

**SYDNEY COASTAL COUNCILS GROUP Inc.
MINUTES FOR THE FULL GROUP MEETING
HELD ON SATURDAY 17 MARCH 2018
HOSTED BY INNER WEST COUNCIL**

IN ATTENDANCE

Cr. Colin Hesse	Inner West Council
Ms Jean Brennan	Inner West Council
Cr. Ian White	Northern Beaches Council
Mr Todd Dickinson	Northern Beaches Council
Mr. Peter Massey	North Sydney Council
Cr. Kathy Neilson	Randwick City Council
Cr. Christie Hamilton	Randwick City Council
Cr. Paula Masselos	Waverley Council
Cr. Lynne Saville	Willoughby Council
Cr. Mary-Lou Jarvis	Woollahra Council
Prof. Bruce Thom AM	Honorary Member
Ms. Wendy McMurdo	Honorary Member
Mr. Geoff Withycombe	SCCG (EO)
Ms. Belinda Atkins	SCCG (MPP)
For presentations	
Mr David Clarke	Department of Industry (Crown Lands)
Mr Carl Malmberg	Department of Industry (Crown Lands)
Ms Elizabeth Tydd	Information and Privacy Commission

ITEM 1 - OPENING

1.1 OPENING AND ACKNOWLEDGEMENT OF COUNTRY

Cr Saville welcomed delegates and thanked Inner West Council for hosting the meeting. Cr Saville acknowledged country. We acknowledge this site is country of which the elders and peoples of the local Indigenous community have been custodians for many centuries, and on which Aboriginal people have performed age old ceremonies. We acknowledge their living culture and unique role in the life of this region. The land of Ashfield was originally home to the Aboriginal people of the Eora nation.

1.2 APOLOGIES

Cr. Rochelle Porteous	Inner West Council
Cr. David Walton	Northern Beaches Council
Mr. Paul Hardie	Northern Beaches Council
Cr. Philipa Veitch	Randwick City Council
Cr. Jack Boyd	Sutherland Council
Cr. George Copeland	Waverley Council
Cr. Wendy Norton	Willoughby Council
Cr. Denis Fernandez	Willoughby Council
Cr. Megan McEwin	Woollahra Council

Bayside, Mosman and Sutherland Councils were not represented at the meeting.
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1.3 DECLARATION OF PECUNIARY INTERESTS

Nil declarations were made.

RESOLUTIONS

R1.2 Apologies be received and noted.

R1.3 Nil notifications of pecuniary interests received.

ITEM 2 - GUEST PRESENTATIONS

(Slides Attached)

Guest presenters: David Clarke and Carl Malmberg, Department of Industry (Crown Lands), and Information Commissioner Elizabeth Tydd, NSW Information and Privacy Commission, were welcomed to the meeting and introduced by the Chair. Notes from the respective presentations provided below:

Crown Lands Act – David Clarke & Carl Malmberg

- Office of Local Government (OLG) has been engaged to lead the development of guidance materials and a training program to support councils – to be rolled out during 2018.
- OLG will administer a grants program for Councils to develop plans of management.
- A Council Reference Group has been established and will meet monthly from Feb-Dec18.
- There is a senior staff/GM webinar on the Crown Lands Act and implications for Councils on Wednesday 21 March.
- Training for councils on Native Title and Plans of Management will be provided (July-Sept 18).
- Where Councils are currently managing Crown Land as Trust Managers, they will continue to manage as Crown Land Managers under the Local Government Act.
- Councils will manage Crown Lands under the Local Government Act as 'Community Land'. Councils can apply to manage land as 'Operational Land' with the Ministers approval.
- New plans of management will be required to be developed over a phased three-year period.
- Crown land may be vested to Councils where both Council and Dpt of Industry reaches an agreement (vestments will not be forced).
- Councils may issue leases, licences and other estate provisions of the Local Government Act.
- Council will now be responsible for Native Title obligations. Councils must engage a qualified Native Title manager to oversee dealings and ensure compliance with Native Title obligations.
- There is a community engagement strategy in place (councils are not required to adopt this).
- There is a transition period for existing tenure under Schedule 7 Cl 5, until the new plan of management is in place. The Plan of Management for council managed land will continue in effect until:
 - Land classified as operational
 - Initial period of 3years concludes
 - A plan of management under the Local Government Act is prepared in accordance with S. 3.23.

Q1. Once land is converted to operational can it be commercialised/sold. R – the land can be leased to commercial tenants e.g. caravan park – but no the land cannot be sold.

Q2. How will this land be protected? R – The land is managed under the Local Government Act and must be managed as community land. To be managed as operational land there is a process to go through and this requires the Minister's consent. There are safeguards in the Crown lands Management Act that defines when land can be classified as operational land.

Information and Privacy Commission Initiatives/GIPA Act – Elizabeth Tydd

- The GIPA Act applies to government organisations. If not considered a state-owned corporation e.g. WestConnex, the GIPA Act does not apply.
- There are mandatory pathways for information release under the GIPA Act
- Councils showed a 74% score for the overall release of information between 2010/11 and 2016/17.
- Councils should review the information they make publicly available – take a proactive approach in responding to GIPA applications – this may lead to a reduction in resource requirements.
- There has been a 20% increase in GIPA applications over the last 2 years.

- Councils data – 92% of applications were decided within the 20-day timeframe, 7% after 35 days and 2% were not decided. In comparison the SCCG member councils as a collective achieved 89% of applications determined on time.
- Where information requested under GIPA Act has been withheld – this has generally been denied under the legal privilege category.
- The IPC provides tools to agencies to monitor performance. The GIPA dashboard is another tool that Councils will be able to logon to free of charge to see the council sector report and individual council report.
- Open data e-learning module will be released in 2018.
- Determinations made under the GIPA Act provide in what circumstances what information can be asked for and what outcomes can be determined.
- There is a provision under the Act to declare applicants as vexatious.
- IPC has signed up to the International Open Government Partnership – will develop a national action plan which is independently assessed.

Q1. Is data captured and reported on costs of the GIPA Act application process on Councils/government? R. There is no requirement to report on costs, so this data is not captured.

Q2. Noted that the figures for Ministers completing GIPA applications is low? R - The data / categories are reported at a high level and does not drill down to the in-depth detail/reasons. There are not many Ministerial requests, and some are not responded to by the Ministers but are transferred out to other government departments.

Q1. What are the rules around not providing information regarding legal privilege? R – There are key requirements to claiming legal privilege including that the document asked for needs to be the subject of actual legal advice. There also needs to be a relationship between the solicitor and client (legal advisor). There is a factsheet on the IPC website that will assist in decision-making.

RESOLUTION

R2 That the presenters: David Clarke and Carl Malmberg from the Department of Industry (Crown Lands); and Elizabeth Tydd, Information Commissioner, Information and Privacy Commission NSW, be thanked for their respective presentations.

ITEM 3 - ADMINISTRATIVE MATTERS

3.1 CONFIRMATION OF MINUTES

The Draft Minutes of the Full Group Meeting held on 9 December 2017 were confirmed.

The Minutes from the SCCG Technical Committee held on 7 December 2017, and 22nd February 2018 were received.

The Minutes of the Executive Committee Meeting held on 15 February 2018 were received and noted and the following recommendations were adopted. Outcomes included:

- 1) The Executive Committee be consolidated into the Full Group creating one leadership group;
- 2) The Executive Committee meet as needed in the Interim;
- 3) The EO and Chairperson consider necessary changes to the SCCG Constitution for the consideration of the Full Group at the AGM/or special meeting.

3.2 BUSINESS ARISING

The EO provided an update on actions arising, noting that Cr. Rochelle Porteous had been nominated and confirmed as the SCCG Treasurer at the recent Executive Committee Meeting.

Noted that all other actions had been completed.

3.3 CORRESPONDENCE REPORT

Correspondence since the last meeting was received and noted.

3.4 FINANCE STATEMENTS

There were no queries regarding the Finance statements for 1 July – 31st December 2017. The Finance Statements were adopted.

3.5 SCCG HOSTING ARRANGEMENT

The Hosting arrangement of the SCCG post 30 June 2018 was discussed. The EO provided an update noting that all Councils had formally said no except for Inner West Council who is currently following up on potential locations.

Cr White noted that Northern Beaches Council may still be an option.

The EO stated that under the constitution, if no Member Council nominated to host, the Chairperson's council would become the host council. A meeting will need to be arranged with the Mayor and GM of Willoughby Council, should Inner West Council not be able to confirm hosting.

Other options open to SCCG were identified as being hosted by other NGO's, ROC's or State Government Departments, or leasing a commercial office space.

Confirmation deferred until the remaining council(s) provide a response to SCCG.

RESOLUTIONS

R3.1	Minutes of the Full Group Meeting on 9 December 2017 be confirmed.	(White/Neilson) Carried
R3.2b	Minutes of the Technical Committee Meeting 7 Dec 2017 and 22 Feb 2018 be received and noted.	(White/Neilson) Carried
R3.1c	Minutes of the Executive Committee Meeting on 15 Feb 2018 be received and noted and the resolutions adopted.	(White/Saville) Carried
R3.2	Business Arising from the 9 December 2017 Meeting be considered and noted.	(Saville /White) Carried
R3.3	The circulated correspondence be received and noted.	(Masselos/Hesse) Carried
R3.4	Finance Statements for 1 July-31st December 2017 be received and adopted.	(Masselos/Massey) Carried

ITEM 4 DISCUSSION ITEM

SCCG Consultations – SCCG Moving Forward: Draft Business Plan 2017-2019

The EO provided an update on the process involved in preparing the draft Business Plan, noting that the Draft Business Plan has been endorsed by Member Council GM's (or their delegate), and the Executive Committee at their recent meetings, including a financial model for 2018/19 which will fund two permanent staff and a part-time support officer, based on a base rate of \$27,724 + \$40/1000 residents.

The EO noted that the Business Plan was divided into three themes, with each theme incorporating four actions. An Implementation Plan has been developed for the Business Plan and will be reviewed at the next Executives Forum on 28 March.

In response to questions it was confirmed that the use of the term 'waterways' in the priorities did refer to ocean and estuarine environments, and that action 2.2 would review community programs and initiatives around plastics.

It was noted that SCCG would first look at expanding membership within Sydney before looking to invite councils through NSW (South, Central and North Coast).

RESOLUTION

R4 The final SCCG Business Plan be received and adopted.

(Masselos/White)
Carried

ITEM 5 ROUNDTABLE

Delegates provided a brief update on key initiatives.

Inner West:

- The Marrickville West Eco water garden project has taken seven years to finally come to fruition. It is a partnership between Council and the Department of Education to build a stormwater harvesting / treatment system on Marrickville West Public School property. The school and council have codesigned the project. The project includes educational teaching and an outdoor classroom and play area including a rain garden. This project site was used as a CRC Water Sensitive Cities case study site. For more information click [here](#).

Northern Beaches:

- Resource intensive negotiations are ongoing regarding damage caused by the June storms, issue around residents wanting to protect their property vs protecting the public interest and accessibility to the beach. Need for landowner's consent from Crown Lands to allow private protective measures to be built on Crown Land. Crown Lands have determined that individual applications will be dealt with on a case by case basis. There are currently three applications, one case is in court (section 55m Coastal Protection Act), one case – council can grant landowners consent as approved by Crown Lands, however before they put in protection works they will need to get land tenure from Crown Lands to proceed. Crown Lands may or may not give tenure. There needs to be a whole of government approach to resolving these issues.

North Sydney:

- The Coal Loader Platform launch is on Saturday 24 March – lots of fun activities and will top off the night celebrating Earth Hour.
- Joined the SSROC power performance agreement joint tender (renewables) and have renewed membership of the Better Business Partnership for another three years.
- China ban on recyclables as contamination rate is no longer acceptable. Council has a contractor who collects and owns the commodity upon collection, contractors who no longer have a market for recyclables may in the coming weeks claim they need to renegotiate contracts to cover costs or refuse to pick up bins – this could become a big issue for councils. The State Government may allow some stockpiling, otherwise recyclables risk being landfilled.

Randwick:

- Randwick has 13 stormwater harvesting systems used for irrigation. A Stormwater Working Group has been formed.
- The former Inglis Horse stables – agreement achieved to pipe water from their land to the neighbouring community gardens.
- Malabar Headland walk has been opened.
- Dune restoration being undertaken.
- A TUI (tube unit initiative) has been installed at Randwick beaches – this is a rescue device to assist in preventing drownings at times when the beaches are not patrolled by lifeguards. An alarm sounds, and an SMS alert is sent to emergency services if the device is removed.

Waverley:

- Working with Sydney Water on the Diamond Bay ocean outfall at Vaucluse. Community consultation to begin regarding options to deal with the three untreated sewage ocean outfalls. There is no budget for this and will be costly. Sydney Water is currently investigating if some of the volume can be diverted to the Bondi STP. A formal briefing will be provided by Sydney Water in the coming weeks.
- Waverley Cemetery walkway – Following the June 2017 repair costs of more than \$6 million with no state government disaster funding assistance.
- Rangers to be trained in waste compliance so they can become litter education ambassadors during holiday periods.
- Development of a buying co-op for cafes near beaches – ability for businesses to buy sustainable alternatives. Working with community group plastic free Bronte – tackling plastics e.g. minimising the use of straws.

N.B. Noted that North Sydney Council has identified a supplier of compostable dog poo bags. SCCG notes that Compost-A-Pak has a compostable dog poo bag available. Click [here](#) for more information. Please note Mosman Council has also used compostable dog poo bags and has dealt with various community views of the bags and their limitations.

Willoughby:

- GPT audit conducted across the LGA with \$520,000 pa allocated to upgrade GPT's.
- Reserve Action Plans have been reviewed – Youth Landcare retreat conducted.
- Forum held on plastics – partnered with the Wilderness Society and Greenpeace to prepare a plan.
- The Better Business Partnership has developed a program and community engagement strategy for the 'Bye Bye Plastic Hello BYO' program.

Woollahra:

- Single-use plastic bags banned for council events.
- Rose Bay working party established in December 2017 including RMS, Sydney Water and Local member to improve the water quality of Rose Bay. RMS has agreed to a beach cleaning schedule.
- Rose Bay seawall upgrade. Seawall at Rushcutters Bay – considering allowing an opening for direct access to the harbour.
- Party boats and noise issues – good policing response by RMS.

ITEM 6 - QUARTERLY ACTIVITIES REPORT

6.1 COLLABORATION

Get the Site Right

The MPP provided an update on the Get the Site Right Program noting that in the November 2017 campaign, 18 councils participated, inspecting 891 sites of which 60% were compliant and 40% non-compliant. In total \$212,146 in fines were issued.

The Campaign will be running again in May 2018. Letters have been sent to all member Council GM's and compliance staff inviting councils to participate in the May campaign.

Question was asked as to whether we can provide information on which sites were fined. This information has been collated but was not publicly released. It can be reported that three of our Member Councils issued fines for non-compliance (Bayside total fines issued - \$67,000, City of Sydney total fines issued - \$24,000, and Willoughby Council total fines issued - \$42,000). The remaining Member Councils issued warnings to developers during inspections. In total across the catchment groups – 48 sites of the 891 sites inspected received fines. One developer had 8 sites inspected across 3 LGA's and all of the 8 sites were found to be non-compliant.

Data on individual sites/offenders is not able to be publicly released, however, the Catchment Groups will be writing jointly to developers that were found to be non-compliant to raise awareness of correct erosion and sediment controls on their building sites and ensure they get the site right for the next campaign.

Summerama

The MPP also provided an update on the success of the Summerama Program, and its activities noting that a total of 75 activities were undertaken during January 2018, with nearly 5,000 attendees. The Summerama Outcomes Report will be provided on the website once finalised.

Other items taken as read as per Item 6.1 in the agenda papers.

6.2 CAPACITY BUILDING

The EO provide an update on the grant project 'Adapting Recreational Infrastructure for Climate Change'. An assessment Tool and decision-making framework has been developed and is currently in the testing phase with the assistance of Northern Beaches and Sutherland Council as case study examples. It was noted that the project and Tool will be presented at the NCCARF Climate Adaptation Conference 8-10 May.

Prof. Bruce Thom commented that SCCG should submit the Tool to the Office of Environment and Heritage as part of the Coastal Management Manual Toolkit.

6.3 ADVOCACY

The EO gave a brief update on the SCCG submissions since the last Full Group meeting. It was noted that the EO had taken part in an interview process with Treasury regarding future funding of the NSW Marine Estate Management Strategy.

Prof. Bruce Thom provided an update on the coastal reform process noting that the Coastal Management SEPP has been signed off by the Governor and is embargoed until 3 April. It was noted that there is \$83 million in grant funding available through the Coastal and estuaries grant program for the development and implementation of Coastal Management Programs.

The NSW Coastal Council will be operational by the next Full Group Meeting. Prof. Bruce Thom has been invited to provide a presentation as the Chair of the NSW Coastal Council at the June Full Group Meeting.

Other Items taken as read as per Item 6.3 in the Agenda Papers.

6.4 RESEARCH

The EO provided a brief introduction to the [CoastSnap](#) beach monitoring citizen science project, noting that there is an opportunity for Member Councils to participate by allocating a beach site(s) for expansion of the CoastSnap program. SCCG will be writing to all Member Councils in April.

Other Items taken as read as per Item 6.4 in the Agenda Papers.

ITEM 7 GENERAL BUSINESS

7.1 EXECUTIVE OFFICER RESIGNATION

The EO announced his resignation to the Group and read out his resignation letter, noting his last day as the 28 June.

The Chair on behalf of the Group thanked the EO for his years as the Executive Officer and expressed appreciation for his contributions, achievements, and investment in driving the Group over the last 20 years. The Chair wished Geoff Withycombe well for his future endeavours.

Prof. Bruce Thom also noted Geoff's contribution to not only the SCCG but to coastal management regionally, nationally and internationally.

The Executive Committee will meet to take the next steps in filling the Executive Officer position.

7.2 PROPOSED MEETING DATE FOR THE NEXT MEETING

The Chair thanked Inner West Council for hosting the Full Group meeting.

The next meeting of the Full Group will be held on **Saturday 23 June** 2018 at 12 noon.

Waverley Council has tentatively nominated to host the June Meeting (to be confirmed, with Randwick Council as an alternate host).

7.3 AGENDA ITEMS FOR NEXT MEETING

Agenda items can be provided to the Chairperson via the Executive Officer at least four weeks prior to the meeting.

RESOLUTION

- R7.2 Proposed Meeting dates be noted, and Waverley Council nominated as the host council for the June meeting (pending confirmation).
- R7.3 Potential speakers for the June Meeting identified as Professor Edward Kosior (plastics recycling), followed by Dr Mark Browne (plastics) and Gavin Birch (sediment pollution).

ITEM 8 EXTERNAL REPORTS (for information only)

8.1 BEACHWATCH REPORT

8.2 GREATER SYDNEY LOCAL LAND SERVICES UPDATE

Items taken as read.

The meeting closed at 4.20pm

Confirmation of Minutes:

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