



Council Matters - December 2014 by Cr Paula Flack

Council resolved to commence the process of **reclassification of two parcels of community land in preparation for sale**, PRIOR to the release of the commissioned consultant's report (see next item) on community land. Both areas have significant conservation and social values and will now be the subject of separate rate payer funded public hearings (community consultation) which are required by state law prior to reclassification from 'Community Land' (which can't be sold) to 'Operational Land' (which can be sold). **Kingsworth Lake Reserve** is 17.6ha immediately south of Kingsworth Estate and was given to Council in 1995 by the Kingsworth Estate developer in lieu of s94 developer contribution fees. A much loved peaceful and picturesque local area, little known by the wider community, the lake is a haven for wildlife especially water birds and offers wonderful low impact nature based recreational opportunities eg kayaking. **Valla Beach Community Land** lies immediately to the west of the Valla Beach Pre School. This forested community land is providing a refuge and corridor area for fauna displaced from highway works and residential development to the south. It links with adjoining privately owned forest which is zoned for future development and if reclassified it will be sold by council and undoubtable cleared and developed. It is little wonder that scientists are recording declining populations of endangered species on the eastern seaboard with this relentless march of vegetation clearing. It is disappointing to see that Council considers short term revenue more important than protecting a small parcel of remnant vegetation for future generations and for the native wildlife dependent upon its existence. Council's decision demonstrates a lack of vision and understanding of the ecological services these two areas provide.

Council engaged Suter Planning to conduct a study into the Shire's current and future community facilities and public open space needs. The information gathered in the study will hopefully guide Council in prioritising works and projects on community land and community strategic planning. The draft **Community Facilities and Public Open Space Study** is on public exhibition for consultation till 29 January 2015 and can be viewed on council's website.

Council has received an enquiry from the company upgrading the Pacific Highway between Warrell Creek and Nambucca Heads, wanting to use **Kingsworth Reserve Lake water for compaction of material and dust suppression** during construction. It is imagined that the amount of water required would be significant indeed. The company also inquired about waste water from Council's Macksville Sewerage Treatment Plant, which I would consider a more environmentally responsible source of water. In meantime a landholder adjacent to the lake has claimed they have legal right to a % of the lake's water and would oppose it being used on the highway. Council is awaiting legal proof of the neighbour's apparent water access right.

Council's **Donation Program and Environment Levy Gant Program for 2015/16** is now open for applications up until 26 March 2015 giving community groups plenty of time to prepare applications. For more information go to www.nambucca.nsw.gov.au

State Government briefly exhibited its draft **Flying-Fox Camp Management Policy 2014** in November claiming it to be a new strategy to minimise the impacts of flying-fox camps surrounding populated areas. Council made a submission seeking a commitment of funding from the Office of Environment and Heritage towards preparation of the required camp management plan for the Gorden Park

Bellingen Local Government Area has top waste diversion rate in NSW

In the just released Waste and Resource Recovery Data Report for 2012/13 from the NSW Environment and Protection Authority, Bellingen Local Government Area has achieved the highest waste diversion rate in the state at 80.1%, followed closely by Coffs Harbour at 74.3% and Nambucca Shire came in at 63.6%. - *Our Living Coast*

Low Waste Festive Season

The One Million Women campaign have identified that throughout November to January, rubbish volumes in Australia rise by 30%. The average Australian is buying 16 gifts during this time and spending around \$475 in the process. Most of the items we buy will be packed in unnecessary amounts of plastic, cardboard and foam, held in place with plastic or metal ties. If we reduce our holiday landfill by just 1 kilogram per person, we can make a real difference. Imagine if a million people did that, we could save approximately 10 billion litres of water waste (that's 4000 Olympic swimming pools), prevent 8 million kgs of carbon dioxide pollution (growing a forest of approx. 45,000 trees) and we would collectively save millions of dollars! - *Our Living Coast*

Give a gift that never stops giving

If you're looking for a meaningful gift for the nature-

Flying Fox camp. The draft can still be viewed at <http://www.environment.nsw.gov.au/resources/threatenedspecies/14807ffcmpol.pdf>

Missabotti residents are extremely concerned about a proposed **30 bay shooting range** (DA 2014/158) at Moran's Rd. Council has received many submissions so far and I successfully moved to call the DA in to be determined at an ordinary council Meeting (rather than by staff under delegation) given the high level of public interest and controversial nature of the proposal. Councillors will also undertake a site inspection. Council's planning staff are awaiting a significant amount of additional information which has been requested from the proponents.

Valla Quarry (Quarry Solutions Pty Ltd) has lodged a Class 1 application in the Land and Environment Court seeking to increase the recent NSC approved annual extraction limit from 79,500m³ to 110,000m³ per annum, a **120% increase to the originally approved annual extraction amount**. The appeal will cost Council ie ratepayers, at least \$13,000 and could be as high as \$38,000 in legal expenses. Council is challenging the application, believing there is insufficient information in relation to the increased use of the rock drill to make a determination as to whether or not the modification application is 'substantially the same development' and hence qualify to be considered a 'modification' rather than a new development application. Local residents are opposing the application claiming the radical increase in quarry activity and road truck movement will have a profound negative impact on them and local roads.

- Opinions expressed are those of Cr Paula Flack and not those of Nambucca Shire Council

Productivity Commission Recommends Restoration of EDO Funding

The Productivity Commission recommended the Federal Government reverse last year's decision to remove all funding to the Environmental Defenders Offices (EDOs), a national network of community legal centres specialising in public interest environmental law.

The Commission report on Access to Justice Arrangements (p711-13), says: "The Commission considers that there are strong grounds for the legal assistance sector to receive funding to undertake strategic advocacy, law reform and public interest litigation including in relation to environmental matters.

"Irrespective of the Australian Government's ultimate position on whether strategic advocacy and law reform should attract government funding, the Commission considers that some restoration of funding is appropriate."

Federal Attorney-General George Brandis announced the end of all federal funding to EDOs on 17 December last year, without warning or prior consultation. This amounts to \$10 million over four years for EDOs in all States and Territories.

"The Commission's findings echo the arguments we would have put to the Federal Attorney if we had been given the opportunity to do so. It beggars belief that the Attorney didn't wait for the results of this inquiry or consult with us before deciding to cut all funding to EDOs," said EDO NSW Executive Director Jeff Smith.

"Without EDOs the majority of Australians would be unable to afford to take legal action to protect the environment, clean air and water.

"We urge the Attorney-General to now follow the Commission's recommendations and restore Federal funding to EDOs."

The Commission noted: "The rationales for government support for environmental matters are well recognised. The impact of activities or actions that cause environmental harm typically extend beyond a single

lover in your life, how about one that offers refuge to some of our most vulnerable wildlife? That's what you'll be giving when you buy a *Healthy habitats* gift.

For just \$20 you can help Bush Heritage manage the condition of our reserve land to provide endangered Australian animals, like the northern quoll, with a safe and healthy habitat - from building fences to keep out feral predators, and performing planned burns to reduce the impact of wild fires.

Or perhaps you prefer the idea of helping to buy land for conservation, or saving beautiful rare native flowers? Whichever WILDgift you choose, you'll receive a beautiful card describing the meaningful contribution you've made, on your friend or loved one's behalf, to protecting our unique native heritage. Just add your own personal message, and your gift is complete.

Visit www.wildgifts.org.au today to view the full range of gifts ideas. Both e-card and printed cards are available, and all gifts are tax-deductible. If ordering print cards for Christmas, be sure to place your order by no later than Monday, 15 December to receive them in time. If you miss the postal deadline, e-cards make a quick and easy, eco-friendly alternative!

- Bush Heritage Australia

Kiama council requests freeze on 10/50 clearing laws

Kiama Municipal Council has called for a freeze on the controversial 10/50 clearing regulations as an urgent review takes place.

However, Kiama MP Gareth Ward has warned against "throwing the baby out with the bath water" in regards to the Rural Fire Service's new policy as the weather warms and dry conditions make for a potentially hazardous bushfire season.

"Clearly the policy is being used in some ways that it was not designed for but we are doing a statutory review to ensure the bolts are tightened," Mr Ward said.

In its submission to the 10/50 Vegetation Clearing Regulation Review, Kiama council said the policy

individual to the broader community. For example, inappropriate developments by governments or the private sector that reduce air quality, water quality or the amenity of an area can impose costs on all residents in that area. Costs might include poor health outcomes or decreased land values”.

EDOs provide legal advice to thousands of individuals and community groups each year. They have run landmark court cases against new coal mines, pollution of rivers by power stations and over development in residential areas. EDOs also do high level policy and law reform work at both the State and Federal level. - www.edo.nsw.org.au

Stop Cable Logging on Steep Slopes in NSW Public Forests

Unbelievably, right now, the NSW Government and Forestry Corporation are pushing to begin cable logging of steep slopes. Areas that are hard to get to and play a vital role in holding our catchments together are now under immediate threat. They have a 'trial area' in the Nambucca, Bellinger, Orara, Macleay and Coffs Harbour catchments.

North East Forest Alliance (NEFA), North Coast Environment Council (NCEC) and the Bellingen Environment Centre (BEC) are organising a campaign to stop them.

This joint project will be the making of a short film to use as a campaign tool to build community awareness and opposition to the Government's plan. Because the areas being targeted are steep and remote a small remotely operated drone will be used to film the slopes and gullies.

The intensity of logging in the first area to be subject to cable logging can be seen at <https://rainforestconnections.org/projects/StopCableLogging>

The filming and production of the film clip will be co-ordinated by Jimmy Malecki. Originally from Seattle whose passion for forests and the environment goes back to the early 80's in the Pacific Northwest in forest campaigns to save Old Growth and designation for the Olympic Coastal Marine Sanctuary protecting over 3,000 square miles of marine habitat.

Jimmy was primary freelance photographer for MTV's reality show 'The Real World' for three seasons. He has experience in film, TV and stills photography as well as behind the scenes footage for many ABC series' and an Aussie feature film. Jimmy also did the stills and behind the scenes footage for ABC for Kids Australia's getgrubbytv launching on World Soil Day, December 5th, 2014.

You can help by putting a few dollars towards getting this campaign off the ground by going to <https://rainforestconnections.org/projects/StopCableLogging>.

Your tax deductible donation will go towards the filming of steep slope forests the Government plans to cable log - a drone will be used to film the streams and lush moist gully habitat that will be damaged by the logging. We will then develop a campaign website to increase community awareness and provide further opportunities for people to get involved.

- www.nefa.org.au

Red Gums under threat from NSW logging companies

Forestry interests in Australia are calling for the logging of red gum trees in national parks.

The New South Wales Forest Industries Taskforce is backing calls for selective logging on a commercial basis. Logging supporters argue that selective logging improves forest health.

However, their claims are based on limited scientific evidence while disregarding the evidence that increased water availability will have more benefit for forest health than thinning trees.

had resulted in a number of “unintended consequences”, including tree removal in urban and coastal areas in the municipality that “on any objective assessment should have a low bushfire risk rating”.

The council wants the 10/50 clearing entitlement suspended during the review process to allow for “clear inconsistencies and potential conflicts” to be considered and dealt with by the review.

“There is practically no protection for threatened species and endangered ecological communities under the 10/50 Regulation,” Kiama council's acting general manager Bryan Whittaker wrote in the submission.

The way the regulation entitlement is being used is creating conflict between parties and council is being expected to deal with the dispute, Mr Whittaker said. - *Illawarra Mercury*

Changes to areas covered by the rule

The 10/50 Vegetation Clearing Scheme was introduced following the devastating 2013 bush fires in which more than 200 properties were destroyed.

The NSW Rural Fire Service (NSW RFS), in partnership with the Department of Planning and Environment, has commenced a formal review of the 10/50 Vegetation Clearing Scheme. It is clear from some submissions and feedback that while the scheme is designed to reduce bush fire risk, there has been some abuse of the fuel reduction provisions for other purposes.

While the review is underway, the entitlement area will be reduced. It will be reduced to 100 metres for Category 1 and 30 metres for Category 2 vegetation. The previous area was 350 metres and 150 metres respectively.

To work out if you're covered by the eligible area is checking the online tool at www.rfs.nsw.gov.au/plan-and-prepare/1050-vegetation-clearing-tool The tool contains the latest information on areas covered by the rule.

Furthermore, red gums provide habitat for many threatened and endangered native species – and should be protected to help ensure their survival.

In addition, the call for logging of red gums is being spearheaded by a logging lobby group that wants to remove control of selective “ecological” logging from the National Parks services.

The lobby group wants selective logging handed over to logging companies so red gums can be cut down in commercial quantities.

Red gum trees need to be protected for forest health as well as for the habitat needs of native animals and birds. Moreover, management of red gums should not be handed over to those who will benefit financially from their harvesting.

To help save these majestic trees you can sign a petition at www.actionalerts@care2.com - www.care2.com

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### Remembering Enid Wilson

Enid Wilson worked for and cared about the environment in Victoria where she lived before moving to Valla Beach in 1998, and later Nambucca Heads, with her husband, Jack Wilson.

Enid joined the NVCA in February 1999 and became a committee member in 2000, from February 2001 to 2005 Enid was Secretary/ Minutes Recorder and having been a ‘real’ secretary during her working life, she recorded the minutes of NVCA meetings in shorthand. Though in failing health for many years Enid was always cheerful, up to date and wanting to know the latest environmental news concerning our region. Enid passed away on Good Friday, this year. She was very frail when she attended our AGM in February but insisted on being there even though she and her husband Jack were only able to stay for a short time.

Jack passed away on July 30<sup>th</sup>, going downhill after Enid’s passing.

Thanks go to Enid for her contribution, her caring, her strength of character, her commitment and good cheer as she helped and supported NVCA to do what we could to conserve the natural world we love. - Wendy and Lyn

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The next NVCA meeting to be held on SUNDAY, 1ST FEBRUARY at 10.30am will be the NVCA’s ANNUAL GENERAL MEETING and the venue will be Stuart Island. Following the AGM will be a brief general meeting then a picnic lunch. Bring a chair or cushion, a hat and lunch to share. For more information: email nvca@nvca.org.au All members are welcome to attend.



Wishing all NVCA Members and their Families a very enjoyable Christmas and a safe and healthy New Year.

Abbott shirt-fronted by climate change reality

That’s just one of thousands of embarrassing headlines for the Abbott Government to come out of the G20, as Barack Obama talked about climate change and threats to the Great Barrier Reef in Brisbane on Saturday.

Mr Abbott had deliberately instructed that climate change be kept off the agenda. US President Obama refused, instead praising the wonder of the Reef and expressing his concern for its future by stating: *“The incredible natural glory of the Great Barrier Reef is threatened... I want my daughters to be able to bring their daughters or sons to visit and I want that there 50 years from now.”*

It was such an embarrassing indictment on the world stage that the Queensland Premier Campbell Newman has tried to personally reassure Obama that his government is “really solid on Reef protection”. Seriously???

- Greenpeace, Australia Pacific

Macksville Producers Market on the Riverbank

From 8:30 am -12:30 pm - every second and fourth Saturday of the month, on the riverbank at Macksville.

Locally grown and homemade coffee, honey, fruit and vegetables, seedlings, herbs, plants, fresh cut native flowers, jams and chutney, hand-made soaps, scented candles, soy wax melts, handmade jewellery, statues, giftware and more. Wood fired pizza made on site. All profits from site fees go to the Macksville and Bowraville United Hospital Auxiliaries and Nambucca Valley Cancer Support Group. See their website for a very handy guide to what's in season in the region! - www.macksvilleproducersmarket.com.au

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