

Notice of Meeting

Biodiversity Advisory Committee Meeting

A Biodiversity Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Cavanbah Centre, Ewingsdale Road, Byron Bay
Date	Thursday, 17 November 2022
Time	9.00am

Shannon Burt
Director Sustainable Environment and Economy

*I2022/1662
Distributed 10/11/22*



BYRON
SHIRE
COUNCIL

CONFLICT OF INTERESTS

What is a “Conflict of Interests” - A conflict of interests can be of two types:

Pecuniary - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-pecuniary – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Code of Conduct for Councillors (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

Remoteness – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in the Code of Conduct for Councillors.

Who has a Pecuniary Interest? - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of the person, or another person with whom the person is associated (see below).

Relatives, Partners - a person is taken to have a pecuniary interest in a matter if:

- The person’s spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. “Relative”, in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person’s spouse;
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter - however, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or

- (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - a person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Non-pecuniary Interests - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as of the provisions in the Code of Conduct (particularly if you have a significant non-pecuniary interest)

RECORDING OF VOTING ON PLANNING MATTERS

Clause 375A of the Local Government Act 1993 – Recording of voting on planning matters

- (1) In this section, **planning decision** means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
 - (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
 - (b) not including the making of an order under that Act.
- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document, and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

OATH AND AFFIRMATION FOR COUNCILLORS

Councillors are reminded of the oath of office or affirmation of office made at or before their first meeting of the council in accordance with Clause 233A of the Local Government Act 1993. This includes undertaking the duties of the office of councillor in the best interests of the people of Byron Shire and the Byron Shire Council and faithfully and impartially carrying out the functions, powers, authorities and discretions vested under the Act or any other Act to the best of one's ability and judgment.

CONFLICT OF INTERESTS

What is a “Conflict of Interests” - A conflict of interests can be of two types:

Pecuniary - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-pecuniary – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Code of Conduct for Councillors (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

Remoteness – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in the Code of Conduct for Councillors.

Who has a Pecuniary Interest? - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of the person, or another person with whom the person is associated (see below).

Relatives, Partners - a person is taken to have a pecuniary interest in a matter if:

- The person’s spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. “Relative”, in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person’s spouse;
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter - however, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or

- (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - a person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Non-pecuniary Interests - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as of the provisions in the Code of Conduct (particularly if you have a significant non-pecuniary interest)

Committee members are reminded that they should declare and manage all conflicts of interest in respect of any matter on this Agenda, in accordance with the [Code of Conduct](#).

RECORDING OF VOTING ON PLANNING MATTERS

Clause 375A of the Local Government Act 1993 – Recording of voting on planning matters

- (1) In this section, **planning decision** means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
 - (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
 - (b) not including the making of an order under that Act.
- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

OATH AND AFFIRMATION FOR COUNCILLORS

Councillors are reminded of the oath of office or affirmation of office made at or before their first meeting of the council in accordance with Clause 233A of the Local Government Act 1993. This includes undertaking the duties of the office of councillor in the best interests of the people of Byron Shire and the Byron Shire Council and faithfully and impartially carrying out the functions, powers, authorities and discretions vested under the Act or any other Act to the best of one's ability and judgment.

BYRON SHIRE COUNCIL

BUSINESS OF MEETING

1. APOLOGIES

2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 3.1 Adoption of minutes of Biodiversity Advisory Committee meeting held 15
September 2022 9

4. STAFF REPORTS

Sustainable Environment and Economy

- 4.1 Update of constitution following new members..... 16
4.2 Brunswick Valley Landcare Support Officer quarterly report April to June
2022..... 27
4.3 Biodiversity and Agriculture Projects Update..... 32

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

**Report No. 3.1 Adoption of minutes of Biodiversity
Advisory Committee meeting held 15
September 2022**

5

Directorate: Corporate and Community Services

Report Author: Heather Sills, Manager Corporate Services

File No: I2022/1660

10

RECOMMENDATION:

**That the minutes of the Biodiversity Advisory Committee Meeting held on 15
September 2022 be confirmed.**

15

Attachments:

1 Minutes 15/09/2022 Biodiversity Advisory Committee, I2022/1247 , page 11 [↓](#) 

20

Report

The attachment to this report provides the minutes of the Biodiversity Advisory Committee Meeting of 15 September 2022 .

Minutes of Meeting

Biodiversity Advisory Committee Meeting

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 15 September 2022
Time	9.00am



BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 15 SEPTEMBER 2022

Minutes of the Biodiversity Advisory Committee Meeting held on Thursday, 15 September 2022

File No: I2022/1247

PRESENT: Cr S Balson, Cr P Westheimer

Staff: Chloe Dowsett (Coast & Biodiversity Coordinator), from 9:30am

Liz Caddick (Biodiversity Team Leader)

Caitlin Weatherstone (Project Officer-Koala)

Claudia Caliarì (Biodiversity Projects Officer)

Esmeralda Davis (Acting Director Corporate & Community Services)

Shannon McKelvey (Executive Officer), 10:00am – 10:15am

Michelle Wilde (Minute Taker)

Community: Dave Rawlins (Brunswick Valley Landcare)

Liana Joseph

Stephen Millard

Cr P Westheimer (Chair) opened the meeting at 9:07am and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES:

Shannon Burt (Director Sustainable Environment and Economy), Sharyn French (Manager Environmental and Economic Planning), Cr S Ndiaye, James Jackson, Lindsay Murray

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

Dave Rawlins declared a pecuniary interest in Report 4.2. The nature of the interest being that Dave has employment with EarthScapes Consulting Pty Ltd who are contracted by Council for various projects. Dave is also contracted by Council for bush regeneration work. Dave Rawlins to submit a Conflict of Declaration Form / Pecuniary Interest Form.

BYRON SHIRE COUNCIL

BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 15 SEPTEMBER 2022

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Confirmation of minutes of the Biodiversity Advisory Committee Meeting held on 19 May 2022

File No: I2022/1176

Committee Recommendation:

That the minutes of the Biodiversity Advisory Committee Meeting held on 19 May 2022 be confirmed.

(Balson/Westheimer)

The recommendation was put to the vote and declared carried

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 Brunswick Valley Landcare Support Officer quarterly reports January to June 2022

File No: I2022/950

Committee Recommendation:

That the Brunswick Valley Landcare Support Officer quarterly report June 2022, is brought to next meeting.

(Balson/Westheimer)

The recommendation was put to the vote and declared carried

Report No. 4.2 Biodiversity and Agriculture Projects and Operations Update

File No: I2022/1112

Committee Recommendation:

That the Biodiversity Advisory Committee notes the report and requests a report for further information regarding the wild dog DNA results.

(Balson/Millard)

The recommendation was put to the vote and declared carried.

BYRON SHIRE COUNCIL

BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 15 SEPTEMBER 2022

Report No. 4.3 2021 Byron Coast Koala Activity Monitoring
File No: I2022/1118

Committee Recommendation:

That the Biodiversity Advisory Committee notes the 2021 Byron Coast Koala Activity Monitoring Report

(Westheimer/Balson)

The recommendation was put to the vote and declared carried.

Report No. 4.4 Byron Wetlands and Vallances Road Avifauna Survey 2021
File No: I2022/1178

Committee Recommendation:

That the Biodiversity Advisory Committee notes the Byron Bird Buddies Avifauna report at Attachment 1 (E2022/36650).

(Westheimer/Balson)

The recommendation was put to the vote and declared carried

There being no further business the meeting concluded at 10:50am

Report

At the 22 September 2022 Council meeting, two new members were appointed to the Biodiversity Advisory Committee bringing the number of community members to six.

Welcome to new members:

- 5
- David Milledge
 - Leonard Cronin

The previously adopted constitution (23 June 2022, Res 22-280) listed ‘up to five’ community members and has been updated to reflect six members.

Membership includes:

- 10
- 3 Councillors
 - 6 Community representatives
 - 1 Brunswick Valley Landcare representative

15 For your information, quorum is to constitute at least half the number of members plus one, one of which is to be a Councillor i.e. 6 members.

The updated constitution is attached and can also be found at [Advisory Committees - Byron Shire Council \(nsw.gov.au\)](https://www.byrongov.au/Advisory-Committees), under the Biodiversity Advisory Committee dropdown.

Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
1: Effective Leadership We have effective decision making and community leadership that is open and informed	1.2: Engage and involve community in decision making	1.2.4: Advisory Committees - Coordinate advisory committees to inform decision making on their areas of expertise	1.2.4.1	Coordinate and support Advisory Committees to assist with effective Council decision making

20

Recent Resolutions

- 22-280
- 22-518

Legal/Statutory/Policy Considerations

5 n/a

Financial Considerations

n/a

Consultation and Engagement

n/a

10

Report No. 4.2 Brunswick Valley Landcare Support Officer quarterly report April to June 2022

Directorate: Sustainable Environment and Economy

Report Author: Michelle Wilde, Project Support Officer

5 **File No:** I2022/1293

Summary:

This report tables the activities of the Landcare Support Officer quarterly report, from April to June 2022.

10 The Committee requested this June report be brought to this meeting as there were technical issues in viewing it in the 15 September meeting agenda.

RECOMMENDATION:

15 **That the Biodiversity Advisory Committee note the report.**

Attachments:

1 Brunswick Valley Landcare Support Officer report June 2022, E2022/72911 , page 30  

20

Report

5 Council provided an allocation of funds in the 2022/23 budget to continue to support the Brunswick Valley Landcare, Landcare Support Officer position for 1 day per week to deliver the Land for Wildlife Program and respond to customer enquiries.

Attached are the quarterly reports, April to June 2022, from the Brunswick Valley Landcare Support Officer, for the Committee’s reference.

Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	L2	CSP Strategy	L3	DP Action	L4	OP Activity
Community Objective 3: We protect and enhance our natural environment	3.2: Strive to become a sustainable community	3.2.2: Support community environmental and sustainability projects	3.2.2.5	Support Brunswick Valley Landcare to deliver the Land for Wildlife Program and biodiversity enquiries	Community Objective 3: We protect and enhance our natural environment	3.2: Strive to become a sustainable community

10 Recent Resolutions

N/A

Legal/Statutory/Policy Considerations

N/A

Financial Considerations

15 Funding allocated in 2021/22 budget.

Consultation and Engagement

N/A

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Report No. 4.3 Biodiversity and Agriculture Projects Update

Directorate: Sustainable Environment and Economy

Report Author: Lizabeth Caddick, Biodiversity Officer

5 **File No:** I2022/1472

Summary:

This report provides the Biodiversity Advisory Committee with an update on current projects and programs being undertaken by the Biodiversity team, including:



- 10 • Wildlife corridor mapping
 - Mapping restoration sites
 - Updates to vegetation and HEV mapping
 - Mapping fire-adapted ecosystems
 - Koala vehicle strike
 - Koala habitat restoration
 - 15 • Pest animal management (wild dogs, feral deer)
 - Bringing Back the Bruns
 - Keeping Cats Safe at Home project
 - 20 • Sustainable Agriculture Program
-

RECOMMENDATION:

That the Biodiversity Advisory Committee notes the update on current projects and programmes being undertaken by Council staff.

25

Attachments:

- 1 Assessment of Plant Community Type (PCT) Mapping in Byron Shire, October 2022, E2022/102992 , page 49 [↓](#) 
- 30 2 Keeping Cats Safe at Home - NSW RSPCA_BehaviourChangeStrategyReport_Final, E2022/105465 , page 58 [↓](#) 

Report

Wildlife Corridor Mapping

5 A Strategic Planning Workshop was held with Councillors on 6 October to discuss the implications of the Local Government Act management requirements for Community and Crown Land on wildlife corridor mapping.

The draft Wildlife Corridor System (Landmark 2022) will go on public exhibition from 31 October to 28 November, as per Council Resolution 22-366).

10 Public exhibition will run for 4 weeks and proposed housekeeping amendments to Council's Biodiversity DCP will be exhibited at the same time. The intent of these changes is to:

- Ensure that the definition of a wildlife corridor in the DCP reflects the new mapping,
- Ensure that management intent is clear for both corridors in rural and built-up areas.
- Ensure that management intent is clear for both vegetated and cleared parts of corridors.

15 Other Mapping Projects

Updates to Vegetation and HEV mapping

20 *Biodiversity Conservation Strategy Actions: 1.14: Update and maintain Council's vegetation and HEV mapping with revised Plant Community Types (PCTs) and current aerial photography; 1.19 Update vegetation mapping to clearly identify recently listed threatened ecological communities.*

25 Council's 2017 High Environmental Value (HEV) and Vegetation mapping were updated in May 2022 to reflect ground truthing of approximately 250 sites carried out as part of the C-Zone review. Earthscapes Consulting are now undertaking further updates to vegetation mapping, funded by a \$24,000 grant from NSW DPE Biodiversity Conservation Division. Updates include: updating the mapping with revised Plant Community Types (NSW State Vegetation Type Mapping), and clearly identifying recently listed threatened ecological communities (Coastal Swamp Oak and Coastal Swamp Sclerophyll Forest).

30 Progress to date includes a review of the recently released Plant Community Types (NSW State Vegetation Type Mapping) against Byron Shire Council 2021 Vegetation Mapping (Attachment 1) Findings of this review include:

- Ground truthing of 238 random points was used to assess the accuracy of the latest PCT mapping and to compare it to BSC 2021 Vegetation Mapping.
- Areas targeted included the high development area around Skinners Shoot and Byron Bay), fragmented landscapes (Myocum, Mullumbimby, Yelgun, The Pocket, Billinudgel); Hinterland areas with large extents of remnant vegetation landscape (Huonbrook and Wilsons Creek) and Big Scrub remnants.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

- Ground truthing indicated that in 63% of sites (150 sites) the PCT mapping was correct, and in 25% of sites (59 sites) PCT mapping was not correct or partially correct. The remaining 29 sites were inaccessible for ground truthing.
- 5 • While the majority of the PCT mapping is accurate, the review indicates that the BSC 2021 Vegetation Mapping has a far higher level of accuracy. This is unsurprising given that this mapping was undertaken by local experts with extensive local experience and expertise.
- 10 • A key difference is that most camphor laurel dominated areas have not been mapped in the PCT mapping. While camphor is exotic, it is still considered to provide important habitat and connectivity for some fauna, it has good restoration potential, and can include up to 50% native rainforest species in the understory. Water and plantations are also not included in the PCT mapping although these too have important wildlife habitat benefits.
- 15 • Floristic composition of PCTs are generally broader than the BSC 2021 mapping, which is again unsurprising given that the BSC mapping was assessed at site level in most areas whereas PCTs are defined and mapped across NSW.
- 20 • BSC mapping also includes data on vegetation condition (e.g. regrowth, old growth) and canopy cover, which provides information on the status of the community under threatened species legislation, and helps guide restoration priorities.
- 25 • The report also notes that the PCT mapping isn't always accurate for highly complex vegetation communities, particularly the Big Scrub remnants. On-ground assessment is required to confidently validate all the Big Scrub remnants in Byron Shire.
- 30 • However, while the PCT mapping is not as accurate as the BSC 2021 mapping, it remains a useful resource. For many shires in Northern NSW it is an improvement on existing vegetation mapping and it represents uniform mapping of vegetation across LGAs, which is extremely helpful for other regional habitat mapping projects. The PCT mapping also provides a very comprehensive list of canopy, midstorey and understorey species that may be present in each vegetation type, which is a useful resource for bush restoration. The PCT mapping also includes a pre 1770 vegetation formations layer, which is also a useful guide for restoration in heavily cleared landscapes.
- 35 • The next stage of this project is to review and update Council's HEV (High Environmental Value) mapping, based on changes to vegetation mapping and a review of current HEV criteria. Earthscapes are working closely with DPE Biodiversity Conservation Division to progress this.

40

Updates to Byron Shire Threatened Species Lists

Biodiversity Conservation Strategy Action **1.11**: Conduct a review of Byron Shire's biodiversity values as a baseline for ongoing biodiversity monitoring. Including updated Byron Shire flora and fauna lists and Status of threatened flora and fauna.

- 5 Landmark Ecological Services have developed threatened species lists, to update those that were included in the 2004 Byron Shire Biodiversity Conservation Strategy. These lists are being added to Council's website and will provide a useful resource to anyone wanting to find out more about the Shire's threatened flora and fauna. Because they are in digital format, it will be easy to update them where status changes occur.

10 Identifying open forest ecosystems for ecological restoration

Biodiversity Conservation Strategy Action **4.4** Identify priority open forest ecosystems requiring restoration through the reintroduction of fire.

- 15 This project, funded by a \$11,000 grant from NSW DPE Biodiversity Conservation Division, is using GIS, expert elicitation and ground truthing to identify and mapping open forest ecosystems in Byron Shire that would benefit from the reintroduction of ecological fire management. In fire-dependent ecosystems (including Eucalypt, Brush Box and Paperbark forests and also heathlands), regular fire is needed to maintain shade-intolerant plant communities and fauna habitat, promote germination of open forest species and maintain canopy tree health, through maintaining appropriate soil chemistry and reducing the risk of Bell Miner Associated Dieback.

To date GIS assessments and fire interval mapping have been completed and a draft restoration potential map produced. Next steps are to confirm participants in expert elicitation and conduct ground truthing to validate draft map.

- 25 The map will assist Council and Landcare Groups to identify future priority ecological restoration sites. It will also support the current Good Fire project (funded by InGrained foundation), which aims to build capacity for community to carry out eco-cultural burns in open forest types.

Koalas

Koala Vehicle Strike

- 30 Unfortunately 2022 has continued to be a bad season for koala vehicle strike, with 13 koalas hit and 10 killed in Byron Shire this Spring, including multiple females carrying joeys. Council and Bangalow Koalas are continuing to work together to spread the message to encourage people to slow down on the roads. A variable message sign was installed temporarily on Broken Head Rd, from August to end October, and we received
35 NSW State Government for a grant of \$15,440 to trial the use of relocatable variable message signs at black spots in the shire over this breeding season. Two trailer-mounted VMS are being deployed for 4 weeks at each of 4 sites to alert drivers about wildlife. Traffic data loggers will also be installed to monitor the effectiveness of the signs, using traffic speeds as a surrogate. To date signs have been deployed at Coolamon Scenic Drive and Granuaille Rd. They will be moved to Lismore Rd and Broken Head Rd in
40

November/December. We are using traffic data loggers to monitor impact of the VMS on vehicle speeds.

5 Geolink have been engaged by DPE to develop a Feasibility Assessment for koala vehicle strike mitigation measures in the key road-strike black spot that extends from Granuaille Rd to Lismore Rd, coming into and out of Bangalow. Biodiversity and Infrastructure Services staff will be meeting with Geolink and Transport for NSW representatives to discuss options over the next months.

Staff are also investigating costs and feasibility for use of relocatable solar-powered LED radar speed signs at key wildlife black spots in the shire.

10 Koala Habitat Restoration

The 2022 Koala Habitat Restoration project is progressing with a NSW Koala Strategy grant of \$101,211. Six restoration / planting sites confirmed, landholder and contractor agreements have been finalised and planting is in progress.

15 Also currently negotiating additional funding from NSW Koala Strategy to support maintenance and ongoing restoration at several existing koala habitat restoration sites in the shire.

Barbed Wire

RESOLUTION NUMBER: 21-342

- 20
1. That Council reviews its use of barbed wire on Council properties with a view to improving the conservation and protection of animals.
 2. That Council works with key stakeholders to develop an information and education program for the community and landowners in order to:
 - a) review the impacts of barbed wire on native fauna and
 - 25 b) provide ideas for alternatives to barbed wire or measures to mitigate the impacts.
 3. That this issue be referred to the Biodiversity Advisory Committee for further consideration.

30 The use of, and need for, barbed wire fencing, has been discussed with Council Open Space staff and with local farming representatives via the Agriculture Cluster Group (meeting 9/10/2021). Barbed wire is generally not used on Council land and Open Space managers are replacing barbed with smooth wire as and when fencing replacements are needed.

35 Standard farm fencing, for cattle is 5-strand barbed wire. Local farmers advise that barbed wire fencing is often the only effective way of keeping cattle within a property and off of roads, particularly in situations where cattle are frightened, e.g. when chased by dogs.

5 However, there are opportunities to use smooth, rather than barbed, fencing, or electric fencing, on internal fences, and to use smooth wire for the top strand of perimeter fences. The top strand is generally where the most wildlife impacts occur. Using smooth wire for the bottom strand can also benefit wildlife, but is not practical in fields with young calves as they can get through this. There are likely many properties in the shire that have old barbed wire fences in situ that aren't really necessary as cattle are no longer on these properties.

Recommended actions include:

- 10 - Encouraging landholders who aren't keeping livestock to remove old, unnecessary barbed wire fences.
- Encouraging farmers to replace top and (where possible) bottom wire strand with smooth wire when the next repair their fences.
- Working with local fencing contractors to encourage them to provide smooth strand wire as a fencing option.

15 The biodiversity team is fortunate to be having a university intern join our team in December-March, who is an environmental science student with a communications background. Among other things, she will be looking at developing some communications materials that Council can use to promote use of smooth strand wire.

Pest Animal Management Program

20 Following the February-March floods there have been an increased number of requests for help with pest animal management on private land. Council is engaging with neighbouring local councils to develop a strategy for more collaboration and alignment with pest management issues. Lead by Byron Shire Council, the first meeting was on 19th October with representants from Tweed, Kyogle, Ballina, Lismore with apologies from Clarence and Richmond.

Wild Dogs, Cats and Foxes

30 As consequence from the floods in the landscape, the number of invasive species is expected to increase. To be able to provide to our community more resources to tackle the issue, Council is investigating grants to provide support private landholders with feral animal control.

Indian Myna

35 In collaboration with BVL we wrote a media release for BVL newsletter (end of September) explaining how community members can engage with Council for Indian Myna trapping on private property and how to report through FeralScan. In a month we had 6 enquiries from community members interested in trapping Myna's in their property.

Feral Deer

5 The Regional Feral Deer Officer (hosted by Tweed Shire Council) is organising a meeting between local government representatives, and is preparing a series of materials to be released as a landholder awareness campaign to be launched soon. The key objective is to provide the region with a simple and consistent message.

Keeping Cats Safe at Home' Project - RSPCA NSW

10 Byron Shire Council are one of 11 Councils taking part in the [RSPCA NSW Keeping Cats Safe at Home project](#). The Keeping Cats Safe at Home project aims to promote [responsible cat ownership](#). It will do this by educating and encouraging cat owners to keep their cats safely contained at home to enhance their welfare and reduce the impacts that cats have on wildlife. We will be sharing insights and inspiration, advice and answers about cat safety and cat enrichment to effectively extend and enhance the lives of cats across New South Wales. This campaign is all about loving cats as indoor pets, celebrating the people who love their cats and motivating cat lovers to keep their feline companions safe and fulfilled. It will include a tailored behaviour change strategy, which will be developed based on extensive consultation with stakeholders, especially cat owners.

15 The project will be delivered by RSPCA NSW with support from Council, and will provide up to \$90,000 in incentives for cat owners over the period of the project. Project activities and incentives will be informed by [community consultation](#) and might include:

- A [social marketing campaign](#) using traditional and social media.
- Education visits for local schools.
- Community engagement events for cat owners such as Safe, Happy Cat Days.
- Up to \$90,000 in incentives for cat owners such as [free or subsidised de-sexing](#), [cat enclosures](#) or modified fencing, and behaviour and enrichment advice for keeping cats happy at home.
- Other engagement initiatives such as [GPS cat-tracker collars](#) to allow local cat owners to understand the movement of their cat.

25 The project will run from 2021-2025 and has been assisted by the NSW Government through its Environmental Trust.

Surveys and data collection to date:

- RSPCA has consulted with Council partners and other stakeholders including animal welfare organisations, wildlife rescue groups and veterinarians, to understand priorities, interests, conflicts and behaviours in each project area.
- RSPCA have collected data from the community via phone and online surveys (refer Attachment 2).
- RSPCA NSW has used the data collected during the initial stage of the project to develop specific strategies for each of the 11 councils.
- Council has engaged with a researcher to help with the data collection to evaluate the efficiency of a new phase of the campaign Keep Cats Safe. As part of the research cameras have also been set up across the shire to monitor for roaming

cats and roaming cat transect surveys were carried out with support from Council staff in October.

Byron Shire Council and RSPCA NSW are now undertaking the following as part of our specific strategy –

- 5 • Partnering with Catnets (they sell nets and cat enclosures) and to offer a 15% discount code to cat owners – being promoted via Council’s media unit and customer service area and in vet waiting rooms. To date there has been low interest in this program.
- 10 • Partnering with Vetlove Billinudgel to offer funding free desexing and microchipping (funded by the project). The aim is to target stray cats and kittens that people have taken on, or multiple cat households. However, any cat owner living in Byron Council area is eligible. In the first instances, approval has been given for Pets for Life and Animal Welfare League to use the first 30 spaces.

15 In addition to the above, Council are participating in the ‘Adopt a Stray’ program with the Cat Society of NSW. This program targets residents who have adopted a stray cat or are considering adopting one and allows them to desex, vaccinate, microchip and obtain lifetime rego for a cat for \$50.

Bringing Back the Bruns

20 The Federally funded *Fish Habitat Restoration Project* on the Brunswick River has been delayed this year due to complexity of permitting and. Pending suitable weather, erosion control works by Soil Conservation Service will commence once all approvals have been obtained. Due to constraints within the planning framework, development assessment and approval was required which has delayed the timeframe for implementation of the works.

25 Subsequent to the river stabilisation works, riparian revegetation will be carried out with the help of Ozfish and the Brunswick Heads Angling and Deep-Sea Fishing Club.

30 The project is being developed in partnership with North Coast Local Land Services (NCLLS). NCLLS are managing the design, supply and construction. Council will manage the landholder and community engagement components. The property is just downstream from Mullumbimby, behind ‘The Paddock’. The landowner will be contributing a considerable amount to the project in fencing and re-vegetation, with Council providing in-kind contribution.

35 A new opportunity has arisen with Local Land Services to bring Council into the State-wide River Rehabilitation Project. \$200,000 have been allocated to Byron Shire Council this year, to rehabilitate priority river erosion sites impacted by the recent floods. Part of this money is going to riparian restoration (sites are yet to be determined). A project working group has been established to prioritise sites for works this year.

40 Council’s bush regeneration team is currently working on 57 bushland sites (238 Hectares) across the shire. The total area being worked by Council’s bush regeneration team along the Brunswick River is 14 sites, 57 Hectares and 6,260m of river bank. The work conducted on these sites included tree planting, installation of nest boxes, weed control

and fencing to exclude stock from riparian areas. This is set to increase in the near future with recent funding provided by Local Land Services to address priority erosion sites.

Researching the Impacts of Recreational and Tourism Uses on Coastal Biodiversity, Wildlife and Habitats

5 Council has engaged consultant BMT WBM to carry out this study as a component of developing Council's Coastal Management Programs. Targeted stakeholder consultation has been undertaken including with members of the Biodiversity Advisory Committee and the Coast and ICOLL Advisory Committee.

10 The results of the desktop research and stakeholder consultation are currently being used to map 'Key Recreational Use Impact Sites' categorised by biodiversity value and known/potential recreation and tourism impacts.

The next steps of the project will be to:

- 15 • Undertake a risk assessment to determine the vulnerability of local biodiversity values and identify local biodiversity values most vulnerable to recreation and tourism.
- Prioritisation of 'Key Recreational Use Impact Sites' in the study area.
- Develop a monitoring program for priority 'Key Recreational Use Impact Sites' and explore potential opportunities to involve citizen science in future monitoring efforts.
- Undertake a baseline survey focusing on poorly documented sites.
- 20 • Develop strategic management recommendations to support sustainable coastal use planning.
- Prepare report and present to Council's Coastal and ICOLL Advisory Committee. BAC members will be invited to attend this presentation online.

Opportunity will be provided to Committee members to comment on the draft report.

25 **Sustainable Agriculture**

The Byron Farmers Network database now has 330 members and is an excellent resource to share information and advice with the growers community, for both Council and other agencies that work to support farmers in the region.

30 The farm extension program is ongoing, with visits, emails and phone conversations with local producers to provide support, advice and information. Council is currently working with 'The Farm' to develop a pilot farmer incubator program, aimed at supporting local people who would like to break into the sustainable farming industry. We are also working closely with Santos Organics to assist development of their local food program, and investigating other options to create and encourage local food security in the shire.

SmartFarms

The Smart Farms project is now complete and the final report has been submitted.

Outputs of the project include:

Starting Out! *An introductory guide to farming in the Byron Shire.*

- 5 The 75 page full colour handbook provides an overview of some of the key areas in rural land management for small farms and who to contact for assistance and advice when making their farming decisions. It includes 10 Local Stories that describe a number of different successful farming enterprises in the Shire and includes tips on starting up, who to contact and how to do it. 500 copies of the handbook were printed and it is available on-
- 10 line. It has been distributed to rural stores and producer groups for further distribution. Feedback from people in the industry and rural landholders that have seen the book has been very positive.

https://www.byron.nsw.gov.au/files/assets/public/hptrim/grants-and-subsidies-applications-successful-applications-smartfarms-2019/digital_bsc-handbook_final_rev01.pdf

- 15 SmartFarms farmer workshops were a great success. A series of 6 farm workshops has been held. Topics include:

- Soil our National Capital (21+23 June 2021) 40 attendees, 5 presenters
- Integrated Pest Management (8 April 2022) 11 attendees, 2 presenters
- Trees for land (8 May 2022) COVID limited-10 attendees, 1 presenter
- 20 • You and your land (10 June 2022) 20 attendees, 4 presenters
- How to monitor your soils (20 August 2022) 22 attendees, 2 presenters
- Rehydrating your landscapes (2 September 2022) 20 attendees, 1 presenter

The workshops promoted productivity and sustainability via biodiversity/soil health. A total of 123 people attended, learning from experts how to plan and sustainably manage their farms.

25 The Smart Farms Mentoring Program – The program was delivered in two parts.

- 1) 4 farming leaders that are innovative and successful in their field of farming were identified to lead field days on their properties and maintained an open door/phone policy for the participants of the day. Farming topics included:
- 30
- Regenerative Grazing
 - Organic horticulture/vegetables
 - Agroforestry and chickens
 - Biological macadamia farming

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

5 mentees participated in the Southern Cross University Regenerative Agriculture Mentoring Program (RAMP). RAMP aims to facilitate and support farmers to make the transformational change from traditional to regenerative agricultural principles and practices. Glen Chapman, a regenerative farming planner and expert, maintains regular contact in person and by Zoom with the 5 mentees to assist with their individual requirements.

Combating Pests and Weeds Grant (Commonwealth) 2020 - Agricultural advice, weed and pest animal control in Byron Shire

This project finished in April 2022. The film clip: Regenerative Farming A resilient future for Byron Shire cc - YouTube is now on Council's website and has also been distributed through Regenerative Agriculture Group, Young Farmers Connect, Northern Rivers Food, Local Land Services, Regrarians Network and The Greens - Sue Higgins, <https://www.cv-4h.org/sustainable-agriculture.html#/>. With over 1000 views via 2 you tube listings.

15 Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
2: Inclusive Community We have an inclusive and active community where diversity is embraced and everyone is valued	2.2: Enhance safety and contribute to the physical, mental, and spiritual health and well being of our people	2.2.4: Companion animals - Promote awareness of the requirements of the Companion Animals Act with respect to the ownership of companion animals	2.2.4.3	Facilitate companion animals education
3: Nurtured Environment We nurture and enhance the natural environment	3.1: Partner to nurture and enhance our biodiversity, ecosystems, and ecology	3.1.1: Native species - Use best practice land management to improve ecological resilience and reduce	3.1.1.1	Partner with DPE to implement koala vehicle strike mitigation in Byron Shire as part of the NSW Koala Strategy 2022-2026.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
		threats to biodiversity		
3: Nurtured Environment We nurture and enhance the natural environment	3.1: Partner to nurture and enhance our biodiversity, ecosystems, and ecology	3.1.1: Native species - Use best practice land management to improve ecological resilience and reduce threats to biodiversity	3.1.1.2	Engage with the community regarding mitigating threats to koalas.
3: Nurtured Environment We nurture and enhance the natural environment	3.1: Partner to nurture and enhance our biodiversity, ecosystems, and ecology	3.1.1: Native species - Use best practice land management to improve ecological resilience and reduce threats to biodiversity	3.1.1.3	Partner with Regional Koala Group to progress koala conservation in Northern Rivers region.
3: Nurtured Environment We nurture and enhance the natural environment	3.1: Partner to nurture and enhance our biodiversity, ecosystems, and ecology	3.1.1: Native species - Use best practice land management to improve ecological resilience and reduce threats to biodiversity	3.1.1.9	Seek funding to implement the Biodiversity Conservation Strategy, Coastal Koala Plan of Management and Flying Fox Camp Management Plan.
3: Nurtured Environment We nurture and enhance the natural environment	3.1: Partner to nurture and enhance our biodiversity, ecosystems, and ecology	3.1.2: Pest and weed management - Use best practice land management to improve ecological	3.1.2.1	Implement Dog, fox and cat trapping program.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
		resilience and reduce threats to biodiversity		
3: Nurtured Environment We nurture and enhance the natural environment	3.1: Partner to nurture and enhance our biodiversity, ecosystems, and ecology	3.1.2: Pest and weed management - Use best practice land management to improve ecological resilience and reduce threats to biodiversity	3.1.2.3	Participate in Northern Rivers Feral Deer Management group.
3: Nurtured Environment We nurture and enhance the natural environment	3.1: Partner to nurture and enhance our biodiversity, ecosystems, and ecology	3.1.3: Habitat restoration - Restore degraded areas that provide high environmental or community value	3.1.3.1	Update Byron Shire habitat restoration database and DPE Koala Habitat Restoration Archive.
3: Nurtured Environment We nurture and enhance the natural environment	3.1: Partner to nurture and enhance our biodiversity, ecosystems, and ecology	3.1.3: Habitat restoration - Restore degraded areas that provide high environmental or community value	3.1.3.3	Implement 2022 Koala Habitat Restoration Project.
3: Nurtured Environment We nurture and enhance the natural environment	3.1: Partner to nurture and enhance our biodiversity, ecosystems, and ecology	3.1.3: Habitat restoration - Restore degraded areas that provide high environmental or community value	3.1.3.4	Investigate grant opportunities for improving the Brunswick Estuary ecosystems and river health.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
		I or community value		
3: Nurtured Environment We nurture and enhance the natural environment	3.1: Partner to nurture and enhance our biodiversity, ecosystems, and ecology	3.1.3: Habitat restoration - Restore degraded areas that provide high environmental I or community value	3.1.3.5	Deliver Federal Fish Habitat Restoration Project
3: Nurtured Environment We nurture and enhance the natural environment	3.2: Deliver initiatives and education programs to encourage protection of our environment	3.2.3: Planning - Plan to improve the quality of the natural environment	3.2.3.1	Update flora and fauna lists for the shire, including status of threatened flora and fauna.
3: Nurtured Environment We nurture and enhance the natural environment	3.2: Deliver initiatives and education programs to encourage protection of our environment	3.2.3: Planning - Plan to improve the quality of the natural environment	3.2.3.2	Update Byron Shire Vegetation and HEV mapping
3: Nurtured Environment We nurture and enhance the natural environment	3.2: Deliver initiatives and education programs to encourage protection of our environment	3.2.3: Planning - Plan to improve the quality of the natural environment	3.2.3.3	Participate in regional coastal and environmental working groups and initiatives
3: Nurtured Environment We nurture and enhance the natural	3.2: Deliver initiatives and education programs to encourage	3.2.3: Planning - Plan to improve the quality of the	3.2.3.4	Identify priority open forest ecosystems requiring restoration through the reintroduction of fire.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
environment	protection of our environment	natural environment		
3: Nurtured Environment We nurture and enhance the natural environment	3.3: Protect the health of our coastline, estuaries, waterways, and catchments	3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation	3.3.1.5	Research the effects of recreational uses on coastal biodiversity and habitats
4: Ethical Growth We manage growth and change responsibly	4.3: Promote and support our local economy	4.3.5: Regenerative agriculture - Develop and implement strategies to support regenerative agriculture, agri-business and farmers	4.3.5.1	Maintain and update Byron Shire Farmer database.
4: Ethical Growth We manage growth and change responsibly	4.3: Promote and support our local economy	4.3.5: Regenerative agriculture - Develop and implement strategies to support regenerative agriculture, agri-business and farmers	4.3.5.2	Provide extension services to farmers to support and promote sustainable agriculture.
4: Ethical Growth We manage growth and change	4.3: Promote and support our local economy	4.3.5: Regenerative agriculture - Develop and implement	4.3.5.3	Deliver farmer mentoring and farmer education activities.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
responsibly		strategies to support regenerative agriculture, agri-business and farmers		

Recent Resolutions

RESOLUTION NUMBER: 22-366

- 5 1. That Council endorses the Byron Shire Wildlife Corridor System for public exhibition, with proposed updates to Council's Biodiversity DCP (as set out in this report) included as supporting information.
2. That following exhibition, Council receives a submissions report to consider key issues raised and formally adopt the new Wildlife Corridor System.
3. Following completion of '2' above, that Council:
 - 10 a) update DCP Chapter 'B1 – Biodiversity' to reflect the adopted Wildlife Corridor Map and any additional supporting amendments; and
 - b) exhibit the DCP chapter updates in accordance with relevant legislative requirements.

RESOLUTION NUMBER: 21-342

- 15 1. That Council reviews its use of barbed wire on Council properties with a view to improving the conservation and protection of animals.
2. That Council works with key stakeholders to develop an information and education program for the community and landowners in order to:
 - 20 a) review the impacts of barbed wire on native fauna and
 - b) provide ideas for alternatives to barbed wire or measures to mitigate the impacts.
3. That this issue be referred to the Biodiversity Advisory Committee for further consideration.

25 Legal/Statutory/Policy Considerations

N/A

Financial Considerations

Where relevant, budgets for specific projects noted above.

Consultation and Engagement

N/A

5

