

### **COASTAL OPEN SPACE SYSTEM**

5 December 2023



COMMUNITY STRATEGIC PLAN 2018-2028

ONE - CENTRAL COAST IS THE COMMUNITY
STRATEGIC PLAN (CSP) FOR THE CENTRAL COAST
LOCAL GOVERNMENT AREA

ONE - CENTRAL COAST DEFINES THE COMMUNITY'S VISION AND IS OUR ROADMAP FOR THE FUTURE

ONE - CENTRAL COAST BRINGS TOGETHER EXTENSIVE COMMUNITY FEEDBACK TO SET KEY DIRECTIONS AND PRIORITIES

One - Central Coast will shape and inform Council's business activities, future plans, services and expenditure. Where actions are the responsibility of other organisations, sectors and groups to deliver, Council will work with key partners to advocate on behalf of our community.

Ultimately, every one of us who live on the Central Coast has an opportunity and responsibility to create a sustainable future from which we can all benefit. Working together we can make a difference.

### RESPONSIBLE

# WE'RE A RESPONSIBLE COUNCIL AND COMMUNITY, COMMITTED TO BUILDING STRONG RELATIONSHIPS AND DELIVERING A GREAT CUSTOMER

EXPERIENCE IN ALL OUR INTERACTIONS. We value transparent and meaningful

communication and use community feedback to drive strategic decision making and expenditure, particularly around the delivery of essential infrastructure projects that increase the safety, liveability and sustainability of our region. We're taking a strategic approach to ensure our planning and development processes are sustainable and accessible and are designed to preserve the unique character of the coast.



**G2** Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making

### There are 5 themes, 12 focus areas and 48 objectives

#### COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

All council reports contained within the Business Paper are now aligned to the Community Strategic Plan. Each report will contain a cross reference to a Theme, Focus Area and Objective within the framework of the Plan.



### **Meeting Notice**

# The Coastal Open Space System of Central Coast Council will be held Remotely – Online, on Tuesday 5 December 2023 at 2.00pm,

for the transaction of the business listed below:

#### Welcome, Acknowledgement of Country, Receipt of Apologies

We acknowledge the Traditional Custodians of the land on which we live, work and play. We pay our respects to Elders, past, present and emerging and recognise their continued connection to these lands and waterways.

We acknowledge our shared responsibility to care for and protect our place and people.

#### 1 Procedural Items

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	2.4	Update on Biodiversity Strategy & Land Acquisition & prioritisation (Standing	
		Agenda Item)	27
	2.5	Climate Adaptation Planning for Council's Natural Reserves	
	2.6	Update from Community Representatives (Standing Agenda Item)	
	2.7	Update from External Representatives (Standing Agenda Item)	
	2.0	Consul Rusiness	20

Luke Sulkowski

Chairperson

1.1	INTRODUCTION: WELCOME, ACKNOWLEDGEMENT OF COUNTRY,
	APOLOGIES, DISCLOSURE OF INTEREST

Chairperson

### 1.2 PREVIOUS BUSINESS: CONFIRMATION OF MINUTES, REVIEW ACTION LOG

Chairperson

#### **Attachments**

**1** MINUTES - Coastal Open Space System - 5 September 2023 D15841709



#### Central Coast Council

### Coastal Open Space System

Held Remotely - Online

05 September 2023

### **MINUTES**

#### Attendance

Members	Status
John Andrews	Present
Paul Links	Present
Barbara Wills	Present
Deb Holloman	Present

#### Non-voting member

Gary Chestnut	Present
Stephen Atkins – National Parks & Wildlife Service	Present
Daniel Keating – Local Land Services	Present

Staff	Status
Alice Howe – Director Environment & Planning	Present
Luke Sulkowski - Unit Manager Environmental Management	Present
Matthew Corradin – Unit Manager Environmental Compliance Services	Present
Michael Smith – Section Manager Natural Assets and Biodiversity	Present
Carlita Dhillon – Team Leader Landcare	Present
Samantha Cummins – Business Performance & Integration Lead	Present
Rochelle Lawson – Senior Ecologist	Present
Nick Carson – Environmental Education Officer	Present
Angela Russell – Civic Support Officer	Present

#### **Apologies**

Alice Howe, Director Environment and Planning Larry Melican, Section Manager Natural Assets and Biodiversity Douglas Williamson

#### **PROCEDURAL ITEMS**

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

The Chairperson, Luke Sulkowski, declared the meeting open at 2:05pm

The Chair read an Acknowledgement of Country statement.

Apologies received were noted. Doug Williamson advised he was unable to attend due to technical difficulties. After assistance was provided by Civic Support for 35 minutes, he has requested that the meetings be changed back to face-to-face.

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

The Chair noted that Item 2.2 will be addressed before Item 2.1.

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

Time commenced: 2:06pm

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 18 July 2023

Action Log reviewed and updates made (attached below)

#### **REPORTS**

# 2.1 Update on Biodiversity Strategy and Land Acquisition and prioritisation (Standing Agenda Item)

Time Commenced: 2:44pm

#### Resolved

#### That the information be noted.

Rochelle Lawson speaks to advise the committee of an update.

#### 2.2 Dogs in Open Space Action Plan

Time Commenced: 2:11pm

#### **Original Recommendation**

That the committee note the recommendations of the independent Threatened Species Assessment undertaken by Future Ecology Pty Ltd in 2023 and recommendations of the revised draft Dogs in Open Space Action Plan (revised draft Plan) regarding the proposed extension of the protected area at "Pippi Point" Davistown.

#### Resolved

- 1. That the committee note the recommendations of the independent Threatened Species Assessment undertaken by Future Ecology Pty Ltd in 2023 and recommendations of the revised draft Dogs in Open Space Action Plan (revised draft Plan) regarding the proposed extension of the protected area at "Pippi Point" Davistown.
- 2. Regarding proposals in the revised Dogs in Open Space Action Plan to provide off leash exercise areas for dogs in Illoura Reserve, Pippi Point, Davistown, it is recommended that Council note:
  - a. That the area has been identified as a threatened species habitat for the Eastern Curlew, Bush Stone Curlew, Pied Oystercatcher, Bar Tailed Godwit and Grey Headed Flying Fox;
  - b. That the COSS Advisory Committee recommends the decommissioning of the Illoura Reserve Pippi Point, Davistown site as a dog off leash area because dog behaviour within the off leash dog exercise area will impact on foraging time or foraging efficiency of shorebirds including these threatened species whilst also potentially impacting breeding cycles.

Matthew Corradin speaks to the presentation.

Paul Links questioned the proposed Pippi Point site and queried whether or not there will be fencing to separate the 2 areas. Matthew Corradin advised that Council's recommendation, if the site was to go ahead, would be that the land will be coupled with new fencing to support the protected area.

Stephen Atkins thanked Matthew Corradin for putting together the plan.

Gary Chestnut advised that he will be requesting a new recommendation that Pippi Point should not be an off leash dog area due to environmental factors and threatened species.

Matthew received his comment.

The Chair asked for confirmation on the vulnerable species referenced in the presentation and whether or not they were directly observed in this study or was it just that the potential habitat was identified. It was confirmed by Samantha Cummins that they were observed in the 2023 study in the area.

#### 2.3 Environmental Education

Time Commenced: 2:46pm

#### Resolved.

#### That the information be noted.

Carlita Dhillon and Nick Carson speak and present on the report.

Gary Chestnut advised the subject matter experts that their work is appreciated.

The Chair thanked and congratulated the team on all of their work.

#### 2.4 Environmental Volunteering Update

Time Commenced: 3:09pm

#### Resolved

#### That the information be noted.

Michael Smith speaks to the presentation.

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

Time Commenced: 3:28pm

Stephen Atkins advised that his team are planning for the next Aerial Wild Dog Baiting Program. They are also working on hazard reduction burns. Aerial Bitou spraying is being arranged. Upgrade of Somersby falls is underway. Visitation survey has come out and we've had around 6 million visits to the Central Coast National Parks.

Daniel Keating advised that their business practices are changing their model which may mean grant programs will not be available anymore. Biosecurity Spring Baiting Program is about to kick off.

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

Time Commenced: 3:35pm

No updates provided.

#### 2.7 General Business

Time Commenced: 3:36pm

Gary Chestnut requests site inspection of Mount Alison for public recreation opportunities and consideration for inclusion into a trial for classification as part of Council's Coastal Open Space System. An action was created.

Rochelle Lawson advised that The Biodiversity Conservation Act was released. This link is being provided for reference: <u>Statutory Review of the Biodiversity Conservation Act 2016 NSW Environment and Heritage</u>

Barbara Wills requested an update on the Local Environmental Plan. The Chair advised he will ask for the Strategic Planning team to provide an update at the next meeting. An action was created.

The Meeting concluded at 3:46pm.

Next Meeting Date: 5 December 2023

Action Number	Meeting Date	Action	Responsible Party	Action Update	Status
132	9/6/2021		Environmental	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
141	21/9/2021	Staff to provide a presentation to the Committee at a future meeting on the way these property sale negotiations are carried out and possible new ways of thinking for Council negotiating on land that has high environmental values.	Unit Manager Economic Development and Property	Item to be pushed back to early 2022. Economic and Property development to take the lead on this action. EMU to provide advice and input as required.  Update as of 13/09/2022 meeting:	Complete

Action Number	Meeting Date	Action	Responsible Party	Action Update	Status
				Complete	
143	21/9/2021	Staff to investigate the unauthorised clearing	_	A registered surveyor was engaged by	Complete
			Environmental	Council to carry out a boundary survey to	
		COSS meeting advising what action has been	Management	ascertain the extent of clearing on Council	
		taken against people who undertook the clearing.		land reserve, R0056 Wambina/Matcham	
				Road Reserve. This survey was undertaken	
				on the 26 October 2021.	
				On the 8 December 2022 an onsite meeting	
				was held with Council officers Rhys Richards,	
				Team Leader, Development Control, Brent	
				Evans, Project Officer, Natural Assets and	
				Biodiversity and Chris Ross a representative	
				of the owners of 293 Matcham Road.	
				The representative was asked to provide a	
				Vegetation Management Plan which is to	
				outline how they are to	
				revegetate/regenerate/manage the area that	:
				they have admitted to clearing. It is	
				understood that the representative has	
				sourced three quotes from qualified	
				ecologists to carry out the investigation and	
				provide the Vegetation Management Plan	
				and have now engaged Travers Bushfire and	1

Action Number	Meeting Date	Action	Responsible Party	Action Update	Status
				Ecology to provide the consultancy services. This plan is to be reviewed by Council before it is accepted. Once accepted the representative has stated that they will then carry out the recommendations of the report.  It is expected that the draft plan will be available for review in the next few weeks.	
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.	Environmental Management	At the 8 February 2022 Council Meeting, Council resolved:  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.	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	The Committee / Meeting Support Officer	At the 8 February 2022 Council Meeting, Council resolved:  That Council note the COSS Committee's rejection of any mountain biking trails being established in COSS land or being identified	Complete

Action Number	Meeting Date	Action	Responsible Party	Action Update	Status
		reported to Council at the Ordinary Meeting on 14 December 2021.		for inclusion in COSS land as part of the Central Coast Mountain Biking Plan that was reported to Council at the Ordinary Meeting on 14 December 2021.	
147	13/12/2021	Staff to follow up with the Economic Property Development Team request that they meet with the COSS Sub-Committee to discuss property sale negotiations and the acquisition process, prior to presenting to the Committee in the new year.	Unit Manager Environmental Management	Update as of 13/09/2022 meeting: Complete	Complete
148	13/12/2021	The Committee request that Council write to the Minister noting concerns about lots that were left off the list for potential land transfer to NPWS and request that further consideration be given to private land, not just public land. Furthermore, representations should be made to local members requesting support of this.	Environmental Management	At the 8 Feb 2022 Council Meeting, Council resolved:  That Council write to the Minister noting concerns about lots that were left off the list for potential land transfer to NPWS and request that further consideration be given to private land, not just public land. Furthermore, representations should be made to local members requesting support of this. Letters sent 2 March 2022 to Minister for Environment and Heritage, The Member for Terrigal, The Member for Gosford, The Member for The Entrance and The Member for Wyong.	Complete
149	13/12/2021		Environmental Management	9/08: Due to scheduling conflicts, a meeting will be scheduled for early October 11/11: Meeting yet to be arranged 6/12: Noted meeting scheduled for Thursday	Complete

Action Number	Meeting Date	Action	Responsible Party	Action Update	Status
		branding and to identify likely tasks required in order to proceed with such a project.		8/12	
150		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).	Environmental	Update provided at 07/06/2022 Committee meeting and outcomes included in meeting minutes	Complete
151		Committee members are invited to provide any suggestions or feedback on the plan (Environmental Education Strategy) to advisorygroups@centralcoast.nsw.gov.au by Friday 25 March 2022		COSS Committee - NAB Environmental Education Strategy 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		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	
153		A copy of all presentations from today's meeting to be provided to Committee Members	Meeting Support	COSS Committee Presentations emailed to members 16/03/2022	Complete

Action Number	Meeting Date	Action	Responsible Party	Action Update	Status
154		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		Refresher regarding opportunities for committee members to become involved, suggestions and feedback welcomed, please send via Advisory Groups email address.	COSS Committee members	9/08: AG to update	Complete
156	. , , .	Chair will seek advice from Team Leader Landcare and SM Natural Assets and Biodiversity regarding whether this is to be re-introduced.	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	
157		Chair to convene a workshop with staff from Environment Management Unit, Economic and Property Unit and Finance as well two to three Committee members consider acquisition process and report back to committee	Unit Manager Environmental Management	Workshop organised for 1/12/22	Complete
158		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	Complete

Action Number	Meeting Date	Action	Responsible Party	Action Update	Status
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
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		Council noted COSS minutes of the 13 September meeting. This was not specifically noted by Council.	Completed
		Proposal, be 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.	
161	13/09/2022	Chair to provide update on website improvements at next meeting and master plan regarding mountain bike riding.	Environmental Management	Agenda Item for 6 December meeting  Update 6/12 – to be postponed until the  New Year	Complete
				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.	
				5/9/2023 – All maps were updated. Action is now completed.	
162	13/09/2022	Civic Support Team to update Terms of Reference and call for new members		New members can only be added via an EOI process per the Terms of Reference.	Completed

Action Number	Meeting Date	Action	Responsible Party	Action Update	Status
				5/9/2023 – Terms of Reference updated to remove Councillor references.	
163	27/03/2023	Additional feedback requested in relation to the Davistown Wetlands Acquisition Fund		No feedback was received. 18/07/2023 – addressed by chair during meeting	Complete
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	5/9/2023 – Site Inspection completed. Workshop to be arranged.	Partially completed
165	05/09/2023	The Committee be invited to a site inspection of Mount Alison for public recreation opportunities with the same representatives who attended the site inspection at Action 164.	Unit Manager Environmental Management		
166	05/09/2023	An update to be provided to the Committee on the Local Environmental Plan from Council's Strategic Planning at the December meeting.	Unit Manager Environmental Management		

### 2.1 UPDATE ON THE AIRPORT MASTER PLAN

Presenter: Jamie Barclay, Unit Manager Economic Development & Property

#### **Attachments**

Nil.

**Item No:** 2.2

**Title:** Update on the Local Environmental Plan

**Department:** Environment and Planning

5 December 2023 Coastal Open Space System

Reference: F2018/00099-002 - D15934235

Author: Rodney Mergan, Senior Strategic Planner. Local Planning and Policy

Rianan Rush, Senior Strategic Planner Local Planning and Policy

Manager: Scott Duncan, Section Manager. Local Planning and Policy

Executive: Jamie Barclay, Director. Environment and Planning

#### Recommendation

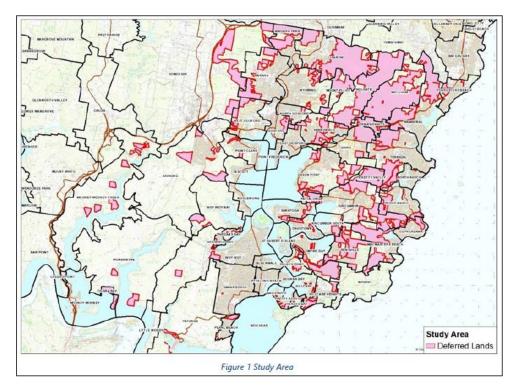
#### That the COSS Committee note the information provided in the report.

#### **Report purpose**

To provide the Coastal Open Space System (COSS) Committee with an update on the Deferred Matters Lands Planning Proposal, including the proposed zoning methodology and outcomes from public exhibition.

#### Background

The Deferred Matters (DM) Lands are located east of the M1 Pacific Motorway, south of Ourimbah and are those lands excluded from the Central Coast Local Environmental Plan 2022 Land Application Map. There are approximately 3,400 land parcels in the DM area.





Interim Development Order 122 (IDO 122) and Gosford Planning Scheme Ordinance (GPSO) are the current planning instruments that apply to this area. The Standard Instrument (Local Environmental Plans) Order 2006 requires all Local Environmental Plans to be standardised across NSW. Accordingly, the planning provisions under IDO 122 and GPSO will need to be incorporated into the Central Coast Local Environmental Plan 2022 via a planning proposal for the DM Lands.

Council resolved the following at its meeting of 27 April 2021:

"That Council prepare a planning proposal for the integration of Deferred Matters land under Central Coast Local Environmental Plan into Central Coast Local Environmental Plan".

#### **Current Status**

The public exhibition period for deferred lands closed on 15 November 2023. Council staff are reviewing the planning proposal and determining necessary amendments based on community feedback.

#### Report

It is proposed to prepare and submit a planning proposal to the NSW Department of Planning and Environment to incorporate the Deferred Matter Lands into the Central Coast Local Environmental Plan 2022, by reviewing the zoning and development standards under IDO 122 and GPSO and the environmental attributes of the land and assigning an appropriate zoning under the *Standard Instrument Local Environmental Plan* (SI LEP).

The proposal has been guided by the <u>Department of Planning Practice Note on applying Environmental Protection Zones</u> (PN 09-002). The proposal addresses actions within the <u>Central Coast Regional Plan 2041</u> and Council's <u>Local Strategic Planning Statement</u> and is consistent with the <u>Community Strategic Plan.</u>

The planning proposal does not include Council owned Coastal Open Space System (COSS) which is currently zoned C2 Environmental Conservation under the Central Coast LEP 2022. Mapping exists at Council which shows proposed COSS lands for future purchase or dedication. No funding mechanism exists to fund the purchase of all future COSS lands shown on the proposed COSS lands map.

All land in the DM Planning Proposal (including proposed COSS lands) have been assigned a zoning based on the recommendations of PN 09-002 and the environmental methodology, including the zone translation and environmental attribute assessment contained in the DM lands Planning Proposal.

The methodology for the deferred lands comprises three stages as follows:

#### 1. Zone Translation

Each stage under the zoning methodology was necessary to determine the most appropriate equivalent standard instrument zone. An initial 'equivalency test' was undertaken which compared the current zone objectives and permissible uses against the mandated zones in the standard instrument.

#### 2. **Environmental Attribute Assessment**

Following stage 1 above, an environmental attribute assessment was undertaken to assess whether the environmental attributes of the site are aligned with the equivalent zones identified in the stage 1 zone translation. For example, the environmental attribute assessment informed the application of 'split zonings' where land of higher ecological value is zoned C2 Environmental Conservation. A copy of the environmental criteria that were considered in each of the conservation zones is provided in Attachment 1.

#### 3. Land Fragmentation Analysis

An analysis of proposed C3 – Environmental Management and C4 – Environmental Living zones based on site constraints and hazards, existing zoning and lot size, native vegetation, and servicing arrangements with the intention of maintaining existing character and controls.

#### Consultation

The DM Lands Planning Proposal, and associated mapping was placed on public exhibition from Wednesday 11 October 2023 until Wednesday 15 November 2023.

All landowners were notified by mail about the public exhibition of the DM Planning Proposal. Government agencies have also been notified seeking their comment.

A total of 3 full day face to face drop-in sessions and 7 virtual drop-in information sessions totaling 16.5hrs were provided during public exhibition.

It is expected that the results of community consultation will be reported to Council by April 2024.

#### **Financial Considerations**

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

The process has been undertaken using Council resources. The proposal will lead to consistency and certainty of planning controls for the Central Coast as well as organisational efficiencies.

#### **Link to Community Strategic Plan**

Theme 3: Green

#### **Goal E: Environmental resources for the future**

G-F1: Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas, and the diversity of local native species.

#### **Risk Management**

The adoption of the amending LEP will provide for a reduction in inconsistencies in environmental zones and reduce ambiguity in the application of planning controls.

#### **Critical Dates or Timeframes**

It is expected that the results of community consultation will be reported to Council by April 2024. The planning proposal is required to be notified by 31 May 2024 in accordance with the Gateway Determination.

#### **Attachments**

1 Attachment 1 Environmental Criteria - C2 C3 C4 Zones - Deferred Lands D15944180

**Attachment 1** 

## Data Matching for Criteria: Key Environmental Attributes:

Planning Practice Note PN 09-002 Environmental Protection Zones (PN 09-002) specifies criteria for identifying land suited for zoning as E2, E3 and E4. The following tables set out the data matching undertaken.

E2 Zone – very high values Criteria	Data Reference
old growth forests	None available.
significant wildlife	None available.
wetlands	Coastal Management SEPP – coastal wetlands. Bells: Wetland Zone – intertidal, supratidal, upland plus: Bells Keith Class – Coastal Swamp Forests
	(Foreshore Redgum – Ironbark Forest).
rainforests	Coastal Management SEPP – littoral rainforest. Nil in Study Area.  Bells Keith Form – Rainforests (=NEWCC VegN – Coastal Warm Temperate Rainforest).
riparian corridors	Biodiversity Values Map.
land containing endangered ecological communities.	Bells BC Act Equivalent communities as follows:  Coastal Saltmarsh in the NSW NC, SB and SEC
	Bioregions EEC;
	Coastal Upland Swamp in the SB Bioregion EEC; Kincumber Scribbly Gum Forest in the SB Bioregion EEC;
	Littoral Rainforest in the NSW NC, SB and SEC Bioregions EEC;
	Pittwater and Wagstaffe Spotted Gum Forest in the SB Bioregion EEC;
	River-Flat Eucalypt Forest on Coastal Floodplains of the NSW NC, SB and SEC Bioregions EEC;
	River-Flat Eucalypt Forest on Coastal Floodplains of the NSW NC, SB and SEC Bioregions EEC [alluvial examples only];
	Swamp Oak Floodplain Forest of the NSW NC, SB and SEC Bioregions EEC;
	Swamp Sclerophyll Forest on Coastal Floodplains of the NSW NC, SB and SEC Bioregions EEC;
	Themeda grassland on seacliffs and coastal headlands in the NSW NC, SB and SEC Bioregions EEC;
	Umina Coastal Sandplain Woodland EEC;
	Umina Coastal Sandplain Woodland EEC.

	Bells BC Act Equivalent as follows (subject to review):  (?) Duffys Forest EEC; (?) Low woodland with heathland on indurated sand at Norah Head EEC;  (?) Lowland Rainforest EEC;  (?) Swamp Sclerophyll Forest on Coastal Floodplains of the NSW NC, SB and SEC Bioregions EEC.
high conservation coastal foreshores and land acquired, or proposed for acquisition, under a Coastal Lands Protection Scheme	IDO 122 Zone 7(e) Conservation and Scenic Protection (Coastal Land Acquisition).
land with a registered BioBanking agreement	Nil in Study Area
land under the care, control and management of another catchment authority such as the Department of Water and Energy or a council for critical town water supply, aquifer or catchment as appropriate	None relevant.
land with significant Aboriginal heritage values	None available.
coastal foreshores and land subject to coastal hazards	Coastal hazard line.
currently zoned for environmental protection where strict controls on development apply, e.g. steeply sloping escarpment lands, land slip areas	Land with a slope of 33% or more

E3 Zone – special values Criteria	Data Reference
areas of special ecological, scientific, cultural or aesthetic attributes that require management in conjunction with other low impact uses	Zone No. 7(a) Conservation and Scenic Protection (Conservation).
scenic protection areas	Zone No. 7(a) Conservation and Scenic Protection (Conservation). Zone No. 7(b) Conservation and Scenic Protection (Scenic Protection). Zone No. 7(c3) Conservation and Scenic Protection (Scenic Protection - Tourist Accommodation).
areas with contiguous native vegetation or forest cover	All other areas of native vegetation mapped by Bell - subject to site by site aerial imagery analysis.
as a transition between high conservation value land, e.g. land zoned E1 or E2 and other land such as that zoned rural or residential.	Zone No. 7(a) Conservation and Scenic Protection (Conservation). Other land subject to site by site analysis.
where rehabilitation and restoration of its special environmental qualities are the primary purpose.	None identified.
highly constrained land where elements such as Slope, erodible soils or salinity may have a key impact on water quality within a hydrological catchment.	ASS – Class 1 or 2. Flooding - High hazard.

E4 Zone – low impact residential Criteria	Data Reference		
existing low impact residential development	Lot size analysis: less than 2ha, in a group or		
	adjoining existing rural residential zoned land.		
areas already zoned for rural residential that	Zone No. 7(c2) Conservation and Scenic		
have special conservation values	Protection (Scenic Protection - Rural Small		
	Holdings).		
Where lands have higher conservation values	SEPP Wetlands.		
and fewer intended land uses than the E4	For land not already zoned for rural residential		
zone, an E2 or E3 zone may be appropriate.	development (Zone 7(c2)), consider E2 zone if		
	criteria satisfied.		

#### 2.3 CURRENT FIRE TRAIL UPGRADE PROJECTS

Presenter Phil Foster, Team Leader Bushfire Mitigation & Project Management, Environmental Management

#### **Attachments**

Nil.

**Item No:** 2.4

Title: Update on Biodiversity Strategy & Land

Acquisition & prioritisation (Standing Agenda

Item)

**Department:** Environment and Planning

5 December 2023 Coastal Open Space System

Reference: F2018/00099-002 - D15931344

Author: Larry Melican, Section Manager Natural Assets and Biodiversity

Manager: Luke Sulkowski, Unit Manager. Environmental Management

Executive: Alice Howe, Director Environment and Planning

#### Recommendation

That the information on the Central Coast Council Biodiversity Strategy and the land acquisition and prioritisation be noted by the Committee.

#### Report purpose

To provide information to the Committee on

- i. The completion of the aquatic weed control works at Springfield Pond
- ii. Progress on land transfer to the National Parks and Wildlife Service
- iii. Council's adoption of the Central Coast Conservation Fund Policy and establishment of the Central Coast Conservation Fund
- iv. Predator control in the vicinity of the Little Tern Breeding site
- v. Site management plans and bush regeneration works in Council's natural reserves.

#### **Executive Summary**

The NSW Government funded project to control aquatic weeds including Salvinia on both the public and private parts of Springfield Pond has been completed. The report required under section 67 of the Local Government Act was scheduled to be considered by Council at its November meeting.

Assessments of the weed cover and encroachments on Council land that have been identified as issues to be resolved prior to transfer of land to the National Parks and Wildlife Service (NPWS) have commenced.

Council adopted the Central Coast Conservation Fund Policy and the establishment of the Central Coast Conservation Fund at its meeting on 31 October 2023.

The monitoring and control of foxes in the vicinity of the little tern breeding site at Karagi Point, The Entrance North is being undertaken in preparation for the Little Tern breeding season.



Site plans are being prepared to guide the management of Council's natural reserves and bush regeneration is being undertaken in accordance with the plans across the Central Coast.

#### **Background**

The most recent Council resolutions relevant to this agenda item relate to the Springfield Pond aquatic weed project; the transfer of land to NPWS and the Central Coast Conservation Fund Policy.

Aquatic Weed Control of Private and Public Land at Springfield Pond (23 November 2021)

#### 290/21

- That Council authorise staff to undertake appropriate aquatic weed management activities under section 67 of the Local Government Act 1993, on and adjacent to the part of Springfield Pond located on the private property at Lot 7 Section 1 DP 977284 (35 Clarence Road, Springfield).
- 2 That Council utilise the approved NSW Government grant funds to undertake aquatic weed control works on both the private and public parts of Springfield Pond.
- That no charge be applied to the landowner of Lot 7 Section 1 DP 977284 for works organised by Council on the private part of the pond when the grant funds provided by the NSW Government are used.
- 4 That following completion of the endorsed works, in accordance with section 67(4) of the Local Government Act 1993, a further report including the nature of works, and the appropriateness of levying a fee for such works and expenditure be brought to Council.

#### Central Coast Conservation Fund Policy (31 October 2023)

#### 177/23 Resolved That Council:

- Notes that public exhibition has occurred for the draft Central Coast Conservation Fund Policy.
- 2 Adopts the Central Coast Conservation Fund Policy (Attachment 1) and establish the Central Coast Conservation Fund.
- 3 Advises those who made a submission of Council's decision.

Potential Transfer of COSS Land to National Parks and Wildlife Service (26 April 2022)

#### 69/22 Resolved

- 1 That Council officers continue to work with the NSW National Parks and Wildlife Service (NPWS) to progress the assessment of the Council land listed in Attachment 1 for potential inclusion in the local national parks system.
- That Council authorise the Chief Executive Officer to write to the Director of the Conservation Branch of the NPWS to advise that Council land assessed as being suitable for inclusion in the national parks system will be transferred for no monetary consideration subject to a further report on the outcomes of the assessment process being considered by Council.
- 3 That Council authorise the Chief Executive Officer to write to the Director of the Conservation Branch of the NPWS to advise of Council's position that:
  - i. legal costs associated with the potential transfer be covered by each party.
  - ii. any costs associated with any subdivision or boundary realignments required would be equitably shared between the two parties.
- 4 That a report be brought back to Council identifying the Council-owned land parcels that are assessed as being suitable for potential transfer to the NPWS for inclusion in the local national park system.
- 5 That Council's Coastal Open Space System Committee provide formal advice on the proposal prior to it being brought back to Council.

#### Report

#### Aquatic Weed Control at Springfield Pond

On-ground works commenced on the public land at Springfield Pond in February 2019 and subsequently on the private land at 35 Clarence Road in late 202. All works were completed in June 2023, however monitoring of the Pond will continue.

The extent and density of Salvinia on the pond required that machinery including a floating excavator and an amphibious Truxor were used. Localised spraying of the aquatic weeds was undertaken as part of the integrated weed control program. Prior to the use of the machines and chemical, salvinia weevil had been released at various locations across Springfield Pond, however this biological control proved to be ineffective under the local conditions. The weed material removed from the pond was stockpiled in bunded areas for initial dewatering and decomposition over time. Following decomposition of the aquatic weeds, the bunded stockpile site was rehabilitated which included the planting of native species.

The total expenditure on the project was \$129,592, of which the NSW Government funded \$125,000. In accordance with Council's resolution of 23 November 2021, no charge was

applied to the owner of the privately owned portion of the pond for the delivery of the project with the grant funds.

The *Greater Sydney Strategic Weed Management Plan* (the Plan), which guides Council's response to the *Biosecurity Act 2015* in relation to priority weeds identifies the aquatic weeds Salvinia (*Salvinia molesta*), and Ludwigia (*Ludwigia peruviana*), as priority weeds. It is recognised in the Plan that these weeds are widely distributed in the region and elimination of these species is not possible. The Plan includes that the spread of these weeds should be minimised to protect priority regional assets. It is considered that the works undertaken at Springfield Pond exceeded the requirements for the management of these species in accordance with the Plan.

#### Land transfer to the National Parks and Wildlife Service

Council received correspondence dated 8 September 2023 from the Director, Biodiversity and Ecological Health at NPWS about the proposed land transfer from Council to the local national parks estate. Twelve Council owned lots, covering approximately 29 hectares, have been identified as being suitable for Transfer to NPWS: one adjacent to Munmorah State Conservation Area; three adjacent to or in the vicinity of Wambina Nature Reserve; and eight adjacent to or in the vicinity of Bouddi National Park.

Two lots at Wambina Nature Reserve and one at Bouddi National Park have been identified as having matters to be resolved prior to transfer. Possible encroachments from neighbouring properties on one lot at Bouddi and one lot at Wambina were identified. NPWS has requested that the weed cover on two lots at Wambina be reduced to below 5% prior to transfer. One of the lots at Wambina is also potentially affected by an encroachment.

Council has received and accepted a quote from a consultant to assess the weed cover on the two lots at Wambina Nature Reserve. Surveys will be undertaken along the boundaries where the potential encroachments are located, and the boundaries with all private properties as requested by NPWS. The weed assessment and boundary surveys are anticipated to be completed by February 2024.

#### Central Coast Conservation Fund Policy and Central Coast Conservation Fund

On 31 October 2023 Council considered a report titled Central Coast Conservation Fund Policy. The Council resolution is provided in the background section of this report.

The public exhibition period for the draft policy was for 42 days from 24 May 2023 to 4 July 2023, during which time the policy was available for comment on Council's Your Voice Our Coast website and was also promoted on social media. A total of 59 visits were made to the Your Voice Our Coast page during that period. Across Facebook, Instagram and LinkedIn there were twenty-four clicks, twenty-eight interactions, two shares, and 4,936 impressions. Three written submissions were received during the exhibition period, one of which was relevant to the draft policy and is addressed below.

Prior to the exhibition period, presentations on the policy were provided to the Davistown Progress Association, the COSS Committee and the Catchments to Coast Committee. Feedback was received from the COSS Committee and the Davistown Progress Association. This feedback was considered in the development of the policy.

Feedback from the COSS Advisory Committee was that interest earnings should be added to the balance of the Conservation Fund, and that the funds should be spent on habitat enhancement and protection for threatened species, such as the Bush Stone Curlew, both in the Davistown area and elsewhere in the Local Government Area. Council's Restricted Funds Policy identifies that interest is not paid back into the internally restricted funds as a matter of course. In regard to the application of the Davistown Wetlands Acquisition Fund specifically, the COSS Advisory Committee suggested some consideration should be given to investment of those funds for biodiversity in the Davistown area. This will be given further consideration when the Davistown Wetlands Acquisition Fund is considered in a separate report.

#### Predator Control in the Vicinity of the Little Tern Breeding Site

The little terns have returned to the Central Coast and will soon, if they haven't already, started to nest again at Karagi Point at The Entrance North. Predation by foxes presents a significant risk to breeding success. On-going monitoring of fox activity in the vicinity of Karagi Point has occurred using motion activated cameras. Given the proximity to the residential area, the methods available for fox control are limited. Six adult foxes have been removed from the area between Soldiers Beach, Norah Head and Picnic Point at The Entrance, one of which was from Karagi Point itself. The removal of four of these foxes from a small area around Picnic Point at The Entrance highlights that foxes can be present in high numbers even in relatively urban areas.

#### Site management plans and bush regeneration works in Council's natural reserves.

The high-level Plan of Management for Community Land prepared in accordance with the Local Government Act 1993, was adopted by Council in April 2024. Separate to that process, the Environmental Management Unit has been progressively developing and implementing site specific management plans for the natural reserves.

Site management plans provide background information about the natural reserves, such as history of land use, vegetation communities, threatened species, and biodiversity that then help inform the management of the site. Recommended management activities may include, but are not limited to, weed mapping, bush regeneration, site monitoring and closure of informal tracks.

Bush regenerators are currently engaged across eighteen natural reserves to implement some of the site rehabilitation actions identified in the site management plans. The eighteen natural reserves are located from Summerland Point in the north to Woy Woy in the south. Three bush regeneration projects have been completed and fifteen are being delivered over

multiple years. Bush regeneration is also due to commence at four additional sites during this current financial year.

Currently, five additional site management plans are being sought for eight natural reserves at Narara, Fountaindale and San Remo. These particular sites have been prioritised as they are included in the Rural Fire Services (RFS) 5 year burn plan, and there is no existing information about the natural reserves that can assist Council and the RFS manage the proposed hazard reduction burning to achieve the bush fire mitigation and biodiversity outcomes for the sites.

#### Consultation

Community consultation through the Your Voice Our Coast site and presentations were provided to the COSS Committee, the Catchments to Coast Committee and the Davistown Progress Association who were asked for feedback on the policy.

#### **Financial Considerations**

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

The aquatic weed control work has been undertaken with funds from the NSW Government with a small cash and an in-kind contribution including staff time contributed to the project by Council.

The weed cover assessment and boundary surveys associated with the land transfer to NPWS is anticipated to require an expenditure of approximately \$15,000, which are funds available in the Environmental Management Unit's budget allocation for 2023/24.

The development of the Central Coast Conservation Fund Policy, including community consultation, has been able to be undertaken by Council staff without an additional budget allocation.

The fox control program at the little term breeding site is delivered using Council funds allocated for that purpose to the Environmental Management Unit.

The preparation of the site management plans and the bush regeneration program in the natural reserves are delivered using Council funds allocated for that purpose to the Environmental Management Unit.

#### **Link to Community Strategic Plan**

Theme 3: Green

#### **Goal E: Environmental resources for the future**

G-F1: Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas, and the diversity of local native species.

#### **Risk Management**

There is no risk associated with the recommendation that the COSS Committee note the contents of this report.

#### **Options**

That the information on the Central Coast Council Biodiversity Strategy and the land acquisition and prioritisation be noted by the Committee. **Recommended** 

That the information on the Central Coast Council Biodiversity Strategy and the land acquisition and prioritisation is not to be noted by the Committee. **Not recommended** 

#### **Attachments**

Nil.

**Item No:** 2.5

Title: Climate Adaptation Planning for Council's Natural

Reserves

**Department:** Environment and Planning

5 December 2023 Coastal Open Space System

Reference: F2018/00099-002 - D15931349

Author: Rochelle Lawson, Senior Ecologist, Natural Assets and Biodiversity

Manager: Larry Melican, Section Manager Natural Assets and Biodiversity

Executive: Jamie Barclay, Director. Environment and Planning

#### Recommendation

That the COSS Advisory Committee notes the information contained in the report.

#### Report purpose

To advise the Coastal Open Space System Advisory Committee of the intention to plan a project that will assess the risks of extreme weather and climate change on Council's natural assets and develop an adaptation plan.

#### **Executive Summary**

The Coastal Open Space System Advisory Committee should note the information contained within the report. Opportunity to participate in the project will be provided to the committee along with further information during the project.

#### **Background**

While Council acknowledges the urgent challenge to mitigate greenhouse gas emissions and the impacts of climate change on every part of society and the economy, planning to manage the changes already being experienced is an important action.

Conservation and land management is undergoing a shift from considering intervention and management in a static climate to considering adapting to long-term climate change. As changes in weather will not always occur gradually, extreme events and seasonal conditions must also be considered in planning. Understanding the current and projected weather and climate events as well as the impacts of these on our local ecosystems is the first step in helping Council's natural asset managers to identify possible options for long-term adaptation.

An adaptation plan would aim to:

1. Present information on the risk of climate change to natural assets taking into account exposure and vulnerability

- 2. Develop adaptation action plans for specific biodiversity values
- 3. Embed climate change adaptation in business-as-usual (BAU) natural asset management and on-ground interventions.

Because exposure varies from site to site and our current understanding of vulnerability is also tied to specific management areas, a place-based approach to adaptation planning will be taken. This means that the plan will be specific to places, species or biodiversity values and in this way can involve people in the decision-making process to maximise their connectivity to the action plan for that place.

#### **Current Status**

The project is in the inception stage and is currently being scoped and planned.

#### Report

The first phase in the adaptation process is to engage with a wide range of stakeholders in order to design a suitable project and approach. In the next stage the impacts, vulnerabilities and risks would be identified and assessed. The third stage would involve translating the risk assessments into an action plan for Council's natural assets. Once the adaptation plan is finalised, then its implementation would be able to commence.

#### Consultation

Consultation with community and stakeholders will be sought in order to identify the biodiversity values and places that should be at the core of the adaptation plan, and to ensure that the adaptation pathways explored are based on the best available science and information. Facilitated workshops will be one of the ways that consultation will occur.

#### **Financial Considerations**

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

The recommendations of this report do not have any material financial implications for Council.

#### **Link to Community Strategic Plan**

Theme 3: Green

#### **Goal E: Environmental resources for the future**

G-F4: Address climate change and its impacts through collaborative strategic planning and responsible land management and consider targets and actions.

### **Risk Management**

NIL

### **Options**

NIL

#### **Attachments**

Nil.

UPDATE FROM COMMUNITY REPRESENTATIVES (STANDING AGENDA ITEM)

2.6

UPDATE FROM EXTERNAL REPRESENTATIVES (STANDING AGENDA ITEM)

2.7

#### 2.8 GENERAL BUSINESS

#### • Passing of Audrey Taggart

#### • Committee meeting dates for 2024

**March:** 5 March 2024 – 2pm – 4pm – online via *Microsoft Teams* **June:** 4 June 2024 – 2pm – 4pm – online via *Microsoft Teams* 

**October\***: 15 October 2024 – 2pm – 4pm – online via *Microsoft Teams* **December\***: 10 December 2024 – 2pm – 4pm – online via *Microsoft Teams* 

#### **Attachments**

Nil

<sup>\*</sup> Meeting dates are subject to change. The meeting ordinarily held in September is proposed to be moved to October, date to be confirmed, as the Local Government Elections will occur on 14 September 2024. Further information regarding meetings in the second half of the year will be provided once available.