



**KYOGLÉ COUNCIL**

**STATE  
OF  
THE  
ENVIRONMENT**

**ANNUAL  
SUPPLEMENTARY  
REPORT**

**2012**

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## **1.0 INTRODUCTION**

### **1.1 Purpose of the Supplementary Report**

New South Wales Councils are required by the *Local Government Act 1993* and the *Local Government (General) Regulation 2005* to produce annual Supplementary State of the Environment (SoE) reports every year in between preparing a Comprehensive SoE Report every four (4) years. Kyogle Council developed its last comprehensive report in 2009. This report has been prepared to fulfill that requirement and also to pull together all the activities undertaken by Kyogle Council over the last twelve months.

### **1.2 State of the Environment Reporting**

SoE reports are produced to record environmental trends and conditions at National, State, Regional and Local levels and to guide decision making and management of activities across all community sectors so that adverse environmental impacts can be avoided or addressed.

The reports achieve this through establishing indicators for the eight agreed sectors of the environment (listed in Table 1) and using these indicators to build and record environmental trends and conditions from which recommendations for action can be determined.

Subsequent reporting can consist of two components, firstly the updating of the indicators to further demonstrate trends, and secondly, reporting action to date in addressing recommendations.

Updating of indicators is dependant on the development and dissemination of information by a variety of organisations such as the Australian Bureau of Statistics, the Premiers Department, the Bureau of Meteorology, and National Parks and Wildlife, as well as Kyogle Council. In the period since the completion of the 2009 comprehensive report some of the information required has been obtained from the relevant parties such as the Department of Natural Resources and Office of Environment and Heritage, but other information required has yet to be updated or released. This, coupled with the slow rate of change of many of the indicators in a rural community, limits the usefulness of an indicator update at this point in time. It is more suitable, therefore, to focus in this reporting period on action taken to date in addressing the 38 recommendations contained in the 2009 Comprehensive SoE Report.

**Table 1: 2009 SoE Report Indicators for Environmental Sectors**

<b>ENVIRONMENTAL SECTOR / ISSUE</b>	<b>INDICATOR/S</b>
<b>BACKGROUND</b>	changes in land use and population
	population growth rates
	daily and extreme rainfall
	average max. and min. temperatures
	planning provisions to protect sensitive areas and areas in environmental protection zones
<b>LAND</b>	number of Development Consents
	changes in rural land use
	noxious weed cover
	number of identified contaminated sites
	number of remediated sites
<b>AIR</b>	number of premises with DECC(EPA) licenses
	number of complaints to Council
<b>WATER Drinking water</b>	compliance of water with NHMRC guidelines and recording variation
	volume and consumption
<b>WATER Freshwater and estuarine</b>	number of existing septic systems and new approvals per year
	length of riparian vegetation
	number of point source discharges to creeks and watercourses
<b>WATER Groundwater</b>	location and types of groundwater bores, wells etc.
<b>BIO-DIVERSITY</b>	extent and degree of change to native vegetation
	Threatened species, populations and ecological communities listed under the Threatened Species Conservation Act
	control of noxious animals and weeds
<b>WASTE</b>	total waste disposed
	total waste to landfill
	waste recycling
	components of domestic waste
	capacity and projected life of landfill sites
<b>NOISE</b>	number of EPA licensed premises
	number of noise complaints to Council
<b>HERITAGE Aboriginal</b>	heritage listings (items and sites)
	heritage studies
<b>HERITAGE Non-aboriginal</b>	heritage listings (items and areas)
	heritage studies

## 2.0 RECOMMENDATIONS AND ACTIONS CONTAINED IN THE 2009 COMPREHENSIVE STATE OF THE ENVIRONMENT REPORT

### 2.1 Introduction

The 2009 comprehensive SoE Report was able to establish baseline information on environmental sector indicators and in many cases use information from previous years to show trends. This information was used to produce a series of recommendations for Council to act upon. These recommendations were either direct environmental action, or progress towards systems or data gathering that will help the SoE and environmental management process.

### 2.2 Outcomes

The following chart describes the recommendations, responsibilities, time frame, and priorities as well as summarising action to date Table 2 provides a key to the abbreviations used.

**Table 2: Outcomes chart abbreviations**

<b>Description</b>	<b>Meaning</b>
<i>Reference</i>	Reference code to corresponding action in 2009 comprehensive SoE Report
<i>Recommended Action</i>	What the action is
<i>Responsibility</i>	Who is to undertake action

  

<b>Code</b>	<b>Responsibility</b>
<i>Clrs</i>	Councillors
<i>Council</i>	Whole of Council
<i>CS</i>	Corporate Services
<i>P&amp;ES</i>	Planning and Environmental Services
<i>TS</i>	Technical Services

  

<b>Time Frame</b>	
<i>S</i>	Short (0-2 years);
<i>M</i>	Medium (3-5 years);
<i>L</i>	Long (6+ years)
<i>O</i>	Ongoing.

  

<b>Priority</b>	
<i>H</i>	High priority
<i>M</i>	Medium priority
<i>L</i>	Low priority

## ACTIONS SUMMARY CHART

Ref	Recommended Action	Responsibility	Timing		Outcomes
			Time frame	Priority	
	<b>Background sector</b>				
2.5.1	<b>Changes in land use, population and population growth rates</b> That Council continues to review population growth rates through Community Profiles and Social Plans after each Population and Housing Census.	P & ES	M / O	H	A comprehensive review of Community Profiles and Social Plan was completed in 2004. Current SoE report has incorporated Census Data.
2.5.2	<b>Climate</b> Council liaise with NSW Agriculture and Bureau of Meteorology to develop a monitoring regime to ensure consistent measurement of climatic parameters for rainfall and temperature.	P & ES	M	L	Implementation has not commenced.
2.5.3	<b>Planning</b> That in the preparation of the draft Local Environmental Plan consideration be given to identifying environmentally sensitive lands and providing protection by providing appropriate environmental protection zoning and provisions.	P & ES  Clrs		H	As part of the development of the Draft Kyogle Local Environmental Plan 2012 environmentally sensitive lands were identified and zoned accordingly or mapped with a biodiversity values overlay. Clause 7.2 of the LEP seeks to protect biodiversity in the LGA. The Draft LEP 2012 was approved by Council in August 2012 and is currently with the State Government for gazettal.
2.5.4	Council liaise with local Landcare and Rivercare groups, NSW Agriculture and Dept of Land and Water Conservation to encourage responsible land management on privately owned lands by identifying areas requiring environmental improvement and management and assist landowners where possible to adopt effective management practices that minimises potential soil erosion and water pollution.	P & ES  Clrs	L / O	L	Council has been an active participant of the Catchment Management process and continues to liaise with these groups to ensure that co-ordination of activities and initiatives is implemented. During 2012 Council has provided input to the development of the Draft Northern Rivers Catchment Action Plan 2013-2023.

Ref	Recommended Action	Responsibility	Timing		
			Time frame	Priority	
	<b>Land sector</b>				
3.6.1	<p><b>Number of development consents</b> Council continue to review type and number of development consents through the Consents Register and show the location of the consents, particularly land subdivisions on a map.</p>	P & ES	O	H	Council continues to maintain the Consents Register. Council has also produced quarterly reports on Development Consents for the purpose of periodic Management Plan Reviews.
3.6.2	<p><b>Changes in rural landuse, noxious weed cover, number of identified contaminated and remediated sites</b> Council liaise with NSW Agriculture, PP Board, Far North Coast County Council and Dept of Land &amp; Water Conservation to develop a spatial land Geographic Information System that is able to monitor changes in rural landuse to provide consistent measurement of changes.</p>	P & ES	L	M	Council continues to develop and maintain a GIS system that monitors changes in rural land use through the utilization of information supplied by the Department of Natural Resources (multi-attribute mapping program). Significant mapping has been prepared as part of the development of the Kyogle Rural Settlement and Urban Expansion Strategy and Draft Kyogle LEP 2012.
3.6.3	<p>The a spatial land Geographic Information System to be capable of recognising the following information layers:</p> <ul style="list-style-type: none"> <li>• locational of the range of rural agricultural land uses including grazing, dairying, cropping, horticulture, intensive animal establishments (cattle feed lots, piggeries, poultry farms), cattle tick dip sites, location of significant noxious weed infestation, and</li> <li>• location of rural holdings – 40+ ha, 5 – 40 ha, &lt; 5 ha, rural residential developments and rural landsharing communities.</li> </ul>	P & ES	L	M	<p>Council continues to develop and maintain a GIS system. At present many of the recommended features have been included as information layers such as:</p> <ul style="list-style-type: none"> <li>• Multi-attribute mapping</li> <li>• Intensive animal establishments</li> <li>• Contaminated Sites</li> <li>• Rural Settlement</li> </ul>

Ref.	Recommended Action	Responsibility	Timing		
			Time frame	Priority	
3.6.4	Council in conjunction with the NSW EPA and NSW Agriculture determine the number and status of cattle tick dip sites in the Kyogle Council area.	P & ES	M / L	H	In partnership with NSW Agriculture and its DIPMAC program, Council has identified and the number and status of dip sites in the Kyogle Council area. Since 2001 the number of cattle dip sites in use has decreased with an increase in the number of decommissioned sites.
3.6.5	Council investigate and implement the use of weed control methods that will minimise the use of chemicals, especially in areas adjacent stormwater drains and/or local waterways.	TS	M	M	Council conducts weed control through an eight Council partnership, the Far North Coast County Council. Non-chemical controls methods are always investigated as an option.
3.6.6	<b>Land – 1994 report data gaps</b> Council liaise with NSW Fire Brigade to establish a common inventory of compounds and chemical contained on commercial and industrial sites.	P & ES	M / O	M	Implementation has commenced through Council's involvement in the Stormwater Education & Assessment Program that enabled environmental auditing (initial information/education) of all commercial and industrial premises. This has provided the foundation for a formal audit program following the implementation of Council's Trade Waste Policy in 2010.
3.6.7	Council in liaison with the NSW Environment Protection Authority commence a program which identifies contaminated (eg dip sites, former banana lands etc) and unhealthy building lands on Council and private properties and establish a data base and show the location of these lands on a map.	P & ES	M / O	M	Council has developed a Development Control Plan for Contaminated Lands. Council has produced a property listing of contaminated lands.
3.6.8	<b>Land – outcomes of 1996 report recommendations</b> Council liaise with Dept of Land & Water Conservation to develop a spatial land Geographic Information System that is able to monitor changes in riverbank condition in particular existence of native riparian vegetation.	P & ES	L	M	Spatial information (multi-attribute) is prepared by Department of Natural Resources.



Ref.	Recommended Action	Responsibility	Timing		
			Time frame	Priority	
3.6.9	Council liaise with National Parks and Wildlife Service to develop a spatial land Geographic Information System that is able to show existing native and exotic flora characteristics of the Council area.	P & ES	L	M	OEH (National Parks and Wildlife Service) have provided the following information: <ul style="list-style-type: none"> <li>• Area of land subject to and number of Conservation Agreements – (1-78.24 ha.)</li> <li>• Changes in status of protected lands – 0 ha.</li> <li>• Number of Endangered and Threatened Species – White Gum Moist Forest in NSW North Coast, due to loss of hollow- bearing trees.</li> </ul>
3.6.10	Council liaise with NSW Rural Bushfire Services and Dept of Land & Water Conservation to develop a spatial land Geographic Information System that shows lands subject to high and medium bushfire risk and the location and type of bushfires.	P & ES TS	M	M	A spatial Geographic Information System layer that shows lands subject to high and medium bushfire risk has been developed.
3.6.11	Council liaise with Dept of Land & Water Conservation to develop a spatial land Geographic Information System that is able to show steep lands and lands with medium to high potential for erosion.	P & ES	L	M	The multiattribute mapping component of Council's GIS has the ability to show steep lands and lands with medium to high potential for erosion.
	<b>Air sector</b>				
4.3.1	<b>Number of air and noise complaints to Council</b> Council continues to enforce and police air pollution legislation. Such as Smokey chimneys	P & ES	O	M	Council continues to fulfill its statutory obligations under the <i>Protection of the Environment Operations Act</i> and its Regulations
4.3.2	Council establish a formal register of air and noise pollution complaints.	P & ES	S/O	M	Council has introduced additional components to its data management system that enables registration of all forms of complaints.

Ref.	Recommended Action	Responsibility	Timing		
			Time frame	Priority	
	<b>Water sector</b>				
5.6.1	<b>Drinking water - compliance of water with NHMRC guidelines and recording variations</b> Council continue to monitor quality of drinking water in accordance with standards developed by NSW Health.	P & ES  TS	O	H	Kyogle Council continues to monitor reticulated water supplies in accordance with NHMRC Drinking Water Quality Guidelines and NSW Department of Health Program. Comparative water quality results are reported to NSW Health and the Department of Energy Utilities and Sustainability (DEUS).
5.6.2	<b>Drinking water - volume and consumption</b> Council continue to monitor volume of water consumed from its reticulated water supplies.	P & ES  TS	O	M	Council continues to monitor the volume of potable water delivered and consumption rates as part of annual returns to DEUS. Water used at each residence, comparative results are included within the report.
5.6.3	Council pursue water conservation within an Energy Efficiency DCP and develop a program to educate and encourage residents to reduce their water consumption and wastage, including promotion of costs benefits, appliances with good water conservation rating, installation of raintanks, indigenous gardens that need little watering, dip sprinklers instead of fixed and mulching and assist and encourage industrial and commercial businesses to undertake voluntary environmental water conservation audits.	P & ES	M	M	Council has continued to liaise with the Sustainable Energy Development Authority to initiate a program to incorporate energy efficient savings for the residents.  The State-wide legislative BASIX energy and water efficiency program continues to be implemented and expanded within development approval types each year.
5.6.4	Council undertake a water conservation audit of all Council buildings, facilities, maintenance and water practices, including cleaning techniques, lawn watering practices and cleaning of machinery and vehicles aimed at reducing Council's use of water and water wastage.	P & ES  TS	S / O	M	Implementation commenced with auditing activities completed for council water and sewage activities.

Ref.	Recommended Action	Responsibility	Timing		
			Time frame	Priority	
5. 6.5	<p><b>Freshwater - number of existing septic systems and new approvals per year</b></p> <p>Council record the number and location of approved new rural and unsewered village on-site sewage management systems and show this information on a map.</p>	P & ES	O	H	Council has developed and maintains a database of on-site sewage management systems and their approval status and performance following owner audit information or Council inspection. Properties serviced by on-site sewage management systems are mapped within the GIS.
5.6.6	<p>Council in liaison with Dept of Land &amp; Water Conservation develop a river quality monitoring program that includes stations located on the Richmond, Tweed and Clarence Rivers.</p>	P & ES	L	M	Council participated in the monitoring program – ‘Target Pesticides Monitoring Program’ a project jointly funded by the NSW Department of Health, Kyogle Council and Richmond Valley Council. No significant pollution incidents recorded.
5.6.7	<p><b>Number of ‘point’ source discharges to creeks and watercourses</b></p> <p>Council implement the urban stormwater management plan to provide at least primary treatment of stormwater prior to discharge to rivers and streams.</p>	TS	M	M	Council’s Urban Stormwater Management Strategy is completed and is being progressively implemented within Management Plan expectations.

Ref.	Recommended Action	Responsibility	Timing		
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5.6.8	<p>Council seek to raise awareness of practices that pollute waterways by encouraging and educating the community to:</p> <ul style="list-style-type: none"> <li>dispose of rubbish responsibly,</li> <li>wash cars on lawns or at commercial “green” car washes instead of on the street,</li> <li>report pollution incidents such as illegal chemical, oil and waste dumping to EPA and Council and poor development site erosion control measures to Council,</li> <li>become involved in community Streamwatch, and</li> <li>develop an educational kit for developers and the broader community.</li> </ul>	P & ES	M	M	<p>Council involvement in the Stormwater Education Assessment Project (funded by the EPA’s Stage 4 Stormwater Trust Grant) has achieved the following outcomes:</p> <ul style="list-style-type: none"> <li>voluntary stormwater audits for all industrial and commercial premises.</li> <li>Environmental training to Council operational staff.</li> <li>Implementation of internal environmental auditing activities.</li> </ul> <p>Initiation of integrated environmental management system.</p>
5.6.9	<p>Council require new developments to indicate how stormwater will be managed on the site both during and after construction, addressing the concerns of minimising runoff, collecting rainwater for secondary use, and minimising the velocity of runoff.</p>	<p>P &amp; ES</p> <p>TS</p>	S	H	<p>NSW planning requires new developments valued at over \$50,000 to capture storm water for house hold use before disposal to storm water system.</p> <p>All other construction sites within council area are required to implement storm water control in accordance with the NSW Blue Book for storm water.</p>
5.6.10	<p>That in the preparation of the draft Local Environmental Plan consideration be given to making provisions for riparian buffers of major rivers and creeks.</p>	P & ES	S	H	<p>Clause 7.3 of the Draft Kyogle LEP 2012 seeks to protect and maintain water quality, aquatic and riparian habitat and watercourse bank and bed stability. The Draft Kyogle LEP 2012 was approved by Council in August and is currently with the State government for gazettal.</p>
5.6.11	<p><b>Location and type of groundwater bores, wells etc.</b> Council liaise with Dept of Land &amp; Water Conservation to develop a spatial land Geographic Information System that is able to show the type and location of groundwater extraction points.</p>	P & ES	L	M	<ul style="list-style-type: none"> <li>Mapping is now incorporated into this report and groundwater and surface water extraction points are identified.</li> </ul>

Ref.	Recommended Action	Responsibility	Timing		
			Time frame	Priority	
	<b>Biodiversity sector</b>				
6.6.1	<p><b>Extent of protected areas (National Parks etc) within Council area &amp; significant areas of remnant vegetation</b></p> <p>Council liaise with National Parks and Wildlife Service to develop a spatial land Geographic Information System that is able to show existing reserved forest ecosystems.</p>	P & ES	L	M	<p>Office of Environment and Heritage (National Parks and Wildlife Service) have provided the following information:</p> <ul style="list-style-type: none"> <li>• Forest ecosystems and their conservation status</li> <li>• Number of introduced species in the National Park Estate</li> <li>• Number of threatened species, populations and ecological communities</li> </ul> <p>To assist in the preparation of this report. Council has the following information in its GIS system:</p> <ul style="list-style-type: none"> <li>• Regional vegetation mapping</li> <li>• LGA Flora and Fauna mapping</li> <li>• LGA Habitat Corridors</li> </ul>
6.6.2	Council considers undertaking an area wide flora study to show significant areas of native vegetation and wildlife and habitat corridors.	Clrs P & ES	L	L	Council has completed its Roadside Vegetation Management Plan. OEH (NP&WS) has the primary role to action this recommendation.
	Council liaise with the Regional Vegetation Management Committee to determine funding possibilities to assist to undertake an area wide flora study.	Clrs P & ES	L	M	Council is continuing participation within the Catchment Management planning process.
	<b>Waste</b>				

7.3.1	<p><b>Total waste disposed, total waste to landfill, waste recycling components of domestic waste</b> Council liaise with the NSW Environmental Protection Authority and undertake a waste characterisation study of existing landfill sites and prepare a waste minimisation strategy that seek to minimise and manage waste to landfill.</p>	P & ES	S	M	<p>Report provided to EPA every six months for licenced landfill sites in accordance with the <i>POEO (Waste) Regulation 2005</i> The report identifies waste composition, disposal quantities and materials recovered.</p> <p>Volumetric survey of waste landfilled conducted by Council every six month and information supplied to EPA in accordance with <i>POEO (Waste)Rregulation 2005</i>.</p> <p>Environmental Licenses have been issued for Kyogle and Woodenbong Landfills licence numbers 12124 and 13101. Kyogle landfill is currently operating in accordance with a Local Environmental Management Plan, amended 2009. A LEMP is under development for the Woodenbong facility.</p> <p>Kerbside recycling has been implemented within the Kyogle Council area allowing separation of dry recyclables from the waste stream.</p> <p>Kyogle Council has nominated to part of the WASIP and SWAP models in accordance with the <i>Waste Avoidance and Resource Recovery Act 2001</i> and the NSW Waste Strategy 2012 where target values in resource recovery are set for Council to achieve.</p> <p>As part of NEWASTE and WASIP council has developed a construction Waste Minimization Policy for Council adoption this policy if adopted shall enable Council to reach targets set for resource recovery by the WARR Act and NSW Waste Strategy.</p>
7.3.2	<p>Landfill Environmental Management Plan (LEMP) be prepared for Kyogle, Woodenbong and Bonalbo landfills.</p>	P & ES	S/O	M	<p>Landfill Environmental Management Plan (LEMP) has been implemented for the Kyogle landfill site as part of the licensing program.</p> <p>Operational plans are being developed for the Woodenbong Facility. Bonalbo is no longer a landfill facility.</p>

Ref.	Recommended Action	Responsibility	Timing		
			Time frame	Priority	
7.3.3	Develop a program to establish the category and composition of waste generated in Kyogle Council area.	P & ES	S	M	<p>Council records waste streams entering all its facilities in accordance with EPA requirements and provides six monthly reports to the EPA of its waste streams.</p> <p>Information and educational signage has been erected to improve overall site operations.</p> <p>Council plans to undertake a comprehensive survey of its waste streams in conjunction with NEWASTE in 2013</p>
	<b>Noise</b>				
8.3	Refer to 4.3.1 & 4.3.2	P & ES			Refer to 4.3.1 & 4.3.2
	<b>Heritage</b>				
9.5.1	<p><b>Aboriginal heritage - heritage listings (items and sites)</b></p> <p>Council liaise with NSW National Parks and Wildlife Service to undertake an Aboriginal Archaeological Study to objectively and professionally document and identify the Aboriginal heritage of the local government area.</p>	P & ES	L	H	A draft study of Aboriginal Heritage in the LGA has been completed.
9.5.2	<p><b>Non Aboriginal heritage - heritage listings (items and sites)</b></p> <p>That the comprehensive Local Environmental Plan for the Council area include the items of environmental heritage identified in the Kyogle Heritage study 1996.</p>	P & ES	S	H	The Draft Kyogle LEP 2012 includes a schedule of environmental heritage items and provisions that seek to protect environmental heritage.
9.5.3	Council liaise with the NSW Heritage Council to explore funding to establish a heritage advisory service.	P & ES	M	M	This recommendation may be pursued as part of the LEP implementation process.