



Draft Biodiversity Strategy

Consultation report

February 2020



Executive summary

Council appreciates the critical importance of biodiversity to its area, and to its community. An online sustainability survey undertaken from 18 February to 17 March 2019 showed that 80.29% of respondents think biodiversity conservation, protection of native plants and animals, and ecosystem health is very important to the Central Coast, while 13.86% think it is somewhat important.

The draft Strategy highlights the roles that Council plays in supporting biodiversity: as a land use planning authority, a community leader, and a major landholder and land manager. It outlines Council's administrative and policy framework for responding to the actions identified to progress and implement on-ground change. It also guides Council's own actions and informs the actions of the community and a wide range of other organisations who together will shape the future of the Central Coast.

Public Exhibition

At Council's meeting on 26 August 2019, Council endorsed the draft Biodiversity Strategy for the purposes of public exhibition. Following the 60 day public exhibition period Council was to consider the submissions received during the exhibition period, and a report:

- addressing the submissions received from the public during the exhibition period; and
- proposing appropriate amendments to the Biodiversity Strategy with consideration of those submissions.

Summary of Submissions

The draft Biodiversity Strategy was exhibited from Thursday 12 September 2019 to Monday 11 November 2019. The draft Strategy was exhibited online on Council's community consultation hub, Your Voice Our Coast, and hard copies of the draft Strategy were available at Council's Wyong and Gosford offices.

Of the **144** written submissions received, a total of **28** unique comments were made and an additional **25** submissions were from people that appeared to be unfamiliar with the document or that were not commenting on the document specifically. A further **91** responses submitted a copied template which are considered duplicates and are not included in the analysis.

Many comments were supportive and positive. Most submissions (67%) were from individuals and the remainder were from community groups (11%), industry groups (11%) and government (11%).

The 26 themes raised in submissions are summarised as follows:

- Goals of the Strategy
- Biodiversity offsets
- Oppose development on the Central Coast
- Loss of urban trees, local species, threatened species
- Coastal Open Space System
- Action 2.2.3 Develop Land Disposal Plan

- Action 3.3.3 Engage with development industry
- Community participation and recreation
- Consultation of draft Biodiversity Strategy
- Biosecurity
- Climate change
- Conservation priorities
- Sustainability, local employment and public transport
- Data and information provision
- Environmental Land Acquisition Program
- Council administration of biodiversity conservation program
- Zoning/LEP controls review and individual property concerns
- Biodiversity Conservation Act 2016
- Re-zoning process and development assessment
- Conservation fund
- Land to which the Strategy applies
- Estuaries, lakes, lagoons and marine
- Heritage listing
- Timing of implementation
- Presentation of the Strategy
- Biodiversity Offset Scheme

Many submissions contained multiple issues or comments, some of which related to other Council projects and strategies.

Due to the large volume and variety of content contained within the submissions, we are not able to include and respond to every comment in this report. However, all relevant issues raised are included in this report and have been considered in the determination of the final Strategy, or forwarded to the relevant Council section if related to other projects and matters.

Objective of consultation

The purpose of consultation for the draft Biodiversity Strategy was to seek feedback from the Central Coast community on both Council's role and the community's role in the care and protection of the local natural environment. This document will be presented to Council along with the final Biodiversity Strategy for adoption.

Local government, along with the Commonwealth, state and territory governments, non-government organisations, the private sector and the community all play a role in the protection and management of Australia's environment and heritage. While local government plays a key role in local land use planning, state and territory governments have the primary responsibility for most land use planning and environmental protection. State and territory governments have specific environmental laws and programs designed to protect and manage the environment within their jurisdictions. The private sector and the community are important participants, particularly in managing land and property and investing in environmental management and restoration. An understanding of the various roles and responsibilities sets the context for the responses to community concerns raised below.

Our engagement framework

Consultation was been designed in accordance with Central Coast Council’s Engagement Framework. This framework is available to view at: <https://www.yourvoiceourcoast.com/Central-Coast-Council-Engagement-Framework>.

How we consulted

We carried out extensive and adequate promotion of the consultation period to ensure the community and key stakeholders were aware of the opportunity to get involved and given enough notice to provide feedback.

Your Voice – Our Coast website	<ul style="list-style-type: none"> • Project page launched on 12 September 2019 • www.yourvoiceourcoast.com/biodiversity • 830 visits to this page during consultation period • Biodiversity Summary document was viewed 177 times • Biodiversity Strategy document was viewed 182 times • Frequently asked questions were viewed 60 times
Information sessions	<p>Two sessions ran on:</p> <ul style="list-style-type: none"> • Thursday 19 September, 4-7pm, Erina (Attended by 4 people) • Tuesday 24 September, 4-7pm, Wyong (Attended by 5 people)
Media release	<ul style="list-style-type: none"> • Issued on 12 September 2019 • A copy of the media release can be found on Appendix A
Print advertising	<p>Advertisement promoting the public exhibition of the draft Strategy ran:</p> <ul style="list-style-type: none"> • 16 September 2019: Peninsula News • 19 September 2019: Central Coast Express Advocate • 19 September 2019: Coast Community News • 25 September 2019: Wyong Regional Chronicle <p>Copies of print advertising can be found in Appendix B</p>
E-News	<ul style="list-style-type: none"> • A story appeared in Coast Connect E-News on 24 September 2019. This story was clicked on 65 times • A link to the Biodiversity Strategy project page on Your Voice Our Coast appeared in Coast Connect E-News on 1 October 2019. This link was clicked on 5 times • A link to the Biodiversity Strategy project page on Your Voice Our Coast appeared in Coast Connect E-News on 22 October 2019. This link was clicked on 6 times

Social media	<ul style="list-style-type: none"> • Facebook post on 12 September, 16 September and 1 November, with a total reach of 11,792, and 86 reactions, comments and shares
Stakeholder email	<ul style="list-style-type: none"> • An email was sent to 4500+ stakeholders who have subscribed to updates on Council’s community consultation
Stakeholder meetings	<ul style="list-style-type: none"> • Coastal Open Space Advisory Group briefing (3 September 2019)
Councillor Briefing	<ul style="list-style-type: none"> • 29 July 2019

Demographics

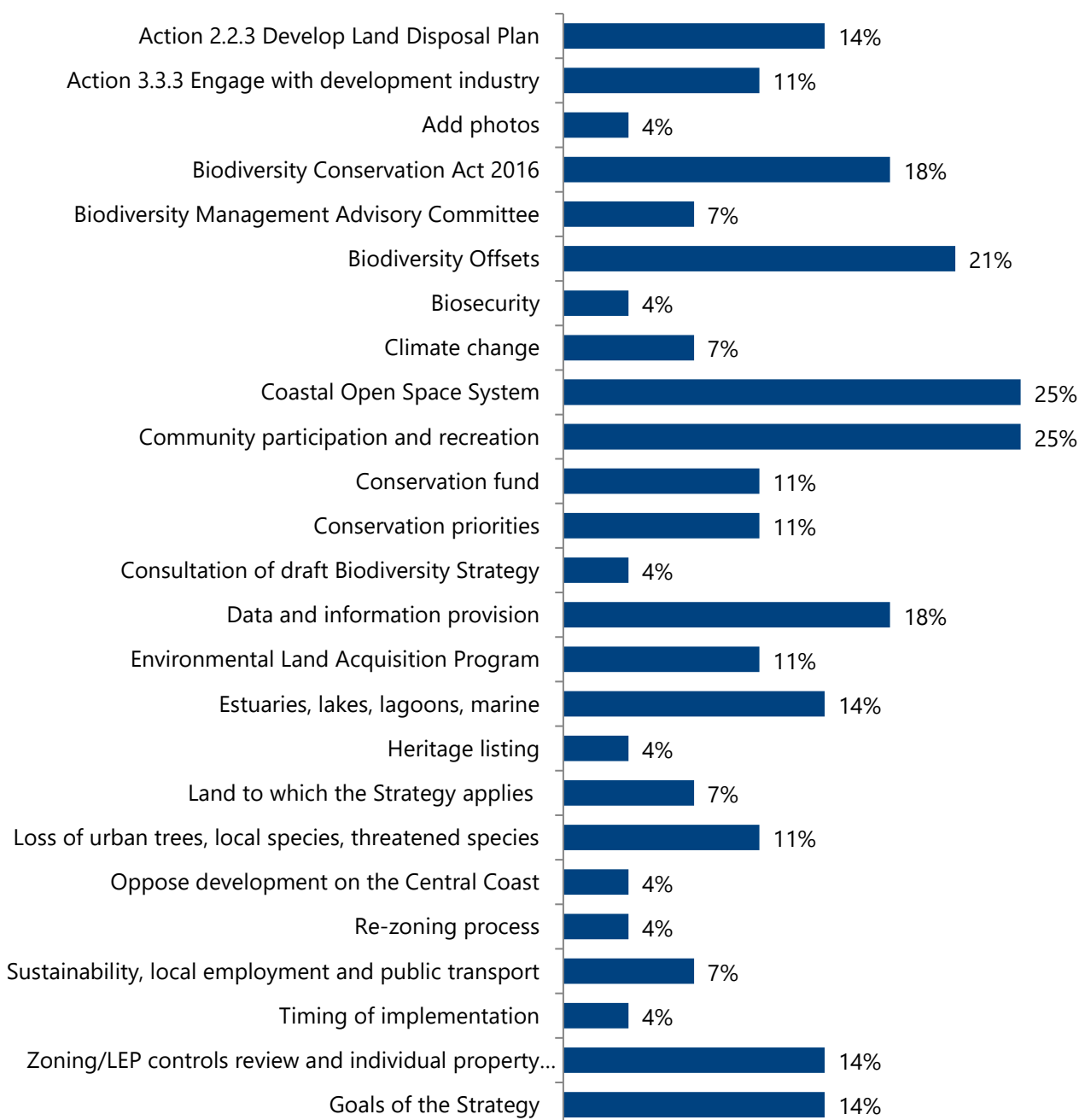
Figure 1: What is your suburb?

Within Central Coast Local Government Area	Count		Count	Outside Central Coast Local Government Area	Count
Avoca Beach	1	Lake Munmorah	2	Canberra, ACT	2
Bateau Bay	3	Lisarow	1	Boat Harbour	1
Bensville	2	Long Jetty	2	Manly	1
Canton Beach	1	Macmasters Beach	8		
Copacabana	1	Narara	3		
Davistown	3	Noraville	1		
East Gosford	2	Ourimbah	1		
Ettalong Beach	2	Pearl Beach	1		
Forresters Beach	2	Somersby	1		
Glenning Valley	1	Terrigal	3		
Gosford	2	The Entrance	1		
Gorokan	1	Umina Beach	3		
Hamlyn Terrace	1	Wamberal	1		
Hardys Bay	2	Wyoming	2		
Killcare	1	Not stated			
Kincumber	3	Total within LGA	58	Total outside LGA	4
				TOTAL	62

Figure 2: Submissions

Note: This was an open-ended field, allowing participants to provide written submissions on the draft Biodiversity Strategy. As responses from participants have been coded into themes, and because each submission may have contained multiple themes, the total exceeds 100%

Answered: 28



What we heard

We have grouped key comments into themes and provided responses to issues and queries raised in the submissions. The key points of the Strategy are reiterated and expanded upon in our response where the comments indicate a misunderstanding of the topic. If the Biodiversity Strategy text has been changed in response to the comment, this is indicated in the table below.

Key issues raised	Response
Theme 1: Goals of the Strategy	
<ul style="list-style-type: none"> • Change the vision to achieve “no nett loss” of biodiversity (interpreted to mean the ‘no net loss’ standard set by the NSW Biodiversity Assessment Method Section 11) • Change the vision to protect, maintain and improve biodiversity • Add a goal to achieve an increase in biodiversity • Add an objective to protect and increase COSS 	<p>Page 25 of the Strategy states the purpose of the document, however there is no vision statement to amend as suggested. The <i>Biodiversity Conservation Act 2016</i> establishes a method by which no net loss of biodiversity will be achieved in NSW. The Biodiversity Assessment Method requires offsetting the impacts of development and clearing in order to achieve no net loss through the creation of biodiversity credits, which includes averted loss and management gains.</p> <p>As Council operates within the legislative framework of the NSW government, the goal of ‘no net loss’ underpins the Strategy and its goals. The Strategy’s intention is to go beyond the NSW standard at a local level by ‘<u>protecting and enhancing</u> the landscape and biodiversity values of the Central Coast, which includes <u>maintaining</u> functional connections between areas of habitat, <u>maintaining</u> core habitat as well as <u>restoring</u> marginal habitat, <u>preserving</u> threatened and iconic species and ecological communities, <u>preserving</u> significant Aboriginal cultural places, and <u>protecting</u> the scenic amenity of the region’ (p 25).</p> <p><i>It is recommended to add the following sentence to the above paragraph on page 25: Mechanisms identified within this strategy seek to appropriately offset local biodiversity loss in order to try and achieve a zero net loss of biodiversity on the Central Coast.</i></p> <p>Council staff will continue to look at ways to independently measure performance against this complex indicator at the scale of the Council area, through implementation of the Biodiversity Strategy.</p> <p>Objectives (p 25) are framed as actions of the Strategy to fulfil its purpose. Protecting biodiversity and COSS are goals. Goal 1.4 is to ‘<i>improve the long-term protection status of Council’s natural areas</i>’, which includes all reserves mapped as COSS. Goal 2.3 is to ‘<i>expand Council’s conservation network</i>’, which includes COSS. Goal 1.2 is to ‘<i>improve biodiversity in Council’s natural areas</i>’ by implementing site management plans. Therefore, the Strategy is consistent with the concerns raised in the submissions.</p>

Theme 2: Biodiversity offsets	
<ul style="list-style-type: none"> • Concern that COSS reserves will be used to offset and therefore streamline development elsewhere in the LGA • Opposition to the offsets market and its impact on biodiversity • Belief that Council aims to manipulate the local offset credit market in contrast with State government goals by using Council land as offsets 	<p>The Strategy outlines all contemporary legal options for achieving no net loss of biodiversity and provides a decision-making framework for offsetting Council land (p 41). No decision is made for any reserve (COSS or otherwise), but a framework for a decision to be made is presented in the Strategy. Action 1.4.1 is to develop a plan based on detailed information (which is not yet available for many reserves) and to recommend which reserves are most suited as offsets.</p> <p>The alternative is that a proponent pays the NSW government, which may never purchase land within the LGA. If Council participates in the biodiversity offset scheme, it is a way to fund land management on all Council reserves. By Council not participating the in the scheme, development outcomes will not be altered (i.e. development would still go ahead if approved). It may be worth noting that a national biodiversity offset market exists in parallel with expanding states and territory biodiversity offset markets.</p> <p>Council will not be manipulating any offset markets by implementing the EP&A Act and BC Act and their objectives. Council supports biodiversity offsets in principle and will seek to use the full range of legislative options to provide adequate and local offsets where possible.</p>
Theme 3: Oppose development on the Central Coast	
<ul style="list-style-type: none"> • Should not refer to ‘balance’ between development and conservation • Development is the root cause of biodiversity loss 	<p>Treasury’s intergenerational analysis indicates that Australia’s population could grow by 50 per cent by 2050. This level of growth is likely to increase pressure on the environment. Local development that results in the loss of native vegetation is regulated by NSW planning and environmental legislation. Plans for new housing and development areas are set by the State government in strategic plans such as the Central Coast Regional Plan 2036.</p> <p>The Biodiversity Strategy acknowledges this threat to biodiversity and has identified three key pieces of information that will be used to inform the planning and development assessment process and meet Council’s principles of land use planning (p 57).</p>
Theme 4: Loss of urban trees, local species, threatened species	
<ul style="list-style-type: none"> • Concern from developers that an offset requirement for all tree clearing would stifle development and economic growth in the region 	<p>Council’s draft Greener Places Strategy has the goal to achieve no net loss of canopy cover by requiring that every tree lost is replaced and with planning controls for development. The Biodiversity Strategy provides context for further policy development regarding fees. The fee would only apply in situations that replacement trees cannot be planted (i.e. not enough room, safety issues, not appropriate).</p>

<ul style="list-style-type: none"> • Concern from residents that local trees are being lost from urban areas • Council should encourage more urban trees • Concern about collecting a fee in lieu of planting trees will let developers off the hook 	
<ul style="list-style-type: none"> • Bush Stone-curlew management 	<p>The bush stone-curlew is an endangered species in NSW. It is common in northern Australia however in the south-east of the country it is either rare or extinct throughout its former range. Community-led surveys conducted over many years have kept records of the small population of breeding bush stone-curlews on the Central Coast. The species is known from public and private land in areas including Saratoga, Davistown, Kincumber South and Umina. The modified and often urbanised nature of the areas in which the local bush stone-curlew individuals have been recorded indicates a complexity of potentially interacting factors contribute to its local survival, albeit in low numbers.</p> <p>The identified threats to the bush stone-curlew include predation by foxes and cats; clearing of woodland habitat; modification of ground habitat through a number of processes and disturbance in the vicinity of nest sites. These threats are consistent with those affecting biodiversity more generally. Council relies on the relatively ineffective method of trapping to manage local fox populations since baiting in areas where the bush stone-curlew have been recorded is not achievable under the Pesticide Control (1080 Bait Products) Order 2019. Opportunities for abatement of the other identified threats presents challenges in an urbanised environment. The on-going conservation and increase in small local populations of endangered species like the bush stone-curlew highlights that the management of biodiversity occurs in the context of complex interactions between environmental, social, economic and cultural factors.</p>
<p>Theme 5: The Coastal Open Space System (COSS)</p>	
<ul style="list-style-type: none"> • Importance of Council retaining COSS land • Strategy to include a theme for COSS for voluntary acquisition of land • Strategy does not value COSS • Introduce a rate levy for COSS • Introduce an E5 zone for COSS 	<p>Most of the Strategy (3 of 5 themes) is about planning, protecting, managing, expanding and resourcing Council’s natural bushland areas as there is considerable community support for ensuring important bushland is protected in public ownership. The Biodiversity Strategy offers a much more robust plan to secure the future of the COSS and all other Council reserves compared to former council strategies and plans. The Strategy is a superior commitment to COSS, offering to legally protect reserves under <i>in perpetuity</i> conservation</p>

	<p>agreements rather than to rely on zoning or classification, which can be changed in future. The COSS brand is not a legal protection mechanism.</p> <p><i>It is recommended that the following text is added to page 42 - Objective F2 of the Community Strategic Plan 2018-2028 is: Promote greening and ensure the wellbeing of communities through the protection of local bushland, urban trees, tree canopies and expansion of the Coastal Open Space System (COSS). Theme 2 aims to deliver on this objective for the whole LGA. The Coastal Open Space System (COSS) was an initiative of the former Gosford City Council. The two main elements of the COSS were: a) public land managed for biodiversity, heritage, education and scientific endeavours and recreation in the natural setting; and b) private land identified for addition to the COSS through acquisition. The term COSS has been used within some parts of the community as shorthand for the protection of biodiversity, even where this occurs outside the physical boundaries of the COSS reserves and the land identified for future inclusion in the COSS. Consulting the community on a name/brand for Central Coast Council's natural reserve system would provide advice to Council on how to brand the consolidated conservation estate.</i></p> <p>Funding options to manage and acquire Council bushland (not just COSS) are proposed for further exploration (see Figure 5).</p> <p>An E5 or additional public conservation zone is not provided for under the Standard Instrument Principle Local Environmental Plan and as such is not available for application by Council. The E2 Environmental Conservation zone provides the highest level of environmental protection for areas with high ecological, scientific, cultural or aesthetic values outside national parks and nature reserves.</p>
<p>Theme 6: Action 2.2.3 – Develop a Land Disposal Plan</p>	
<ul style="list-style-type: none"> Concern that a land disposal plan is a cover-up to sell COSS branded reserves 	<p>Action 2.2.3 is to investigate small parcels of Council-owned land that have <u>no current or future operational or community purpose</u>. The land, while in public ownership, is not serving a purpose and the sale of that land would reduce Council's administration and responsibility burden and at the same time generate much needed resources for the conservation management program. The action does not refer to any natural assets, including those with the COSS designation. The process of consolidation happens regularly as per Council resolution. The Biodiversity Strategy is seeking to re-direct this potential source of funding from general revenue to conservation purposes.</p>

	<p><i>It is recommended that the action be removed from the Biodiversity Strategy to remove any notion by the public that Council has a plan to sell natural assets. The premise of the Strategy is exactly the opposite: to legally protect and manage reserves to increase local biodiversity values.</i></p>
<p>Theme 7: Action 3.3.3 Engage with the development industry to develop sustainable building practices</p>	
<ul style="list-style-type: none"> • Concern that ‘sustainable building practices’ is outside the scope of Biodiversity Strategy • Concern that Council is favouring the development industry by including a specific action for engagement • Need for light pollution guidelines for new development 	<p>The intent of the action is to hold at least one forum in the life of the Strategy (by 2024) where Council can educate developers about the standard of ecological assessment expected, especially around how to demonstrate ‘avoid and minimise’ impacts to biodiversity.</p> <p><i>It is proposed to re-word the action as follows: Engage with the development industry to improve biodiversity outcomes through quality development assessment</i></p>
<p>Theme 8: Community participation and recreation</p>	
<ul style="list-style-type: none"> • Liaise with community groups and volunteers and educate the community • Concern that Council is locking out mountain bike users from COSS reserves • Landcare / specific requests for Landcare sites • Compliance is needed against damaging uses such as mountain biking in reserves • Mountain biking is not compatible with conservation and competes with bushwalking and other nature-based recreational activities 	<p>Theme 3 highlights the promotion of community appreciation and understanding through access to natural areas and education programs, and community participation and involvement in biodiversity conservation. There are 8 actions that relate to supporting the community with information, education programs, citizen science, partnerships, funding and technical support.</p> <p>A Nature-based Recreation strategy (Action 3.1.3) provides a process for assessing the suitability of all recreational activities in natural areas that are consistent with the definition of nature-based recreation.</p>
<p>Theme 9: Consultation of draft Biodiversity Strategy</p>	
<ul style="list-style-type: none"> • Lack of consultation with mountain bike user groups • Lack of consultation with NPWS, Forestry Corporation and Department of Primary Industry and Environment (DPIE) • Property developer representatives requested to 	<p>See above statistics for extensive consultation and engagement made available to the whole community. DPIE provided input to early drafts to ensure alignment with regional conservation planning projects and plans. Targeted engagement regarding mountain biking was undertaken as part of a mountain bike feasibility study and two focus groups for key stakeholder groups interested in Council reserves and this information is currently being used to inform the preparation of a discussion paper. Strategies and management plans</p>

<p>work further with Council on details</p>	<p>arising from the Biodiversity Strategy will consider all user perspectives.</p> <p>Council will prepare a process for meaningful dialogue with property developer representatives, such as through regular stakeholder meetings as part of the Green Grid Project.</p>
<p>Theme 10: Biosecurity</p>	
<ul style="list-style-type: none"> • Indian Myna control • Use of chemical for weed control 	<p>Feral animal control is addressed by the Strategy in Action 5.1.3 <i>Review the Vertebrate Pest Management Program</i>. The review will look at all vertebrate pests, including Indian Mynas</p> <p>Action 5.1.4 is to develop a Biosecurity Management Program, which includes a weed policy, where risks from chemical weed control will be assessed.</p>
<p>Theme 11: Climate change</p>	
<ul style="list-style-type: none"> • Include greater consideration of climate change 	<p>Climate change is addressed in the third action of the strategy. Action 1.1.3 is to <i>identify climate change as a direct threat to natural areas in site management plans, including actions to mitigate impacts</i>.</p> <p>Climate change is further addressed in Council's Climate Change Policy and upcoming Action Plan.</p>
<p>Theme 12: Conservation priorities and wildlife corridors</p>	
<ul style="list-style-type: none"> • Congratulations to Council for doing the studies for conservation priorities and wildlife corridors • Concerns about private land being identified as conservation land • Concern priority conservation areas map would exclude properties from development • Wildlife corridor map is likely to trigger a need for additional investigation for corridors • Add a local target for comprehensive, adequate and representative protection of biodiversity • Conservation priorities are different to BCT investment priorities 	<p>The conservation priorities map simply shows those areas of the LGA that are priority for protecting to avoid species extinction (biodiversity loss). It is not based on property-level information and therefore cannot be interpreted at the property scale. Landowners need to undertake their own site-scale ecological studies to progress their development plans.</p> <p>Conservation priorities and wildlife corridors are among the many factors that are considered in assessment, and these maps provide certainty as to the biodiversity issues that must be addressed where development is proposed (along with other data such as the NSW Biodiversity Values Map).</p> <p>Action 4.1.2 will develop a biodiversity overlay which would be embedded within the CCLEP. Further work is required to determine local biodiversity targets, as modelling is only the first step in identifying conservation priorities. These priorities are different to the BCT priorities as they are based on different data and have been developed for different reasons.</p>

Theme 13: Sustainability, local employment and public transport	
<ul style="list-style-type: none"> • Increase public transport infrastructure, reduce private vehicles and use of concrete • Increase local employment • Promote industries that protect biodiversity 	<p>Sustainability is not addressed in the Biodiversity Strategy. Neither is employment or transport infrastructure.</p> <p>The upcoming draft Economic Development Strategy does provide some opportunities for the matters raised to be progressed. There are areas of focus with regards to circular economy models, UN Sustainable Development Goals, and cleantech/advanced manufacturing, as well as general acknowledgement of the value of natural assets to the regional economy.</p>
Theme 14: Data and information provision	
<ul style="list-style-type: none"> • Clarify how information will be applied to planning proposals and development assessment • Clarify how data and maps were prepared • Data should be made available, published on website or through pre-lodgement service 	<p>Theme 4 is focussed on information management and having good data to underpin decision-making, especially Action 4.2.3 <i>Develop and use geospatial data to identify critical locations where biodiversity must be avoided</i>. Council has invested in generating these layers for the Central Coast to assist with planning and assessment and to provide development certainty. As the information should be used to avoid and minimise impacts to biodiversity, it will be provided upon request on a fees and charges basis (e.g. wildlife movement corridors are required to be assessed in the BAM methodology as a prescribed impact). Technical reports cited in the Strategy were available upon request during the exhibition period.</p>
Theme 15: Environmental Land Acquisition Program (ELAP)	
<ul style="list-style-type: none"> • Support for ELAP and its long-term continuation • Concerns that the land acquisition program will pay less than fair market value for land for conservation • Concern that funding the ELAP is not an appropriate use of restricted funds collected for purchase of environmental land • Provide interim measures (prior to ELAP being established) for minimum lot-size provisions within planning agreements • Proposed COSS should be able to be used as avoid land/offset for neighbouring development 	<p>The Strategy’s main premise is that private land conservation plays a critical role in biodiversity conservation. Council is not in the position to purchase all the high value conservation land in the LGA. Council pays fair market value for land and the ELAP does not have scope for compulsorily acquiring land.</p> <p>The Strategy offers information and technical support (and grant funding) for landowners with high value land to take advantage of the same legislation and offsets markets that Council can participate in. In some cases, land that has been earmarked for development in the past could generate a more lucrative return for owners by preserving and enhancing biodiversity values. Council encourages this outcome by providing the conservation priorities map as an indication of where biodiversity of the region would be most effectively conserved.</p> <p>Funding and timeframes are provided by Action 2.2.1 and 2.2.2 (p 43). As per p 47-48, the ELAP is currently active with 817 ha purchased</p>

	<p>for the COSS brand since 1990, and 150 ha under negotiation in 2020. Two restricted funds will be drawn down to purchase lands either in the Gosford City (proposed COSS) or the former Wyong Shire. The ELAP Plan strategically guides the purchase of high priority conservation land with the available funds – which is the correct use of both funds.</p> <p>Interim measures are not proposed because proponents can approach Council with a Voluntary Planning Agreement proposing a smaller lot in exchange for payment to the conservation fund.</p> <p>Proposed COSS land is not likely to rank highly in the decision-making framework (p 41) as offset opportunities. Avoid and minimise principles are applied to developments as per the BAM and each case will be assessed individually.</p> <p><i>It is recommended that the following text is added to page 39 to explain Map 2: Land proposed for acquisition is private land that has been assessed as having values that are consistent with those of the public COSS reserves. Properties identified as proposed COSS are subject to voluntary acquisition by Council for inclusion in the public COSS reserve system. Affected properties have COSS messages on their property (former sec 149) certificates.</i></p>
<p>Theme 16: Council administration of biodiversity conservation program</p>	
<ul style="list-style-type: none"> • Set up a new Council advisory committee for biodiversity management 	<p>The terms of reference for the Coastal Open Space System Advisory Committee state that the role of the group is to advise Council and staff on all matters relating to strategic biodiversity conservation land management (including the COSS) for the Central Coast.</p> <p>Implementation of the Biodiversity Strategy is an operational matter for staff. However, if the newly elected Council chose to establish advisory groups in September 2020, the duplication that would result from having both a COSS Advisory Group and a Biodiversity Advisory Group would be inefficient and time consuming for staff.</p> <p><i>Staff recommends that the current advisory group is replaced with an advisory group with a focus on strategic biodiversity and land management for the Central Coast. The group should have strong representation from all localities of the LGA and represent diverse skills and backgrounds that can support and positively contribute to Council’s conservation management program. The Biodiversity Strategy provides a framework for the terms of reference and scope of the group’s remit.</i></p>
<p>Theme 17: Zoning/LEP controls review and individual property concerns</p>	

<ul style="list-style-type: none"> • Individual property rezoning and development assessment matters 	<p>The process currently being undertaken by Council is an LEP and DCP consolidation process and is the first stage of the Comprehensive Review of Council’s planning controls. The consolidation process is not the appropriate means by which existing land use zonings and controls established under Wyong LEP 2013 or Gosford LEP 2014 are to be reviewed. Any such consideration would require the submission of a separate planning proposal supported by appropriate studies relating to the land identified.</p>
<p>Theme 18: Biodiversity Conservation Act 2016 (and a local offset policy)</p>	
<ul style="list-style-type: none"> • A requirement to source biodiversity offsets from within the LGA may add complexity or additional cost • Concern that the Strategy contradicts or imposes more stringent obligations on development than the BC Act 2016 (adding cost) 	<p>Interim Biogeographic Regionalisation of Australia (IBRA regions) are at national scale and are not suitable for local scale decision-making. The Sydney Basin IBRA goes as far south as Batemans Bay and north to Muswellbrook. Through the Biodiversity Strategy, Council proposes to clarify the rules around local offsetting within an existing complex process. The area covered by three IBRA sub-regions is considered local to the Central Coast: Wyong, Yengo and Pittwater.</p> <p><i>It is recommended that Principle 4 is reworded to Biodiversity offsets, when necessary, are to be sourced from within the LGA (Wyong, Yengo and Pittwater IBRA subregions) where feasible and practical</i></p> <p>In terms of defining ‘feasible and practical’, the planning system provides flexibility to apply this in practice on a case by case basis.</p> <p>The BC Act applies to NSW at bioregional scales and not to local biodiversity. Councils may impose more stringent offset obligations than under the BOS, and the BC Act allows this. In this way, the Biodiversity Strategy complements the BC Act and does not contradict it.</p> <p>The following text replaces text on page 69 for clarification: <i>All biodiversity loss in the LGA due to development (as assessed under Part 4 and Part 5) of the Environmental Planning and Assessment Act 1979) should be offset in some way. This establishes some consistency and equity across activities whether or not they trigger the BOS. This would require Council to establish a local biodiversity offset policy that imposes offset requirements for all vegetation loss. The offset requirement may be satisfied in the form of biodiversity credits in accordance with the BOS like-for-like offsetting rules, or as a contribution of funding to the Central Coast Conservation Fund (for activities below the BOS threshold).</i></p> <p><i>The purpose of a local biodiversity offset policy would be to:</i></p> <ul style="list-style-type: none"> ○ <i>provide direction on Council’s position on biodiversity offsetting for Council’s own developments;</i> ○ <i>provide direction on Council’s position on entering into the biodiversity offsets market;</i>

	<ul style="list-style-type: none"> ○ provide guidance for offsetting tree and vegetation loss for private development that does not trigger the BOS threshold; and ○ restrict application of the BOS variation rules to meet the objectives of the Biodiversity Strategy in terms of offsetting the same values within the LGA or adjacent sub-regions (including establishing in what circumstances Council would seek to increase the quantum of credits).
<ul style="list-style-type: none"> • Concern that local offset policy would not take into account measures applied during rezoning and not limited to development requiring offsets under BOS 	<p>A local offset policy would take into account conservation measures applied during rezoning processes, such as protection of avoided areas. The policy would also apply to Part 5 development and infrastructure works and, as such, it will be operationally workable. Such a policy is unlikely to put the LGA at an economic disadvantage compared to other LGAs as biodiversity assessment costs are less than 5% of total development costs. Biodiversity loss should not be a cost borne by the community.</p>
<p>Theme 19: Re-zoning process and development assessment</p>	
<ul style="list-style-type: none"> • Add an action under Theme 4 to accommodate the need for a policy for biodiversity assessment through re-zoning process • Compliance with Flora and Fauna Guidelines needs to be enforced 	<p><i>It is recommended that a new action is added: Preparation of a local policy which requires at the rezoning stage the finalisation of arrangements (e.g. Biocertification) for the in perpetuity ownership and management of land with high biodiversity values.</i></p> <p><i>It is recommended to re-word Action 4.1.5 to Ensure developer compliance with Council’s Flora and Fauna Survey Guidelines, vegetation management plans and conditions. Re-word the associated Target to Council has adequate resources allocated to review and enforce ecology consent conditions for all developments.</i></p>
<p>Theme 20: Conservation fund / resourcing the Strategy</p>	
<ul style="list-style-type: none"> • Concern that Biodiversity Offset Scheme is the primary source of funds for conservation management program • Suggesting that Council only accept land that is either funded or capable of generating its own funding is short sighted • Why consolidated LEP cannot collect contributions for the acquisition of environmental land associated with COSS? 	<p>The NSW Biodiversity Offset Scheme is offered as one option and an opportunity for Council to raise funds for land management (Figure 5). There is no indication of how much this will be used in the Strategy or that it would be the primary source, but it has the best potential of all options to raise significant rolling funds for active land management into the future.</p> <p>Action 2.3.3 is to develop criteria and a process for evaluating land dedication requests from developers. The Strategy states that ‘Council will carefully consider the land that it is being asked to accept’. If avoided and retained land is of sufficient quality, a conservation agreement would apply, regardless of ownership. If it is not viable,</p>

<ul style="list-style-type: none"> Proposed implementation plan is under-costed in the context of Council’s \$800 million budget 	<p>Council will require funding for its long-term management in order for it to be transferred as a public liability.</p> <p>Page 47 explains the history of the two former Council’s minimum lot size provisions. The Central Coast Council does not have an equivalent LGA-wide strategy for land acquisition. Action 2.3.1 establishes that plan.</p> <p>The costings in the implementation plan are estimates for forward resource planning across units and are not necessarily approved budgets and do not reflect all of the biodiversity works that occurs across Council. It is estimated that \$5.6 Million per year is spent on land management and biodiversity protection across Council.</p>
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Theme 21: Land to which the Strategy applies

<ul style="list-style-type: none"> Include all vegetated Council land (water supply catchments and sewer plant buffers) in Biodiversity Strategy Concern that State Forests can be sold or logged, reducing biodiversity values of LGA. Council could buy this land Include State Forests and National Parks and those organisation’s objectives Include Fisheries Management Act 1994 managed water bodies Change Map 1 to show all reserves and operational areas, and show zoning 	<p>Page 7 of the Strategy defines the scope as those <u>Council</u> lands held <u>primarily</u> for the purpose of preserving natural and heritage values and it recognises that land held for operational reasons also contribute to preserving natural values. Council land with bushland is approximately 6,500ha and this figure includes several sewerage treatment plants, Mardi dam buffer, Wyong golf course, operational lands, a farm, trig stations and foreshores. Not included in the figure are the Buttonderry tip, Sparks Road industrial lands, small urban parks, waterbodies and the Tuggerah sewerage treatment plant.</p> <p>The actions of the Strategy do not apply to the private, Crown and Council lands that make up the water supply catchment because they are not available for public access, recreation or Landcare groups, for legal protection under conservation agreements or applicable for grant funding, or the other measures outlined in the Strategy. Council land in the catchment is managed under the Mangrove Creek Dam Catchment Management Plan and existing obligations for fire hazard protection, feral animal control and noxious weed control.</p> <p>There is no distinction between State Forest, Crown land, National Park or Darkinjung Aboriginal Land Council lands in the document. The objectives of other land owners are not included in Council’s Strategy. <i>It is recommended that a sentence is added to state the area of national park (46,808 ha) and state forest (21,798 ha) within the LGA.</i></p> <p>Map 1 shows the progress on achieving Action 1.1.2 (prepare management plans for reserves). Action 1.1.1 is to develop a system which identifies all priority reserves for active management, which would then allow such a map to be created. Map 1 does not include operational areas that are not Natural Assets, however the wildlife corridor map has assessed all native vegetation cover, regardless of ownership and land use. The zoning of reserves is not relevant where Council, as the land owner, has indicated that the land is a Natural</p>
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	Asset and will be managed as such under the Conservation Management Program.
Theme 22: Estuaries, lakes, lagoons and marine	
<ul style="list-style-type: none"> • Sewer discharge into near shore environments • Degradation of dunes from invasive species • Pollution from boat usage and abandoned boats • Drain clearing 	<p>The plan acknowledges (Theme 5) the comprehensive estuary, lagoon and wetland management programs and does not repeat them. Only new actions are such as the Coastal Management Program.</p> <p>Council has an Environmental Management Unit which is responsible for monitoring water quality, citizen science and other community environmental programs.</p>
Theme 23: Heritage listing	
<ul style="list-style-type: none"> • Additional protection of land through heritage listing 	<p>Heritage agreements under the NSW <i>Heritage Act</i> 1977 do not apply to Council reserves as they are not listed on the State Heritage register. A heritage listing recognises the social and community values of a place, in addition to the environmental and scientific values.</p> <p>Conservation agreements are a far more robust measure of environmental protection and cover entire reserves, not just the parts eligible for Aboriginal and Historic heritage listing.</p> <p>A heritage study will be undertaken to inform the comprehensive CCLEP. Nominations for heritage listing can be made at any time to Council for consideration.</p>
Theme 24: Timing of implementation	
<ul style="list-style-type: none"> • Delay implementation due to: EPBC Act currently being reviewed, uncertainty in the NSW credit market, strategic planning for Central Coast • Defer ELAP until consolidated LEP finished • Determine funding and timeframe for ELAP to provide confidence that it will progress quickly 	<p>Consolidated LEP is nearing completion and the Biodiversity Strategy is the next step in the environmental lands review working towards a comprehensive LEP.</p> <p>As the Strategy is a Council document, the timing of its implementation is not influenced by State and Commonwealth projects and processes.</p> <p>Action 2.2.1 <i>Establish funding for the management and acquisition of land identified by the CMP and ELAP</i> has a target timeframe of end 21/22.</p>
Theme 25: Presentation of Strategy	
<ul style="list-style-type: none"> • Beautifully illustrated document 	<p>Identification guides are available on the DPIE/OEH website of all threatened species</p>

<ul style="list-style-type: none"> • Add photos of trees or threatened species to help identify them 	
<p>Theme 26: Biodiversity Offset Scheme (NSW)</p>	
<ul style="list-style-type: none"> • How will the strategic conservation planning project affect local available credits? • What offsets are available in the LGA? • How does location of credits affect price? • What impact would increased credit costs have on the feasibility of development projects, including those prioritised in Council’s land use strategies? • How would Council determine the location of credits? • Would this preclude payment into the BCF? • Would this stand up to a legal challenge in Council rejected offsets for a development? 	<p>These questions about how the BOS operates are best answered by NSW State Government. Council proposes to provide clarity around the local application of the legislation and methods through policies identified in the Biodiversity Strategy.</p>

Consultation outcomes and next steps

Central Coast Council thanks all participants for their time in submitting a response to the draft Biodiversity Strategy.

In response to feedback from the community, the following minor amendments and clarifications to the text are proposed to the Strategy:

- **No net loss of biodiversity** - It is recommended to add the following sentence to the second paragraph on page 25: *Following successful implementation of the Strategy, no net loss of biodiversity on the Central Coast by 2025 is an aspirational goal.*
- **Coastal Open Space System** - It is recommended that the following text is added to page 42: *Objective F2 of the Community Strategic Plan 2018-2028 is: Promote greening and ensure the wellbeing of communities through the protection of local bushland, urban trees, tree canopies and expansion of the Coastal Open Space System (COSS). Theme 2 aims to deliver on this objective for the whole LGA. The Coastal Open Space System (COSS) was an initiative of the former Gosford City Council. The two main elements of the COSS were: a) public land managed for biodiversity, heritage, education and scientific endeavours and recreation in the natural setting; and b) private land identified for addition to the COSS through acquisition. The term COSS has been used within some parts of the community as shorthand for the protection of biodiversity, even where this occurs outside the physical boundaries of the COSS reserves and the land identified for future inclusion in the COSS. Consulting the community on a name/brand for Central Coast Council's natural reserve system would provide advice to Council on how to brand the consolidated conservation estate.*
- **Remove Action 2.2.3 – Land Disposal Plan for small parcels of Council-owned land that have no current or future operational or community purpose.** It is recommended that the action be removed from the Biodiversity Strategy to remove any notion by the public that Council has a plan to sell natural assets. The premise of the Strategy is exactly the opposite: to legally protect and manage reserves to increase local biodiversity values.
- **Re-word Action 2.2.1 – Engaging with development industry.** It is proposed to re-word the action as follows: *Engage with the development industry to improve biodiversity outcomes through quality development assessment*
- **Proposed for acquisition** – It is recommended that the following text is added to page 39 to explain Map 2: *Land proposed for acquisition is private land that has been assessed as having values that are consistent with those of the public COSS reserves. Properties identified as proposed COSS are subject to voluntary acquisition by Council for inclusion in the public COSS reserve system. Affected properties have COSS messages on their property (former sec 149) certificates*
- **Council administration of biodiversity conservation programs** - Staff recommends that the current advisory group is replaced with an advisory group with a focus on strategic biodiversity and land management for the Central Coast. The group should have strong representation from all localities of the LGA and represent diverse skills and backgrounds that can support

and positively contribute to Council's conservation management program. The Biodiversity Strategy provides a framework for the terms of reference and scope of the group's remit.

- **Local offset requirement** - It is recommended that Principle 4 (page 57) is reworded to *Biodiversity offsets, when necessary, are to be sourced from within the LGA (Wyong, Yengo and Pittwater IBRA subregions) where feasible and practical.*
- **Local biodiversity offset policy**- The following text replaces text on page 69 for clarification: *All biodiversity loss in the LGA due to development (as assessed under Part 4 and Part 5) of the Environmental Planning and Assessment Act 1979) should be offset in some way. This establishes some consistency and equity across activities whether or not they trigger the BOS. This would require Council to establish a local biodiversity offset policy that imposes offset requirements for all vegetation loss. The offset requirement may be satisfied in the form of biodiversity credits in accordance with the BOS like-for-like offsetting rules, or as a contribution of funding to the Central Coast Conservation Fund (for activities below the BOS threshold).*

The purpose of a local biodiversity offset policy would be to:

 - *provide direction on Council's position on biodiversity offsetting for Council's own developments;*
 - *provide direction on Council's position on entering into the biodiversity offsets market;*
 - *provide guidance for offsetting tree and vegetation loss for private development that does not trigger the BOS threshold; and*
 - *restrict application of the BOS variation rules to meet the objectives of the Biodiversity Strategy in terms of offsetting the same values within the LGA or adjacent sub-regions (including establishing in what circumstances Council would seek to increase the quantum of credits).*
- **Policy for rezoning assessments** - It is recommended that a new action is added (page 65): *Preparation of a local policy which requires at the rezoning stage the finalisation of arrangements (e.g. Biocertification) for the in perpetuity ownership and management of land with high biodiversity values.*
- **Re-word Action 4.1.5** – It is recommended to reword the action to *Ensure developer compliance with Council's Flora and Fauna Survey Guidelines, vegetation management plans and conditions.* Re-word the associated Target to *Council has adequate resources allocated to review and enforce ecology consent conditions for all developments.*
- **Council bushland in context** - It is recommended that a sentence be added (page 7) to state the area of national park (46,808 ha) and state forest (21,798 ha) within the LGA.

Appendix A – Media Release 12/9/19

Draft Biodiversity Strategy open for public comment

Conserving the unique flora and fauna of the Central Coast for future generations is at the core of Central Coast Council's draft Biodiversity Strategy which goes on public exhibition today.

The draft Biodiversity Strategy is the first single strategy that combines the progress of the two former Councils in conservation planning and presents a scientifically-robust roadmap for the future of the biodiversity of the Central Coast.

Council Director, Environment and Planning, Scott Cox, said the draft Strategy reflected Council's understanding of the critical importance of biodiversity to the Central Coast community.

"The draft Strategy highlights the roles that Council plays to support biodiversity: as a land use planning authority, a community leader, and a major landholder and land manager," Mr Cox said.

"It outlines Council's administrative and policy framework for responding to the actions identified to progress and implement on-ground change as well as guides Council's own actions and informs the actions of the community and a wide range of other organisations who together will shape the future of the Central Coast."

The draft Strategy identifies five key priority targets including the need to:

- plan and manage biodiversity in Council's natural areas
- ensure adequate resourcing is available to effectively manage and expand the conservation estate
- continue to promote community appreciation and participation in biodiversity conservation
- protect biodiversity through land use planning and information management
- demonstrate leadership in biodiversity conservation.

Mayor Jane Smith said the community had a strong connection and love for the natural environment on the Central Coast and want to see it protected.

"We are lucky here on the Coast as we contain a unique, rich and diverse range of biodiversity across the landscape from our Coastal Open Space System (COSS), to our rich hinterland, national parks, lakes and oceans," Mayor Smith said.

"We share our home with many amazing and iconic creatures including the Powerful Owl, Bush Stone Curlew, and the Squirrel Glider, and other plant and animal species increasingly under threat from urban growth.

"That is why we need to work hard to protect biodiversity so that plants and animals don't reach the point where they are at risk – and that is what this Strategy aims to do.

"We also intend to increase our COSS lands and natural reserves too so that future generations on the Central Coast get to enjoy the natural environment of the Coast as much as we do today."

The draft Biodiversity Strategy will be on display at the Gosford and Wyong Council Offices until 11 November. In addition, two community drop-in information sessions will be held on:

- Thursday 19 September, 4-7pm
 1. Erina Library, Erina Fair, Erina

- Tuesday 24 September, 4-7pm
 2. Council's Wyong Office, 2 Hely Street, Wyong

Residents are also urged to have their say online by visiting www.yourvoiceourcoast.com/greeningcentralcoast.

Public consultation closes on 11 November 2019.

ENDS

View all Central Coast Council's recent media releases at www.centralcoast.nsw.gov.au
To keep up to date with Council's breaking news like/follow our [Facebook](#) and [Twitter](#) pages.

Appendix B – Print advertising September 2019



The 2019 Draft Biodiversity Strategy is now available for public comment, and we want you to have your say.

The draft Biodiversity Strategy represents the first single strategy that combines the progress of the two former Councils in conservation planning and presents a scientifically-robust roadmap for the future of the biodiversity of the Central Coast.

We've heard your feedback that conserving the unique flora and fauna of our region is a high priority for our community. With this strategy we aim to take the necessary steps to protect our precious environment into the future.

Council staff will be available to answer any of your pressing questions at our two community drop-in sessions.

- **Thursday 19 September, 4-7pm**
Erina Library, Erina Fair, Erina
- **Tuesday 24 September, 4-7pm**
Council's Wyong Office, 2 Hely Street, Wyong

To have your say online visit
yourvoiceourcoast.com/greeningcentralcoast

Public exhibition closes on 11 November





Want to have your say on the future of biodiversity on the Central Coast?

Hurry as public submissions on the 2019 draft Biodiversity Strategy are closing soon.

Council takes its responsibility as guardian of the natural environment seriously. This strategy is an important step in identifying the unique challenges that our flora and fauna face if they are to survive for future generations to enjoy.

We've identified five key target points for this strategy to address:

- plan and manage biodiversity in Council's natural areas
- ensure adequate resourcing is available to effectively manage and expand the conservation estate
- continue to promote community appreciation and participation in biodiversity conservation
- protect biodiversity through land use planning and information management
- demonstrate leadership in biodiversity conservation.

To have your say online visit

yourvoiceourcoast.com/greeningcentralcoast

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