

Minutes

Unconfirmed Minutes of the Koala Beach Wildlife and Habitat Management Committee Meeting held Wednesday 19 February 2025

Venue:

Pottsville Environment Park

Time:

1.00pm

Present:

Yvonne Gardiner, Helene Sheean, Paula Searle, Rosealie Vallance, Kirsten Wallis, Henry James, Cr Meredith Dennis, Jane Lofthouse, Scott Benitez Hetherington, Kristian Pakula, Giselle Benitez Hetherington, Nicole Skorupski (Minutes) (TSC)

Apologies:

Louise Valois, Caterina Barry

Acknowledgement of Country: Jane Lofthouse

Welcome and Introductions

Jane welcomed the committee and requested each person introduce themselves and share what they would like to achieve in the committee.

Louise Valois advised via email she is unable to attend meetings due to work commitments based on the current meeting schedule. It could be an option to either invite Louise to participate through email on items or see if an alternative time on the same day would suit her.

Action Item: Jane to discuss availability with Louise before final decision is made regarding participation.

Election of chairperson for the committee

Nominations were called for chair of the committee. Rosealie was nominated, with no further nominations made. Rosealie accepted the nomination.

Moved: Paula Searle

Seconded: Meredith Dennis

RESOLVED that Rosealie Vallance be appointed as Chair of the Koala Beach Wildlife and Habitat Management Committee for 12 months.

Carried

Committee Meeting Code of Conduct

Members were requested to complete the Committee Meeting Code of Conduct and advised a hard copy of the Management Committee Terms of Reference is available.

Action Item: Members to complete Committee Meeting Code of Conduct and return to Council.

Business Arising

BA1. Review Action List

0824-1 – Complete and can be removed from action list.

0824-2 – Will be discussed later in agenda.

0824-3 – Not yet actioned but can be discussed with Kristian Pakula later in meeting.

0824-4 – This will be discussed further in the meeting

Minutes of Previous Meeting

Moved: Paula Searle

Seconded: Yvonne Gardiner

RESOLVED that the Minutes of the Koala Beach Wildlife and Habitat Management Committee meeting held Wednesday 21 August 2024 be accepted as a true and accurate record of the proceedings of that meeting.

Agenda Items:

A1. Assistance Animal Policy development update - Giselle Benitez Hetherington

Giselle presented as the Community Development Officer - Inclusion, primarily working on programs in disability, inclusion and multicultural diversity. Giselle is leading the development of a policy for assistance animals in council locations and spaces. She has spoken to several government agencies, peak bodies, community members and is attending this meeting to provide an update and invite feedback from the committee.

The policy aims to establish a way to identify an assistance animal, so that the legislative provisions of the federal Disability Discrimination Act (DDA) can be complied with effectively. It is a complex legislative framework, with important considerations for council in relation to environmental protections and duty of care. Another challenge is that there is no national or state-based accreditation scheme for assistance animals.

Koala Beach is a unique situation with covenants under the Conveyancing Act and development consent conditions under the Planning Act that prohibit the keeping of cats and dogs on private lots, together with the declared Wildlife Protection Area under the NSW Companion Animals Act also prohibiting cats and dogs in public spaces. Council has requested legal advice on how to reconcile this situation with the DDA. Specific input is being sought from this committee on their views on reasonable requirements for residents with assistance animals if the result of this process is that this is required.

The committee raised a range of concerns including:

- Seeking clarification that the legal advisors are aware of the covenants that apply to all land parcels.
- Concern as to the extended timeframe taken to commence and develop the policy.
- Possible financial implications for landowners who bought into the estate because of the dog and cat prohibition.
- Would it be reasonable for Council to specify conditions for the keeping of an assistance animal in the estate?
- What is the timeframe for finalisation of the policy?
- The Tweed Coast Koala Research Hub is located within the bushland reserve of the Koala Beach estate and was, in part, located there due to the dog and cat prohibition.
- That many residents of Koala Beach feel strongly connected to the wildlife that shares their streets and yards and that this change may directly impact them.
- That due to the absence of dogs and cats in the estate, that the wildlife is likely to be naïve to the threats and therefore even more vulnerable to predation and injury.

Giselle clarified that:

- The policy primarily applies to public land (council places) and that the issue of locations such as Koala Beach where a covenant and consent condition set by Council applies to private land needs to be addressed specifically.
- The question of financial or other legal implications for landowners with existing covenants/conditions was included to the legal advice brief.
- The draft policy is on track to be submitted to Council for consideration in April with public exhibition to follow in May/June.

- The committee members are welcomed and encouraged to contribute their concerns further via submission to the draft policy once on exhibition, or directly via Council's email address.

The committee discussed other animal management and compliance issues in relation to dogs in Koala Beach. Kristian Pakula, Team Leader Rangers, advised that:

- Rangers can attend and act on dogs in public areas and any other matters regulated under the Companion Animals Act. This includes dog prohibited areas in public places generally and wildlife protection areas.
- Dogs being kept on private property is a development compliance matter (as a breach of the Environmental Planning & Assessment Act and the Conveyancing Act covenant) and will be referred to the relevant unit.
- Reporting incidents of dogs in Koala Beach is best done as a Customer Service Request which can be submitted by phone, email or webform.
- Rangers rely on community support and evidence to be able to take compliance action.

The issue of dogs at the Koala Beach Sportsfield (Pottsville Beach Football Club) was also raised, including the outstanding action to write to the club. Jane committed to actioning this matter prior to the next meeting.

A2. Social Signage project

1021-1 - A draft design is required and the designers will then engineer a sign to suit the location. The sign will need to meet road safety standards which will be assessed by Council's Engineers.

Feedback has been received from the Aboriginal Advisory Committee on signage and wording. The approved wording for the sign is:

Koala (Booribi) Beach

"Caring for flora & fauna on Goodjinburra/ Bundjalung Country."

It was noted that the Koala Beach logo has been paid for and is available for use.

The committee raised that the 'No Dogs – No Cats' pavement treatment on Cudgera Avenue needs to be redone as it has not been fixed since the last floods and that patching of potholes has further impacted the paintwork.

Action Item: Jane and Scott to follow up with the Flood Recovery and Roads Unit in relation to re-painting the 'No Dogs or Cats' pavement treatment.

Communication

The next Koala Beach e-newsletter is due to be prepared and distributed. Suggestions included introducing the new committee and encouraging residents to sign up to the e-newsletter to increase distribution.

Action Item: Koala Beach subcommittee to discuss and action a pop-up information booth around Koala Beach to encourage signups and provide information

Action Item: Nicole to update website with new committee members.

A3 Environmental Wildlife monitoring

- *Planigale* - Intensive surveys have commenced for the 24/25 breeding season (Oct-Jan). This will provide updated estimate of occupancy and measures of recruitment success.
- *Glossy Black-Cockatoo* - Seeking suitable contractor for ongoing monitoring work.

- *Blossom bat*
 - Regular maintenance of trial planting plots including weed control and control of excess regenerating rainforest species.
 - Banksia seedling losses being replaced as necessary.
 - Activity surveys scheduled for Winter 2025.
- *Koala management and monitoring*
 - Koala Beach monitoring sites have been surveyed as part of Tweed Coast monitoring program with the assistance of Friends of Cudgen Nature Reserve volunteers.
 - 21 koala sightings reported to Council's online database in 2024.
 - Fine-scale activity monitoring planned for early 2025.
- *Artificial hollow maintenance and monitoring* - Has been delayed.
- *Bush Stone-curlews* - Awaiting final report on last season's monitoring activity (2023-24).
- *Vertebrate pest management and monitoring*
 - Specialist contractors, Watergum, have been engaged by Council to monitor and provide control of cane toad eggs, tadpoles, metamorphs and adults at target waterbodies on Council land. These include Council managed detention ponds at Sugar Glider Drive and Muskheart Circuit / Cudgera Avenue. No cane toad eggs, tadpoles or metamorphs have been identified since the last update to Council on 11 November 2024.
 - Cross tenure vertebrate pest monitoring and baiting program results for April to July 2024 for the Tweed Coast indicated persistent fox activity at Koala Beach Estate.
 - Fox passes reduced after baiting commenced in May 2024 then again in early July suggesting that there is likely to have been at least two baits taken by foxes, however fox activity increased again in July therefore there was still one fox active in the area at the conclusion of the monitoring period.
 - A specialist contractor carried out control works targeting foxes, feral cats and hares at the Koala Research Hub / Burbi Reserve, Pottsville Wetland and other key locations on the coast from 20 to 25 May. Unfortunately, no target species were sighted in the Pottsville area.
 - Vertebrate pest monitoring and control works will continue in 2025.
- *Habitat restoration*
 - 2021-2024 contract and reporting complete. Report available on request.
 - Contract for 2024/25 awarded to Bushland Restoration Services for 84 person days of restoration work. Approx. 40% complete.
 - Recent focus areas – zones 11 Macadamia west, 5 Lower Grey Gum, 8 Macadamia South, planting maintenance in zone 23 (Arthraxon). Hand-pulling and maintenance spot spraying.
 - Collection of *Endiandra muelleri subsp. bracteata* propagation material (cuttings) still to be done by contractor and grown at TSC nursery when conditions are right.

Koala Beach is one of the highest priority areas for hazard reduction burns on the Tweed Coast. To address this, Council has so far:

- Conducted fuel hazard assessments; and
- Drafted a strategic plan to inform the required planning and environmental approvals with the intent to prepare a Review of Environmental Factors addressing 5 years of annual burn programs.

Helene tabled a photo and asked about protection of wildlife along streetscapes, with concerns about weed control done by spraying particularly in the park near the pond on Sugar Glider Drive.

Action Item: Scott to raise issue of weed control spraying and provide photo to Parks & Active Communities Unit.

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A4 Economic

Koala Beach budget update as of February 2025 was provided to the committee. Yvonne questioned if interest is calculated on reserve dollars.

Action Item: Jane to liaise with Finance Unit to ascertain if the Koala Beach special rate reserves attract interest.

General Business:

GB1. Water ponding on Council land

An email received by the committee in relation to ponding of water in an area managed by the Water Unit has been forwarded to that Unit to look at cause and remedial action required.

GB2. Mobile speed sign

The radar activated speed sign has not been seen as discussed in the last meeting.

Action Item: Jane to request the mobile radar activated speed sign be placed in Koala Beach as soon as possible.

GB3. Proposed Cudgera Avenue speed hump

Discussion on the design and cost of speed hump at Cudgera Avenue entry to Koala Beach west of the bridge. Discussion that funding should come from Council's Roads budget in general rates and not from the Koala Beach budget. An estimate of approximately \$25,000 has been provided.

Traffic counters installed found an average speed on Tom Merchant Drive of 35km/hr and Cudgera Avenue was 53km/hr. This may indicate that the speed humps do have an impact on speed.

Moved: Rosealie Vallance

Seconded: Yvonne Gardiner

RESOLVED that Council be requested to install a speed hump at the Cudgera Avenue entry to Koala Beach, west of the bridge, funded through the Koala Beach special rate.

Carried

Henry James discussed proposal to reduce speed limit to 30km. Paula confirmed a letter was received from Transport NSW that the speed limit is 40km throughout Koala Beach recognised by the State Government. Committee members need to make a submission to Council's Local Traffic Committee and Transport NSW to request consideration of a further reduction of the speed limit to 30km.

Next Meeting:

The next meeting of the Koala Beach Wildlife and Habitat Management Committee will be held 21 May 2025, venue yet to be advised.

Meeting Closed: 3.00pm

Action List:

Date	No.	Action	Status
07/10/21	1021-1	Jane to present Entrance design and construction ideas to sign writers.	4/12/24 - discussions with designers, need draft design first then engineer to suit site 22/08/24 - Jane will send request for wording to AAC. 4/12/24 Done – await response from new AAC after 6 December meeting 19/02/25 – Jane to follow up with ACC to get feedback on signage and wording

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21/02/24	0224-2	Nicole to obtain list of Real Estate Agents from Rosealie. Jane to draft letter from council to real estate highlighting importance of complying with Wildlife Protection Area.	15/05/24 - Jane to send draft letter to committee to review. 22/08/24 - Jane to send draft via email to committee by end of August / 4/12/24 draft letter to be tabled
21/02/24	0224-3	Additional Signage for Bushland Values – 3 Permanent; 5 Corflute. Committee to nominate signs, council to produce signage.	15/05/24 - Committee to confirm signs to be developed - 10 x 'koala here today'; 20 x curlew signs; 10 x bushland values 22/08/24 – signage requested Bushland Values & A-frame Koala signs
21/08/24	0824-2	Jane to seek clarification on timeframes for the following actions by Council: <ul style="list-style-type: none"> Development of the Assistance Animal Policy. Installation of traffic counters and pavement treatments. 	4/12/24 - Assistance Animal Policy – draft proposed April 25. Note deals with public land, not private land parcels 19/02/25 – on agenda - See 0225-2
21/08/24	0824-3	Council to write to Pottsville football club reminding them that dogs are not permitted on the grounds and request that they inform all visiting clubs.	19/02/25 - Not yet actioned. 19/02/25 – Committed to be completed by next meeting 21/05/25
21/08/24	0824-4	Resolution of ELT from 15 May 24 meeting <ol style="list-style-type: none"> Notes that the committee considers Koala Beach roads are used as a Pottsville village bypass. Installs traffic counters as soon as possible to provide current data on traffic numbers and speed through the estate. Subject to the outcomes of 2 undertakes a traffic study and development of a traffic management plan if there is demonstrated increase in traffic volumes and speeds in Koala Beach. Subject to 3 above that this work be funded from the Koala Beach Special Rate Reserve and undertaken by an external traffic consultant. 	19/2/25 – response tabled regarding traffic numbers and speeds from Sept 2024.
19/02/25	0225-1	Jane to contact Louise about availability before final decision will be made in relation to Committee participation.	
19/02/25	0225-2	Jane & Scott to follow up with flood recovery and roads division in relation to re-painting the no dogs or cats pavement treatment.	
19/02/25	0225-3	Nicole to update website with new committee members	
19/02/25	0225-4	Scott will provide photo and raise issue of weed control spraying with Parks & Active Communities Unit.	
19/02/25	0225-5	Jane to follow up with finance if the Koala Beach special rate reserves attract interest.	
19/02/25	0225-6	Jane to request the mobile radar activated speed sign be placed in Koala Beach as soon as possible.	

EXECUTIVE LEADERSHIP TEAM'S COMMENTS:

Nil.

EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:

Nil.