry on the Coast.

[Plan and book ahead >](#)



### Last of free Chemical CleanOut events for 2022

Dispose of chemicals safely: Kincumber (6-7 Aug) and Charmhaven (13-14 Aug)

[Event this weekend](#)



**Sports Hub makes it easy to find fun ways to keep active**

Winter often means re-thinking how to keep fit and active. The Sports Hub website allows you to quickly search for Central Coast activities by location, interests, age group, accessibility, and suitability - and to find those that accept Active Kids Vouchers. The site was developed in partnership between the Office of Sport, Sport Central Coast and Council.

**Search from over 130 providers >**



**Be part of the success of Harvest Festival for 2023**

Expressions of interest are now open for local businesses, community groups, and organisations to become an event partner of Harvest Festival - one of the largest and most popular events on the Central Coast. Help to showcase our stunning rural hinterland region and submit your interest in hosting unique experiences, tours or events as a hub partner. EOI closes 9 September.

**Submit your EOI today >**

**More across the Coast**



Love Local



Development Applications



Online Customer Service Centre



Have my say



<p><b>Contact us</b></p> <p><b>Wyong Office</b></p> <p>2 Hely Street Wyong NSW 2259 Ph: 1300 463 954</p> <p><b>Email us</b></p> <p>ask@centralcoast.nsw.gov.au</p>	<p><b>Important links</b></p> <p>Infrastructure works underway</p> <p>The Art House wins award for excellence</p> <p>Have your say on proposed plan for dogs in open space</p> <p>Accessible nature guide</p>
A blue horizontal bar containing four white circular icons for social media: Facebook, Twitter, Instagram, and YouTube.	





### Adelaide St Oval sports amenities now open

Construction of the new amenities building at Adelaide Street Oval, Killarney Vale (Tumbi Umbi) is now complete - providing a significantly improved and accessible facility for Killarney Vale Bombers AFL Club, local and visiting players and supporters.

The amenities building includes four unisex change rooms, unisex toilets, ambulant and accessible toilets, first aid room, and ample storage. New concrete pathways now link the building to the carpark and existing clubhouse to improve access.

Council is committed to delivering quality infrastructure to support local sporting groups, encourage active and healthy lifestyles and to help create opportunities for social connections.

This project has been jointly funded by the NSW Government, Council and AFL NSW/ACT.

[More on this project](#)



**Facilities at iconic Grant McBride Baths refreshed**

The bulk of upgrades to the amenities at the heritage-listed Grant McBride Baths at The Entrance are complete. The existing changerooms and public toilets have had renovations to install a new parents room, enhance accessibility and refresh the facility. Further works are planned to occur later this year on roofing, fencing and hot water supply.

**More on this free to use facility >**



**Tell us your thoughts on dogs in open spaces**

Now is the time to provide feedback on our draft Dogs in Open Space Action Plan. We're calling for all community members, including those without dogs as pets, to provide feedback on our off-leash areas. Our aim is to improve opportunity for dedicated dog exercise areas and open spaces that all community members can safely enjoy.

**Have your say by 26 August >**



**Expressions of Interest**

EOIs now open for Harvest Festival 2023 event hub partners and hire of Gosford pop-up bar container

[Read more](#)



**Central Coast accessible nature guide now available**

Council has developed a brochure listing some of the accessible bushland, reserves and foreshore destinations on the Central Coast. The Accessible Nature



**Administrator's Message: Gosford Revitalisation**

Gosford Waterfront has long been identified as having significant potential as a regional attractor and key public open space. The waterfront has been



guide provides factual information for trip planning such as parking, amenities and other features to help people with a disability or limited mobility to get out in nature. Grab a copy from Council's customer service centres or libraries.

[View guide online or pick up a copy >](#)

the subject of many plans and studies with little movement to realise the plans. The adopted Gosford Waterfront Renewal Framework allows for the rezoning of the area as the first step in realising its potential.

[Read full message >](#)

### More across the Coast



Love Local



Development Applications



Online Customer Service Centre



Have my say

#### Contact us

##### Wyong Office

2 Hely Street  
Wyong NSW 2259  
Ph: 1300 463 954

##### Email us

[ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au)

#### Important links

- Next Council meeting is 23 August
- Chemical CleanOut event this weekend
- Have your say on flying of flags
- Flood recovery and financial support
- Showcasing makers and creators





### Appendix C – Facebook posts

**Central Coast Council** July 19, 2022

Join the 500 community members who have already had their say on our draft Dogs in Open Space Action Plan.

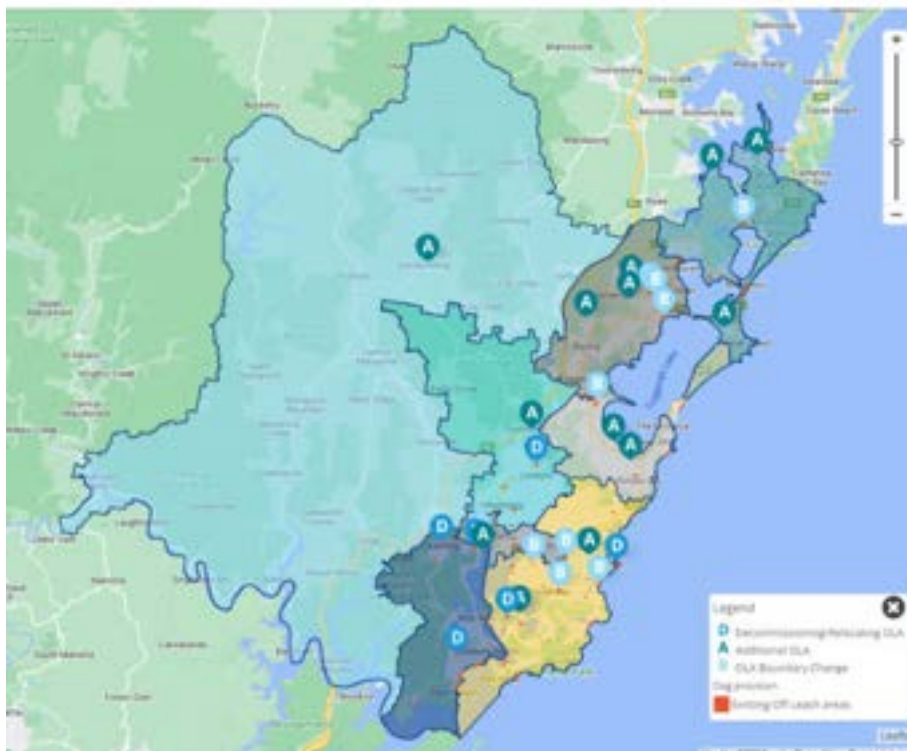
Whether or not you own a dog, we encourage you to get involved and read the draft Action Plan, view the interactive map with proposed updates/changes, and provide feedback on local off-leash areas.

Council currently manages and maintains 61 off-leash dog areas including open space reserves, beaches and fenced off-leash areas. This draft Action Plan proposes:

- The addition of thirteen additional off-leash areas
- Modifications to the boundary of ten off-leash areas
- The decommissioning of six sites

We're keen to work with you to improve opportunity for dedicated dog exercise areas and open space that all community members can enjoy, safely.

Feedback is accepted until Friday 26 August! For more and to have your say visit <https://hubs.la/Q01h4btp0>





 **Central Coast Council**   
July 25, 2022 ·  ...

Provide your input and influence community decisions 🗨️

Our consultation hub is open 24/7 and we are currently seeking your feedback on:

- Draft Wamberal Beach Design Requirements (until 27 July 2022)
- Amendments to 2022-23 Fees and Charges (until 1 August 2022)
- Dogs In Open Space Action Plan (until 26 August 2022)
- Tuggerah Lakes foreshore restoration works (ongoing)

There are also a number planning proposals that are currently on exhibition.

👉 Find out more and have your say at <https://hubs.la/Q01hrsKr0>





Central Coast Council

August 12, 2022

📢 Don't forget to have your say on our draft Dogs in Open Space Action Plan. We want to hear from everyone, whether you have a dog or not.

All feedback received will inform the final Dogs in Open Space Action Plan, so that our public open space can be safely enjoyed by everyone.

This draft Action Plan proposes:

- the addition of 13 new off-leash areas
- upgrades to existing off-leash areas
- improved education and animal management initiatives
- modifications to the boundary of 10 off-leash areas
- the decommissioning of six sites.

👉 Have your say now here: <https://hubs.la/Q01jNhm0l> Consultation closes on Friday 26 August.





Central Coast Council

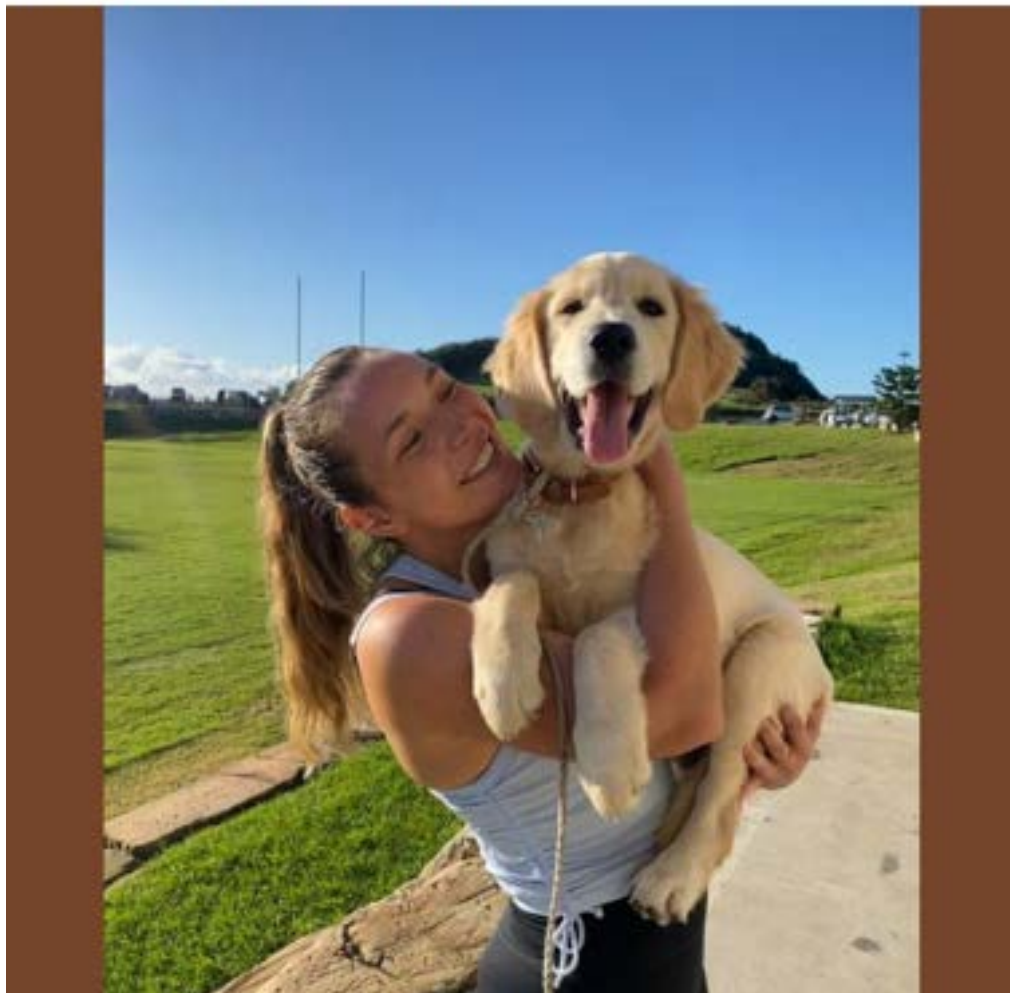
August 24, 2022

📢 REMINDER: There's only three days left to have your say on our draft Dogs in Open Space Action Plan. We want to hear from everyone, whether you have a dog or not, with consultation closing this Friday 26 August.

👉 Over 2,800 submissions have been received so far, however if you haven't had your say on the allocation of local dedicated off-leash areas, now's the time. All feedback received will be used to inform the final Action Plan.

👥 Our aim is to provide improved opportunity for dedicated off-leash dog exercise areas, and open space that the whole community can safely enjoy.

Have your say now 📍 [https://hubs.la/Q01kN\\_hP0](https://hubs.la/Q01kN_hP0)





Central Coast Council

August 31, 2022

👋 That's a wrap! We received over 3,200 submissions to our Draft Dogs in Open Space Action Plan.

👉 We'd like to thank all community members who shared their valuable feedback - we know it's a passionate topic for our community. 🙌 We have a lot of feedback to analyse and consider before any decisions are made, to ensure we get the final plan right.

👂 This is not the last conversation we will have with our community on this topic. Feedback will be provided on how your submissions have been considered and what changes are proposed to the Draft Plan in response to your feedback. We may also need to engage further with you on particular elements of the Draft Plan.

🌿🚫 In the meantime, the current on-leash, off-leash, and dog-prohibited areas will continue to be in place.

Read more 🏠 <https://hubs.la/Q01ldymV0>







Appendix D – Instagram posts



centralcoastcouncil

centralcoastcouncil

Join the 200 community members who have already had their say on our draft Dogs in Open Space Action Plan.

Whether or not you own a dog, we encourage you to get involved and read the draft Action Plan, view the interactive map with proposed updates/changes, and provide feedback on local off-leash areas.

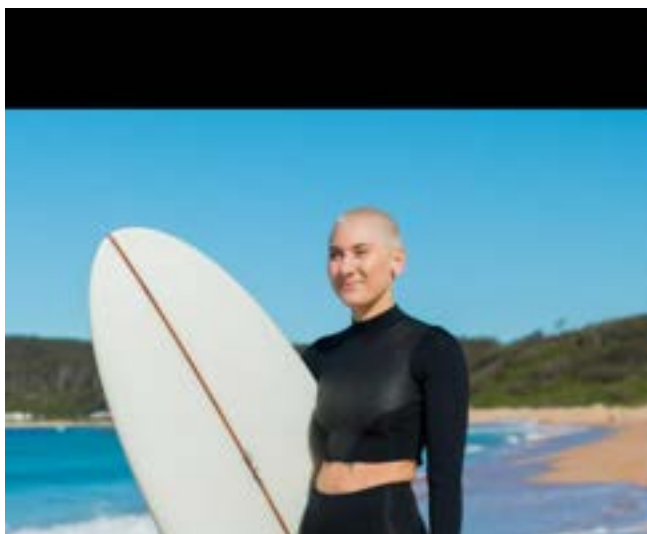
Council currently manages and maintains 67 off-leash dog areas including open space reserves, beaches and formal off-leash areas. This draft Action Plan proposes:

- The addition of thirteen additional off-leash areas
- Modifications to the boundary of ten off-leash areas
- The decommissioning of six sites

We've been so excited with you to improve opportunity for dedicated dog exercise areas and open space that all community members can enjoy, safely.

Feedback is accepted until Friday 24 August. For more and to have your say - click in bio 🐾

30w



centralcoastcouncil

centralcoastcouncil

Provide your input and influence community decisions 🐾

Our consultation hub is open 24/7 and we are currently seeking your feedback on:

- Draft Wamberal Beach Design Requirements (until 27 July 2023)
- Amendments to 2022-23 Fees and Charges (until 1 August 2023)
- Dogs in Open Space Action Plan (until 24 August 2023)
- Tuggerah Lakes Foreshore Restoration works (ongoing)

There are also a number planning proposals that are currently on exhibition.

Find out more and have your say via Your Voice Our Coast (link in bio)

31w



centralcoastcouncil

centralcoastcouncil Don't forget to have your say on our draft Dogs in Open Space Action Plan. We want to hear from everyone, whether you have a dog or not.

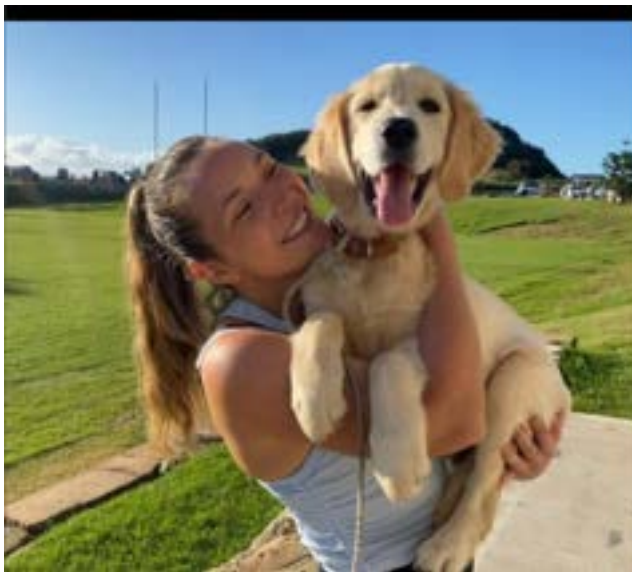
All feedback received will inform the final Dogs in Open Space Action Plan, so that our public open space can be safely enjoyed by everyone.

This draft Action Plan proposes:

- the addition of 15 new off-leash areas
- upgrades to existing off-leash areas
- improved education and animal management initiatives
- modifications to the boundary of 10 off-leash areas
- the decommissioning of six sites

Have your say now at the DfM in line. Consultation closes on Friday 20 August.

View: 10 x



centralcoastcouncil

centralcoastcouncil 🐾🐾🐾 There's only three days left to have your say on our draft Dogs in Open Space Action Plan. We want to hear from everyone, whether you have a dog or not, with consultation closing this Friday 20 August.

Over 2,800 submissions have been received so far, however if you haven't had your say on the allocation of local dedicated off-leash areas, now's the time. All feedback received will be used to inform the final Action Plan.

Our aim is to provide improved opportunity for dedicated off-leash dog exercise areas, and open spaces that the whole community can safely enjoy.

Have your say now. 🐾🐾 in line

View: 10 x



centralcoastcouncil

centralcoastcouncil 📢 That's a wrap! We received over 1,200 submissions to our Draft Dogs in Open Space Action Plan.

👏 It's time to thank all community members who shared their valuable feedback - we know it's a passionate topic for our community. 🙌 We have a lot of feedback to analyse and consider before any decisions are made, to ensure we get the final plan right.

📅 This isn't the last consultation we'll have with our community on this topic. Feedback will be provided on how your submissions have been considered and what changes are proposed to the Draft Plan in response to your feedback. We may also need to engage further with you on particular elements of the Draft Plan.

🚫 In the meantime, the current on-leash, off-leash, and dog-prohibited areas will continue to be in place.

To read more - [click in bio!](#)

Like · 12w



### Appendix E – Twitter posts



CentralCoastCouncil @CCoastCouncil · Jul 25, 2022

...

We are currently seeking feedback on:

- Draft Wamberal Beach Design Requirements (until 27 July 2022)
- Amendments to 2022-23 Fees and Charges (until 1 August 2022)
- Dogs In Open Space Action Plan (until 26 August 2022)

Find out more: [tinyurl.com/5n8czfs8](https://tinyurl.com/5n8czfs8)





CentralCoastCouncil @CCoastCouncil - Aug 31, 2022

...

🎉 That's a wrap! We received over 3,200 submissions to our Draft Dogs in Open Space Action Plan.

We'd like to thank all community members who shared their valuable feedback - we know it's a passionate topic for our community.

Read more 📄 [hubs.la/Q01idXVP0?](https://hubs.la/Q01idXVP0?)





## Appendix F – Linked In posts



Central Coast Council

10,307 followers

6mo •



Provide your input and influence community decisions.

We are currently seeking your feedback on:

- Draft Wamberal Beach Design Requirements (until 27 July 2022)
- Amendments to 2022-23 Fees and Charges (until 1 August 2022)
- Dogs In Open Space Action Plan (until 26 August 2022)
- Tuggerah Lakes foreshore restoration works (ongoing)

There are also a number planning proposals that are currently on exhibition.

Find out more and have your say at <https://hubs.la/Q01hrtrn0>





## Appendix G – Poster



Now's the time to have your say on Council's draft Dogs in Open Space Action Plan.

We want to hear from everyone, whether you have a dog or not. All feedback received will inform the final Dogs in Open Space Action Plan.

### What Council is proposing

Council currently manages and maintains 61 off-leash dog areas including open space reserves, beaches and fenced off-leash areas.

**This draft Action Plan proposes:**

- the addition of 13 new off-leash areas
- upgrades to existing off-leash areas
- modifications to the boundary of 10 off-leash areas
- improved education and animal management initiatives
- the decommissioning of six sites.



**Have your say now! Consultation closes on Friday 26 August**

Visit [yourvoiceourcoast.com](https://yourvoiceourcoast.com) to find out more



## Appendix H – Guided Submission Form



### Submission form: Central Coast Dogs In Open Space Action Plan

The Dogs In Open Space Action Plan (DIOSAP) has been developed in recognition of the high rates of dog ownership across the LGA and is has been written to ensure that Council has a well-considered long-term framework of future land management and prioritisation of infrastructure, whilst also providing clear criteria and direction for development to ensure there are adequate areas to accommodate dog exercise locally.

Please note your attention is drawn to the provisions of the Government Information (Public Access) Act 2009 which allows for possible access to certain public and personal documentation. Don't forget to press the 'submit' button at the bottom of this page to finish this submission form.

First name:

Surname:





Address:

Suburb:

Daytime telephone number:

Email:

Next



### Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP outlines five actions to support the planning for dog owners and their dogs:

- Ensure future requests relating to OLAs (Off Leash Areas) and FOLAs (Fenced Off Leash Areas) are addressed in line with the DIOSAP
- Ensure additional open space is incorporated in new subdivisions to cater for off-leash requirements as outlined in the DIOSAP
- Ensure a coordinated and fully integrated approach to the planning and provision for OLAs that involves regulatory services, open space planning and management, community development, town planning
- Prepare developer guidelines relating to OLAs and OLAs (partially fenced only)
- Consider the preparation of a Companion Animal Management Plan that enables Council to quantify service needs and priorities for the next 5-10 years.

Do you agree with the actions identified under planning for dog owners and their dogs?

Yes

No

Unsure

Why?

[Go back](#)

[Next](#)



### Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP proposes to decommission/relocate six OLA's at the following sites:

- Terrigal Haven (decommission/relocate)
- Illoura Reserve (decommission/relocate)
- Lees Reserve (decommission)
- Kariong Recreation Reserve (decommission)
- Fagan Reserve (decommission/relocate)
- McEvoy Drainage Easement (Umina Beach) (decommission)

Do you agree the proposed decomisioning/relocation of these OLA?

Yes

No

Unsure

Why?

Go back

Next



### Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP proposes to boundary changes at the following sites:

- North Avoca Beach (extend)
- Greenvale Rd Reserve, Green Point (extend)
- Colongra Bay Reserve, Lake Munmorah (reduce)
- Peppercorn Ave Reserve, Woongarra (reduce)
- Mataram Ridge Park, Woongarra (relocation within same park)
- Craigie Reserve, Kanwal (reduction)
- Adcock Memorial Park, West Gosford (reduction)
- Thames Dr Reserve, Erina (reduction)
- James Watt Dr Drainage Easement, Chittaway Bay (reduction)
- Oberton St Reserve, Kincumber (reduction)

Do you agree with the proposed changes to OLA boundaries?

Yes

No

Unsure

Why?

Go back

Next



### Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP proposes to deliver additional OLAs at the following sites:

- Pine Ave Reserve, Davistown/Saratoga
- Duffy's Rd Reserve, Terrigal
- Adelaide St Reserve, Killarney Vale
- Robertson Rd, Killarney Vale
- Wattle St Reserve, Toukley
- Tunkuwallin Reserve (Kanangra Dr), Gwandalan
- Warwick Ave Reserve, Mannering Park
- Karrowa Reserve, Point Claire
- Caraval St Reserve, Hamlyn Terrace
- Watanobbi Knoll
- Lara Cl, Ourimbah
- Linga Longa Reserve, Yarramalong
- Hilltop Park, Woongarah

Do you agree with the proposed additional OLA site locations?

Yes

No

Unsure

Why?

Go back

Next



### Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP outlines four actions to manage the exclusion of dogs:

- Review Council Orders to ensure all sportsfields are appropriately designated and signed as 'Dog Exclusion' sites in line with NSW Companion Animal Act,1998 (CAA) requirements
- Review Council Orders to ensure that the following natural environments are all appropriately designated and signed as dog exclusion zones:
  - all COSS sites
  - areas designated by Council as Natural Assets
  - all beaches not designated as Off Leash Areas
  - sand dune areas
- Ensure any mapping of OLAs clearly designates a 10m exclusion zone for dogs around play equipment in line with requirements of the CAA.
- Consider the preparation of a signage strategy for OLAs.

Do you agree with the actions identified under dog exclusion areas?

Yes

No

Unsure

Why?

Go back

Next



### Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP outlines four actions to manage compliance with dog control regulations:

- Consider the introduction of seasonal timed access to beaches that are located in foreshore OLAs (e.g. sunrise to 9.00am and 5.00pm to sunset for restricted summertime/peak season access for dogs)
- Prepare a cost-benefit analysis for the reintroduction of proactive compliance monitoring and educational initiatives to address non-compliance matters raised in this report. Particularly as they relate to dogs off-leash in on-leash areas and control of dogs in line with regulations
- Continue to review areas of environmental sensitivity where dogs should be excluded or be required to be on a leash
- Liaise with the National Parks Service to identify strategies that will help increase awareness of dog exclusion zones and minimise non-compliance with regulations

Do you agree with the actions identified under compliance with dog control regulations?

Yes

No

Unsure

Why?

Go back

Next



### Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP outlines three action items to manage access to foreshore off-leash areas:

- Consider signage, that includes 'informative mapping' of OLAs and permitted access points, at car parks commonly used by dog owners to access Putty Beach and Wamberal foreshore OLAs
- Ensure information on Council's website clearly informs dog owners of permitted points of access to foreshore OLAs
- Investigate the feasibility and cost benefit of providing off-street or on street car parking at or near 25-25B Ocean View Drive, Wamberal

Do you agree with the actions identified under access to foreshore off-leash areas?

Yes

No

Unsure


Why?

Go back

Next





 **Submission form: Central Coast Dogs In Open Space Action Plan**

The DIOSAP outlines one action to manage dog registrations:

- Consider targeted (e.g. by suburb) strategies to encourage owners to comply with dog registration regulations

Do you agree with the action identified under dog registrations?

Yes

No

Unsure

Why?



## Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP outlines six actions to manage the fencing of off leash areas:

- Adopt the guiding principles in this report and the Provision Framework for OLAs, noting Council's position is not to fence OLAs other than for management considerations contained in this document.
- Ensure Council's rationale for fencing/not fencing OLAs is explained in information to the community (at a minimum on council website)
- Prepare a Concept and Detailed Design Plan for the Tuggerah fenced dog off-leash area (FOLA) to:
  - enhance the amenity of the site
  - improve sensory and development outcomes for dogs
- Prepare a Concept Plan for the Maitland Bay (Ettalong) Rd FOLA to:
  - Investigate opportunities to expand or improve the amenity of the site
  - Address maintenance challenges (e.g surface degradation)
  - Improve sensory and development outcomes for dogs
- Prepare a Concept Plan for the Sensory Park (Narara) FOLA to:
  - Investigate fencing options
  - Improve the amenity of the site
  - Address maintenance challenges (e.g surface degradation, tree protection)
  - Improve sensory and development outcomes for dogs
- Remove the fencing around the Colongra Bay Reserve OLA, apart from barrier fencing along the roadside and incorporate landscape features to enhance the amenity of the site and sensory features appealing to dogs



Do you agree with the actions identified under fencing off-leash areas?

Yes

No

Unsure

Why?

[Go back](#) [Next](#)



## Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP outlines one action to support the effective control of dogs:


- Consider the incorporation of some or all of the following requirements in a Council Order to effectively define 'effective control' of dogs:
  - In on-leash areas
    - Dogs must:
      - be held on a leash at all times and in line with CAA age and capability requirements
      - be on a short leash (max 1.5 mt) when on or within 5m of footpaths or trails
      - not be tethered to a fixed place or object
    - In off-leash areas:
      - Dogs can only be off the leash if they always immediately respond/recall at owner's voice and/or hand commands
      - Dogs must remain:
        - within 100 m of their owner
        - within clear sight of their owner
      - Dogs must not:
        - run or rush at another dog or person
        - make unwanted approaches to another dog or person
        - be allowed into 'dog exclusion' areas

Do you agree with the actions identified under effective control of dogs?

Yes


No

Unsure



Why?

**Go back** **Next**



### Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP outlines two actions to support the management of off leash areas:

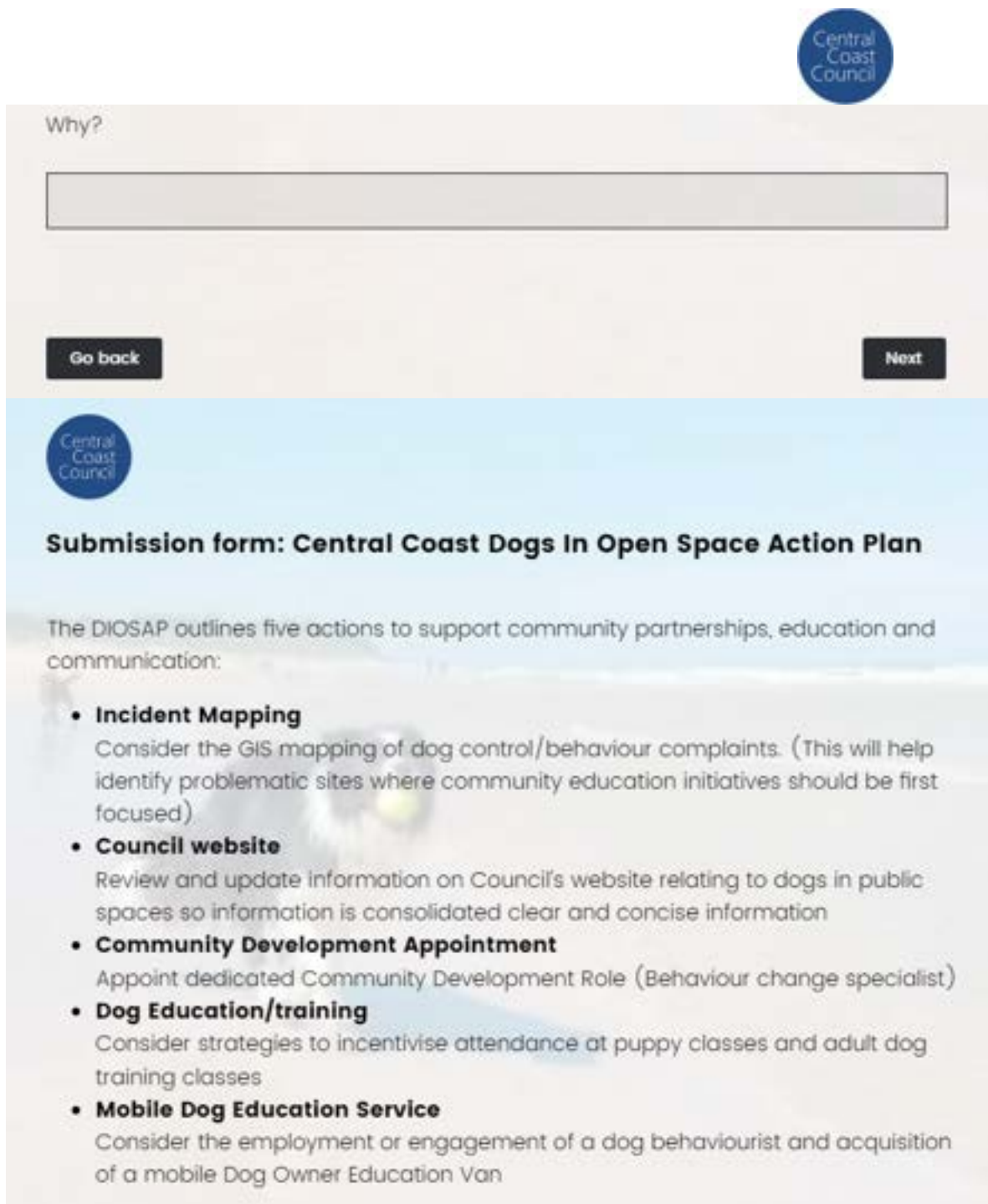
- Review the resourcing of maintenance for inland OLAs in consideration of:
  - Establishing service levels in line with similar open space assets (public amenity)
  - FOLAs good practice design and management
- Review the resourcing of Ranger Services, in consideration of:
  - Changing service demands
  - The impact and effectiveness of current strategies
  - The cost-benefit (e.g public amenity, financial, public relations, staff morale) of implementing proactive strategies to address matters relating to animal management


Do you agree with the actions listed under management of off-leash areas?

Yes

No


Unsure





Why?

[Go back](#) [Next](#)



### Submission form: Central Coast Dogs In Open Space Action Plan

The DIOSAP outlines five actions to support community partnerships, education and communication:

- **Incident Mapping**  
Consider the GIS mapping of dog control/behaviour complaints. (This will help identify problematic sites where community education initiatives should be first focused)
- **Council website**  
Review and update information on Council's website relating to dogs in public spaces so information is consolidated clear and concise information
- **Community Development Appointment**  
Appoint dedicated Community Development Role (Behaviour change specialist)
- **Dog Education/training**  
Consider strategies to incentivise attendance at puppy classes and adult dog training classes
- **Mobile Dog Education Service**  
Consider the employment or engagement of a dog behaviourist and acquisition of a mobile Dog Owner Education Van



Do you agree with the actions listed under community partnerships, education and communication?

Yes

No

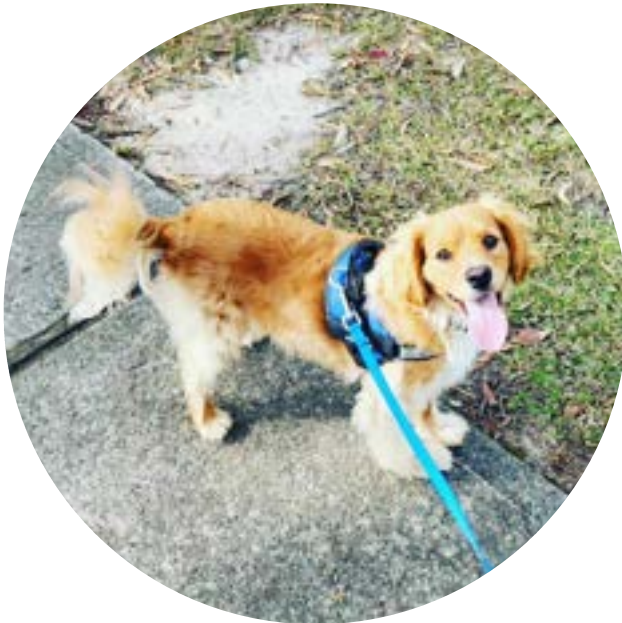
Unsure

Why?

[Go back](#) [Next](#)

A screenshot of a web-based submission form. At the top left is the Central Coast Council logo. The title of the form is "Submission form: Central Coast Dogs In Open Space Action Plan". Below the title is a section for "Submission comments:" with a large, empty text input box. This is followed by an "Attachment one:" section with a large grey box containing the text "Drop files or click here to upload". Below that is an "Attachment two:" section with another large grey box containing the text "Drop files or click here to upload". The background of the form is a light blue and white image of a dog playing with a yellow ball on a beach.





# Dogs In Open Space Action Plan

## **WORKSHOP REPORT**

August 2023

## Context

In 2022, Central Coast Council (Council) publicly exhibited the draft Dogs In Open Space Action Plan (draft Plan).

Council received a huge response to the exhibition of the draft Plan and on 31 July 2023, released the Consultation Report which provided an in-depth analysis of what we heard from the community throughout the exhibition period and our preliminary response to that feedback.

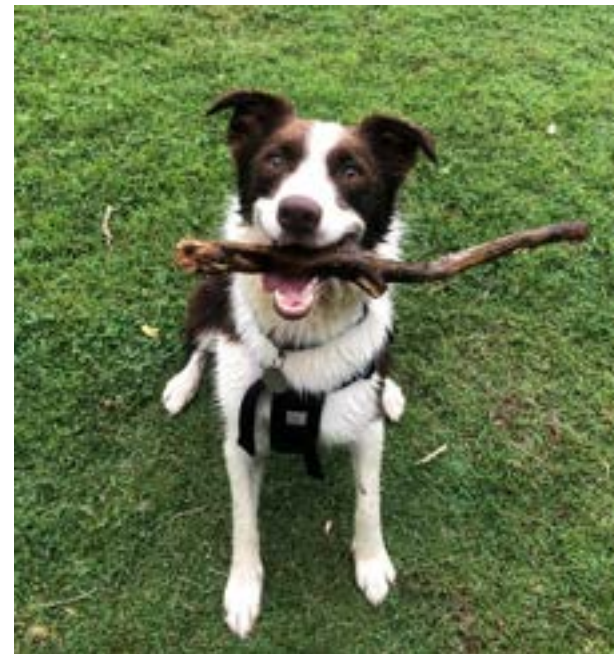
There were several key issues identified during the exhibition period. In an effort to find solutions to some of these key issues, Council hosted workshops in August 2023. The workshops were by targeted invite to select and randomised individuals given the range of issues raised during the exhibition period. Given the number of people that provided submissions on the draft Plan during the exhibition, it was not possible to accommodate all persons during these workshops.

The objective of the workshops was to work with stakeholders to further refine the draft Plan by codesigning solutions to the key issues identified.

Council hosted the following three workshops between 5pm and 7pm:

- Monday 7 August at Wamberal Surf Life Saving Club
- Tuesday 8 August at Umina Beach Surf Life Saving Club
- Wednesday 9 August at Wyong Council Function Room

This report provides an overview of the workshop activity.



## Presentation

Council's project team delivered a presentation on the draft Plan, results of the public exhibition, and provided an overview on the proposed changes as a result of the public exhibition outcomes.

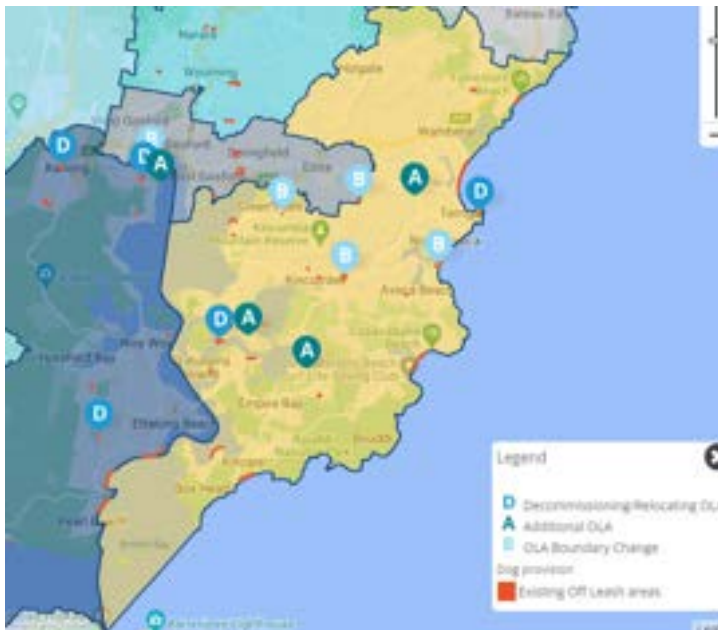
**Table one:** What are we proposing to change already prior to the workshops?

Topic	Proposed change to draft Plan	Comments
<b>Revised document layout</b>	Document revised to be more accessible to readers	Document revised and to be tabled during the August 2023 Council meeting
<b>Leash Length requirement</b>	Leash length limitations now extended to 2m	Extending leash requirements by 0.5m
<b>Off Leash Beaches</b>	Proposed time/seasonal beach access retracted	Proposed time and/or seasonal beach access restrictions discontinued
<b>Sportsgrounds</b>	Sportsgrounds no longer proposed to be dogs prohibited. On leash only.	Sportsgrounds to be on-leash permitted while off leash use prohibited
<b>Illoura Reserve, Davistown</b>	New proposed alternative site at Memorial Oval, Davistown	Previous proposed site at Pine Ave was not preferred by community groups

<b>Caravel St, Hamlyn Terrace</b>	Proposed OLA retracted	No alternative site required as proposed Hilltop OLA is within 3km
<b>Adelaide St, Killarney Vale</b>	Alternate site proposed at Wyong Rd, Killarney Vale	Adelaide St site conflicts with lease of facility to local sports groups with alternative site proposed off Wyong Rd
<b>Adcock Park, West Gosford</b>	Boundary Change retracted	Area outside of shared path not significant enough to cater for off leash activity with existing OLA to remain as is
<b>Thames Drive, Erina</b>	Boundary Change retracted	Shared path not formalised through area so prohibition from this path is not required
<b>Captain Cook Reserve, Green Point</b>	Boundary Change	Boundary change to exclude 10m buffer zone from playspace

# Feedback

**Question one:** When planning for dogs in the **East Brisbane Water and Coastal** area, what are the alternative options?



## CONSIDERATIONS, CHALLENGES, OPPORTUNITIES & SOLUTIONS

### Pippi Point (Illoura Reserve), Davistown (current OLA)

- People have purchased in the area for access to the OLA
- The land/water interface is a key attraction of the OLA
- The OLA is a meeting point for community and is a significant asset for community well-being
- Concerns regarding the location of and the voracity of the Threatened Species Assessment used to inform decision-making
- Clarification on what the impacts of dogs off leash are to the Bush Stone-curlew
- Revised OLA i.e., reduction in use to the west of the OLA or increase in the protection area considered a potential balance
- Timed access – time of day or time of year (i.e., is there a time of day that the Bush Stone-curlew are present? Or is there a time of year that nesting occurs (closure/fencing similar to the Little Tern))
- Legacy issues of previous Council causing distrust amongst community as this issue has been brought up in the past

### Memorial Ave, Davistown (proposed alternative OLA)

- Issues with water logging/flooding
- Potential conflicts with existing users

- Located on a main road – safety concerns
- No fence or parking available
- Potential emergency helicopter landing point
- Possible OLA between Mirreen and Restella Streets discussed

#### **Pine Ave, Davistown (proposed alternative OLA)**

- Issues with water logging/flooding
- Potential site for breeding pair of Bush Stone-curlew and Green and Gold Bell Frog
- No parking available

#### **The Haven, Terrigal**

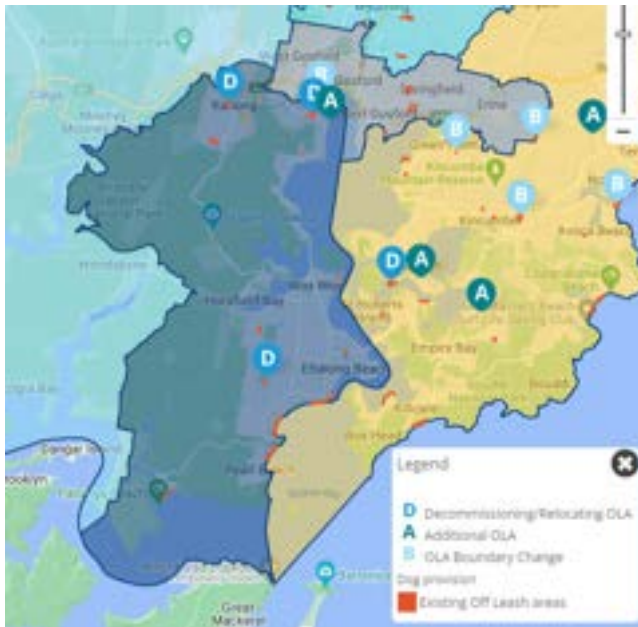
- Concerns about the loss of the human social interaction that the OLA provides
- Concerns about the economic (cafes) and lifestyle implications that the closure of the OLA will have on the community
- Agreement that the OLA does have significant safety concerns
- Some agreement that the OLA should be converted to on-lead
- Fencing options might be able to be explored (suggestion for sandstone or copper logs)
- Grassed OLA provides additional access to OLA in the area for those that cannot visit Wamberal Beach OLA
- Wiles Ave (behind Wamberal Surf Life Saving Club) would be the best alternative grassed site

#### **Duffys Reserve, Terrigal (proposed alternative OLA)**

- Concerns about the suitability of the site (flooding, parking, location)
- Concerns about the species in the Reserve (spiders and birds)
- Concerns about impacts to the ASPECT school and other surrounding residents



**Question two:** When planning for dogs in the **West Brisbane Water and Peninsula** area, what are the alternative options?



## CONSIDERATIONS, CHALLENGES, OPPORTUNITIES & SOLUTIONS

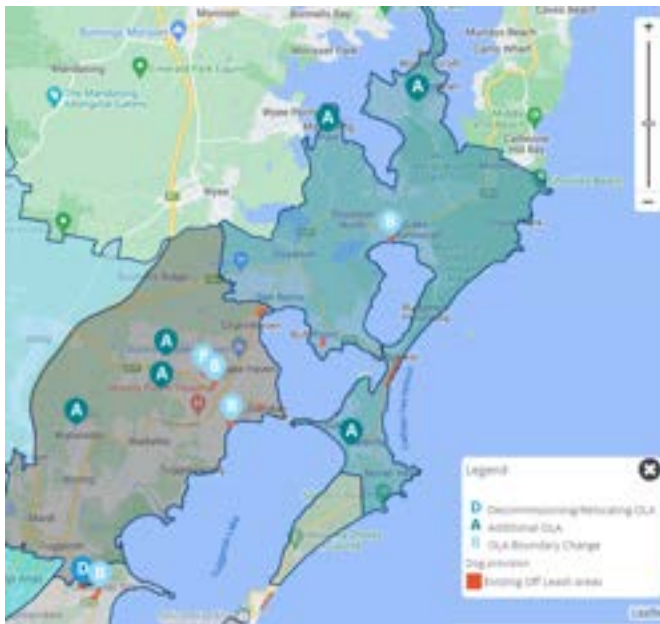
### McEvoy Ave Drainage Reserve

- Suggestion for the OLA to be extended
- Suggestion to fence extension near roads (Australia Ave)

### Other areas

- Delineation between Council land (along Woy Woy Road) and National Park is good (good regulation for COSS land)
- Signage at Umina Beach is good (large and has a map)
- Lemongrove netball grassed area may be another option for consideration
- Suggestion for a possible extension of the Ettalong Oval OLA
- Compliance between non-dog owners and dog-owners needs improvement in the Umina Beach area
- Improved considerations for mixed use of the space on the Peninsula (conflict between dogs and fishermen etc.)

**Question three:** When planning for dogs in the **Northern end of the Coast**, what are the alternative options?



## CONSIDERATIONS, CHALLENGES, OPPORTUNITIES & SOLUTIONS

### Tuggerah Off Leash Park (existing site)

- Has a drainage problem
- Suggestions for additional equipment to keep dogs engaged

### Narara Off Leash Park (existing site)

- Concerns with dog behaviour within the park
- Responsible pet owner issues

### Redgum Hilltop Park, Blue Haven (potential additional OLA)

- Suggestion for additional OLA at Redgum Hilltop Park, Blue Haven
- Site has plenty of shade with bushland
- Some parking provision already present

### Chelmsford Rd, Charmhaven (near SoCares) (potential additional OLA)

- Suggestion for additional OLA at Chelmsford Rd, Charmhaven – behind the SoCares dog shelter

### Tunkawalin OLA (proposed OLA)

- Support for the proposed additional OLA at Tunkawalin
- Tunkawalin is a good location to service both Gwandalan and Summerland Point communities
- Lions Park, Gwandalan was discussed as an additional option



**Question four:** When it comes to the rules and policing of Dogs in Open Space, what has the Action Plan **done well**?

- Some generalised support for the purpose of the plan and acknowledgement that it's a difficult topic to find agreement by all parties
- Elements of the plan are good, particularly the balance between education and regulation/enforcement
- The proactive elements (i.e., education) to the plan are sound
- Call for additional ranger resources
- Improvements to signage:
  - Size and scale are important
  - Location should be considered (i.e., entry signage is good but when within the area it is hard to know where the areas finish/start)
  - Mapping information is useful (Umina Beach sign referenced)
  - OLA etiquette signage is important, so people understand what the behavioural expectations are for the OLA (i.e. no phones, effective control, monitoring dog behaviour, picking up poo)
  - Humorous signage should be considered
- Proactive education and compliance monitoring requirements
- Responding to community concerns (removal of seasonal timed beach access etc.)
- Consultation was done well (including the workshops)

**Question five:** When it comes to the rules and policing of dogs in open space, what has the strategy **not done well**?

- Did not speak to the emotional wellbeing and health benefits that dog ownership offers
- The document should have been stronger in the recommendations to further improve compliance monitoring/policing/education
- Did not highlight the important role OLAs provide in establishing community connectedness
- Plan did not speak to how Council is addressing the regulation of declared dangerous or menacing dogs proactively
- It was unclear what the drivers were for a new Plan were (there are legacy issues with former Gosford City Council)
- The submission feedback form was overly complex for those who wanted to provide a simple answer
- Document (original) was too long and complex

#### Other commentary

- Council should improve the way engagement is advertised via non-electronic means e.g., radio ads, library notices
- Council should target messaging in problem areas and during holiday periods where persons from outside the Local Government Area visit and do not know the rules and/or do not comply
- Education of the community:
  - How do we promote or encourage dog training?
  - How do we promote appropriate behaviour towards approaching dogs?
  - Can we educate or upskill our community /beach lifeguards

- Can Council test documents and second survey with a focus group prior to release to the community
- Can Council do more at the registration stage to give residents more information re responsible pet ownership, re off leash localities, re signage
- Decomposing bags and alternative options for dog litter should be investigated
- Compliance - rangers - more rangers and not just for fines but for proactive engagement, patrols, discussions... the policing
- Can Council leverage volunteer groups, community connectors, partner with dog trainers or vets to get responsible pet messaging out
- Should council consider restarting some form of committee
- Council should consider rebranding dogs on the Coast



## Next steps

Council staff are using the feedback received during the workshops to further refine and enhance a revised draft Dogs In Open Space Action Plan (revised draft Plan).

The revised draft Plan will be tabled at the August Council Meeting where endorsement will be sought for the Plan to be re-exhibited for a further 28 days.

It is important to remember that the revised draft Plan will list a number of actions, however; some of these are currently unfunded. Council will continue to explore funding opportunities to deliver the actions identified in accordance with their listed priority. This may be through funding available in Council's recurrent annual budget (Operation and Delivery Plan) or via other external funding opportunities (e.g., grants) as they become available.

It is intended that any final Plan will be reviewed every two years to ensure that new and emerging needs are identified and addressed such as new OLAs being brought online.

We encourage the community to get involved and let us know if we have gotten the revised Plan right.

We will continue to keep the community updated on this project.

It is important to note that there are currently no changes to the management of Council's open space network until a final Plan is adopted by Council.

