

| <b>No.</b> | <b>Summary of Submission</b>  | <b>Comment</b>   | <b>Suggested Response/Document Edits</b> |
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| 1.         | The drains leading into Cudgen Lake are blocked with fallen trees, flood debris and overgrown with weeds. This creates flooding issues on our property.   | This is a flooding issue for private landholders and is outside the scope of this CZMP which is focussed on improving the health of the estuaries and managing risks to public and community assets. | Noted - no changes proposed              |
|            | Land on the western side of the inlet to Cudgen Lake was recently rezoned SEPP14, and Cudgen Lake was made a nature reserve. Restriction associated with the rezoning means that any drainage works needed to clear the fallen vegetation from the drain and clear weeds from the drain itself is not possible. | Approval to conduct drainage maintenance works would need to be obtained by the proponent for the works from relevant government agencies.   | Noted - no changes proposed              |
|            | Since these restrictions we have had fires through these areas and more will come, thus making the problem ongoing and getting worse each time.   | noted  | Noted - no changes proposed              |

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|     | <p>We would like to see the cleaning of this drainage system to allow water sitting on our land to flow through the estuary system before it becomes stagnate and kills our grass.</p>  | <p>Prolonged inundation of the floodplain following flooding can cause the decay of underlying vegetation and decomposition of organic matter. The decomposition process can strip oxygen out of floodwater, in worst cases creating 'blackwater' with very little or no oxygen. When this blackwater eventually moves down in to the estuary it can cause environmental impacts (and is therefore a relevant issue to the CZMP). This phenomenon has been attributed to major fish kills in the Richmond River, however it has not been identified as a specific issue at this location in Cudgen Creek to date. Review of the data collected by the long-term TSC water quality monitoring program shows that dissolved oxygen levels for Cudgen Creek below Cudgen Lake were within limits for healthy aquatic ecosystems and there is no indication of blackwater events.</p> | <p>Noted – add a brief discussion of the potential processes for blackwater formation and associated impacts in Section 2.2.7 Agriculture. Note in Strategy 1: Monitoring, Evaluation and review that sample sites should be established in Cudgen Lake (and potentially upstream of the lake) to keep track of DO and potential blackwater events.</p> |
|     | <p>There is a current 'Existing Use' by Cudgen Drainage Union that could be used to maintain the drains. Surely this has to be a consideration when making a coastal zone management plan for the Cudgen Creek Estuary system.</p>                        | <p>This is a flooding issue for private landholders and is considered to be outside the scope of this CZMP. Approval to conduct draining maintenance works would need to be obtained by the proponent for the works from relevant government agencies.</p>  | <p>Noted - no changes proposed</p>  |
|     | <p>Round Mountain Road and Clothiers Creek Road have water staying on them for longer periods of time, making getting to medical appointments, delivering cattle to saleyards and the general use of these roads unviable during periods of flooding.</p> | <p>Flood response plans are managed by the SES. The Tweed-Byron Coastal Creeks Flood Study (BMT WBM, 2009) provides further information on flooding in the Cudgen Creek catchment.</p>  | <p>Noted - no changes proposed</p>  |

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|     | <p>We would have liked to have seen the consultants before this draft plan was made. They could have had our personal view of how the current health of the estuary system affects us. The farmers upstream, affected by the ability of the Cudgen Creek Estuary system to drain excess water, surely have a legitimate claim to have their concerns heard.</p>            | <p>The current scope of works did not include additional liaison by consultants with the community in initial phases of the project. Tweed Council conducted a number of consultation activities including face to face information sessions at market stalls and information stalls, community notifications through Tweed Link articles and fact sheets, etc. with contact details for the community to have input to the plan. Concerns are related to flooding of private land are outside the scope of the CZMP and should be directed to relevant government departments.</p> | <p>Noted - no changes proposed</p>   |
| 2.  | <p>Past sand mining activities (circa 1959) have caused drastic changes to Cudgen Creek's environment and hydraulic movements that resulted in a once extensive sand based fish and prawn breeding estuary becoming shallow mud flat system. Sand mining activities filled in 75% of Cudgen Creeks tidal flow capacity to create a so-called 'temporary' short bridge.</p> | <p>Agree that historical sand mining activities would have had dramatic impacts on the natural creek systems.</p>   | <p>Noted – add brief description of past sand mining activities within the creeks to Section 1.2 Study Area.</p> |

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|     | <p>The 2004-2008 Estuary Management Plan included a priority action of: “When the bridge is replaced, ensure the design of the bridge allows improved flood/tidal water flow”. The bridge was replaced by another bridge of the same length in 2007/2008. The main feature of this bridge plan was the inclusion of a ‘rock pitching scour protection’ to be set at predetermined positions from each end of the bridge and buried into this ‘erodible sandy bottom’. However the placement of these structures created an increase in tidal turbulence resulting in the ‘scour protections’ collapsing to cover the once erodible sandy bottom. This reduction in the flow areas in turn restricted any further deepening to compensate for the reduced flow area with implications for up-stream flood-heights. That is this plan was flawed and this bridge could not be constructed in accordance with its planned specifications.</p> <p>The reality now is there is mounting evidence, covered in the accompanying DVD, to show the latest changes made to this estuary now impinge on the amenity of Kingscliff Beach. Consequently what are the strategies that preserve the amenity of both Cudgen Creek and Kingscliff Beach?</p> | <p>There is a long history of Council investigations and liaison with regard to this matter. The current bridge design is considered adequate and there are no plans to modify the bridge in the foreseeable future.</p>   | <p>Noted - no changes proposed</p> |
| 3.  | <p>General agreement with the concepts and management plans for the CZMP. Note our response is confined to the Cudgen Creek area.</p>   | <p>noted</p>   | <p>Noted - no changes proposed</p> |
|     | <p>We strongly support:</p> <ul style="list-style-type: none"> <li>a) All efforts to prevent the soil from the Cudgen plateau from entering the creek;</li> <li>b) The removal of rubbish and weed species;</li> <li>c) The protection of the seagrass in Cudgen Creek;</li> <li>d) The continued monitoring of water quality.</li> </ul>   | <p>Strategies and actions in the CZMP that address these items are as follows:</p> <ul style="list-style-type: none"> <li>a) Strategy 5: Riparian Vegetation and Strategy 8: Agricultural land;</li> <li>b) Strategy 5: Riparian Vegetation</li> <li>c) Strategy 2: Estuary Habitat</li> <li>d) Strategy 1: Monitoring, Evaluation and Review</li> </ul> | <p>Noted - no changes proposed</p> |

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|     | <p>Some members raised concerns about the conflict between users of the boat ramp (at Southern end of Marine Parade) and the swimmers. Our association agreed that the boat users had the right to the boat ramp and perhaps a larger sign indicating that right could help overcome the problem.</p> | <p>The issue of safety risks due to power boats and swimming safety is dealt with in Strategy 13: Recreational Use, Action 13a: Support and promote safe and ecologically sustainable recreational use.</p>  | <p>Noted – include mention of specific concerns at the boat ramp to Section 3.2.3. Consider use of signage.</p>   |
| 4.  | <p>The budget needs to accommodate the engagement of more officers to better manage [shorebird] policy and strategies eg. enforce and where necessary fine offenders. Don't just erect more signage.</p>  | <p>Strategy 4: Shorebirds, Action 4b: 'Management of dogs within vicinity of shorebird habitat at Cudgera Creek mouth', includes TSC Ranger conducting extra patrols of the area to enforce rules and issue warnings/fines where appropriate. No additional funding was proposed as part of this action in the Draft CZMP as it was considered within the existing role of TSC Rangers.</p>                    | <p>Add text to emphasise the importance of ranger patrols to enforce exclusion areas and provide information about changes. Allocating specific hours and funding for a ranger to do this is considered to be too prescriptive for the CZMP and this will need to be worked out by relevant Council departments and staff at implementation stage.</p> <p>Also make note of the general increasing demand for enforcement with increasing population.</p> |
|     | <p>There needs to be the capacity to respond to future initiatives that could negatively impact on the plan eg. possible parking meters at Ambrose Park Pottsville will prompt car owners to park elsewhere on fragile estuary banks eg. opposite Hampton Court.</p>                                  | <p>It is the role of the local and state planning and assessment system (not this CZMP) to consider the impacts of development on environmental, social and economic values. Through this process, any proposals with potential for impacts on the Tweed Coastal Creeks need to consider the provisions of any coastal, estuary or river plan of management in force that applies to land in the vicinity.</p> | <p>Noted – add further text to Appendix 1: Planning Context to better describe the relationship between CZMP and planning approvals process.</p>  |

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|     | The impact of the to be developed road (Charles St) into the proposed Catholic School at Pottsville (late 2013) will have on the viability and accessibility of the nearby boat ramp.   | As above   | As above                                |
|     | <p>The silting up of Mooball Creek over the last few years needs addressing.</p> <p>TA&gt;no specific study to investigate sand accretion in Mooball Creek, though issues probably similar to Cudgen. It could be worth addressing the potential calls for dredging and sate that the creek should not be dredged.</p>                                      | Discussion of boating navigation issues due to sand build up is discussed in Section 3.2.1. Options for dredging have been assessed by TSC in the past as having high cost and limited benefit (short term solution only) and is therefore not considered to be a viable strategy for the creeks. Strategy 13, Action 13a includes tasks to provide warnings about navigability and safety issues.   | Noted-no changes proposed               |
| 5.  | I think it is fantastic that the protection of shorebirds has been incorporated into the plan (Strategy 4)  | noted  | Noted-no changes proposed               |
|     | Action 4A: How do you propose to measure impacts on shorebirds? What sort of mechanism will you have to collect and store information on birds using the coastal zone? Are you exclusively relying on data submitted by the birding community and state databases?  | Action 4a recommends follow up monitoring of shorebirds following baseline monitoring conducted by the recent <i>Shorebirds of Northern New South Wales</i> (DECCW, 2010c). >TA - Check on TSC commitment to do this - what cost and funding source. The initial study compiled background information to form a baseline of shorebird populations. Future surveys will assist in tracking the health of communities and help to assess the success of management effort. Other data made available by Tweed Bird Observers can also be utilised to provide further information. | Noted-no changes proposed               |
|     | Action 4B: How to you propose to manage the dog issue at Cudgera Creek/Hastings Point (especially the northern side of the creek mouth on the sand spit). What level of enforcement by rangers is proposed for these areas? Will additional budget be allocated for ranger patrols on weekends when recreational activity in the estuary is at its highest? | Action 4b recommends designation of dog exclusion areas, advertising of exclusion areas, signage, and enforcement by TSC Ranger (extra patrols, warnings fines etc.). See discussion at submission no. 4 regarding proposed changes to CZMP for funding of TSC Ranger patrols.   | As discussed for submission no.4 above. |

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|     | <p>In my experience, erecting signage will not solve the dog issues alone. There must be a presence of authority through subsequent regulatory patrols and the issuance of infringement notices/fines for non-compliance. Word will travel fast in the dog-owner community.</p>   | <p>Agree, As above</p>   | <p>As above</p>  |
|     | <p>Action 4 is listed as a Medium priority. This is a concern given that breeding pairs (with evidence of chicks Nov 2011) of the critically endangered Beach Stone-curlew and the endangered Pied Oystercatcher are using the Cudgera Creek estuary at present. Adult Beach Stone-curlews were spotted this week (25-26 Feb) by Tanya Fountain (TSC) at Hastings Point and a pair of Pied Oystercatchers recorded by myself on 26/02/2013.</p> | <p>The process for prioritising actions is spelled out in Section 6.2 and the scoring system is provided in Appendix 8. The process involved a standard process for scoring all actions against environmental, social and economic factors to give comparative priorities. The main reason that the Shorebird Strategy scored a 'medium' priority was due to the fact that the benefits of the action, while of high importance in their own right, didn't have far reaching benefits for the overall health of the estuary (eg. compared to ASS/agriculture and riparian actions which are expected to have positive benefits to water quality, habitat value, aquatic ecosystem health etc.)</p> | <p>In light of the number of submissions requesting a higher priority for the shorebird actions, we recommend adjusting the 'community support' scoring to reflect this, which would likely result in a high priority for shorebird actions.</p> |

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|     | <p>Finally, has there been any consideration for other birds regularly using these estuaries? Important raptors that use these estuaries such as Brahminy Kites, Ospreys, White-bellied Sea Eagles, and Whistling Kites. It would be useful to identify the conflict between these birds and recreational fishing that occurs within these estuaries. Recently, there have been issues on the Gold Coast where raptors are getting tangled in fishing line left at bridges where fishing activities take place (refer <a href="http://www.goldcoast.com.au/article/2013/02/12/447112_gold-coast-news.html">http://www.goldcoast.com.au/article/2013/02/12/447112_gold-coast-news.html</a>). Hastings Point bridge is an example of a popular fishing location with evidence of fishing line hanging on the bridge and wires which proposes a risk to the seabirds in the area.</p> | <p>Relates directly to the TBO submission below (refer to suggested changes to add further information to the CZMP)</p> | <p>As discussed in Submission no.6 below, this information could be included in section “Shorebirds and Coastal Raptors” (modify the shorebirds section)</p>  |
| 6.  | <p>TBO would like to thank Tweed Shire Council (TSC) for including shorebirds as a key pressure/issue in this plan (2.2.3 Shorebirds p 38). We support Council’s acknowledgement of the threats and pressures (P6 and P7) and the actions (Action 4a and 4b) to be undertaken.</p>   | <p>noted</p>  | <p>Noted-no changes proposed</p>  |
|     | <p>Page 38 Last Paragraph: This paragraph discusses the bird species observed in Cudgen Creek in 2003 and references them in Table 2. Please note the caption of Table 2 identifies these birds as being observed at Cudgera Creek. We would like the plan to acknowledge that many of the birds are observed in all three estuaries and suggest adding a column to Table 2 to reference the estuaries in which they have been observed.</p>   | <p>noted</p>  | <p>Add text to acknowledge that many of the birds are observed in all three estuaries and modify Table 2 as per information provided by TBO (including referencing TBO as source of information).</p> |



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|     | <p>We also recommend that the following birds which have been sighted in Cudgera Creek estuary be added to Table 2 pg 39. An email from Michael Banks to Tanya Fountain dated 14/11/2012 included pictures documenting some of the species sighted and have been added to the NSW Wildlife Atlas. Others species in all estuaries were sighted by experienced members of the TBO shorebird survey team. (table provided)</p>  | noted   | Modify Table 2 as per information provided by TBO (including referencing TBO as source of information). |
|     | Pg 40: We add our support to the concern raised in P7.  | noted   | Noted-no changes proposed   |
|     | Add a concern (P#): Specific concerns have been raised by local bird enthusiasts that shorebird's use of Cudgen and Mooball Creeks for breeding and foraging are not well understood and may well be important.   | noted   | Add P8 as detailed.   |
|     | <p>Pg 40: Status of Existing Management in the TC Estuaries. Add a bullet speaking to on-going projects of TSC and TBO</p> <ul style="list-style-type: none"> <li>▪ Complete and implement guidelines for the management of beach-nesting birds on Tweed Coast public lands (joint project TBO and TSC funded by BirdLife Australia)</li> </ul> <p>TSC staff of the Natural Resource Management Unit (Tanya Fountain) have copies of the grant application and supporting letter from TSC concerning the commitment to implement their guidelines</p> | noted   | Add bullet point as detailed.   |

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|     | <p>Pg 40: Status of Existing Management in the TC Estuaries. The following bullet does not accurately describe ongoing work by TSC in wild dog and fox pest management on council lands of the Tweed Coast. Please contact the NRM Unit for details (Pamela Gray). Please continue that correction to descriptions on page 41 <i>Recommendations for Management</i> and page 95 <i>Descriptions of Tasks</i>.</p> <ul style="list-style-type: none"> <li>▪ Management carries out as part of the NSW <i>Fox Threat Abatement Plan</i> (DECC, 2010) including fox baiting in National Parks Estate;</li> </ul> | noted   | Remove all reference to fox baiting programs in Tweed. |
|     | <p>Pg 41 Recommendations for Management: Please add:</p> <ul style="list-style-type: none"> <li>a. Continue implementation of protocol to manage and protect beach-nesting birds on TSC public lands.</li> </ul> <p>Continue to enforce the Companion Animals Act 1988 through issuing infringement notices and supplying pamphlets on “responsible dog and cat ownership</p>   | noted   | Add recommendation as detailed.                        |

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|           | <p>TBO recently requested in writing (Letter to TSC dated 29/11/2012) that Council rangers be proactive in enforcing the use of off-leash areas only for off-leash dogs by issuing infringements notices to dog owners using Kingscliff beach and Jack Bayliss Park for off-leash exercise. It is understood that Council may prefer its staff to use an educational approach first, but as the requirements of responsible dog ownership have been available and publicised for some years now, it is considered that the time for education is past and that the issuing of infringement notices is now required to achieve the protection of native species vulnerable to loose dogs. Other areas with consistent non-compliance of on-leash use and where native birds are at risk include the Cudgen and Cudgera Creek estuaries.</p> | <p>noted</p> | <p>As discussed for submission no.4 above, allow additional funding for TSC Ranger enforcement.</p>  |
|           | <p>TBO also requested that Council prepare maps and improve resources for dog owners to better understand the status of Tweed parks and coastline. Maps are needed in the “Responsible Dog and Cat Ownership Information sheet” and on the Council website. TBO recommends that a new brochure be developed to include maps showing areas allowing off-leash dog exercise and areas where dogs are prohibited. Maps and signage are especially important for parks and beaches where mixed usages exist.</p>   | <p>Agree</p> | <p>Add recommendation to Action 4a for the production of maps clearly showing off-leash areas and areas where dogs are prohibited available to the public (TSC website, hard copies at TSC Offices etc.)</p> |
| <p>7.</p> | <p>Pg. 94: Remove reference to Table 8. as “Summary of Acid Sulfate Soil actions”</p>  | <p>noted</p> | <p>Correct typo</p>  |

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|     | <p>Pg. 95: Action 41: Description of Tasks: Please add bullets for the following on-going and recommended tasks.</p> <p style="padding-left: 40px;">a. Guidelines for the management of beach-nesting birds on Tweed Coast public lands.</p> <p>Detailed maps of dog use areas on the Tweed Coast should be developed and made available in brochures and on the TSC web page.</p>   | noted   | Add tasks as detailed and discussed above  |
|     | <p>Pg. 96: Action 4b: TBO very much supports this action. Cudgera Creek is the last untrained estuary on the Tweed Coast. It supports the greatest average summer population of shorebirds and average number of summer species. It is an important breeding location.</p>   | noted   | Noted-no changes proposed  |
|     | <p>As top-order predators coastal raptors can be excellent indicators of the health of coastal estuaries.</p> <p>Coastal raptors are an important component of our coastal ecosystems. They are a high value natural amenity, enjoyed by residents and tourists, bird enthusiast and photographers. They represent a high conservation value.</p> <p>Of particular concern in the context of this plan are the Eastern Osprey <i>Pandion cristatus</i>, and the White-bellied Sea-Eagle <i>Haliaeetus leucogaster</i>.</p> | <p>A large amount of new information has been provided by the TBO submission.</p> <p>We agree that coastal raptors are iconic species for the estuaries and as higher order consumers, they can be used as indicators of overall ecosystem health. However, this was not the scope of the Baseline Ecosystem Health Assessment and they were not used in this way.</p> <p>However, we feel the inclusion of Coastal Raptors in the CZMP would add to the plan as a whole and there is clearly a community expectation for inclusion.</p> <p>*Note that dealing with the new info at this stage in the project will take additional time to finalise the CZMP. We may need to request a variation to cover costs if time exceeds what we have allowed for this component. We will keep track of this and</p> | <p>One approach would be to convert the existing “Shorebirds” section to “Shorebirds and Coastal Raptors” or similar. We might also have to add a “Nature appreciation and bird watching” section under the community uses section. This would encompass things like general aesthetics, potential conflict of use (quiet bird watching vs jet skis, dangers of litter and fishing line waste to birds etc.)</p> <p>We would need to review the information provided, discuss the use of TBO information</p> |

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|     |   | discuss with Council as required.  | with TSC and TBO and seek consent for the inclusion of information as required. We would also need to conduct some independent research for the CZMP.  |
|     | <p>TBO recommends that the following be included in the Coastal Zone Management Plan:</p> <p>1.“Reduction of habitat and human disturbance to breeding coastal raptors due to coastal development” is added to the CZMP as an additional Estuary Health Pressure (2.2.1 P.3).</p> <p>2.Development planning within the coastal zone incorporate suitable buffer zones to protect coastal raptor nests and habitat, particularly potential nest trees, from destruction and human disturbance</p> <p>3.Additional measures to ensure protection of coastal raptors and other wildlife from the detrimental effects of enhanced recreational, social, and economic use of resources such as recreational fishing (as stated in Primary Management Objective 05). These would include:</p> <ul style="list-style-type: none"> <li>• Public education on responsible behaviour and the impacts of personal behaviour.</li> <li>• Establishment of sites off-limits to recreational fishing such as bridges and places where casting is likely to entangle lines and hooks in trees.</li> <li>• Increased accountability for irresponsible fishing practices such as enforcement of penalties for non-compliance, and increased powers of enforcement for council rangers</li> </ul> | <p>Noted</p> <ol style="list-style-type: none"> <li>1. Would need to reword and remove ‘reduction’ to be a pressure</li> <li>2. We can discuss this issue, but probably would not stipulate any specific buffer widths in the CZMP. This would require detailed research and investigation by specialist ecologists. Also, this would be a matter to be considered by a SIS under the Threatened Species for developments.</li> <li>3. – could include in new Action 4c <ul style="list-style-type: none"> <li>- Not sure about this recommendation for the CZMP – more of a DPI Fisheries action</li> <li>- Fisheries</li> <li>- Could be included in Action 4c</li> </ul> </li> <li>4. Could be included in Action 4c</li> </ol> | <p>As above, and:</p> <p>Convert the existing “Strategy 4: Shorebirds” s to “Strategy 4: Shorebirds and Coastal Raptors”</p> <p>Also add Action 4c: On-going protection of coastal raptors and their habitat in the study area.</p> <p>This action can include recommendations for Coastal Raptors (as discussed in comment column).</p> |

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|     | <ul style="list-style-type: none"> <li>Council support for the introduction of biodegradable bait bags and fishing gear within Tweed shire.</li> </ul> <p>4. TSC commence a data base on the location of existing and abandoned White-bellied Sea-Eagle nests similar to that maintained for the Eastern Osprey.</p>   |   |   |
|     | Further background information on Coastal Raptors including local data and threats provided in submission  | noted   | Info to be reviewed and would seek to use observation and evidence information in CZMP.   |
|     | <p>Recreational Fishing</p> <p>The draft Coastal Zone Management plan states the Primary Management Objective 05 is – “To promote ecologically sustainable development and use of resources” with local objectives being to: “Enhance recreational amenity, Preserve community uses (fishing, swimming, surfing, beach, estuary and foreshore use, etc.), Enhance social benefits (employment, sense of place, community), • Promote economic benefits for the community (tourism dollars, land value, etc.)”</p> <p>Yet there is no mention of:</p> <ul style="list-style-type: none"> <li>•The negative and ecologically unsustainable impact on wildlife (including threatened species) of recreational fishing (entanglement in discarded line, ingestion of tackle and plastic bait bags, etc).</li> <li>•The need for enforceable restrictions on fishing in certain places and penalties for careless fishing practices.</li> <li>•The need for increased public education programs.</li> </ul> | This Section (3.2.2) is about the values of recreational fishing and impacts on those values. We agree that further information on the potential impacts of recreational fishing should be included in the CZMP. This could be mentioned briefly in the recreational fishing section and in more detail as an issue in the new Shorebirds and Coastal Raptors Section. TBO has provided a number of examples of negative impacts in the local area which can be used to support this. | <p>Add further information on the potential impacts of recreational fishing in Section 3.2.2. and refer to Shorebirds and Coastal Raptors Section.</p> <p>Add as an issue in the revised Shorebirds and Coastal Raptors Section.</p> <p>Add tasks to Action 4c and Education Strategy regarding recreational fishing.</p> |

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|           | <p>Fishing line entanglement and tackle ingestion is a serious threat to adult Ospreys, fledglings and nestlings, water birds, and other wildlife. Current efforts to reduce the impact of lost and discarded fishing line and tackle have failed to reduce its impact on Ospreys and other wildlife. Signage is not enough.</p>  | <p>Noted- as above</p>  | <p>Noted- as above</p>   |
|           | <p>Tweed Bird Observers requests that TSC incorporate this serious problem into the Coastal Zone Management Plan requirements as:</p> <ul style="list-style-type: none"> <li>•Increased education programs incorporating fishing clubs, bait and tackle shops, tourist information outlets, accommodation venues, schools etc.</li> <li>•Increased accountability for irresponsible fishing practices.</li> <li>•Make certain sites off-limits to recreational fishing, for example from bridges.</li> <li>•Enforcement of penalties for non-compliance.</li> </ul> | <p>Noted- as above</p>  | <p>Add as appropriate to Action 4c: On-going protection of coastal raptors and their habitat in the study area. and Education Strategy</p>     |
|           | <p>TBO appreciates the opportunity to contribute to public discussion into the draft CZMP, and is available to discuss further with you any of the issues raised in this submission. We hope our recommended actions are incorporated. Key issues supported by recommended actions even if TSC is not able to fund them helps other groups seek external funding in support of this plan.</p>   | <p>noted</p>  |  |
| <p>7.</p> | <p>Threatened fauna not mentioned. – turtles, osprey etc.</p>   | <p>The CZMP does not list all threatened species known to inhabit the study area. The Atlas of NSW Wildlife (OEH) now offers a means to search and map records of flora and fauna sightings. A summary of threatened species for the study area would add further detail to Section 1.2. The Study Area: Key Features and Values.</p> | <p>Include a summary of threatened fauna from the Atlas of NSW Wildlife (OEH) for the area of interest. Attach Atlas records as Appendices</p> |

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|     | <p>Pest animal management is dealt with extremely briefly, and seems poorly researched, despite being In line with</p> <ul style="list-style-type: none"> <li>• Objective 1 - local objective - Enhance Habitat values of the estuary; and</li> <li>• Objective 3 – local objective Protect flora and fauna species and habitat values to enhance nature watching activities around the estuary and coastline.</li> <li>• Also identified in pressures 5, 6 and 7.</li> </ul> | <p>Pest management is covered by other plans as noted namely the Northern Rivers Pest Animal Management Strategy (2008-2013). The CZMP does not duplicate actions in other plans of management and should refer to existing strategies where relevant.</p> | <p>Add the Northern Rivers Pest Animal Management Strategy (2008-2013) to Section 1.4.</p>  |
|     | <p>Typo - P20. 1.3, second line sate instead of State.</p>  | <p>Agree</p>   | <p>Noted – amend typo</p>   |
|     | <p>It would be great to see the Northern Rivers Pest Animal Management Strategy (2008-2013) included in this section, and considered in the plan.</p>   | <p>Agree</p>   | <p>Add the Northern Rivers Pest Animal Management Strategy (2008-2013) to Section 1.4. Consider the Strategy in context of Action 4a: Shorebird protection.</p> |
|     | <p>P40 refers to Fox TAP works on the Tweed Coast as an existing form of management of threats to shorebirds, however there are no Fox TAP sites in Tweed.</p>  | <p>Agree</p>   | <p>Remove reference to fox baiting programs in the Tweed.</p>   |
|     | <p>Recommendations for Shorebird Management</p> <p>It would be good to able to discuss thoughts on potential fox control programs through Council with the plan developers, and also to integrate some recommendations that relate to those kinds of works into this plan.</p>  | <p>noted</p>   | <p>Recommend that this is included as a task in Action 4a.</p>  |



| No. | Summary of Submission  | Comment   | Suggested Response/Document Edits   |
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|     | <p>Community uses of the coastal zone</p> <p>Dog walking (off leash and on-leash) included in this section, as there are multiple impacts from Dogs - uncollected faeces (prevalent despite signage – including dog poo put in bags then left on the beach), impacts on shorebirds, Dogs running off into the fore-dune veg and chasing wildlife, LOTS of urine etc etc, ripping up and down dunes.</p>  | <p>Note that while many of these impacts would also occur in the estuary foreshores, coastal beaches are outside the scope of this CZMP.</p>  | <p>Include various dog impacts as an additional pressure.</p>   |
|     | <p>Aquatic Fish strategy – Seems very light on. Aims to have completed surveys by 2016??</p>   | <p>This strategy was targeted at a specific problem identified during the EcoHealth surveys (i.e. Swordtail infestation in Christies Creek). The recommended tasks provide adequate scope of work for the surveys. Timing was assigned based on the priority of the action. 2016 is year 2 of the program.</p>  | <p>No changes proposed</p>  |
|     | <p>Shorebird Strategy</p> <p>The severity of the threat that Foxes pose to Shorebirds is not reflected in the strategy for Shorebirds included in this plan. The on-ground management works referred to in this section are inaccurate. I would be happy to discuss with plan developers.</p> <p>It would also be good to discuss current works being undertaken by TBO and TSC to improve shorebird management.</p> <p>It would be great to see other key sites for Dog management identified in the Plan, even if there aren't immediate plans for implementing change at these sites.</p> | <p>Part of Strategy 4, Action 4a includes: Shorebird habitat prioritisation to identify important habitat features and sites that require protection. Shorebird habitat prioritisation such as has been previously undertaken for the Tweed River estuary (Sandpiper Ecological Surveys, 2003) would identify high risk sites for protection and allow for recommendation about the most appropriate management strategies. Consultation with the local community, National Parks personnel and local shorebird experts should also be undertaken to identify sites and issues which would include the threat of foxes.</p> <p>We have further information from TBO about current work which will be added to the CZMP discussion (see submission no. 6).</p> | <p>Further work is planned as part of Action 4a to identify and address impacts on Shorebirds.</p> <p>Add further information provided by TBO about current work (see submission no. 6).</p> <p>No changes proposed</p> |

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|     | Typo – The title of the Table in the shorebird section refers to Acid Sulphate Soil actions  | noted   | Amend typo  |
| 8.  | I would hope that current management plans suggest that common/public land should not be encroached upon or mangroves regularly removed to build steps access ways and boat parking areas?   | <p>One of the aims of the <i>NSW Coastal Policy</i> is to ensure the provision of public access to foreshores where feasible and environmentally sustainable and this is supported by the CZMP (refer Section 3.1).</p> <p>The CZMP would benefit from further details about specific issues about encroachment on public land.</p> | <p>Add more detail regarding Crown Land along waterways being taken over by private landholders, and restricting public access to foreshores in Section 3.1.1 “Current access arrangements”. Also add this issue as a pressure.</p> <p>Add an action for Land Property Management Authority to investigate.</p> |
|     | To gain peoples engagement in any planning process relies on a level of public confidence that what is important to them will be listened to and if proposed by a plan that the desired outcome will be achieved. Given that there is simply little to no enforcement activity undertaken by Council to ensure the current creek is not degraded does not bode well for the future | noted   | Noted - no changes proposed   |
|     | My suspicion is that by the time the plan has been finalised that many of the desirable features that concerned persons wish to be preserved will be lost.   | noted   | Noted - no changes proposed   |
|     | Residents who will have claimed the creek as personal recreation space will argue that time and effort has been expended with no issues being raised by Council so action to remove their encroachments will be that harder to reverse. If mangroves have been removed surely it is harder to argue that they were there and need to be replaced?                                  | noted   | Noted - no changes proposed   |

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|           | <p>You will be interested that a few weeks ago my wife and myself collected almost 100 golf balls which had been hit into the creek as a means of recreational activity. The balls obviously having been removed from a driving range as they are distinctively coloured and marked.</p>  | <p>noted</p>  | <p>Noted - no changes proposed</p>  |
|           | <p>Whilst I laud the significant efforts to engage the public in reviewing and planning the management of these creeks, I think a small percentage of effort should be committed to a form of enforcement as an indication to the public especially those who do not even care whether such controls exist or not, that you are committed to ensuring good environmental outcomes are achieved.</p>   | <p>noted</p>  | <p>Noted - no changes proposed</p>  |
|           | <p>By Council officers simply attempting to walk up the creek on what is common or crown land (that you suggest is maintained by Council) will indicate to those residents that their continued effort to claim the area for personal enjoyment at the exclusion of others is unreasonable. I would anticipate a letter drop asking for any obstructions or structures placed on public land will be removed and that removal of mangroves from the creek sides is liable to a penalty, will start the process of reclaiming the creek for future generations</p> | <p>Removal of mangroves without approval under the Fisheries Management Act is an illegal act carrying penalties under the Act.</p> | <p>Consider adding points to Education Strategy eg. public access to foreshores and penalties for mangrove removal.</p> |
| <p>9.</p> | <p>Very often, I find abandoned fishing lines and other litter (around the headlands at Hastings Point, Kingscliff or Pottsville). It is widely known that rubbish of this kind is destructive to wildlife – birds become entangled in the nylon line, turtles ingest plastic bags. It is a serious problem that is clearly complex to address. I would like to see an increase in educational programs, provision of sufficient bins for rubbish and strict enforcement of anti-litter laws as a way to address this issue.</p>                                  | <p>noted</p>  | <p>Add to discussion in Section 3.2 Recreational Use<br/>Add to Education Strategy</p>                                  |

| <b>No.</b> | <b>Summary of Submission</b>   | <b>Comment</b>   | <b>Suggested Response/Document Edits</b> |
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|            | <p>Another concern to me when I walk is the number of dogs that are insufficiently controlled. It is unsurprising to learn that the presence of unrestrained dogs is incompatible with the presence of ground-loving shore birds. Again, a combination of education and strict enforcement should be adopted to tackle this problem</p>  | <p>This issue is discussed in Section 2.2.3 and dealt with in Strategy 4</p> | <p>Noted – no changes proposed</p>       |
| <p>10.</p> | <p>Generally the document was well set out and addressed most of the key components for managing coastal watercourses. I believe that the management actions that are addressed provide a reasonable level of detail sufficient for Council to plan to undertake these actions, however some actions will clearly require more scoping work. I commend Council on undertaking this important planning work for managing the watercourses in the coastal region that are so fundamental to the lifestyles of residents. I look forward to the implementation of priority actions.</p> | <p>noted</p>   | <p>Noted – no changes proposed</p>       |

| No. | Summary of Submission   | Comment   | Suggested Response/Document Edits  |
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|     | <p>1) Community Engagement</p> <p>When undertaking Management Plans for key community resources such as these waterways, it is critical to engage the community at key points throughout the planning process not just at the end. Specifically the community can play a part in developing the vision for their local waterways which can provide a greater level of ownership. A good community engagement professional is a very worthwhile member of a project team on such projects as these.</p> <p>Community issues for the estuaries should be documented and addressed in the plan where appropriate.</p> <p>It is also very valuable to identify the community values for local waterways and it can also be useful to identify "willingness to pay" for a program that protects/restores valued functions.</p> <p>These engagement opportunities can also function as education opportunities - there is little chance of effective catchment/waterway management without taking the community on the journey.</p> <p>Information gathered from community engagement can also assist in raising political awareness of the importance of the waterways to the community.</p> | <p>Agree.</p> <p>Tweed Council conducted a number of consultation activities throughout the project including face to face information sessions at market stalls and information stalls, community notifications through Tweed Link articles and fact sheets etc. with contact details for the community to have input to the plan.</p> <p>Additionally the CZMP drew on past consultation activities as part of the 2004-2008 EMP.</p> <p>Key issues (estuary pressures) and values were developed through these processes and documented in the CZMP. The key pressures formed the basis of the CZMP on which management strategies were developed to address.</p> <p>Community engagement is discussed in Section 4 of the CZMP.</p> | <p>Noted - No changes proposed</p> |

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|     | <p>2) Geomorphic Categorisation / Assessment</p> <p>Understanding the physical processes that are active in shaping a watercourse will greatly inform management of that watercourse with regard to erosion risk and identifying other risk factors that may affect the watercourse such as climate change sea level rise affects on the catchment.</p> <p>A desktop assessment is relatively cheap and can provide some excellent information about the impacts of features such as bridges or crossings. It can also inform the feasibility of dredging. The erosion assessment that has been undertaken in the plan is relatively superficial and would have been far more effective at identifying risks and mitigation had a geomorphic assessment approach been utilised. The recommendations of the erosion component consequently deal mainly with treating symptoms of erosion rather than managing causes.</p> | <p>The main causes of erosion across the estuaries were attributed to underlying natural processes (namely the natural meandering of the river channel which was a key geomorphic feature) and was exacerbated in some places by human impacts. The aim of the bank erosion assessment was to assess current risk of bank erosion to built and natural assets (as required by DECC, 2009 guidelines for CZMPs) within a limited budget. The approach has been employed by other CZMPs for this purpose and was considered an efficient and cost-effective way to gather the required information.</p> <p>Dredging feasibility has been assessed in depth by previous studies and Council have resolved that dredging is a high cost option with little (short-term) benefit.</p> <p>Note that geomorphology of upstream catchment waterways was classified as part of EcoHealth Assessment, drawing on previous River Styles assessment and detailing geomorphic attributes as part of field survey work (refer Appendix 4).</p> | <p>Noted -no changes proposed</p> |

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|     | <p>3) Recreational Water Risk Mitigation</p> <p>Whilst community health and safety has been touched on and some health risks such as faecal coliform spikes are identified as potentially affecting known recreational water areas, there does not appear to be any action recommended towards ongoing monitoring of these recreational waters. It is understood that this kind of monitoring may not currently be budgeted for but I believe it would be prudent to investigate regular ongoing monitoring of recreational areas to assist in mitigating the risks of poor water quality to primary recreation users. In my professional opinion it is unrealistic to propose that a one off investigation (Action 13b) into the source of faecal contamination is sufficient to safeguard the community from future contamination which can arise for a variety of reasons. If these public health risks are not adequately managed then the community's most vulnerable (children and the elderly) are like to be the ones who suffer the most from contaminated water.</p> | <p>Strategy 1: Monitoring Evaluation and Review, Action 1a: Ecosystem Health Monitoring Program includes an on-going monitoring program for the estuaries incorporating water quality and biological parameters and making special reference to the importance of ongoing monitoring of recreational health indicators. This action also refers to recommendation for improvement to recreational health monitoring coming out of the Baseline EcoHealth Assessment (Appendix 4).</p> | <p>To make it clear in the CZMP that on-going monitoring of recreational health indicators is incorporated into Strategy 1, we recommend:</p> <p>Add a specific cross-reference to Action 1a (on-going monitoring) within the 13b action.</p> |

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|     | <p>4) Planning Scheme Integration</p> <p>Assessments such as this should be used as an opportunity to provide review and input to local town plans. The importance of riparian zones to ecosystem health cannot be understated and the one size fits all approach of blanket buffers may not always be appropriate. A desktop review of planned and existing development footprints should be undertaken to ensure that critical riparian areas are not unduly impacted. I note that some creeks have areas of high erosion identified where the development footprint has been permitted exceptionally close to the creek. These kinds of outcomes should definitely be avoided and town planners should be informed by these studies. Brownfield re-development may offer opportunities to improve setbacks in future. It is understood that some developments are likely State interest controlled, so where this is the case findings and recommendations should be provided to the State once Council adopts the plan.</p> | <p>A suite of minimum riparian buffer distances has been developed for the Tweed Coastal Creeks and catchments and their tributaries (Refer Section 2.2.4). These buffers were based on the findings of water quality, geomorphic and vegetation investigations undertaken during the preparation of this plan.</p> <p>Unfortunately, there is limited scope to create buffers in areas where development has already occurred. Action 5a of the Riparian Vegetation Strategy discusses a process to prioritise riparian areas for protection and rehabilitation which is dependent on willingness of private landholders at many sites.</p> | <p>Noted -no changes proposed</p>  |
|     | <p>5) Economic Value of Waterways</p> <p>It is worthwhile providing a section which identifies broadly the economic value of the ecosystem services provided by Waterways to their local communities. In the Tweed Coast I am certain that the bulk of their incomes are directly derived from Tourists who flock there to enjoy the water resources. Even a high level of economic assessment can assist managers, politicians and the community to see the value in funding management actions that protect these interests.</p>  | <p>Section 1.2 – The Study Area: Key Features and Values briefly discusses the importance of tourism in the area, but further emphasis of links between tourism and ecosystem services would be beneficial.</p> <p>Objective 5 (O5) of the CZMP “To promote ecologically sustainable development and use of resources” reflects the importance of economic values in particular the local objective “Promote economic benefits for the community (tourism dollars, land value, etc.)”</p>  | <p>Add further discussion of links between tourism (economic benefits) and ecosystem services of coastal creeks to Section 1.2.</p> <p>There are some published figures for the North Coast of NSW in general that could be quoted to provide some high level gauge of values.</p> |



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|     | <p>6) Total Water Cycle Management</p> <p>The Coastal Zone Management Plan does not appear to dovetail with this key water business management plan. It is preferable to integrate water planning as much as possible as decisions in one plan can affect the outcomes in others. I am uncertain of the status of the Tweed's Total Water Cycle Management Plan or how broadly it deals with the water cycle, however drawing links with this plan could assist in understanding how water tanks and on-site sewage systems are implemented as these private assets impact the local water cycle. In terms of the water cycle I also note that there was also no address to the hydrology or hydraulics of these waterways - however it is understood that this kind of assessment may have increased costs substantially.</p> | <p>The Tweed Integrated Water Cycle Management Strategy is currently under review and is expected to be completed in 2013. This review includes examination of the relationship to other strategic plans such as CZMPs.</p> <p>Hydraulic and hydrological assessment of the creeks was not part of the scope of works for the CZMP.</p> | <p>Add the Tweed IWCM (currently under review) to Section 1.4 Concurrent /Parallel Programs.</p> |