



Richmond Valley Council
Evans Head Coastal Reserves
Plan of Management
April 2010

Adopted 9 November 2010



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Executive Summary

Evans Head Coastal Reserve is a beach front and river front cluster of Crown reserves and Crown land located immediately adjacent to the village of Evans Head on the north coast of New South Wales. It has been a special place for the Bundjalung nation (and the Bandjalang clan) for thousands of years and more recently it has become a special place for residents and visitors alike.

The outstanding features of the Reserve include a relatively undeveloped beach and river frontage, high biodiversity, outstanding scenic view locations and the family friendly Silver Sands Holiday Park.

The Crown reserves within the planning area are set aside for various public purposes including public recreation, public baths, water & drainage, access, rural services, tourism purposes, and environmental & heritage conservation. These are currently managed by Richmond Valley Council and the Land and Property Management Authority (LPMA) through an ad hoc diversity of management structures and administrative arrangements.

The Land and Property Management Authority has an ongoing commitment to optimise the environmental, social and economic outcomes on Crown land for the benefit of the people of New South Wales. This plan of management adopts a more holistic, flexible and responsive approach consistent with contemporary Crown land management policies. While it is primarily based on the principles of Crown land management, it also emphasises the importance of the

Trust management partnership with Richmond Valley Council and the wider community.

The benefits of linking coastal Crown lands in a statutory plan of management include:

- ▶ Recognition of the natural resource values of the Evans Head coast;
- ▶ Fostering a sense of public stewardship;
- ▶ Encouraging community participation in public land management within a more strategic framework;
- ▶ Integrating Crown reserves with lands managed by other authorities in a regional open space strategy;
- ▶ Providing a strategic management framework that integrates and coordinates local management practices;
- ▶ Increasing the potential for resource sharing within and between reserves;
- ▶ Rationalisation of reserve administration and accountability;
- ▶ Providing a basis for all levels of funding applications.

Some of the key elements of this plan of management include:

- ▶ Crown Reserve management to be rationalised under functional Reserve Trusts – Evans Head Coastal Reserve Trust and Richmond Valley Holiday Parks Trust;



- ▶ Protect natural habitat areas of the Reserve from the encroachment by recreation areas;
- ▶ Implement the Silver Sands Holiday Park Business/ Operations Plan and Business Development Strategy;
- ▶ Establish a formal volunteer group to assist in the maintenance of the Reserve and education of its users;
- ▶ Increase the connectivity of the existing cycleway/walkway network throughout the Reserve;
- ▶ Ensure that all users and occupiers of the Reserve are aware of the significance of this area to Aboriginal people; and
- ▶ Maximise the access opportunities for people with disabilities in the Reserve.

Richmond Valley Council endorsed this Plan of Management at its meeting of (date to be determined).

The Minister for Lands adopted the Plan of Management on (date to be determined).





Plan Structure

This plan of management is presented in two parts:

Part A sets out the basis for management including land status, administrative requirements, documentation of values, analysis of issues and management challenges facing Evans Head Coastal Reserves.

Part B provides the best practice management framework and mechanisms to achieve the vision and objectives set out for the Evans Head Coastal Reserves. Management actions have been prioritised on a strategic risk management basis.

Related Plans

There are a range of other documents that relate to the Evans Head Coastal Reserves including:

- ▶ Silver Sands Holiday Park business/Operations Plan, 2008
- ▶ Flying Fox Plan of Management (Silver Sands Holiday Park), 2008
- ▶ Business Development Strategy (Silver Sands Holiday Park), 2009
- ▶ Dirawong Reserve PoM (revised 2006).
- ▶ Plan of Management – Airforce Beach and Surrounding Environs (2000) RRSC.
- ▶ Plan of Management Evans Head Recreation Reserve (1993) Sustainable Futures Planning and Design. Revised by RRSC in 1999.
- ▶ Evans Head Recreation Reserve Management Strategy (1991) Sustainable Futures Planning and Design.
- ▶ Plan of Management R.92456 Shark Bay/ Razorback Lookout (Adopted by Minister in 1997) RRSC.
- ▶ Operation and Maintenance Manual - Evans Head Wetlands (2003) Australian Wetlands.
- ▶ Evans River Estuary Management Study and Plan (2002) WBM Oceanics Australia.
- ▶ Airforce Beach Flora and Fauna Survey (2001) Parker, P.
- ▶ A Flora and Fauna Survey of Land at Evans Head (2001) Parker, P.
- ▶ Airforce Beach Drainage Proposal: An Environmental Assessment (2003) Parker, P.
- ▶ Evans River Estuary Processes Study (1999) Patterson Britton and Partners.
- ▶ Crown Land Assessment – Evans Head (1997).
- ▶ Main Beach Site Action Plan (2004). Greening Australia.
- ▶ Threatened Species (Pied Oystercatcher) Management Strategy, 2007.



Part A

1. Introduction

1.1 Introduction

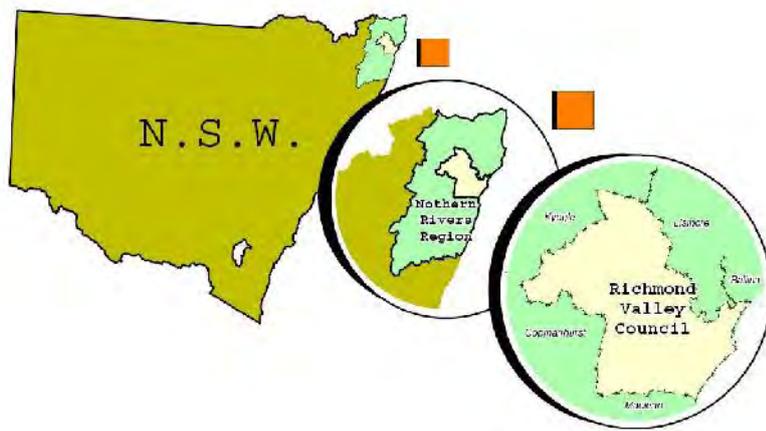
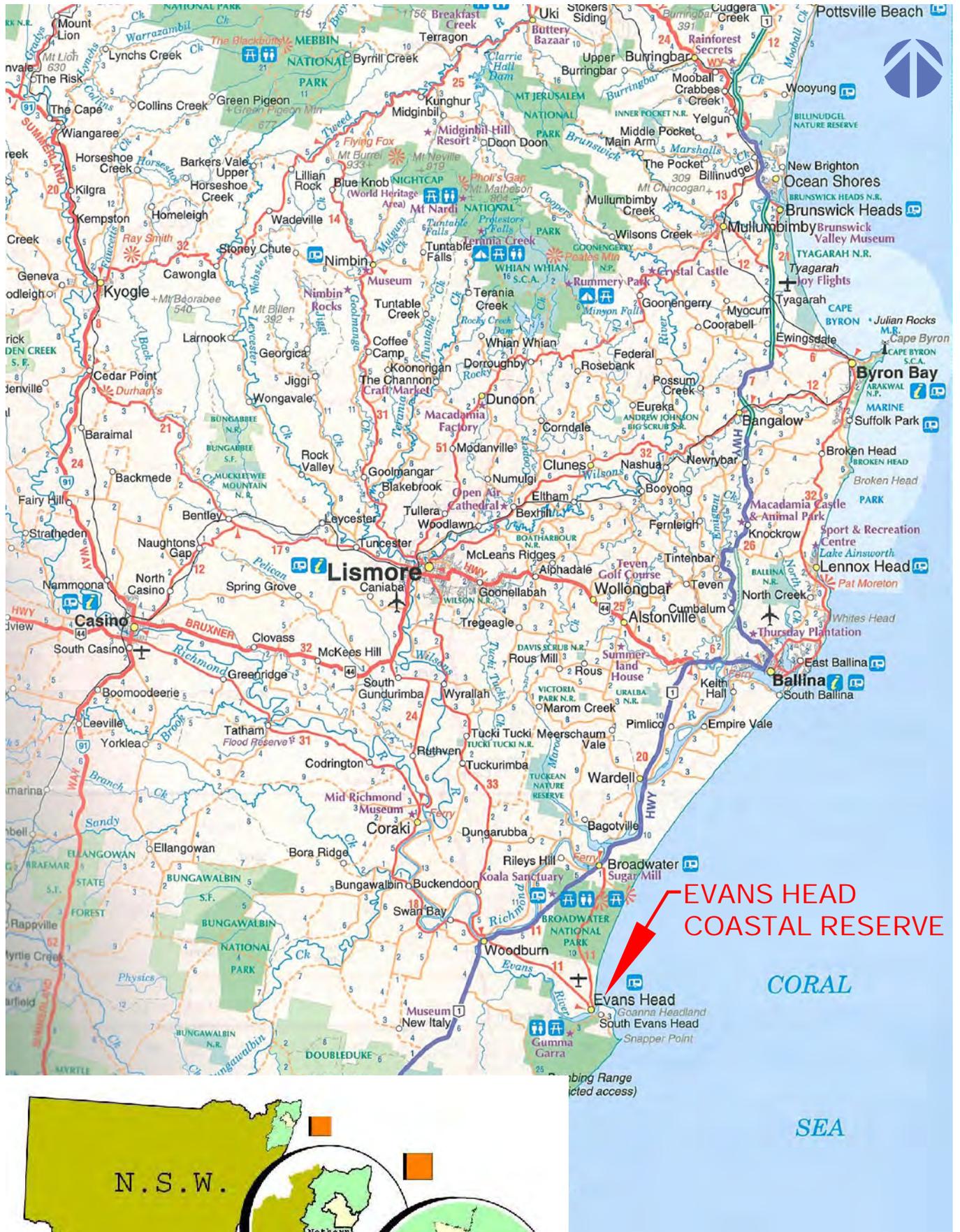
The village of Evans Head is situated on the far north coast of New South Wales, at the mouth of the Evans River, within the Richmond Valley Council LGA. Evans Head is located approximately 35 km south of Ballina and 58 km southwest of Casino. Diagram 1 illustrates the regional location of Evans Head. National Parks bound Evans Head to the north and south, and various parcels of Crown Land adjoin and surround the village. It is these parcels of Crown Land that are the subject of this Draft Plan of Management (PoM).

Crown lands within Evans Head occupy the whole of the open coastline as well as approximately 75% of the immediate coastal foreshore. Local residents and visitors alike consider these unique environments to have a range of values including ecological, aesthetic, recreational amenity, social and economic. The numerous parcels of Crown land included in the Evans Head Coastal Reserve are fragmented in terms of location, due to the Evans River and urban development. Management of these areas has also been disjointed with no overall coordinated formal management regime.

A number of PoMs, Environmental Management Plans (EMPs), and additional plans and policies have already been prepared for individual reserves and areas within Evans Head. This PoM aims to

rationalise the strategies set out in such plans and implement additional approaches to ensure the future management of the Evans Head Coastal Reserve is coordinated and achievable, in both the long and short term. This PoM contains a range of practical and attainable strategies and actions to enable Richmond Valley Council, the NSW Land and Property Management Authority and the community to manage this valuable resource in an integrated and ecologically sustainable manner.

A table of acronyms and terms used in this document is included in Appendix J.





1.2 Background

Aboriginal people occupied the Evans Head area for thousands of years prior to European settlement (NPWS 1997: 24). The entire region is an area of cultural and historical heritage for the Bundjalung Aboriginal community, as it comprises places of mythological, spiritual, ceremonial and archaeological significance, as well as being an important gathering place. The Bundjalung people used to hunt, fish and gather shellfish from the Evans River estuary and also utilised the diversity of plant foods available (RVC 2000a).

European settlement occurred in the region in the 1840s, and the population of Evans Head increased in the 1870s as a result of the discovery of gold. Since European settlement, human activities have placed growing pressure on the Evans Head coastal environment, as has occurred along much of the eastern seaboard. The population of Evans Head has continued to increase and the coastal village is very popular with tourists and visitors. In the holiday season the population of the town has been known to swell from a population of 2600 up to at least 10 000. This annual increase has created strong demands for more public recreation opportunities and infrastructure. Urban development close to the coastal strip, past sand mining, uncontrolled beach access, urban stormwater runoff and a range of other issues have caused significant disturbance and alteration of the natural coastal landscape and its ecosystems. Such impacts have been heightened in the absence of a coordinated approach towards the management of the various Crown land reserves within Evans Head, resulting in some haphazard and cumbersome management practices.

The diversity of Reserve Trusts and managers associated with the coastal reserves at Evans Head creates problems in itself. Each Council managed Trust is a separate entity that is individually accountable to the Minister. This is cumbersome and a significant constraint to strategic management as well as an administrative burden on Council.

These impacts and pressures have prompted the need for a structured, coordinated and comprehensive management framework to protect the natural, recreational and social values of the coastal reserves at Evans Head.

The model preferred by Land and Property Management Authority and Council for the Evans Head coastal reserve system is for an integrated Evans Head Coastal Reserve Trust (responsible for coastal/ foreshore reserve management) and a separate Trust for the Silver Sands Caravan Park (commercial caravan park management) with Council appointed to manage each Trust.

The new Trusts will pick up all tiers of Crown reservation (including any part of the new regional reserve) within the notified area of Trust responsibility.

Richmond Valley Council also resolved to prepare a Coastline Management Plan, in accordance with its responsibilities as set out in the NSW Coastline Management Manual (1990). GHD Pty Ltd in partnership with Richmond Valley Council and the NSW Land and Property Management Authority has prepared this Plan of Management (POM) for the Evans Head Crown Lands, which includes a Coastline Hazard Definition Study (Appendix C).



The adoption of PoMs for Crown reserves, creation of new reserves and establishment of new reserve Trusts are matters for determination by the Minister for Lands and will require approval under the Crown Lands Act. The appointed reserve Trusts are responsible for implementing the PoM once it is formally approved by the Minister.

It should be acknowledged that the PoM was originally commissioned in 2003; as such it has been necessary to apply new Crown land management models and requirements of the LPMA since this time. The preferred management model sought by the LPMA would include the following elements:

- ▶ Integration of existing reserves through the establishment of Trust/s, based on management functions (rather than establishing a single reserve Trust);
- ▶ Separate Trust manager for the Silver Sands Holiday Park;
- ▶ Trust appointment for a term of 5 years;
- ▶ Performance criteria to apply to the appointed Trust; and
- ▶ Appropriate model of community participation i.e. Advisory committee.

1.3 Purpose of the Draft Plan of Management

This PoM aims to provide an integrated, balanced and coordinated approach for the future management, protection and enhancement of the Evans Head Coastal Reserves.

The purpose of the PoM is to achieve a number of key outcomes, including:

- ▶ Provide a more strategic and coordinated management framework to enhance the management and administration of the coastal Crown reserve system within Richmond Valley LGA at Evans Head.
- ▶ Provide a management framework to facilitate the strategic management of the coastal processes and hazards on the Evans Head coastline.
- ▶ To enable Council and the Government to effectively fulfil the obligations of the NSW Coastal policy.
- ▶ To facilitate sustainable triple bottom line outcomes for the Evans Head coastal reserve system and environs.

To achieve these outcomes it is proposed to establish an integrated Evans Head Coastal Reserve Trust responsible for the various Crown reserves covered by this plan of management (to be collectively known as the Evans Head Coastal Reserve). Silver Sands Holiday Park will be the separate responsibility of a specialised Richmond Valley Holiday Parks Trust.

(Dirawong Reserve is subject to an adopted plan of management and will remain the responsibility of the appointed Dirawong Reserve Trust. The administration of Evans Head Boat Harbour will remain with LPMA.)”

A secondary aim of this PoM is to fulfil Richmond Valley Council’s responsibilities as set out in Section 4 of the NSW Coastline



Management Manual (1990) in relation to the management of land subject to coastline hazards. In this regard a Coastline Hazard Definition Study has been prepared by Patterson Britton and Partners for the Evans Head Coastal Reserves and is included in Appendix C of this PoM.

1.4 Sustainability

The integrated management and development of the Evans Head Coastal Reserve should be based on a commitment to sustainability, to maintain the present quality of life for future generations. Sustainable development ensures that economic and social development occurs within the bounds of ecological limits.

To be sustainable, the Evans Head Coastal Reserve must be financially secure, produce minimal environmental impacts and encourage social well-being. A balance should be found between the need for promoting business and tourism, encouraging jobs, protection of the foreshore from erosion, enhancement of water quality in the Evans River, conservation of native flora and fauna, reduction of pollution, and provision for social equity within a quality foreshore recreational area without over use.

One of the keys to sustainability in the Evans Head Coastal Reserve is the relationship between the Silver Sands Holiday Park which has the ability to generate revenue and the natural environment within which it is located that needs to be managed to withstand the pressures of everyday use. A well managed reserve requires adequate funding and in return provides an enjoyable and pleasant location for a holiday park.

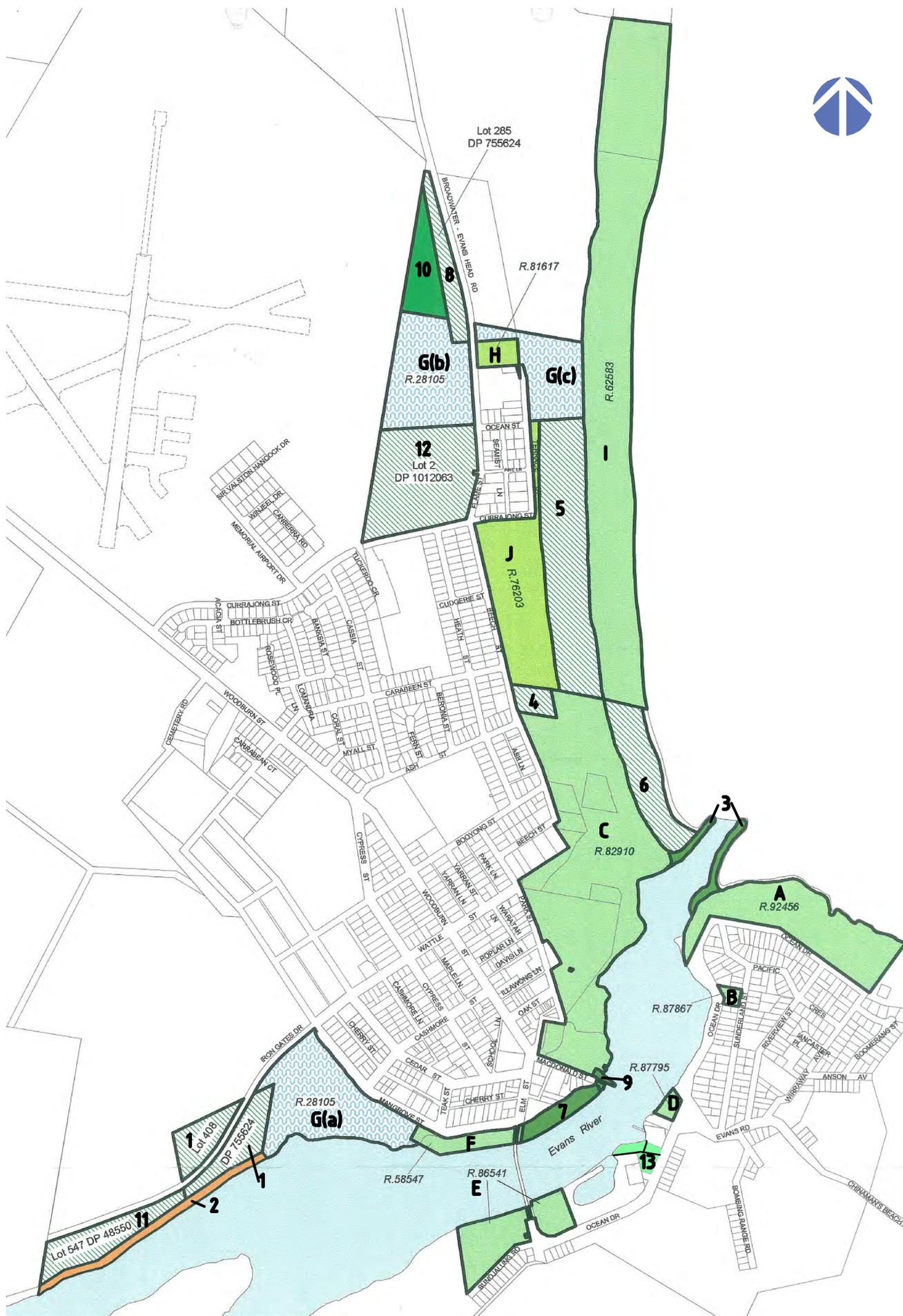


2. Land Description and Status

2.1 Land Description and Status

The lands covered by this PoM comprise various parcels of Crown land adjoining and surrounding the village of Evans Head. Diagram 2 illustrates the Crown land covered by this PoM. The Crown reserves within the proposed Evans Head Coastal Reserve study area are detailed in Table 2-1. Table 2-2 describes the parcels of other Crown land, which are to be incorporated into the proposed coastal reserve.

The lands adjacent to the Evans River or the Pacific Ocean generally have a boundary that comprises the mean high water mark (MHWM) although some parcels extend to the mean low water mark (MLWM). The adjoining intertidal zone (ITZ) will be incorporated into the proposed reserve. All lands within the proposed Evans Head Coastal Reserve are within the coastal zone as defined by NSW Government's Coastal Policy 1997.



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EVANS HEAD COASTAL RESERVE diagram 2.



Table 2-1 Evans Head Coastal Crown Reserves

Map Ref.	Reserve Name	Reserve No.	Land Status	Lot / DP	Area
A	Razorback Lookout and Shark Bay	R92456	Reserve for Public Recreation notified 13 June 1980	Lot 7027 DP 1112996	5ha
B	Bingarra Reserve	R87867	Reserve for Public Recreation notified 24 July 1970	Lot 7026 DP 1112980	2819m ²
C	Evans Head Recreation Reserve	R82910	Reserve for Public Recreation notified 18 November 1960	Lots 172, 281, 287, 372 and 405 DP 755624 Lots 10 and 11 DP 1045792 Lots 549 and 550 DP 1091080 Lot 7036 DP 1113078 and Lots 7303 & 7304 DP 1136547	25.7
D	Kalimna Park	R87795	Reserve for Public Recreation notified 5 June 1970	Lot 7028 DP 1113043	3814m ²
E	Boat Ramp	R86541	Reserve for Public Recreation notified 24 November 1967	Lot 10 DP 824498, Lot 7029 DP 92612 and adjacent 370m ² unidentified lot	4.032ha
F	Public Baths	R58547	Reserve for Public Baths notified 5 February 1926	Lot 7030 DP 1075732 (upstream of Elm St) & Lot 7062 DP 1075701 (downstream of Elm St)	1.57 ha
G	(a) Mangrove Street Reserve	Part R28105	Reserve for Water notified 17 September 1898 SEPP 14 Wetland No. 147	Lot 7016 DP 1112989	18.11 Ha
	(b) Drainage Reserve West of Flame Street	Part R28105	Reserve for Water notified 17 September 1898	Lot 7019 DP 1051692	7.38 Ha
	(c) Coastal Drainage Reserve Nth end of Terrace St	Part R28105	Reserve for Water notified 17 September 1898	Lot 7020 DP 1051335	4.2 Ha



H	North of Camp Koinonia	R81617	Reserve for Future Public Requirements notified 22 May 1959	Lot 469 DP 755624	9,434 m ²
I	Airforce Beach	R62583	Reserve for Public Recreation notified 2 April 1931	Lot 7015 DP 1076665 & Lot 7096 DP 1113511	30.53 Ha
J	Beech Street Wetland	R76203	Reserve for Future Public Requirements notified 4 September 1953	Lot 7040 DP 1052589	8.094 Ha
Strategic Reservations					
		R56146	Reserve from Sale or Lease Generally notified 11 May 1923	Includes all beds of rivers, tributaries and ana-branches in the Eastern & Central Divisions and all shingle, gravel, sand beds and alluvium thereon or adjacent thereto.	
		R1011268	Reserve for Future Public Requirements notified 3 February 2006	Lands covered by R56146, in addition to all foreshore land below the High Water Mark of the coast of NSW extending to the territorial limit of 3 nautical miles from the Low Water Mark.	
	Parish Reserve	R755624	Reserve for Future Public Requirements notified 29 June 2007	All Crown lands in the Parish of Riley County of Richmond not within a reserve or part of a holding.	
	Richmond Coast Regional Crown Reserve	R1012192	Reserve for Access and public requirements, rural services, tourism purposes and environmental and heritage conservation notified 25 August 2006	Existing reservations under the Crown lands Act re not revoked - includes the Crown lands within the Evans Head Coastal Reserve system	11,000ha



Table 2-2 Other Crown Land

Map Ref.	Land Status	Lot / DP	Description
1	Part R755624 & R1012192	Part Lot 408 DP 755624	Adjacent to Iron Gates Drive
2	Crown Public Road		Narrow strip of river front land, bounded by the Evans River to the south, and Lot 408 DP 755624 and Lot 547 DP 48550 to the north
3	Part R755624 & R1012192	Lot 7088 DP 1113376 (North) & Lot 7089 DP 1113373 (South)	Evans River north and south break-waters
4	Part R755624 & R1012192	Lot 7090 DP 1113319	Bounded by R76203 to the north, R82910 to the east, and south and Beech Street to the west.
5	Part R755624 & R1012192	Lot 7093 DP 1113518	Bounded by R62583 to the east, R28105 (Lot 7020) to the north, R76203 to the west, and R82910 to the south.
6	Part R1011268 (Below HWM) & R1012192	Unidentified	Main Beach - Bounded by R62583 to the north, Pacific Ocean to the east, the northern Evans River break-waters to the south, and R28105 to the west.
7	Part R755624 (Below HWM) & R1012192	Unidentified	Northern bank of River between Elm Street and McDonald Street. Area 7 does not contain any privately owned land.
8	Part R755624 & R1012192	Part Lot 285 DP 755624	Part of lot west of Broadwater – Evans Head Road
9	Part R755624 & R1012192	Lots 476, 479, 480 DP 755624	Land at the southern end of McDonald Place (including Carters Wharf, Car Park)
10	Part R755624 & R1012192	Lot 7094 DP 1113512	Bound by Lot 285 DP 755624 to the east, R28105 to the south and Lot 141 DP 1067639 to the west
11	Part Reserve 28105 for Water & R1012192	Lot 547 DP 48550	Adjacent to Iron Gates Drive



Map Ref.	Land Status	Lot / DP	Description
12	Reserve 98634 for Future Public Requirements & R1012192	Part Lot 2 DP 1012063	Part of Lot 2 north of Currajong Street
13	Reserve 87866 for Future Public Requirements & R1012192	Lot 513 DP 755624	Foreshore Reserve north of Evans Head Fishing Co-operative
13	Part R755624 & R1012192	Lot 510 DP 755624	Foreshore Reserve north of Evans Head Fishing Co-operative
	Reserve 93865 for Future Public Requirements & R1012192	Lot 7035 DP 1113049	Foreshore land at southern end of McDonald Place
	Reserve 93866 for Future Public Requirements & R1012192	Lot 472 DP 755624	Foreshore land within SE corner of Evan Head Recreation Reserve E of riverbank car park
	Part R755624 & R101292	Lot 7082 DP 1113379	Foreshore land north of Evans Head Fishing Co-operative
	Part R755624 & R101292	Unidentified	Intertidal zone below Razorback Reserve
	Part R755624 & R101292	Unidentified	Foreshore land on Evans River adjacent to Ocean Drive at westernmost end of Razor back Reserve

Contained within Appendix H is a description and inventory of facilities for each reserve.



3. Planning Framework and Consultation

3.1 Management Plan Framework

The establishment of a suite of Regional Crown Reserves is a recent initiative to enable the Department to better fulfil its core role in relation to the Crown reserve system. An overarching reservation for each identified Regional Reserve area has been established as a means to strategically amalgamate existing Crown reserves and relevant leases and licences. This provides a more systems-based approach to Crown land management by establishing a wider platform for improved coordination and strategic planning, enhanced public awareness and more effective movement of funds across reserves. The broader scope also allows the Department to better integrate with Reserve Trusts, other land management partners and the general community through the associated advisory/management arrangements. Unless a Trust is appointed, regional reserve management will devolve on the Department.

Existing coastal reserves have not been revoked with the establishment of the new Richmond Coast Regional Crown Reserve. At this stage the existing reserve Trusts will also remain in place pending creation of any new Trusts proposed by the Evans Head Coastal Reserves Plan of Management. Diagram 3 shows the relationship between the Evans Head Coastal Reserve Plan of Management and the Richmond Coast Regional Crown Reserve.

The following is a clarification of what is meant by the terms used to describe these reserve entities and management areas.

Richmond Coast Regional Crown Reserve – a strategic reservation generally relating to the Richmond LGA encompassing Crown lands within the coastal zone and including Crown land below MHWL to the NSW territorial limit.

Evans Head Coastal Crown Reserves system – all terrestrial coastal Crown reserves at Evans Head. Encompasses the reserves covered by this plan of management as well as Dirawong Reserve and Evans Head Boat Harbour.

Evans Head Coastal Reserve – the collective name for the coastal Crown reserves covered by this plan of management.

Evans Head Coastal Reserve Trust – the proposed Trust responsible for integrated management of all Crown reserves covered by this plan of management (exclusive of the Holiday Park management function). Proposed to be managed by Council.

Richmond Valley Holiday Parks Trust – specialised functional Trust responsible for holiday park management.

Evans Head Recreation Reserve – Reserve 82190 for Public Recreation which includes Silver Sands Holiday Park.



Dirawong Reserve Trust – existing Trust charged with care, control and management of Dirawong Reserve. The affairs of the Trust are the responsibility of a community-based board of trustees.

Reserve 140098 for Port Facilities & Services – the Evans Head Boat Harbour administered direct by LPMA (no Trust).

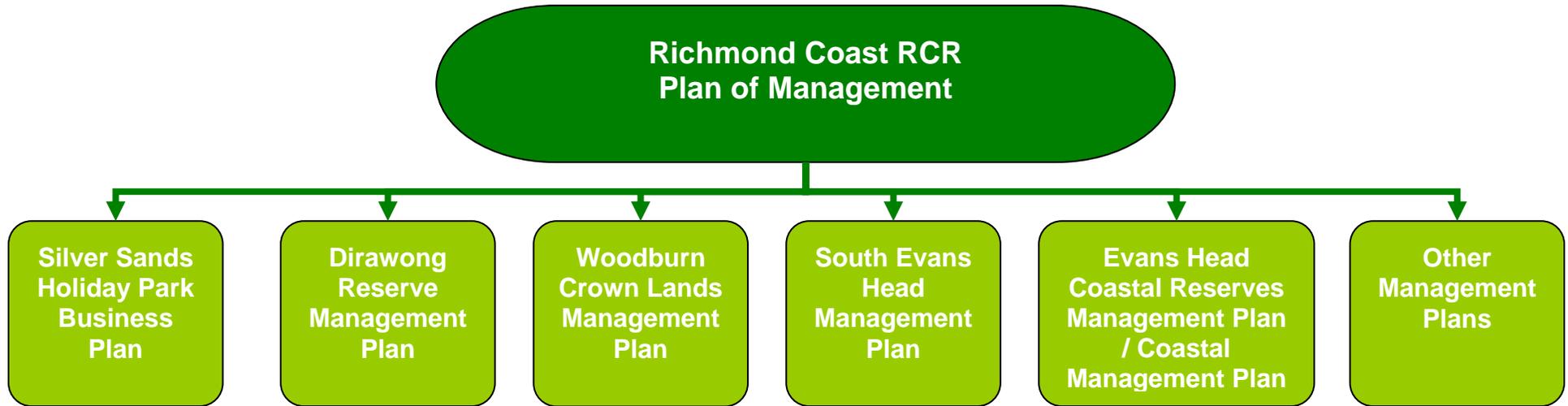


Diagram 3 Planning Structure for Richmond Coast RCR



3.2 Plan Preparation

Evans Head Coastal Reserve Plan of Management has been prepared in accordance with Section 112 of the Crown Lands Act 1989. The plan is to be a statutory document under the Act that will guide all future operations in the reserve.

The plan also contains a Coastline Hazard Definition Study in Appendix C, which has been prepared in accordance with Richmond Valley Council's responsibilities as set out in the NSW Coastline Management Manual (1990).

Many PoMs and business plans/strategies have already been developed for some of the Crowns lands that are to be included in the proposed Evans Head Coastal Reserve. Most recently a number of these have focussed on the Silver Sands Holiday Park. A number of environmental surveys and assessments have also been undertaken on these Crown lands. The previous plans and assessments that have been prepared or undertaken for are identified in the Plan Structure section of this PoM.

This PoM aims to build on the strategies set out in such plans and implement additional approaches to ensure the future management of the Evans Head Coastal Reserve is sustainable, coordinated and achievable, in both the long and short term.

3.3 Plan Development

In developing the draft PoM, the following approach has been adopted:

- ▶ The underlying philosophy of the plan was established based on the principles of ecologically sustainable development and Crown Land Management and the values expressed by the community and stakeholders.
- ▶ The Reserve's resources and management issues were established through review of previous documents and through consultation.
- ▶ Based on the values and issues goals were established to guide the future management of the Reserve. The goals together with the vision provide managers with a reference to ensure that the values of the Reserve are not diminished.
- ▶ Strategies, actions and priorities were then developed to ensure that issues are dealt with in relation to their importance.

3.3.1 Implementation and Review

This PoM presents a long-term strategy for the management of the Evans Head Coastal Reserve. It is anticipated that the management vision, goals, strategies and actions from this PoM will be implemented over the next 10 years.

Following the adoption of the Plan by the Minister, pursuant to Section 114 of the Crown Lands Act 1989, the Reserve Trust is obligated to implement the PoM, and not permit operations, uses or development within the Reserve that are prohibited by the PoM. Pursuant to Section 115 of the Act, alteration of the Plan is permissible, and may be required after a period of time (i.e. five years) to ensure the Plan remains up to date with the varying needs



and wants of the community, as well as ensuring that the PoM continues to be useful and applicable.

In order to fund the management of the reserve, financial support will be sought from various Government departments/agencies, Council and community sources.

3.3.2 Accountability

The accountability of the Reserve Trust in terms of the management of the Evans Head Crown Reserve is to be undertaken pursuant to Sections 33 and 34 of the Crown Lands Regulation (2000). Section 33 directs the Reserve Trust to report annually to the Minister for Lands detailing income, expenditure, assets, liabilities, improvements effected, as well as the details of any licences or leases granted by the Trust. Section 34 directs that the Trust must keep the following records as detailed in Schedule 4 of the Regulation.

Where a reserve trust is managed by a council as defined in the Local Government Act 1993 the Council is required to keep records that will permit dissection of monetary details in respect of each reserve from which the Council receives revenue of any nature, details of improvements effected on each reserve, and details of all leases and licences granted or in force.

3.3.3 Development Proposal Assessment

The Reserve Trust will be responsible for assessing whether a particular land use or development is appropriate within the Coastal Reserve. The following list contains suggested issues to be

considered by the Reserve Trust when assessing the suitability of land uses and developments within the Coastal Reserve.

- ▶ Consistency between the proposal and the principles of Crown land management;
- ▶ Consistency between the proposal and the Vision, Management Objectives and Strategies of the Plan of Management for the Coastal Reserve;
- ▶ If the proposal is consistent with the purpose of the Coastal Reserve;
- ▶ Any impacts on the existing use/s of the Coastal Reserve;
- ▶ Proposed uses or developments need to be subsidiary to the overall use of the Coastal Reserve;
- ▶ Justification of the need for the proposal;
- ▶ Whether the proposal would be consistent with the current use of the Coastal Reserve, as opposed to fulfilling requirements generated by adjacent properties.
- ▶ The resulting strengths, weaknesses, opportunities and threats, which proposals may have on current Coastal Reserve users;
- ▶ The need for terms, conditions, leases and rental levels that would apply to relevant proposals within the Coastal Reserve.

3.4 Community Consultation

Community consultation is an essential component of the coastline management process. Consultation with stakeholders and the



broader community has been integral in identifying and gaining knowledge of the diverse range of values, resources and issues relating to the Evans Head area. Community consultation has also been key in informing the public of the progress of the study and its outcomes. This consultation has been fundamental in ensuring that the Draft Plan of Management meets the needs of the community and has the support of the local community at the implementation stage.

The community is encouraged to provide comments on this Draft Plan of Management, and to be involved in the planning and management of the Evans Head Coastal Reserve. All comments received will be respected and valued, and Richmond Valley Council looks forward to working with the community in implementing the strategies and actions set out in the final Plan of Management.

This Draft Plan of Management will be placed on public exhibition for at least 28 days to receive comments from the community. Comments will be assessed and relevant changes made to the plan prior to its endorsement by Council in its capacity as Reserve Trust Manager. The final plan will then be referred to the Minister for Lands for adoption.

Significant community consultation has already taken place during the preparation of the draft Plan of Management. The community consultation undertaken thus far is outlined below:

Committee Meeting

At the start of the project a committee meeting was held with Council to identify potential issues.

Media Release

GHD prepared a media release, which provided information on the study and the Plan of Management process, including how people can have an input. A copy of this media release is contained in Appendix B.

Community Newsletter

A community newsletter was also produced which included background information on the study and encouraged community input via an attached 'have your say' form. A copy of the community newsletter and a spreadsheet of the responses received are provided in Appendix B.

Community Survey

GHD prepared a community survey for Evans Head residents and visitors, seeking information on the needs, wants, views and priorities of the users of the Evans Head Coastal Reserve.

The first of the onsite user surveys was carried out on Sunday 11 January 2004. Two GHD staff members conducted the survey between the hours of 11am and 3pm. The intention of this first onsite survey was to collect information from locals and the large numbers of visitors who frequent Evans Head during the Christmas holidays. During a site visit to Evans Head on Tuesday 17 February 2004, one GHD staff member conducted the survey at various times throughout the day, interviewing people using the reserve.

A total number of sixty six (66) residents and visitors have completed the survey. Respondents were interviewed by GHD staff at a number



of locations within Evans Head, including the walkways between Silver Sands Caravan Park and the Main Street (Oak Street), Airforce Beach Surf Club, Razorback Lookout, Shark Bay, Bundjalung Road Reserve, Ocean Drive Boat Ramp, Gunthorp and Cribb Reserves, and along the northern foreshore of the Evans River.

A copy of the community survey and a report outlining the results obtained are included in Appendix B.

3.5 Stakeholders

Community Groups

- ▶ Bundjalung Clan – Native Title Claim over most of the area, lodged by Lawrence John Wilson
- ▶ Evans Head Coast Guard
- ▶ ICAN Evans Head Walking for Pleasure Group
- ▶ Silver Sands Holiday Park Committee
- ▶ Evans Head Fishing Co-operative
- ▶ Evans Head Surf Life Saving Club
- ▶ Koinonia Youth Camp
- ▶ Evans River School
- ▶ Evans Head Bowling Club
- ▶ Evans Head Lions Club
- ▶ Surf School

- ▶ Evans Head and District Senior Citizens
- ▶ Dirawong Reserve Trust
- ▶ Tennis Club
- ▶ RSL Club
- ▶ Long Board Riders
- ▶ Fishing Clubs (Various)
- ▶ Neighbourhood Centre
- ▶ 4WD Club
- ▶ Chamber of Commerce
- ▶ Restaurants and shops on or adjacent to land
- ▶ Wider community of NSW

Government Agencies

- ▶ Richmond Valley Council
- ▶ Land and Property Management Authority
- ▶ Department of Planning
- ▶ Department of Natural Resources
- ▶ Department of Primary Industries
- ▶ Department of Environment and Climate Change
- ▶ NSW Waterways Authority
- ▶ NSW Police Force
- ▶ NSW Department of Commerce



- ▶ Department of Water and Energy
- ▶ Northern Rivers Catchment Management Board
- ▶ NSW North Coast Weed Advisory Committee

Community Members

- ▶ Residents of Silver Sands Holiday Park
- ▶ Evans Head Residents



4. Legislation and Policy

4.1 Legislation

There is a range of legislation and policies that contain legal requirements, recommendations and guidelines for the management of Crown land. The table presented in Appendix A sets out a summary of the legislation and policies applicable to the management of the Evans Head Coastal Reserve. The following Acts and policies have particular relevance to the management of the Evans Head Coastal Reserve.

4.1.1 Federal

Native Title Act 1993

In summary, the Native Title Act 1993:

- ▶ Recognises native title rights and sets down some basic principles in relation to native title in Australia;
- ▶ Provides for the validation of past acts which may be invalid because of the existence of native title;
- ▶ Provides for a future regime in which native title rights are protected and conditions imposed on acts affecting native title land and waters;
- ▶ Provides a process by which native title rights can be established and compensation determined, and by which determinations can

be made as to whether future grants can be made or acts done over native title land and waters; and

- ▶ Provides for a range of other matters, including the establishment of a National Aboriginal and Torres Strait Islander Land Fund.

A search of the Native Title Register has indicated that two Native Title Claims have been lodged for all land included within the Evans Head Coastal Reserve Plan of Management. The details of these are included in Appendix I.

Should 'future acts' (including public works) as defined in the Native Title Act 1993 be undertaken within the Coastal Reserves consultation with the Native Title Claimants would be required.

4.1.2 State

Crown Lands Act 1989

The Crown Lands Act 1989 is one of the principal Acts for the management of Crown Reserves. The *Crown Lands Act 1989* is administered by the NSW Land and Property Management Authority. The Department is responsible for the management of Crown Reserves along with an appointed trustee on behalf of the NSW community. Several Reserves covered by this PoM are trusted to RVC already.



Section 11 of the Crown Lands Act sets out the principles by which Crown Reserves are to be managed:

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land,
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,
- (c) that public use and enjoyment of appropriate Crown land be encouraged,
- (d) that, where appropriate, multiple use of Crown land be encouraged,
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.

The proposed use, development and management practices of a reserve must be consistent with the notified public purpose of the reserve. The Act and associated departmental policies encourage the appropriate commercial use of reserved Crown land.

It should be noted that the Act requires that the proceeds of activities on Crown reserves be applied by the appointed Reserve Trust towards the management of the reserve/s for which it is responsible, unless otherwise directed by the Minister. Thus any revenue

generated by the Evans Head Coastal Reserve contributes directly to the funds required for the on-going management of the Reserve.

Crown Lands Regulation 2006

The Regulation is made under the Crown lands Act 1989 and deals with a range of matters relating to Crown reserves and reserve trusts including the purposes for which temporary licences may be granted and the exhibition of draft plans of management.

Crown Lands (General Reserves) By-law 2006

The affairs of certain Crown reserves are covered by the Crown Lands (General Reserves) By-law 2006. The By-law is made under the Crown Lands Act 1989 and deals with a range of reserve management matters including;

- ▶ Procedures to be followed by reserve trusts
- ▶ Administrative matters relating to trust boards
- ▶ The regulation of entry and conduct on reserves, and
- ▶ The setting of fees and charges and the provision of certain services by reserve trusts

At Evans Head the By-law currently applies to:

Evans Head	Dirawong	R.140012 for public	Dirawong
	Reserve	recreation, preservation	Reserve Trust
		of native flora,	
		preservation of fauna,	
		conservation of	
		Aboriginal heritage	



(notified 9 January 1987) and any additions thereto

Evans Head	Evans Head Public Recreation Reserve	R.82910 for public recreation (notified 18 November 1960) and any additions thereto	Evans Head (R.82910) Public Recreation Reserve Trust
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This plan of management recommends that the whole of the Evans Head Coastal Reserve be added to Schedule 1 of the By-law to enhance the effective regulation of activities on the reserve.

Local Government Act 1993

The Local Government Act sets out the role and responsibilities of Richmond Valley Council and gives Council power to control local activities through an approval process under Section 68 of the Act. The operation of caravan parks and camping grounds is subject to an *operational approval* issued under the Act in accordance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2005.

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2005

The current Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 2005 specifies standards for caravan parks and camping grounds including the level of service required. The Silver Sands

Holiday Park is authorised as a caravan park and camping ground under the Regulation. This PoM assumes that the management of the Silver Sands Holiday Park meets the requirements of the Regulation.

Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) provides the statutory planning framework to control the use and development of land in New South Wales. A range of planning controls (Local Environmental Plans, Development Control Plans & State Environmental Planning Policies) need to be considered when planning the future use and development of the Evans Head Coastal Reserve.

Pursuant to Part 5 of the EP&A Act, all public authorities have a duty of care to assess the environmental impact of activities prior to making a decision regarding the activity. When considering the impacts of a proposal the matters specified under Sections 111 and 112 of the EP&A Act must be taken into account.

NPWS Act 1974

The objects of this Act are as follows:

- (a) the conservation of nature, including, but not limited to, the conservation of:
 - (i) habitat, ecosystems and ecosystem processes, and
 - (ii) biological diversity at the community, species and genetic levels, and



(iii) landforms of significance, including geological features and processes, and

(iv) landscapes and natural features of significance including wilderness and wild rivers,

(b) the conservation of objects, places or features (including biological diversity) of cultural value within the landscape, including, but not limited to:

(i) places, objects and features of significance to Aboriginal people, and

(ii) places of social value to the people of New South Wales, and

(iii) places of historic, architectural or scientific significance,

(c) fostering public appreciation, understanding and enjoyment of nature and cultural heritage and their conservation,

(d) providing for the management of land reserved under this Act in accordance with the management principles applicable for each type of reservation.

(2) The objects of this Act are to be achieved by applying the principles of ecologically sustainable development.

Threatened Species Conservation Act, 1995

The objects of this Act are as follows:

(a) to conserve biological diversity and promote ecologically sustainable development, and

(b) to prevent the extinction and promote the recovery of threatened species, populations and ecological communities, and

(c) to protect the critical habitat of those threatened species, populations and ecological communities that are endangered, and

(d) to eliminate or manage certain processes that threaten the survival or evolutionary development of threatened species, populations and ecological communities, and

(e) to ensure that the impact of any action affecting threatened species, populations and ecological communities is properly assessed, and

(f) to encourage the conservation of threatened species, populations and ecological communities by the adoption of measures involving co-operative management.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 – was introduced on 1 January 2008 to simplify planning processes applying to the provision of public infrastructure throughout NSW. The SEPP consolidates and updates 20 previous State planning instruments and amends a large number of local, regional and State instruments. Key provisions include:

1. Additional uses being permitted on certain State land (including some classes of Crown land) which would otherwise be prohibited under an LEP.
2. Exempt development categories for public authorities. Categories relevant to Crown reserves include access ramps,



bush fire protection, car parks, fencing, landscaping, lighting, signage and boundary adjustments

3. Infrastructure planning provisions, including works and activities on Crown land, such as emergency services facilities, bushfire hazard reduction, parks and public reserves, flood mitigation works, port, wharf and boating facilities, waterway or foreshore management activities, etc
4. Consultation requirements when undertaking development subject to the SEPP
5. Development for any purpose may be carried out without consent on a Crown reserve by or on behalf of the appointed trustee where the development relates to the implementation of a plan of management adopted under the Crown Lands Act 1989.
6. In addition, where local councils are Trust managers, they are permitted to do the following without consent;
 - Roads, cycle ways, single story car parks, ticketing facilities and viewing platforms
 - Outdoor recreational facilities including playing fields but not including grandstands
 - Information facilities such as visitor centres and information boards
 - Lighting, if light spill and artificial sky glow is minimised in accordance with AS/NZS 1158:2007 Lighting for Roads & Public Places

- Landscaping, including irrigation schemes (whether they use recycled or other water)
- Amenity facilities
- Maintenance depots
- Environmental management works

7. The SEPP does not remove the obligations of State Authorities to undertake environmental assessment of significant development activities consistent with the objects of the EP&A Act.
8. The SEPP also does not remove any existing requirement to obtain relevant approvals under other legislation such as: National Parks & Wildlife Act 1974, Rural Fires Act 1997 etc.

State Environmental Planning Policy 71

State Environmental Planning Policy (SEPP) 71 – Coastal Protection is designed to protect the NSW coastal zone and its sensitive environment from over development and pollution. SEPP 71 aims to protect and manage the natural, cultural, recreational and economic attributes of the NSW coastal zone for the benefit of the NSW community and future generations. It aims to ensure that development within the coastal zone occurs in a strategic manner, and that development is appropriate and suitably located in context to the adjacent and surrounding coastal attributes. The policy also aims to protect public access to beaches and foreshores, and to ensure that coastal development doesn't place life and property in conflict or at risk.



The policy applies to all land within the coastal zone. As the lands covered by this PoM are within 1 km of the mean high water mark the provisions of this policy apply. This policy is therefore directly relevant to any future planning and development of the Evans Head Coastal Reserve System.

State Environmental Planning Policy 14

SEPP 14 – Coastal Wetlands is designed to protect and preserve Coastal Wetlands in NSW. SEPP 14 aims to ensure that the coastal wetlands are preserved and protected in the environmental and economic interests of the State.

The policy applies to all land outlined by the outer edge of the heavy black line on the SEPP 14 – Coastal Wetlands maps. The portion of Reserve No. 28105 adjacent to the Evans River contains SEPP 14 Coastal Wetland No. 147 and is therefore protected by this policy. Thus this policy is directly applicable to any future planning and development within the aforementioned reserve and the Evans Head Coastal Reserve System.

4.1.3 Local

Richmond River Local Environmental Plan 1992

The Richmond River Local Environmental Plan 1992 (RRLEP) is the principle planning instrument used by Richmond Valley Council to govern land uses and developments within the old Richmond River LGA. RRLEP zones land and prescribes what land uses are permissible without Council consent, with Council consent, as well as

uses that are prohibited. It also sets out the objectives for each of these zones.

A number of different LEP zones apply to the locality including the following:

- ▶ 7(f) Environmental Protection (Coastal Land) Zone
- ▶ 2(v) Village Zone
- ▶ 6(a) Open Space Zone
- ▶ 1(d) Rural (Urban Investigation) Zone
- ▶ 7(a) Environmental Protection (Wetlands) Zone
- ▶ 1(b1) Rural (Secondary Agricultural Land) Zone

Evans Head Development Control Plan No. 10 August 2006

Development Control Plan No. 10 Evans Head sets out the development controls on land within the village of Evans Head. The purpose of the DCP is to provide for the planned growth of Evans Head by identifying both development constraints and development opportunities.

The aim of the DCP is to regulate development in Evans Head within the 2(v) and adjoining zoned areas in order to achieve a desirable built environment, which protects and enhances existing and future amenity by minimising land use conflict.

In order to convert this broad aim into practical guidelines, objectives have been derived. These objectives have been grouped into five main categories: (a) Land Use Objectives; (b) Pedestrian and Vehicle



Movement Objectives; (c) Visual Amenity Objectives; (d) Environmental Objectives; and (e) Social/Cultural Objectives.

The DCP divides Evans Head into control plan areas. The areas have characteristics which make them distinct and are a reflection of existing land use patterns and the preferred land use as identified in appropriate planning strategies or studies. Accordingly, planning requirements within each area vary while specific requirements are also outlined in order to overcome existing and potential problems and enhance opportunities inherent to Evans Head. The control plan areas applicable to the Evans Head Coastal Reserve include:

- ▶ CR1 Crown Reserve 1
- ▶ CR3 Crown Reserve 3
- ▶ R3 Residential Medium Density
- ▶ FDA4 Future Development Area 4
- ▶ NU Non Urban

The map indicating the location of each of the control plan areas is contained in Appendix G.

Draft Open Space Planning Statement, Section 94 Contributions Back Ground Study

Richmond Valley Shire Council's Draft Open Space Planning Statement (1999) is the first stage of an ongoing open space planning process for the entire LGA. The aim of this document is to determine the actions required to achieve a balanced provision of quality park, recreation and sporting opportunities, relative to the

needs and demands of the community from a needs approach based on both qualitative and quantitative indicators and measures.

The Richmond Valley Shire Draft Open Space Planning Statement (1999) is highly applicable to the Evans Head Coastal Reserve PoM. Many individual parcels of land to be incorporated into the Evans Head Coastal Reserve are specifically identified and assessed in this document. In developing this PoM for the Evans Head Coastal Reserve, consistency has been maintained in terms of the needs, priorities and action plans set out in the Open Space Planning Statement, and the future management options for the Reserve.

Proposed Draft Richmond Valley Local Environmental Plan

Richmond Valley Council is currently in the process of preparing a new LEP for the Richmond Valley. It is important that the zones and controls in this new LEP reflect the existing and proposed land use within the Evans Head Coastal Reserve.

4.2 Policy

NSW State Plan

The NSW State Plan sets out the goals that the community wants the NSW Government to work towards through five key areas of activity. These include:

- ▶ Rights, Respect and Responsibility
- ▶ Delivering Better Services
- ▶ Fairness and Opportunity



- ▶ Growing Prosperity Across NSW
- ▶ Environment for Living

The Plan identifies specific measurable priorities for Government that will help achieve each of the results over the next 10 years. The implications of this Plan on the PoM is that appropriate management of the reserve through a more holistic approach to Crown land management. A good PoM can deliver public facilities on Crown reserves, respect for cultural heritage, healthier communities through increased participation in recreational activities and improved environmental outcomes.

NSW Coastal Policy 1997

The New South Wales Coastal Policy 1997 provides a whole-of-government framework for the coordinated management of the coastal zone and seeks to integrate the principles of ecologically sustainable development (ESD) into coastal planning.

The coastal zone includes areas within one kilometre of the ocean and within one kilometre around coastal lakes, lagoons, rivers and estuaries. Therefore, Evans Head Coastal Reserve is subject to the policy.

Under the policy the onus is on public land managers to develop management plans to deliver best practices and ensure the sustainable development and use of resources. Plans of management prepared under the Crown Lands Act 1989 are an important strategic action to achieve the objectives of the Coastal Policy.

This Plan of Management addresses the nine goals of the Coastal Policy as follows:

1. Protecting, rehabilitating and improving the natural environment of the coastal zone.
 - ▶ *Defining areas for protection and rehabilitation to improve the natural environment.*
2. Recognising and accommodating the natural processes of the coastal zone.
 - ▶ *Defining coastal hazard areas and permitting uses commensurate with hazard levels.*
3. Protecting and enhancing the aesthetic qualities of the coastal zone.
 - ▶ *Restricting intensive recreation and access from areas of high aesthetic value to ensure those qualities of the coastal zone are protected and enhanced.*
4. Protecting and conserving the cultural heritage of the coastal zone.
 - ▶ *Acknowledge the links to the Aboriginal cultural heritage of the area.*
5. Providing for ecologically sustainable development and use of resources.
 - ▶ *Managing land use on the basis of principles of ESD*
6. Providing for ecologically sustainable human settlement in the coastal zone.



- ▶ *Providing a balance between protecting natural areas and providing opportunities for appropriate public use of the land.*
7. Providing for appropriate public access and use.
- ▶ *Providing public access to appropriate reserve areas for a diversity of recreational and nature-based tourism activities is a significant outcome of the Plan of Management.*
8. Providing information to enable effective management of the coastal zone.
- ▶ *The Plan of Management is an information document that allows the community to understand why land management decisions are being made.*
9. Providing for integrated planning and management of the coastal zone.
- ▶ *Preparation and review of the adopted Plan of Management incorporating input from all stakeholders including relevant Government agencies.*



5. Reserve Profile

5.1 Environment

The Evans Head Coastal Reserve lies in an area of great biodiversity with diverse plant communities and important wildlife habitat values. The area is of national and international importance incorporating a long stretch of protected coastline made up of crown land and national parks including Broadwater National Park, Bundjulong National Park, Iluka Nature Reserve and Yuraygir National Park to the south (RVC 2000).

5.2 Economy

The business and tourism sector of Evans Head needs to be protected and revitalised. The Evans Head Coastal Reserve can act as a catalyst for the improved economic vitality of Evans Head. A more prosperous Evans Head Coastal Reserve is more able to channel funds into the protection of the foreshore, maintenance and towards environmental values that in turn attract tourism and provide a rewarding nature based tourism experience.

5.3 Social

Incorporating social values is important in maintaining and creating community well being. Community well being can be enhanced within the Evans Head Coastal Reserve by creating diverse spaces which

encourage passive and active interaction providing places for fun, diverse activities and recreation.

The reserve should meet the needs of all the community including minority groups, disadvantaged, disabled and people of all ages. A community space should have landmarks or objects people can identify with and should create a sense of local pride. Commercial ventures within the Evans Head Coastal Reserve should not alienate the general public from using it.

5.4 Physical Environment

5.4.1 Climate and Climate Change

The Evans Head area has a warm humid climate, with hot wet summers and mild dry winters. Average summer temperatures range from 18.3°C (minimum) to 28.5°C (maximum), and average winter temperatures range from 8.1°C (minimum) to 20.4°C (maximum). Maximum temperatures occur from November to March, and minimum temperatures from June to August. March is usually the wettest month, and September the driest. (Bureau of Meteorology 2004)

On average, a tropical cyclone affects the north coast of NSW once in two years, bringing heavy rain, floods and/or very strong winds. Cyclone season extends from December to mid-April (RVC 2000a).



East coast low depression systems also generate cyclonic like weather conditions, but they occur more commonly in the winter months.

The Intergovernmental Panel on Climate Change provides updates on climate change impacts every 6 to 7 years. The most recent update (IPCC, 2007) provides sea-level rise predictions for the period 2090 to 2100 compared to the average sea level for the period 1980 to 2000. According to IPCC (2007) the average global sea level rise (ignoring ice flow melt) may be between 0.18 m and 0.59 m by between the years 2090 to 2100. Including an ice flow melt component gives an adjusted range of 0.18 m to 0.79 m.

The variation in the sea-level rise estimates in the IPCC reports is a result of modelling different scenarios largely relating to predicted global development and likely greenhouse gas emissions. The upper limits of the model outputs represent 'business as usual' scenarios. It should be noted that the Antarctic Climate and Ecosystem Co-operative Research Centre highlight that recent measurements of sea levels indicate that sea level rise is tracking at rates equivalent to the upper limits as predicted by IPCC (2007). Further, the Antarctic Climate and Ecosystem Co-operative Research Centre stress that global greenhouse gas emissions are currently exceeding those on which the upper limit scenario is based. Hence, it is prudent to adopt the upper limits for medium to long-term planning and management.

In respect to this, recent work by the CSIRO (2007) indicates that the mean sea level along the NSW coast may rise by more than the global average. Based on the above information, sea levels along the NSW coast may rise by between 0.18 m to 0.91 m between the years 2090 and 2100.

While IPCC (2007) does not report estimates for nearer future periods, previous reports provide sea level rise estimates for 2050. For example, IPCC (1995) estimates that average sea level will rise by between 0.08 and 0.428 metres by 2050, with a mid-range scenario of 0.225.

Further, the NSW DECCW Draft Sea Level Rise Policy Statement (February, 2009) recommends adoption of 0.4 metres rise in average sea level by 2050. In October 2009 the Sea Level Rise Policy Statement was finalised and the adopted sea level rise benchmarks are 40 cm by 2050 and 90 cm by 2100 based on 1990 mean sea levels.

5.4.2 Topography

The portion of Evans Head located on the northern side of the Evans River is relatively flat with only two knolls within the village and reserves, peaking at 10m Above Sea Level (ASL). These knolls are located at the intersection of Woodburn and Cypress Streets, and within the Evans Head Coastal Reserve to the east of Terrace Street. Thus the topography of the Evans Head Coastal Reserve located to the north of the Evans River, is low lying with only one peak in the north eastern section of the Reserve.

The reserves on the southern bank of the Evans River have a more varied topography. John Paddon Park and Bundjalung Reserve which are located adjacent to the Elm Street Bridge are mostly flat. Kalimna Reserve slopes steeply from its northern boundary down to the Evans River. Bingarra Reserve slopes from its southern boundary (20m ASL) down to its northern boundary (10m ASL). The reserve at Shark Bay is relatively flat, however the northern most



section slopes down to the Evans River, and steep sandstone cliffs are located to the south west of the reserve. Razorback Lookout is much higher in terms of topography than the rest of the Evans Head Coastal Reserve. The ascent from Shark Bay Reserve to Razorback Lookout is fairly steep, with the Evans Head Trig Station located at the lookout being 53m ASL. Razorback Lookout is situated on undulating land, with sheer cliffs down to the Pacific Ocean to the north and east of the lookout.

5.4.3 Geology and Soils

Geology

The Evans Head area is underlain by Holocene beach and dune deposits, and Pleistocene dune deposits, of marine and fluvial sands and silts. Within the coastal barrier and dune system, marine quartz sands laid down during periods of elevated ocean levels are apparent. In-situ sands and mud have been deposited over time through the process of fluvial erosion of the upper catchment. (RVC 2000a: 17)

Soils

The soils existing in the Evans Head Village include siliceous sands on the frontal dunes and beach, backed by deep sands overlain with a narrow peat layer (swamp deposits). Deep sandy Podosols occur west of the dune and swale complex. The siliceous soils in the area are of low fertility and are highly erodible when disturbed (RVC 2000a: 17).

The potential for acid sulphate materials to be present in the Evans Head Village Conservation Area is considered low according to the

Richmond River Catchment Area Acid Sulphate Soil Risk map development by the former Department of Land and Water Conservation (DLWC) (RVC 2000a: 18).

5.4.4 Hydrology and Groundwater

There are ten (10) subcatchments within the village of Evans Head, the majority of which drain into the Evans River.

The following descriptions of the subcatchments have been derived from Patterson Britton and Partners [PBP] (2004: 95):

- ▶ Subcatchment 1 directs flows to a large open drain north of Camp Koinonia, passing under the Broadwater-Evans Head Road. The drain discharges landward of the dune system, where it is trapped and eventually infiltrates into the sandy soils. The subcatchment includes a new industrial area near the airport, and residential areas (including north of Pine Lane).
- ▶ Subcatchment 3 discharges into a vegetated area east of Beech Street, between Currajong Street and Booyong Street. This is a melaleuca wetland, a low area landward of the dunes. It eventually discharges via subcatchment 6 into the ocean.
- ▶ Subcatchments 2 and 4-8 eventually discharge into the Evans River. Subcatchment 6 includes the Silver Sands Caravan Park, the largest proportion of residential areas and most of the commercial areas.

The Richmond River Shire Council Local Environmental Study (1986) indicates that the Evans Head area contains low salinity and high yielding good quality groundwater. The former Department of Water Resources indicates that the top of the water table ranges from 0.6m



to 30m and an average of 10m below the surface. The column has an average width of 15m and ranges from 2.7m to 48m. All samples taken in the area (65 licensed bores) provide water with less than 500mg/litre of dissolved solids and in most cases the quality is 200mg/litre. Most bores are located in sand and multiple water tables do exist in places. A potential for saline intrusion into the water table up to 400m from the beach is also a real possibility (Thompson and Palmer 1997: 18).

5.4.5 Wetlands

There are several portions of the Reserve which are designated SEPP 14 Coastal Wetlands. These areas are located on the northern bank of the Evans River to the west of the Evans Head village. As shown in Diagram 4 Reserve G(a) is almost entirely comprised of SEPP 14 Coastal Wetland No. 147. The SEPP 14 wetlands within Reserve G(a) extend west and cover the north eastern corner of Reserve 1 (to the south of Iron Gates Road). There is also a small portion of land designated to be SEPP 14 Coastal Wetland No. 147 along the central northern boundary of Reserve 11.

Clause 7 of SEPP 14 outlines the restrictions on development on land to which the policy applies. SEPP No. 14 – Coastal Wetlands (SEPP 14) aims to preserve and protect the coastal wetlands in the environmental and economic interests of the State. Under the policy, activities involving land clearing, levee construction and drainage or filling of land, can only be carried out with the approval of the Director-General of Planning. In considering a development application the Minister will consider a number of issues such as the environmental effects, proposed measures for rehabilitation,

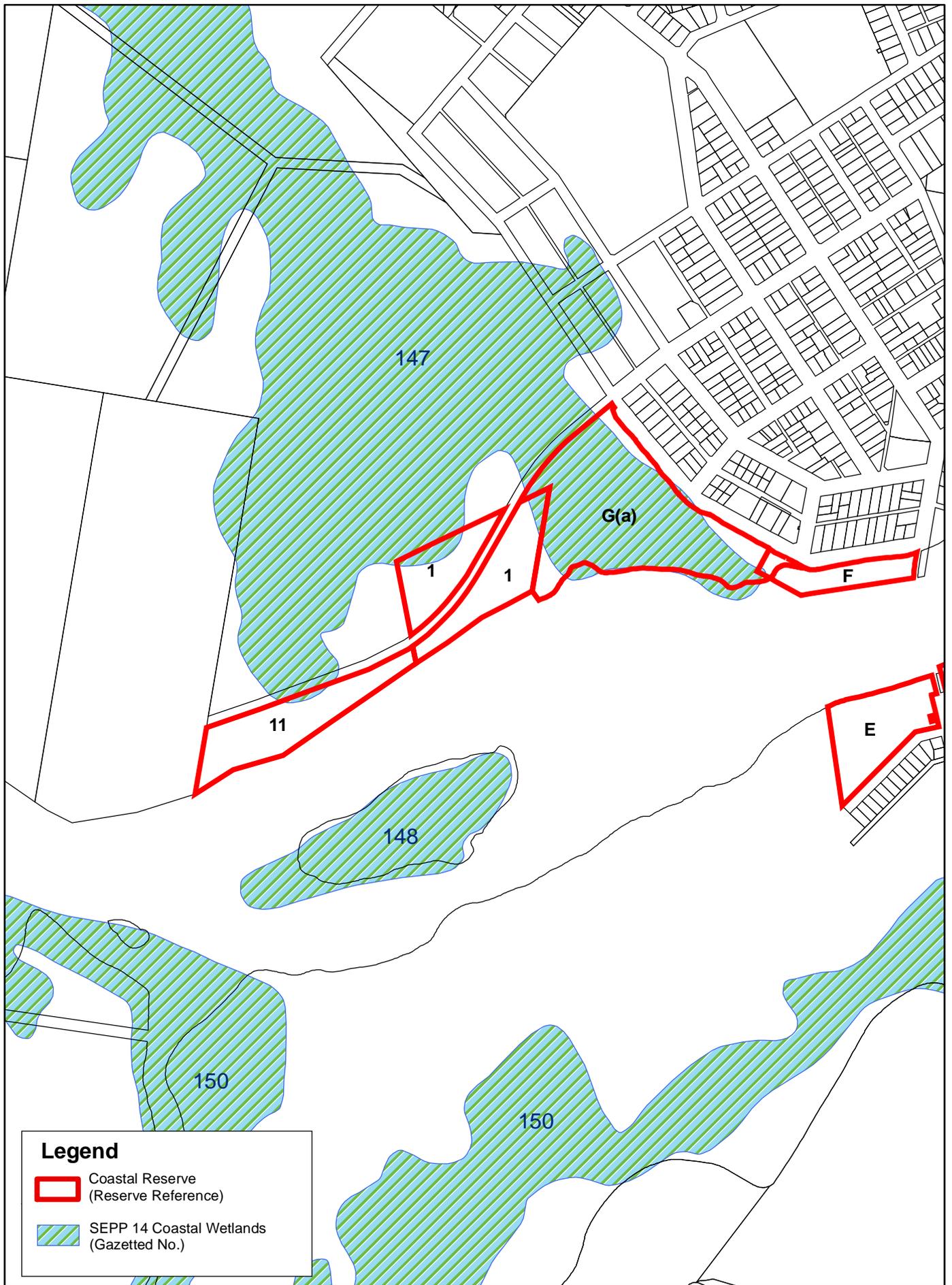
possibility of alternatives and any representations from agencies such as the National Parks and Wildlife Service.

Given the high ecological value associated with SEPP 14 Coastal Wetlands, those areas of the Coastal Reserves designated as such should be conserved.

There are other wetlands located within the Evans Head Coastal Reserve within Reserve C. These wetlands occur in the hind dune area north of the surf club.

5.4.6 Mineral Resources

Heavy mineral sands exist throughout the northern portion of the study area. Historical investigations undertaken by Engineering Consultant Patterson Britton and Partners (PBP) (2004: 25-7) indicated that numerous heavy mineral mining leases were granted in the area to the north of Evans Head. Further enquiries by Patterson Britton and Partners indicated that mining only took place within some of the lease areas, and that beach areas and the coastline in general were not subject to mining in the Evans Head area. Historical aerial photography also gave no indication of significant mining activities within a few hundred metres of the coastline.



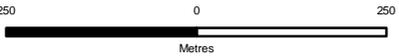
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Diagram 4: SEPP 14 Wetlands



5.4.7 Bushfire Hazard

Major National Parks and Nature Reserves to the north and south of Evans Head, place the edges of the urban area at particular risk of bushfire. The Richmond Valley Council Bushfire Prone Land Maps (RVC 2003b), shown in Appendix F, indicate that the majority of the Evans Head Coastal Reserve is Bushfire Category 1 and 2, with several areas being a bushfire vegetation buffer. The link that the Evans Head Coastal Reserve vegetation has with the National Park to the north brings this fire hazard into the town.

5.4.8 Estuarine and Coastal Processes

Estuary Processes

In 1999 PBP carried out the Evans River Estuary Processes Study. This study provides information on all the physical, chemical and biological processes that occur within the Evans River Estuary. These processes include: hydrodynamics; sedimentation; coastal geomorphology; water quality; terrestrial flora and fauna; marine flora and fauna; cultural values; waterway usage; bank stability; Tuckombil Canal and the Fabridam; acid sulfate soils; and human impacts.

Coastal Processes

The Evans Head Coastline Hazard Definition Study prepared by PBP in 2004, outlines the coastal processes operating in the Evans Head area. Also examined in the study are the coastline hazards that exist.

The coastal process which are comprehensively described in the PBP Study (2004: 56-107) include: wave climate; elevated ocean

water levels; coastal storms; wave induced currents; net sediment transport, which is caused by longshore sediment transport and onshore/offshore sediment transport; Evans River flooding; stormwater and creek/inlet effects; Evans River entrance processes; aeolian sand movement; climate change; and beach access.

The coastline hazards likely to occur within the study area are also defined and examined in the PBP Study (2004). These coastline hazards included climate change; beach erosion; shoreline recession; sand drift; coastal inundation; stormwater erosion; and slope instability.

A copy of the PBP Study (2004) is included in Appendix C.

5.5 Ecological Environment

5.5.1 Terrestrial Flora

WBM (2002) recorded 14 vegetation communities in the Evans Head estuarine area comprising rainforest, wet sclerophyll forest, dry sclerophyll forest, swamp sclerophyll forest, heathland complex, mangrove complex, saltmarsh complex, reed swamp and grassland. Most rainforest and wetland communities are listed as Endangered Ecological Communities (EECs) under the NSW TSC Act. Seven such EECs are recorded as occurring within or close to the Evans Head Coastal Reserve (Hallinan and RVC, 2008) including

- ▶ coastal saltmarsh,
- ▶ freshwater wetlands,
- ▶ littoral rainforest,



- ▶ lowland rainforest on floodplain,
- ▶ subtropical coastal floodplain forest,
- ▶ swamp oak floodplain forest, and
- ▶ swamp sclerophyll forest on coastal floodplains.

Whilst no formal fauna survey was undertaken for this baseline environmental analysis, it is apparent, from the search of the Department of Environment and Conservation (DEC) Atlas of NSW Wildlife database that has been carried out for this POM, and from reviewing previous studies, assessments and management plans, that parts of the study area have a high conservation value.

A Bionet (www.bionet.nsw.gov.au) database search, conducted on area on the 12/8/2009, returned a list of 53 species of threatened and protected flora.

Co-ordinates for the search area are as follows:

- ▶ N 29o 05' 36";
- ▶ W 153o 25' 36";
- ▶ E 153o 26' 45"; and
- ▶ S 29o 07' 29".

Listed flora species are comprised of:

- ▶ 53 species from 26 families.

The results of the Bionet search are contained in Appendix D.

Peter Parker Environmental Consultants undertook a flora and fauna survey of the land between Airforce Beach and the village of Evans Head in September 2001. This survey encompassed the majority of the north eastern portion of the Evans Head Coastal Reserve. Vegetation recorded in the area included nine vegetation associations in six communities. The types and location of the vegetation recorded by Peter Parker are shown in Appendix E.

In January 2001, a flora and fauna survey was undertaken by Peter Parker Environmental Consultants on the land immediately north of the Evans Head village, between Woodburn Street and the Broadwater-Evans Head Road, and extending north to the Sewerage Treatment Plant. The only part of the Evans Head Coastal Reserve to be included in this survey is that Crown land situated west of the Broadwater-Evans Head Road and north of Currajong Street. This vegetation was classified as *Banksia ericifolia* var. *macrantha* (heath-leaf banksia), *Melaleuca nodosa* (prickly tea-tree), *Leptospermum trinervium* (black tea-tree) emergent broad-leaved paperback mid-high to tall open to closed shrubland.

The Plan of Management prepared for Shark Bay/ Razorback Lookout in 1996 identifies the native vegetation in the Shark Bay and Razorback Lookout areas as comprising Banksia, Coastal Tea Tree, Coastal Wattle and Horsetail She-Oak.

The Urban Capability Study of the Evans Head Environs produced by David Thompson and John Palmer of the former Department of Land and Water Conservation in 1997, contains information relating to vegetation within the study area. The Urban Capability Study refers to a study undertaken by Robinson in 1993, which identified the



vegetation west of Evans Head and extending to the Evans River including SEPP 14 Wetland No. 147, as comprising of:

- ▶ Dry Heath dominated by *Banksia ericifolia* and *Leptospermum liversidgeii*
- ▶ *E. planchoniana* mallee woodland with a tall heath understorey of *B. serrata*, *Leptospermum juniperinum*, *Epacridaceae* and *Rutaceae* spp.
- ▶ Tall closed heath of *Leptospermum* sp. and *B. ericifolia* with patches of *Melaleuca quinquenervia* woodland and sedgeland
- ▶ *E. robusta*-*Lophostemon conferta* tall open-forest on riparian areas
- ▶ *Avicennia marina*-*Aegiceras corniculatum* low open-woodland in estuarine areas under tidal influence.

5.5.2 Terrestrial Fauna and Habitat

Whilst no formal fauna survey was undertaken for this baseline environmental analysis, it is apparent from the DEC Atlas of NSW Wildlife database search, and from reviewing previous studies, assessments and management plans, that parts of the study area have a high conservation value.

A Bionet* (www.bionet.nsw.gov.au) database search, conducted on area on the 12/8/2009, returned a list of 313 species of threatened and protected fauna.

Co-ordinates for the search area are as follows:

- ▶ N 29o 05' 36";

- ▶ W 153o 25' 36";
- ▶ E 153o 26' 45"; and
- ▶ S 29o 07' 29".

Listed Fauna species are comprised of:

- ▶ Amphibians (18 species from two families);
- ▶ Birds (210 species from 57 families);
- ▶ Fish (2 species from two families);
- ▶ Mammals (57 species form 15 families); and
- ▶ Reptiles (26 species from nine families).

The results of this search are contained in Appendix D.

Peter Parker's 2001 Flora and Fauna Assessment of Airforce Beach recorded seven vulnerable species and two additional vulnerable species that were previously recorded within the Airforce Beach area. These species were as follows:

- ▶ Four vulnerable birds – the glossy black cockatoo and osprey recorded during this survey and the barred cuckoo-shrike and pied oyster catcher (now endangered) previously recorded (Clancy 1991); and
- ▶ Five vulnerable bats – the little bent-wing bat, the large bent-wing bat, the large-footed myotis, the common blossom bat and the grey-headed flying fox.

The survey also states that the number of threatened species seasonally or opportunistically using habitats at the site may be considerable higher.



The Flora and Fauna survey undertaken on the northern part of Evans Head by Peter Parker in 2001 recorded twelve vulnerable fauna species, as well as three vulnerable species that have been previously recorded at the site. The southwest portion of the study area for the Survey encompassed land included in the Evans Head Coastal Reserve. The four endangered species recorded within the northern portion of the Reserve were as follows:

- ▶ One vulnerable frog – the Wallum froglet;
- ▶ One vulnerable bird – the glossy black cockatoo;
- ▶ One terrestrial mammal – the common planigale (previously recorded by Warren (1998), but not recorded in this survey; and
- ▶ One vulnerable bat – the little bent-wing bat.

Since 2002 grey-headed and black flying-foxes have been roosting on a seasonal basis in the littoral rainforest remnant located near the village centre just 250 metres north east of the main street (Hallinan and Richmond Valley Council, 2008). The site is entirely within Reserve R.82910. The animals are migratory and generally arrive at the site each year in late autumn in response to an abundance of food in the area. They roost at the site for six to eight months with pregnant mothers giving birth to young in spring. Most flying-foxes leave the site well before the year's end in search of food elsewhere.

Flying-foxes have critical ecological roles through pollination and seed dispersal in native forests. At a landscape level they contribute to genetic diversity and resilience of plant communities. At a local level however, animal concentrations at roost sites or camps regularly cause dramatic canopy loss and add to weed pressures. Ironically, the roost sites they threaten are themselves at risk of

extinction and listed as Endangered Ecological Communities under the TSC Act.

5.5.3 Shoreline Habitat

Numerous shorebird species utilise the shoreline habitat adjacent to Evans Head. To the north of the Evans Head Coastal Reserve is the Shorebird Conservation Area, which commences 1.3km north of the Ocean Street 4WD access track and extends to Boundary Creek, which is the Richmond Valley LGA north eastern boundary.

The beach, in particular the area around Salty Lagoon, is used by numerous native shorebird and migratory shorebird species. Native shorebird species that inhabit the area includes silver gulls, crested terns, the endangered little tern, beach stone-curlews, and the endangered pied oystercatcher. Migratory species that also use this area include the grey-tailed tattler, pacific golden plover, grey plover, turnstone and eastern curlew. These migratory species all breed in the northern hemisphere and then migrate to Australia for the southern hemisphere summer months. (RVC: 1-2)

The Pied Oystercatcher is an endangered shorebird species with a population in NSW of only 200 to 250 individual birds. It is estimated that 12 to 20 pairs of pied oystercatchers nest between the Evans and Richmond Rivers, making this population a significant breeding population (RVC: 2). When nesting the Pied Oystercatcher and other shorebird species are particularly susceptible to disturbances from vehicles on beaches and off-leash dogs. These disturbances can result in the failure of eggs to hatch or chicks falling prey to predators.



For the shorebirds and migratory shorebirds that use the tidal areas for resting and feeding, disruptions can cost energy which can be extremely important for building up fat reserves for successful breeding and/or migrating thousands of kilometres around the globe (RVC: 2).

It is therefore essential that bird species nesting and resting on the beach not be disturbed.

At present a project titled 'Managing Impacts on Threatened Species on South Ballina Beach' is being managed by the Land and Property Management Authority and funded by the Northern Rivers Catchment Management Authority, which Richmond Valley Council has been involved in. The project has focussed on the management of coastal land for the protection of threatened species including Pied Oystercatchers in the Richmond River area. One of the outcomes of the project will be development of a number of management strategies, which coastal Councils can implement to manage impacts on threatened species on beaches. Likely management strategies to be developed as part of the project include a permit system for 4WD use that would include a code of conduct to be adhered to, reductions in speed limits, prohibition of vehicles on beaches during high tide, and signage around known migratory nesting areas. It is recommended that Council consider the findings of the project and implement similar strategies for Airforce Beach.

5.6 Social and Economic Environment

5.6.1 Evans Head Community Profile

Evans Head has a population of 2,910 (as at the 2006 ABS Census). The population profile of Evans Head has changed in recent years with the establishment of the Evans River K–12 School, release of land for the development of residential and industrial areas and the “Sea Change” effect which has been felt up and down the Australian coast (RVC, 2008). There are 1641 dwellings in Evans Head of which 299 were vacant at the census (the highest vacancy rate for the LGA) indicating that a significant percentage of dwellings may be used for holiday letting. Mean household size is the second lowest in the LGA at 2 persons per dwelling.

People in Evans Head are on average older than people in the Richmond Valley. The average monthly housing loan repayment is higher than all other areas of the Council. Median weekly rent is similar to that of other areas in the Council, however, the median weekly family and household income is lower. Unemployment rates in Evans Head are lower than in other areas of Council. There are a higher percentage of people over 60 years in Evans Head than in Richmond Valley. This is probably the defining characteristic of this town. The population of Evans Head increased from 2757 in 2001 to 2910 in 2006, an average annual growth rate of 1.08%. The population in 2006 represented 13.6% of the total population living in the Richmond Valley.



5.6.2 Recreational Opportunities

Evans Head is a place for leisure, recreation and appreciation of the natural environment. The coast is an important part of the Australian way of life, and has a key role in the lifestyle of a high percentage of the population. Approximately 80% of the NSW population live in LGA's along the coast (NSW Government 1997: 12). The North Coast of NSW is a popular place both with residents and tourist, offering ample recreational opportunities.

Types of recreational activities and facilities

The former Richmond River Shire Council *Open Space Planning Statement* (1999) undertook a comprehensive evaluation of recreational facilities within the LGA, which involved carrying out an assessment of the existing recreational facilities within the Shire, and determining both the existing and future demand for use of recreational facilities.

Community consultation undertaken as part of this PoM, as well as previous community questionnaires carried out as part of the Evans River Estuary Processes Study (1999), revealed a strong emphasis on the recreational value of the Evans Head Coastal Reserve.

There is a diversity of the recreational settings and opportunities for active and passive recreation. Passive pursuits include relaxation, picnicking and BBQs, socialising, sightseeing, walking, nature observation, culture appreciation, photography, sketching, art, and enjoying the visual environment. Active recreational pursuits include water-based activities such as swimming, boating, surfing, body boarding, canoeing, snorkelling and fishing. Land-based active recreational pursuits include jogging, dog walking, cycling, camping,

four-wheel driving, hiking, skateboarding, games, and using the playground equipment.

Large numbers of people visit Evans Head every year. The peak holiday time is over the Christmas holiday period when the population of Evans Head regularly reaches 10,000. The Evans Head Fishing Classic is a major annual event that attracts large numbers of tourists to the area each winter. Major surf board riding events such as the long board competition in October each year are also important.

Facilities provided in the Evans Head Coastal Reserve include picnic tables and barbeques, viewing platforms and lookouts, walkways and cycleways, parks and playgrounds, and boat ramps.

Silver Sands Holiday Park

Silver Sands Holiday Park (Silver Sands) is located within a narrow but substantial area of reserved Crown land on the eastern edge of Evans Head (Integrated Site Design, 2009). The Reserve and the Park form a buffer separating commercial and residential landuse from the Evans River estuary and the beach. The Reserve has extensive frontage to the estuary with pathways, roads and parking areas providing links and access from the town to the river, the estuary and the beach. The Holiday Park has two distinct operational areas which are separated by a foreshore and riverside recreation area which is used by the public as open space for general year round use. The northern part of the Park (Northern Precinct) is used intensively throughout the year while the southern area (Riverfront Precinct) has been primarily used as an "overflow" for camping during the peak season. Having said that the Riverfront Precinct area



has a Section 68 approval that does not impose any restrictions in terms of when the land is occupied and provides communal amenities and facilities that comply with the requirements of the relevant Local Government Regulations.

The Silver Sands Holiday Park is approved for a total of 581 sites consisting of:

- ▶ 48 long term sites;
- ▶ 378 short term sites; and
- ▶ 155 campsites.

The Northern Precinct of the Park supports 374 of these sites which are allocated and used as follows:

- ▶ 48 long term sites;
- ▶ Short term sites which comprise;
- ▶ 53 en-site sites;
- ▶ 108 holiday vans;
- ▶ 27 units of on-site accommodation;
- ▶ 123 powered sites; and
- ▶ 16 campsites.

The Northern Precinct supports a majority of the Park's capital infrastructure which includes:

- ▶ Amenities blocks;
- ▶ Managers residence and reception area;
- ▶ A children's playground;

- ▶ Park laundry; and
- ▶ Barbecue shelters and 53 brick en-suite units.

At this stage the sites in the Riverfront Precinct which comprise 70 short term powered sites and 137 campsites are available only during the December and January and comprise;

The adjoining public reserve supports a range of significant community facilities which include;

- ▶ Evans Head Surf Life Saving Club;
- ▶ A kiosk;
- ▶ Public amenities;
- ▶ Tennis courts;
- ▶ The community recreational hall;
- ▶ Extensive parking areas; and
- ▶ A skateboard facility.

A feature of the Park's environmental context are adjoining areas of valuable littoral rainforest and mature Norfolk Island pines and figs in the Riverfront Precinct and along the estuary foreshore. The Park is maintained to a reasonable standard although some of the infrastructure and facilities are relatively dated in relation to the quality and significance of the location and the commercial potential of the business. The Silver Sands Holiday Park represents a substantial asset of the Council and the New South Wales government and occupies a significant and valuable area of reserved coastal Crown land. The Park is also important in the context of the regional caravan park and tourist industry and the economy of Evans



Head. The Park adjoins a residential and commercial area with restaurants, clubs, retail outlets and general service stores all within easy reach. The Park has a 3 ½ star AAA Tourism rating. Holiday vans and long term occupations account for about 40% of the total sites in the Northern Precinct and as a consequence are a significant component of the visual character of the Holiday Park and the overall presentation of the property (Integrated Site Design, 2009).

Silver Sands Holiday Park stands out in terms of its location and setting. It is a unique property because of its intrinsic qualities and as a result represents an outstanding business asset. In the Riverfront Precinct a large percentage of sites have a water view and no site is further than 200 metres from the water's edge. In addition the area is immediately adjacent to the town centre. Based on the quality of the location and the existing occupancy rates it is clear that the provision of new cabins and improved facilities would create the opportunity for substantial increases in tariffs for all sites and accommodation products.

The Visitor Survey (Integrated Site Design, 2009) showed that there are problems that need to be addressed with respect to cleaning, maintenance and customer service. While the cabin precinct and some aspects of the park are well maintained a large proportion of the Park's capital assets including amenities and some cabins are showing signs of their age and requirements for renovation. In terms of addressing the growing demands of the marketplace the provision of ancillary facilities and value added services for guests is limited. These areas and others need to be addressed to bring the Park into line with other providers of tourist accommodation. Specific items where there is a significant shortfall are:

- ▶ The park amenities require upgrading or replacement;
- ▶ Given the occupancy rates and client demographic the provision of a much larger and more contemporary camp kitchen associated with a leisure pool and other recreational facilities would consolidate the Park's existing strong performance across all site types;
- ▶ A substantial proportion of the cabin stock is due for replacement;
- ▶ The range and quality of the cabin stock could be expanded;
- ▶ Landscaping and presentation of some cabins and existing guest facilities could be improved; and
- ▶ The Riverfront Precinct has the potential for profitable year round operation and in the long term could become an independent business.

Other Facilities

There are a range of facilities throughout the Evans Head Coastal Reserve including the following (Appendix H).

Formalised picnic areas are located at Razorback Lookout, Shark Bay, Kalimna Park, John Paddon Park, Mangrove Street Foreshore Park, throughout Evans Head Recreation Reserve and surrounding the Evans Head Surf Club.

A Coastguard Tower and viewing platform have been constructed at the Razorback lookout. A formalised viewing platform has also been constructed to the north of the Evans Head Surf Club. Numerous informal vantage points are scattered along both the coast and the banks of the Evans River.



Parks and open space areas are provided throughout the Evans Head Coastal Reserve. Formal parkland and open space areas are provided at Shark Bay, Razorback Lookout, Kalimna Reserve, John Paddon Park, South Boat Harbour Boat Ramp, Mangrove Street Foreshore Park, Evans Head Recreation Reserve, Evans Head Surf Club, Currajong Street Reserve and Reserve No. 81617.

There are significant bushland areas within the Evans Head area that are currently used for recreational activities such as bush walking, jogging and bike riding. A portion of Kalimna Reserve is the only part of the Evans Head Coastal Reserve that has been classified as a bushland reserve in RRSC (1999) *Open Space Planning Statement*.

Within the Evans Head Coastal Reserve is the Evans Head Tennis Courts. These courts are used for competition and casual tennis, as well as functioning as an inline skate hockey court. Within the area currently used by Silver Sands Holiday Park during peak periods, is a designated 'cricket pitch' that has not been physically constructed. This area is currently used for camping and general open space.

Playground facilities are provided within Evans Head Recreation Reserve, Silver Sands Holiday Park, and Shark Bay. There is also a skate park located in Reserve R82910 in proximity to the Silver Sands Holiday Park.

Amenity blocks are provided at Razorback Lookout, Shark Bay, Kalimna Park, John Paddon Park, South Boat Harbour Boat Ramp, the Tennis Courts and several other locations within Evans Head Recreation Reserve, Evans Head Surf Club, and Currajong Street Reserve.

A mix of informal and formal parking areas are available throughout the Evans Head Coastal Reserve. During peak holiday periods some of the parking areas exceed capacity, however during the majority of the year there is ample parking throughout the Coastal Reserve.

5.6.3 Access

Vehicle access to beaches

Four wheel driving is currently permitted on Airforce Beach, below the mean high water mark, from the access track at Ocean Street, Evans Head, north to Boundary Creek, which is the northern boundary of the Richmond Valley Council. Most of this beach is adjacent to Broadwater National Park, the boundary of which is the mean high water mark.

There are many issues associated with four wheel drives on beaches, including: impacts on shorebird breeding and migration patterns which has can lead to population decline; erosion of the dunal beach areas; and safety issues associated with other beach users.

The community consultation revealed concern about vehicles on beaches, relating to potential detrimental impacts on sensitive coastal habitat (particularly that of Shorebirds) and damage to dunes (especially erosion), safety concerns, and perceived conflicts with other beach uses (mainly dog walkers). The consultation also revealed a strong wish by some residents for the 4WD access track to remain, citing it as needed by people with disabilities to access the beach, and having importance to the community.



The NPWS Plan of Management for Broadwater National Park, Bundjalung National Park and Iluka Nature Reserve (1997) makes several relevant comments in regards to vehicle access to beaches, which are provided below:

- ▶ Four wheel drive (4WD) vehicle use on beaches fronting Broadwater and parts of Bundjalung National Parks is popular. Land below high water mark is Crown land and not reserved as national park, vehicles on these beaches are restricted to the intertidal zone and are not permitted above high water mark or onto sand dunes. Beaches are at law public places and all vehicles and drivers on beaches are subject to relevant Acts and regulations, particularly with respect to the registration of vehicles and licensing of drivers (p.41).
- ▶ Uncontrolled vehicular access to beaches has in the past severely damaged beach and headland areas. The use of vehicles on beaches also conflicts with passive recreation and visitor safety in these areas and vehicle use has been prohibited where such conflicts have been unacceptable (p.42).
- ▶ The breeding and feeding of shorebirds have been observed to be disrupted by 4WD use of Ten Mile Beach, in particular the pied oystercatcher (*Haematopus lonirostris*) (p.41).

It should be noted that while the NPWS Plan of Management refers to shorebirds and particularly the pied oystercatcher on Ten Mile Beach being disrupted by 4WD use, the results of the DEC Atlas of NSW Wildlife database search indicate that there have numerous shorebird sightings within the area adjacent to the part of Airforce Beach currently used by vehicles. With fourteen (14) sightings of the pied oystercatcher and many additional sightings of other shorebird

species, the breeding and feeding of shorebirds also have the potential to be disrupted by 4WD use of Airforce Beach.

The NPWS have devised a number of policies with regard to vehicles on beaches that have relevance to the Evans Head Coastal Reserve:

- ▶ The impact of vehicles using beach on both nature conservation values and the enjoyment of the national parks by other users will be regularly monitored. Vehicles on beach will be restricted or prohibited where such impact is unacceptable to the NPWS.
- ▶ In particular, the disruption to pied oystercatchers and other shore birds by vehicles on beaches, such as Ten Mile Beach, will be monitored.

The NPWS code of conduct regarding the use of vehicles on beaches, recommends vehicles slow down to 10km/hr as soon as resting shorebirds are sighted. A minimum of 50 metre distance should be maintained where possible between the shorebirds roosting site and vehicles.

Numerous shorebird species utilise the shoreline habitat adjacent to Evans Head. To the north of the Evans Head Coastal Reserve is the Shorebird Conservation Area, which commences 1.3km north of the Ocean Street 4WD access track and extends to Boundary Creek, which is the Richmond Valley LGA north eastern boundary.

The beach, in particular the area around Salty Lagoon, is used by numerous native shorebird and migratory shorebird species. Native shorebird species that inhabit the area includes silver gulls, crested terns, the endangered little tern, beach stone-curlews, and the endangered pied oystercatcher. Migratory species that also use this area include the grey-tailed tattler, pacific golden plover, grey plover,



turnstone and eastern curlew. These migratory species all breed in the northern hemisphere and then migrate to Australia for the southern hemisphere summer months. (RVC: 1-2)

The Pied Oystercatcher is an endangered shorebird species with a population in NSW of only 200 to 250 individual birds. It is estimated that between 12 and 20 pairs of pied oystercatchers nest between the Evans and Richmond Rivers, making this population a significant breeding population (RVC: 2). When nesting the Pied Oystercatcher and other shorebird species are particularly susceptible to disturbances from vehicles on beaches and off-leash dogs. These disturbances can result in the failure of eggs to hatch or chicks falling prey to predators.

For the shorebirds and migratory shorebirds that use the tidal areas for resting and feeding, disruptions can cost energy which can be extremely important for building up fat reserves for successful breeding and/or migrating thousands of kilometres around the globe (RVC: 2).

It is therefore essential that bird species nesting and resting on the beach not be disturbed.

As outlined in Section 5.5.3 of this Plan the project currently being undertaken by the Land and Property Management Authority 'Managing Impacts on Threatened Species on South Ballina Beach' focuses on the management of coastal land for the protection of threatened species including Pied Oystercatchers in the Richmond River area. Recommendations of the project with regard to 4WD access on beaches include the introduction of a permit system for 4WD use that would include a code of conduct to be adhered to,

reductions in speed limits, prohibition of vehicles on beaches during high tide, and signage around known migratory nesting areas.

Given the above findings it is recommended that Council investigate whether the existing beach access is in the best location.

Walkways and Cycleways

Formal pedestrian access to Airforce/Main Beach is provided at a number of points between the north break-waters and the northern boundary of Evans Head Coastal Reserve. PBP (2004: 106-7) identified the following beach access trails:

- ▶ Four tracks seaward of Terrace Street, namely north of Camp Koinonia, adjacent to Ocean Street, adjacent to Pine Land (four wheel drive track) and adjacent to Currajong Street;
- ▶ One track seaward of Cudgerie Street from Beech Street;
- ▶ One track seaward of the loop road / car park north of the Surf Club;
- ▶ Two tracks seaward of the Surf Club;
- ▶ Two tracks between the Surf Club and breakwater; and
- ▶ A track from the breakwater itself.

Whilst it is important to provide pedestrian beach access for Evans Head residents and visitors, the rationalisation of these tracks may be required to minimise 'the edge effect' (large edge to area ratio of the reserve) currently experienced within the Evans Head Coastal Reserve.

Evans Head has one main coastal cycleway that starts at Ocean Drive on the southern side of the Evans River crosses the bridge and



then enters Reserve 82910 at McDonald Street. It then tracks to the north through the reserve before rejoining the public road network at Beech Street. The Richmond Valley Transport Plan and Car Parking Strategy (GHD, 2008) identified an option to link this cycleway back into the business area, but this link falls outside of the Evans Head Coastal Reserve.

The inventory in Appendix H details those reserves with formalised footpaths/ cycleways suitable for people with disabilities.

5.6.4 Emergency Access

Emergency vehicles are permitted on beaches within Evans Head. The Airforce Beach can be accessed via both the Evans Head Surf Club and the Terrace Street 4WD track. Erosion and wave attack have the potential to degrade these access tracks, resulting in hazardous access.

5.6.5 Surf Life Saving

Evans Head has one Surf Life Saving Club, situated approximately 350m north of the Evans River North Break-waters, on Airforce/Main Beach. Regular patrols are undertaken on the southern portion of Airforce/Main Beach. Shark Bay is not patrolled at all by any Surf Life Saving Club.

5.6.6 Economic Opportunities

The Evans Head Coastal Reserve can be seen to contribute to many economic opportunities within both Evans Head and the surrounding region. Economic opportunities can be associated with population

growth, the natural environment, tourism, recreation, sporting events, and intrinsic values.

One of the most predominant population trends in Australia at the present time involves internal migration. There is an increasing tendency for large numbers of people to move to warmer coastal areas as they reach retirement age. The most recent population predictions produced by DoP indicate that this migration trend is a major factor underlying population growth in the area (DIPNR 2004: 32). Population growth can have both positive and negative repercussions. Many economic benefits can be associated with a growing population, including the potential for increased expenditure and investment. However, increased population size is often associated with detrimental impacts on the natural environment. Given that the population growth of the surrounding region will be a result of an influx of retirees with large amounts of leisure time, there will also be increasing demands for accessible environments along the coast. Thus population growth has the potential to benefit the village of Evans Head economically, however it may also result in high environmental and social costs.

The natural environments within the Evans Head Coastal Reserve have many physical, ecological, social and aesthetic values associated with them. While economic benefits are not obtained directly from the natural environment, the natural environment does attract numerous residents, visitors and tourists to the area, who bring economic opportunities to Evans Head.

Evans Head is a popular and important visitor destination within both the Richmond Valley LGA and the Richmond-Tweed Region. The



population of 3000 people swells to 10,000 over the summer holidays.

The Evans River and the beaches at Evans Head are major factors in enticing tourists and visitors to the area. It is virtually impossible to estimate the exact value of the Evans Head Coastal Reserve to the local and regional economies. However, the three major employment industries in Evans Head are wholesale and retail at 16.9%, education at 11.1%, and accommodation, cafes and restaurants 10.5% (ABS 2002), which is indicative of the importance of Evans Head as a centre for tourism and retail services.

The Evans Head Coastal Reserve offers residents of Evans Head and the surrounding region as well as visitors and tourists, excellent recreational opportunities. These recreational activities have become economic opportunities, with several commercial operators running businesses based on recreational activities (i.e. Koinonia Youth Camp, Summerland Surf School).

There are several annual major sporting events held within the Evans Head Coastal Reserve that entice tourists and economic opportunities to the area. The Evans Head Fishing Classic, the Evans Head Longboard Invitational, and major lawn bowling competitions are held annually. These events encourage recreational use of the reserve, as well as bringing many cumulative economic benefits to Evans Head.

The intrinsic values associated with the Evans Head Coastal Reserve and the lifestyle that it affords local residents and visitors is what continues to attract people to live and holiday in Evans Head. This intrinsic attraction brings increased economic opportunities to the village and its surrounding area.

It is important to be aware that while high visitor use of natural and recreational areas within the Evans Head Coastal Reserve may bring economic opportunities to Evans Head and the wider region, it may also result in increased human impacts on the fragile coastal environment. Practical management strategies need to be implemented to allow economic opportunities essential to the Evans Head community to continue to prosper, while also protecting the natural environment and mitigating impacts to ensure that the aspects and features of Evans Head Coastal Reserve which have attracted residents, visitors and economic opportunities to village are not destroyed due to high use.

5.7 Animals

Dogs

Exercising dogs in open space areas within Evans Head is valued fervently by many people in the community, as indicated in the community consultation. Richmond Valley Council's regulation on dog access and management provides a number of options for exercising dogs within Evans Head. There are designated areas for dog access, including on-leash, an off-leash area, and some total restriction zones.

The existing arrangements for dogs within the Evans Head Coastal Reserve are outlined below.

Prohibited areas

- ▶ Caravan Park
- ▶ Main beach from North Wall to 4WD access track



- ▶ Kalimna Reserve
- ▶ Razorback Lookout
- ▶ Chinamens Beach (Dirawong PoM)
- ▶ Shark Bay Beach

In addition, Council also administers the Companion Animals Act, where dogs are also prohibited in the following public places:

- In or within 10m of any children’s play areas;
- Within 10 metres from food preparation or consumption areas (unless it is a public thoroughfare such as a road, footpath or pathway);
- Recreation areas where dogs are declared prohibited;
- Public bathing areas where dogs are declared prohibited;
- School grounds (unless with the permission of the person controlling the grounds);
- Child Care Centres (unless with the permission of the person controlling the Centre);
- Shopping areas where dogs are prohibited (unless secured in a vehicle, with the permission of the person controlling the place or going to or from a vet or pet shop); and
- Wildlife protection areas.

Off leash area:

- ▶ Airforce Beach – from the 4WD access point off Terrace Street extending north for a distance of 1.3km. Dogs must be kept on the sand area below the high water mark. Beyond this limit dogs are strictly prohibited on the beach.

Rules

- ▶ Persons are responsible to maintain control over dogs at all times and cannot have more than 4 dogs under their control at any time.
- ▶ Persons in charge of dogs are required to remove their dog faeces and properly dispose of them and to comply with other requirements of the Companion Animals Act (e.g. microchipped, registered and dogs must wear a collar and tag with the dogs name and address or phone number of the owner).
- ▶ A dog that is in a public place (except off-leash areas) must be under the effective control of some competent person by means of an adequate chain, cord or leash, at all times.

The community consultation has revealed concerns by some residents about irresponsible dog owners in particular those without leads in on-leash areas, owners not picking up dog droppings, and potential impacts on wildlife.

Horses

The riding of horses is permitted on Airforce Beach, but only on the wet sand below the mean high water mark.

Issues known to be associated with horse riding along beaches include deterioration and disturbance of access tracks and dunal areas, conflicts with other users, and negative impacts on shorebird species.

5.8 Cultural Heritage

Heritage is the things or places that we wish to retain, research, educate people with, or pass on to future generations. Cultural



heritage can comprise places, landscapes, sites, building or other works of places where special events occurred.

A great deal of the evidence of past events in Australia has been lost due to numerous causes, including damage, destruction, decay, development and the dissimilation of Aboriginal culture post European settlement. The knowledge which does exist in regards to heritage in Australia is an important element in tracing the evolution of Australian society.

The heritage significance of the Evans Head village and coastline comprises both Aboriginal and post European settlement heritage.

The Evans Head Coastal Reserves are rich in Aboriginal Heritage (RVC 2000a). This heritage is associated with mythology and mythological sites, artefacts and archaeological sites, ceremonial grounds and ceremonies, meeting/gathering places, food gathering and healing.

Post-European settlement heritage within the Evans Head area relates to the various relics, historical sites and events, as well as the growth of Evans Head as a fishing and holiday destination.

5.8.1 Aboriginal Culture and Heritage

It is acknowledged that Aboriginal people are the cultural owners and managers of knowledge relating to their heritage. Details of stories passed on to Aboriginal people from the Elders are the responsibility and intellectual property of the remaining knowledge holders.

The relationship between Aboriginal people and their environment is an instinctive belief in the oneness of the land and all that moves upon it, where humans, the landscape and the natural species are all

part of the same ongoing life force. (Patterson Britton and Partners 1999:117). The central role that the natural environment plays in Aboriginal people's culture and spirituality has resulted in various landscapes, environments and sites being recognised, interpreted and defined by Aboriginal people. It is important for non-indigenous people to recognise, respect and support the explanations for such areas, as sacred and/or significant sites provide a link to traditional life and belief for Aboriginal people, representing an integral part of their spirituality, while also facilitating the control and continuation of their identity and culture (Patterson, Britton and Partners 1999: 117).

The Evans Head region is recognised as being an area of significant cultural and historical heritage for Aboriginal people (RVC 2000a: 11). The entire region surrounding Evans Head was an important gathering place for the people of the Bundjalung (nation). The Bundjalung (nation) comprised numerous tribal groups who were part of a larger linguistic group and shared a common culture, and occupied an area stretching from Nerang Valley in Queensland, south to the Clarence River, and west to the Great Dividing Range (DLWC 2003: 18).

The Bundjalung tribal group occupied the Evans Head area, where they used to hunt, fish, and gather shellfish from the river estuary and also utilised the diversity of plant foods available. Numerous shell middens and flaked stone artefacts have been recorded in the area, reflecting the high use intensity (RVC 2000a: 11).

Evans Head was an important gathering place for tribal groups of the Bundjalung (nation). Traditional knowledge indicates that the Evans Head area is significant due to previous use as a ceremonial ground and for collection of ochre from Red Hill. Evans Head was also used



as a camping and holiday ground for Bundjalung descendents until the 1960s (RVC 2000a: 11).

There are numerous Aboriginal mythological stories relating to the Evans Head area. These stories provide an explanation of how people came to occupy the region and the rule by which they lived. The Three Brothers Story tells the story of the settlement of Evans Head by Aboriginal people, while numerous other stories relate to Aboriginal sites and experiences within the Evans Head region.

Post European contact and settlement, the Aboriginal people of the Evans Head area experienced displacement from the lands upon which that had lived and population decline. The Evans River and its environs were known as the area where the most numerous and brutal massacres of Aboriginal people occurred.

A search of the Native Title Register has indicated that two Native Title Claims have been lodged for all land included within the Evans Head Coastal Reserve Plan of Management. The details of these are included in Appendix I.

A search of the Aboriginal sites database (AHIMS), revealed that numerous sites exist within the Evans Head Region (PBP 1999: 123). It is not appropriate that the precise location of these be presented in this PoM. Within the Evans Head Coastal Reserve the Razor Back Lookout area is an area identified as significant to local Aboriginal people (WBM, 2002). All Aboriginal cultural heritage values in the PoM area are protected under the National Parks and Wildlife Act, 1974.

Given the positioning of the Evans Head Coastal Reserve in relation to food sources such as the beach and the Evans River and the

location of known Aboriginal cultural sites, it should be assumed that all of the reserve may be of significance to Aboriginal cultural heritage and that sites of archaeological significance may be located throughout the Reserve.

5.8.2 Post European Contact Heritage

The first non-Indigenous early explorers to reach the Evans Head area were cedar cutters who arrived in the area in 1842 (RVC 2000a: 12). In approximately 1855 the Reverend Thomas Gainford established a timber mill in the area (Patterson Britton & Partners 1999: 123).

The Evans River was named after Lt. Evans, who was making a coastal survey on a charter ship commanded by Captain Thomas Paddon. Thomas Paddon and his wife became the first settlers on the Evans Head coast, living in a tent at Schnapper Rock and mining the gold bearing black sands of the beaches (Patterson Britton & Partners 1999: 124).

In 1877, subsequent to the discovery of gold, many people arrived to mine the beaches. An estimated 300 Chinese gold miners worked the beach now known as Chinamen's Beach. Gold was extracted from areas beaches from the late 1870s until around 1890.

Black sand and heavy minerals have also been important extractive industries in Evans Head's history. Sand mining has occurred in the immediate Evans Head area, on Chinamen's Beach, near the Iron Gates site, near the northern reaches of the aerodrome, throughout the heathlands and flats adjacent to Broadwater National Park, and to the south of Evans Head (RVC 2000a: 12).



Thomas Paddon played a key role in the early development of Evans Head. He became a prominent sand miner, and also established the first Hotel in Evans Head, which was situated at the mouth of the Evans River. From the hotel Thomas Paddon ran a ferry service and supplied 'punts and tackling'. In 1879 the Paddon's sold the hotel, which was later destroyed by fire, and moved to the Iron Gates site. From this site the Paddon family cultivated oysters, being the first to do so on a commercial and scientific basis. Thomas Paddon also brought the first educator, SF Cashmore, to the area as a tutor for his sons. Later in his life Cashmore wrote many poems and other literature about the Evans Head area. Captain Paddon died in 1914 at the age of 73, and was buried on his Iron Gates property. (Unknown author: 2)

The range of other early land uses in Evans Head has included the quarrying of some of the outcropping sandstone ridges, bee keeping, cattle grazing, flood refuge for stock, and dairy farming. In the early 1900s the area was utilised for agistment of cattle due to drought conditions prevailing in the hinterland. The farmers quickly recognised the natural beauty of the Evans Head area and farmers began to holiday at the heads with their families (RVC 2000a).

From the 1920s to the 1960s there were numerous key developments in Evans Head history. The first school was established in 1920, upon completion of the first school building. In 1924 the village Evans Head was proclaimed by Government Gazette on 24 October 1924 to allow for development of this increasingly popular holiday destination. During the 1930s a number of tenures over Crown Land at Evans Head were granted. These tenures were generally for some form of agricultural activities,

including grazing, market gardening and the establishment of bee ranges.

Between 1935-37 a civil aerodrome was constructed on the present airfield site. The airfield was leased to the then Woodburn Shire Council, who soon after transferred their interest to the Commonwealth. In 1939 a bombing and gunnery school was established to train aircrew for World War II.

By the 1940s Evans Head has a long established fishing history, however in 1947 fishermen discovered the wealth of prawns that lay on the seabeds east of the town. The prawn boom began and this newly discovered industry resulted in the subsequent expansion of the boat harbour and fishing co-operative facilities (RVC 2000a: 13).

In 1957 the State government identified Evans Head as a suitable fishing port and the construction of the break-waters to train the river mouth were completed in 1963.

Richmond Valley Council engaged a Heritage Co-ordinator and Historian, to prepare a Heritage Study and Thematic History for the entire Council area commencing in 2003. The final Heritage Study and supporting information was presented to Council on March 2007 and contained a number of recommendations including that 184 new items should be listed.

In June and July 2008 Council resolved that 212 items, including existing heritage items, would be adopted for heritage listing in its upcoming shire wide Local Environmental Plan. This includes 24 items in and around Evans Head, of which two are located within the Evans Head Coastal Reserve. The two items are the Razor Back Lookout,



Ocean Drive and the MacKinnon Sandstone inscription, Razor Back Lookout, Ocean Drive.

5.9 Scenic and Aesthetic Environment

The Evans Head Coastal Reserve comprises impressive scenery and views. The reserve has a commanding sense of place, which provides inspiration, respite, and many opportunities for the appreciation of the natural environment.

Distinct coastal landforms including coastal headlands, both small and vast beach areas, bays, cliff faces, wetland areas, natural bushland and a picturesque estuary combine to create a visual landscape and recreational opportunities of unsurpassed quality and importance.

The Evans Head Coastal Reserve provides excellent opportunities for local residents and visitors to experience the natural coastal environments of North Coast of NSW.

The spectacular views from Razorback Lookout across the Pacific Ocean and Evans River captivate reserve users and provide an ideal opportunity to relax, appreciate and absorb the natural surrounds of the Evans Head area. It is vital to retain the essence of these unique visual areas and recreational opportunities by careful management.



Photo 1 View from Razorback Lookout





6. Reserve Values

Using the information from the reserve profile key values can be distilled that characterise this important area.

6.1 Aboriginal Cultural Values

The Evans Head region contains sites and places of significance to the Bundjalung Aboriginal community, some of which are also of high archaeological significance. Sites associated with Goanna Headland, the Olive Gap and Razor Back Lookout (south of the Evans River) and Gumma Garra (on the southern side of the river), comprise mythological sites, ceremonial sites, middens, campsites and stone tool workshops and quarries (NPWS 1997). Other sites within the vicinity of the Evans River include a bora ceremonial ground and carved tree (Southern Cross University, in PBP 1999). Dirawong Reserve, immediately south of Evans Head is managed by a trust for the conservation of Aboriginal cultural heritage (RVC 2000a).

The NPWS database listing of Aboriginal heritage sites within the Evans River area does not include all Aboriginal heritage sites. Aboriginal sites and relics are protected under the National Parks and Wildlife Act 1974, and statutory responsibility for the sites and relics around the Evans River lies with the Department of Environment and Climate Change. A licence must be obtained from this Unit prior to carrying out any proposed works in relation to known Aboriginal sites. An archaeological assessment should also be

undertaken and a notification will need to be made to the native Title claimants under the Native Title Act, 1993.

6.2 Other Heritage values

The first non-Indigenous early explorers to reach the Evans Head area were cedar cutters who arrived in the area in 1842 and by 1855 the Reverend Thomas Gainford established a timber mill in the area. The range of other early land uses in Evans Head has included gold and mineral sand mining on the beaches, the quarrying of some of the outcropping sandstone ridges, bee keeping, cattle grazing, flood refuge for stock, and dairy farming. In the early 1900s the area was utilised for agistment of cattle due to drought conditions prevailing in the hinterland. The farmers quickly recognised the natural beauty of the Evans Head area and farmers began to holiday at the heads with their families.

Between 1935-37 a civil aerodrome was constructed on the present airfield site. In 1939 a bombing and gunnery school was established to train aircrew for World War II. By the 1940s Evans Head has a long established fishing history, however in 1947 fishermen discovered the wealth of prawns that lay on the seabeds off shore.

In 1957 the State government identified Evans Head as a suitable fishing port and the construction of the break-waters to train the river mouth were completed in 1963.



The most significant of these heritage values applicable to the Evans Head Coastal Reserve identified in the 2007 Heritage Study is the Razor Back Lookout, Ocean Drive and the MacKinnon Sandstone inscription, Razor Back Lookout, Ocean Drive.

6.3 Tourism and the Silver Sands Holiday Park

The Evans Head Coastal Reserve can act as a catalyst for the improved economic vitality of Evans Head. A more prosperous Evans Head Coastal Reserve is more able to channel funds into the protection of the foreshore, maintenance and towards environmental values that in turn attract tourism and provide a rewarding nature based tourism experience.

The Evans River and the beaches at Evans Head are major factors in enticing tourists and visitors to the area. It is virtually impossible to estimate the exact value of the Evans Head Coastal Reserve to the local and regional economies. However, the three major employment industries in Evans Head are wholesale and retail at 16.9%, education at 11.1%, and accommodation, cafes and restaurants 10.5% (ABS 2002), which is indicative of the importance of Evans Head as a centre for tourism and retail services.

Silver Sands Holiday Park (Silver Sands) is located within a narrow but substantial area of reserved Crown land on the eastern edge of Evans Head (Integrated Site Design, 2009). The Reserve and the Park form a buffer separating commercial and residential landuse from the Evans River estuary and the beach. The Reserve has extensive frontage to the estuary with pathways, roads and parking areas providing links and access from the town to the river, the

estuary and the beach. The Holiday Park has two distinct operational areas which are separated by a foreshore and riverside recreation area which is used by the public as open space for general year round use. The northern part of the Park (Northern Precinct) is used intensively throughout the year while the southern area (Riverfront Precinct) has been primarily used as an “overflow” for camping during the peak season.

The Silver Sands Holiday Park represents a substantial asset of the Council and the New South Wales government and occupies a significant and valuable area of reserved coastal Crown land. The Park is also important in the context of the regional caravan park and tourist industry and the economy of Evans Head. The Park adjoins a residential and commercial area with restaurants, clubs, retail outlets and general service stores all within easy reach.

6.4 Recreation Values

The Evans Head Coastal Reserve provides an outstanding range of recreational opportunities for local residents and visitors.

Recreational activities based on and around the reserve include sightseeing and beachcombing, camping, bird watching, picnicking, bushwalking, 4 wheel beach driving, fishing, boating and swimming. The Reserve is popular for family picnics, with its open spaces overlooking the Evans River and a range of coastal settings.

The Reserve also provides an excellent location for surf life saving facilities as well as an amazing setting for public events and private functions (e.g. weddings).



Parks and open space areas are provided throughout the Evans Head Coastal Reserve. Formal parkland and open space areas are provided at Shark Bay, Razorback Lookout, Kalimna Reserve, John Paddon Park, South Boat Harbour Boat Ramp, Mangrove Street Foreshore Park, Evans Head Recreation Reserve, Evans Head Surf Club, Currajong Street Reserve and Reserve No. 81617.

Within the Evans Head Coastal Reserve is the Evans Head tennis courts which are also used as an inline skate hockey court. Within the area currently used by Silver Sands Holiday Park during peak periods, is a designated 'cricket pitch' that has not been physically constructed. This area is currently used for camping and general open space.

Playground facilities are provided within Evans Head Recreation Reserve, Silver Sands Holiday Park, and Shark Bay. There is also a skate park located in Reserve R82910 in proximity to the Silver Sands Holiday Park.

6.5 Scenic and Aesthetic Values

The Evans Head Coastal Reserve comprises impressive scenery and views. The reserve has a commanding sense of place, which provides inspiration, respite, and many opportunities for the appreciation of the natural environment.

Distinct coastal landforms including coastal headlands, both small and vast beach areas, bays, cliff faces, wetland areas, natural bushland and a picturesque estuary combine to create a visual

landscape and recreational opportunities of unsurpassed quality and importance.

6.6 Conservation and Biodiversity Values

The Evans Head Coastal Reserve lies in an area of great biodiversity with diverse plant communities and important wildlife habitat values. The area is of national and international importance incorporating a long stretch of protected coastline made up of crown land and national parks.

There are several portions of the Reserve which are designated SEPP 14 Coastal Wetlands. These areas are located on the northern bank of the Evans River to the west of the Evans Head village.

WBM (2002) recorded 14 vegetation communities in the Evans Head estuarine area comprising rainforest, wet sclerophyll forest, dry sclerophyll forest, swamp sclerophyll forest, heathland complex, mangrove complex, saltmarsh complex, reed swamp and grassland. Most rainforest and wetland communities are listed as Endangered Ecological Communities (EECs) under the NSW TSC Act. Seven such EECs are recorded as occurring within or close to the Evans Head Coastal Reserve (Hallinan and RVC, 2008) including

- ▶ coastal saltmarsh,
- ▶ freshwater wetlands,
- ▶ littoral rainforest,
- ▶ lowland rainforest on floodplain,
- ▶ subtropical coastal floodplain forest,



- ▶ swamp oak floodplain forest, and
- ▶ swamp sclerophyll forest on coastal floodplains.

A Bionet (www.bionet.nsw.gov.au) database search, conducted on area on the 12/8/2009, returned a list of 53 and 313 species of threatened and protected flora and fauna, respectively.

Listed flora species are comprised of:

- ▶ 53 species from 26 families.

Fauna species are comprised of:

- ▶ Amphibians (18 species from two families);
- ▶ Birds (210 species from 57 families);
- ▶ Fish (2 species from two families);
- ▶ Mammals (57 species form 15 families); and
- ▶ Reptiles (26 species from nine families).

The results of this search are contained in Appendix D.

Peter Parker's 2001 Flora and Fauna Assessment of Airforce Beach recorded seven vulnerable species and two additional vulnerable species that were previously recorded within the Airforce Beach area. These species were as follows:

- ▶ Four vulnerable birds – the glossy black cockatoo and osprey recorded during this survey and the barred cuckoo-shrike and pied oyster catcher (now endangered) previously recorded (Clancy 1991); and

- ▶ Five vulnerable bats – the little bent-wing bat, the large bent-wing bat, the large-footed myotis, the common blossom bat and the grey-headed flying fox.

Since 2002 grey-headed and black flying-foxes have been roosting on a seasonal basis in the littoral rainforest remnant located near the village centre just 250 metres north east of the main street (Hallinan and Richmond Valley Council, 2008). The site is entirely within Reserve R.82910.



7. Management Issues and Challenges

Issues for management of recreation include impacts on natural and cultural values, equity between users, conflicts of use, preservation of the natural environment and uniqueness of the Evans Head coast, safety, risk management, community expectation regarding commercial use and provision of facilities, and public awareness and education.

Managers need to understand visitor use and motivations, expectations and perceptions, and the potential and limitations of the natural environment, known as carrying capacity. Carrying capacity refers to the number of people that a site can withstand without unacceptable decline in the quality of the experience. There is scope for further study of the management of the recreational resources of Evans Head.

The continued enjoyment of recreational activities is dependent on the maintenance of ecological systems, good water quality, and management of people and associated impacts. The regulation of commercial activity and management of access and associated impacts is vital for the maintenance of coastal ecosystems, which form the basis of continued enjoyment of many recreational activities on the Evans Head coast. It is also dependent on achieving a proper return from business activities within the Evans Head Coastal Reserve to ensure that it can wherever possible be self funding.

7.1 Heritage issues

Recognition of the Bundjalung nation's prior occupation of the Evans Head Coastal Reserve and surrounding areas needs to be recognised throughout the Reserve area where appropriate.

Aboriginal heritage items located within the Evans Head Coastal Reserve need to be acknowledged and protected for future generations.

7.2 Tourism issues

The Visitor Survey for the Silver Sands Holiday Park (Integrated Site Design, 2009) showed that there are problems that need to be addressed with respect to cleaning, maintenance and customer service. While the cabin precinct and some aspects of the park are well maintained a large proportion of the Park's capital assets including amenities and some cabins are showing signs of their age and requirements for renovation. In terms of addressing the growing demands of the marketplace the provision of ancillary facilities and value added services for guests is limited. These areas and others need to be addressed to bring the Park into line with other providers of tourist accommodation. Specific items where there is a significant shortfall are:

- ▶ The park amenities require upgrading or replacement;



- ▶ Given the occupancy rates and client demographic the provision of a much larger and more contemporary camp kitchen associated with a leisure pool and other recreational facilities would consolidate the Park's existing strong performance across all site types;
- ▶ A substantial proportion of the cabin stock is due for replacement;
- ▶ The range and quality of the cabin stock could be expanded;
- ▶ Landscaping and presentation of some cabins and existing guest facilities could be improved; and
- ▶ The Riverfront Precinct has the potential for profitable year round operation and in the long term could become an independent business.
- ▶ Formal delineation of the Holiday Park and a risk management strategy should be considered.

7.3 Recreation issues

Improvements are required to the architectural and functional elements of the surf club including:

- ▶ Upgrading of the car park
- ▶ Improved amenity and facilities in the area to the south of the Surf Club
- ▶ Improved access for people with disabilities from the skate park to the Surf Club

Maintain ocean and river views from Coast Guard tower and from look out and observation areas generally. Ensure that fencing in elevated locations is appropriate to reduce fall related hazards.

Ensure that recreation areas such as the Evans Head skate park are appropriately light to ensure public safety and reduce the likelihood of vandalism and anti social behaviour. Consider expanding the skate park as required.

Maintain vehicle access to beaches for recreation, fishing and emergency services in spite of coastal erosion processes. Limit vehicle movements to below the high water mark other than in approved access points.

Maximise the areas of the Evans Head Coastal Reserve that are accessible to people with limited mobility.

Provide for connectivity between pedestrian paths and cycle ways through the Reserve to increase the permeability and create recreation opportunity.

7.4 Scenic and aesthetic issues

Ensure that existing access to scenic areas is maintained and improved where required.

Require that any new structures in the Evans Head Coastal Reserve do not impact inappropriately on the scenic values of the locality.



7.5 Conservation and biodiversity issues

Recognise and manage the high conservation and biodiversity values of the native vegetation within the Evans Head Coastal Reserve including through the following:

- ▶ Investigating and responding to the Illegal removal of trees from the Reserve
 - ▶ Investigating and responding to the grass clippings, garden waste and household rubbish that are illegally dumped at various locations within the Reserve, resulting in weed infestation and land degradation.
 - ▶ Using signage to educate and inform the public about environmental values, threatened species, etc.
 - ▶ Ensuring natural areas are not incrementally destroyed by mowing of grass reserve areas.
 - ▶ Enforcing domestic animal control regulations within the Reserve to protect wildlife.
 - ▶ Enhance high conservation vegetation areas including littoral rainforest remnants and coastal wetlands
 - ▶ Manage the flying fox camp in the Reserve in accordance with the adopted recommendations in the Flying Fox Plan of Management (Hallinan and Richmond Valley Council, 2008).
 - ▶ Implementation of the management options/strategies outlined in the Evans River Estuary Management Plan, WBM, 2002 as relevant to the Reserve.
- ▶ Recognising and working with the Fox Threat Abatement Plans for nearby National Parks and implementing them on the PoM lands as appropriate.
 - ▶ Engaging in collaborative weed management between adjacent lands and the PoM lands as appropriate.
 - ▶ Ensuring that pest and weed management documents are consistent with the Northern Rivers Region pest Management Strategy 2008-2011 and the draft Broadwater NP Pest Management Plan.

7.6 Hazards issues

The coastline hazards likely to occur within the Evans Head Coastal Reserve are also defined and examined in the PBP Study (2004). These coastline hazards included climate change; beach erosion; shoreline recession; sand drift; coastal inundation; stormwater erosion; and slope instability.

A key issue related to this is the potential for climate change to impact on the Evans Head Coastal Reserve in terms of elevated sea levels, increased risk of storm inundation and increased risk of severe coastal erosion events. The Coastal hazards Identification Study needs to be kept up to date with new information and as government policy evolves on this issue.

Maintaining access to the foreshore and beach is a significant issue in times of coastal erosion as existing access points are damaged and dune topography changes in a short space of time. Council needs to be able to respond to this situation quickly to ensure public



safety and maintain emergency access to areas beyond the Reserve. An emergency action plan may be an appropriate response to this situation.

Although the study found that there is no major development within the study area at risk from coastal erosion, the Evans Head SLSC and some properties at the southern end of terrace St are predicted to be at risk within the 100 year planning period.

The study also found that the Silver Sands Holiday Park is at a low elevation and is at risk of flooding from stormwater runoff and/or an elevated Evans River during floods. A floodplain risk management plan for Evans Head in accordance with the Floodplain Development Manual (2005) is recommended.

Parts of the Reserve are a bushfire hazard for surrounding residential or tourism development and the issue of bushfire hazard reduction, education and awareness is important.

7.7 Commercial and private use issues

The Evans Head Coastal Reserve currently has a range of uses that are licensed to be undertaken within the Reserve and these are important to both maximise the use of the land and generate an income. Clear lease arrangements are required to ensure certainty for businesses dependant on the Reserve.

New commercial uses that may arise should also be considered including paid parking, kiosks, vendors and recreation pursuits.

Private use of some areas on a temporary basis is also an appropriate use of the Reserve that may generate income and could include weddings, fireworks displays, outdoor entertainment (e.g. cinema), and private education events (e.g. bush food tours).

7.8 Zoning issues

The size and nature of the Evans Head Coastal Reserve and the diversity of uses that occur within it require that the Local Environmental Plan that controls land use in the area be tailored to allow a wide range of uses while still offering protection to the outstanding natural areas.

7.9 Other issues

Regular inspections and maintenance of the north and south breakwaters structures is required and the source of funding to ensure these structures are maintained needs to be established.

Consideration needs to be given as to storing or using dredge sand from the river in parts of the Reserve. However, future dredging campaigns may not occur readily and would be subject to LPMA state wide priorities.

Consistency is required between this PoM and the management strategies for Dirawong Reserve, Bundjalung National Park, Broadwater National Park and the Silver Sands Holiday Park. Consistency is also required between this PoM and Richmond Valley Council's other plans and policies.



8. Strategic Analysis

A SWOT analysis compares identified strengths, weaknesses, opportunities and threats. It provides an effective tool for land managers to establish a basis for reserve management.

Strengths – Are the unique qualities that people value about the reserve and also those aspects that give it resilience.

Weaknesses – Are constraints and issues that prevent the reserve from achieving its full potential. Whilst some cannot be changed, many represent opportunities for change.

Opportunities – Are possibilities to enhance reserve values into the future.

Threats – Are factors that may impact negatively on the future of the reserve and its values.

The following summary for Evans Head Coastal Reserve is drawn from inspections, assessments of reserve values and management to date, other reports and studies undertaken over the last ten years and community feedback. (The points are not ranked in any order and the same point may fall within more than one category.)



Table 8-1 SWOT analysis

Strengths	Weaknesses	Opportunities	Threats
<ul style="list-style-type: none"> ▶ attractive destination for tourists and visitors ▶ good public access including to beach ▶ relaxed character and quiet coastal town atmosphere ▶ close proximity to town facilities ▶ suitable for families ▶ outstanding Aboriginal cultural heritage ▶ ocean beach and river frontage ▶ diversity of natural values and magnificent coastal views ▶ high biodiversity in the locality ▶ great fishing ▶ safe swimming area/ patrolled beaches/surf club ▶ affordable family camping holidays ▶ good boat launching and access to open waters ▶ close proximity to National Park ▶ Silver Sands provides consistent revenue and occupancy 	<ul style="list-style-type: none"> ▶ limited police presence ▶ limited carrying capacity of reserve area ▶ bushfire risk ▶ user conflict on some sites ▶ poor lighting at skate park ▶ bats in littoral rainforest affect Silver Sands users ▶ bats cause damage to littoral rainforest ▶ traffic and parking congestion around Silver Sands at peak times ▶ ageing Silver Sands infrastructure requires replacing ▶ Silver Sands accommodation needs enhancement 	<ul style="list-style-type: none"> ▶ expand nature based tourism experiences ▶ improve pedestrian and bicycle access ▶ improve delineation of important natural areas ▶ improve day use facilities ▶ options for community stewardship of parts of the Reserve ▶ project funding for Reserve ▶ improvements and environmental enhancement ▶ opportunities for additional income from paid parking ▶ opportunities for commercial uses in appropriate locations ▶ increase occupancy of Silver Sands with improved range of accommodation, facilities etc ▶ improve access and facilities for disabled persons 	<ul style="list-style-type: none"> ▶ limited budget for infrastructure upgrades and reserve maintenance ▶ ongoing community conflict ▶ over use of Reserve by the public ▶ illegal clearing of coastal vegetation ▶ irresponsible vehicle use on beaches ▶ impact of anti social behaviour on local residents ▶ resistance to change in Silver Sands ▶ cost of long term breakwater maintenance ▶ climate change and resultant sea level rise, erosion and ocean inundation ▶ need to ensure that planning controls match the management requirements of the Reserve



Part B

9. Vision

The vision for the future of the Evans Head Coastal Reserve is a statement of how people would like to think of the Reserve in years to come. In essence the vision has been written to ensure that the values of the Reserve can be shared and enjoyed by future generations. The vision was formed during the consultation process for the Draft Plan of Management.

The Evans Head Coastal Reserve will retain its outstanding natural and cultural values in perpetuity. The values will be respected, protected and conserved by all who use the Reserve. The Reserve will be passed on to future generations with its values in tact or restored.



10. Principles for Management

Eleven principles have been developed for this plan of management to help achieve the vision described above. They are:

- ▶ Utilise current information and sound management practices to conserve, protect and rehabilitate where required the natural and conservation values of the Evans Head Coastal Reserve.
- ▶ Protect the cultural heritage values of the Evans Head Coastal Reserve through actively managing each heritage item.
- ▶ Protect the scenic and aesthetic values of the Evans Head Coastal Reserve.
- ▶ Manage the risks from recreation and tourism within sustainable thresholds and to ensure the health and safety of Reserve users.
- ▶ Provide for multiple use of the Evans Head Coastal Reserve wherever appropriate.
- ▶ Engender a greater understanding and respect for the Evans Head Coastal Reserve and community involvement in its management wherever possible.
- ▶ Monitor and review the use and management of the Evans Head Coastal Reserve to ensure the Reserve's values are maintained for future generations.
- ▶ Provide for future recreation needs of the community (residents and visitors).
- ▶ Provide for the long term management of the Coastline in relation to coastal hazards and especially in light of predicted climate change.
- ▶ Utilise the commercial opportunities of the Evans Head Coastal Reserve and especially the Silver Sands Holiday Park to ensure the financial sustainability of the Reserve.
- ▶ Ensure that governance of the reserve is in the public interest and of the highest legal and ethical standards.



11. Objectives, Strategies and Actions

The following Table 11-1 presents the objectives, strategies and actions which when implemented will achieve the vision and principles and ensure the long-term sustainability of the Evans Head Coastal Reserve.

The prioritisation of the actions into High, Moderate, Low and Ongoing is a reflection of the need to avoid threatening the values of the Evans Head Coastal Reserve. The table also presents the performance assessment matters that might be used to measure the implementation of the action and the partners that might be best placed to be involved in the implementation of the action.

High priority

- Actions which are required in response to a significant present or imminent threat to the Reserve's values; and
- Actions, the completion of which are critical to commencing other actions.

Moderate Priority

- Actions which are required in response to identified potential or future threats to the Reserve's values; and
- Actions which cannot be commenced or completed until other actions have been completed.

Low Priority

- Actions for which responses are not required immediately but nevertheless when completed would contribute to the rehabilitation or maintenance of the Reserve's values.

Ongoing

- Actions which are continuing or are in progress.



Table 11-1 Governance of Reserves

Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Provide best practice Reserve management	Crown Reserve management to be rationalised under functional reserve Trusts – Evans Head Coastal Reserve Trust and Richmond Valley Holiday Parks Trust	Resolution of Council and existing affected trusts to: <ul style="list-style-type: none"> ▶ i. Support establishment of new trusts ▶ ii. Appoint Council as trust manager for each trust 	New trusts established	High	Richmond Valley Council Land and Property Management Authority
	Achieve consistency in compliance across the entire Reserve area	Amend the Crown Lands (General Reserves) By-law 2006 to specifically cover all of the Evans Head Coastal Reserve.	Crown Lands (General Reserves) By-law 2006 amended.	Moderate	Richmond Valley Council Land and Property Management Authority
	Ensure consistency and cooperation between this Plan of Management and the management strategies for Dirawong Reserve, Bundjalung and Broadwater National Parks the Silver Sands Holiday Park.	Consult with other authorities and land managers periodically Participate in the preparation of the Richmond Coast RCR plan of management	Consultation takes place	Ongoing	Richmond Valley Council Land and Property Management Authority Local Aboriginal Land Council DECCW



Table 11-2 Vegetation and Habitat Management

Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Preserve and enhance the significant environmental values of the Reserve	Minimise the 'edge effect' currently hindering natural area management in the Reserve	Assess all pathways and tracks currently fragmenting the reserve, in terms of their level of usage, design, location, relationship to other access, environmental impact, and ongoing maintenance requirements.	Assessment completed	High	Richmond Valley Council Volunteers
		Close and rehabilitate any pathways or tracks assessed as having extremely low usage, causing undue environmental impacts, or requiring excessive maintenance.	Selected pathways closed and revegetated	High	Richmond Valley Council
	Develop an overall vegetation management strategy including bush regeneration, weed management and bushfire hazard reduction throughout the Reserve, including provision for necessary vegetation clearing.	Prepare and implement a vegetation management and bush regeneration plan for the Reserve.	Maintenance of or increased flora and fauna biodiversity and decrease in weed infestation	High	Richmond Valley Council
		Engaging in collaborative weed management between adjacent lands and the PoM lands as	Increased co-operation between land	High	Richmond Valley Council



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
		appropriate.	mangers on weed control		DECCW
	Develop and implement pest management plans consistent with nearby public lands such as National Parks	Prepare and implement a fox threat abatement plan for the Reserve that is consistent with those for nearby NP areas. Ensure that this document is consistent with the Northern Rivers Region pest Management Strategy 2008-2011 and the draft Broadwater NP Pest Management Plan.	Reduced fox numbers in the PoM reserves area. Reduced predation by foxes on wildlife	High	Richmond Valley Council DECCW
	Reduce erosion and sediment issues throughout the Reserve	Prepare an erosion and sediment control plan for the Reserve.	Increase in native vegetation cover. Areas exhibiting high erosion levels regularly inspected and corrective measures undertaken. Decreased sediment in waterways	High	Richmond Valley Council Catchment Management Authority
	Implement the Oxleyan	Survey and protect Oxleyan	No reduction in	High	Richmond Valley



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
	Pygmy Perch Recovery Plan, 2005	Pygmy Perch Habitat within the Reserve and take action to protect these areas	Oxleyan Pygmy Perch in the Reserve		Council Department of industry and Investment (Fisheries) DECCW Southern Cross University
	Respond to illegal tree clearing on the Reserve for view improvement etc	Investigate illegal tree clearing and take action to publicly denounce it and put up signage to obstruct the created view	Reduction in illegal tree clearing. Increased public awareness of illegal tree clearing.	High	Richmond Valley Council
	Protect natural habitat areas of the Reserve from the encroachment by recreation areas.	Formalise the boundaries between the habitat and recreation areas with the construction of fences.	Habitat areas adjacent to recreation areas fenced	High	Richmond Valley Council
	Ensure that high conservation vegetation areas such as littoral rainforest, coastal wetlands and endangered ecological	Council planners to include these areas in LEP mapping	Council adopts draft LEP with areas identified as environment protection	Moderate	Richmond Valley Council



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
	communities within the Reserve are included in environment protection zones in the Richmond Valley Local Environmental Plan.				
	Upgrade the wetlands within the Reserve as set out in <i>'Operation and Maintenance Manual – Evan Head Wetlands , 2003'</i>	Implement the <i>'Operation and Maintenance Manual – Evan Head Wetlands , 2003'</i>	Airforce Beach wetlands protected and maintained in a sustainable manner.	High	Richmond Valley Council DECCW Catchment Management Authority
	Implement the environmental management recommendations of the Evans River Estuary Management Study and Plan, 2002.	Include the recommendations in works program for each Division of Council	Council allocates budget resources to the recommendations in its management plan	Ongoing	Richmond Valley Council
	Implement the environmental management recommendations of the Flying Fox Plan of Management for Silver Sands Holiday Park, 2008.	Include the recommendations in works program for each Division of Council	Council allocates budget resources to the recommendations in its management plan	Ongoing	Richmond Valley Council
	Implement the recommendations of the Main Beach Site Action	Various actions relating to littoral rainforest restoration and	Council allocates budget resources to the	Ongoing	Richmond Valley Council



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
	Plan, 2004	management in Reserve 82910.	recommendations in its management plan		

Table 11-3 Coastal Hazards and Erosion

Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Manage the Reserve in the context of coastal processes and climate change	Investigate long-term protection/ management of Silver Sands Holiday Park assets	Investigate appropriate asset protection methods versus planned retreat. Consider risk management principles. Assess costs and benefits. Preferred protection/retreat approach adopted. Business planning should be informed.	Report reviewed and updated	Low	Richmond Valley Council Land and Property Management Authority
	Maintain safe public access to the beaches and river foreshore	Respond promptly to erosion events to close unsafe access points and then re-establish them in priority order Develop an emergency action plan that addresses coastal hazards.	Minimum periods of limited access to beaches and the river. No successful claims against Council for public injury relating to unsafe access	High	Richmond Valley Council



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
	Review and update the Coastline Hazard Definition Study every 5-10 years in response to the latest data and current climate change knowledge and government policy	Engage consultant to update the previous work	Report reviewed and updated periodically	Moderate	Richmond Valley Council DECCW
	Investigate flooding issues associate with stormwater runoff and high river levels.	A floodplain risk management plan for Evans Head land in the vicinity of the Silver Sands Holiday Park should be undertaken in accordance with the Floodplain Development Manual (2005).	A floodplain risk management plan for Evans Head land in the vicinity of the Silver Sands Holiday Park is prepared	Moderate	Richmond Valley Council DECCW

Table 11-4 Bushfire Hazard

Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Manage bushfire risk in accordance with Rural Fire Service guidelines	Develop an overall strategy for bushfire management of the Coastal Reserve that is consistent and compatible with the fire management strategy for Broadwater NP.	Prepare and implement a Fire Management Plan for the whole of the Coastal Reserve to guide and coordinate all fire management activities, including fire hazard reduction techniques and maintenance of asset	Fire Management Plan completed Implementation of Fire Management Plan	High Ongoing	Richmond Valley Council Rural Fire Service DECCW



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
		protection zones	Compatibility with the Broadwater NP fire management plan		
	Provide and maintain facilities to reduce fire risk	Install information signs on current fire risk and fire bans	Signs installed	High	Richmond Valley Council
		Replace wood fired barbeques in the Reserve with gas/electric barbeques	All wood fired barbeques replaced by gas or electric barbeques	Moderate	Richmond Valley Council

Table 11-5 Mineral Resources

Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Responsible management of the material dredged from the Evans River	Investigate options for use of dredge material within the Reserve	Investigate options for use of dredge material for beach nourishment or asset protection. Undertake cost benefit analysis. Undertake environmental impact assessment Address Native title issues.	Area for dredge material located that has benefits to the wider Reserve management	High	Richmond Valley Council Land and Property Management Authority



Table 11-6 Land Status

Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Achieve suitable development controls for the Reserve that allow a range of uses	Implement suitable zones for the Evans Head Coastal Reserve system within the Richmond Valley Local Environmental Plan	Silver Sands Holiday Park to be zoned SP 3 Tourism. Open space/recreation areas to be zoned RE1 Public Recreation. Breakwaters to be zoned SP2 Infrastructure	Council adopts draft LEP with suitable areas identified as SP3, SP2 and RE1	High	Richmond Valley Council Department of Planning

Table 11-7 Break-waters

Objectives	Strategies	Actions	Performance Assessment	Priority	Partners
Ensure that break waters are maintained to an appropriate standard	Maintain break-waters for public safety and reasonable access	Undertake regular inspections and maintenance of north and south break-waters structures Maximise opportunities for safe public access	Inspections and maintenance break-waters structure undertaken regularly and as soon as practical after major storm events. Access maintained or improved	Ongoing	Richmond Valley Council Land and Property Management Authority
	Provide for recurrent cost of	Consult with Land and Property	Funding sources	Ongoing	Richmond Valley



Objectives	Strategies	Actions	Performance Assessment	Priority	Partners
	breakwater maintenance and improvement	Management Authority Minor Port program regarding funding and implementation of maintenance and improvement program for coastal and maritime infrastructure.	identified and secured		Council Land and Property Management Authority

Table 11-8 Public Safety

Objectives	Strategies	Actions	Performance Assessment	Priority	Partners
Manage risk for users of the Reserve	Improve safety and security in the Reserve	Regularly inspect and maintain fencing around Razorback Lookout	Fences in good state of repair	High	Richmond Valley Council
		Install minimal impact lighting at barbeque areas, car parks, skate park, and along cycleway/walkway	Lights installed, reduction in number of incidents	High (skatepark) Moderate (other sites)	Richmond Valley Council
	Address identified risks within Reserve	Close the old jetty to the public. The jetty should be repaired or replaced (subject to a heritage assessment) to provide a safe recreational facility	Jetty closed. Heritage assessment initiated.	High	Richmond Valley Council
		Fence off the concrete wall on the northern bank of Evans	Fence erected	High	Richmond Valley Council



Objectives	Strategies	Actions	Performance Assessment	Priority	Partners
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River near Caravan Park

Table 11-9 Surf Life Saving Services and Coast Guard

Objectives	Strategies	Actions	Performance Assessment	Priority	Partners
Encourage safe boating and surfing activities and provide for volunteer surf lifesaving and marine rescue operations.	Retain Surf Life Saving Club (SLSC) and surrounds to ensure a range of services and facilities for visitors and residents.	Provide appropriate sites to accommodate volunteer rescue facilities having regard to coastal planning policies. Include adequate emergency access and maintain opportunities to conduct related events (e.g. surf carnivals).	Continued presence of the SLSC at Evans Head.	High	Richmond Valley Council Evans Head SLSC
		Prepare a simple landscape management plan that addresses maintenance of clear sight lines to the beach, identifies opportunities for additional facilities and uses locally native species for shade and habitat.	Landscape management plan prepared.	Moderate	Richmond Valley Council Evans Head SLSC
			Clear sight lines to beach maintained	High	
		New facilities provided	Moderate		
		Determine an appropriate tenure to ensure the long term	Licence for long term occupation	High	Richmond Valley



Objectives	Strategies	Actions	Performance Assessment	Priority	Partners
		occupation of the Reserve by the SLSC.	issued to SLSC		Council Evans Head SLSC Land and Property Management Authority
	Retain the Volunteer Marine Rescue tower in the Reserve to ensure the safety of boating using the lower Evans River and the ocean in the vicinity of Evans Head.	Actively manage the vegetation surrounding the Volunteer Marine Rescue tower to ensure views are maintained in all directions	Vegetation cropped as required	High	Richmond Valley Council NSW Volunteer Marine Rescue Service
		Determine an appropriate tenure to ensure the long term occupation of the Reserve by the Volunteer Marine Rescue service.	Licence for long term occupation issued to Volunteer marine Rescue service	High	Richmond Valley Council NSW Volunteer Marine Rescue Service Land and Property Management Authority



Table 11-10 Commercial Activities

Objectives	Strategies	Actions	Performance Assessment	Priority	Partners
Encourage multiple use and enhanced economic sustainability through a wider range of recreational and commercial opportunities	Allow for commercial activity within the Reserve subject to all operators being licensed.	Facilitate appropriate commercial activities that complement the purposes of the Reserve.	Increased number of licensed commercial activities in the Reserve.	Ongoing	Richmond Valley Council
		Establish a transparent and competitive process for all commercial tenures based on standard commercial practices. Permit the SLSC to upgrade its dining and kitchen facilities to allow income generation.	Adoption by Council of a policy on the process for issuing licences within the Reserve	High	
	Allow for a range of continuing occupation or temporary occupation uses in appropriate locations within the Reserve	Provide appropriate leases to community groups etc with significant infrastructure occupying areas in the Reserve	Finalise licences for all community groups and legitimate parties occupying or proposing to occupy the Reserve.	High	Richmond Valley Council Land and Property Management Authority
		Establish a temporary licence process for appropriate short term activities that are consistent with the proposed location and the notified purpose of the Reserve.	Issue temporary licences for appropriate activities on the Reserve	High	
	Implement the Silver Sands	Initiate a planned program of	An increase in the	High	Richmond Valley



Objectives	Strategies	Actions	Performance Assessment	Priority	Partners
	Holiday Park Business/ Operations Plan and Business Development Strategy	capital investment to maintain the commercial performance of the facility and meet the legitimate demands of its users.	quality and quantity of cabin stock Establish a year round operation of the River front precinct Improve the basic facilities offered to park users.		Council Land and Property Management Authority

Table 11-11 Community Involvement and Education

Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Foster community education and engagement in relation to Reserve management	Develop a Reserve wide interpretation strategy including enhanced signage and focal point for delivery of information material to residents and users	Design and erect signage to encourage awareness of environment and heritage issues, access, maintenance , upcoming works, etc.	Signage erected	High	Richmond Valley Council Local Aboriginal Land Council
	Establish a formal volunteer group to assist with the education of the community in relation to the Reserve	Establish a structure for the volunteer group and call for expressions of interest. Devise a community education plan with targets.	Group established Community education action plan devised and implemented	High	Richmond Valley Council Local Aboriginal Land Council



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
	Ensure the Evans Head Coastal Reserve Plan of Management and its associated information is easily accessible to the public.	<p>Place copy of PoM and all associated information on Council's website</p> <p>Have the PoM available at Councils community access points, libraries and Council chambers.</p> <p>Prepare information brochures on key issues such as 4WD use, threatened species, etc and make available at key accommodation sites.</p>	<p>PoM placed on web site and made available at community access points.</p> <p>Brochures on key issues produced and made available at locations such as Silver Sands Holiday Park.</p>	High	Richmond Valley Council
	Involve the community in strategic decision making.	<p>Establish a committee or use an existing committee to engage the local community in the decision making process.</p> <p>Include the local Aboriginal community in this committee.</p>	<p>Regular meetings of a committee to assist with strategic decision making in the reserve area.</p>	Moderate	<p>Richmond Valley Council</p> <p>Local Aboriginal Land Council</p> <p>Local Aboriginal community</p> <p>Land and Property Management Authority</p>
Foster community stewardship and participation in	Establish a formal volunteer group to assist in the maintenance of the Reserve	Establish a structure for the volunteer group and call for expressions of interest.	Group established Maintenance plan prepared and	High	<p>Richmond Valley Council</p> <p>Local Aboriginal</p>



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Reserve management		Provide volunteers with training in maintenance if required. Provide volunteers with insurance cover when undertaking work in the Reserve. Organise quarterly field days associated with the seasons to inform volunteers of seasonal differences in the Reserve. Maintain volunteer register.	agreed Group funded and supported through state and local funding sources		Land Council Land and Property Management Authority

Table 11-12 Access for the Elderly and People with a Disability

Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Provide a range of sustainable public recreation opportunities within the Reserve that have maximum access for people with disabilities	Maximise the access opportunities for people with disabilities in the Reserve	Prepare an accessibility plan for the whole Reserve taking into consideration areas identified as having specific accessibility issues	Accessibility plan prepared Accessibility plan implemented Increased accessibility in appropriate parts of the Reserve	High	Richmond Valley Council Department of Ageing, Disability and Home Care



Table 11-13 Recreation Facilities and Access

Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Provide an appropriate level of recreation facilities on the Reserve for current and future use	Rationalise the existing playground areas to maximise their usage and minimise their impact throughout the Reserve	Construct new playground facility in consultation with the community in Currajong Street Reserve	Playground facilities constructed	High	Richmond Valley Council Land and Property Management Authority
		Consolidate playground facilities in Reserve 82910 to turn it into a regional facility.	Positive community feedback on playground facilities.	High	Richmond Valley Council Land and Property Management Authority
		Expand the existing skate park facility to cater for young people	Expanded facility constructed	Moderate	Richmond Valley Council
	Maintain the views of Razorback Lookout	Prune or trim vegetation to maintain the general views from this lookout	Views maintained	Ongoing	Richmond Valley Council
Provide an appropriate level of access to and within the Reserve for current and future use	Increase the connectivity of the existing cycleway/walkway network throughout the Reserve	Investigate the opportunity of obtaining access along the Evans River waterfront from McDonald Place to the Elm Street bridge for a cycleway/walkway.	Report to Council on opportunity to expand the cycleway/walkway network Expanded	Moderate	Richmond Valley Council



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
		Investigate other opportunities that may arise in proximity to the Reserve	cycleway/walkway network		
	Increase the use of the walkway network with exercise facilities and better access	Design and construct circuit training devices/facilities along cycleway/walkway	Circuit training devices constructed Use of walkways increases	Moderate	Richmond Valley Council
		Formalise the Paddon Park parking area and improve recreational facilities.	Positive community feedback on facilities	Moderate	Richmond Valley Council
		Formalise the access to the Evans River at Kalimna Park and control erosion issues in this location	Public access to river maintained with minimal environmental impact	Moderate	Richmond Valley Council
	Ensure four wheel drive beach access does not adversely impact the Reserve	Regularly inspect beach access for excessive erosion and if occurring investigate options to ameliorate impacts	Regular inspection of beach access Prompt response to erosion issues and environmental	High	Richmond Valley Council



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
		Consider formalising the 4WD access in the most suitable location	Good quality access with minimal environmental impacts	High	Richmond Valley Council
		Consider adopting a 4WD code of conduct for beach users	Adoption of a code of conduct. Reduced incidents involving 4WD's.	Moderate	Richmond Valley Council
	Investigate the implementation of management strategies derived from the Land and Property Management Authority project "Threatened Species (Pied Oystercatcher) Management Strategy, 2007"	Report to Council to consider the strategies in this document	Decision by Council as to which of these management strategies are appropriate to this Reserve	Moderate	Richmond Valley Council
Ensure that companion animal and horse controls on PoM lands remain current.	Review companion animal and horse controls in line with current information and periodically.	Report to Council on the use of the PoM lands for companion animal exercise and for access by horse riders. And the need for a horse riding code.	Minimal incidents of conflict or complaint arising from companion animals or horses.	Moderate	Richmond Valley Council



Table 11-14 Heritage

Objective	Strategies	Actions	Performance Assessment	Priority	Partners
Protect and enhance Aboriginal cultural and archaeological values of the Reserve	Ensure all significant works within the Reserve consider the likelihood of encountering Aboriginal sites.	<p>Council to maintain records of Aboriginal sites.</p> <p>Review site records before undertaking significant works that might affect any sites</p> <p>Liaise with local Aboriginal community.</p>	GIS based records of known Aboriginal sites to be maintained on Council's system	High	<p>Richmond Valley Council</p> <p>DECCW</p> <p>Local Aboriginal Land Council</p> <p>Local Aboriginal community</p>
	Ensure that all users and occupiers of the Reserve are aware of the significance of this area to Aboriginal people.	<p>Ensure that signage in the Reserve reflects the prior occupation by the local Aboriginal community through words and symbolism.</p> <p>Provide general interpretative signage at key recreation areas outlining the cultural values of the Reserve</p>	Council signage to reflect Aboriginal history	High	<p>Richmond Valley Council</p> <p>Local Aboriginal Land Council</p> <p>Local Aboriginal community</p>
Protect and enhance non Aboriginal heritage values of the Reserve	Ensure that all heritage sites within the Reserve identified in the Richmond Valley Heritage Study and adopted by Council for listing in its Local Environmental Plan be	Provide heritage interpretative signage at the location of heritage sites within the Reserve outlining the cultural values of the location	Council to conduct suitable maintenance of heritage items to preserve their integrity	High	Richmond Valley Council



Objective	Strategies	Actions	Performance Assessment	Priority	Partners
	protected.		Erect appropriate signs at each location		



11.1 Funding Sources

The extent to which management works can be implemented is largely dependent on the availability of funds and resources.

There are several sources of funding to assist Trusts managing Crown land. Funding is made available to improve facilities, provide relief from natural disasters and protect the heritage value of Crown land, or its component facilities. The Public Reserves Management Fund has been established to specifically meet the needs of Crown reserve management.

Public Reserves Management Fund

The Public Reserves Management Fund provides loan monies and limited grants to Trusts. These funds are available for improvement works to Crown reserves and provide for both capital development and asset maintenance projects.

Assistance for Caravan Parks

Funding is provided annually by the State Government for the development and maintenance of caravan parks and camping grounds on coastal Crown reserves. These funds are provided as grants for infrastructure and as low-interest loans for commercial enterprises. The program is known as the Caravan Parks Levy Scheme, and is part of the Public Reserves Management Fund.

Weed, Pest and Feral Animal Control on Crown Land

The LPMA has a cost sharing arrangement with Department of Primary Industries and the Noxious Weeds Advisory Committee to fund weed control projects on Crown land. Trusts can apply to the LPMA for any serious weed control projects on Crown land. LPMA also funds a range of pest and feral animal control projects.

Community Hall Renewal Fund

Announced in November 2008 through the Office of Rural Affairs funds of up to \$50,000 for community hall infrastructure to non profit organisations in communities with population of 10,000 or less with funding matched on a 2 for 1 basis.

The other key sources of revenue may be generated through commercial activities within the Reserve. In particular income derived from the Silver Sands Holiday Park provides a significant source of funds. Other commercial leases and licences issued by Council should also make an important contribution to the long term financial sustainability of the Reserve.

A summary of the principal sources of funding are highlighted below.



Table 11-15 Funding Sources for Coastal Reserve Works

Source	Program	Works	Timing
Commonwealth Government	Caring For Our Country	Natural resource management projects. Regeneration and associated construction works, Educational and awareness programmes	Annually
	Labour market programs	Provides labour for environmental rehabilitation and amenity projects	Ongoing
State Government	Coast and Estuaries Program	Coastal works including beach restoration	Annually
	Sports and Recreation Grants	Recreation facilities	Annually
	TCM Small Projects Grants	Catchment management works, bush regeneration, access control	Annually
	Environmental Trust	Conservation, education, environmental protection works	Annually
	Waterways program	Boating amenity, waterway access	Ongoing
	Urban water program	Wastewater and stormwater	Ongoing
	Stormwater trust	Planning and implementation of urban stormwater management	Annually
	Estuary management program	Improving or maintaining the overall health and functionality of an estuary	Annually
	Land and Property Management	Improvement works to Crown reserves and	



Source	Program	Works	Timing
	Authority Public Reserves Management Fund	capital development and maintenance projects	
Council Revenue	Capital Works and Maintenance Budgets	Recreation facilities, accessways, park and tree maintenance	Annually
	Section 94	Neighbourhood and district recreational facilities, park improvements walkways/cycleways	Occasional
	Potential environmental levy	Environmental repair and improvement	Ongoing
Caravan Park	Caravan Park Revenue	Works within specified Crown reserve areas	Ongoing

11.2 Plan Implementation and Review

This plan of management is to be reviewed every five years to ensure the objectives and strategies remain relevant, enforceable and user friendly. The implementation of the overall plan is to be monitored annually with the preparation of annual performance standards and capital works programs. Council may not allow any operations or developments which are contrary to the plan of management.

Alteration of the adopted plan of management may be undertaken under Section 115 of the Crown lands Act and is recommended after a period of five years to keep abreast of government policy, to cater for changing expectations and requirements of the community and to ensure the plan remains useful and relevant.



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Appendix A

Management Implications from Relevant Legislation, Policies and Plans



Responsibilities of the Reserve Trust – Management Implications from Relevant Legislation, Policies and Plans

Instrument	Principal Agency	Purpose	Application
Federal			
Environment Protection & Biodiversity Conservation Act 1999	Environment Australia	Regulates the assessment and approval of activities which have a significant impact on 'matters of environmental significance', activities by Commonwealth government agencies anywhere in the world, and activities by any person on Commonwealth land. Protects biodiversity by creating and regulating protected areas such as World Heritage properties. Outlines the listing and management of threatened species and ecological communities.	
National Coastal Action Plan (draft) 1993	Commonwealth Resource assessment Commission	Fair and equitable public and commercial use of coastal resources which maintains public access, coastal areas and feature, biological diversity, water quality and recognises Aboriginal interests.	
National Ecotourism Strategy (draft) 1993	Federal Department of Tourism	Develop and promote the sustainable delivery of eco-tourism products.	
Native Title Act 1993		Recognises that Aboriginal people have been dispossessed of their traditional lands. Recognises a form of native title that reflects the entitlement of Aboriginal peoples. Enacts that native title is extinguished by valid government acts such as the grant of freehold or leasehold estates.	
State			
Environmental Planning and Assessment Act 1979	DoP, Local Government	Assess the environmental, social and economic impact of proposed developments and plans Part 3A State Significant Development which includes the development of sensitive	Environmental planning instruments including Local Environment Plans (LEP) and State Environmental Planning Policies (SEPP). Environmental impact assessment procedures under both Part 4 and Part 5 apply to works and development.



Instrument	Principal Agency	Purpose	Application
		coastal areas and tourism development	
National Parks and Wildlife Act 1974	DECCW	Management of National Parks, protection of flora and fauna. Protection of aboriginal sites.	Permits and/ or licences required for damage to aboriginal sites, holding of native fauna, removing flora.
Threatened Species Conservation Act 1995	DECCW	Ensure developers consider threatened species and their habitat in the planning process	A licence to 'harm' or 'pick' a threatened species is required from the Director General where development impacts on a threatened species, population or ecological community or damages their habitat.
Crown Lands Act 1989	LPMA	Ownership and management of Crown Lands e.g. grazing, extraction, reservation for various purposes.	Outlines that Crown land is managed for the benefit of the people of NSW. Details the Principles for Crown Land Management and outlines the PoM process.
Soil Conservation Act 1938	DECCW	Protection of areas of erosion hazard.	
Local Government Act 1993	Local government authorities	Allow local government to undertake a range of functions and responsibilities	Allows opportunities for works such as drainage, removal of obstructions, erosion control, protection of roads
Rural Fires Act 1997	Rural Fire Service, Local Government Authorities	Outlines responsibilities of landholders in terms of minimising fire hazard and controlling fires on their properties	All fire ignitions to be suppressed or at least prevented from spreading from one land tenure to another. Landholders must implement fuel hazard reduction programmes as per their local Fire



Instrument	Principal Agency	Purpose	Application
			Management plan or direction from the Bushfire Management Committee.
Native Vegetation Act 2003	DLRA	To conserve native vegetation in NSW	Controls the clearing of native vegetation and protects habitats and threatened species. Clearing for fire suppression exempt.
Catchment Management Authorities Act 2003	DLRA	Implement Total Catchment Management (TCM)	Catchment Management Authorities coordinate policies, programs and activities as they relate to TCM.
Protection of the Environment Operations Act 1997	DECCW	Overhaul of EPA legislation including the Clean Air, Clean Waters, Noise Control and other Acts.	Provides for the protection of air and water quality and outlines enforcement and penalties
Companion Animals Act 1998	RVC	The Companion Animals Act provides Councils with a more effective means of keeping track of dogs and cats for the benefit of the wider community. It includes provisions regarding the responsibilities of cat and dog owners.	
Impounding Act 1993	RVC	Sets out the requirements relating to the impoundment of animals and other articles. In the context of the coastal reserve the Impounding Act relates to the impoundment of animals.	
NSW Coastal Policy 1997	NSW Government	Manage coastal and foreshore areas to ensure environmental protection, community access and minimal impact on ecosystems and other values.	
State Strategy for Natural Resource Management in NSW	NSW Total Catchment Management	Vision: for everyone to understand and act to achieve sustainable natural resource management while maintaining quality of life both now and in the future.	



Instrument	Principal Agency	Purpose	Application
State Environmental Planning Policy (SEPP) 14 (Coastal Wetlands)	DoP, Local Government Authorities	Protect major coastal wetlands. Refers to wetland maps at DIPNR. Most are zoned for environmental protection by local councils. Sets out procedures for processing development applications.	
SEPP 44 (Koala Habitat Protection)	DoP, Local Government Authorities	Protect Koala habitat. Applies to local government areas where Koalas are known to occur. Requires studies to accompany Development Applications e.g. if certain Koala food trees are present	
SEPP 71	DoP	Protects the NSW coast from over development and pollution. Protect public access to beaches and foreshores. Major developments (e.g. over 13 metres high) and high-risk developments (e.g. near sensitive rainforest or wetland environments) will be considered by DIPNR rather than local councils.	
SEPP (Infrastructure) 2007	All agencies and Local Government Authorities	Provide for flexibility in government infrastructure delivery. Permits a range of works as exempt development where carried out by a government authority.	
Coastal Crown Lands Policy 1989	DLRA	Retain, conserve and maintain coastal Crown Lands and their intrinsic, environmental, and cultural qualities in public ownership. Maintain public access, rehabilitate lands where necessary, and acquire further significant coastal lands for future public use.	
NSW Open Space Strategy 1992	NSW Government	Planning for open space and facilities which is equitable, ensures public access and protects significant features.	
NSW Biodiversity Conservation Goals and Strategies (1992)	DECCW	Conserving biodiversity in perpetuity through managing threats, increasing knowledge and understanding and developing community awareness and support.	



Instrument	Principal Agency	Purpose	Application
Coastline Management Manual	NSW Government, Local Councils	<p>The Manual has been prepared to assist local councils in developing balanced plans of management for the coastline. It is also aimed at providing information to assist present and potential users and occupiers of the coastline understand the nature of coastline hazards and the options available for their management.</p> <p>The Manual outlines the management system which is advocated in the Coastline Hazard Policy and which is the central issue in meeting the objective of the legislation proposed to provide councils with exculpation from liability. It also provides a summary of the management options available to deal with coastline hazards and their relevance in two broad scenarios, namely in areas of "low" and "high" development.</p>	
Acid Sulfate Soil Manual	DoP, Local Councils	The ASS Manual provides advice on best practice in planning, assessment and management of activities in areas containing ASS. The manual contains recommendations, guidelines and methods relating to ASS in terms of: planning; assessment; management; laboratory methods; drainage and waterways; groundwater; management plan; and industry.	
Draft Oxleyan Pygmy Perch Recovery Plan	DPI	The draft Recovery Plan for Oxleyan Pygmy Perch has been developed with the aim of ensuring the recovery and long-term survival of this species in north-eastern NSW. Recovery actions outlined in the plan are grouped into the following six areas: Research needs; Community awareness, involvement and support; habitat protection and restoration; reducing the impacts of introduced fish; involvement of aquarium enthusiasts; and monitoring.	
North Coast Region			
North Coast Regional Environmental Plan (NCREP) (Now a SEPP)	DoP, Local Councils within the North Coast region	Deals with issues relating to the North Coast region as a whole allowing for a regional approach to matters such as environmental protection and the provision of service corridors.	



Instrument	Principal Agency	Purpose	Application
Far North Coast Regional Strategy	DoP	Manage the region's high growth in a sustainable manner. Identifies growth opportunities in the region and encourages a move away from the immediate coast for new urban and employment areas.	
North Coast Region Tourism Development Strategy 1987	Tourism NSW	Develop the tourism potential of national parks, state forests, state recreation areas, crown reserves, rivers, dams, waterways. Preserve coastal holiday villages and their capability to service a growing tourism industry. Upgrade existing caravan parks.	
Northern Rivers Regional Economic Development Strategy Plan	North Rivers Regional Development Board	Develop a local industry which caters for domestic tourism via development of facilities with a focus on the middle and lower ends of the market rather than on high priced international style resort development	
<i>Local</i>			
Richmond River Local Environment Plan 1992 (LEP)	Local Council	The main means of development control with zoning maps and a written instrument categorising development as either permissible or prohibited.	
Evans River and Estuary Management Study and Plan	Estuary Management Committee/ Local Council	Plan provides series of sequential tasks to assist Council and other government agencies in establishing a healthy estuary that is sustainable from both ecological and human user perspectives. Plan is based on redressing the main issues that currently degrade the Evans River Environment.	



Instrument	Principal Agency	Purpose	Application
Airforce Beach Plan of Management	RVC	Airforce Beach POM has been prepared to guide the future management, use and development of Airforce Beach and the surrounding environs. The plan contains aims/objectives; description of the study area; a land assessment; basis for management values and objectives, management issues and management strategies relevant to the site; as well as containing details on the categories such as: Nature and Conservation; Scenic Beauty and Aesthetics; the Social and Economic Environment; Recreation and Tourism; Culture and Heritage; Education; and Future Generations.	
Evans Head Recreation Reserve Plan of Management	RVC	The Evans Head Recreation Reserve POM aims to promote and care for sensitive natural environments within the Recreational Reserve, as well as to protect the tourism and recreational opportunities that are associated with the wide range of uses undertaken in the reserve.	
Shark Bay/ Razorback Plan of Management	RVC, Razorback Lookout Reserve Trust	The Shark Bay/ Razorback Lookout Plan of Management provides strategies for the use and management of Crown Reserve 92456. The plan identifies the following: category of the land; the objectives and performance targets of the Plan with respect to the land; the means by which the Reserve Trust proposes to achieve the Plans' objectives and performance targets; and the manner in which the Reserve Trust proposes to assess its performance with respect to the Plans objectives and performance targets.	
Richmond River Shire Council Open Space Planning Statement 1999	RVC	This report looks at existing open space and recreational opportunities throughout the Shire. One of the fundamental aims of the statement is to determine the actions required to achieve a balanced provision of quality park, recreation and sporting opportunities, relative to the needs and demands of the community from a needs based approach based on both qualitative and quantitative indicators and measures.	



Instrument	Principal Agency	Purpose	Application
Richmond Valley Council DCP No. 10 – Evans Head	RVC	DCP No. 10 is a formal DCP prepared and adopted pursuant to S. 72 of the EP&A Act. The purpose of DCP No. 10 is to provide for the planned growth of Evans Head by identifying both development constraints and development opportunities and to outline a strategic sustainable approach to the future growth of the town. The aim of the DCP is to regulate development in Evans Head within the 2(v) and adjoining zoned areas in order to achieve a desirable built environment, which protect and enhances existing and future amenity by minimizing land use conflict.	
Richmond Valley Council DCP No. 5 – Acid Sulfate Soils	RVC	DCP No. 5 aims to ensure effective management of areas affected by ASS.	
Richmond Valley Council DCP No. 9 - Water Sensitive Urban Design	RVC	DCP No. 9 sets out guidelines for water sensitive urban design	
Richmond Valley Council DCP 11 – Onsite Effluent Management	RVC	DCP No. 11 details the guidelines for effective onsite effluent management.	
Richmond River Council DCP No. 6 – Exempt and Complying Development	RVC	DCP No. 6 lists guidelines for complying and exempt development	



Instrument	Principal Agency	Purpose	Application
Richmond River DCP No. 8 – Development Standards	RVC	DCP No. 8 sets out the development standards for the shire.	



Appendix B
Community Consultation



The most recent public consultation on the draft PoM included a 55 day public exhibition of the draft document which went from 19 December 2009 until 12 February 2010. An open house meeting was held on Thursday 4th February to provide an opportunity for the public to speak one on one with Council, LPMA and GHD personnel all of whom were involved in putting together the draft document. Eleven community members attended the open house meeting and the following issues were raised:

Issues raised/ matters discussed at open house on 4th February 2010

- ▶ Sea level rise – agree that it should be addressed in a revised coastline hazard definition study
 - ▶ Silver Sands Caravan Park – a big issue for all attending
 - ▶ Opposed to fencing near the Kiosk – want to maintain easy access to the river and foreshores
 - ▶ ANZAC monument – no fence! Need to get access easily on special days and don't want the fenced in look
 - ▶ Don't create a gated community at Silver Sands Caravan Park
 - ▶ Consider locating high quality seniors housing in town at the southern end of the SS Caravan park, rather than out at the airport
 - ▶ Want to see the tennis courts phase out of the foreshore , creating more open space for picnics and such
 - ▶ Climate change – need to update the studies + coastal impacts
 - ▶ Want Council to know that the quality of life in Evans Head is excellent and the SS Caravan Park is part of that.
 - ▶ Concerned that this meeting was not well advertised locally and was held on touch footy night
-

As a result of the public exhibition 13 submissions were received including four from Government agencies, one from the Bandjalang Aboriginal Corporation, two from the pied oystercatcher committee and one from the Dirawong trust and Evans Head RSL club. The issues raised in these submissions and the recommended changes to the PoM as a result are outlined in this summary.



Respondent	Issue	Description	Planning Comment	Action	
1.		The Northern bank of River between Elm Street and McDonald Street. (Area 7)	Area 7 appears to encroach on privately held land. It is an offence to designate an area as Crown land without formal government sanction.	Area 7 is not intended to encroach onto private land. It is difficult to accurately define its boundaries by survey as it currently does not have a Lot and DP number. However, a dispute over this boundary should not delay the finalisation of the PoM. Table 2.2 incorrectly describes Area 7 as including land above HWM. The adjacent Lot 11 DP 14089 is apparently defined by the HWM and this is why the boundary is difficult to determine. One option is to state clearly in the PoM that Area 7 does not include the adjacent private land. However, if the boundary issue cannot be resolved then Area 7 should be deferred from the PoM.	Amend table 2.2 with reference to Area 7 to change "above" to "below". State in the Description "Area 7 does not include any privately owned land".
2.	Bandjalang Aboriginal Corporation (BAC)	<i>Bandjalang Clan</i> <i>Bundjalung Nation</i> <i>Native Title</i>	There was no mention of recent <i>Native Title</i> findings that the Traditional Owners of Evans Head were the <i>Bandjalang Clan</i> . Emphasis needs to be shifted from the relationship between the land and the broader <i>Bundjalung nation</i> to the relationship between the land and the <i>Bandjalang Clan</i> .	It should be noted that the Bandjalang Clan regard themselves as the Traditional Owners of Evans Head; further consultation with the Bandjalang Aboriginal Corporation regarding the PoM was undertaken as representatives of the Bandjalang Clan. A number of the references in the document to the Bundjalung nation are intended to refer to the wider group. The Native Title claims remain in negotiation and are yet to be finalised.	Revisit all references in the PoM to the Bundjalung nation and replace with Bandjalang Clan as appropriate.
3.	Department of Environment, Climate Change and Water (DECCW)	A - Razorback Lookout and Shark Bay	Coastal zones should be zoned E2. Existing facilities should be excised from this area and zoned RE1.	Richmond Valley Council has yet to adopt a draft LEP for public exhibition. Although the DECCW comments are relevant it is not appropriate for the PoM to pre-determine Council's decision on its LEP. Accordingly, the reference to proposed land use zones in Appendix H should be deleted.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.



Respondent	Issue	Description	Planning Comment	Action
	B - Bingarra Reserve	Environmental management zone E3 may be more appropriate.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	C - Evans Head Recreation Reserve	RE1 zone surrounding the SP3 tourist camping/caravan area rather than zoning the camping area RE1 as well.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	D - Kalimna Park	Recommends a 50m riparian buffer zoned E2 along the southern bank of the Evans River from this park to Reserve A above.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	E - Boat Ramp	The western section of Lot 7029 appears to be vegetated with natural vegetation. This should be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	F - Public Baths	The wetlands at the western end of this lot and a 50m riparian buffer zone should be zone E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	G (a)- Mangrove Street Reserve	Should be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	G(b) - Drainage Reserve – Flame Street and coast	Should be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	H - North of Camp Koinonia	Prefer to be zoned E2. If APZ are required to be	As above.	Amend Appendix H to delete reference to proposed land



Respondent	Issue	Description	Planning Comment	Action
		placed on this land, E3 may be appropriate.		use zones in the draft LEP.
	I - Airforce Beach	Recommended to be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	J - Beech Street Wetland	Should be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	Foreshore Land	Recommended to be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	1. Part Lot 408	Should be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	2. River front land	Should be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	3. Break waters	Should be zoned SP1.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	4. East of Beech Street	Should be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	5. Coastal Strip	Should be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP..
	6. Coastal Strip	Should be Zoned E2.	As above.	Amend Appendix H to delete reference to proposed land



Respondent	Issue	Description	Planning Comment	Action
				use zones in the draft LEP.
	7. Northern bank of Evans River	Recommended that any area above MHWL be zoned E2 and the rest W2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	8. Lot 285	Should be zoned E2.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	9. Macdonald Street	Supports E2 zoning.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	10. Area east of Airport	Supports E2 zoning.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	11. Adjacent to Iron Gates Drive	Supports E2 zoning.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	12. Lot 2 DP 1012063	Should be zoned E2.Supports state significant conservation values.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
	13. Foreshore Reserve.	Supports RE1 zoning.	As above.	Amend Appendix H to delete reference to proposed land use zones in the draft LEP.
4. Pied Oystercatcher Protection Committee	Vehicle Management System	<p>Concern over the vehicle management system not extending over entire project area.</p> <p>Recommend a vehicle permit system for 4WD's.</p>	<p>PoM currently refers to "Managing Impacts on Threatened Species on South Ballina Beach". This document has now been superseded.</p> <p>This submission highlights actions from the "Threatened Species (Pied Oystercatcher) Management Strategy" and suggests that they be listed in Table 11.</p>	<p>Amend Table 11-13 to clearly reference the "Threatened Species (Pied Oystercatcher) Management Strategy".</p> <p>Delete reference to Managing Impacts on Threatened Species on South Ballina</p>



Respondent	Issue	Description	Planning Comment	Action
		Cooperative management between Richmond Valley Council, Ballina Shire Council, Land and Property Management Authority and National Parks and Wildlife Services is required.	There are a number of strategies and plans that apply to the study area that each contain numerous actions relevant to the management of this land. The "Threatened Species (Pied Oystercatcher) Management Strategy" contains 136 actions in 18 different categories. This document has not been formally adopted by Richmond Valley Council although it does have representation on the pied oystercatcher committee. To avoid repetition and putting too much detail into this PoM it is better that other relevant strategies be cross referenced rather than the actions repeated in this PoM. This also means that if the other strategies and plans evolve then this document does not immediately become out of date.	Beach.
5.	The Northern bank of River between Elm Street and McDonald Street. (Area 7)	Area 7 appears to encroach on privately held land. It is an offence to designate an area as Crown land without formal government sanction.	Area 7 is not intended to encroach onto private land. It is difficult to accurately define its boundaries by survey as it currently does not have a Lot and DP number. However, a dispute over this boundary should not delay the finalisation of the PoM. Table 2.2 incorrectly describes Area 7 as including land above HWM. Some of the adjacent lots are apparently defined by the HWM and this is why the boundary is difficult to determine. One option is to state clearly in the PoM that Area 7 does not include the adjacent private land. However, if the boundary issue cannot be resolved then Area 7 should be deferred from the PoM.	Amend table 2.2 with reference to Area 7 to change "above" to "below". State in the Description "Area 7 does not include any privately owned land".
6.	Confirmation that the Dirawong Reserve is not included in this PoM	Dirawong Reserve appears to be mentioned in the PoM, however it is not shown on any maps.	Diagram 3 shows the relationship of this plan of management with the Dirawong Reserve. It is to be kept separate and is subject of its own management plan. The confusion of the submissioner may arise from a reference to Dirawong Reserve in section 4.1.2. This needs to be made clearer in this PoM.	Amend the section 4.1.2 of the PoM where it refers to the Crown Lands (General Reserves) By law 2006 as follows : delete "The BY-law currently applies to" and insert "At Evans Head the By-law currently applies to: " to



Respondent	Issue	Description	Planning Comment	Action
				ensure that Dirawong Reserve is not referred to as part of the area covered by this PoM.
7.	Evans Head Riverside Markets, currently operating out of Reserve Park at the end of Oak Street.	Concerned as to how the PoM will affect the future operation of the markets.	Table 11-10 has the objective of encouraging appropriate commercial activities on Coastal Reserves land. Subject to appropriate commercial tendering and licensing a regular market is a reasonable use of the reserve and fits with this objective.	No changes recommended.
8.	Impact on Public Open Space	The proposal to construct water front cabins in various zones throughout the Reserve will negatively impact on the amenity and access to public open space.	The issues noted in this submission deal with the specific matters raised in the Silver Sands holiday Park Master Plan that was exhibited simultaneously with this PoM. These issues need to be resolved as part of the finalisation off the SS HP Master Plan rather than this PoM.	No Changes recommended.
	Impact on Sea Turtle habitat	Riverside cabins could potentially damage critical Sea Turtle habitat. Further investigations are called to assess the potential risk.	The issues noted in this submission deal with the specific matters raised in the Silver Sands holiday Park Master Plan that was exhibited simultaneously with this PoM. These issues need to be resolved as part of the finalisation off the SS HP Master Plan rather than this PoM.	No Changes recommended.
	Demolition and relocation of Stan Payne Oval Tennis Court	Costs associated with demolishing a functional tennis court are unjustified. The clustering of sporting facilities reduces the accessibility and overall benefit to the community.	The issues noted in this submission deal with the specific matters raised in the Silver Sands Holiday Park Master Plan that was exhibited simultaneously with this PoM. These issues need to be resolved as part of the finalisation off the SS HP Master Plan rather than this PoM.	No Changes recommended.
9. Coastal	Future Sea Levels	Consideration should be	The 2050 sea level is referred to in section 5.4.1 of the	Amend last paragraph in



Respondent	Issue	Description	Planning Comment	Action
Programs (DECCW)	– Section 5.4	given to future sea levels finalised in the NSW Sea Level Rise Policy Statement.	PoM. This paragraph can now be updated to reflect the October 2009 publication ie 0.9m sea level rise by 2100 based on 1990 levels.	section 5.4.1 to reflect October 2009 update of sea level rise figures.
	Revision of the Coastline Hazard Definition Study – Section 7.6	The Surf Club and properties at the southern end of Terrace Street are predicted to be at risk from coastal erosion and oceanic inundation even though the study did not conclude so.	These are valid comments and it is appropriate to expand on the potential coastal hazard risks in section 7.6.	Amend section 7.6 to reflect these comments.
	Flooding risk of Silver Sands Caravan Park – Section 7.6	To address potential flood hazard, a Floodplain Risk Management Plan for Evans Head should be prepared in accordance with the Government’s Floodplain Development Manual (2005). Add the need for this as a Strategy in Table 11-3.	These are valid comments and it is appropriate that a floodplain risk management plan be discussed as a response to the hazard in the vicinity of the Silver Sands Holiday Park. It is also agreed that it should be included as a Strategy in table 11-3.	Amend section 7.6 to reflect these comments. Amend table 11-3 to include a strategy that a floodplain risk management plan be prepared for the land in the vicinity of the Silver Sands Holiday Park.
	Reword Coastline Hazard Strategy – Table 11-3	In Table 11-3 reword the coastline hazard strategy as: ‘Review and update Coastline Hazard Definition Study (every 5-10 years) in response to latest data and current climate change knowledge and Government policy’.	The change of wording proposed is acceptable	Amend Table 11-3 to reword the coastline hazard strategy as: ‘Review and update Coastline Hazard Definition Study (every 5-10 years) in response to latest data and current climate change knowledge and Government policy’.
	Future dredging campaigns –	It should be acknowledged that future dredging	Agreed. However this comment is better placed in	Amend section 7.9 to acknowledge that dredging



Respondent	Issue	Description	Planning Comment	Action
	Table 11-5	campaigns may not readily occur and would be subject to Land and Property Management Authority, state-wide priorities and available funds.	section 7.9 of the PoM .	operations are subject to State wide priorities.
	Funding from the State Government – Coast and Estuary Management Programs – Table 11-15	Priority for applications under these programs is given to: updating coastline hazard studies to incorporate sea level benchmarks, updating estuary management plans to consider climate change impacts including sea level rise, estuary health monitoring and high hazard coastal areas and stressed estuaries.	Noted. However, the PoM does not discuss the priorities for funding of any of the sources as they are all subject to change over time.	No Changes recommended.
10.	Exclusion of the Crown Land described as Lot 2 DP 1012063 south of Currajong Street.	Why hasn't this land been included in the Draft PoM?	The land wasn't included in the coastal plan as it falls outside the proposed reserve management regime and will continue to be administered direct by LPMA.	No Changes recommended.
		What is its status?	The land forms part of Reserve 755624 for Future Public Requirements notified 29 June 2007 and part Reserve 1012192 for Access and Public Requirements, Rural Services, Tourism Purposes and Environmental and Heritage Conservation (the Richmond Coast Regional Crown Reserve).	No Changes recommended.
		Is it no longer Crown Land?	It is still Crown land.	No Changes recommended.
		Does your department have plans for this land for future development including but	Yes.	No Changes recommended.



Respondent	Issue	Description	Planning Comment	Action
		not confined to residential or related development?		
		Has your department entered into any agreement, formal or informal, for the future development of this land with Richmond Valley Council?	No.	No Changes recommended.
		Is the land subject to Native Title Claim?	Yes.	No Changes recommended.
		Is there any evidence of prior use which would extinguish Native Title Claim over this land?	No.	No Changes recommended.
		Did RVC or the Ex-Services Home have permission from Crown Lands for a Development Application to be approved for a development on this land in September 2003? If so, how was this permission obtained given the land was subject to Native Title?	Yes. Owners consent to lodgement of a DA was provided to Ballina Ex-services Home with the onus being on the proponent to address/compensate Native Title interests.	No Changes recommended.
		What is the current value of the land according to the VG's office?	It's a valuable site however the actual value is regarded as commercial-in-confidence and I am not in a position to provide a figure.	No Changes recommended.
11. Northern Rivers Region, NPWS (DECCW)	Management Planning	Amend the PoM to include relevant actions from the revised Broadwater NP PoM soon to be exhibited	This PoM needs to work with the PoM's for the neighbouring National Parks, but it does not need to contain all the same land management actions. In any case, the document is a draft and may change before it	No Changes recommended.



Respondent	Issue	Description	Planning Comment	Action
			is finalised and adopted.	
		Amend Table 11-1 to refer to refer to the revised Broadwater National Park PoM.	Table 11-1 already does refer to the Broadwater NP PoM with a strategy to ensure consistency between them. This is sufficient.	No Changes recommended.
	Fire Management	<p>PoM refers to fire hazard but does not say how it will be minimised and managed.</p> <p>NPWS strongly supports table 11-4 in relation to fire hazard, but wants acknowledgement of Broadwater NP fire management strategy.</p>	<p>This PoM cannot go in to the level of detail required to minimise fire hazard over such a large area of land. It instead recommends strategies and actions to address this risk.</p> <p>Strong support is noted for table 11-4. Reference to Broadwater NP fire management strategy can be made</p>	Amend Table 11-4 to refer to the need for a fire management plan to be consistent with the fire management strategy for the Broadwater NP.
	Pest Management	Consider the Fox Threat Abatement Plan for nearby NP areas	Agreed. Should add a new point to section 7.5 outlining the need to work with pest management documents for adjacent lands and implement them on the PoM lands as appropriate. Should add a strategy to this effect.	<p>Amend section 7.5 to add a new point outlining the need to work with pest management documents for adjacent lands and implement them on the PoM lands as appropriate.</p> <p>Amend table 11-2 to add a new strategy that deals with pest management and actions that follow from it.</p>
		Identify the need for collaborative weed control between PoM land and NP land	Agreed. Given the proximity of the NP land and the PoM land this makes sense.	Amend section 7.5 to add a new point outlining the need to have collaborative weed management between adjacent lands and the PoM lands as appropriate.



Respondent	Issue	Description	Planning Comment	Action
				Amend the existing vegetation management strategy in table 11-2 to acknowledge this issue.
		Refer to the DECCW Northern Rivers Region Pest Management Strategy 2008-2011 and the draft Broadwater NP Pest Management Plan	Agreed. Given the proximity of the NP land and the PoM land this makes sense.	Amend section 7.5 to add a new point outlining the need to work with these documents as appropriate. Amend table 11-2 to include a new strategy referring to the need to be consistent with these documents.
	Threatened species management	Reference to Pied Oystercatcher in the document should be "endangered" not "vulnerable".	Agreed.	Amend any references in the document to Pied Oystercatchers to note that they are "endangered" not "vulnerable".
		Consider all highlighted recommendations of the Threatened Species (Pied Oystercatcher) Management Strategy, 2007.	There are a number of strategies and plans that apply to the study area that each contain numerous actions relevant to the management of this land. The "Threatened Species (Pied Oystercatcher) Management Strategy" contains 136 actions in 18 different categories. This document has not been formally adopted by Richmond Valley Council although it does have representation on the pied oystercatcher committee. To avoid repetition and putting too much detail into this PoM it is better that other relevant strategies be cross referenced rather than the actions repeated in this PoM. This also means that if the other strategies and plans evolve then this document does not immediately become out of date.	Add a reference to this document to the list of related plans in the Plan Structure section on page 1 of the PoM. Amend Table 11-13 to clearly reference the "Threatened Species (Pied Oystercatcher) Management Strategy, 2007". Delete reference to Managing Impacts on Threatened Species on South Ballina Beach.



Respondent	Issue	Description	Planning Comment	Action
	Recreation/visitor management	Consider making the existing dog off leash areas into an on leash area; and state that dogs are not allowed in NP areas; and horse riding on the beach.	<p>Companion animals in beach side areas are always a contentious issue. It is agreed that table 11-13 should mention the need to review companion animal controls in line with current information and to review it periodically in any case. It is not appropriate that this PoM suggest which areas are on or off leash as this needs to be a decision of Council in conjunction with other authorities.</p> <p>Legislation that prohibits dogs in NP areas is self evident and does not need to be repeated in this PoM.</p> <p>Horse riding on the beach is a matter that needs to be addressed in general terms such as endorsing the horse riding code of conduct in the Threatened Species (Pied Oystercatcher) Management Strategy, 2007.</p>	<p>Amend table 11-13 to include a new Objective referring to companion animals and horses. Include a strategy and actions that acknowledge that this issue needs to be monitored and reassessed periodically and that guidelines such as the horse riding code of conduct could be adopted as actions.</p>
		4WD access and driving on beaches. Need to include the 4WD code of conduct for inclusion into this PoM.	<p>Four wheel driving on the beach is a matter that needs to be addressed in general terms such as endorsing the 4WD code of conduct in the Threatened Species (Pied Oystercatcher) Management Strategy, 2007.</p> <p>It is best addressed at a strategic level with a beach access strategy that is subject to public consultation and relevant public authorities and stakeholders.</p>	<p>Amend table 11-13 to include a new strategy that acknowledges that this issue needs to be monitored and reassessed periodically and that guidelines such as the 4WD code of conduct could be adopted as actions.</p>
	Other comments	The NPWS Act 1974 and the Threatened Species Conservation Act 1995 should be included in section 4 of the PoM.	Agreed.	Amend section 4 to include the NPWS Act 1974 and the Threatened Species Conservation Act 1995
		Replace DECC with DECCW	Agreed	Amend the document where necessary
		Needs to be more integration between the management	Not all of the management challenges are appropriate to take through into a PoM. Some issues need to be dealt	No changes recommended.



Respondent	Issue	Description	Planning Comment	Action
		challenges and the actions.	with in other documents and in stakeholder decision making.	
		Suggest that the cultural heritage division of DECCW be contacted for comment on heritage matters.	Agreed. DECCW's planning and Aboriginal Heritage Section were contacted and their comments are included in this summary of submissions	No changes recommended.
12. Pied Oystercatcher Protection Committee	Threatened species management	Reference to Pied Oystercatcher in the document should be "endangered" not "vulnerable".	Agreed	Amend any references in the document to Pied Oystercatchers to note that they are "endangered" not "vulnerable".
	Recreation/visitor management	4WD access and driving on beaches. Need to restrict 4WD's so they don't use the beach at high tide; increase ranger patrols; introduce beach driving permits in coordination with all beaches between the Richmond River and Evans River.	Four wheel driving on the beach is a matter that needs to be addressed in general terms such as endorsing the 4WD code of conduct in the Threatened Species (Pied Oystercatcher) Management Strategy, 2007.	Amend table 11-13 to include a new strategy that acknowledges that this issue needs to be monitored and reassessed periodically and that guidelines such as the 4WD code of conduct could be adopted as actions.
		Consider making the existing do off leash areas into an on leash area; increase ranger patrols in shore bird breeding areas; and introduce a permit for recreational and commercial horse riding on the beach.	Companion animals in beach side areas are always a contentious issue. It is agreed that table 11-13 should mention the need to review companion animal controls in line with current information and to review it periodically in any case. It is not appropriate that this PoM suggest which areas are on or off leash as this needs to be a decision of Council in conjunction with other authorities. Horse riding on the beach is a matter that needs to be addressed in general terms such as endorsing the horse riding code of conduct in the Threatened Species (Pied	Amend table 11-13 to include a new Objective referring to companion animals and horses. Include a strategy and actions that acknowledge that this issue needs to be monitored and reassessed periodically and that guidelines such as the horse riding code of conduct could be adopted as actions.



Respondent	Issue	Description	Planning Comment	Action
			Oystercatcher) Management Strategy, 2007.	
		Public education is required in relation to threatened species such as pied oystercatchers. The PoM should recommend signage at access points and information brochures at key accommodation sites such as Silver Sands Holiday Park.	<p>Agreed. Table 11-11 already mentions signage for a range of issues including environmental awareness, so this issue is already addressed.</p> <p>The provision of information brochures on such issues as threatened species, at key accommodation sites is an action that could be added to table 11-11.</p>	Amend table 11-11 to add a new action that refers to the provision of information brochures at key locations.
	Pest Management	Consider fox control in the PoM area consistent with nearby public land.	Agreed. Should add a new point to section 7.5 outlining the need to work with pest management documents for adjacent lands and implement them on the PoM lands as appropriate. Should add a strategy to this effect.	<p>Amend section 7.5 to add a new point outlining the need to work with pest management documents for adjacent lands and implement them on the PoM lands as appropriate.</p> <p>Amend table 11-2 to add a new strategy that deals with pest management and actions that follow from it.</p>
13. DECCW – Planning and Aboriginal Heritage Section , NE Branch, Environment Protection and Regulation Group	Terminology	It is preferable to use the term ‘Aboriginal ’ rather than ‘Indigenous’ as a matter of recognition and respect to the local Aboriginal community.	Agreed. This should be changed wherever it occurs throughout the document.	Amend the document to use the word “Aboriginal” not “Indigenous” as appropriate.



Respondent	Issue	Description	Planning Comment	Action
	Reserve Profile	<p>Include a specific comment in section 5.8.1 that notes that Aboriginal Cultural Heritage (ACH) values in the PoM area are protected under the NPW Act.</p> <p>Section 5.8.1 fails to state that all ACH sites should be registered with DECCW.</p>	<p>Agreed.</p> <p>Agreed. However, the point being made is that they may not be known at this point, because no one has located them. The legislation does not need to be repeated in this PoM.</p>	<p>Amend Section 5.8.1 to state that ACH values are protected under the NPW Act, 1974.</p> <p>No changes recommended.</p>
	Aboriginal consultation	<p>Contact with Bandjalang clan is noted. Continued contact with the local Aboriginal community is encouraged for the life of the PoM.</p>	<p>Noted. It would be good to establish a committee or use an existing committee to engage the local community in the decision making process. Include the local Aboriginal community in this committee.</p>	<p>Amend table 11-11 to include a new strategy and action involving the community in decision making for the reserve area.</p>



Appendix C

Patterson Britton and Partners, 2004. *Evans Head Coastal Reserves Plan of Management, Coastline Hazard Definition Study, Issue No. 1*



Appendix D

Results of Bionet Database Search – Flora and Fauna

Bionet database search

A Bionet* (www.bionet.nsw.gov.au) database search, conducted on area on the 12/8/2009, returned a list of 53 and 313 species of threatened and protected flora and fauna, respectively.

Co-ordinates for the search area are as follows:

- ▶ N 29o 05' 36";
- ▶ W 153o 25' 36";
- ▶ E 153o 26' 45"; and
- ▶ S 29o 07' 29".

Listed flora species are comprised of:

- ▶ 53 species from 26 families.

Fauna species are comprised of:

- ▶ Amphibians (18 species from two families);
- ▶ Birds (210 species from 57 families);
- ▶ Fish (2 species from two families);
- ▶ Mammals (57 species form 15 families); and
- ▶ Reptiles (26 species from nine families).

*Bionet searches utilize and cross-reference the databases of the following agencies:

- ▶ Australian Museum;
- ▶ National Parks and Wildlife;
- ▶ NSW Fisheries;
- ▶ NSW State Forests; and
- ▶ Royal Botanic Gardens.

Order	Family	Scientific name	Common Name	Status	
Amphibians					
Anura	Hylidae	<i>Litoria olongburensis</i>	Olongburra Frog/Wallum Sedge Frog	V	
		<i>Litoria caerulea</i>	Green Tree Frog	P	
		<i>Litoria fallax</i>	Eastern Dwarf Tree Frog	P	
		<i>Litoria freycineti</i>	Freycinet's Frog	P	
		<i>Litoria gracilentata</i>	Dainty Green Tree Frog	P	
		<i>Litoria latopalmata</i>	Broad-palmed Frog	P	
		<i>Litoria nasuta</i>	Rocket Frog	P	
		<i>Litoria phyllochroa</i>	Leaf-green Tree Frog	P	
		<i>Litoria tyleri</i>	Tyler's Tree Frog	P	
		<i>Litoria aurea</i>	Green and Golden Bell Frog	V	
		Myobatrachidae	<i>Crinia parinsignifera</i>	Eastern Sign-bearing Froglet	P
			<i>Crinia signifera</i>	Common Eastern Froglet	P
			<i>Crinia tinnula</i>	Wallum Froglet	V
	<i>Limnodynastes peronii</i>		Brown-striped Frog	P	
	<i>Limnodynastes terraereginae</i>		Northern Banjo Frog	P	
	<i>Mixophyes fasciolatus</i>		Great Barred Frog	P	
	<i>Pseudophryne coriacea</i>		Red-backed Toadlet	P	
		<i>Uperoleia fusca</i>	Dusky Toadlet	P	
	Birds				
	Anseriformes	Anatidae	<i>Anas castanea</i>	Chestnut Teal	P
<i>Anas gracilis</i>			Grey Teal	P	
<i>Anas superciliosa</i>			Pacific Black Duck	P	
<i>Aythya australis</i>			Hardhead	P	
<i>Chenonetta jubata</i>			Australian Wood Duck	P	
<i>Cygnus atratus</i>			Black Swan	P	
Apodiformes	Apodidae	<i>Apus pacificus</i>	Fork-tailed Swift	P	
		<i>Hirundapus caudacutus</i>	White-throated Needletail	P	
Caprimulgiformes	Aegothelidae	<i>Aegotheles cristatus</i>	Australian Owlet-nightjar	P	
	Caprimulgidae	<i>Eurostopodus mystacalis</i>	White-throated Nightjar	P	
	Podargidae	<i>Podargus strigoides</i>	Tawny Frogmouth	P	
Charadriiformes	Burhinidae	<i>Burhinus grallarius</i>	Bush Stone-curlew	E1	
		<i>Esacus neglectus</i>	Beach Stone-curlew	E1	
	Charadriidae	<i>Charadrius leschenaultii</i>	Greater Sand-plover	V	
		<i>Charadrius mongolus</i>	Lesser Sand-plover	V	
		<i>Charadrius ruficapillus</i>	Red-capped Plover	P	
		<i>Euseyonis melanops</i>	Black-fronted Dotterel	P	
<i>Erythrogonys cinctus</i>	Red-kneed Dotterel	P			

Order	Family	Scientific name	Common Name	Status
		<i>Pluvialis dominica</i>	Lesser Golden Plover	P
		<i>Pluvialis fulva</i>	Pacific Golden Plover	P
		<i>Vanellus miles</i>	Masked Lapwing	P
	Haematopodidae	<i>Haematopus longirostris</i>	Pied Oystercatcher	V
		<i>Haematopus fuliginosus</i>	Sooty Oystercatcher	V
		<i>Haematopus longirostris</i>	Pied Oystercatcher	V
	Laridae	<i>Chlidonias hybridus</i>	Whiskered Tern	P
		<i>Larus novaehollandiae</i>	Silver Gull	P
		<i>Sterna albifrons</i>	Little Tern	E1
		<i>Sterna bergii</i>	Crested Tern	P
		<i>Sterna hirundo</i>	Common Tern	P
		<i>Sterna nilotica</i>	Gull-billed Tern	P
		<i>Sterna paradisaea</i>	Arctic Tern	P
	Recurvirostridae	<i>Himantopus himantopus</i>	Black-winged Stilt	P
	Rostraulidae	<i>Rostratula australis</i>	Australian Painted Snipe	V
	Scolopacidae	<i>Actitis hypoleucos</i>	Common Sandpiper	P
		<i>Arenaria interpres</i>	Ruddy Turnstone	P
		<i>Calidris acuminata</i>	Sharp-tailed Sandpiper	P
		<i>Calidris ferruginea</i>	Curlew Sandpiper	P
		<i>Calidris ruficollis</i>	Red-necked Stint	P
		<i>Gallinago hardwickii</i>	Latham's Snipe	P
		<i>Heteroscelus brevipes</i>	Grey-tailed Tattler	P
		<i>Limicola falcinellus</i>	Broad-billed Sandpiper	V
Ciconiiformes	Ardeidae	<i>Ardea alba</i>	Great Egret	P
		<i>Ardea pacifica</i>	White-necked Heron	P
		<i>Botaurus poiciloptilus</i>	Australasian Bittern	V
		<i>Butorides striatus</i>	Striated Heron	P
		<i>Egretta garzetta</i>	Little Egret	P
		<i>Egretta novaehollandiae</i>	White-faced Heron	P
		<i>Egretta sacra</i>	Eastern Reef Egret	P
		<i>Nycticorax caledonicus</i>	Nankeen Night Heron	P
	Ciconiidae	<i>Ephippiorhynchus asiaticus</i>	Black-necked Stork	E1
Columbiformes	Columbidae	<i>Chalcophaps indica</i>	Emerald Dove	P
		<i>Columba leucomela</i>	White-headed Pigeon	P
		<i>Geopelia humeralis</i>	Bar-shouldered Dove	P
		<i>Geopelia placida</i>	Peaceful Dove	P
		<i>Leucosarcia melanoleuca</i>	Wonga Pigeon	P
		<i>Lopholaimus antarcticus</i>	Topknot Pigeon	P
		<i>Ocyphaps lophotes</i>	Crested Pigeon	P
		<i>Ptilinopus magnificus</i>	Wompoo Fruit-Dove	V

Order	Family	Scientific name	Common Name	Status	
Coraciiformes	Alcedinidae	<i>Alcedo azurea</i>	Azure Kingfisher	P	
		<i>Dacelo novaeguineae</i>	Laughing Kookaburra	P	
		<i>Todiramphus macleayi</i>	Forest Kingfisher	P	
		<i>Todiramphus sanctus</i>	Sacred Kingfisher	P	
	Coraciidae	<i>Eurystomus orientalis</i>	Dollarbird	P	
	Meropidae	<i>Merops ornatus</i>	Rainbow Bee-eater	P	
Cuculiformes	Centropodidae	<i>Centropus phasianinus</i>	Pheasant Coucal	P	
	Cuculidae	<i>Cacomantis flabelliformis</i>	Fan-tailed Cuckoo	P	
		<i>Cacomantis variolosus</i>	Brush Cuckoo	P	
		<i>Chalcites basalis</i>	Horsfield's Bronze-Cuckoo	P	
		<i>Chalcites lucidus</i>	Shining Bronze-Cuckoo	P	
		<i>Eudynamis orientalis</i>	Pacific Koel	P	
	Falconiformes	Accipitridae	<i>Accipiter cirrocephalus</i>	Collared Sparrowhawk	P
<i>Accipiter fasciatus</i>			Brown Goshawk	P	
<i>Aquila audax</i>			Wedge-tailed Eagle	P	
<i>Aviceda subcristata</i>			Pacific Baza	P	
<i>Circus approximans</i>			Swamp Harrier	P	
<i>Circus assimilis</i>			Spotted Harrier	P	
<i>Elanus axillaris</i>			Black-shouldered Kite	P	
<i>Erythrotriorchis radiatus</i>			Red Goshawk	E1	
<i>Haliaeetus leucogaster</i>			White-bellied Sea-Eagle	P	
<i>Haliastur indus</i>			Brahminy Kite	P	
<i>Haliastur sphenurus</i>			Whistling Kite	P	
<i>Hieraaetus morphnoides</i>			Little Eagle	P	
<i>Pandion haliaetus</i>			Osprey	V	
<i>Pandion haliaetus</i>			Osprey	V	
Falconidae			<i>Falco berigora</i>	Brown Falcon	P
		<i>Falco peregrinus</i>	Peregrine Falcon	P	
Galliformes		Phasianidae	<i>Coturnix chinensis</i>	King Quail	P
	<i>Coturnix ypsilophora</i>		Brown Quail	P	
Gruiformes	Gruidae	<i>Grus rubicunda</i>	Brolga	V	
	Rallidae	<i>Amauornis olivaceus</i>	Bush-hen	V	
		<i>Fulica atra</i>	Eurasian Coot	P	
		<i>Gallinula tenebrosa</i>	Dusky Moorhen	P	
		<i>Gallirallus philippensis</i>	Buff-banded Rail	P	
		<i>Lewinia pectoralis</i>	Lewin's Rail	P	
		<i>Porphyrio porphyrio</i>	Purple Swamphen	P	
		<i>Porzana pusilla</i>	Baillon's Crake	P	
		<i>Porzana tabuensis</i>	Spotless Crake	P	
		Turnicidae	<i>Turnix varia</i>	Painted Button-quail	P
		Passeriformes	Artamidae	<i>Artamus cyanopterus</i>	Dusky Woodswallow
	<i>Artamus leucorhynchus</i>			White-breasted Woodswallow	P
<i>Artamus personatus</i>	Masked Woodswallow			P	

Order	Family	Scientific name	Common Name	Status
		<i>Artamus superciliosus</i>	White-browed Woodswallow	P
		<i>Cracticus nigrogularis</i>	Pied Butcherbird	P
		<i>Cracticus torquatus</i>	Grey Butcherbird	P
		<i>Gymnorhina tibicen</i>	Australian Magpie	P
		<i>Strepera graculina</i>	Pied Currawong	P
	Campephagidae	<i>Coracina lineata</i>	Barred Cuckoo-shrike	V
		<i>Coracina novaehollandiae</i>	Black-faced Cuckoo-shrike	P
		<i>Coracina tenuirostris</i>	Cicadabird	P
		<i>Lalage leucomela</i>	Varied Triller	P
		<i>Lalage tricolor</i>	White-winged Triller	P
	Corvidae	<i>Corvus coronoides</i>	Australian Raven	P
		<i>Corvus orru</i>	Torresian Crow	P
	Dicaeidae	<i>Dicaeum hirundinaceum</i>	Mistletoebird	P
	Dicruridae	<i>Dicrurus bracteatus</i>	Spangled Drongo	P
		<i>Grallina cyanoleuca</i>	Magpie-lark	P
		<i>Monarcha leucotis</i>	White-eared Monarch	V
		<i>Monarcha melanopsis</i>	Black-faced Monarch	P
		<i>Myiagra cyanoleuca</i>	Satin Flycatcher	P
		<i>Myiagra rubecula</i>	Leaden Flycatcher	P
		<i>Rhipidura albiscapa</i>	Grey Fantail	P
		<i>Rhipidura leucophrys</i>	Willie Wagtail	P
		<i>Rhipidura rufifrons</i>	Rufous Fantail	P
	Estrildidae	<i>Neochmia temporalis</i>	Red-browed Finch	P
		<i>Taeniopygia bichenovii</i>	Double-barred Finch	P
	Hirundinidae	<i>Hirundo neoxena</i>	Welcome Swallow	P
		<i>Petrochelidon nigricans</i>	Tree Martin	P
	Maluridae	<i>Malurus cyaneus</i>	Superb Fairy-wren	P
		<i>Malurus lamberti</i>	Variegated Fairy-wren	P
		<i>Malurus melanocephalus</i>	Red-backed Fairy-wren	P
		<i>Stipiturus malachurus</i>	Southern Emu-wren	P
	Meliphagidae	<i>Acanthorhynchus tenuirostris</i>	Eastern Spinebill	P
		<i>Anthochaera carunculata</i>	Red Wattlebird	P
		<i>Anthochaera chrysoptera</i>	Little Wattlebird	P
		<i>Entomyzon cyanotis</i>	Blue-faced Honeyeater	P
		<i>Gliciphila melanops</i>	Tawny-crowned Honeyeater	P
		<i>Lichenostomus chrysops</i>	Yellow-faced Honeyeater	P
		<i>Lichenostomus leucotis</i>	White-eared Honeyeater	P
		<i>Lichmera indistincta</i>	Brown Honeyeater	P
		<i>Manorina melanocephala</i>	Noisy Miner	P

Order	Family	Scientific name	Common Name	Status
		<i>Meliphaga lewinii</i>	Lewin's Honeyeater	P
		<i>Melithreptus albogularis</i>	White-throated Honeyeater	P
		<i>Myzomela sanguinolenta</i>	Scarlet Honeyeater	P
		<i>Philemon citreogularis</i>	Little Friarbird	P
		<i>Philemon corniculatus</i>	Noisy Friarbird	P
		<i>Phylidonyris niger</i>	White-cheeked Honeyeater	P
		<i>Phylidonyris novaehollandiae</i>	New Holland Honeyeater	P
		<i>Plectorhyncha lanceolata</i>	Striped Honeyeater	P
		<i>Xanthomyza phrygia</i>	Regent Honeyeater	E1
	Motacillidae	<i>Anthus australis</i>	Australian Pipit	P
	Oriolidae	<i>Oriolus sagittatus</i>	Olive-backed Oriole	P
		<i>Sphecotheres vieilloti</i>	Australasian Figbird	P
	Pachycephalidae	<i>Colluricincla harmonica</i>	Grey Shrike-thrush	P
		<i>Colluricincla megarrhyncha</i>	Little Shrike-thrush	P
		<i>Pachycephala pectoralis</i>	Golden Whistler	P
		<i>Pachycephala rufiventris</i>	Rufous Whistler	P
	Pardalotidae	<i>Pardalotus punctatus</i>	Spotted Pardalote	P
		<i>Pardalotus striatus</i>	Striated Pardalote	P
	Petroicidae	<i>Eopsaltria australis</i>	Eastern Yellow Robin	P
		<i>Petroica rosea</i>	Rose Robin	P
	Pittidae	<i>Pitta versicolor</i>	Noisy Pitta	P
	Sulidae	<i>Morus serrator</i>	Australasian Gannet	P
	Sylviidae	<i>Acrocephalus australis</i>	Australian Reed-Warbler	P
		<i>Cincloramphus mathewsi</i>	Rufous Songlark	P
		<i>Megalurus timoriensis</i>	Tawny Grassbird	P
	Threskiornithidae	<i>Platalea regia</i>	Royal Spoonbill	P
		<i>Plegadis falcinellus</i>	Glossy Ibis	P
		<i>Threskiornis molucca</i>	Australian White Ibis	P
		<i>Threskiornis spinicollis</i>	Straw-necked Ibis	P
	Zosteropidae	<i>Zosterops lateralis</i>	Silvereye	P
Pelecaniformes	Anhingidae	<i>Anhinga melanogaster</i>	Darter	P
	Pelecanidae	<i>Pelecanus conspicillatus</i>	Australian Pelican	P
	Phalacrocoracidae	<i>Phalacrocorax carbo</i>	Great Cormorant	P
		<i>Phalacrocorax melanoleucos</i>	Little Pied Cormorant	P
		<i>Phalacrocorax sulcirostris</i>	Little Black Cormorant	P
		<i>Phalacrocorax varius</i>	Pied Cormorant	P
Procellariiformes	Diomedidae	<i>Phoebastria palpebrata</i>	Light-mantled Sooty Albatross	P
		<i>Thalassarche cauta</i>	Shy Albatross	V
	Procellariidae	<i>Daption capense</i>	Cape Petrel	P

Order	Family	Scientific name	Common Name	Status
		<i>Macronectes giganteus</i>	Southern Giant Petrel	E1
		<i>Macronectes halli</i>	Northern Giant-Petrel	V
		<i>Pachyptila turtur</i>	Fairy Prion	P
		<i>Puffinus bulleri</i>	Buller's Shearwater	P
		<i>Puffinus carneipes</i>	Flesh-footed Shearwater	V
		<i>Puffinus huttoni</i>	Hutton's Shearwater	P
		<i>Puffinus pacificus</i>	Wedge-tailed Shearwater	P
		<i>Puffinus tenuirostris</i>	Short-tailed Shearwater	P
Psittaciformes	Cacatuidae	<i>Calyptorhynchus banksii</i>	Red-tailed Black-Cockatoo	V
		<i>Calyptorhynchus funereus</i>	Yellow-tailed Black-Cockatoo	P
		<i>Calyptorhynchus lathami</i>	Glossy Black-Cockatoo	V
		<i>Eolophus roseicapillus</i>	Galah	P
	Psittacidae	<i>Alisterus scapularis</i>	Australian King-Parrot	P
		<i>Alisterus scapularis</i>	Australian King-Parrot	P
		<i>Cyclopsitta diophthalma coxeni</i>	Coxen's Fig-Parrot	E
		<i>Lathamus discolor</i>	Swift Parrot	E
		<i>Pezoporus wallicus</i>	Ground Parrot	V
		<i>Pezoporus wallicus wallicus</i>	Eastern Ground Parrot	V
		<i>Platycercus adscitus eximius</i>	Eastern Rosella	P
		<i>Trichoglossus chlorolepidotus</i>	Scaly-breasted Lorikeet	P
		<i>Trichoglossus haematodus</i>	Rainbow Lorikeet	P
Strigiformes	Tytonidae	<i>Tyto alba</i>	Barn Owl	P
		<i>Tyto capensis</i>	Grass Owl	V
		<i>Tyto novaehollandiae</i>	Masked Owl	V
	Acanthizidae	<i>Acanthiza pusilla</i>	Brown Thornbill	P
		<i>Gerygone levigaster</i>	Mangrove Gerygone	P
		<i>Gerygone olivacea</i>	White-throated Gerygone	P
		<i>Sericornis frontalis</i>	White-browed Scrubwren	P
	Casuariidae	<i>Dromaius novaehollandiae</i>	Emu	P
	Cisticolidae	<i>Cisticola exilis</i>	Golden-headed Cisticola	P
	Eupetidae	<i>Psophodes olivaceus</i>	Eastern Whipbird	P
Fish				
Perciformes	Percichthyidae	<i>Nannoperca oxleyana</i>	Oxleyan Pygmy Perch	FE
	Serranidae	<i>Epinephelus daemeli</i>	Black Cod	FV

Order	Family	Scientific name	Common Name	Status	
Mammals					
Chiroptera	Emballonuridae	<i>Saccolaimus flaviventris</i>	Yellow-bellied Sheath-tail-bat	V	
		Molossidae	<i>Mormopterus norfolkensis/sp 1</i>	Unidentified Mastiff-bat	P
	<i>Tadarida australis</i>		White-striped Freetail-bat	P	
	Pteropodidae	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	V	
		<i>Pteropus scapulatus</i>	Little Red Flying-fox	P	
		<i>Syconycteris australis</i>	Queensland Blossom Bat	V	
		<i>Syconycteris australis</i>	Queensland Blossom Bat	V	
	Vespertilionidae		<i>Syconycteris australis</i>	Common Blossom-bat	V
			<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat	V
			<i>Chalinolobus nigrogriseus</i>	Hoary Wattled Bat	V
			<i>Miniopterus australis</i>	Little Bentwing-bat	V
			<i>Myotis adversus</i>	Large-footed Myotis	V
			<i>Nyctophilus bifax</i>	Eastern Long-eared Bat	V
			<i>Nyctophilus gouldi</i>	Gould's Long-eared Bat	P
			<i>Nyctophilus sp.</i>	long-eared bat	P
			<i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat	V
			<i>Scotorepens orion</i>		P
			<i>Scotorepens greyii</i>	Little Broad-nosed Bat	P
			<i>Scotorepens sp.</i>	Unidentified broad-nosed bat	P
	Dasyuromorphia	Dasyuridae	<i>Vespadelus pumilus</i>	Eastern Forest Bat	P
			<i>Antechinus flavipes</i>	Yellow-footed Antechinus	P
			<i>Antechinus sp.</i>	Unidentified Antechinus	P
<i>Antechinus stuartii</i>			Brown Antechinus	P	
<i>Dasyuridae sp.</i>			unidentified dasyurid	P	
<i>Dasyurus maculatus</i>			Tiger Quoll	V	
<i>Dasyurus maculatus</i>			Spotted-tailed Quoll	V	
<i>Phascogale tapoatafa</i>			Brush-tailed Phascogale	V	
<i>Planigale maculata</i>			Common Planigale	V	
Diprotodonta			Acrobatidae	<i>Acrobates pygmaeus</i>	Feathertail Glider
	Macropodidae	<i>Macropus giganteus</i>	Eastern Grey Kangaroo	P	
		<i>Macropus parryi</i>	Whiptail Wallaby	P	
		<i>Macropus rufogriseus</i>	Red-necked Wallaby	P	
		<i>Wallabia bicolor</i>	Swamp Wallaby	P	
	Petauridae	<i>Petaurus breviceps</i>	Sugar Glider	P	
		<i>Petaurus norfolcensis</i>	Squirrel Glider	V	
	Phalangeridae	<i>Trichosurus sp.</i>	brush-tail possum	P	

Order	Family	Scientific name	Common Name	Status
	Phascolarctidae	<i>Phascolarctos cinereus</i>	Koala	V
	Potoroidea	<i>Potorous tridactylus tridactylus</i>	Long-nosed Potoroo (SE mainland)	
	Pseudocheiridae	<i>Petauroides volans</i>	Greater Glider	P
		<i>Pseudocheirus peregrinus</i>	Common Ringtail Possum	P
Monotremata	Tachyglossidae	<i>Tachyglossus aculeatus</i>	Short-beaked Echidna	P
Peramelina	Peramelidae	<i>Isodon macrourus</i>	Northern Brown Bandicoot	P
		<i>Isodon macrourus</i>	Northern Brown Bandicoot	P
		<i>Isodon/Perameles sp.</i>	unidentified Bandicoot	P
		<i>Perameles nasuta</i>	Long-nosed Bandicoot	P
Rodentia	Muridae	<i>Melomys burtoni</i>	Grassland Melomys	P
		<i>Melomys burtoni</i>	Grassland Melomys	P
		<i>Melomys cervinipes</i>	Fawn-footed Melomys	P
		<i>Melomys sp.</i>	Unidentified Melomys	P
		<i>Muridae sp.</i>	unidentified murid rodent	P
		<i>Pseudomys novaehollandiae</i>	New Holland Mouse	P
		<i>Rattus fuscipes</i>	Bush Rat	P
		<i>Rattus tunneyi</i>	Pale Field-rat	P
		<i>Rattus fuscipes</i>	Bush Rat	P
		<i>Rattus lutreolus</i>	Swamp Rat	P
		<i>Rattus sp.</i>	rat	P
		<i>Rattus tunneyi</i>	Pale Field-rat	P
Reptiles				
Squamata	Agamidae	<i>Amphibolurus nobbi</i>	Nobbi	P
		<i>Physignathus lesueurii</i>	Eastern Water Dragon	P
	Boidae	<i>Morelia spilota variegata</i>	Carpet Python	P
	Colubridae	<i>Dendrelaphis punctulatus</i>	Common Tree Snake	P
	Elapidae	<i>Acanthophis antarcticus</i>	Common Death Adder	P
		<i>Cryptophis nigrescens</i>	Eastern Small-eyed Snake	P
		<i>Demansia psammophis</i>	Yellow-faced Whip Snake	P
		<i>Hemiaspis signata</i>	Black-bellied Swamp Snake	P
		<i>Pelamis platurus</i>	Yellow-bellied Seasnake	P
		<i>Pseudechis porphyriacus</i>	Red-bellied Black Snake	P
		<i>Vermicella annulata</i>	Bandy-bandy	P
		Scincidae	<i>Cryptoblepharus virgatus</i>	Cream-striped Shinning-skink

Order	Family	Scientific name	Common Name	Status
		<i>Ctenotus robustus</i>	Robust Ctenotus	P
		<i>Egernia frerei</i>	Major Skink	P
		<i>Egernia major</i>	Land Mullet	P
		<i>Eulamprus quoyii</i>	Eastern Water-skink	P
		<i>Lampropholis delicata</i>	Dark-flecked Garden Sunskink	P
		<i>Lampropholis guichenoti</i>	Pale-flecked Garden Sunskink	P
		<i>Saiphos equalis</i>	Three-toed Skink	P
	Varanidae	<i>Varanus gouldii</i>	Gould's Goanna	P
		<i>Varanus varius</i>	Lace Monitor	P
Testudines	Chelidae	<i>Chelodina longicollis</i>	Eastern Snake-necked Turtle	P
		<i>Emydura macquarii signata</i>	Brisbane River Turtle	P
	Cheloniidae	<i>Caretta caretta</i>	Loggerhead Turtle	E1
		<i>Chelonia mydas</i>	Green Turtle	V
	Dermodochelyidae	<i>Dermodochelys coriacea</i>	Leathery Turtle	V

Family	Scientific name	Common Name	Status
Adiantaceae	<i>Adiantum aethiopicum</i>	Common Maidenhair	P13
	<i>Adiantum hispidulum</i>	Rough Maidenhair	P13
Apiaceae	<i>Actinotus helianthi</i>	Flannel Flower	P13
	<i>Actinotus helianthi</i>	Flannel Flower	P13
Arecaceae	<i>Archontophoenix cunninghamiana</i>	Bangalow Palm	P13
	<i>Livistona australis</i>	Cabbage Palm	P13
Aspleniaceae	<i>Asplenium australasicum</i> f. <i>australasicum</i>	Bird's Nest Fern	P13
Asteliaceae	<i>Cordyline stricta</i>	Narrow-leaved Palm Lily	P13
Asteraceae	<i>Rutidosis heterogama</i>	Heath Wrinklewort	V
Blandfordiaceae	<i>Blandfordia grandiflora</i>	Christmas Bells	P13
Cunoniaceae	<i>Ceratopetalum gummiferum</i>	Christmas Bush	P13
Cyperaceae	<i>Caustis recurvata</i>		P13
	<i>Caustis</i> spp.		P13
	<i>Gahnia sieberiana</i>	Red-fruit Saw-sedge	P13
Davalliaceae	<i>Davallia solida</i> var. <i>pyxidata</i>	Hare's Foot Fern	P13
Dennstaedtiaceae	<i>Pteridium esculentum</i>	Bracken	P13
Fabaceae	<i>Pultenaea maritima</i>	Coast Headland Pea	
Lauraceae	<i>Cryptocarya foetida</i>	Stinking Cryptocarya, Stinking Laurel	V
Myrtaceae	<i>Callistemon pachyphyllus</i>	Wallum Bottlebrush	P13
	<i>Callistemon salignus</i>	Willow Bottlebrush	P13
	<i>Eucalyptus robusta</i>	Swamp Mahogany	P13
Orchidaceae	<i>Acianthus amplexicaulis</i>		P13
	<i>Bulbophyllum exiguum</i>		P13
	<i>Dendrobium linguiforme</i>	Tongue Orchid	P13
	<i>Oberonia titania</i>		P13
	<i>Oberonia titania</i>	Red-flowered King of the Fairies	V
	<i>Peristeranthus hillii</i>		P13
	<i>Phaius australis</i>	Southern Swamp Orchid	E1
	<i>Pterostylis lanceolata</i>		P13
	<i>Pterostylis ophioglossa</i>	Snake Tongue Greenhood	P13
	<i>Sarcochilus spathulatus</i>		P13
	<i>Sarcochilus hillii</i>		P13
	<i>Taeniophyllum muelleri</i>	Minute Orchid, Ribbon-root Orchid	V
	Pandanaceae	<i>Pandanus tectorius</i> var. <i>australianus</i>	Screw Pine
Phormiaceae	<i>Dianella caerulea</i>	Blue Flax-lily	P13
Polypodiaceae	<i>Belvisia mucronata</i>		E1
	<i>Belvisia mucronata</i>	Needle-leaf Fern	E1
	<i>Platynerium bifurcatum</i>	Elkhorn	P13
Proteaceae	<i>Banksia ericifolia</i>	Heath-leaved Banksia	P13

Family	Scientific name	Common Name	Status
	<i>Banksia ericifolia</i> <i>subsp. macrantha</i>		P13
	<i>Banksia oblongifolia</i>	Fern-leaved Banksia	P13
	<i>Persoonia</i> spp.		P13
	<i>Persoonia</i> <i>stradbrokensis</i>		P13
	<i>Persoonia virgata</i>		P13
	<i>Petrophile canescens</i>	Conesticks	P13
	<i>Petrophile</i> spp.		P13
Rutaceae	<i>Boronia falcifolia</i>		P13
	<i>Boronia parviflora</i>	Swamp Boronia	P13
	<i>Boronia saffrolifera</i>		P13
	<i>Acronychia littoralis</i>	Scented Acronychia	E
Xanthorrhoeaceae	<i>Xanthorrhoea fulva</i>		P13
	<i>Xanthorrhoea</i> <i>johnsonii</i>		P13
	<i>Xanthorrhoea</i> spp.		P13

E1 - Endangered Species (Threatened Species Conservation Act)

E4 - Presumed Extinct (Threatened Species Conservation Act)

FE - Fish Endangered (Fisheries Management Act)

FV - Fish Vulnerable (Fisheries Management Act)

V - Vulnerable Species (Threatened Species Conservation Act)

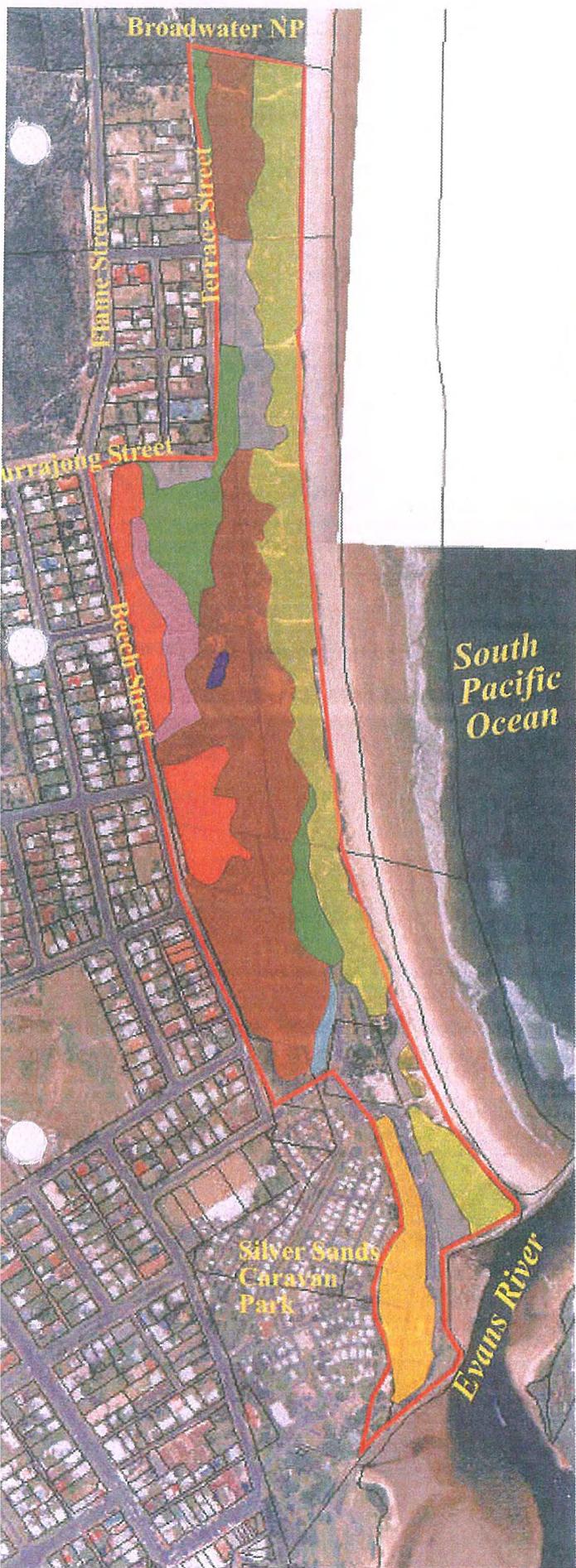
FP - Fish Protected (Fisheries Management Act)

P - Protected Fauna (National Parks & Wildlife Act)

P13 - Protected Flora (National Parks & Wildlife Act)



Appendix E
Airforce Beach Vegetation Associations



Vegetation associations

Littoral rainforest

-  *Acronychia imperforata* (beach acronychia) +/- *Melaleuca quinquenervia* (broad-leaved paperbark) mid-high open forest
-  *Cupaniopsis anacardioides* (tuckeroo) *Cryptocarya triplinervis* var. *pubens* (three-veined laurel), *Acmena smithii* (lilly pilli) simple notophyll littoral rainforest

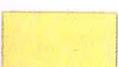
Open woodland

-  *Eucalyptus tereticornis* subsp. *tereticornis* (forest redgum) mid-high open woodland

Swamp forest

-  *Melaleuca quinquenervia* +/- *Lophostemon suaveolens* (swamp turpentine) *Restio tetraphyllus* spp. *meiostachys* (feather plant) mid-high to tall open forest

Shrubland

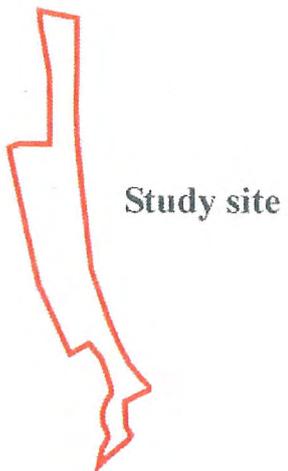
-  *Chrysanthemoides monilifera* spp. *rotundata* (bitou bush), *Acacia sophorae* (beach sally wattle) +/- emergent *Banksia integrifolia* (coast banksia) mid-high open to closed shrubland
-  *Acacia aulacocarpa* (brush iron-bark wattle), *Banksia aemula* (Wallum banksia) +/- broad leaved paperbark (emergents) +/- *Acronychia imperforata* (beach acronychia) tall open shrubland
-  *Banksia aemula*, *Leptospermum trinervium* (black tea tree) *Homoranthus virgatus* (coast honey myrtle) tall open to closed shrubland

Sedgeland

-  *Gahnia sieberana* (red-fruited sawsedge), *Baumea articulata* (jointed twig-rush) +/- emergent broad-leaved paperbark tall closed sedgeland

Grassland and landscaped areas

-  *Imperata cylindrica* var. *major* (blady grass), *Zoysia macrantha* (prickly couch) +/- emergent *Araucaria heterophylla* (Norfolk Island Pine), broad-leaved paperbark and coast banksia



Peter Parker

Project: Airforce Beach Evans Head, flora and fauna survey

Client: Richmond Valley Council

Fig. 3: Vegetation

Mag. North



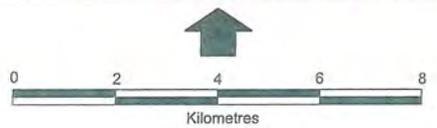
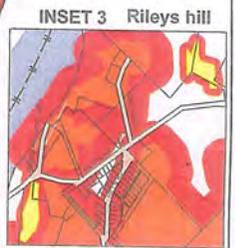
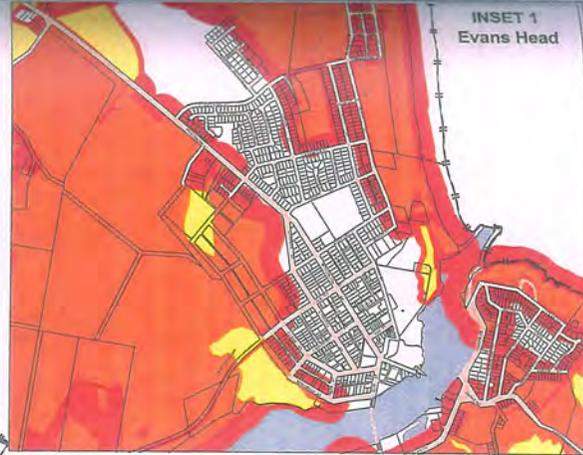
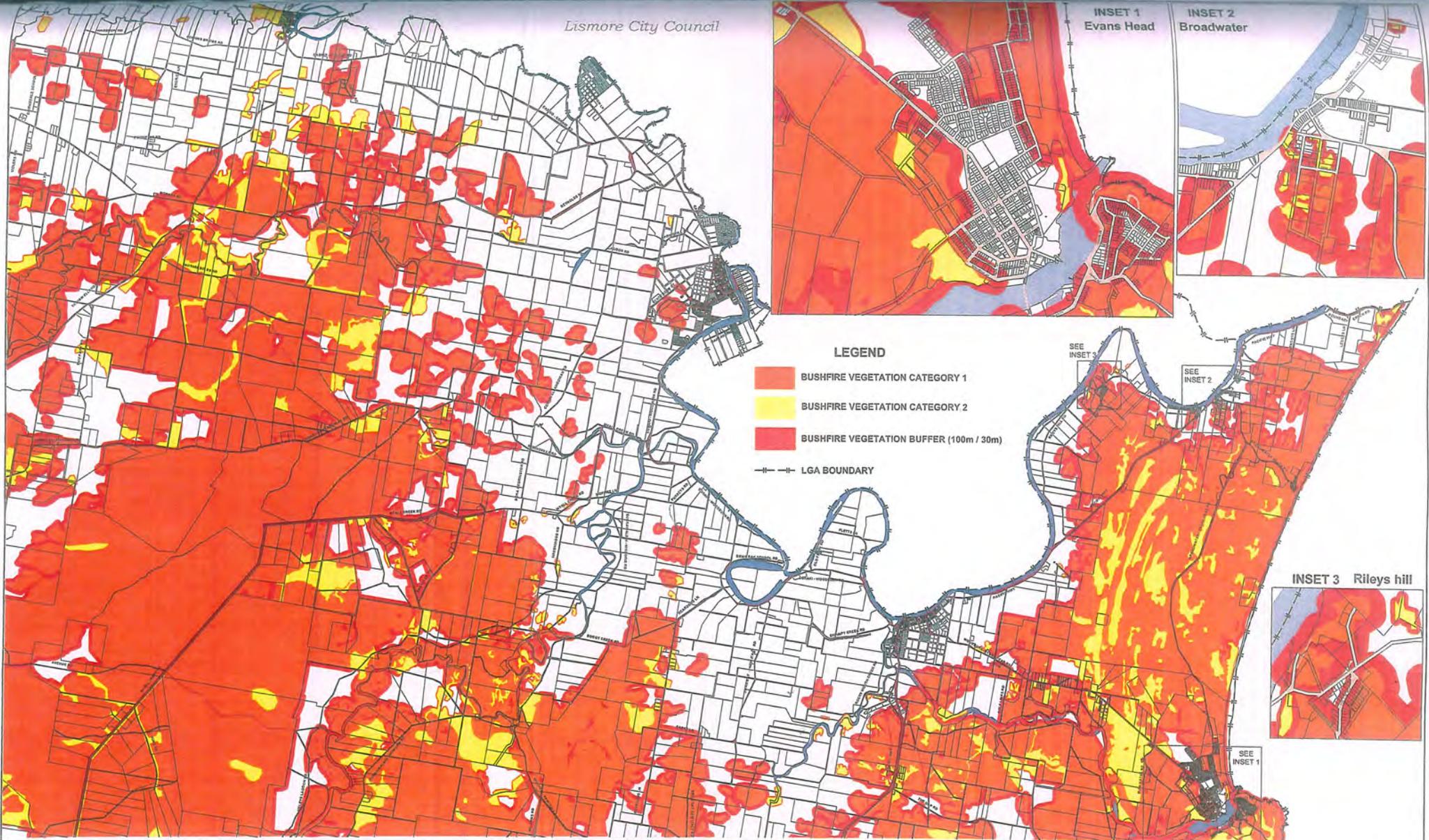
Source: Richmond Valley Council

Date: September 2001

Scale m. 0 — 100



Appendix F
Bushfire Prone Land Map



ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.

RICHMOND VALLEY BUSHFIRE PRONE LAND MAP

Maps prepared by Richmond Valley Council, July 2003.
Extract from Digital Cadastral Database supplied by
NSW Land and Property Information, Bathurst.



MAP 3 of 4

Disclaimer:
For the Purpose of Section 401 (4) of the
Environmental Planning and Assessment Act 1979
this map is merely indicative as being a Bush Fire
Prone Land Map for the Local Government Area
of Richmond Valley in NSW.

Prepared by:
Planning Services Branch
Environmental Planning Unit
10/2/03
Date: 10/2/03



Appendix G
DCP No. 10 – Evans Head Map



Appendix H

Inventory of Facilities within Evans Head Coastal Reserve

CROWN COASTAL RESERVES - PLAN OF MANAGEMENT 2009

A Razorback Lookout and Shark Bay – Lot 7027 DP 1112996

5ha



Description:

This reserve includes the lookout, carpark, picnic area and Volunteer Coast Guard observation hut at Razorback and picnic areas and carpark at Shark Bay.

Zone (Richmond River LEP): 7(f) - Environmental Protection (Coastal Land) Zone

Land Status: Reserved for Public Recreation notified 13 June 1980. Managed by the Evans Head Razorback Lookout Reserve Trust with Richmond Valley Council as the Trust Manager.

Crown Land ID: 1,129 410/T/R92456

Existing Development and Structures:

Razorback Reserve:

Razorback Lookout Structure atop the
Volunteer Coastguard breakwater observation cabin
Coastguard Tower and associated Antennae, Flagpole

“Doug Ryan” Lions Club viewing platform
Picnic Area, Shelters (x4), sheltered Electric BBQs (x2), Toilet Block amenities
Trawler Anchor Commemorative Monument and plaque
Central Mapping Authority Geodetic Station Evans Head
RVC erected Centenary monument / Visitor Information Goanna Headland

Shark Bay:

Picnic Area, Shelters (x3), sheltered BBQs (x2), Toilet Block amenities, carparking

Miscellaneous and Ancillary Structures:

Walkway, paving, walkways, steps, railings, power poles, light poles, bin structures, seats, retaining walls/structures, bollards/chains, sealed bitumen road, gutter and curbing, speed humps (traffic calming Structures (speed humps), miscellaneous signage (advisory, warning, informational), stormwater infrastructure, erosion control

Constraints and Approvals:

Razor Back Lookout - Nominated Local Heritage Item – 2,850,318 - Draft July 08
MacKinnon Sandstone Inscription - Nominated Local Heritage Item – 2,850,318
BA1997/074 – Coast Guard Observatory
DA1999.0097 – Removal of Bitou Bush & Planting of Native Species
DA1999.0033 – 3 x Antennae
DA2002.0367 – Rehabilitation of Cleared Section of Shark Bay/Razorback Lookout Reserve
DA2002.0423 – Signage Structure

Relevant Licences, Leases and Agreements: (Tenures and Interests):

Previous Plan of Management – Shire of Richmond River – Crown Reserve 92456 –
Shark Bay/Razorback Lookout – Feb 18 1996 (adopted 5/2/1996)
Valuer’s Reference: 164

Possible Future Uses and Development:

Links (pedestrian/cycleway) through to the Dirawong Reserve and linkages between Shark Bay and Razorback Lookout
To maintain adequate control of noxious plant infestations
To maintain adequate line of sight for the coast guard tower purposes and to maintain an adequate line of sight for sightseeing purposes from the lookout
To plant endemic species and erect guards necessary to protect plantings and protect native wildlife
Removal, or destruction of native plant species only to be carried out with consultation with all relevant authorities overseeing these matters and offset areas replanted on the reserve to compensate habitat and aesthetic loss
To maintain and further the objectives of the previous Plan of Management for Crown Reserve 92456 Shark Bay/Razorback Lookout dated Feb 1996 prepared by Richmond River Shire Council



Description: Bingarra Reserve.

This reserve is for drainage purposes and essentially comprises native vegetation - signposted as a 'Bushland Reserve'.

Zone (Richmond River LEP): 2(v) - Village Zone

Land Status: Reserved for Public Recreation notified 24 July 1970. Control devolves on Richmond Valley Council under Section 48 of the Local Government Act.

Crown Land ID: 1,128 410/C/R87867

Existing Development and Structures:

No structures - Firebreaks

Constraints and Approvals:

Bush fire prone vegetation. No known approvals.

Relevant Licences, Leases and Agreements: (Tenures and Interests):

In Council Trust –

No previous Plan of Management

Valuer's Reference: 193

Possible Future Uses and Development:

Maintenance of a buffer zone adjacent to neighbouring houses of suitable distance as to minimise bushfire risk.

Drainage lines, walking track.

**C Evans Head Recreational Reserve
(including Silver Sands Holiday Park and the Evans Head Surf Club)**

**Lots 172, 281, 287, 372 and 405 DP755624,
Lots 10 and 11 DP1045792, Lots 549 and 550 DP 1091080,
Lot 7036 DP1113078, and Lots 7303 & 7304 DP1136547 25.7 Ha**



Description:

Silver Sands Caravan Park, ancillary land and adjoining reserves.

Zone (Richmond River LEP): 2(v) - Village Zone

Land Status: Reserved for Public Recreation notified 18 November 1960. Managed by the Evans Head Public Recreation Reserve Trust with Richmond Valley Council as the Trust Manager.

Crown Land ID: 1,129 410/T/R82910

Existing Development and Structures:

161 – (Lot 281 DP755624) – Surf Life Saving Club and associated structures.
Outdoor Showers (x2), Tables and Chairs, toilet and indoor showers.

162 – Evans Head Surf Reserve (7303/1136547)
Carpark area (Surf Club), Caravan camping sites.

163 – Silver Sand Caravan Park Land – (7304/1136547, 172, 287, 372, 405 and 7036/755624 and 10 and 11/1045792) -

Adjoining reserves

Caravan/Camping site ancillary structures and facilities, War Memorials, Tennis Courts (x4), Sports Pavilion, Rotundas (x3), Amenities – Showers and Toilets (x2) Shared Cycle/walkway, Electric BBQ Sheltered (x1), Recreation Hall, Bofers Gun Memorial, Kiosk and Amenity Block, Stormwater viaduct.

Miscellaneous and Ancillary Structures:

Walkway, paving, walkways, steps, railings, power poles, light poles, bin structures, seats, retaining walls/structures, bollards/chains, sealed bitumen road, gutter and curbing, speed humps (traffic calming Structures (speed humps), miscellaneous signage (advisory, warning, informational), stormwater infrastructure, erosion control, bike racks.

Constraints and Approvals:

Lot 281 DP755624 – Surf Life Saving Club

DA2007.0103 – Surf Club Additions
BA1995/299 – Additions & Alterations
BA1996/254 – Enclose Eating Room
BA1996/227 – Kiosk Renovations

Evans Head Surf Reserve

2000/019 – Skate Park
2002/403 – Viewing Platform
2009/191 – BBQ Area

Caravan Park

2007/065 – Demolition of existing and construction of new amenities block
2009/102 – Sign Replacement
1993/135 – Amenities Block
BA1997/176 – Amenities Block
BA1997/236 – Storage Shed and Washdown Bay
BA1997/237 – Restore Picnic Shed
2009/304 – Security Fence
BA1974/094 – Caretaker's Residence
2003/058 – Carport and Roof over Decking

Relevant Licences, Leases and Agreements: (Tenures and Interests):

Previous Plan of Management – Shire of Richmond River – Evans Head Recreation Reserve Management Plan – adopted 10 March 1992

Valuer's Reference: 161, 162, 163

Local Government Approval for holiday park (581 sites)

Kiosk Lease – Trust (Council), the Land and Property Management Authority and the lessee

Surf Club Lease – for the operation of the club and kiosk

Possible Future Uses and Development:

Further revegetation and dune restoration and rehabilitation works.
Relocation of play equipment and upgrade within reserves (to provide separate areas for park and day use)
Relocation of Tennis Courts (possibly offsite to Stan Payne Oval)
Fencing of the foreshore area between the tennis courts and kiosk to prevent foot/cycle traffic across the existing cycleway onto the foreshore area.
Extensions to the Skate Park and associated lighting, security fencing and bollards
Renovation and upgrade of shelters and facilities on reserve – upgrade and expansion of kiosk, including adjustment of boundary for lease purposes
Additional and amended application for holiday park site usage
Possible renovation and upgrading of the existing surf club
Line of sight pruning of vegetation for safe and proper function of lifesaving activities
Provision of additional carparking areas within the Reserve as determined necessary within the Evans Head & Casino Parking Review April 2009-09-30
Connectivity (upgrading and addition) of pedestrian/cycleway access along foreshore between the Recreational Reserve and the bridge – possible boardwalk structure to achieve this (onto adjoining intertidal Evans River reserve)
The frontal dune area, literal rainforest and wetland within the reserve to be managed in accordance with an active management program for biodiversity conservation
Management of Paddon Wharf – [as identified as a significant item within RVC Heritage Study 2007] - rendering to a safe condition or possible part or whole demolition (subject to heritage considerations) - possible incorporation into a boardwalk structure.
Rectify encroachment issue – remove illegal fencing.

Detail provided within the Masterplan for Silver Sands Caravan Park



Description:
Kalimna Park

Zone (Richmond River LEP): 6(a) – Open Space Zone

Land Status: Reserved for Public Recreation notified 5 June 1970. Control devolves on Richmond valley Council under Section 48 of the Local Government Act.

Crown Land ID: 1,116 410/C/R87795

Existing Development and Structures:

Electric BBQs (x2) and Shelters, Public Toilets, Seating/Table Picnic (x4)

Miscellaneous and Ancillary Structures:

Walkway, paving, walkways, railings, power poles, light poles, bin structures, seats, retaining walls/structures, bollards/chains, miscellaneous signage (advisory, warning, informational), stormwater infrastructure, erosion control, gates, dog tidy bag dispensers

Constraints and Approvals:

Nil

Relevant Licences, Leases and Agreements: (Tenures and Interests):

In Council Trust –

No previous Plan of Management

Valuer's Reference: 165

Possible Future Uses and Development:

Walking/Cycle – way

Water quality and restoration/regeneration works

Formalisation of access to the River

E Boat Ramp – Lot 10 DP 824498, Lot 7029 DP 92612 and adjacent 370m2 lot 4.032 Ha



Description:

Paddon Memorial Park and Coast Guard Park. Boat Ramps are located to the West and East of the Elm St Bridge on the South Evans Head side.

Zone (Richmond River LEP): 4(a) – Industrial Zone, 7(f) – Environmental Protection (Coastal Land) Zone, 4(a) – Industrial Zone.

Land Status: Reserved for Public Recreation notified 24 November 1967. Managed by the Evans Head Reserve Trust with Richmond Valley Council as the Trust Manager.

Crown Land ID: 1,107 410/T/R86541

Existing Development and Structures:

Electric BBQs (x2) and Shelters, Public Toilets, Seating/Table Picnic (x4), Fish Cleaning tables, Boat Ramps (x2), Wood BBQ, Wood Box(s), Wharf and Pontoon, Coast Guard shed, Pump Station,

Miscellaneous and Ancillary Structures:

Walkway, paving, walkways , railings, power poles, light poles, bin structures, seats, retaining walls/structures, bollards/chains, miscellaneous signage (advisory, warning, informational), stormwater infrastructure, erosion control, gates

Constraints and Approvals:

BA1996/229 – Storage Shed for Rescue Equipment

Relevant Licences, Leases and Agreements (Tenures and Interests):

In Council Trust –

No previous Plan of Management

Valuer's Reference:180, 181, 182

Possible Future Uses and Development:

Proposed boat ramp renewal

Walking/Cycle – way

Water quality and foreshore restoration/regeneration works

Formalisation and improvement of carparking and picnic area

Replacement of toilet block

F Public Baths – Lot 7030 DP 1075732, Lot 7062 DP 107501 and adjacent & (a) land R58547 1.57 Ha



Description:

Public Baths including the foreshore park on the west and east of the northern side of the Elm St. bridge. Upstream of Elm Street & Lot 7026 DP 1075701.

Zone (Richmond River LEP): 1(b1) – Rural (Secondary Agricultural Land) Zone, 1(b1) – Rural (Secondary Agricultural Land) Zone, 7(a) – Environmental Protection (Wetlands) Zone.

Land Status: Reserved for Public Baths notified 5 February 1926. Managed by the Evans Head Reserve Trust with Richmond Valley Council as the Trust Manager.

Crown Land ID: 1,111 480/T/R58547

Existing Development and Structures:

Seating/Table Picnic (x2), Time Capsule (Bicentennial Year 30-10-88)
Stormwater Infrastructure

Miscellaneous and Ancillary Structures:

Walkway, paving, walkways , railings, power poles, light poles, bin structures, seats, retaining walls/structures, bollards/chains, miscellaneous signage (advisory, warning, informational), erosion control, showers

Constraints and Approvals:

Nil

Relevant Licences, Leases and Agreements: (Tenures and Interests):

In Council Trust –

No previous Plan of Management

Valuer's Reference 190

Possible Future Uses and Development:

Water quality and restoration/regeneration works

Walking/Cycle – way

Potential upgrade of stormwater infrastructure

Possible relocation of picnic area to discourage access river bank to minimise erosion

Possible provision of a shelter/rotunda

G (a) Mangrove Street Reserve Part R28105 – Lot 7016 DP 1112989 - 18.11 Ha



Description:

Mangrove Street Reserve – SEPP 14 Wetland No. 147

Zone (Richmond River LEP): Split Zoning – 6(a) – Open Space Zone and 7(a) – Environmental Protection (Wetlands) Zone

Land Status: Reserved for Water notified 17 September 1898. Managed by the Land and Property Management Authority.

Crown Land ID: 1,116 431/U/R28105

Existing Development and Structures:

Nil

Miscellaneous and Ancillary Structures:

Cycle/Pedestrian Path and walkways

Constraints and Approvals:

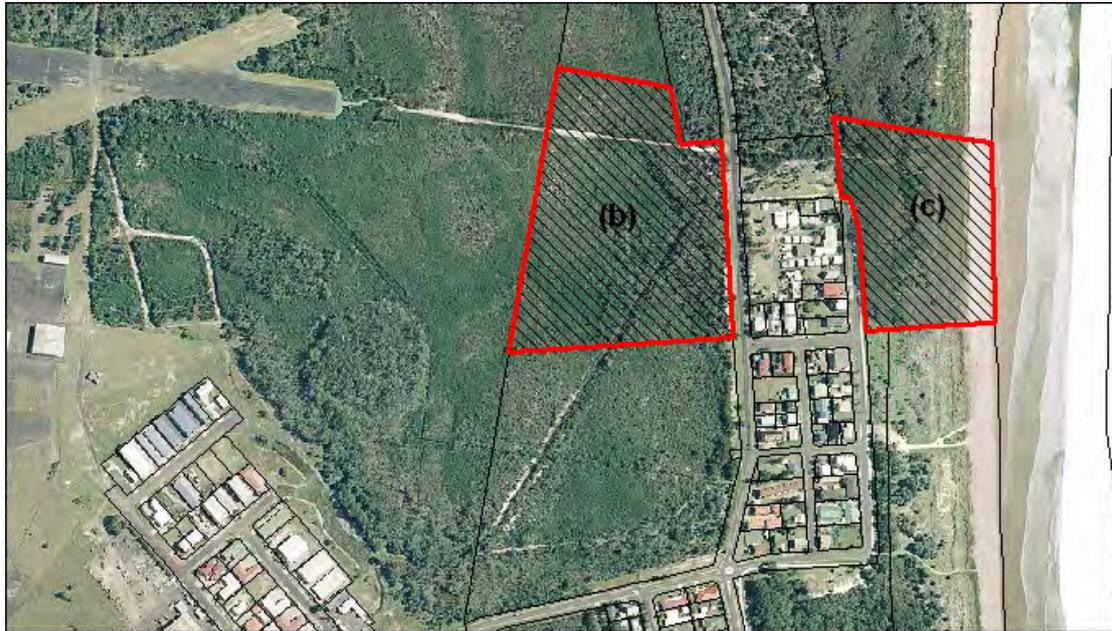
SEPP 14 – Coastal Wetland

Relevant Licences, Leases and Agreements: (Tenures and Interests):

Possible Future Uses and Development:

Walking/Cycle way connectivity - Water quality and restoration/regeneration works

G (b) Drainage Reserve West of Flame Street Part R28105 – Lot 7019 DP 1051692 7.38Ha
And (c) Coastal Drainage Reserve – Lot 7020 DP 1051335 4.2 Ha



Description:

Drainage Reserve West of Flame Street and Coastal Drainage Reserve – SEPP 14 Wetland

Reserve No: Part 28,105

Zone (Richmond River LEP):

(b) - Split Zoning – 2(v) – Village Zone and 1(d) – Rural (Urban Investigation) Zone
(c) – Split Zoning – 6(a) – Open Space Zone and 7(f) – Environmental Protection (Coastal Land) Zone

Land Status: Reserved for Water notified 17 September 1898. Managed by the Land and Property Management Authority.

Crown Land ID: 1,160 and 1159 431/U/R28105

Existing Development and Structures:

Nil

Miscellaneous and Ancillary Structures:

Pathways, bollards, walkway-bridge structure

Constraints and Approvals:

SEPP 14 – Coastal Wetland

Relevant Licences, Leases and Agreements: (Tenures and Interests):

Possible Future Uses and Development:

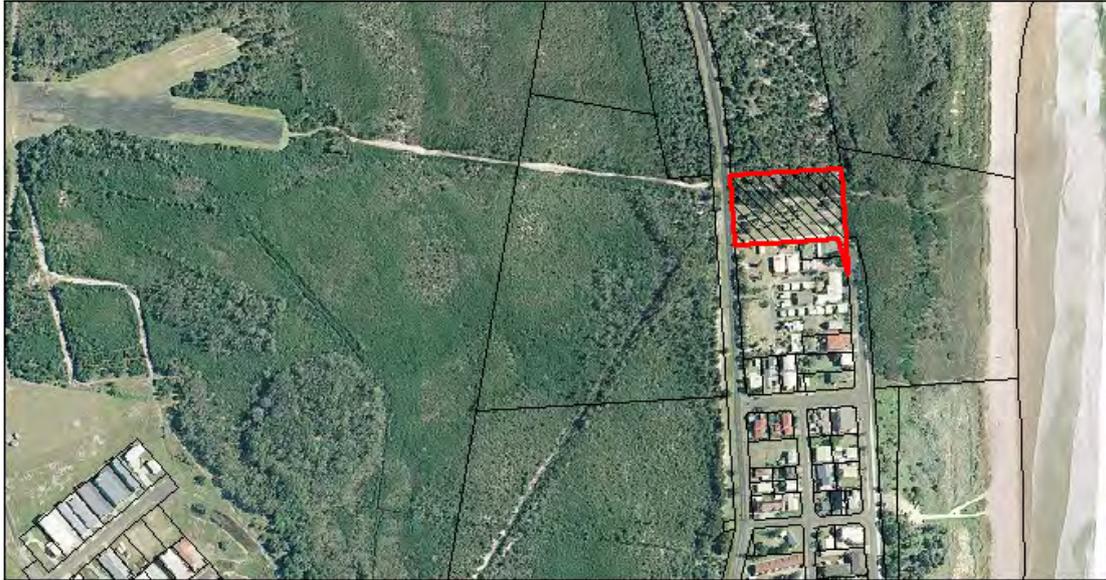
Water quality and restoration/regeneration works

Cycle/Walk-way connectivity works

Beach access and car parking

H North of Camp Koinonia – Lot 469 DP 755624

9,434 m2



Description:

North of Camp Koinonia

Zone (Richmond River LEP): 2(v) – Village Zone

Land Status: Reserved for Future Public Requirements notified 22 May 1959.
Managed by the Land and Property Management Authority.

Crown Land ID: 1,116 420/U/R81617

Existing Development and Structures:

2001/222 – Airforce Beach Improvement Works
Paths

Miscellaneous and Ancillary Structures:

Walkway, paving, walkways , railings, power poles, light poles, bin structures, seats, retaining walls/structures, bollards/chains, miscellaneous signage (advisory, warning, informational), stormwater infrastructure, erosion control, gates, dog tidy bag dispensers

Constraints and Approvals:

Relevant Licences, Leases and Agreements: (Tenures and Interests):

Possible Future Uses and Development:

Cycle/Walk-way
Beach access

**I Airforce Beach – Lot 7015 DP 1076665 (Previously Lot 7015 DP 755624)
& Lot 7096 DP 1113511 30.53 Ha**



Description:
Airforce Beach

Zone (Richmond River LEP): Split Zoning - 1(b1) – Rural (Secondary Agricultural Land) Zone and 7(f) – Environmental Protection (Coastal Land) Zone

Land Status: Reserved for Public Recreation notified 2 April 1931. Managed by the Evans Head Beach Reserve Trust with Richmond Valley Council as the Trust Manager.

Crown Land ID: 1,148 410/T/R62583

Existing Development and Structures:
Signage

Miscellaneous and Ancillary Structures:
Walkway, paving, walkways, railings, power poles, light poles, bin structures, seats, retaining walls/structures, bollards/chains, miscellaneous signage (advisory, warning, informational), stormwater infrastructure, erosion control, gates, dog tidy bag dispensers

Constraints and Approvals:

Relevant Licences, Leases and Agreements: (Tenures and Interests):

Possible Future Uses and Development:

J Beech Street Wetland – R76203 - Lot 7040 DP1052589 (Previously Lot 7040 DP 755624) 8.094 Ha



Description:

Beech Street Wetland.

Zone (Richmond River LEP): Split Zoning - 6(a) – Open Space Zone
DCP 10 Evans Head: CR2 – Coastal Crown Reserve 2

Land Status: Reserved for Sale/Future Public Requirements notified 4 September 1953. Managed by the Land and Property Management Authority.

Crown Land ID: 1,149 420/U/R76203

Existing Development and Structures:

Exercise equipment, Stormwater Quality Works, (associated signage)

Miscellaneous and Ancillary Structures: (cross out not applicable)

Walkway, paving, walkways, railings, power poles, light poles, bin structures, seats, retaining walls/structures, bollards/chains, miscellaneous signage (advisory, warning, informational), stormwater infrastructure, erosion control, gates, dog tidy bag dispensers

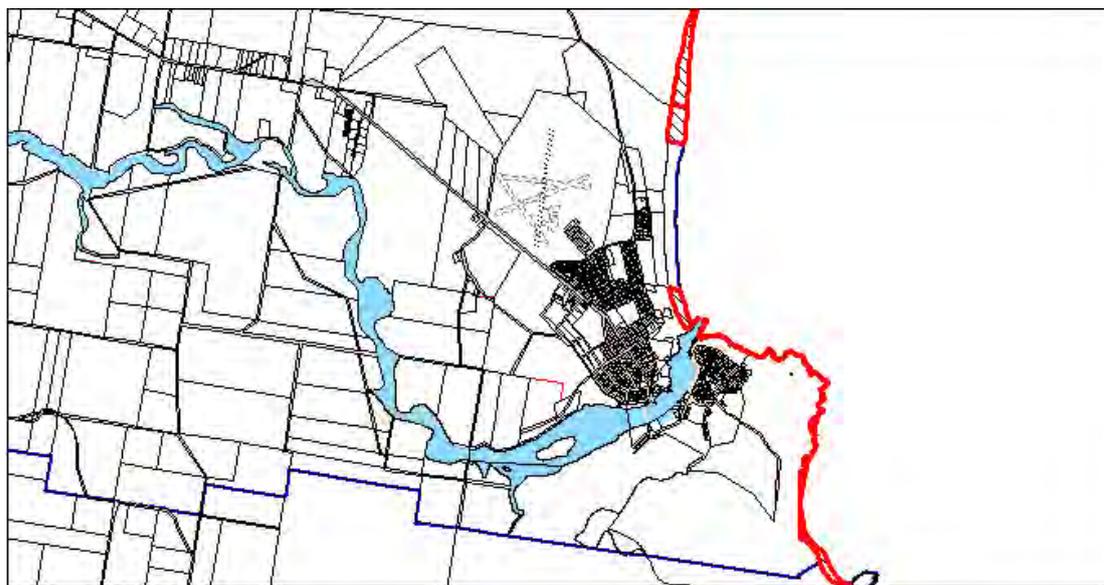
Constraints and Approvals:

2004/223 – Wetland Restoration

Relevant Licences, Leases and Agreements: (Tenures and Interests):

Possible Future Uses and Development:

K Foreshore Land – Reserve R1011268



Description:

Lands covered by R56146, in addition to all foreshore land below the High Water Mark of the coast of NSW extending to the territorial limit of 3 nautical miles from the Low Water Mark.

Zone (Richmond River LEP): Split Zoning – 1(b1) – Rural (Secondary Agricultural Land) Zone, 7(c) – Environmental Protection (Flora and Fauna) Zone, 7(f) – Environmental Protection (Coastal Land) Zone and 8(a) – National Parks and Nature Reserves Zone

DCP 10 Evans Head: CR1 – Coastal Crown Reserve 1

Land Status: Reserved for Future Public Requirements notified 3 February 2006.

Crown Land ID: 376 120/HLW

Existing Development and Structures:

N/A

Miscellaneous and Ancillary Structures: (cross out not applicable)

Walkway, paving, walkways, railings, power poles, light poles, bin structures, seats, retaining walls/structures, bollards/chains, miscellaneous signage (advisory, warning, informational), stormwater infrastructure, erosion control, gates, dog tidy bag dispensers

Previous Lot Descriptions for Reserves

- A Razorback Lookout and Shark Bay – Lot 7027 DP 1112996 (Previous Lot 7027 DP 755624)
- B Bingarra Reserve – Lot 7026 DP 1112980 (Previous Lot 7026 DP 755624)
- C Evans Head Recreational Reserve
Lots 172, 281, 287, 372 and 405 DP755624,
Lots 10 and 11 DP1045792 (previously Lot 2 DP42417),

Lots 549 and 550 DP 1091080 (previously Lot 1 DP829998,
Lot 7036 DP1113078 (previously Lot 1036 DP755624), and
Lots 7303 & 7304 DP1136547

- D Kalimna Park – Lot 7028 DP 1113043 (previously Lot 2 DP42417)
- E Boat Ramp – Lot 10 DP 824498, Lot 7029 DP 92612 (Previously Lot7028 DP755624) and adjacent 370m2 lot (Lot 7029 DP755624)
- F Public Baths – Lot 7030 DP 1075732 (Previous Lot 7030 DP 755624)
- I Airforce Beach – Lot 7015 DP 1076665 (Previously Lot 7015 DP 755624)
- J Beech Street Wetland – R76203 - Lot 7040 DP1052589 (Previously Lot 7040 DP 755624)

1. Part Lot 408 DP755624



Description: Adjacent to Iron Gates Drive
Pt R755624

Zone (Richmond River LEP): 7(a) – Environmental Protection (Wetlands) Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:

Revegetation and rehabilitation works.

2. Narrow strip of river front land, bounded by the Evans River to the south, and Lot 408 DP755624 and Lot 547 DP48550 to the north.



Description: Narrow strip of river front land, bounded by the Evans River to the south, and Lot 408 DP755624 and Lot 547 DP48550 to the north.

Zone (Richmond River LEP): 7(a) – Environmental Protection (Wetlands) Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:
Revegetation and rehabilitation works.

3. Evans River north and south break-waters



Description: Evans River north and south break-waters

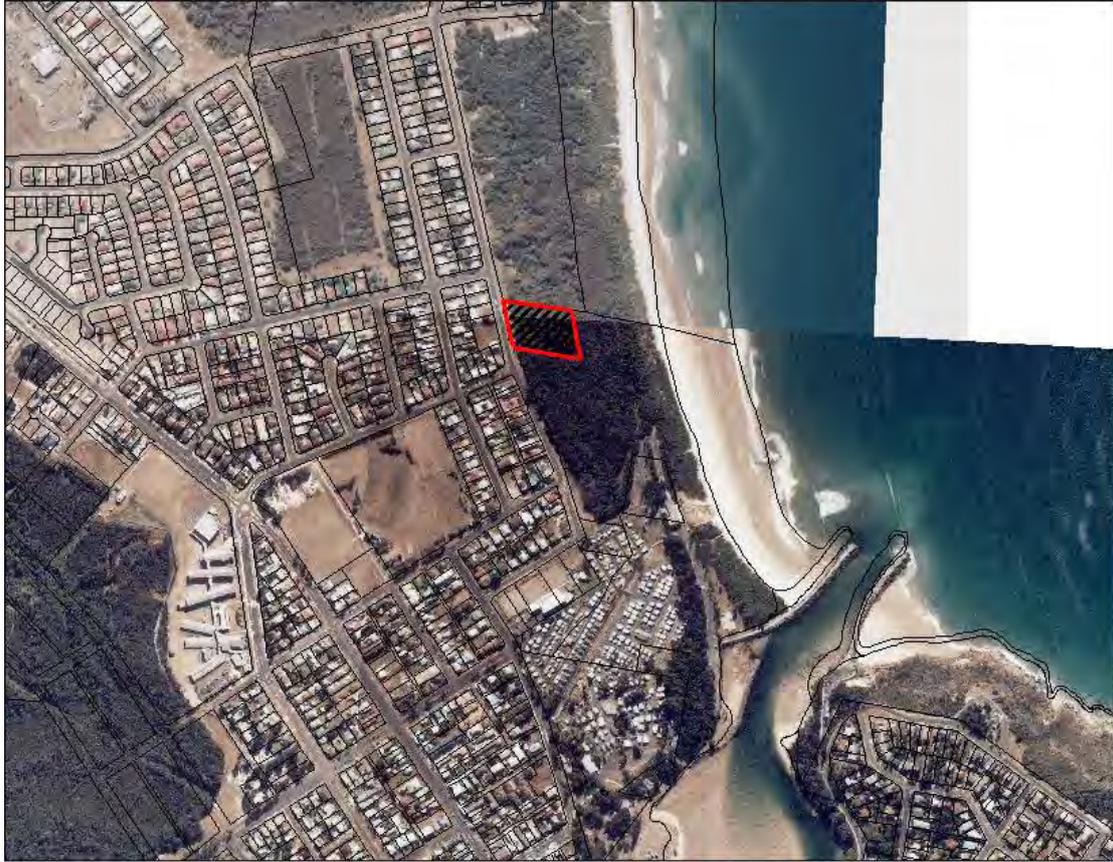
Zone (Richmond River LEP): 7(f) – Environmental Protection (Coastal Land) Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:
Restoration and rehabilitation works.

4. Bounded by R76203 to the north, R82910 to the east, and south and Beech Street to the west.



Description:

Zone (Richmond River LEP): 6(a) – Open Space Zone

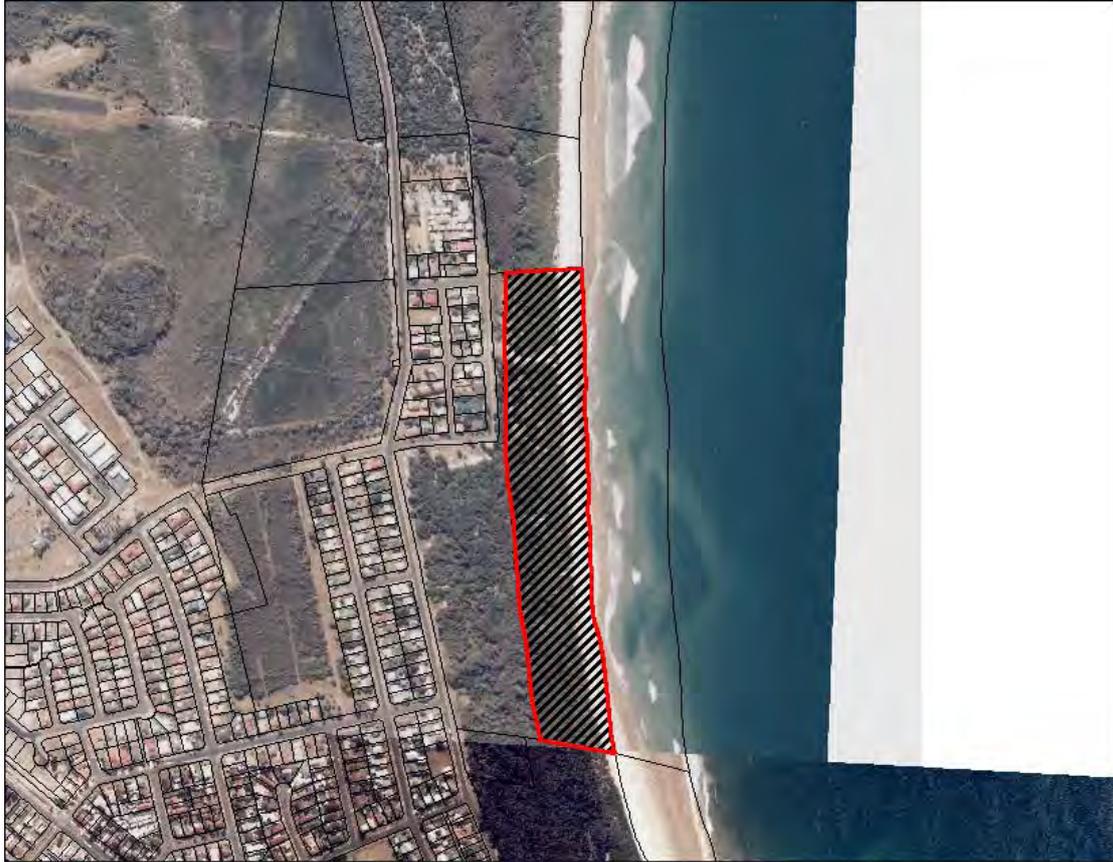
Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:

Revegetation and rehabilitation works.

5. Bounded by R62583 to the east, R28105 (Lot 7020) to the north, R76203 to the west, and R82910 to the south.



Description:

Zone (Richmond River LEP): 7(f) – Environmental Protection (Coastal Land) Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:

Revegetation and rehabilitation works.

6. Main Beach – Bounded by R62583 to the north, Pacific Ocean to the east, the northern Evans River break-waters to the south, and R28105 to the west.



Description:

Zone (Richmond River LEP): 7(f) – Environmental Protection (Coastal Land) Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:

Revegetation and rehabilitation works.

7. Northern bank of River between Elm Street and McDonald Street



Description:

Zone (Richmond River LEP): 1(b1) – Rural (Secondary Agricultural Land) Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

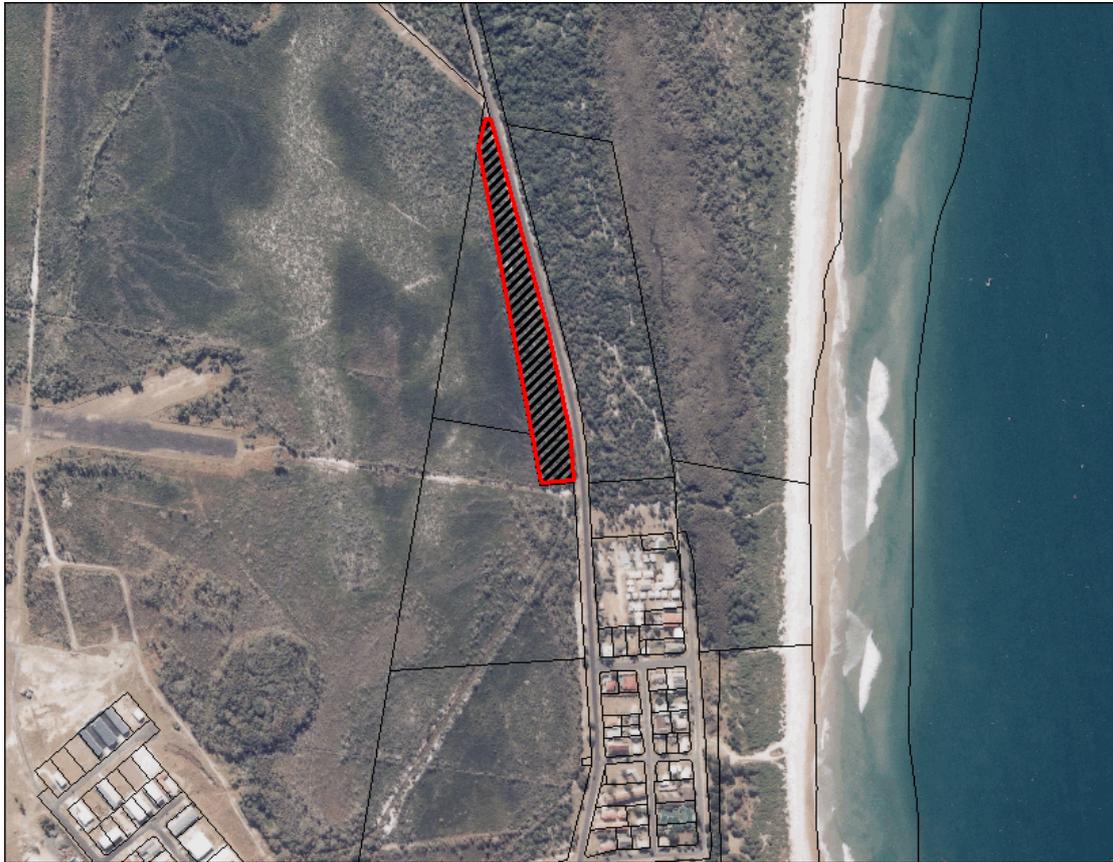
Possible Future Uses and Development:

Revegetation and rehabilitation works.

Walkways, boardwalk, cycle/pedestrian way.

8. Portion of lot west of Broadwater – Evans Head Road

Lot 285 DP755624



Description:

Zone (Richmond River LEP): 1(d) – Rural (Urban Investigation) Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:

Revegetation and rehabilitation works.

9. Land at the southern end of McDonald Street (including Carters Wharf, Car Park and Road)

Lots 476, 479, 480 DP755624



Description:

Zone (Richmond River LEP): 2(v) – Village Zone and 1(b1) – Rural (Secondary Agricultural Land) Zone

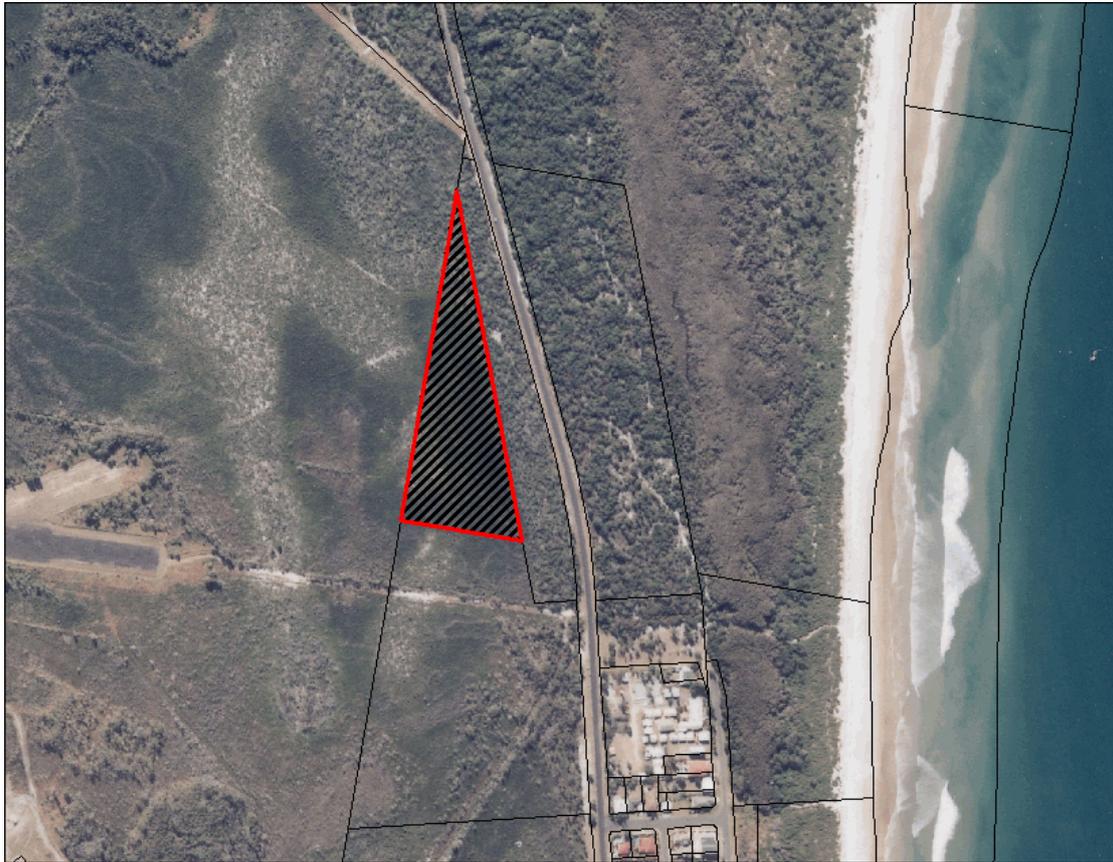
Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:

Revegetation and rehabilitation works.
Carparking. Wharf or boating facilities.

10. Bound by Lot 285 DP755624 to the east, R28105 to the South and Lot 118 DP1045072 to the west



Description:

Zone (Richmond River LEP): 1(d) – Rural (Urban Investigation) Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:

Revegetation and rehabilitation works.

11. Adjacent to Iron Gates Drive

Lot 547 DP48550



Description:

Zone (Richmond River LEP): 7(a) – Environmental Protection (Wetlands) Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:

Revegetation and rehabilitation works.

Cycle/pedestrian way.

12. Portion of Lot 2 north of Currajong Street

Part Lot 2 DP1012063



Description:

Zone (Richmond River LEP): 2(v) – Village Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:

Revegetation and rehabilitation works.

13. Foreshore Reserve north of Evans Head Fishing Co-operative. Designated for Future Public Requirements.

Lots 510 & 513 DP755624 and Lot 7082 DP 1113379



Description:R87866

Zone (Richmond River LEP): 4(a) – Industrial Zone

Existing Development and Structures: Nil

Miscellaneous and Ancillary Structures: Paths, walkways

Possible Future Uses and Development:

Revegetation and rehabilitation works.

BBQ, shelters, boardwalk, (public facilities and access works).



Appendix I
Native Title Search Results



NATIONAL NATIVE TITLE TRIBUNAL

Claimant Application Summary

Application numbers	Federal Court number: NSD6034/98 NNTT number: NC96/16
Application name	Bandjalang People #1
Name of body where application lodged	National Native Title Tribunal
Date application lodged	17/05/1996
Current stage(s)	Currently Identified for Registration Testing, Notification Complete, In Mediation
Applicants	Mr Lawrence Wilson
Address for service	Wroth Wall Wroth Wall Solicitors 43 Stuart Street MULLUMBIMBY NSW 2482 Phone: (02) 6684 1991 Fax: (02) 6684 3395
Persons claiming to hold native title	<p>The native title claim group is a local kin group comprising the people of the Bandjalang Proper dialect.</p> <p>The members of the claimant group are the descendants of King Harry Wilson (who was also known as Mamoon), together with the descendants of Jack Wilson, George James, Frank Jock Sr and George Robinson, who are actual or putative kin of the descendants of King Harry Wilson. Descendants include persons who are descendants by adoption. The members of the claimant group have their primary identification as Bandjalang people belonging to the country of the Bandjalang people, and that identification is recognized by the acknowledged elders of the claimant group according to their traditional laws and customs.</p> <p>The following groups are included in the claimant group in accordance with the processes of identification and acknowledgement:</p> <ol style="list-style-type: none">1. the relevant descendants of Harry Michael Wilson, (who was also known as Muntoon and who married Ida James), plus the descendants of Eliza Wilson/Breckenridge (who married Peter Yuke), these all being the descendants of King Harry Wilson (Mamoon); these descendants included the named applicant, Lawrence Wilson;2. the relevant descendants of Jack Beckenridge, these being the descendants of Jack Wilson, King Harry Wilson's (Mamoon's) brother;3. the relevant descendants of George James, the brother of Ida James, who have been incorporated into the group as kin through the marriage of Ida James to Harry Michael Wilson (Muntoon);4. the relevant descendants of Frank Jock Jr and Ada Jock, Bandjalang siblings with a putative kin relationship to the descendants of King Harry Wilson (Mamoon); these are, broadly speaking, the Gomes family (from Frank Jock Jr) and the Drew and Cavanaugh families (from Ada Jock);5. the relevant descendants of Gibson Robinson and Alice Bond, Bandjalang siblings with a putative kin relationship to the descendants of King Harry Wilson (Mamoon); the key

individuals here are Alice Bundock (wife of Lawrence Wilson) and Grace Cowan (wife of Vince Cowan, senior elder of the descendants of Jack Breckenridge.

Note - the terms "Bandjalang Proper" and "country of the Bandjalang people: are elaborated upon in Schedule T to this application.

Native title rights and interests claimed

1. According to the traditional laws and customs acknowledged and observed by them, the Bandjalang People are the owners of Bandjalang country and their native title in relation to the claim area is, or is the equivalent of, a communal native title that confers on the Bandjalang People for their respective communal, group or individual rights and interests, the right of possession, occupation, use and enjoyment of the claim area as against the whole world.

2. The native title rights and interests of the Bandjalang People in relation to the claim area are exclusive and are good against the whole world in that:

(a) there are no other indigenous owners for the claim area;

(b) the Bandjalang People in accordance with their traditional laws and customs may grant or refuse permission to others to access the claim area, or may ignore any requirement for such permission; and

(c) the Bandjalang People in accordance with their traditional laws and customs may exclude others from Bandjalang country or regulate the use by others of Bandjalang country.

3. It is permissible for the Bandjalang People to describe the nature and extent of their native title in this way following the High Court's judgment in *Western Australia v Ward* [2002] HCA 28. As was recently stated by Sundberg J in *Neowarra v State of Western Australia* [2003] FCA 1402 at paragraph [368]:

the first task for a court hearing a native title case is to determine the native title rights and interests that exist under traditional law and custom. Only then can issues of extinguishment be addressed. Only then does one have a right or interest that can be compared with the competing right or interest that is said to extinguish it. It is a mistake, therefore, to say that "native title" in s 223(1)(a), in the opening lines of s 225 and in par (b) thereof, cannot include rights equivalent to ownership because of the need under s 225(c) and (d) to accommodate "other rights and interests in relation to the determination area".

4. The remarks of Sundberg J at paragraph [382] of *Neowarra* are also relevant to the question of how a native title claim may be framed consistently with *Ward* (HCA):

The source of the applicants' right to possession, occupation, use and enjoyment of the claim area as against the whole world is their laws and customs. The right is therefore "possessed" under those laws and customs for the purposes of s 223(1)(a). It is a right in relation to land and waters. In the course of considering matters of extinguishment it may be necessary to unbundle this comprehensive right into the component parts asserted by the applicants, and to consider whether these components are in relation to land and waters.

5. In accordance with their traditional laws and customs, the Bandjalang People's native title is a comprehensive right to possess, occupy, use and enjoy the claim area of the kind recognised by the Federal Court in *Neowarra*.

6. The decision of the High Court in *Ward* establishes that where findings as to extinguishment or partial extinguishment are to be made by the Court, the findings in relation to the nature and extent of the native title will need to be sufficiently specific ("unbundled", in the language of Sundberg J) to enable a determination to be made of the extent of extinguishment. Because of this, it was said to be preferable to express the unbundled rights as activities that may be conducted, as of right, on or in relation to the land or waters (at paragraph [52]). However, it was not held that specificity is required per se or for any other purpose, and the Court did not identify the particular degree of specificity that might be required in any given circumstance.

7. To the extent that it is necessary to unbundle the comprehensive native title possessed by the Bandjalang People under the traditional laws and customs acknowledged and observed by them, the unbundled rights and interests (expressed as activities) include:-

- (1) the right to speak for the land and waters.
- (2) the right to be on the land.
- (3) the right to hunt on the land and waters.
- (4) the right to gather and use the products of the land such as food, medicinal plants, timber, stone and water, other than minerals and petroleum wholly owned by the Crown.
- (5) the right to be on and in the waters.
- (6) the right to fish in the waters.
- (7) the right to gather shellfish and other freshwater and marine fauna and products, other than minerals and petroleum wholly owned by the Crown.
- (8) the right to live on the land.
- (9) the right to camp on the land.
- (10) the right to erect shelters on the land.
- (11) the right to move about the land and waters.
- (12) the right to engage in cultural and social activities on the land.
- (13) the right to carry out ritual practices on the land.
- (14) the right to teach the physical and spiritual attributes of places on the land and waters.
- (15) the right to access, maintain and protect sites of significance on the land and waters.
- (16) the right to make decisions about the use and enjoyment of the land and waters, and to make decisions in relation to proposed actions in relation to the land and waters.
- (17) the right to control the access of others to the land and waters.
- (18) the right to control the use and enjoyment by others of the resources of the land and waters, other than minerals and petroleum wholly owned by the Crown.
- (19) the right to prevent the disclosure, otherwise than in accordance with traditional laws and customs, of tenets of spiritual beliefs and practices which relate to areas within the claim area, or places on the claim area.
- (20) the right to be acknowledged as the owners of the land and waters in accordance with traditional laws and customs.

8. The Bandjalang People acknowledge that:

- (a) their native title rights and interests are subject to all valid and current laws of the Commonwealth and the State of New South Wales; and
- (b) the exercise of their native title rights and interests might be regulated, controlled, curtailed, restricted, suspended or postponed by reason of the existence of valid concurrent rights and interests in others by or under such laws.

9. The Bandjalang People acknowledge that native title will have been extinguished in relation to any of the following areas within the claim area:

- (a) any area which has been the subject of a previous exclusive possession act (as defined in s23B of the Native Title Act 1993) or a category A intermediate period act (as defined in s232B of the Native Title Act 1993) where any extinguishment of native title rights in relation to that area is not required by s47A of s47B of the Native Title Act 1993 to be disregarded;

(b) any land or waters on which there is a public work (as defined in s253 of the Native Title Act 1993) that is a Category A past Act or a Category A intermediate period act (as defined in ss229(4) and 232B(7) respectively of the Native Title Act 1993), and any adjacent land or waters the use of which is or was necessary for or incidental to, the construction, establishment or operation of the work.

10. Subject to Schedule L, this application does not claim that the native title rights and interests confer:

(1) the right to possess, occupy, use and enjoy the claim area to the exclusion of all others;

(2) the right to speak for the land and waters;

(3) the right to make decisions about the use and enjoyment of the land and waters, and to make decisions in relation to proposed actions in relation to the land and waters;

(4) the right to control the access of others to the land and waters; and

(5) the right to control the use and enjoyment by others of the resources of the land and waters, other than minerals and petroleum; and

in relation to any area regarding which a previous non-exclusive possession act under s 23F of the NTA has been done.

11. The Bandjalang People also acknowledge that native title rights and interests in the land and waters of the national parks, the offshore waters, the state forests and the land subject to reservations will not confer possession, occupation, use and enjoyment of those lands and waters on the Bandjalang People to the exclusion of people:-

(a) possessing valid rights or interests in relation to the land or waters pursuant to the provisions of the National Parks and Wildlife Act 1974 (NSW), the Crown Lands Consolidation Act 1913 (NSW), the Forestry Act 1916 (NSW) or the Aboriginal Land Rights Act 1983 (NSW);

(b) exercising the right of innocent passage in the offshore waters in accordance with international law or the common law public rights of fishing or navigation;

(c) exercising the rights lawfully conferred by or validly granted pursuant to statute.

Area

Jurisdiction: New South Wales

Location: Areas of land, sea & inland waters in & around Evans Head, including parts of Broadwater National Pk in the Nth, Bundjalung National Pk in the Sth, & 200m due east from the mean low water mark.

Local government region(s): Richmond Valley Council, Clarence Valley Council

ATSIC region(s): Many Rivers Regional Council

Representative A/TSI body(s): NSW Native Title Services Ltd

Land/water and/or sea: Land/Water and Sea

Area covered by the claim (as detailed in the application):

1. The application has been made in relation to an area of land and waters in the vicinity of Evans Head in northern New South Wales for which there is no approved determination of native title ("the claim area").

2. The claim area does not include land subject to previous exclusive possession acts, or where native title rights and interests have otherwise been wholly extinguished.

3. A map attached to this Form 1 as Attachment C shows the external boundaries of the claim area. The written description of the external boundaries of the application area which appeared in the Form 1 as amended in August 2002 is also provided as Attachment B1.

4. Areas within the external boundaries that are excluded from the claim area are identified in the Statement of Excluded Areas of Land and Waters prepared on behalf of the Applicant in compliance with the Order of the Court made on 13 June 2003 that the Applicant identify the land and waters within the outer boundary of the claim that is excluded from the application by reference to the identification area numbers used in the historical and

current tenure report filed in these proceedings on 20 May 2003 [by the State of New South Wales].

A copy of that Statement is included in Attachment B.

5. On 29 December 2003 and in accordance with the Order of the Court made on 14 November 2003, the Applicant filed an additional Statement of Excluded Areas of Land and Waters. A copy of the additional Statement is included in Attachment B.

6. As stated in paragraph 4 above, both Statements identify the excluded areas of land and waters by reference to the identification area numbers used in the State's historical and current tenure report. The cadastral units to which these identification area numbers relate are set out in the table below:

Identification Area Number and Cadastral Unit

1	R59035	
9	Part of Lot 285 DP755624	
14	Lot 1 DP605097	
16	Lot 118 DP1045072	
17	Lot 118 DP1045072	
18	Lot 118 DP1045072	
19	Lot 118 DP1045072	
22	Lot 1 DP607302	
25	Lot 545 DP48550	
26	Lot 544 DP48550	
27	WR28105	
28	Lot 408 DP755624	
29 (in relation to Part 29B only)		WR28105
33	Lot 19 DP755614	
34	Lot 19 DP755614	
35	Lot 19 DP755614	
36	Lot 100 DP622195	
40	CT Vol 9339 Folio 104	
41	CT Vol 9339 Folio 103-104	
42	R81617	
45	Lot 408 DP755624	
46	CT Vol 12878 Folio 63	
47	CT Vol 12878 Folio 63	
100	Part Lot 205 DP755624	
101	Part Lot 205 DP755624	
102	Part Lot 434 DP755624	
103	Part Lot 434 DP755624	
104	Part Lot 423 DP755624	
105	Part Lot 409 DP755624	
106	Part Lot 422 DP755624	
107	Part Lot 506 DP755624	
108	Part Lot 426 DP755624	
109	Part Lot 196 DP755624	
110	Part Lot 471 DP755624	
111	Part Lot 471 DP755624	
112	Part Lot 162 DP755624	
113	Part Lot 162 DP755624	
114	Part Lot 153 DP755624	
115	Part Lot 153 DP755624	
118	Part Lot 60 DP755614	
121	Part Lot 43 DP755614	
126 (in relation to Part 126C only)		Part Lot 52 DP755614
128	Part Lot 53 DP755614	
129 (in relation to Part 129C only)		Part Lot 53 DP755614
131	Part Lot 14 DP755613	
133	Part Lot 15 DP755613	
134	Part Lot 12 DP755613	
135	Part Lot 12 DP755613	
136	Part Lot 12 DP755613	
137	Part Lot 11 DP755613	
138	Part Lot 11 DP755613	
139	Part Lot 10 DP755613	

- 140 Part Lot 17 DP755613
- 141 Part Lot 17 DP755613
- 142 Part Lot 16 DP755613
- 143 Part Lot 16 DP755613
- 145 Part Lot 19 DP755629
- 146 Part Lot 19 DP755629
- 147 Part Lot 28 DP755629
- 148 Part Lot 28 DP755629
- 152 Part Lot 374 DP755624
- 153 Part Lot 376 DP755624
- 154 Part Lot 380 DP755624
- 155 Part Lot 381 DP755624
- 156 Part Lot 382 DP755624
- 157 Part Lot 383 DP755624
- 158 Part Lot 385 DP755624
- 159 Part Lot 388 DP755624
- 160 Part Lot 389 DP755624
- 161 Part Lot 390 DP755624
- 162 Part Lot 391 DP755624
- 163 Part Lot 394 DP755624
- 164 Part Lot 397 DP755624
- 165 Part Lot 398 DP755624
- 166 Part Lot 402 DP755624
- 167 Part Lot 404 DP755624
- 169 Part Lot 285 DP755624
- 189 Part Lot 396 DP755624
- 208 Part Lot 375 DP755624
- 209 Part Lot 392 DP755624
- 211 Part Lot 14 DP755613
- 214 (in relation to Part 214D only)

Information contained in Attachment "B1" (description of external boundary of the application)

Attachment B

Information identifying the boundaries of: the area covered by the application; and any areas within those boundaries that are not covered by the application.

A. 1. Subject to the reduction of the area of the coastal waters covered by the application referred to in paragraph 2 below, the area of land and waters covered by the application is all of the land and waters within the legal cadastral boundaries of those identification areas depicted in the map of the area covered by the application produced on 11 April 1997 for the Registrar of the National Native Title Tribunal by the Land Information Centre, Department of Land & Water Conservation.

2. The area of coastal waters covered by the application has been reduced. The area of coastal waters now comprises that area of coastal waters adjacent to the coastline which extends from the northern most point of identification area 9 to the southern most point of identification area 27(21) (being the southern most coastal point of the claim area depicted on the map), to a distance of 200 metres due east from the mean low water mark.

The area of land and waters covered by the application consists of five separate areas:

Area 'A' comprises the land and waters described as:

- Lot 205 of Deposited Plan 755624, Parish of Riley, County of Richmond
- Lot 434 of Deposited Plan 755624, Parish of Riley, County of Richmond
- Lot 423 of Deposited Plan 755624, Parish of Riley, County of Richmond
- Lot 409 of Deposited Plan 755624, Parish of Riley, County of Richmond
- That portion of Broadwater National Park which was previously subject to R.57728 and which is identified in material and the map prepared by the Department of Land & Water Conservation as identification area 5
- Lot 7015 of Deposited Plan 755624, Parish of Riley, County of Richmond
- Lot 422 of Deposited Plan 755624, Parish of Riley, County of Richmond
- Lot 285 of Deposited Plan 755624, Parish of Riley, County of Richmond
- Lot 469 of Deposited Plan 755624, Parish of Riley, County of Richmond

That area of vacant, unreserved Crown land being land between the mean high water mark and mean low water mark comprising Airforce and Broadwater Beaches, which is identified in material and the map prepared by the Department of Land & Water Conservation as identification area 9

Lot 506 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 278 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 426 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 196 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 471 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 7019 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 7020 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 352 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 7011 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 1 of Deposited Plan 605097, Parish of Riley, County of Richmond
Lot 7002 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 78 of Deposited Plan 878113 (formerly Lot 53 of Deposited Plan 857316), Parish of Riley, County of Richmond

Lot 162 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 7012 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 161 of Deposited Plan 755624, Parish of Riley, County of Richmond
Those portions of Broadwater National Park which are identified in material prepared by the Department of Land & Water Conservation as identification areas 27(1), 27(2), 27(3) and 27(4)

That portion of Bundjalung National Park which is identified in the material and the map prepared by the Department of Land & Water Conservation as identification area 27(5)

Lot 60 of Deposited Plan 755614, Parish of Evans, County of Richmond
Lot 70 of Deposited Plan 755614, Parish of Evans, County of Richmond
Lot 42 of Deposited Plan 755614, Parish of Evans, County of Richmond
Lot 43 of Deposited Plan 755614, Parish of Evans, County of Richmond
Lot 49 of Deposited Plan 755614, Parish of Evans, County of Richmond
Those portions of Broadwater National Park which are identified in material and the map prepared by the Department of Land & Water Conservation as identification areas 27(11), 27(13), 27(14), 27(18), 27(21), 27(24)

Lot 24 of Deposited Plan 755614, Parish of Evans, County of Richmond
Lot 52 of Deposited Plan 755614, Parish of Evans, County of Richmond
Lot 53 of Deposited Plan 755614, Parish of Evans, County of Richmond
Lot 14 of Deposited Plan 755613, Parish of Esk, County of Richmond
Lot 13 of Deposited Plan 755613, Parish of Esk, County of Richmond
Lot 15 of Deposited Plan 755613, Parish of Esk, County of Richmond
Lot 12 of Deposited Plan 755613, Parish of Esk, County of Richmond
Lot 11 of Deposited Plan 755613, Parish of Esk, County of Richmond
Lot 10 of Deposited Plan 755613, Parish of Esk, County of Richmond
Lot 17 of Deposited Plan 755613, Parish of Esk, County of Richmond
Lot 16 of Deposited Plan 755613, Parish of Esk, County of Richmond
Lot 19 of Deposited Plan 755629, Parish of Tabbimobile, County of Richmond
Lot 28 of Deposited Plan 755629, Parish of Tabbimobile, County of Richmond
Lot 7050 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 7051 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 7001 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 7014 of Deposited Plan 755624, Parish of Riley, County of Richmond
Lot 7048 of Deposited Plan 755624, Parish of Riley, County of Richmond

That area of vacant, unreserved Crown land referred to in the material and the map prepared by the Department of Land & Water Conservation as identification area 48.

Lots 63, 283, 374, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 394, 396, 397, 398, 399, 400, 401, 402 and 404 of Deposited Plan 755624, Parish of Riley, County of Richmond

The Esk River, within the Parishes of Tabbimobile and Esk.

That area of coastal waters described in paragraph 2 above.

Area 'B' comprises the land and waters in that portion of Doubleduke State Forest described as Lot 3 of Deposited Plan 755610 in the Parish of Doubleduke, County of Richmond.

Area 'C' comprises the land and waters described as Lot 19, Deposited Plan 755614 in the Parish of Evans, County of Richmond.

Area 'D' comprises the land and waters described as Lot 153 of Deposited Plan 755624, Parish of Riley, County of Richmond

Area 'E' comprises the land and waters described as Lots 408 and 7016 of Deposited Plan 755624, Parish of Riley, County of Richmond, and Lots 544, 545, 546 and 547 of Deposited Plan 48550, Parish of Riley, County of Richmond.

B. (1) Subject to paragraph 3 below, the area covered by the application excludes any land and waters covered by:

- (a) a public road;
- (b) a scheduled interest;
- (c) a freehold estate;
- (d) a commercial lease that is neither an agricultural lease or a pastoral lease;
- (e) an exclusive agricultural lease or an exclusive pastoral lease;
- (f) a residential lease;
- (g) a community purpose lease;
- (h) a lease dissected from a mining lease and referred to in section 23B(2)(vii) of the Native Title Act 1993 (Cth); or
- (i) any lease (other than a mining lease) that confers a right of exclusive possession over particular land and waters;

which was validly granted or vested on or before 23 December 1996.

(2) Subject to paragraph 3, the area covered by the application excludes any area covered by the valid construction or establishment of any public works, where the construction or establishment of the public work commenced on or before 23 December 1996.

(3) Where the act specified in paragraphs 1 and 2 falls within the provisions of:

- (a) s.23B(9) (exclusion of acts benefitting Aboriginal and Torres Strait Islander people)
- (b) s.23B(9A) (establishment of a national park or a State park)
- (c) s.23B(9B) (acts where legislation provides for non-extinguishment);
- (d) s.23B(9C) (exclusion of Crown to Crown grants); and
- (e) s.23B(10) (exclusion by regulation)

the area covered by the act is not excluded from the application.

(4) All other areas in which native title has been wholly extinguished are to be excluded.

Note: The words and expressions used in this attachment have the same meanings as they have in the Native Title Act 1993 (Cth). All references to sections are references to the corresponding section of the Native Title Act 1993 (Cth).

Registration information

Please refer to the Register of Native Title Claims/National Native Title Register (as appropriate) for registered details of this application.

Date claim entered on Register of Native Title Claims:

17/05/1996

Registration test status:

Accepted for registration

Registration history:

Registered from 17/05/1996.

Attachments

1. Map of Native Title Claim Area, Attachment C of the Application, 2 pages - A4, Attached 02/04/2004.
2. Information identifying boundary of the application and land in boundary not covered by application, Attachment B of the Application, 6 pages - A4, Attached 15/06/2004.
3. Application boundary and areas within boundary not covered by the application, Attachment B1 of the Application, 5 pages - A4, Attached 14/07/2004.

NNTT map attached.

NNTT contact details

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NATIONAL NATIVE TITLE TRIBUNAL

Claimant Application Summary

Application numbers	Federal Court number: NSD6107/98 NNTT number: NC98/19
Application name	Bandjalang People #2
Name of body where application lodged	National Native Title Tribunal
Date application lodged	10/07/1998
Current stage(s)	Notification Complete, In Mediation
Applicants	Lawrence John Wilson on behalf of the Bandjalang People.
Address for service	Wroth Wall Wroth Wall Solicitor PO Box 646 MULLUMBIMBY NSW 2482 Phone: (02) 6684 1991 Fax: (02) 6684 3395
Persons claiming to hold native title	<p>The Claimant List for claim NC98/019. The native title claimant group consists of the people listed below being the descendants of King Harry (Mahmoon) Wilson</p> <p>WILSON; Lawrence Wilson (Snr), Alice Bundock Wilson, Anthony Wilson, Vincent Wilson, Simone Barker (nee Wilson), Kim Wilson, Lawrence Wilson (Jnr), Veronica Wilson, Daniel Wilson, Douglas Wilson, Shane Wilson, Kelly Wilson, Frank Gomes 2nd, Frank Gomes 3rd, Samantha Gomes, Tina Gomes, Michelle 'Mushi' Gomes, Alvin Williams, Virginia Williams, Ronald Roberts, Nathan Roberts, Nicole Roberts, Shereleen Roberts, Alan Roberts, Christene Roberts, Norma Williams, Shereleen Quinlen, Peta Quinlen, Kathy Williams, Nicole Williams, Daphne Williams, Daniel Williams, Serena Williams, Amelia Williams, Lewis Williams (Snr), Lewis Williams (Jnr), Stewart Williams, Ian Ross, Mark Ross, Van Ross, Wendy Ross, Stewart Ross, Lindsay Kapeen, Janice Kapeen, Vanessa Kapeen, Alvina Kapeen.</p> <p>JAMES; Noel James, Noreen Cameron, Lexie James, Trevor James, Leonie James, Clancy James, Mathew James, Geoffrey James, Amelia James, Lewis James, Peter James.</p> <p>BRECKENRIDGE; Adelaide Breckenridge, Doreen Breckenridge, Anthony Breckenridge, Gail Breckenridge, Kenneth Cowan, Vincent Cowan, Gracie Cowan, Des Cowan, Mark Cowan, Cedric Cowan, Melissa Cowan, Rebecca Walker, Steven Walker, Stephanie Walker, Tara Walker, Craig Walker, Glen Walker, Jessica Walker, Rose Skinner.</p> <p>YUKE; Nareena Yuke, Ethelyn Yuke, Marion Yuke, Marion Daley (Roberts), Wally Yuke, Lisa Baker, Cyril Chapman, Carla Chapman, Serena Chapman, Silvia Chapman, Raelene Chapman, Sharon Chapman, Martin Chapman, Donna Chapman, Tanya Chapman, Ruby Langford.</p> <p>CAVANAUGH; Thelma Cavanaugh, Troy Cavanaugh, Cedric Cavanaugh, Irene Cavanaugh, Janice</p>

Randall, Beverly Randall, Stella Randall, Esta Randall, Lorraine Randall, Ida Drew, Warren Williams, Lynette Williams, Gwendoline Williams, Jill Williams, Violet Williams, Rhonda Williams, Veronica Drew, William Drew (Snr), Clarrie Drew, Tommy Drew, William Drew (Jnr), Mandy Drew, Amanda Drew, Moria Drew, Beja Drew.

Native title rights and interests claimed

1. The native title rights and interest claimed in relation to the land and waters covered by the application are:

(a). the right to possess, occupy, use and enjoy the claim area to the exclusion of all others, subject to:

- i. the valid laws of the State of New South Wales and the Commonwealth of Australia; and
- ii. any valid rights and interests conferred upon non-native title holders, or the subject of an agreement made under the Native Title Act 1993 (C'th), or by the principles of Aboriginal law and custom.

(b). the right to have access to, and use of the natural resources of the claim area including the right to:

- i. maintain and make use of the claim area;
- ii. to conserve the natural resources of the claim area;
- iii. safeguard the claim area and the natural resources of the claim area for the benefit of native title holders;
- iv. manage the claim area for the benefit of the native title holders;
- v. use the claim area and the natural resources for social, cultural, economic, religious, spiritual, customary and traditional purposes;

and, more particular to:

(c). reside on, camp on, and travel across the claim area, subject to regional customary lawful expectations and protocols;

(d). exercise rights of use and disposal over the natural resources, including the right to confer use of those natural resources upon non-native title holders;

(e). exercise and carry out economic life on the claim area, including the creation, growing, production, husbandry, harvesting, and exchange of natural resources, and that which is produced by the exercise of the native title rights and interests;

(f). discharge cultural, spiritual, traditional and customary rights, duties, obligations and responsibilities on, in relation to and concerning the claim area and its welfare;

and, including to:

i. preserve sites of significance to the native title holder, and other Aboriginal people on the claim area;

ii. conduct secular, ritual and cultural activities on the claim area;

iii. conduct burials on the claim area.

iv. determine, give effect to, pass on, and expand the knowledge and appreciation of the culture and traditions;

v. regard the claim area as part of the inalienable affiliation to the native title holder to the claim area;

vi. maintain the cosmological relationship, beliefs, practices and institutions through proper and appropriate custodianship of the claim area, and special, and sacred sites to ensure the continued vitality of culture, and the well-being of native title holders;

vii. inherit or dispose of native title rights and interests in relation to the claim area in accordance with custom and traditions;

viii. determine who are the native title holders;

ix. resolve disputes between the native title holders and other Aboriginal persons in relation to the claim area;

2. Subject to paragraphs 3, 4 and 5, the native title rights and interests specified in paragraph 1 confer possession, occupation, use and enjoyment of the land and waters covered by the application on the native title claim group to the exclusion of all others.

3. The rights and interests claimed in paragraphs 1 and 2 above (the native title rights and interests) are:

(a). Subject to the rights and interests of those lawfully exercising rights and interests which have been validly created or vested in them by the State of New South Wales; and

(b). Subject to the rights and interests of those lawfully exercising rights and interests which have been validly created or vested in them by the Commonwealth of Australia.

4. Further and in the alternative to paragraph 3 and subject to paragraph 5 below:

(a). if,

i. the area covered by the application or part of the area covered by the application is or was the subject of a "Previous Non-Exclusive Possession Act" as defined in the Native Title Act 1993 (C'th); and

ii. the Previous Non-Exclusive Possession Act involved the grant of rights and interests which were not inconsistent with the rights and interests claimed in paragraph 1 and/or 2; then

The native title rights and interests claimed under paragraphs 1 and/or 2 are claimed subject to the rights and interests granted under the Previous Non-Exclusive Possession Act (as provided by section 23G(1)(a) of the Native Title Act 1993 (C'th);

(b). if:

i. The area covered by the application or a part of the area covered by the application is or was the subject of a Previous Non-Exclusive Act as defined by section 23F of the Native Title Act 1993 (C'th); and

ii. The Previous Non-Exclusive Possession Act involved the grant of rights and interest which were inconsistent with the rights and interests claimed in paragraphs 1 and/or 2 above but did not extinguish them; then

The rights and interests claimed under paragraphs 1 and/or 2 are claimed subject to any suspension of them during the currency of the Previous Non-Exclusive Possession Act as provided by section 23G(1)(b)(ii) of the Native Title Act 1993 (C'th).

(c).if:

i. The area covered by the application or a part of the area covered by the application is or was the subject of a "Category B Past Act" as defined by section 230 of the Native Title Act 1993 (C'th) or a "Category B Intermediate Period Act" as defined by section 232C of the Native Title Act 1993 (C'th); and

ii. The Category B Past Act or the Category B Intermediate Period Act involves the grant of rights and interests which were not inconsistent with the rights and interests claimed in paragraphs 1 and/or 2 above; and

iii. The Category B Past Act or the Category B Intermediate Period Act was not a Previous Non-Exclusive Possession Act; then

Those rights and interests referred to in paragraph 1 and/or 2 which are not inconsistent with the rights and interests granted under the Category B Past Act or the Category B Intermediate Period Act are claimed;

	<p>(d). if:</p> <p>i. The area covered by the application or a part of the area covered by the application is or was the subject of;</p> <p>(1). A "Category C Past Act" as defined by section 231 of the Native Title Act 1993 (C'th); or</p> <p>(2). A "Category C Intermediate Period Act" as defined by section 232D of the Native Title Act 1993 (C'th); or</p> <p>(3). A "Category D Past Act" as defined by section 232 of the Native Title Act 1993 (C'th); or</p> <p>(4). A "Category D Intermediate Period Act" as defined by section 232E of the Native Title Act 1993 (C'th); or</p> <p>ii. The Category C Past Act, Category C Intermediate Period Act, Category D Past Act and/or Category D Intermediate Period Act referred to in the preceding sub-paragraph was not a Previous Non-Exclusive Possession Act; then</p> <p>Subject to the operation of the "Non-extinguishment Principle" as defined by section 238 of the Native Title Act 1993 (C'th), those rights and interests claimed under paragraph 1 and/or 2 are claimed.</p> <p>5. Native Title rights and interests are not claimed in respect of:</p> <p>(a). Any land excluded from the application area within the boundaries of the area covered by the application by Schedule B; and</p> <p>(b). Any minerals, petroleum or gas which was wholly owned by the Crown.</p>
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Area	<p>Jurisdiction: New South Wales</p> <p>Location: Land and waters from Broadwater headland south to Shark Bay including waters to 5km offshore. The application extends inland to Southgate Lagoon, Busby's flat and Naughton's Gap.</p> <p>Local government region(s): Richmond Valley Council, Lismore City Council, Clarence Valley Council</p> <p>ATSIC region(s): Many Rivers Regional Council</p> <p>Representative A/TSI body(s): NSW Native Title Services Ltd</p> <p>Approximate size: 3,315 sq. km.</p> <p>(Note: There may be areas within the external boundary of the application that are not claimed.)</p> <p>Land/water and/or sea: Land/Water and Sea</p> <p>Area covered by the claim (as detailed in the application): Commencing at 153.452736 east Longitude and 29.039397 south Latitude, being a point on Broadwater Beach, the application boundary traverses north westerly through points 2 to 79 (Geographic Description - see Attachment B available for viewing at Sydney NNNTT), the later being a point on the western bank of the Richmond River. From here the boundary traverses generally north westerly along the western bank of the Richmond River (approximated by points 80 to 270), until it meets Stubbard Creek at approximately 153.4025 east Longitude and 28.9827 south Latitude. From here the boundary traverses westerly along the said creek (approximated by points 272 to 289), to where it intersects the boundary of Tuckean Nature Reserve at approximately 153.3974 east Longitude and 28.9829 south Latitude, then traverses generally westerly coincidental with the southern boundary of this said reserve until approximately 153.3775 east Longitude and 28.9814 south Latitude, then traverses generally westerly passing through points 298 to 352, the later being a point on the western bank of the Wilson River. From here the boundary traverses generally north westerly along the western bank of the said river (approximated by points 353 to 608), until it meets Pelican Creek at approximately 153.2939 east Longitude and 28.9414 south Latitude, then traverses generally north westerly following the said creek (approximated by points 610 to 1466), then traverses generally north westerly and northerly</p>
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through points 1467 to 1481, the later being a point on Pelican Creek. From here the boundary traverses generally north westerly following the said creek (approximated by points 1482 to 1637), then traverses generally north westerly coincidental with the northern boundary of North Codrington Parish until 153.220359 Longitude east and 28.877472 Latitude south. From here the boundary traverses generally northerly and north westerly through points 1642 to 1653, the later being a point on Pelican Creek, then traverses generally north westerly again following this creek (approximated by points 1654 to 1787), then the northern boundary of North Codrington Parish until its northern most point. From here the boundary traverses northerly to 153.187324 Longitude east and 28.843928 Latitude south, then north westerly to Pelican Creek at 153.1845 Longitude east and 28.842738 Latitude south, then traverses generally north westerly following Pelican Creek (approximated by points 1834 to 2583). From here the boundary traverses generally south westerly passing through points 2584 to 2813, skirting the eastern side of the town of Casino until the North Coast Rail line, then traverses generally south westerly along this rail line (approximated by points 2814 to 2944), then traverses generally south westerly and generally south easterly passing through points 2945 to 3566, the later being a point on Four Mile Creek. From here the boundary traverses generally north easterly following this creek (approximated by points 3567 to 3607), then traverses generally south easterly passing through points 3608 to 3659, the later being a point on Cabbage Tree Creek. From here the boundary traverses generally easterly following this creek (approximated by points 3660 to 3701), then traverses generally southerly passing through points 3702 to 4240, the later being a point on Sportsmans Creek. From here the boundary traverses generally south easterly following this creek (approximated by points 4241 to 5328), to where it meets Sheep Creek. From here the boundary traverses generally southerly passing through points 5329 to 5590, the later being a point on Bunyip Creek, then traverses generally easterly following this creek (approximated by points 5591 to 5769), then traverses generally north easterly and generally easterly passing through points 5770 to 6364, the later being a point approximately 5 Kilometres from the territorial baseline into the Pacific Ocean. From here the application boundary traverses generally north easterly approximately 5 Kilometres from the territorial baseline passing through points 6365 to 6800, then traverses west back to the commencement point.

Unless otherwise defined where points are references by number, these refer to Geographic Description - See attachment B (available for viewing at Sydney NNNTT).

B)

1. Subject to paragraph 3 below, the area covered by the application excludes any land and water covered by:

- a). A scheduled interest;
- b). A freehold estate;
- c). A commercial lease that is neither an agriculture lease nor a pastoral lease;
- d). An exclusive agricultural lease or an exclusive pastoral lease;
- e). A residential lease;
- f). A community purpose lease;
- g). A lease dissecting from a mining lease and referred to in section 23B(2)(vii) of the Native Title Act (1993) (C'th);
- h). Any lease (other than a mining lease) that confers a right to exclusive possession over particular land and water;
- i). A public road;

Which were validly granted on or before 23rd December 1996.

2. Subject to paragraph 3, the area covered by the application excludes any area covered by the valid construction or establishment of any public works. Where the construction or establishment of the public work commenced on or before 23rd December 1996.

3. Where the act specified in paragraphs 1 and 2 falls within the provisions of:

- a). Section 23B(9) (exclusion of acts benefiting Aboriginal people or Torres Strait Islanders);
- b). Section 23B(9A) (establishment of a National Park or State park);
- c). Section 23B(9B) (acts where legislation provides for non-extinguishment);
- d). Section 23B(9C) (exclusion of crown to crown grants); and
- e). Section 23B(10) (exclusion by regulation)

the area covered by the act is not excluded from the application.

	<p>4. All other areas in which native title has been extinguished are to be excluded.</p> <p>5. The Claim excludes the land referred to in Native Title determination application NC96/16 which is the subject of the Federal Court proceedings NG6034 of 1998.</p>
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Registration information	<p><i>Please refer to the Register of Native Title Claims/National Native Title Register (as appropriate) for registered details of this application.</i></p> <p>Date claim entered on Register of Native Title Claims: 10/07/1998</p> <p>Registration test status: Accepted for registration</p> <p>Registration history: Registered from 10/07/1998.</p>
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Attachments	<p>1. Map of external boundary, Attachment A of the Application, 1 page - A3, Attached 04/02/2000.</p> <p>NNTT map attached.</p>
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NNTT contact details	<p>Case manager: Dianne Drake</p> <p>Address: National Native Title Tribunal Level 25 25 Bligh Street SYDNEY NSW 2000</p> <p>GPO Box 9973 SYDNEY NSW 2001</p> <p>Phone: (02) 9235 6300 Freecall 1800 640 501</p> <p>Fax: (02) 9233 5613</p> <p>Web page: www.nntt.gov.au</p>
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NATIONAL NATIVE TITLE TRIBUNAL

Application Information and Extract from the Register of Native Title Claims

Application Information

Application numbers: Federal Court number: NSD6034/98
NNTT number: NC96/16

Application name: Bandjalang People #1

Registration history: Registered from 17/05/1996.

Register Extract (pursuant to s.186 of the *Native Title Act 1993*)

Application lodged with: National Native Title Tribunal

Date application lodged: 17/05/1996

Date claim entered on Register: 17/05/1996

Applicants: Mr Lawrence Wilson

Address for service: Wroth Wall
Wroth Wall Solicitor
PO Box 646
MULLUMBIMBY NSW 2482
Phone: (02) 6684 1991
Fax: (02) 6684 3395

Area covered by the claim:

A) The application consists of five (5) separate areas.

Area 'A',

Commences at 153.255665 east Longitude and 29.301849 south Latitude (approx.), being a point on the westerly boundary of Bundjalung National Park the boundary traverses easterly, north easterly then westerly passing through points 2 to 19, the last point being on the boundary of Broadwater National Park.

From here the boundary traverses westerly coincidental with the northern boundary of Broadwater National Park until 153.457727 east Longitude and 29.010627 south Latitude, (approx.), then traverses generally south westerly through points 22 to 28, the last point being on the boundary of Broadwater National Park. From here the boundary traverses generally southerly coincidental with the boundary of the said national park until 153.440109 east longitude and 29.031165 south latitude, then traverses generally south westerly through points 47 to 53, the last point being on the boundary of Broadwater National Park. From here the boundary traverses generally westerly coincidental with the boundary of the said national park until 153.415523 east Longitude and 29.028283 south Latitude, then traverses westerly through points 64 to 68, back to the boundary of Broadwater National Park. It then continues along the boundary of the said national park until 153.403581 east Longitude and 29.021182 south Latitude. From this point the application boundary traverses generally south westerly through points 73 to 96, the last said point being on the western boundary of Broadwater National park then traverses generally southerly coincidental with the western boundary of this said national park until 153.392235 east longitude and 29.083468 south Latitude. From here the boundary traverses generally south easterly then westerly passing through points 121 to 2292, the last point being on the the western boundary of Bundjalung National Park. From here the application boundary traverses generally south westerly coincidental with the western boundary of the said national park back to the commencement point.

Area "B"

Commences at 153.271809 east Longitude and 29.197663 south Latitude, the boundary traverses northerly, generally south easterly and westerly through points 2376 to 2411 back to the commencement point.

Area "C"

Commences at 153.323344 east Longitude and 29.158411 south Latitude, the boundary, traverses west, north, east and south through points 2564 to 2576 back to the commencement point.

Area "D"

Commences at 153.397497 east Longitude and 29.112403 south Latitude, the boundary traverses north, east and south through points 2578 to 2617 back to the commencement point.

Area "E"

Commences at 153.415637 east Longitude and 29.127022 south Latitude, the boundary traverses north, west, generally south easterly and south westerly through points 2413 to 2562 back to commencement point.

Note: Geographic coordinates are in decimal degrees and referenced to Australia Geodetic Datum 1984 (AGD84). These coordinates are based on the position of spatial reference data as sourced from Land Information Centre, Department of Information Management and Technology NSW at the time.

B)

1. Subject to paragraph 3 below, the area covered by the application excludes any land and waters covered by:

- a) A scheduled interest;
- b) A freehold estate;
- c) A commercial lease that is neither an agricultural lease nor a pastoral lease;
- d) An exclusive agricultural lease or an exclusive pastoral lease;
- e) A residential lease;
- f) A community purpose lease;
- g) A lease dissecting from a mining lease and referred to in section 23B(2)(vii) of the Native Title Act (1993) (C'th);

h) Any lease (other than a mining lease) that confers a right to exclusive possession over particular land and waters;

i) A public road;

which were validly granted on or before 23rd December 1996.

2. Subject to paragraph 3, the area covered by the application excludes any area covered by the valid construction or establishment of any public works, where the construction or establishment of the public work commenced on or before 23rd December 1996.

3. Where the act specified in paragraphs 1 and 2 falls within the provisions of:

a) Section 23B(9) (exclusion of acts benefiting Aboriginal people or Torres Strait Islanders);

b) Section 23B(9A) (establishment of a National Park or State park);

c) Section 23B(9B) (acts where legislation provides for non-extinguishment);

d) Section 23B(9C) (exclusion of crown to crown grants); and

e) Section 23B(10) (exclusion by regulation)

the area covered by the act is not excluded from the application.

4. All other areas in which native title has been extinguished are to be excluded.

Note: All references to sections are references to the Native Title Act (1993) (C'th). All definitions of terms used in this attachment are as defined in the Native Title Act (1993) (C'th)

Persons claiming to hold native title:

The native title claimant group consists of the people listed below being the descendants of King Harry (Mahmoon) Wilson

WILSON

Lawrence Wilson (Snr)

Alice Bundock Wilson

Anthony Wilson

Vincent Wilson

Simone Barker (nee Wilson)

Kim Wilson

Lawrence Wilson (Jnr)

Veronica Wilson

Daniel Wilson

Douglas Wilson

Shane Wilson

Kelly Wilson

Frank Gomes 2nd

Frank Gomes 3rd

Samantha Gomes

Tina Gomes

Michelle 'Mushi' Gomes

Alvin Williams

Virginia Williams

Ronald Roberts

Nathan Roberts
Nicole Roberts
Shereleen Roberts
Alan Roberts
Christene Roberts
Norma Williams
Shereleen Quinlen
Peta Quinlen
Kathy Williams
Nicole Williams
Daphne Williams
Daniel Williams
Serena Williams
Amelia Williams
Lewis Williams (Snr)
Lewis Williams (Jnr)
Stewart Williams
Ian Ross
Mark Ross
Van Ross
Wendy Ross
Stewart Ross
Lindsay Kapeen
Janice Kapeen
Vanessa Kapeen
Alvina Kapeen

JAMES

Noel James
Noreen Cameron
Lexie James
Trevor James
Leonie James
Clancy James
Mathew James
Geoffrey James
Amelia James
Lewis James
Peter James

BRECKENRIDGE

Adelaide Breckenridge
Doreen Breckenridge
Anthony Breckenridge
Gail Breckenridge
Kenneth Cowan
Vincent Cowan
Gracie Cowan
Des Cowan
Mark Cowan
Cedric Cowan

Melissa Cowan
Rebecca Walker
Steven Walker
Stephanie Walker
Tara Walker
Craig Walter
Glen Walker
Jessica Walker
Rose Skinner

YUKE

Nareena Yuke
Ethelyn Yuke
Marion Yuke
Marion Daley (Roberts)
Wally Yuke
Lisa Baker
Cyril Chapman
Carla Chapman
Serena Chapman
Silvia Chapman
Raelene Chapman
Sharon Chapman
Martin Chapman
Donna Chapman
Tanya Chapman
Ruby Langford

CAVANAUGH

Thelma Cavanaugh
Troy Cavanaugh
Cedric Cavanaugh
Irene Cavanaugh
Janice Randall
Beverley Randall
Stella Randall
Esta Randall
Lorraine Randall
Ida Drew
Warren Williams
Lynette Williams
Gwendoline Williams
Jill Williams
Violet Williams
Rhonda Williams
Veronica Drew
William Drew (Snr)
Clarrie Drew
Tommy Drew
William Drew (Jnr)
Mandy Drew

Amanda Drew Moria Drew
Beja Drew

Registered native title rights and interests:

The following Native Title Rights & Interests were entered on the Register on 16/02/2000:

1. The native title rights and interests claimed in relation to the land and waters covered by the application are:

(a) the right to possess, occupy, use and enjoy the claim area to the exclusion of all others, subject to:

- i. the valid laws of the State of New South Wales and the Commonwealth of Australia; and
- ii. any valid rights and interests conferred upon non-native title holders, or the subject of an agreement made under the Native Title Act 1993(C'th), or by the principles of Aboriginal law and custom.

(b) the right to have access to, and use of the natural resources of the claim area including the right to:

- i. maintain and make use of the claim area;
- ii. to conserve the natural resources of the claim area;
- iii. safeguard the claim area and the natural resources of the claim area for the benefit of native title holders;
- iv. manage the claim area for the benefit of native title holders;
- v. use the claim area and the natural resources for social, cultural, economic, religious, spiritual, customary and traditional purposes;

and, more particular to:

(c) reside on, camp on, and travel across the claim area, subject to regional customary lawful expectations and protocols:

(d) exercise rights of use and disposal over the natural resources, including the right to confer use of those natural resources upon non-native title holders;

(e) exercise and carry out economic life on the claim area, including the creation, growing, production, husbandry, harvesting, and exchange of natural resources, and that which is produced by the exercise of the native title rights and interests;

(f) discharge cultural, spiritual, traditional and customary rights, duties, obligations and responsibilities on, in relation to and concerning the claim area and its welfare;

and, including to:

- i. preserve sites of significance to the native title holder, and other Aboriginal people on the claim area;
- ii. conduct secular, ritual and cultural activities on the claim area;
- iii. (right not registered);

iv. determine, give effect to, pass on, and expand the knowledge and appreciation of the culture and traditions;

v. regard the claim area as part of the inalienable affiliation of the native title holder to the claim area;

vi. maintain the cosmological relationship, beliefs, practices and institutions through proper and appropriate custodianship of the claim area, and special, and sacred sites to ensure the continued vitality of culture, and the well-being of native title holders;

vii. inherit or dispose of native title rights and interests in relation to the claim area in accordance with custom and traditions;

viii. determine who are the native title holders;

ix. resolve disputes between the native title holders and other Aboriginal persons in relation to the claim area;

2. Subject to paragraphs 3, 4 and 5, the native title rights and interests specified in paragraph 1 confer possession, occupation, use and enjoyment of the land and waters covered by the application on the native title claim group to the exclusion of all others.

3. The rights and interests claimed in paragraphs 1 and 2 above (the native title rights and interests) are:

(a). Subject to the rights and interests of those lawfully exercising rights and interests which have been validly created or vested in them by the State of New South Wales; and

(b). Subject to the rights and interests of those lawfully exercising rights and interests which have been validly created or vested in them by the Commonwealth of Australia.

4. Further and in the alternative to paragraph 3 above and subject to paragraph 5 below:

(a). if,

i. the area covered by the application or part of the area covered by the application is or was the subject of a "Previous Non-Exclusive Possession Act" as defined in the Native Title Act 1993 (C'th); and

ii. the Previous Non-Exclusive Possession Act involved the grant of rights and interests which were not inconsistent with the rights and interests claimed by the native title claim group; then

The native title rights and interests claimed by the native title claim group are claimed subject to the rights and interests granted under the Previous Non-Exclusive Possession Act (as provided by section 2 1G(1)(a) of the Native Title Act 1991) (C'th),

(b) if,

i. The area covered by the application or a part of the area covered by the application is or was the subject of a Previous Non-Exclusive Possession Act as defined by section 23F of the Native Title Act 1993 (C'th); and

ii The Previous Non-Exclusive Possession Act involved the grant of rights and interest which were inconsistent with the rights and interests claimed by the native title claim group but did not extinguish them; then

The rights and interests of the native title claim group are claimed subject to any suspension of them during the currency of the Previous Non-Exclusive Possession Act as provided by section 23G(1)(b)(ii) of the Native Title Act (1993) (C'th).

(c) if:

i. The area covered by the application or a part of the area covered by the application is or was the subject of a "Category B Past Act" as defined by section 230 of the Native Title Act 1993(C'th) or a "Category B Intermediate Period Act" as defined by section 232C of the Native Title Act (1993) (C'th), and

ii. The Category B Past Act or the Category B Intermediate Period Act involves the grant of rights and interests which were not inconsistent with the rights and interests claimed by the native title claim group; and

iii. The Category B Past Act or the Category B Intermediate Period Act was not a Previous Non-Exclusive Possession Act; then

Those rights and interests claimed by the native title claim group which are not inconsistent with the rights and interests granted under the Category B Past Act or the Category B Intermediate Period Act are claimed;

(d) if:

i. The area covered by the application or a part of the area covered by the application is or was the subject of:

(1). A "Category C Past Act" as defined by section 231 of the Native Title Act (1993) (C'th); or

(2). A "Category C Intermediate Period Act" as defined by section 232D of the Native Title Act (1993) (C'th); or

(3) A "Category D Past Act" as defined by section 232 of the Native Title Act (1993) (C'th); or

(4). A "Category D Intermediate Period Act" as defined by section 232E of the Native Title Act (1993) (C'th); or

ii. The Category C Past Act, Category C Intermediate Period Act, Category D Past Act and/ or Category D Intermediate Period Act referred to in the preceding sub-paragraph was not a Previous Non-Exclusive Possession Act; then

Subject to the operation of the "Non-extinguishment Principle" as defined by section 238 of the Native Title Act (1993) (C'th), those rights and interests specified by the native title claim group are claimed.

4. Native Title rights and interests are not claimed in respect of:

(a) Any land excluded from the application area within the boundaries of the area covered by the application by Schedule B; and

(b) Any minerals, petroleum or gas which was wholly owned by the Crown.

Subject to the limitations referred to above, the Native Title is claimed over the following land and waters:

Identifying No	Lot	Deposited Plan
1.	1-205	755624
2.	434	755624
3.	423	755624
4.	409	755624
5.	Broadwater National Park	
6.	7015	755624
7.	422	755624
8.	285 and 469	755624
9.	Vacant unreserved Crown land being land between MHWL and MLWM comprising Airforce and Broadwater Beach	
10.	506	755624
11.	278	755624
12.	426	755624
13.	196	755624
14.	471	755624
15.	7019 and 7020	755624
16.	352 and 7011	755624
17.	1	605097
18.	7002	755624
19.	78 formerly 53	878113 formerly 857316
20.	408	755624
21.	547 and part 544 formerly 467	48550 formerly 755624
22.	162	755624
23.	7012	755624
24.	Part 544, 545 and 546 formerly 7016	48550 formerly 755624
25.	153	755624
26.	161	755624
27.(1-5)	Broadwater National Park excluding crown and public roads and including the following:	
27.(6)	60	755614
27.(7)	70	755614
27.(8)	42	755614
27.(9)	43	755614
27.(10)	49	755614
27.(11)	excluding 27.(12), 27.(16), 27.(17), 27.(19), 27.(22), 27.(23).	
28.	24	755614
29.	52	755614
30.	53	755614
31.	19	755614
32.	excluded	
33.	14	755613

34.	13	755613
35.	15	755613
36.	12	755613
37.	11	755613
38.	10	755613
39.	17	755613
40.	16	755613
41.	19	755629
42.	28	755629
43.	3	755610
44.	7050	755624
45.	7001	755624
46.	7014	755624
47.	7048	755624
48.	Unreserved crown land.	
49.	283,374,375, 755624 376,378,379,380j, 381,382,383,384, 385,386,387,388, 389,390,391,392, 394,396,397,398, 399,400,401,402, 404, and 63	
50.	South Pacific Ocean.	
52.	Esk River	

Register attachments:

1. Map of Claim Area, Attachment C of the Application, 1 page - A4, Attached 30/11/1999.

Note: The Register may, in accordance with s.188 of the Native Title Act 1993, contain confidential information that will not appear on the Extract.



**NATIONAL NATIVE
TITLE TRIBUNAL**

**Application Information and
Extract from the Register of Native Title Claims**

Application Information

Application numbers: Federal Court number: NSD6107/98
NNTT number: NC98/19

Application name: Bandjalang People #2

Registration history: Registered from 10/07/1998.

Register Extract (pursuant to s.186 of the *Native Title Act 1993*)

Application lodged with: National Native Title Tribunal

Date application lodged: 10/07/1998

Date claim entered on Register: 10/07/1998

Applicants: Lawrence John Wilson on behalf of the Bandjalang People.

Address for service: Wroth Wall
Wroth Wall Solicitor
PO Box 646
MULLUMBIMBY NSW 2482
Phone: (02) 6684 1991
Fax: (02) 6684 3395

Area covered by the claim:

Commencing at 153.452736 east Longitude and 29.039397 south Latitude, being a point on Broadwater Beach, the application boundary traverses north westerly through points 2 to 79 (Geographic Description - see Attachment B available for viewing at Sydney NNTT), the later being a point on the western bank of the Richmond River. From here the boundary traverses generally north westerly along the western bank of the Richmond River (approximated by points 80 to 270), until it meets Stibbard Creek at approximately 153.4025 east Longitude and 28.9827 south Latitude. From here the boundary traverses westerly along the said creek (approximated by points 272 to 289), to where it intersects the boundary of Tuckean Nature

Reserve at approximately 153.3974 east Longitude and 28.9829 south Latitude, then traverses generally westerly coincidental with the southern boundary of this said reserve until approximately 153.3775 east Longitude and 28.9814 south Latitude, then traverses generally westerly passing through points 298 to 352, the later being a point on the western bank of the Wilson River. From here the boundary traverses generally north westerly along the western bank of the said river (approximated by points 353 to 608), until it meets Pelican Creek at approximately 153.2939 east Longitude and 28.9414 south Latitude, then traverses generally north westerly following the said creek (approximated by points 610 to 1466), then traverses generally north westerly and northerly through points 1467 to 1481, the later being a point on Pelican Creek. From here the boundary traverses generally north westerly following the said creek (approximated by points 1482 to 1637), then traverses generally north westerly coincidental with the northern boundary of North Codrington Parish until 153.220359 Longitude east and 28.877472 Latitude south. From here the boundary traverses generally northerly and north westerly through points 1642 to 1653, the later being a point on Pelican Creek, then traverses generally north westerly again following this creek (approximated by points 1654 to 1787), then the northern boundary of North Codrington Parish until its northern most point. From here the boundary traverses northerly to 153.187324 Longitude east and 28.843928 Latitude south, then north westerly to Pelican Creek at 153.1845 Longitude east and 28.842738 Latitude south, then traverses generally north westerly following Pelican Creek (approximated by points 1834 to 2583). From here the boundary traverses generally south westerly passing through points 2584 to 2813, skirting the eastern side of the town of Casino until the North Coast Rail line, then traverses generally south westerly along this rail line (approximated by points 2814 to 2944), then traverses generally south westerly and generally south easterly passing through points 2945 to 3566, the later being a point on Four Mile Creek. From here the boundary traverses generally north easterly following this creek (approximated by points 3567 to 3607), then traverses generally south easterly passing through points 3608 to 3659, the later being a point on Cabbage Tree Creek. From here the boundary traverses generally easterly following this creek (approximated by points 3660 to 3701), then traverses generally southerly passing through points 3702 to 4240, the later being a point on Sportsmans Creek. From here the boundary traverses generally south easterly following this creek (approximated by points 4241 to 5328), to where it meets Sheep Creek. From here the boundary traverses generally southerly passing through points 5329 to 5590, the later being a point on Bunyip Creek, then traverses generally easterly following this creek (approximated by points 5591 to 5769), then traverses generally north easterly and generally easterly passing through points 5770 to 6364, the later being a point approximately 5 Kilometres from the territorial baseline into the Pacific Ocean. From here the application boundary traverses generally north easterly approximately 5 Kilometres from the territorial baseline passing through points 6365 to 6800, then traverses west back to the commencement point.

Unless otherwise defined where points are references by number, these refer to Geographic Description - See attachment B available for viewing at Sydney NNTT.

B)

1. Subject to paragraph 3 below, the area covered by the application excludes any land and water covered by:

- a). A scheduled interest;
- b). A freehold estate;
- c). A commercial lease that is neither an agriculture lease nor a pastoral lease;
- d). An exclusive agricultural lease or an exclusive pastoral lease;
- e). A residential lease;
- f). A community purpose lease;
- g). A lease dissecting from a mining lease and referred to in section 23B(2)(vii) of the Native Title Act (1993) (C'th);

- h). Any lease (other than a mining lease) that confers a right to exclusive possession over particular land and water;
- i). A public road;

Which were validly granted on or before 23rd December 1996.

2. Subject to paragraph 3, the area covered by the application excludes any area covered by the valid construction or establishment of any public works. Where the construction or establishment of the public work commenced on or before 23rd December 1996.

3. Where the act specified in paragraphs 1 and 2 falls within the provisions of:

- a). Section 23B(9) (exclusion of acts benefiting Aboriginal people or Torres Strait Islanders);
- b). Section 23B(9A) (establishment of a National Park or State park);
- c). Section 23B(9B) (acts where legislation provides for non-extinguishment);
- d). Section 23B(9C) (exclusion of crown to crown grants); and
- e). Section 23B(10) (exclusion by regulation)

the area covered by the act is not excluded from the application.

4. All other areas in which native title has been extinguished are to be excluded.

5. The Claim excludes the land referred to in Native Title determination application NC96/16 which is the subject of the Federal Court proceedings NG6034 of 1998.

Persons claiming to hold native title:

The Claimant List for claim NC98/019. The native title claimant group consists of the people listed below being the descendants of King Harry (Mahmoon) Wilson

WILSON;

Lawrence Wilson (Snr), Alice Bundock Wilson, Anthony Wilson, Vincent Wilson, Simone Barker (nee Wilson), Kim Wilson, Lawrence Wilson (Jnr), Veronica Wilson, Daniel Wilson, Douglas Wilson, Shane Wilson, Kelly Wilson, Frank Gomes 2nd, Frank Gomes 3rd, Samantha Gomes, Tina Gomes, Michelle 'Mushi' Gomes, Alvin Williams, Virginia Williams, Ronald Roberts, Nathan Roberts, Nicole Roberts, Shereleen Roberts, Alan Roberts, Christene Roberts, Norma Williams, Shereleen Quinlen, Peta Quinlen, Kathy Williams, Nicole Williams, Daphne Williams, Daniel Williams, Serena Williams, Amelia Williams, Lewis Williams (Snr), Lewis Williams (Jnr), Stewart Williams, Ian Ross, Mark Ross, Van Ross, Wendy Ross, Stewart Ross, Lindsay Kapeen, Janice Kapeen, Vanessa Kapeen, Alvina Kapeen.

JAMES;

Noel James, Noreen Cameron, Lexie James, Trevor James, Leonie James, Clancy James, Mathew James, Geoffrey James, Amelia James, Lewis James, Peter James.

BRECKENRIDGE;

Adelaide Breckenridge, Doreen Breckenridge, Anthony Breckenridge, Gail Breckenridge, Kenneth Cowan, Vincent Cowan, Gracie Cowan, Des Cowan, Mark Cowan, Cedric Cowan, Melissa Cowan, Rebecca Walker, Steven Walker, Stephanie Walker, Tara Walker, Craig Walker, Glen Walker, Jessica Walker, Rose Skinner.

YUKE;

Nareena Yuke, Ethelyn Yuke, Marion Yuke, Marion Daley (Roberts), Wally Yuke, Lisa Baker, Cyril Chapman, Carla Chapman, Serena Chapman, Silvia Chapman, Raelene Chapman, Sharon Chapman, Martin Chapman, Donna Chapman, Tanya Chapman, Ruby Langford.

CAVANAUGH;

Thelma Cavanaugh, Troy Cavanaugh, Cedric Cavanaugh, Irene Cavanaugh, Janice Randall, Beverly Randall, Stella Randall, Esta Randall, Lorraine Randall, Ida Drew, Warren Williams, Lynette Williams, Gwendoline Williams, Jill Williams, Violet Williams, Rhonda Williams, Veronica Drew, William Drew (Snr), Clarrie Drew, Tommy Drew, William Drew (Jnr), Mandy Drew, Amanda Drew, Moria Drew, Beja Drew.

Registered native title rights and interests:

The following Native Title Rights & Interests were entered on the Register on 29/06/2000:

1. The native title rights and interest claimed in relation to the land and waters covered by the application are:

(a). the right to possess, occupy, use and enjoy the claim area to the exclusion of all others, subject to:

i. the valid laws of the State of New South Wales and the Commonwealth of Australia; and

ii. any valid rights and interests conferred upon non-native title holders, or the subject of an agreement made under the Native Title Act 1993 (C'th), or by the principles of Aboriginal law and custom.

(b). the right to have access to, and use of the natural resources of the claim area including the right to:

i. maintain and make use of the claim area;

ii. to conserve the natural resources of the claim area;

iii. safeguard the claim area and the natural resources of the claim area for the benefit of native title holders;

iv. manage the claim area for the benefit of the native title holders;

v. use the claim area and the natural resources for social, cultural, economic, religious, spiritual, customary and traditional purposes;

and, more particular to:

(c). reside on, camp on, and travel across the claim area, subject to regional customary lawful expectations and protocols;

(d). exercise rights of use and disposal over the natural resources, including the right to confer use of those natural resources upon non-native title holders;

(e). exercise and carry out economic life on the claim area, including the creation, growing, production, husbandry, harvesting, and exchange of natural resources, and that which is produced by the exercise of the native title rights and interests;

(f). discharge cultural, spiritual, traditional and customary rights, duties, obligations and responsibilities on, in relation to and concerning the claim area and its welfare;

and, including to:

- i. preserve sites of significance to the native title holder, and other Aboriginal people on the claim area;
- ii. conduct secular, ritual and cultural activities on the claim area;
- iii. (not registered)
- iv. determine, give effect to, pass on, and expand the knowledge and appreciation of the culture and traditions;
- v. regard the claim area as part of the inalienable affiliation to the native title holder to the claim area;
- vi. maintain the cosmological relationship, beliefs, practices and institutions through proper and appropriate custodianship of the claim area, and special, and sacred sites to ensure the continued vitality of culture, and the well-being of native title holders;
- vii. inherit or dispose of native title rights and interests in relation to the claim area in accordance with custom and traditions;
- viii. determine who are the native title holders;
- ix. resolve disputes between the native title holders and other Aboriginal persons in relation to the claim area;

2. Subject to paragraphs 3, 4 and 5, the native title rights and interests specified in paragraph 1 confer possession, occupation, use and enjoyment of the land and waters covered by the application on the native title claim group to the exclusion of all others.

3. The rights and interests claimed in paragraphs 1 and 2 above (the native title rights and interests) are:

(a). Subject to the rights and interests of those lawfully exercising rights and interests which have been validly created or vested in them by the State of New South Wales; and

(b). Subject to the rights and interests of those lawfully exercising rights and interests which have been validly created or vested in them by the Commonwealth of Australia.

4. Further and in the alternative to paragraph 3 and subject to paragraph 5 below:

(a). if,

i. the area covered by the application or part of the area covered by the application is or was the subject of a "Previous Non-Exclusive Possession Act" as defined in the Native Title Act 1993 (C'th); and

ii. the Previous Non-Exclusive Possession Act involved the grant of rights and interests which were not inconsistent with the rights and interests claimed in paragraph 1 and/or 2; then

The native title rights and interests claimed under paragraphs 1 and/or 2 are claimed subject to the rights and interests granted under the Previous Non-Exclusive Possession Act (as provided by section 23G(1)(a) of the Native Title Act 1993 (C'th);

(b). if:

i. The area covered by the application or a part of the area covered by the application is or was the subject of a Previous Non-Exclusive Act as defined by section 23F of the Native Title Act 1993 (C'th); and

ii. The Previous Non-Exclusive Possession Act involved the grant of rights and interest which were inconsistent with the rights and interests claimed in paragraphs 1 and/or 2 above but did not extinguish them; then

The rights and interests claimed under paragraphs 1 and/or 2 are claimed subject to any suspension of them during the currency of the Previous Non-Exclusive Possession Act as provided by section 23G(1)(b)(ii) of the Native Title Act 1993 (C'th).

(c).if:

i. The area covered by the application or a part of the area covered by the application is or was the subject of a "Category B Past Act" as defined by section 230 of the Native Title Act 1993 (C'th) or a "Category B Intermediate Period Act" as defined by section 232C of the Native Title Act 1993 (C'th); and

ii. The Category B Past Act or the Category B Intermediate Period Act involves the grant of rights and interests which were not inconsistent with the rights and interests claimed in paragraphs 1 and/or 2 above; and

iii. The Category B Past Act or the Category B Intermediate Period Act was not a Previous Non-Exclusive Possession Act; then

Those rights and interests referred to in paragraph 1 and/or 2 which are not inconsistent with the rights and interests granted under the Category B Past Act or the Category B Intermediate Period Act are claimed;

(d). if:

i. The area covered by the application or a part of the area covered by the application is or was the subject of;

(1). A "Category C Past Act" as defined by section 231 of the Native Title Act 1993 (C'th); or

(2). A "Category C Intermediate Period Act" as defined by section 232D of the Native Title Act 1993 (C'th); or

(3). A "Category D Past Act" as defined by section 232 of the Native Title Act 1993 (C'th); or

(4). A "Category D Intermediate Period Act" as defined by section 232E of the Native Title Act 1993 (C'th); or

ii. The Category C Past Act, Category C Intermediate Period Act, Category D Past Act and/or Category D Intermediate Period Act referred to in the preceding sub-paragraph was not a Previous Non-Exclusive Possession Act; then

Subject to the operation of the "Non-extinguishment Principle" as defined by section 238 of the Native Title Act 1993 (C'th), those rights and interests claimed under paragraph 1 and/or 2 are claimed.

5. Native Title rights and interests are not claimed in respect of:

(a). Any land excluded from the application area within the boundaries of the area covered by the application by Schedule B; and

(b). Any minerals, petroleum or gas which was wholly owned by the Crown.

Register attachments:

1. Topographical Map, Attachment A of the Application, 1 page - A3, Attached 04/02/2000.

Note: The Register may, in accordance with s.188 of the Native Title Act 1993, contain confidential information that will not appear on the Extract.



SEARCH RESULTS

Prepared for GHD

Geospatial Job: 2005/2963

Your Reference: Overlap analysis of parcels in Evans Head

Requested by: Naomi Leo

Date: 21/12/2005

DISCLAIMER

This information product has been created to assist in understanding the spatial characteristics and relationships with native title matters and is intended as a guide only. Spatial data used has been sourced from the relevant custodians in each jurisdiction. The Registrar, the National Native Title Tribunal and its staff and officers and the Commonwealth, accept no liability and or give no undertakings, guarantees or warranties concerning the accuracy, completeness or fitness for purpose of the information.

NOTES FOR INTERPRETING THE RESULTS

The search is based on the external boundary of the application or agreement. To determine whether any search area is subject to claim, determination or agreement, you need to refer to the accompanying extracts and associated documents. An "explanation of terms" follows the search results.

Results of spatial analysis as at 21/12/2005

Register of Native Title Claims

Search Area Map ID	Area (sqkm)	Overlap (sqkm)	% of Area within NTDA	Tribunal Number	Fed Court Number	Name	Reg Test Status	Registration Date
1	0.05	0.05	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
10	0.03	0.03	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
11	0.03	0.03	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
12	0.09	0.09	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
13	0.004	0.004	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
2	0.02	0.02	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
3	0.01	0.01	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
4	0.01	0.01	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
5	0.11	0.11	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
6	0.05	0.05	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
7	0.01	0.01	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
8	0.02	0.02	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
9	0.001	0.001	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
A	0.09	0.09	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
B	0.003	0.003	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
C	0.26	0.26	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
D	0.004	0.004	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
E	0.04	0.04	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998



NATIONAL NATIVE TITLE TRIBUNAL

Search Area Map ID	Area (sqkm)	Overlap (sqkm)	% of Area within NTDA	Tribunal Number	Fed Court Number	Name	Reg Test Status	Registration Date
F	0.02	0.02	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998
G(a)	0.09	0.09	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
G(b)	0.07	0.07	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
G(c)	0.05	0.05	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
H	0.01	0.01	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
I	0.23	0.23	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Accepted	17/05/1996
J	0.09	0.09	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Accepted	10/07/1998

Schedule of Applications - Federal Court

Search Area Map ID	Area (sqkm)	Overlap (sqkm)	% of Area within NTDA	Tribunal Number	Fed Court Number	Name	Application Type	Reg Test Status
1	0.05	0.05	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
10	0.03	0.03	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
11	0.03	0.03	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
12	0.09	0.09	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
13	0.004	0.004	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
2	0.02	0.02	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
3	0.01	0.01	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
4	0.01	0.01	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
5	0.11	0.11	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
6	0.05	0.05	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
7	0.01	0.01	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
8	0.02	0.02	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
9	0.001	0.001	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
A	0.09	0.09	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
B	0.003	0.003	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
C	0.26	0.26	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
D	0.004	0.004	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
E	0.04	0.04	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
F	0.02	0.02	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted
G(a)	0.09	0.09	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
G(b)	0.07	0.07	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
G(c)	0.05	0.05	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
H	0.01	0.01	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
I	0.23	0.23	100.00	NC96/016	NSD6034/98	Bandjalang People 1	Claimant	Accepted
J	0.09	0.09	100.00	NC98/019	NSD6107/98	Bandjalang People 2	Claimant	Accepted

There is **NO** overlap with any determination of native title as per the **National Native Title Register**.

There is **NO** overlap with any registered indigenous land use agreements as per the **Register of ILUAs**.

There is **NO** overlap with any indigenous land use agreements **notified (but not registered)** by the Tribunal.

**Representative Aboriginal and Torres Strait Islander Body Area**

Search Area Map ID	Area (sq km)	% of Area within RATSIB Area	Name
1	0.05	100.00	New South Wales - no recognised body (NSW Native Title Services)
10	0.03	100.00	New South Wales - no recognised body (NSW Native Title Services)
11	0.03	100.00	New South Wales - no recognised body (NSW Native Title Services)
12	0.09	100.00	New South Wales - no recognised body (NSW Native Title Services)
13	0.004	100.00	New South Wales - no recognised body (NSW Native Title Services)
2	0.02	100.00	New South Wales - no recognised body (NSW Native Title Services)
3	0.01	100.00	New South Wales - no recognised body (NSW Native Title Services)
4	0.01	100.00	New South Wales - no recognised body (NSW Native Title Services)
5	0.11	100.00	New South Wales - no recognised body (NSW Native Title Services)
6	0.05	100.00	New South Wales - no recognised body (NSW Native Title Services)
7	0.01	100.00	New South Wales - no recognised body (NSW Native Title Services)
8	0.02	100.00	New South Wales - no recognised body (NSW Native Title Services)
9	0.001	100.00	New South Wales - no recognised body (NSW Native Title Services)
A	0.09	100.00	New South Wales - no recognised body (NSW Native Title Services)
B	0.003	100.00	New South Wales - no recognised body (NSW Native Title Services)
C	0.26	100.00	New South Wales - no recognised body (NSW Native Title Services)
D	0.004	100.00	New South Wales - no recognised body (NSW Native Title Services)
E	0.04	100.00	New South Wales - no recognised body (NSW Native Title Services)
F	0.02	100.00	New South Wales - no recognised body (NSW Native Title Services)
G(a)	0.09	100.00	New South Wales - no recognised body (NSW Native Title Services)
G(b)	0.07	100.00	New South Wales - no recognised body (NSW Native Title Services)
G(c)	0.05	100.00	New South Wales - no recognised body (NSW Native Title Services)
H	0.01	100.00	New South Wales - no recognised body (NSW Native Title Services)
I	0.23	100.00	New South Wales - no recognised body (NSW Native Title Services)
J	0.09	100.00	New South Wales - no recognised body (NSW Native Title Services)



NATIONAL NATIVE TITLE TRIBUNAL

Local Government Area

Search Area Map ID	Area (sq km)	% of Area within LGA	Name
1	0.05	100.00	Richmond Valley Council
10	0.03	100.00	Richmond Valley Council
11	0.03	100.00	Richmond Valley Council
12	0.09	100.00	Richmond Valley Council
13	0.004	100.00	Richmond Valley Council
2	0.02	100.00	Richmond Valley Council
3	0.01	100.00	Richmond Valley Council
4	0.01	100.00	Richmond Valley Council
5	0.11	100.00	Richmond Valley Council
6	0.05	100.00	Richmond Valley Council
7	0.01	100.00	Richmond Valley Council
8	0.02	100.00	Richmond Valley Council
9	0.001	100.00	Richmond Valley Council
A	0.09	100.00	Richmond Valley Council
B	0.003	100.00	Richmond Valley Council
C	0.26	100.00	Richmond Valley Council
D	0.004	100.00	Richmond Valley Council
E	0.04	100.00	Richmond Valley Council
F	0.02	100.00	Richmond Valley Council
G(a)	0.09	100.00	Richmond Valley Council
G(b)	0.07	100.00	Richmond Valley Council
G(c)	0.05	100.00	Richmond Valley Council
H	0.01	100.00	Richmond Valley Council
I	0.23	100.00	Richmond Valley Council
J	0.09	100.00	Richmond Valley Council

DATA STATEMENT

Prepared by Geospatial Services, National Native Title Tribunal.

New South Wales

Application boundary data compiled by the National Native Title Tribunal from data sourced from the Dept of Lands, Land and Property Information Division, NSW. Attribution maintained by NNTT.

Mineral/Petroleum tenure sourced from Department of Primary Industries, NSW (<as at date>).

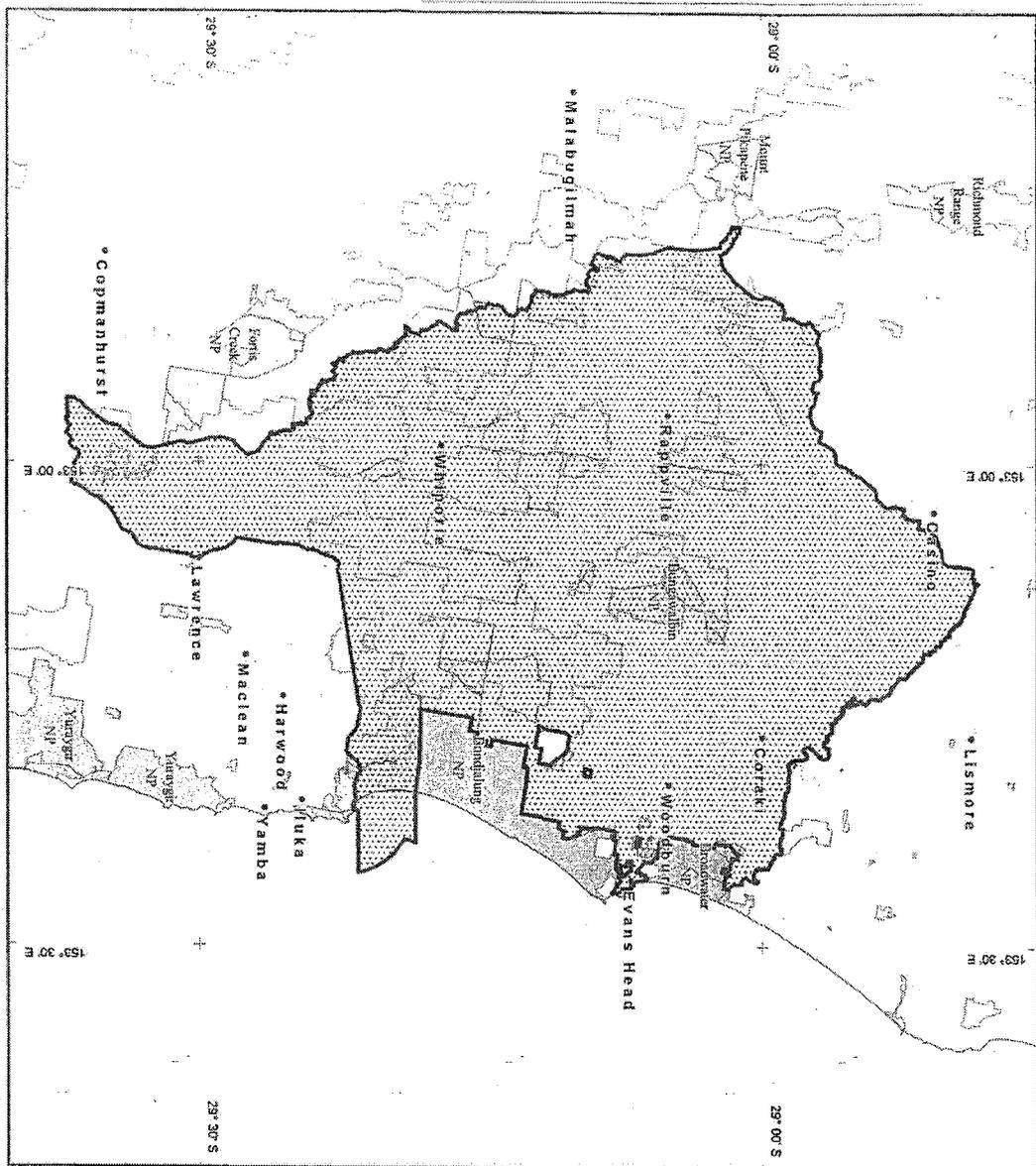


NATIONAL NATIVE TITLE TRIBUNAL

EXPLANATION OF TERMS

National Native Title Register (NNTR)	Contains determinations of native title where native title does and does not exist in a particular area of land or waters.
Register of Native Title Claims (RNTC)	Contains claimant applications which have passed the Registration Test and those applications filed before 30/09/1998 that are still undergoing the Registration Test.
Schedule of applications – Federal Court	Contains active applications before the Federal Court.
Register of ILUAs	Contains indigenous land use agreements (ILUAs) that have been accepted for registration
Notified applications for indigenous land use agreements	Contains applications for ILUAs which have been notified but not yet registered
Area (sq km)	Total area of the Search Area (in sq km)
Tribunal Number	National Native Title Tribunal reference number (including identifier to record part applications)
Fed Court Number	Federal Court reference number
Name	Application or agreement name
Determination Date	Date on which the determination was made
Registration Date	Date on which the application was first placed on the Register of Native Title Claims with regard to its current 'registered' status or date on which an ILUA was registered
Reg Test Status	Registration test status (e.g. Accepted for registration, Currently identified for Reg. Test, Not currently identified for Reg. Test)
Application Type	Claimant, non-claimant or compensation
ILUA Status	In notification, notified, Registered

NATIVE TITLE APPLICATION: NG98/019 (BANGJARRI KOPIC #2) NC20013



Area of Application (geographic extent)
= 2,958 sq km

NOTE: To determine areas subject to claim within the natural boundary, reference to the application description is necessary.

Map created by Geospatial Analysis & Mapping Branch, National Native Title Tribunal (14/03/2001)

Application boundary data compiled by NNTT from data sourced from DTM (ASNV), National Parks and Wildlife Estate data sourced from NP/PAWS (NSW).

State Forest data sourced from SPNSW. Location and coastline data sourced from AUSLIG.

LEGEND

- STATE FOREST
- NATIONAL PARK
- NATURE RESERVE

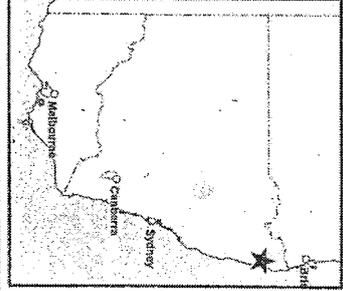
NOTE: This map does not form part of the Register of Native Title Claims. It is provided as general information only and to assist in locating the area involved.

The Registrar, the National Native Title Tribunal and its staff and officers and the Commonwealth, accept no liability and/or give no undertaking, guarantee or warranty concerning the accuracy, completeness or fitness for purpose of the map.

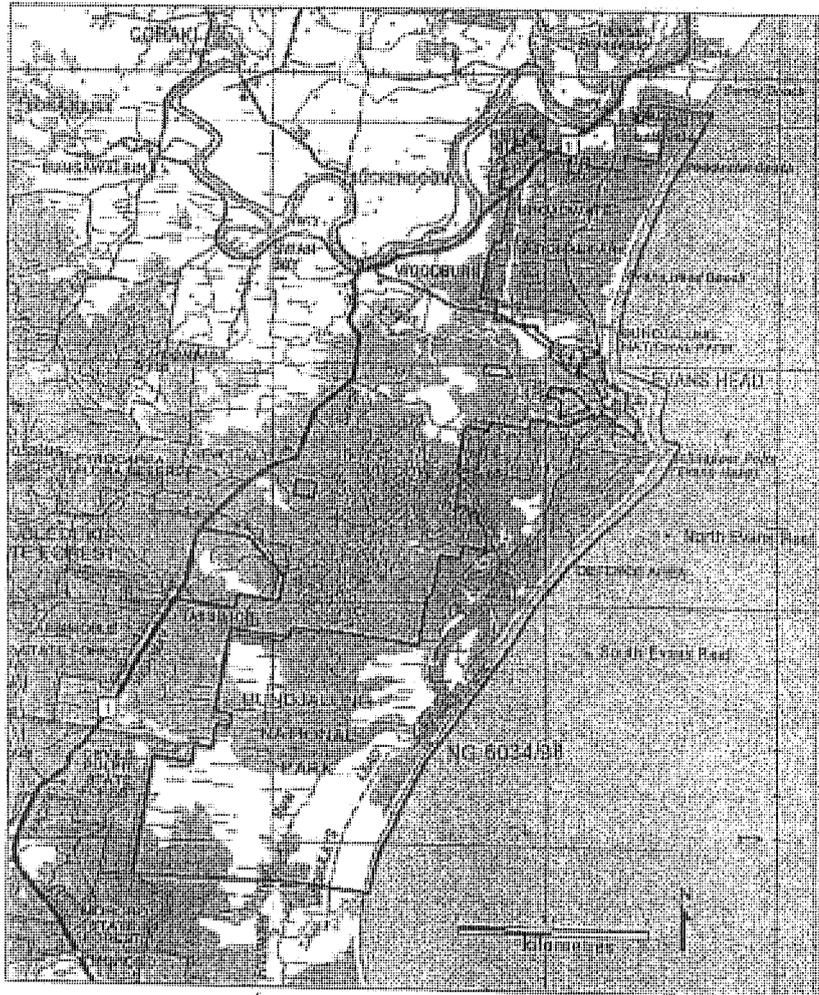


Latitude and Longitude based on Australian Geodetic Datum 1984 Mean Projection

Location of NC98/019 within New South Wales



NATIONAL NATIVE TITLE TRIBUNAL





Appendix J
Acronyms used throughout PoM



Acronyms used in Evans Head Coastal Reserve Plan of Management

Acronym	Meaning
ABS	Australian Bureau of Statistics
ARI	Average Recurrence Interval
ASL	Above Sea Level
DCP	Development Control Plan
DECCW	Department of Environment, Climate Change and Water
LPMA	Land and Property Management Authority
DP	Deposited Plan
EMP	Environmental Management Plan
EPA	Environmental Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979 [NSW]
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
LGA	Local Government Area
LG Act	Local Government Act 1993 [NSW]
LPMA	Land and Property Management Authority
NCCRMS	North Coast Crown Lands Management Strategy



Acronym	Meaning
NCREP	North Coast Regional Environmental Plan
NPWS	National Parks and Wildlife Service
NSW	New South Wales
PBP	Patterson Britton and Partners Pty Ltd
PoM	Plan of Management
RRSC	Richmond River Shire Council
RVC	Richmond Valley Council
SEPP	State Environmental Planning Policy
SLSC	Surf Life Saving Club
WBM	WBM Oceanics Australia Pty Ltd
4WD	Four Wheel Drive



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Document Status

Rev No.	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
0	R. Chemke / N. Leo	S. Lawer	<i>S. Lawer</i>	V. Joseph	<i>V. Joseph</i>	Jun 04
1	R. Chemke / N. Leo	S. Lawer	<i>S. Lawer</i>	V. Joseph	<i>V. Joseph</i>	Dec 05
2	A Scheuber	B Luffman	<i>B Luffman</i>	S Lawer	<i>S. Lawer</i>	Jul 06
3	B Luffman	S Lawer	<i>S. Lawer</i>	S Lawer	<i>S. Lawer</i>	Dec 07
4	M Svikis	S Lawer	<i>S. Lawer</i>	S Lawer	<i>S. Lawer</i>	Dec 09
5	M Svikis	S Lawer	<i>S. Lawer</i>	S. Lawer	<i>S. Lawer</i>	April 10