

A New Approach to Bushland Management in Tweed Shire



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Tweed Shire lies within a bio-geographic region considered as one of Australia's most diverse in terms of its natural terrain, flora and fauna. The Shire is considered an area of high conservation significance at the local, regional, national and international level.

The faunal diversity of the Region is equalled only by the wet tropics of northern Australia. Over 630 vertebrate species are known from the Region, many of which are endemic.

The rich floristic, faunal and geological diversity and high scenic value, in conjunction with the Tweed's high population growth, places pressure on these natural attributes and those charged with its management.

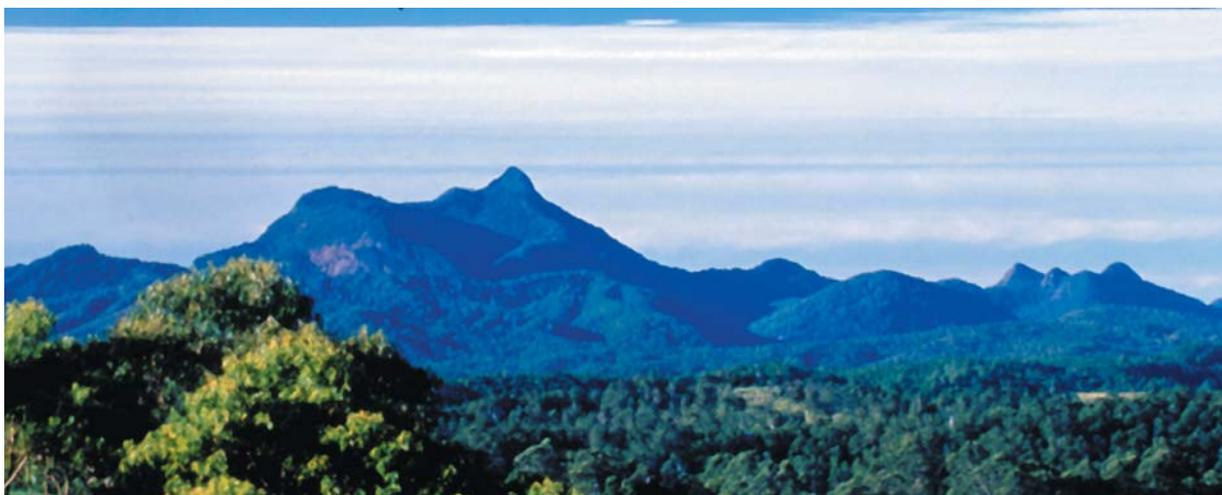
Tweed Vegetation Management Strategy 2004

In response to its increasing management pressures and responsibilities, Tweed Shire Council initiated the preparation of the Tweed Vegetation Management Plan (TVMP99) in 1995 with funding from Greening Australia, the Natural Heritage Trust and the NSW Environmental Trust. This plan was publicly exhibited and peer reviewed by Dr. Richard Hobbs from the CSIRO Division of Wildlife and Ecology. Council commissioned Ecograph and formed the Vegetation Management Plan Steering Committee to assist council in the preparation of the plan.

The objectives of the original 1999 report were to:

- Undertake detailed vegetation mapping of the Tweed Shire
- Identify significant scenic and natural areas
- Develop a systematic, holistic and strategic approach for dealing with vegetation and biodiversity management
- Canvass local government management options for the protection and enhancement of significant natural areas of the Shire

In response to the exhibition and peer review of the TVMP99 and with additional funding from the Natural Heritage Trust, Ecograph and Council's new 21-member steering committee, prepared Tweed Vegetation Management Strategy 2004 (TVMS04).



The Vegetation Management Plan Steering Committee

Council created the original 12-member Vegetation Management Plan Steering Committee in May 1995. The makeup of the Committee was changed and increased in July 2000 to 21 members to ensure greater representation from the rural landowners, environmental groups and relevant government agencies.

Non-voting members

Douglas Jardine, Tweed Shire Council (Chair)

Graham Judge, Tweed Shire Council, Strategic Planning Unit (Project Coordinator)

Stewart Brawley Tweed Shire Council, Recreational Services

Mark Kingston, Ecograph (Consultant)

Voting Members

Cr Max Boyd Tweed Shire Council

Cr Henry James Tweed Shire Council

Phil Youngblutt, Previous member of the committee (previous shire councillor)

Department of Infrastructure, Planning and Natural Resources (DIPNR previously represented by Bruce Hungerford and currently represented by David Hart)

Department of Environment and Conservation (currently represented by John Allen)

Jim O'Brien, cattleman and forestry

Col Brooks, Combined Rural Industries

Peter Mason, Dairy farmers

Rhonda James

Brian Sandercock, Banana farmers

Paul Hopkins, Caldera Environment Centre

Barbara Stewart, Australian Ecological Society

Robert Quirk, Canegrowers Association and Northern Rivers Catchment Management Authority

David Lovell, plantation forestry

Paul Bolster, Tea Tree growers

Gary Varga, Environment Australia/ Bushcare.

Tweed Byron Aboriginal Land Council

The TVMS04 has substantially updated the TVMP99 to increase the accuracy of bushland mapping, using digital air photos, and has introduced new criteria for identifying significant and ecologically sensitive vegetation and wildlife habitat in the Tweed.

In order to make an informed assessment of the conservation status of natural areas within the Shire, and to prepare Council planning policies, the TVMS04 incorporated and considered the following:

- Ecological significance of remnant vegetation;
- Soil, water and geological characteristics of the shire;
- Socio-economic and cultural heritage (including Aboriginal values);
- Planning assessment (including concurrent issues such as scenic landscape values);
- Management and rehabilitation framework;
- Strategic directions and implementation framework.

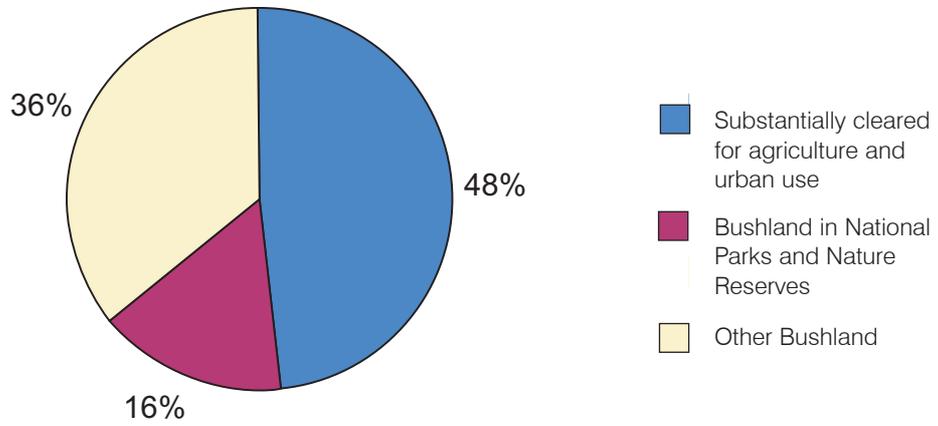
Bushland cover in Tweed Shire

A recent update of the mapping carried out for Tweed Shire Council by Ecograph (2004) using digital air photos indicates that about half (52%) of the Shire is covered by bushland of one sort or another. National Parks and State Forests account for 16% of the Shire. About 44% (over 48,000ha) of the remaining area is mapped as bushland, most of which consists of sclerophyll forests. Rainforests and related communities account for approximately 15% (10,568ha) of mapped bushland. Smaller proportions of heathlands, sedgeland, estuarine vegetation, paperbark swamp and other rare vegetation communities are mapped along the coast.

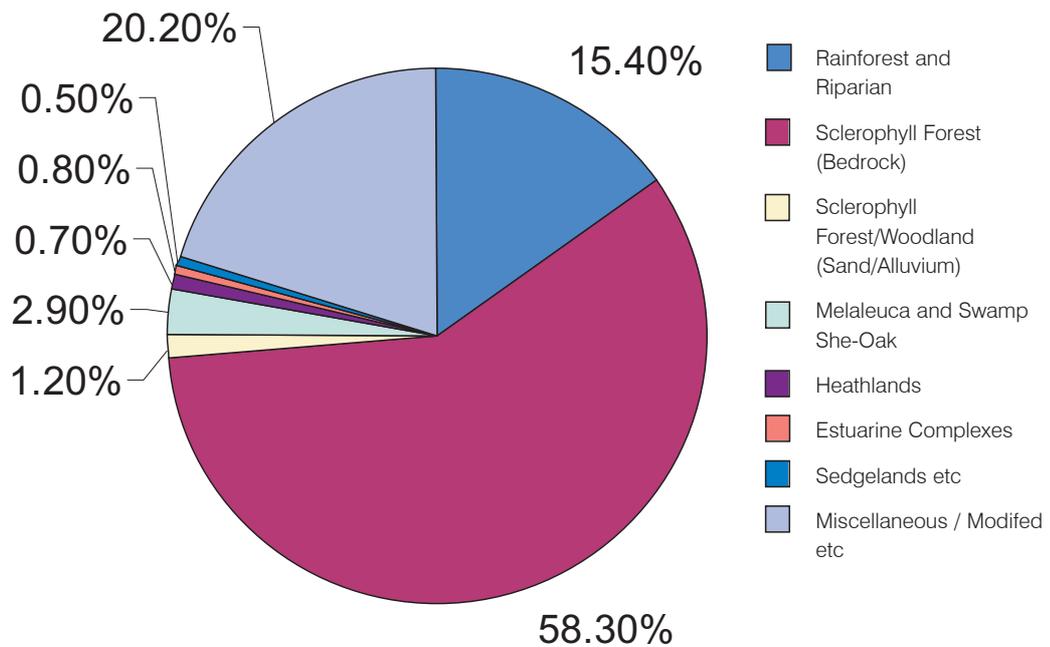
The research indicates that native plant communities of the Shire have been either heavily cleared and modified, particularly in lowland and coastal areas. Remnant bushland in the Tweed is frequently found on steeper areas that are not suitable for agriculture. These steeper areas, often with poor or shallow soils and usually included in conservation reserves, often represents uninhabitable or sub-optimal habitat for native fauna, particularly larger rarer fauna.

Many of the coastal vegetation communities are poorly reserved and have suffered a disproportionate level of clearing for agriculture and urban development. Pressey and Griffith (1992) calculated that **87% of Tweed's coastal lowland vegetation had declined from its original extent.** A study of land clearing in the north-eastern section of the shire by Ecograph (1999) indicated that the majority of clearing in the last 40 years has been attributed to urban development. Although there was substantial regrowth of vegetation in rural areas between the 1960's and 1996 much of this regrowth appears to be the exotic weed tree Camphor Laurel. **Camphor Laurel** was also found to be dominant or codominant in over 13% of all bushland surveyed for its presence in Tweed Shire in 1996.

Bushland Cover in Tweed Shire



Bushland Communities in the Tweed



What are the implications of the State Government Reforms for Tweed?

The TVMS04 has been prepared simultaneously with the evolution of natural resource management reforms introduced by the NSW State Government. The reforms were first initiated with the introduction of clearing controls in 1995 and again in 1998. The State Government introduced further natural resource management reforms in 2003 in response to the Wentworth Report and the Native Vegetation Reform Implementation Group.

The latest natural resource management reforms have had a major influence on the recommendations in the TVMS04 on the framework for Tweed Shire Council's statutory land use planning policies. The TVMS04, in conjunction with the Steering Committee, has recommended that Tweed Local Environmental Plan 2000 be integrated with the Native Vegetation Act 2003.



Natural Resource Management Reforms

In summary the NSW State Government reforms;

- will implement a new system to support landholders to voluntarily develop individual Property Vegetation Plans (PVPs). There will be three categories of PVPs designed to accredit existing landuse, enable landholders to seek approval for land use change and provide access to incentives for on-farm conservation of native vegetation
- establishes the North Coast Catchment Management Authority (NRCMA) to integrate existing regional vegetation and catchment plans, to implement catchment action plans and to work with landholders in developing PVPs
- The NRCMA will also allocate funding to support the development of PVPs and other resource management projects
- will introduce a new compliance framework for native vegetation including determining statewide definitions, standards and targets on native vegetation
- designates the Department of Infrastructure Planning and Natural Resources as the consent authority for clear vegetation in rural areas and provides a new framework for clearing that does not need the Department's consent
- creates the Natural Resources Commission and the Natural Resources Advisory Council to make recommendations on statewide environmental standards and targets, accredit and audit Catchment Action Plans

Further information on these reforms can be obtained from the Department's website www.dipnr.nsw.gov.au

The Wentworth Group

In November 2002 the Wentworth Group released the **Blueprint for a Living Continent**. The Group were made up of a number of environmental and agricultural scientists concerned about resource management in Australia. In their report to the NSW State Government in February 2003 the Group outlined the Wentworth Model for Landscape Conservation. The model has five interdependent components:

- strengthening and simplifying native vegetation regulations, ending broadscale clearing of remnant vegetation and protected regrowth;
- setting environmental standards and clarifying responsibilities for native vegetation management that will, over time, create healthy rivers and catchments;
- using property management plans to provide investment security, management flexibility and financial support for farmers;
- provide significant levels of public funding to farmers to help meet new environmental standards and support on-ground conservation; and
- restructuring institutions by improving scientific input into policy setting, improving information systems and regionalising administration

For further information on the Wentworth Group see the CSIRO website
www.clw.csiro.au/new/

Tweed Local Environmental Plan 2000

Tweed Local Environmental Plan 2000 (Tweed LEP 2000) was gazetted on the 7 April 2000 after exhibition of the draft plan in late 1998 and early 1999. This plan represents council's primary land use planning document. The 1st review of the plan in 1999 concentrated mainly on urban zones, a general updating of existing provisions and restructure of the plan framework in response to legislative reforms by the NSW State Government to introduce planning reforms on exempt and complying development and acid sulfate soils.

The 2nd review of the plan was intended to focus on rural zones, particularly the environmental protection zones. This review was reliant on the completion of the Tweed Vegetation Management Strategy 2004 (TVMS04). The Tweed Vegetation Management Strategy 2004 has now been completed with the assistance of the Vegetation Management Plan Steering Committee.

The rural zones and provisions contained in the current Tweed LEP 2000 generally reflect provisions contained in the plan it superseded, Tweed Local Environmental Plan 1987 initiated by council in 1982. Environmental protection zones in the 1987 plan were based on information collected from a number of sources including the then State Division of Fisheries (Wetlands) and the National Parks and Wildlife Service (wetlands and wildlife habitat). The majority of the rural zones under Tweed LEP 2000, including the environmental protection zones, therefore reflect data, information and map drafting technology that is at least **20 years old**.

Environmental Zones - 1987

The majority of the environmental protection zones under Tweed Local Environmental Plan 1987 were based on a combination of identifying prominent scenic areas (visible from roads and settlements), known wetlands and wildlife habitat and a concept of a network of wildlife corridors. These corridors, according to the Council's 1983 Rural Lands Study, were to enable the "free movement of the more transitory animals between major habitat areas". Environmental zones under Tweed LEP 1987 created connections (corridors) on private land between national parks, nature reserves and state forests, particularly in the western section of the shire. This concept has been carried through to Tweed LEP 2000.

The Tweed Vegetation Management Strategy 2004, using more detailed data and the latest mapping technology, provides the framework for 2nd stage review of Tweed LEP 2000. The Strategy utilises detailed information and ecological assessment criteria to develop a more holistic and strategic approach to managing ecological processes within the Tweed landscape. The Strategy also acknowledges the recent NSW State Government natural resource reforms that creates a substantial role for the new Northern Rivers Catchment Management Authority and the Department of Infrastructure Planning and Natural Resources in managing native vegetation. The framework of draft Tweed Local Environmental Plan 2000 (Amendment 21) therefore represents a combination of improved data collection and mapping technology, a landscape approach to ecological management and integration of the Tweed LEP 2000 with the NSW State Government natural resource management reforms.

Draft Tweed Local Environmental Plan 2000 (Amendment 21)

Council resolved to prepare a draft local environmental plan to integrate Tweed LEP 2000 with the NSW State Government's natural resource management (draft LEP) reforms. Council's Vegetation Management plan Steering Committee has been crucial in the development of the draft LEP. Preparation of the draft LEP has also been substantially guided by current state government policy on plan preparation, particularly the NSW Coastal Policy 1997 and the North Coast Regional Environmental Plan. State policies on wetlands, littoral rainforests and koala habitat also have had a significant influence on the preparation of the draft plan.



The North Coast Regional Environmental Plan

State legislation permits local Council's to prepare and publicly exhibit draft local environmental plans that outline the options for future use of land in their local government area. When a Council has finalised their draft plan they must forward the plan to the state planning Minister for final approval and eventual gazettal. These draft plans are required to be prepared in accordance with various state guidelines. One of the main documents that contain guidelines on the preparation of draft plans by north coast council's is the North Coast Regional Environmental Plan. The North Coast Regional Environmental Plan outline guidelines for delineating environmental protection zones in a draft plan.

wetlands and fishery habitats

A draft local environmental plan for land containing rivers, streams, wetlands or fishery habitats should include wetlands, fishery habitats and sufficient land to separate adjoining land uses from wetlands and fishery habitats in an environmental protection zone

natural areas and water catchments

A draft plan should include significant areas of natural vegetation including rainforest and littoral rainforest, riparian vegetation, wetlands, wildlife habitat, scenic areas and potential wildlife corridors in environmental protection zones.

A summary of the framework for Council's draft local environmental plan is as follows;

- Remove the current 7(a) wetland/littoral, 7(d) scenic/escarpment and 7(l) habitat environmental protection zones and replace with a new 7(a) significant natural areas/wildlife habitat zone.
- The focus of the 7(a) significant natural areas/wildlife habitat zone mapping will be on the Tweed coastal area where council has more detailed vegetation, wildlife habitat data and where Tweed is experiencing higher pressure for development. This will result in a substantial decrease in the area of land zoned environmental protection under Tweed LEP 2000, particularly in the western parts of Tweed Shire, from approximately 13,600 hectares to 5,600 hectares.
- The new 7(a) significant natural areas/wildlife habitat zone environmental protection zone is delineated using information from the Tweed Vegetation Management Strategy 2004 and from historical information on areas currently zoned environmental protection e.g. Black Rocks Estate, Koala Beach Estate.
- The current boundary of the 7(f) coastal zone is retained. This zone relates to the management of coastal erosion and dune management. The review of the delineation of the 7(f) zone is to be undertaken in a separate process as part of the finalisation of the Coastal Management Strategy and Coastal Management Plan currently being prepared by council.
- The new provisions of the draft plan avoids the unnecessary duplication of managing vegetation and assessing clearing applications by both Tweed Shire and other government agencies. For example clearing approved by DIPNR or clearing carried out in accordance with a property vegetation plan (PVP) approved under the Native Vegetation Act 2003 will no longer require Council consent.

- The amendments to the Tweed LEP 2000 accepts the clearing exemptions under the Native Vegetation Act 2003 for rural zones to enable landowners to undertake 'permitted activities' and 'permitted clearing' in the majority of Tweed's rural areas without the need for approval. This includes clearing as part of routine agricultural management activities, regrowth, other minor clearing activities and clearing for emergencies. Council will direct rural landowners to DIPNR for information on clearing consents and exemptions in rural zones and environmental protection zones.

Routine Agricultural Management Activities

Routine agricultural management activities that do not require consent under the Native Vegetation Act 2003 include the clearing of native vegetation for the following purposes;

Construction and operation of rural infrastructure including dams, permanent fences, buildings, windmills, bores, stock yards and farm roads.

Removal of noxious weeds
Control of noxious animals

Collection of firewood (non-commercial)

Harvesting/clearing of commercially planted native vegetation

Lopping of native vegetation for stock fodder

Traditional non-commercial Aboriginal cultural activities

Maintenance of public utilities

An activity reasonably considered necessary to remove or reduce an imminent risk of serious personal injury or damage to property

Other activities in the regulations to the Act

- The draft plan introduces a new Rural 1(a1) to identify steep land/ escarpment zone land over 18 degrees slope generally consistent with mapping State Protected Land (steep land. The majority of areas currently zoned environmental protection under Tweed LEP 2000 will be converted to either a Rural 1(a) or Rural 1(a1) Zone. The planning focus in areas zoned Rural 1(a1) will be assessing suitability of future proposed development on steep land.
- The draft plan introduces a new map entitled "Tweed Local Environmental Plan 2000 - Catchment Management Map" that identifies bushland over the entire Tweed Shire area, including urban areas. Council however will initially direct rural landowners to the Department of Infrastructure Planning and Natural Resources for information on clearing consents and exemptions under the Native Vegetation Act 2003.
- The draft LEP will introduce new provisions in the Tweed LEP 2000 regarding assessment of development applications within areas mapped as "Bushland" on the Catchment Management Map.

- Council will still maintain an interest in assessing the clearing of vegetation and wildlife habitat issues in rural areas but only where the clearing is associated with certain categories of development affected by the bushland overlay on the catchment map e.g. tourist development, rural subdivision and residential subdivision. In areas zoned rural under Tweed LEP 2000 council consent will generally not be required for the purpose of agriculture or forestry.
- Lots less than 4,000 square metres and with a dwelling entitlement in any zone (except in an environmental protection zone) will not be affected by the provisions of the Catchment Map. Consent from Council will not be required to clear vegetation on these lots.
- In addition to the clearing exemptions under the Native Vegetation Act 2003 adopted by the draft plan council has prepared clearing exemptions under a draft amendment to Development Control Plan 40 (Exempt and Complying Development) exhibited with the draft LEP.

Draft Development Control Plan 40 - clearing exemptions

Development Control Plans are land use planning documents produced by Council's to fine-tune and compliment their local environmental plans. Development Control Plans are often used to provide guidelines on building design, subdivisions and master planning for urban release areas. Development Control Plan 40 identifies types development that do not need council consent.

An amendment to DCP 40 will complement the draft LEP to incorporate the following Council clearing exemptions;

bushfire hazard reduction

emergency work

noxious weed control

maintain a public utility and maintain access to a public utility

clearing vegetation, beach maintenance and environmental facilities on public owned land

clearing of vegetation that is not indigenous to the Tweed Local Government area

clearing within 10 metres of an existing lawful dwelling

Incentives for Wildlife Conservation

There is increasing awareness that new approaches are needed to address the issue of cost sharing within the community to achieve conservation outcomes on private land. Landowners are currently carrying the burden of this cost or are unable to meet the financial and other resource expectations of the community for managing the land for wildlife conservation. One of the roles of the NRCMA is to provide support to landholders to manage vegetation on their properties based on the NRCMA Catchment Action Plan. Offering financial incentives for private landowners to include the conservation of biodiversity and native vegetation as part of property management is an acknowledgement that the community should help with the cost of conserving biodiversity on private land. There is also an opportunity for Tweed Shire Council to compliment and enhance the role of the NRCMA in Tweed Shire similar to other programs introduced by other local councils eg Gold Coast City Council, Coffs Harbour City Council and Byron Shire Council. Council has already been involved in conservation programs such as Dune Care and through projects developed by the Tweed River Committee. The potential options for council incentives are canvassed and discussed in the Tweed Vegetation Management Strategy 2004. One of the options canvassed by the Tweed Vegetation Management Strategy 2004 and Tweed Futures project is the introduction of an environmental levy on ratepayers to fund environmental works in the shire.

