

**REPORT OF THE WETLANDS MANAGEMENT COMMITTEE (392.27.10)**

Held on Wednesday 20 June 2001

Meeting No WS/01/005 commenced at 9.35am.

**ATTENDANCE**

**Present:** Councillor Geoff Preece (Chairman)  
Gary Chestnut, Chris Carloss, Craig Arms & Val Hartwell for GCC  
Beryl Strom - Community Representative  
Bill Evans - Community Representative  
Philip Cox - Community Representative  
Ron Clifton - Ettalong R & C P Association  
Neil Martin – NPWS  
Patricia Kirk – Erina Progress Association

**Apologies:** Brian Hill – NSW Fisheries  
Alan Henderson - NPWS

**DECLARATION OF INTEREST**

No declarations were received.

**CONFIRMATION OF PREVIOUS MINUTES**

Minutes of Meeting No WS/01/004 held on the 18 April 2001 were adopted by Council on the 22 May 2001 were confirmed with the following modifications and additions (B Evans/B Strom)

- a The following persons attended the Special Meeting site meeting on the 21 March 2001  
Jane Suranyi, Simon Bracegirdle & Ron Dobler.
- b WS.002 The National Parks & Wildlife Service is a State Service not a Department.
- c WS.005 i) dot point 7 to place a comma between “Scenic Protection, and if (d)”  
ii) Recommendation to read in part “ review the number of wetlands affected lots including those in private ownerships which are considered vulnerable at the May Project meeting”
- d WS.022 to read in part “acquisition of the above land **utilising Environment Levy funds** by Council was proceeding “

**MATTERS ARISING FROM PREVIOUS MINUTES****WS.001 WOY WOY – EVERGLADES GOLF COURSE**

Mr Neil Kelleher of DLWC attended the meeting to explain to the committee the latest events in relation to the Everglades Golf Course.

He explained that the current management was focused on improving the aesthetics of the area. The management accepted that their work practices in relation to mowing/use of fertilisers contributed to the degraded state of the wetlands but maintained that storm water problems also had a detrimental effect.

DLWC has recommended that the club management engage a consultant to address the issues and has further suggested possibly including a system of reticulating water from down stream. During a site meeting attended by DLWC and Council officers the club management were instructed not to undertake planned dredging. In addition they were advised they could skim the water as long as the creek bed, banks or vegetation were not affected and they that they should contact Council's Noxious Weeds Officer in relation to weeds (alligator weed in particular) problems.

It was agreed by the committee that a management plan was required but the committee was informed that the club management were only prepared to commit limited funding. It was discussed that the club may be able to identify possible grant funding to assist with the preparation of the management plan and identified works.

Council's Environmental Engineer reported that the Flooding & Drainage Unit are aware of long term drainage problems including the need to determine the status of drainage easements in the area. To date, due to higher priority items associated with properties in private ownership, no funding has been identified to undertake works in the Everglades' area.

The Manager – Environmental Control explained the creek on the golf course used to flow from west to east but had at some point in time been physically made to flow from east to west. He also informed the committee that at previous site inspections it had been observed that some of the thoroughfares were on Crown land and were inappropriately fenced.

R Clifton raised the issue of the ownership of the land within the golf course. It was noted that in the past the club had considered purchasing the land from DLWC and the CLP Committee had drafted conditions of sale. N Kelleher informed the committee he was unaware of this history.

N Martin of the NPWS stated that the area was an important bird habitat and was subject to bird death which may possibly be due to the poor water quality. He informed the committee that consultants for Wyong Shire Council had undertaken a management plan for Porters Creek which may assist as a basis for assessing the Everglades' area.

#### THE COMMITTEE RECOMMENDS (R Clifton/B Strom)

- A A task group, consisting of B Strom, R Clifton, B Evans C Carloss with the involvement of N Kelleher, be formed to review all documentation relating to the Everglades Golf Course area.
- B N Kelleher to request any relevant information from Crown Lands

## WS.002

### SARATOGA – EIS FOR SARATOGA OVAL

The Environmental Engineer tabled a draft memo to Council's Recreation Officer, J Ferguson and reported that a copy of the revised EIS had been received on the previous day, 19 June 2001, but had not been reviewed.

Council's Natural Resources Manager, C Arms, drew attention to the list of revised items on page twelve (12) of the revised report including reference to an enclosed board walk and the development being a staged development. He reported that a Construction Certificate had been issued which would include the proposed board walk as it was included in the development application. The committee expressed concern that a Construction Certificate had been issued prior to the finalisation of the EIS.

**THE COMMITTEE RECOMMENDS (G Chestnut/P Cox)**

- A The Chairman to discuss with the Director Development/Environment the conflict arising from the issuing of a Construction Certificate prior to the finalisation of the EIS.

*Special Note: C Arms later reported that the Construction Certificate had not been issued.*

- B The task group reconvene to review the revised EIS.

**WS.003 WETLANDS MANAGEMENT POLICY – PREPARATION OF DCP**

It was reported to the committee that the intention was to insert Council's Wetlands Management Policy into a DCP for estuarine areas first, then proceed with the preparation of a DCP for riverine/fresh water areas.

Discussion took place on the merits of incorporating the Sydney Coastal Council Group's Model DCP into Gosford City's DCP template.

The Manager – Environmental Control explained to the committee that both models were acceptable to DUAP and that there was merit in continuing with our standard format for ease and consistency of implementation. This viewpoint was accepted by the committee.

It was agreed that B Evans and C Carloss should continue with the preparation of the estuarine and riverine/fresh water DCPs with appropriate consultation with Council's Senior Land Use Planner.

**THE COMMITTEE RECOMMENDS (C Carloss/B Evans)** that the progress report be noted.

**WS.004 WETLANDS MANAGEMENT – FORESHORE MAINTENANCE**

A draft report had been prepared by the task group and then by the committee at the May Project Meeting. B Evans distributed a report containing draft recommendations to committee members. The report and recommendations reflected the task group/committee's determination that Council should consider adopting a positive approach towards the implementation of foreshore management. This approach was essential to address resident expectations of ongoing mowing activities. It concluded that advice relating to environmental sensitivity of the foreshore area would have little, or negative impact unless Council was seen to be attempting to put something in place of a "mowed" surface.

The recommendations contained in the report, subject to minor presentation modifications, were supported by the committee.

### **Financial Impact Statement**

The proposed investigation will have no financial impact on Council.

#### **THE COMMITTEE RECOMMENDS (P Kirk/N Martin)**

- A Council re-affirms its intention to protect and preserve the City's wetlands, including those on foreshore reserves.
- B Council's Program Manager – Recreation in consultation with the Acting Manager – Environment instigate the following management strategies for Brisbane Water and Gosford Lagoons foreshore wetlands
  - 1 Development and application of a comprehensive notification process with respect to foreshore maintenance to meet legal needs and to ensure that all residents are aware of Council's intentions.
  - 2 Development and implementation of an effective enforcement program to protect wetland foreshores from unauthorised activities.
  - 3 Establishment of a wetland maintenance service unit to achieve an appropriate level of weed control and rehabilitation of wetlands, especially identified foreshore wetland areas.
  - 4 In collaboration with other agencies and authorities, develop and promulgate a wide ranging education program targeting all sections of the community on the importance and value of wetlands.
- C The results of the investigation as outlined in resolution 'B' above be reported to the Wetlands Committee within three (3) months.

### **WS.005 WETLAND MAPPING SURVEY**

The committee was informed that Council's Senior Land Use Planner, A Medlicott had prepared a report, endorsed by the Environmental Engineer, C. Carloss for consideration of Council's Strategy/Policy Forum on the 22 May 2001. The report recommends changing the existing zoning of the whole/part of properties to afford protection of wetlands areas. The committee confirmed their opinion that significant wetlands should be zoned 6 (b) Flora & Fauna

The report identified wetlands at risk including those in private ownership. The committee task group suggested that their additional list be attached to the report for Council's information. The committee discussed the fact that modifications to the list could be made at public exhibition stage but that it was appropriate that Council should be aware of the extent of the proposed rezoning when considering the report on the 22 May 2001.

It was determined that B Strom, C Carloss & G Chestnut would meet immediately following the committee meeting to finalise the additions to the list of properties.

The issue of placing messages on Section 149 Certificates and generation of the a letter to affected property owners using Council's GIS system was discussed. The Manager – Environment Control expressed dissatisfaction with the suggested outcome and undertook to clarify the matter with Council's IT Section.

**THE COMMITTEE RECOMMENDS (P Cox/B Storm)**

- A The list of wetlands affected properties identified by the task group be finalised and attached to the report to be considered by Council Strategy/Policy Forum on the 22 May 2001.
- B The Manager – Environment Control clarify the situation with regard to placing of messages on Section 149 Certificates and generation of the a letter to affected property owners using Council's GIS system with Council's IT Section.

**WS.006 WETLANDS SUPPORT GROUPS**

A list of seventeen (17) applicants was distributed for members' information. The committee was informed that letters had been forwarded to all applicants outlining what was to occur and to environmental groups and progress associations requesting them to provide their members with details of the initiative. It was then realised that the letter had only been forwarded to the environmental groups and it was determined to send the letter to progress associations as soon as possible.

The committee decided to allocated the July Project Meeting on the 18 July 2001 to the support group project launch. The official launch to take place in the Council Chambers with the possibility of the Mayor and interested Councillors attending, followed by a small morning tea, and a educational tour of local wetlands. The route to include Davistown, Saratoga/Yattalunga, Wards Hill Road, Empire Bay and Stables Lookout. A light lunch is to be provided.

All committee members and Council's Parks Manager, I Rhodes be requested to participate in the launch and tour.

**THE COMMITTEE RECOMMENDS (B Evans/B Storm)**

- A The letter and Wetlands Support Group Kits be distributed to progress associations as soon as possible.
- B The Wetlands Support Group launch be arranged for 18 July 2001 involving interested Councillors, refreshments and an educational tour of local wetlands.

**WS.007 DAVISTOWN – GREEN & GOLDEN BELL FROG HABITAT**

The committee was informed that the Part V Assessment had been commenced. N Martin of NPWS informed the committee that M Bannerman from the Service was seeking that the assessment and resulting works be completed as soon as possible.

THE COMMITTEE RECOMMENDS (N Martin/G Chestnut) that the information be noted.

**WS.008 COMMITTEE ISSUES – TERMS OF REFERENCE**

Council's adoption of the "Terms of Reference" for the Wetlands Management Committee and their subsequent inclusion in the Register of Council Committees was brought to the committee's attention

THE COMMITTEE RECOMMENDS (G Preece/B Storm) that the information be noted.

**WS.009 DAVISTOWN – ILLOURA PTY LTD LAND**

Whilst at the meeting N Kelleher of DLWC had informed the committee that Council's letter requesting the department to provide a survey of the Davistown area indicating the *Rivers & Foreshore Improvements Act, 1948* dedicated line had been forwarded to the department's Manager – Resource Access.

The Manager, Environment Control gave the committee an outline of a report being prepared by the Director – Corporate/Community Services for consideration of Council which relates to the negotiations with Illoura Pty Ltd.

THE COMMITTEE RECOMMENDS (B Evans/P Cox) that the information be noted

**WS.015 DAVISTOWN – ALLOURA WATERS RETIREMENT VILLAGE – MANGROVES**

B Evans reported that he had been informed by Council officers that the applicant had applied for an Occupation Certificate in relation to Stage 10 of the development. He had been informed by Regulatory Operations staff that the non provision of a chain link fence, as detailed in the consent conditions, would be addressed in relation to the application for the occupation certificate.

THE COMMITTEE RECOMMENDS (B Evans/C Carlos) that the information be noted.

**WS.020 KINCUMBER – CYCLEWAY BOORA BOORA ROAD/SUNNY WATERS ROAD/BROADWATER AVENUE**

The report from Council's Transport Section, Manager – Assets, attached to the meeting agenda, outlining the current situation in relation to the suggested cycleway was acknowledged by the committee. It was noted that advertisements for the proposed public meeting had appeared in the local press.

THE COMMITTEE RECOMMENDS (B Strom/R Clifton) that the information be noted.

**WS.019 COMMITTEE ISSUES – PROJECT MEETING AGENDA ITEMS**

As previously discussed the launch of the Wetlands Support Group is to be undertaken at the 18 July 2001 Wetlands Management Committee Project meeting (refer WS.006)

THE COMMITTEE RECOMMENDS (P Cox/R Clifton) that the information be noted.

**WS.021 INTER TIDAL ZONES**

The response from The Honourable Bob Debus, Minister for the Environment dated 29 March 2001, attached to the agenda, with regard to the proposed Inter Tidal Zones was considered and noted.

THE COMMITTEE RECOMMENDS (N Martin/G Preece) that the information be noted.

**WS.010 COMMITTEE - STATUS REPORT**

The committee reviewed the final status report for the year 2001 as follows:

- a WS.011 ESL Lands/Gosford Foundation. It was noted that two (2) nominations to act as advisers/trustees to the Gosford Foundation had been lodged and the Director – Corporate /Community Services would prepare a report for the consideration of Council in due course.
- b WS.001 Woy Woy – Everglades Golf Course is not considered to be complete.
- c Item 003A to be removed from the Year 2000 status report

THE COMMITTEE RECOMMENDS (B Strom/P-Cox) that the information be noted.

**MATTERS ARISING FROM THE STATUS REPORT****WS.017 KINCUMBER- LOT16, DP 848150, WILLESEE CRESCENT**

The committee noted that DA 8504/2000 had been withdrawn and a third development application had been lodged DA 11540/2001. The latest application involves a two stage development which proposes an artificial wetland and stormwater retention area adjacent to the wetlands area previously identified as Zone 1.

The committee considered that due to past history and the committee's past involvement the new application should have been forwarded to the committee for consideration. If necessary an Extra Ordinary Meeting could be arranged to review the application.

THE COMMITTEE RECOMMENDS that:

- A The Environmental Engineer seek clarification of why the application had not been referred/when the application will be referred to the Wetlands Management Committee.
- B An Extra Ordinary Committee of the Wetlands Management Committee be arranged if appropriate.

## **GENERAL BUSINESS**

### **WS.023 LANDCARE AUSTRALIA LTD – SPONSORSHIP OFFER**

The committee discussed the letter from Landcare Australia Ltd dated 5 June 2001 offering a twenty thousand dollars (\$20,000) from Banfield for the restoration of wetlands. The proposal was endorsed in principle. It was determined that further discussion to be initiated by Council officers and if appropriate Ms Megan Kessler of Landcare Australia Ltd be invited to attend the August 2001 committee meeting.

THE COMMITTEE RECOMMENDS (B Evans/R Clifton) that Council officers initiate discussion with Landcare Australia Ltd and if appropriate invite Ms Kessler to the August 2001 meeting.

### **WS.024 DAVISTOWN – LOT 51, DP 6014, NO.22 KINCUMBER CRESCENT (DA 12181/89)**

Concerns were expressed that the development application, now approved, was not referred back to the wetlands committee. It was noted that the fill on the site was being removed and the site rehabilitated but that masonry barrier walls were not being provided. It appears that even though the SEPP 14 boundary is located on the land the application was not subjected to an EIS. The committee members stated that having a DCP in place would assist in providing a consistent approach in dealing with this type of development.

THE COMMITTEE RECOMMENDS (B Evans/P-Cox) that the information be noted.

### **WS.025 DAVISTOWN – LOT 1, DP 746320 DAVISTOWN ROAD (DA 6723/1999)**

The committee noted that Alloura Waters Pty Ltd's application for a convalescent hospital/aged care facility had been refused by Council's delegated authority on the 1 June 2001.

THE COMMITTEE RECOMMENDS (B Evans/G Chestnut) that the information be noted.

**WS.026 ERINA – LOTS 17, 18, 19 & 20, SECTION 12, DP 2163 MULOOKA ROAD**

The Manager – Environmental Control informed the committee that the owner of the above wetlands affected lots had offered them to Council at a nominated cost. This offer is to be referred to the Project 12 Committee.

THE COMMITTEE RECOMMENDS (G Chestnut/P-Cox) that the information be noted.

**WS.027 SPENCER – LOT 1 DP 126533, LOT 1 DP 515104, LOT 2 DP 586693 & LOT 1 DP 510622 WISEMANS FERRY ROAD**

The Manager – Environmental Control informed the committee that the owner of the above wetlands affected lots had offered them to Council at a nominated price plus costs and a waiver of outstanding rates. This offer is to be referred to the Project 12 Committee.

THE COMMITTEE RECOMMENDS (G Chestnut/G Preece) that the information be noted.

**NEXT PROJECT MEETING**

**Date:** Wednesday, 18 July 2001  
**Time:** 9.30am  
**Venue:** Council Chambers\* – Support Group Launch followed by a tour of local wetlands areas

**NEXT COMMITTEE MEETING**

**Date:** Wednesday, 15 August 2001  
**Time:** 9.30am  
**Venue:** 1<sup>st</sup> Floor Councillors Lounge\*

**CLOSE OF BUSINESS**

The meeting closed at 11.55 am

**SUMMARY OF RECOMMENDATIONS****A The Information be noted**

WS.003 WETLANDS MANAGEMENT – PREPARATION OF DCP  
 WS.007 DAVISTOWN – GREEN & GOLDEN BELL FROG HABITAT  
 WS.008 COMMITTEE ISSUES – TERMS OF REFERENCE  
 WS.009 DAVISTOWN – ILLOURA PTY LTD LAND  
 WS.015 DAVISTOWN – ALLOURA WATERS RETIREMENT VILLAGE  
 WS.020 KINCUMBER – CYCLEWAY BOORA BOORA ROAD/SUNNY WATERS ROAD/BROADWATER AVENUE  
 WS.019 COMMITTEE ISSUES – PROJECT MEETING AGENDA ITEMS  
 WS.021 INTER TIDAL ZONES  
 WS.010 COMMITTEE – STATUS REPORT

WS.024	DAVISTOWN – LOT 51, DP 6014, NO.22 KINCUMBER CRESCENT (DA 12181/89)
WS.025	DAVISTOWN – LOT 1, DP 746320 DAVISTOWN ROAD (DA 6723/1999)
WS.026	ERINA – LOTS 17, 18, 19 & 20, SECTION 12, DP 2163 MULOOKA ROAD
WS.027	SPENCER – LOT 1 DP 126533, LOT 1 DP 515104, LOT 2 DP 586693 & LOT 1 DP 510622 WISEMANS FERRY ROAD

## **B For the Action of the Committee**

WS.001	WOY WOY – EVERGLADES GOLF COURSE
WS.002	SARATOGA - EIS FOR SARATOGA OVAL
WS.005	WETLAND MAPPING SURVEY
WS.006	WETLANDS SUPPORT GROUPS
WS.017	KINCUMBER – LOT 16, DP 848150 WILLESEE CRESCENT
WS.023	LANDCARE AUSTRALIA LTD – SPONSORSHIP OFFER

## **C For the Action of Council**

### **WS.004 WETLANDS MANAGEMENT – FORESHORE MAINTENANCE**

THE COMMITTEE RECOMMENDS (P Kirk/N Martin)

- A Council re-affirms its intention to protect and preserve the City's wetlands, including those on foreshore reserves.
- B Council's Program Manager – Recreation in consultation with the Acting Manager – Environment instigate the following management strategies for Brisbane Water and Gosford Lagoons foreshore wetlands
  - 1 Development and application of a comprehensive notification process with respect to foreshore maintenance to meet legal needs and to ensure that all residents are aware of Council's intentions.
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- C The results of the investigation as outlined in resolution 'B' above be reported to the Wetlands Committee within three (3) months.