

MINUTES OF THE COUNCIL BUSHCARE REPRESENTATIVE GROUP

Meeting Date: Friday, 9 December 2016
Location: Meeting Room 2, Ulladulla Civic Centre
Time: 10.05 am

The following members were present:

Clr Patricia White - Chairperson
Clr Mark Kitchener
Clr Amanda Findley – arrived 10.21am
Mr Mike Clear
Ms Francis Bray
Ms Annie Boutland
Mr Jason Carson

Others Present:

Kelie Lowe – Environmental Services Section Manager
Isabelle Ghetti – Natural Resources Floodplain Management Unit Manager
Alastair Stratton – Bushcare Coordinator
Blake Kelly – Bushcare Trainee

Apologies / Leave of Absence

An apology was received from Clr Wells, Bill Pigott, Bryan Lenne and Tony Jennings.

Confirmation of the Minutes

That the minutes of the Council Bushcare Representative Group meeting, held Wednesday 13 April 2016 be confirmed.

MOTION (Francis Bray / Mike Clear)

Resolved that the minutes of the Council Bushcare Representative Group meeting, held Wednesday 13 April 2016 be confirmed.

CARRIED

Business Arising from the Previous Minutes

General Business Item 5 – Land Use Rezoning discussed as to the potential Council sites and the Bushcare Plans that relate to them. It was stated in the minutes that volunteers are able to access the minutes and information on the Strategic Land Review which discusses potentially rezoning of the land would be circulated via the Bushcare Newsletter. No Update on this issue has been provided and Francis Bray requested a progress report.

Isabelle Ghetti advised that the report has been included in today's agenda item BR16.2. It was not included in the newsletter as there was not much progress at that stage or further information.

Declarations of Interest

Nil

REPORTS**BR16.1 Options to address natural resources impacts on Captain St reserve, Vincentia****HPERM Ref:
D16/359276**

Clr White advised that the community in Vincentia have been asking for the road to be closed and historically there was a resistance to close it over time. Clr White found it useful to hear the argument from both sides.

There were three submissions that were opposed to it being closed.

Annie Boutland discussed the benefits seen in the Ulladulla Community when the road was closed to a reserve and there is no longer any illegal dumping and the reserve is rehabilitating itself.

Access could be blocked by a lockable gate with emergency access on the other side. It would be feasible to maintain the emergency access driveway and still rehabilitate a significant part of the bush.

Note: Clr Findley arrived, the time being 10.21am.

Recommendation

That

1. The Bushcare Representative Group receive the report for information.
2. Council officers arrange to meet with the people who objected to the closure of the road to discuss their concerns with this option.

Recommendation (By consent)

That

1. The Bushcare Representative Group receive the report for information.
2. Council Officers further investigate the implementation and effect of the closure of the road for Options 1 & 2 as detailed in the report and to meet with the people who objected to the closure of the road and consult with the community.

CARRIED

BR16.2 Council Owned Land/Property Review**HPERM Ref:
D16/359278**

The Natural Resources and Floodplain Unit met with the Property Services Unit in Council, who is undertaking the lead in the review process and asked for an explanation of the process, to ensure that there was adequate opportunity for the community to provide input and for consultation. The Natural Resources and Floodplain Unit were reassured that the process has different stages. The 1st stage is to develop the Strategic Plan for the Property Strategic Review and the 2nd stage is to place it on exhibition for community input.

Once it is implemented nothing can change without further specific consultation on any specific land.

The Strategic Plan is expected to go on until exhibition in March 2017. The strategic plan is divided into Northern, Central, Southern and further into suburbs.

It will concentrate on the obvious mistakes initially i.e. classifications of land e.g. natural areas that are classified as residential and not connected to other natural areas and has been this way for many years and vice versa.

The Bushcare Representative Group raised concerns as the report seemed to have a large focus on the commercial values and natural areas are not valued in this way. Some of the areas are priceless and if a price is put on them some people maybe just pay that price. The conservation values of the land need to part of the strategic assessment.

Staff advised that part of the reason for the Strategic Review is that it has never really been drilled right down into what we do own and what we don't and whether the purpose land was initially purchased for is required anymore. We will benefit from a strategic document that includes a matrix with options. Once on exhibition the community can provide feedback which can be taken into consideration. Please note that if land was acquired on Trust it cannot be sold prior to extinguishing the Trust, which can take up to two years. Kelie to recommend to property that the natural values and conservation values be included in the matrix that is being used to assess properties.

Clr White advised that the State Governments Review Crown Lands is under negotiations at the moment and it is unclear if and what will go to Council to manage and if so what we can do with the land. It is also undecided what we can take and what we won't take.

It was also advised that Council's Property Review does not cover Crown Land. When the document is on exhibition this should be noted and it will be updated in the Strategic Plan when the Land is transferred.

Francis Bray advised that her concerns are in relation to the LEP process was a "like for like approach". Some natural areas with high conservation value remain zoned recreational. Francis Bray foresees that there will be requests for uses of the land that would be in conflict with the natural value.

It was agreed that further crafting of the language in the document was required prior to it going on exhibition so the community could clearly understand the purpose and the process of the review.

Recommendation

That the Bushcare Representative Group receive the report on Council's Property Strategy for information.

Recommendation (Francis Bray / Annie Boutland)

That

1. The Bushcare Representative Group receive the report on Council's Property Strategy for information
2. The conservation values of land be considered as part of Council owned land and property reviews prior to the document being placed on public exhibition.
3. These values include: The natural, aboriginal cultural values, wildlife corridors and erosion elements such as stabilising the dunes and cliffs be included in the strategic document prior to it being placed on public exhibition.

BR16.3 Discussion Paper - Bushcare Action Plans - Consultation, Feedback from Submissions & Aboriginal Cultural Heritage

HPERM Ref: D16/360378

Council staff have reviewed how community consultation for reviewed bushcare action plans is undertaken and how submissions are assessed.

The aim is to align the Bushcare Action Plans with the Council Community Engagement Strategy.

Staff also reviewed how Aboriginal heritage issues need to be considered. What could be on those sites? What could be impacted? Council needs to look at what we could use more such as trigger questions in relation to Bushcare Action Plans and keeping within the law on these sites.

We are in the process of developing a set of guidelines to help identify and manage bushcare sites.

It is recommended that we initially form a sub group or hold a workshop about the consultation processes prior to making the change. So that there is enough time for the Bushcare Groups to have direct input into what consultation methods are used.

Isabelle Ghetti advised that it is difficult to pre-empt the best method and the amount of expected consultation. Isabelle Ghetti suggested that a trial could be implemented and reported back to the Bushcare Representative Group.

Looking at percentage of submissions is not enough. We also need to assess the comments made.

Clr White said that Council needs to do better with community consultation. To do better we require feedback and this workshop or subgroup could assist staff to change it. The staff need direction in relation to what do you want to see in it. It would be beneficial to have feedback prior to creating it rather than staff sending a document for comment.

Recommendation

That the Bushcare Representative Group recommend that Council implement the following actions:

1. Establish a sub group of the Bushcare Representative Group to review and consider the potential implications and costs of updating the Shoalhaven Bushcare/Parkcare Policy and Procedures section six (6) Community Consultation, to include the methods used for consultation in order to be consistent with Councils Community Engagement Strategy.
2. Council officers and Committee members continue to use quantitative assessment methods to assess submissions on Bushcare Group Action Plans.
3. Council officers and committee members work with Executive Strategy & Communications Section to develop a set of qualitative methods to assess submissions on Bushcare Group Action Plans.
4. Council officers develop a set of questions to include in the Bushcare Group Action Plan review template to prompt Bushcare Groups for the presence or absence of Aboriginal Cultural Heritage sites on their Bushcare Group site.
5. Council officers undertake a preliminary desktop assessment which will inform investigations into the costs of engaging a suitably qualified consultant to undertake due diligence investigation of public land where Bushcare Groups currently work, that potentially have Aboriginal Cultural Heritage sites that require due diligence code to be followed and to identify site by site recommendations for the future management of the Aboriginal cultural heritage on these sites. The investigation to proceed where the cost of this investigation can be absorbed within the existing budget.
6. Council develop a set of guidelines to assist Bushcare Groups in the identification and management of Aboriginal cultural heritage and include these as part of an Aboriginal cultural heritage identification training for Bushcare Group Coordinators.

Recommendation (Francis Bray / Mike Clear)

That the Bushcare Representative Group recommend that Council implement the following actions:

1. Hold a workshop in early 2017 and that the Council Bushcare Group be consulted in regards to the date. The Workshop is to obtain feedback from the Committee on the methods on how to consult with the community how to evaluate submissions as well as review and consider the potential implications and costs of updating the Shoalhaven Bushcare/Parkcare Policy and Procedures section six (6) in order to be consistent with Councils Community Engagement

Strategy.

2. Council officers and Committee members continue to use quantitative assessment methods to assess submissions on Bushcare Group Action Plans.
3. Council officers and committee members work with Executive Strategy & Communications Section to develop a set of qualitative methods to assess submissions on Bushcare Group Action Plans.
4. Alastair Stratton arrange a meeting with Margaret Simoes to establish contact with the Aboriginal Land Councils with the aim of going to Aboriginal Land Council to ask them the best ways to consult with them.
5. Council officers develop a set of questions to include in the Bushcare Group Action Plan review template to prompt Bushcare Groups for the presence or absence of Aboriginal Cultural Heritage sites on their Bushcare Group site.
6. Council officers undertake a preliminary desktop assessment which will inform investigations into the costs of engaging a suitably qualified consultant to undertake due diligence investigation of public land where Bushcare Groups currently work, that potentially have Aboriginal Cultural Heritage sites that require due diligence code to be followed and to identify site by site recommendations for the future management of the Aboriginal cultural heritage on these sites. The investigation to proceed where the cost of this investigation can be absorbed within the existing budget.
7. Council develop a set of guidelines to assist Bushcare Groups in the identification and management of Aboriginal cultural heritage and include these as part of an Aboriginal cultural heritage identification training for Bushcare Group Coordinators.
8. Council communicate with the Bushcare Group Coordinators and invite individuals with skills in communicating with indigenous communities to participate in the Workshop.

GENERAL BUSINESS

BR16.4 Draft Coastal Management State Environmental Planning Policy (SEPP)

There was discussion about the Draft Coastal Management State Environment Planning Policy (SEPP) that the State Government has released for public comment until 24 December 2016. Council staff are making a submission that will be presented to Council in January. Staff advised that Council has requested an extension to the submission period so as to be able to report the matter to Council. This is part of the Governments Coast Reforms and sits under the Coastal Management Act. The result is a whole change in the definition of a coastal zone. It measures 1km from the coast, the new Coastal Act divides the four areas coastal zones. Francis Bray raised her concerns regarding the coastal environment areas. It measures 100m which should include the beach and dunes, however it doesn't match the typography and some sections of dune are left out because the 100m is measured from the Local Government boundary, which could be in the water. The maps have large areas that are not included and therefore not subject to the development conditions that are being proposed in the SEPP. The SEPP applies to private and public land. The other concern is there are no definitions and looking at the map, the maps are wrong and if they are wrong the area cannot be included. Concerns were raised that the rainforest mapping is not accurate and it is worth the Bushcare Groups reviewing the draft SEPP on the NSW Department of Planning and Environment website.

Clr White wished everyone a Merry Christmas and a safe and Happy New Year and there being no further business, the meeting concluded, the time being 11:30am.

Clr White
CHAIRPERSON