

# Notice of Meeting

## Coast and ICOLL Advisory Committee Meeting

A Coast and ICOLL Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Conference Room, Station Street, Mullumbimby
Date	Tuesday, 14 February 2023
Time	2.00pm

Shannon Burt  
Director Sustainable Environment and Economy

I2023/151  
Distributed 03/02/23



**BYRON**  
SHIRE  
COUNCIL

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## 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](#).**

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## 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.

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## 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

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### 4. STAFF REPORTS

#### **Sustainable Environment and Economy**

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the Byron Shire Coastline ..... 17

**ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

**Report No. 3.1 Adoption of Minutes from 20 October 2022 meeting**

5 **Directorate:** Sustainable Environment and Economy  
**Report Author:** Michelle Wilde, Project Support Officer  
**File No:** I2023/40

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**RECOMMENDATION:**

**That the minutes of the Coast and ICOLL Advisory Committee Meeting held on 20 October 2022 be confirmed.**

15 **Attachments:**

1 Minutes 20/10/2022 Coast and ICOLL Advisory Committee, I2022/1443

## BYRON SHIRE COUNCIL

### ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

#### **Report**

The attachment to this report provides the minutes of the Coast and ICOLL Advisory Committee Meeting of 20 October 2022.

#### **Report to Council**

- 5 The minutes will be reported to Council on 23 February 2023.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

**Report No. 4.1 Meeting Schedule for 2023 Coast and ICOLL Advisory Committee**

5 **Directorate:** Sustainable Environment and Economy  
**Report Author:** Arika McElroy, Project Support Officer  
**File No:** I2023/82

**Summary:**

10 This report advises committee members of the scheduled committee meeting dates for 2023 and informs of the process for agendas.

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**RECOMMENDATION:**

- 15
1. That the Coast and ICOLL Advisory Committee notes the scheduled meeting dates and times for 2023.
  2. That the Coast and ICOLL Advisory Committee advise of any agenda items for future meetings.

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## Report

The following dates have been scheduled for the Committee’s meetings for 2023, to be held in the Conference Room:

- Tuesday 14 February, 2.00pm
- 5 • Tuesday 16 May, 2.00pm
- Tuesday 15 August, 2.00pm
- Tuesday 21 November, 2.00pm

At each meeting, staff will provide report/s on the status of current projects for the agenda.

- 10 An update on the progress of the development of CMPs and CMP projects for the Byron Shire coastline is scheduled for each 2023 meeting.

There is an opportunity for a field trip or workshop during 2023, which is to be confirmed. This will be held at a 2023 meeting time as above.

We would like to hear your suggestions for future agenda items in line with the purpose of the Committee, which is stated in the Constitution as follows.

- 15 a) Advise Council in the development of Coastal Management Programs for the Shire’s coast, estuary and ICOLLS.
- b) Advise on projects, plans and strategies related to the coast, estuary and ICOLLS.
- c) Offer a platform and conduit for communication between stakeholders and community members and agencies.
- 20 Committee members may also request items for inclusion in agendas for the above purpose, through the Chair.

Generally, agenda items are due 5 weeks prior to the meeting date. A reminder will be sent to Committee members by email to meet this deadline. Agenda items are to be requested to the Chair by the below due dates, to allow time for report preparations.

<b>Meeting Date</b>	<b>Agenda item due date</b>
Tuesday 16 May	Tuesday 11 April
Tuesday 15 August	Tuesday 11 July
Tuesday 21 November	Tuesday 17 October

A link from Council’s website to the agenda for each meeting will be provided to members by email, at least 7 days prior to the meeting date.

**Strategic Considerations**

**5 Community Strategic Plan and Operational Plan**

<b>CSP Objective</b>	<b>CSP Strategy</b>	<b>DP Action</b>	<b>Code</b>	<b>OP Activity</b>
<b>1: Effective Leadership</b> We have effective decision making and community leadership that is open and informed	1.1: Enhance trust and accountability through open and transparent leadership	1.1.2: Governance - Ensure legislative compliance and support Councillors to carry out their civic duties	1.1.2.4	Deliver Council meeting secretariat – including agenda preparation, minutes and council resolutions monitoring

**Recent Resolutions**

- 22-744, 15 December 2022

**Legal/Statutory/Policy Considerations**

Nil

**10 Financial Considerations**

Nil

**Consultation and Engagement**

N/a

**Report No. 4.2      Main and Clarkes Beach Dune Recovery Project - Summary Report**

**Directorate:** Sustainable Environment and Economy

**Report Author:** Chloe Dowsett, Biodiversity and Sustainability Coordinator

5 **File No:** I2023/2

**Summary:**

10 During November 2022, Council commenced a dune recovery project at Main and Clarkes Beach, Byron Bay ([Main and Clarkes Beach Dune Recovery Project - Byron Shire Council \(nsw.gov.au\)](https://www.nsw.gov.au)). The project was half funded through the Department of Planning and Environment’s Coastal and Estuary Grants Program which provides technical and financial support to local government to help manage the coastal zone.

15 A Summary Report of the project components, methodology, costs, outcomes and lessons learnt has been compiled and is provided in Attachment 1 – ‘Main and Clarkes Beach Dune Recovery Project – Summary Report, January 2023’. Overall the project team were all in agreement that the project was planned and delivered well within expected costs and timeframes, with resulting sand volumes gained surpassing the goal of 10 cubic metres per metre.

20 A more natural dune formation was created which will evolve over time and encourage native plants to colonise and assist in dune growth and provide a more diverse beach landscape. The number of formal beach accessways have been reduced to provide the dunes more space alongshore to form naturally without being impacted by pedestrian trampling and potential sand blow outs. The full length of the Main and Clarkes Beach dune is now fenced landward and seaward alongshore tying in to the designated formal accessways. Extension of the hind dune into the grassy reserve provides resilience and space for the dune to migrate landwards over time (as needed).

A full dune revegetation plan has been implemented which includes follow-up maintenance for 12 months. Already there are signs of plant growth and germination.

30 Short-term project outcomes illustrate beach scraping during accretionary and beach building conditions to be a productive and viable ‘soft stabilisation’ strategy for the future management of this location at Main and Clarkes Beach. Beach scraping is cost-effective and provides a ‘no regrets’ management option for assisting in the recovery of beach sand volumes, rehabilitating and restoring the dune ecosystem and habitat, and improving the public’s beach safety, access and amenity. Further, during accretionary periods, repeated beach scraping and dune restoration campaigns may be utilised to build up a reserve of sand within the dune to create a natural coastal buffer to mitigate future impacts of storm events and/or during periods of erosion (i.e. when littoral supply around Cape Byron is reduced).

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Beach scraping also appears to be an amenable strategy for the community, agencies and land managers for the management of Main and Clarkes Beach and should be considered in future coastal planning and management.

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### **RECOMMENDATION:**

**That the Coast and ICOLL Advisory Committee note the outcomes of the Main and Clarkes Beach Dune Recovery Project provided in Attachment.**

### **10 Attachments:**

- 1 Main and Clarkes Beach Dune Recovery Project - SUMMARY REPORT - January 2023, E2023/986

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## Report

5 Coastal erosion has been a challenging issue for the Byron Shire Council and the Byron Bay community for many decades. Since the 1950s, 60s and 70s, cyclones and east coast lows have caused extensive damage to the Byron coastline, with these events most likely to occur during summer and autumn months. Erosion caused by storm events may also be significantly exacerbated by inconsistent sand supply to the Byron Bay embayment due to natural headland bypassing processes.

10 After a period of relative calm, since 2016, and rapidly increasing mid-2019 onwards, Clarkes and Main Beach in Byron Bay became subject to significant coastal erosion which resulted in significant losses of sand from the beach and foredune; damage and subsequent closure of beach access ways; and significant loss and damage of dune vegetation. Several erosion events caused by sand supply deficit, storm wave attack, combined with elevated water levels during large spring tides resulted in significant dune scarping along the majority of the dune system within the reserve.

15 In the short timeframe between April 2020 and July 2021, the dune eroded up to 45 metres landward, resulting in the significant loss of dune vegetation, formation of an unstable dune scarp and damage to beach accessways and other infrastructure.

20 In 2021, a large volume of sand slowly started to return to the Byron Bay embayment, assisting in the partial recovery of the eroded beaches. However, due to the significant volumes of sand lost from the dune system, it would likely take many years (if not decades) for the Clarkes and Main Beach dunes to recover to pre-storm form and function.

The dune recovery project aims to assist sand migration onshore during the accretion phase to speed up the beach rebuilding process by using soft dune stabilisation practices including beach scraping (also known as sand harvesting) and dune reprofiling.

25 The expected outcomes of the project are:

- aid in restoration/rehabilitation of dune ecosystems and habitat;
- protection of cultural heritage;
- restoration of public beach access ways;
- improved beach amenity; and
- 30 • improved benefit for the Byron Bay community.

The project involved 'beach scraping and dune reprofiling' whereby small volumes of sand (i.e. small in the context of annual littoral transport volumes) are moved from the intertidal zone by mechanical means, to the back of the beach to aid in dune recovery.

Project components included:

- 35 • Planning documentation and approvals;
- Community and stakeholder engagement;

- Surveys and monitoring;
  - Beach scraping and dune reprofiling works;
  - Restoration of and decommission of public beach access ways;
  - Vegetation restoration works; and
- 5
- Fencing of beach access ways and dune area.

Overall the project team were all in agreeance that the project was planned and delivered well within expected costs and timeframes, with resulting sand volumes gained surpassing the goal of 10m<sup>3</sup>/m (up to 18m<sup>3</sup>/m sand won over 650m and reprofiled over 850m extent).

The expected outcomes of the project have been met, which include:

- 10
- aid in restoration/rehabilitation of dune ecosystems and habitat.
  - protection of cultural heritage.
  - restoration of public beach access ways.
  - improved beach amenity; and
  - improved benefit for the Byron Bay community.
- 15
- A more natural dune formation was created which will evolve over time and encourage native plants to colonise and assist in dune growth and provide a more diverse beach landscape. The number of formal beach accessways have been reduced to provide the dunes more space alongshore to form naturally without being impacted by pedestrian trampling and potential sand blow outs. The full length of the Main and Clarkes Beach
- 20
- dune is now fenced landward and seaward alongshore tying in to the designated formal accessways. Extension of the hind dune into the grassy reserve provides resilience and space for the dune to migrate landwards over time (as needed).
- A full dune revegetation plan has been implemented which includes follow-up maintenance for 12 months. Already there are signs of plant growth and germination.
- 25
- Short-term project outcomes illustrate beach scraping during accretionary and beach building conditions to be a productive and viable 'soft stabilisation' strategy for the future management of this location at Main and Clarkes Beach. Beach scraping is cost-effective and provides a 'no regrets' management option for assisting in the recovery of beach sand volumes, rehabilitating and restoring the dune ecosystem and habitat, and improving the
- 30
- public's beach safety, access and amenity. Further, during accretionary periods, repeated beach scraping and dune restoration campaigns may be utilised to build up a reserve of sand within the dune to create a natural coastal buffer to mitigate future impacts of storm events and/or during periods of erosion (i.e. when littoral supply around Cape Byron is reduced).
- 35
- Beach scraping also appears to be an amenable strategy for the community, agencies and land managers for the management of Main and Clarkes Beach and should be considered in future coastal planning and management.

This report to the Coast and ICOLL Advisory Committee provides a summary of the project components, methodology, costs, lessons learnt and outcomes.

## **Strategic Considerations**

### **5 Community Strategic Plan and Operational Plan**

<b>CSP Objective</b>	<b>CSP Strategy</b>	<b>DP Action</b>	<b>Code</b>	<b>OP Activity</b>
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	3.1.3.2	Deliver the 'Main and Clarkes Beach Dune Recovery Project'

### **Recent Resolutions**

- 20-525
- 20-618

### **Legal/Statutory/Policy Considerations**

- 10 NSW Coastal Management Framework: Coastal Management Act 2016 and associated framework.

### **Financial Considerations**

The total project budget was \$164,520. The required 50% funding contribution (\$82,260) was from available funds within the Crown Pay Parking reserve.

### **15 Consultation and Engagement**

A COMS Plan was developed for the project to:

- Increase awareness of the project/situation
- Provide information for community on our website
- Provide a mechanism for gaining feedback and input into the project from Key Stakeholders and Agencies

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# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Engagement and consultation activities are outlined in the 'Main and Clarkes Beach Dune Recovery Project - Summary Report, January 2023' (Attachment 1).



**Report No. 4.3      Update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline**

**Directorate:** Sustainable Environment and Economy

5 **Report Author:** Chloe Dowsett, Biodiversity and Sustainability Coordinator  
Orla Seccull, Coastal & Estuary Officer

**File No:** I2023/1

**Summary:**

10 A detailed update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline was provided to members of the Coast and ICOLL Advisory Committee on the 20 October 2022.

This report provides the Coast and ICOLL Advisory Committee members a 3-monthly brief update on the progress of the development of CMPs and CMP projects for the Byron Shire coastline.

15 The next update will be reported to the Coast and ICOLL Advisory Committee meeting in May 2023.

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20 **RECOMMENDATION:**

**That the Coast and ICOLL Advisory Committee note the update of the development of CMPs and CMP projects for the Byron Shire coastline and next steps.**

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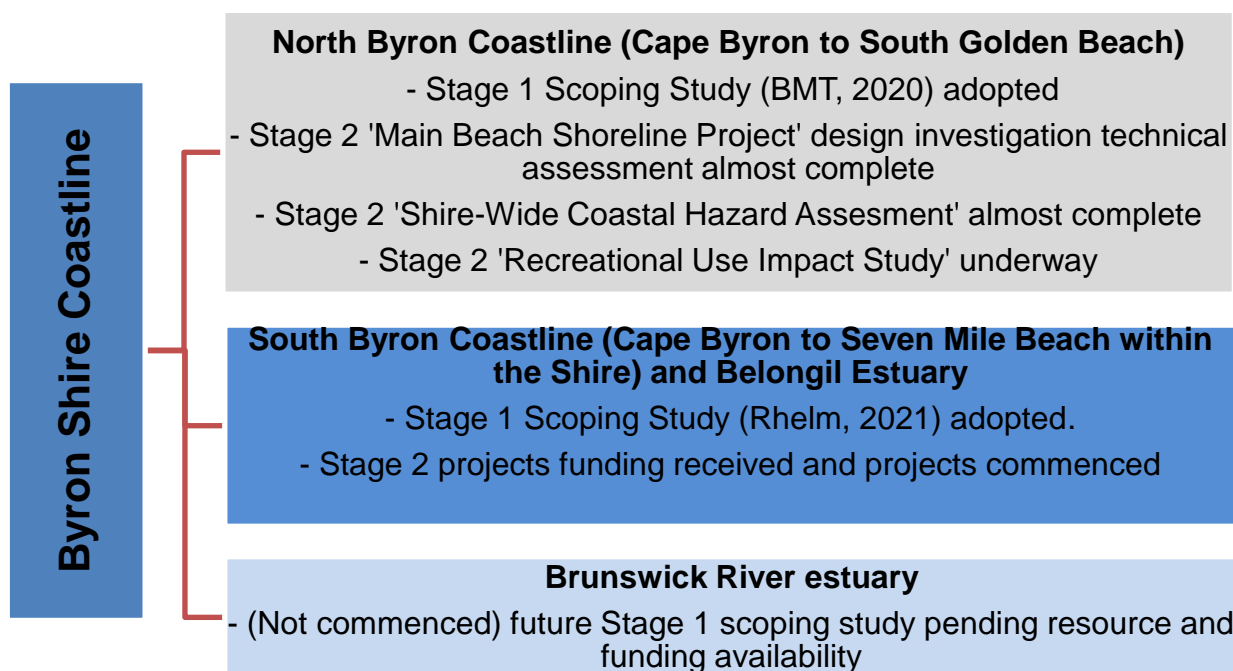
**Overview**

5 A detailed update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline was provided to members of the Coast and ICOLL Advisory Committee on the 20 October 2022. The detailed update outlined the key components of the NSW Coastal Management Framework, the coastal planning process, the status of the development of CMPs and CMP projects for the Byron Shire coastline, key issues being encountered and the recommended pathway forward.

10 This report provides the Coast and ICOLL Advisory Committee members a 3-monthly brief update on the progress of the development of CMPs and CMP projects for the Byron Shire coastline.

**Status of CMP development and project update**

The current status of CMP development is provided in Figure 1 below.



**Figure 1: Byron Shire Council’s status on developing CMPs**

15 Council is currently in Stage 2 of the CMP process for CMPs presently being prepared for the open coast and Belongil and Tallow Creek estuaries. Stage 2 studies confirm current knowledge on key issues and concerns and to fill information gaps that are critical to the development of management strategies and actions that will occur the next stage (Stage 3).

20 A summary of the status of these Stage 2 studies is provided below in Table 1. Unless otherwise stated these projects have been partially funded by the project partner, the NSW Department of Planning and Environment (DPE) through the Coast and Estuary Grants Program, which recently increased the funding ratio to 2 (DPE):1(Council). Several

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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medium and low priority studies recommended for stage 2 are pending availability of other funding sources or can otherwise be completed during CMP implementation.

Table 1: Stage 2 High Priority Projects Planned and Underway

Project Name	Brief Description	Status/ Expected Completion
<p>Main Beach Shoreline Project</p>	<p>A design investigation for the modification of the coastal protection works at Main Beach, Byron Bay between the Surf Club and First Sun Holiday Park. The investigation looks at how we can best protect Byron Bay Town Centre from coastal erosion now and into the future.</p> <p>The current task being completed is the technical assessment of the shortlisted options to modify the structure/works is now complete. The technical assessment consists of two related lines of investigation:</p> <ol style="list-style-type: none"> <li>1. application of numerical modelling tools to better understand the coastal environment and assess the performance of the shortlisted options on coastal processes.</li> <li>2. a geomorphic assessment using a data-driven approach to summarise relevant coastal processes and infer the relative effects of the shortlisted options on long term coastal processes.</li> </ol>	<p>The draft report has been reviewed by staff, an external technical reviewer and DPE.</p> <p>The assessment had been significantly delayed due to the co-ordination with the Shire-Wide coastal hazard assessment to ensure consistency. There may be further rework and refinement of the assessment to incorporate recent data that has become available which captures the recent sand deficit conditions in the Bay. This is considered an opportunity understand the previous La Nina event and sand movement and will improve knowledge and understanding.</p> <p>Next steps are:</p> <ul style="list-style-type: none"> <li>• Project team consider review.</li> <li>• Report updated based on review.</li> <li>• Report to Executive Team</li> <li>• Report to Council</li> </ul> <p>The information presented in the technical report will provide the basis for further development and evaluation of the shortlisted options at selecting a preferred option to carry forward.</p> <p>The evaluation and determination of the preferred option will be</p>

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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Project Name	Brief Description	Status/ Expected Completion
		undertaken though CMP preparation in Stage 3.
Coastal Hazard Assessment Review and Update	This study is the third major investigation into coastal processes, sand movements and hazards in the Byron region following PWD's investigation in the 1978 and BMT 2013 study. Assessment and analysis of current and future risks to the coastal zone from hazards.	<p>This study had been delayed resulting in a major departure from the original timing commitment but is now back on track.</p> <p>The key reasons for delay were outlined in the 20 October 2022 report to the committee which include data delays and additional work required to incorporate key datasets; on-going rework, refining and redoing of elements to ensure fit for purpose; unexpected challenges encountered associated with the study area which covers a highly dynamic area in which the techniques applied successfully in other areas have been more difficult than expected; and co-ordination with the Main Beach Shoreline Project to ensure consistency.</p> <p>The draft CHA report (Volume 1) for open coastal hazard assessment (erosion, recession, sand budget, cliff instability and coastal inundation) has been received. There may be further rework and refinement of Volume 1 to incorporate recent data that has become available which captures the recent sand deficit conditions in the Bay. This is considered an opportunity to understand the previous La Nina event and sand movement and will improve knowledge and understanding.</p> <p>Part 2 of the draft CHA for estuary hazard assessment is presently</p>

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## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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Project Name	Brief Description	Status/ Expected Completion
		<p>being finalised.</p> <p>Next steps are:</p> <ul style="list-style-type: none"> <li>• Internal staff review</li> <li>• External Technical Review (expert and DPE)</li> <li>• Report to Executive Team</li> <li>• Presentation and Discussion of Hazard Outputs*</li> <li>• Report to Council</li> </ul> <p>*Committee members will be invited to attend this workshop.</p>
<p>Water Quality Source Tracking and Control Program for Belongil Creek and Tallow Creek</p>	<p>Water pollution of the Tallow Creek and Belongil Creek estuaries from a variety of sources was identified as a key threat to coastal values as identified in the Scoping Study for the southern Byron Shire coastline.</p> <p>Will identify risks associated with water pollution in Tallow and Belongil Creek catchments and will identify opportunities for improving water quality for further consideration at Stage 3.</p>	<p>Small variation to grant funding approved December 2022.</p> <p>Consultant engaged and project commenced:</p> <ul style="list-style-type: none"> <li>• Inception Meeting - held 13 December 2022.</li> <li>• Stakeholder and Engagement Plan prepared.</li> <li>• Data and literature compilation and handover delivered.</li> </ul> <p>Aligns with other work being undertaken within other departments in Council - Resource Recovery team on litter; drainage and stormwater/ WSUD; environmental health and WQ monitoring.</p>

# BYRON SHIRE COUNCIL

Project Name	Brief Description	Status/ Expected Completion
		<p>Next steps:</p> <ul style="list-style-type: none"> <li>• Stakeholder meetings and phone calls.</li> <li>• Data and literature review.</li> <li>• Identification of catchment pollution sources / key issues</li> <li>• Identification of areas for improvement / innovation / monitoring / on-ground actions.</li> <li>• Preparation of plan/program.</li> </ul> <p>Expected timeframe for completion is September 2023.</p>
<p>Identifying risks to cultural and ecological values and low-lying assets in Tallow Creek and Belongil Creek ICOLLs associated with entrance opening strategies</p>	<p>Essentially this study is aimed at preparing a new entrance opening strategy (EOS) for Tallow Creek and advising on recommendations to amend the Belongil Creek Opening Strategy at the next two-year review, along with undertaking the necessary preliminary supporting studies (i.e. literature review, engagement with Arakwal, case study for other NSW ICOLLs, assessment of nuisance flood risk, identification improvements to decision support frameworks etc).</p> <p>Council reduced the scope of this study to undertake preliminaries only, i.e. the project will exclude actual drafting and finalisation of amended or new EOS' and associated broader stakeholder</p>	<p>Small variation to grant funding approved December 2022.</p> <p>Consultant engaged and project commenced:</p> <ul style="list-style-type: none"> <li>• Inception Meeting - held 16 January 2023.</li> <li>• Data and literature compilation and handover commenced.</li> </ul> <p>Aligns with other work being undertaken within other departments in Council – Flooding, drainage and stormwater.</p> <p>Next steps:</p> <ul style="list-style-type: none"> <li>• Develop a Stakeholder and Engagement Plan.</li> <li>• Identification of risk to</li> </ul>

## BYRON SHIRE COUNCIL

### STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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Project Name	Brief Description	Status/ Expected Completion
	<p>engagement and exhibition.</p> <p>Amendments to EOS' can occur at a later stage of the CMP.</p>	<p>cultural heritage values in the management of Tallow Creek entrance</p> <ul style="list-style-type: none"> <li>• Stakeholder engagement</li> <li>• Literature / data review and consider implications for updating the EOS'</li> </ul> <p>Expected timeframe for completion is November 2023.</p>
<p>Identifying barriers and opportunities for improvement associated with Council's coastal planning controls and processes</p>	<p>Essentially an audit of Council's coastal planning framework to provide advice on pathways for Council to transition into a more current and streamlined planning framework (such as recommended mapping and amendments and justification for changes) whilst retaining or improving on the level of protection offered by existing controls. It also includes:</p> <ul style="list-style-type: none"> <li>• consideration of mapping and inclusion of a Coastal Vulnerability Area into the planning scheme.</li> </ul> <p>Council reduced the scope of this study to remove the coastal wetland and littoral rainforest mapping review* as well as the preliminary cultural heritage mapping which can be done at a later date or separate to the CMP process.</p> <p><i>*Identified as a medium priority study in CMP Scoping Studies (refer further below).</i></p>	<p>Small variation to grant funding approved December 2022.</p> <p>Consultant engaged and project commenced:</p> <ul style="list-style-type: none"> <li>• Inception Meeting - held 31 January 2023.</li> </ul>

<b>Project Name</b>	<b>Brief Description</b>	<b>Status/ Expected Completion</b>
<p>Evidence based research of the impacts of recreational and tourism use on coastal habitats and wildlife*</p> <p><i>* Identified as a medium priority study in CMP Scoping Studies.</i></p>	<p>Funded 100% through the DPE’s Biodiversity Conservation Division.</p> <p>Will provide evidence-based information on the effects of recreational uses on wildlife and habitats in the coastal area, and to investigate novel solutions to manage impacts, e.g. through the development and delivery of access and other facilities within the coastal zone and development of a policies and/or plans.</p>	<p>Consultant (BMT WBM) engaged.</p> <p>Staff and stakeholder engagement undertaken in September 2022.</p> <p>Completion expected by mid-2023.</p>
<p>Coastal wetland and littoral rainforest mapping review*</p> <p><i>* Identified as a medium priority study in CMP Scoping Studies.</i></p>	<p>The scope of this project is to investigate and ground truth discrepancies between Council’s mapping of Littoral Rainforest and Coastal Wetlands with the CM SEPP mapping.</p>	<p>An offer of funding (100%) through the DPE’s Biodiversity Conservation Division has been made.</p> <p>Staff are presently reviewing the funding offer and project scope.</p>

**Next stages in CMP development**

The subsequent stages in the process of developing and implementing a CMP are:

- Stage 3 – Identify and evaluate options (through risk assessment and cost, benefit analysis) that reduce exposure to coastal hazards, address coastal management issues and take advantage of opportunities;
- Stage 4 – Prepare, exhibit, finalise, certify and adopt a CMP (leading to implementation). A CMP must be certified by the Minister to access funding for implementation under the Coast and Estuary Grants program; and
- Stage 5 – Implement, monitor, evaluate and report.



The breakdown of CMPs recommended for the Byron Shire coastal zone are:

1. **CMP for Tallow Estuary** – includes estuary/ICOLL and catchment issues and actions including entrance opening/management activities (EOS) for flood mitigation.
- 5 2. **CMP for Belongil Estuary** - includes estuary/ICOLL and catchment issues and actions including entrance opening/management activities (EOS) for flood mitigation.
- 10 3. **CMP for the Byron Shire Open Coast** – includes the entire Byron Shire open coast split into 3 management segments such as Cape Byron to South of the LGA border; Cape Byron to the Brunswick River; Brunswick River north to the LGA border. The spatial extents are not yet confirmed and are subject to refinement.
4. **CMP for the Brunswick River Estuary** (not yet commenced) at a later date.

15 Splitting the CMPs into the proposed areas provides a better opportunity to streamline studies and is the preferred approach for more refined/targeted community engagement and stakeholder consultation. It also makes sense that the higher priority, higher risk/complexity areas will take longer to complete Stage 3 and 4 than some of the less exposed/risk or complex areas (i.e. Open Coast vs Tallow Estuary). By separating into smaller areas, the possibility of obtaining a certified CMP is improved.

20 Stage 3 comprises options development and evaluation, including community/stakeholder engagement to arrive at agreed preferred option/prioritised actions for each CMP. Stage 4 is preparation, exhibition and certification of the CMP. Stage 3 and Stage 4 are generally combined into one grant application and one consultant brief. It is recommended that Stage 3 commences as Stage 2 studies are being completed with outcomes incorporated as they are known. Stage 4 will follow on once Stage 2 and 3 are fully complete.

### 25 **Next Steps**

- Staff and project consultants will continue to progress the development of CMPs for the Byron Shire Coastline and related projects.
- Staff will commence preparing Stage 3 and Stage 4 grant application for the Open Coast CMP.
- 30 • A Presentation and Discussion of Hazard Outputs (2-hr presentation) for the Coastal Hazard Study will be held once Study is complete. Committee members will be invited to participate.
- The next update on the status of projects and CMP preparation will be reported to the next Coast and ICOLL Advisory Committee meeting in May 2023.

### 35 **Strategic Considerations**

#### **Community Strategic Plan and Operational Plan**

## BYRON SHIRE COUNCIL

### STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

<p style="text-align: center;"><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p style="text-align: center;">3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p style="text-align: center;">3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation</p>	<p style="text-align: center;">3.3.1.1</p>	<p style="text-align: center;">Identify coastal hazard risks to the Byron Shire coastline</p>
<p style="text-align: center;"><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p style="text-align: center;">3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p style="text-align: center;">3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation</p>	<p style="text-align: center;">3.3.1.2</p>	<p style="text-align: center;">Identify risks to cultural and ecological values and assets in Tallow and Belongil Creek ICOLLs</p>
<p style="text-align: center;"><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p style="text-align: center;">3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p style="text-align: center;">3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation</p>	<p style="text-align: center;">3.3.1.3</p>	<p style="text-align: center;">Identify ICOLL water quality pollution sources</p>
<p style="text-align: center;"><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p style="text-align: center;">3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p style="text-align: center;">3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation</p>	<p style="text-align: center;">3.3.1.6</p>	<p style="text-align: center;">Assess concept options for the modification of the Jonson Street coastal protection works (Main Beach Shoreline Project)</p>

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p>3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p>3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation</p>	<p>3.3.1.8</p>	<p>Identify and evaluate management options and opportunities for addressing threats to the Byron Shire coastline</p>
<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p>3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p>3.3.2: Floodplain management - Mitigate the impact of flooding on private and public property</p>	<p>3.3.2.1</p>	<p>Revise entrance management activities and arrangements for Tallow Creek</p>
<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p>3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p>3.3.2: Floodplain management - Mitigate the impact of flooding on private and public property</p>	<p>3.3.2.2</p>	<p>Review entrance management activities and arrangements for Belongil Creek</p>

### Legal/Statutory/Policy Considerations

*Coastal Management Act (2016), SEPP (Resilience and Hazards) 2021 (which replaces the SEPP (Coastal Management) 2018), Coastal Manual and associated Toolkit provided by the NSW State Government.*

### 5 Financial Considerations

An existing budget is allocated to the development of Coastal Management Programs for FY2022/23. Additional budget has been requested to continue of CMP preparation into FY2023/24

### Consultation and Engagement

10 Current consultation in the preparation of CMPs includes:

1. Participation in a regular forum for council staff to discuss CMP preparation with other local council practitioners and DPE staff is being coordinated by DPE.

## BYRON SHIRE COUNCIL

### STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

2. Regular meetings with individual DPE regional staff assigned to the Byron Shire coastal portfolio to discuss Byron's CMP development and trouble shoot issues being encountered and ways to move forward. The recommended pathway forward outlined in this report has been developed in close consultation with DPE.
- 5 Project specific consultation and engagement plans are prepared and implemented as relevant to each study/project.