

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, 15 August 2023
Time	2.00pm

Shannon Burt
Director Sustainable Environment and Economy

*I2023/1156
Distributed 08/08/23*

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 Confirmation of minutes from 16 May 2023 meeting 6

4. STAFF REPORTS

Sustainable Environment and Economy

- 4.1 Future Discussion Items for Coast and ICOLL Advisory Committee..... 14
- 4.2 Update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline 16
- 4.3 Presentation by Hydrosphere Consulting on 'ICOLL Water Quality Source Tracking and Control Program for Belongil Creek, Tallow Creek and Ti Tree Lake' Stage 2 CMP project outcomes..... 29
- 4.4 Presentation by DPE on "DPE Coastal and Marine Science Programs - NSW North coast" 32

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Confirmation of minutes from 16 May 2023 meeting

5 **Directorate:** Sustainable Environment and Economy
Report Author: Michelle Wilde, Project Support Officer
File No: I2023/776

10

RECOMMENDATION:

That the minutes of the Coast and ICOLL Advisory Committee Meeting held on 16 May 2023 be confirmed.

15 **Attachments:**

1 Minutes 16/05/2023 Coast and ICOLL Advisory Committee, I2023/722 , page 8  

Report

The attachment to this report provides the minutes of the Coast and ICOLL Advisory Committee Meeting of 16 May 2023 .

Report to Council

- 5 The minutes were reported to Council on 22 June 2023.

Comments

Council resolved the following:

- 23-265** That Council notes the minutes of the Coast and ICOLL Advisory Committee Meeting held on 16 May 2023.
- 10 **23-266 Report No. 4.1 Future Discussion Items for the Coast and ICOLL Advisory Committee**
- That Council adopts the following Committee Recommendations:
1. That Council provides a brief summary of the methodology of the Coastal Hazard Assessment to the next available Committee meeting, with a draft
15 earlier to be made available to committee members.
 2. That Council receives a report on the following in relation to Belongil Estuary at the next available committee meeting:
 - a. fate of STP effluent including when the STP must be upgraded later this decade (STP capacity is 6.95 ML/day dry weather flow);
 - 20 b. waterlogging on farmlands, commitment to directing effluent away from the Estuary and the non-use of the Additional Flowpath;
 - c. potential changes to the ICOLL Opening Strategy;
 - d. any other related matters.
 3. That Council notes that some water quality data for Tallow and Belongil Creek
25 estuaries will be provided to the Committee but is not for onward distribution.
- 23-267 Report No. 4.3 Presentation on the outcomes of the Main Beach Shoreline Project - Technical Assessment**
- That Council adopts the following Committee Recommendation:
- 30 That Council notes that members of the committee have been directed to this technical assessment report for their own perusal in the agenda for the Council meeting dated 27 April 2023 Agenda item no. 13.6 in lieu of the presentation.

Minutes of Meeting
Coast and ICOLL Advisory Committee
Meeting

Venue	Conference Room, Station Street, Mullumbimby
Date	Tuesday, 16 May 2023
Time	2.00pm



BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

COAST AND ICOLL ADVISORY COMMITTEE MEETING MINUTES

16 MAY 2023

Minutes of the Coast and ICOLL Advisory Committee Meeting held on Tuesday, 16 May 2023

File No: I2023/722

PRESENT: Cr Cate Coorey, Cr Duncan Dey

Staff: Chloe Dowsett (Coastal & Biodiversity Coordinator)

Orla Seccull (Coastal & Estuary Officer)

Sharyn French (Manager Environmental & Economic Planning)

Michelle Wilde (Minute Taker)

Community Representatives: Jan Olley

Matthew Lambourne

Lauren Morgan

Bill Payne (arrived at 2:17pm)

Agency Representatives: Andrew Page, (DPI Cape Byron Marine Park)

Cr Cate Coorey (Chair) opened the meeting at 2:11pm and acknowledged that the meeting was being held on Bundjalung Country.

ATTENDANCE VIA AUDIO-VISUAL LINK:

Cr Duncan Dey, Cr Cate Coorey, Lauren Morgan, Andrew Page

APOLOGIES:

Shannon Burt (Director Sustainable Environment and Economy)

Dane Marx

Dailan Pugh

Dylan Laicher

Rod McDonagh (NSW Maritime)

Zoe Immisch (Dept of Planning & Environment)

Fiona Peek (National Parks & Wildlife Service)

Derek Van Leest, (Crown Lands)

Chris Binge, (Jali Local Aboriginal Land Council)

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

COAST AND ICOLL ADVISORY COMMITTEE MEETING MINUTES 16 MAY 2023

Dave Maguire, (DPI Marine Parks)

Leweena Williams, (Tweed Byron Local Aboriginal
Land Council)

Malcolm Robertson, (Crown Lands)

Norman Graham, (National Parks & Wildlife Service)

Arakwal

Evan Watterson, Bluecoast Consulting

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Confirmation of minutes from 14 February 2023 meeting
File No: I2023/507

Committee Recommendation:

That the minutes of the Coast and ICOLL Advisory Committee Meeting held on 14 February 2023 be confirmed.

(Dey/Lambourne)

The recommendation was put to the vote and declared carried.

Note: The minutes of the meeting held on 14 February were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on 27 April 2023.

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

BYRON SHIRE COUNCIL

COAST AND ICOLL ADVISORY COMMITTEE MEETING MINUTES

16 MAY 2023

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 **Future Discussion Items for the Coast and ICOLL Advisory Committee**

File No: I2023/535

Committee Recommendation:

That Council:

1. **Provides a brief summary of the methodology of the Coastal Hazard Assessment to the next available Committee meeting, with a draft earlier to be made available to committee members.**
2. **Receives a report on the following in relation to Belongil Estuary at the next available committee meeting:**
 - a) **fate of STP effluent including when the STP must be upgraded later this decade (STP capacity is 6.95 ML/day dry weather flow);**
 - b) **waterlogging on farmlands, commitment to directing effluent away from the Estuary and the non-use of the Additional Flowpath;**
 - c) **potential changes to the ICOLL Opening Strategy;**
 - d) **any other related matters.**
3. **Notes that some water quality data for Tallow and Belongil Creek estuaries will be provided to the Committee but is not for onward distribution.**

(Dey/Coorey)

The recommendation was put to the vote and declared carried.

Report No. 4.2 **Update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline**

File No: I2023/413

Committee 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.

(Coorey/Payne)

The recommendation was put to the vote and declared carried.

BYRON SHIRE COUNCIL

BYRON SHIRE COUNCIL

COAST AND ICOLL ADVISORY COMMITTEE MEETING MINUTES

16 MAY 2023

Report No. 4.3 **Presentation on the outcomes of the Main Beach Shoreline
Project - Technical Assessment**
File No: I2023/426

Committee Recommendation:

That Council notes that members of the Committee have been directed to this technical assessment report for their own perusal in the agenda for the Council meeting dated 27 April agenda item no. 13.6 in lieu of the presentation.

(Lambourne/Morgan)

The recommendation was put to the vote and declared carried.

There being no further business the meeting concluded at 4:03pm.

Report No. 4.1 Future Discussion Items for Coast and ICOLL Advisory Committee

5 **Directorate:** Sustainable Environment and Economy
Report Author: Michelle Wilde, Project Support Officer
File No: I2023/1102

Summary:

10 This report summarises reports and information requested by the Coast and ICOLL Advisory Committee.

Future requests, resourcing and alignment with Council's Operational Plan can be tabled for discussion by the committee.

15 There were no requests for reports or information received from the Coast and ICOLL Advisory Committee members for this meeting.

RECOMMENDATION:

20 **That the Coast and ICOLL Advisory Committee notes the report.**

Report

There were no requests for reports or information received from the Coast and ICOLL Advisory Committee members for this meeting.

Requests for future items can be raised at this meeting.

- 5 These requests, resourcing and alignment with Council’s Operational Plan will be tabled for discussion by the committee at the next meeting, to resolve whether they are taken to Council for consideration for inclusion in a future Council OP and budget.

Key issues

N/A

10 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

Recent Resolutions

N/A

Legal/Statutory/Policy Considerations

- 15 N/A

Financial Considerations

Not known at this stage.

Consultation and Engagement

N/A

- 20

Report No. 4.2 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: I2023/711

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 16 May 2023.

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 on 21 November 2023.

20 **RECOMMENDATION:**

That the Coast and ICOLL Advisory Committee note the update of the development of Coastal Management Programs (CMPs) and CMP projects for the Byron Shire coastline and next steps.

25

Overview

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 16 May 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.

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.

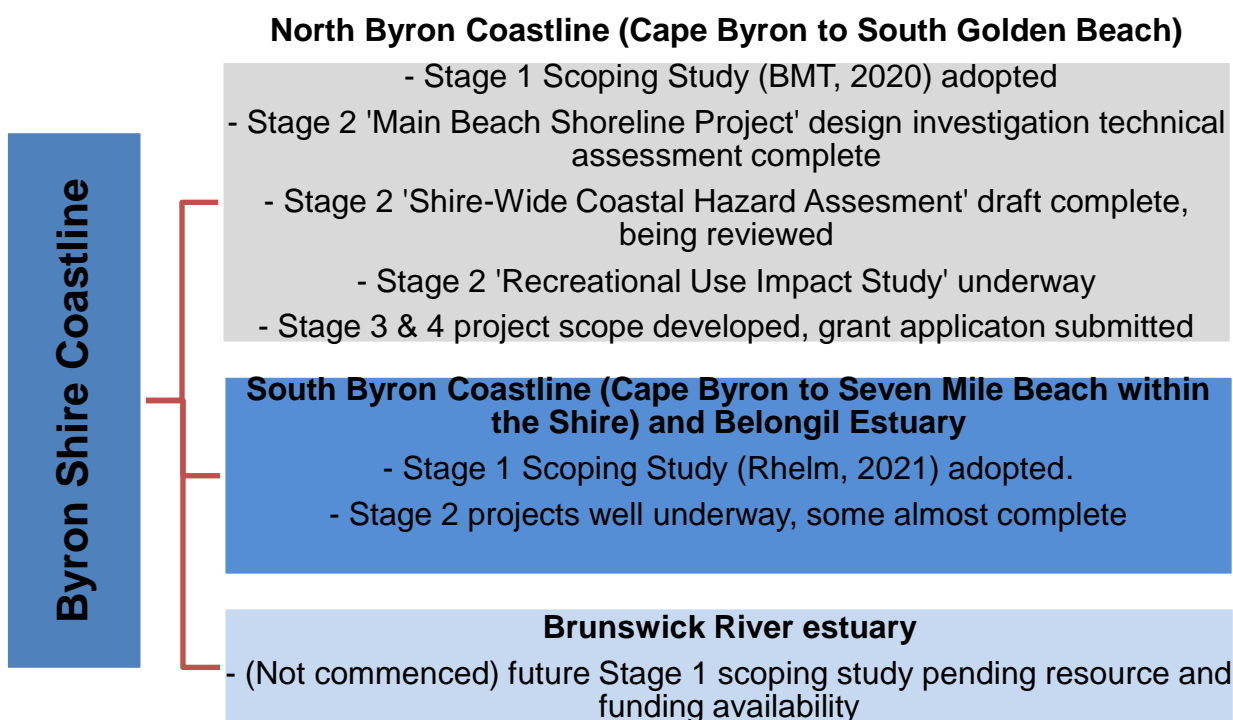


Figure 1: Byron Shire Council’s status on developing CMPs

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). Scoping of Stage 3 & 4 CMP development is currently underway.

A summary of the status of these Stage 2 studies and other relevant projects 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

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Coast and Estuary Grants Program, which recently increased the funding ratio to 2 (DPE):1(Council). Several medium and low priority studies recommended for stage 2 are pending availability of other funding sources or can otherwise be completed during CMP implementation.

- 5 The majority of Stage 2 studies (other than the Main beach Shoreline Project and the CHA) are technical reports that will be provided to Council for noting and will then be placed on Council’s website. Given the technical nature of these reports they are not open to public exhibition though will be placed on Council’s website for public access. Decision making on actual management actions will take place at the next stage, Stage 3 of CMP preparation. In Stage 3 councils identify and evaluate management actions to address the identified risks. It is critical in this Stage that stakeholders are engaged throughout this process.
- 10

Table 1: Projects Planned and Underway

Project Name	Brief Description	Status/ Expected Completion
Main Beach Shoreline Project	<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 most recent task 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"> 1. application of numerical modelling tools to better understand the coastal environment and assess the performance of the shortlisted options on coastal processes. 2. a geomorphic assessment using a data-driven approach to summarise relevant coastal processes and infer the relative effects of the 	<p>The technical assessment is now complete and was reported to Council on 27 April 2023 for adoption. Options 2, 5 and 7 to progress to next stage. Option 6 to not progress as per assessments recommendation.</p> <p>The evaluation and determination of the preferred option will be undertaken though CMP preparation in Stage 3.</p> <p>Presentations on the outcomes of the technical investigation have been provided to:</p> <ul style="list-style-type: none"> - Councillors at an SPW on 2 March 2023 - Members of the Byron Town Centre masterplan Guidance Group on 5 April 2023 - Members of the Coast and ICOLL Advisory Committee on 16 May

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
	<p style="text-align: center;">shortlisted options on long term coastal processes.</p> <p>The technical assessment is now complete with the Technical Assessment Report, <i>Numerical modelling and geomorphic assessment of concept options</i>, Bluecoast Consulting Engineers, (April 2023) provided on Council's MBSP project webpage.</p>	<p style="text-align: center;">2023</p> <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>Coastal Hazard Assessment Review and Update</p>	<p>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>	<p>The draft CHA report has been received and is currently being reviewed by an expert peer and DPE.</p> <p>Next steps are:</p> <ul style="list-style-type: none"> • Bluecoast to consider staff, peer expert and DPE review comments. • Bluecoast to finalise CHA report as based on review comments • Report final CHA report to Executive Team • Report to Council for adoption • Place CHA on the website for 'information only' • Presentation and Discussion of Hazard and Study Outcomes*. <p>*Committee members will be invited to attend this workshop.</p>

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
<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>Committee received questionnaire 14 Feb 2023.</p> <p>The draft report has been received and is currently undergoing review.</p> <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> <p>Next steps are:</p> <ul style="list-style-type: none"> • Presentation to the Coast and ICOLL Advisory Committee (today 15 August 2023) • Consultant to finalise report. • Report to Council to be noted. • Place report on website for 'information only' • Consider identified recommendations for improvements/ innovation/ monitoring/ on-ground action at CMP Stage 3. <p>Expected timeframe for completion is September 2023.</p>

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
<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>This study is aimed at advising on recommendations for preparing a new entrance opening strategy (EOS) for Tallow Creek, recommendations for amending the Belongil Creek Opening Strategy at the next two-year review (end 2023), 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 engagement and exhibition.</p> <p>Amendments to EOS' can occur at a later stage of the CMP.</p>	<p>Consultant engaged and project underway though has been delayed due to consultant staff changes:</p> <ul style="list-style-type: none"> • Committee received questionnaire 6 July 2023. • Literature and data review complete. • Stakeholder briefing 14th August 2023. <p>Aligns with other work being undertaken within other departments in Council – Flooding, drainage and stormwater.</p> <p>Next steps are:</p> <ul style="list-style-type: none"> • Development of potential management actions and preliminary risk assessment. • Draft report for review. • Consultant to finalise report. • Report to Council to be noted. • Place report on website for 'information only' • Consider identified recommendations for entrance management at CMP Stage 3. <p>Expected timeframe for</p>

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
		completion is November 2023.
<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"> • consideration of mapping and inclusion of a Coastal Vulnerability Area into the planning scheme. <p>Council reduced the scope of this study to remove the coastal wetland and littoral rainforest mapping review which has been funded separately and underway as a separate project (see below).</p> <p><i>*Identified as a medium priority study in CMP Scoping Studies (refer further below).</i></p>	<p>Committee received questionnaire 27 April 2023.</p> <p>The draft report has been received and is currently undergoing review by.</p> <p>Next steps:</p> <ul style="list-style-type: none"> • Consultant to finalise report. • Report to Council to be noted. • Place report on website for 'information only' • Consider identified recommendations at CMP Stage 3. <p>Expected timeframe for completion is September 2023.</p>
<p>Evidence based research of the impacts of recreational and tourism use on coastal habitats and wildlife*</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</p>	<p>Committee received questionnaire 31 October 2022.</p> <p>The draft report has been received and is currently undergoing review.</p> <p>Next steps:</p> <ul style="list-style-type: none"> • Finalise baseline

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
<p><i>* Identified as a medium priority study in CMP Scoping Studies.</i></p>	<p>zone and development of a policies and/or plans.</p>	<p>monitoring.</p> <ul style="list-style-type: none"> • Consultant to finalise report. • Report to Council to be noted. • Place report on website for 'information only' • Consider identified recommendations at CMP Stage 3. <p>Completion expected by September 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>Committee received questionnaire 6 April 2023.</p> <p>The draft report and mapping has been received and is currently undergoing review.</p> <p>Next steps:</p> <ul style="list-style-type: none"> • Consultant to finalise report. • Report to Council to be noted. • Place report on website for 'information only' • Consider identified recommendations at CMP Stage 3. <p>Completion expected by September 2023.</p>

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
<p>Byron Shire Open Coast CMP Stages 3 & 4</p>	<p>RFQ and scope of work currently in preparation.</p> <p>The project study area covers the entirety of the open coastal area of the Byron Shire LGA. This CMP will pertain to open coast hazard threats/risks (being erosion and shoreline recession, coastal inundation and cliff instability) and open coast issues only.</p> <p>The aim of the project is to complete Stages 3 and 4 of CMP preparation for the Open Coast of the Byron Shire LGA:</p> <p>This will involve:</p> <ul style="list-style-type: none"> - Building upon what has already occurred, while considering the objectives and requirements of the CM Act. - Incorporating outcomes of the Stage 2 studies as are they are known. - Identifying and evaluating options. - Undertaking refined/targeted community engagement and stakeholder consultation to gain buy-in from the community and arrive at preferred CMP actions. - Preparing a CMP in close consultation with Council that is feasible and has been developed in accordance with the Mandatory Requirements of the CM Framework and may be certified by the Minister. 	<p>Project scope of works complete and draft Request for Quotation prepared.</p> <p>Grant application submitted to the Coast and Estuary Grants Program for funding contribution.</p> <p>Pending grant funding allocation.</p> <p>Expected consultant engagement by Sep 2023.</p>

Next stages in CMP development

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

- 5 • 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.
- 10 At this stage, Council proposes to divide CMP development and implementation into separate geographical areas of the coastal zone. This means that CMPs can progress independently from each other at different rates depending on further work (Stage 2 studies) that need to be completed, whilst acknowledging the overlap between each CMP and continuing to utilise relevant data obtained for one CMP for other CMPs.
- 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
- 20 smaller areas, certification risk is lowered.

The CMPs proposed 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.
- 25 2. **CMP for Belongil Estuary** - includes estuary/ICOLL and catchment issues and actions including entrance opening/management activities (EOS) for flood mitigation.
- 30 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.

35 Stage 3 and Stage 4 are generally combined into one grant application and one consultant brief. As such 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.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Staff have prepared a Scope of Work for a consultancy brief for Stage 3 and 4 of CMP preparation for the Byron Shire Open Coast CMP (#3 above). A grant application has been submitted to the Coast and Estuary Grants Program for 2:1 funding contribution. Consultant engagement is expected by September 2023.

5 Next Steps

- Staff and project consultants will continue to progress the development of CMPs for the Byron Shire Coastline and related projects.
- Staff will continue preparing for consultant engagement for Stage 3 and Stage 4 for the Open Coast CMP (pending successful grant funding).
- 10 • A Presentation and Discussion of Hazard Outputs (2-hr presentation) for the Coastal Hazard Study will be held once Study is endorsed/adopted by Council. 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 November 2023.

15 Strategic Considerations

Community Strategic Plan and Operational Plan

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	3.3.1.1	Identify coastal hazard risks to the Byron Shire coastline
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	3.3.1.2	Identify risks to cultural and ecological values and assets in Tallow and Belongil Creek ICOLLs

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

<p>3: Nurtured Environment 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>3.3.1.3</p>	<p>Identify ICOLL water quality pollution sources</p>
<p>3: Nurtured Environment 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>3.3.1.6</p>	<p>Assess concept options for the modification of the Jonson Street coastal protection works (Main Beach Shoreline Project)</p>
<p>3: Nurtured Environment 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>3: Nurtured Environment 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>3: Nurtured Environment 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. An application for grant contribution has been made to the Coast and Estuary Grants Program (DPE).

10 Consultation and Engagement

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.
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.

Project specific consultation and engagement plans are prepared and implemented as relevant to each study/project.

20

**Report No. 4.3 Presentation by Hydrosphere Consulting on
'ICOLL Water Quality Source Tracking and
Control Program for Belongil Creek, Tallow
Creek and Ti Tree Lake' Stage 2 CMP project
outcomes**

5

Directorate: Sustainable Environment and Economy

Report Author: Orla Seccull, Coastal & Estuary Officer

File No: I2023/967

Summary:

10 Council engaged Hydrosphere Consulting Pty Ltd to prepare a water pollution source
tracking and control program for the Shire's Intermittently Closed and Open
Lakes/Lagoons (ICOLLS), i.e. Belongil creek, Tallow Creek, Ti Tree Lake, and their
catchments. This project has been undertaken as part of Stage 2 of Coastal management
Program preparation to fill gaps in understanding about threats and risks to coastal values,
15 and to ensure more informed decision making during Stage 3 of CMP preparation.

Hydrosphere's project manager, Katie Pratt, has been invited to present to the Coast and
ICOLL Advisory Committee on the project methodology and findings. This presentation is
for information only. The project outcomes are to be provided to Council to note and will
subsequently be provided on Council's website.

20

RECOMMENDATION:

25 **That the Coast and ICOLL Advisory Committee note the presentation on the Stage 2
CMP project 'Water Quality Source Tracking and Control Program for Belongil
Creek, Tallow Creek and Ti Tree Lake'.**

**That the Coast and ICOLL Advisory Committee note that the outcomes of this
project will be provided to Council to note and will subsequently be provided on
Council's website.**

30

Report

5 Council adopted a CMP Stage 1 Scoping Study (Rhelm, 2021) which identified the following value relating to good water quality: “*Good water quality in the estuaries and open ocean that can support functioning ecosystems with high biodiversity and recreational opportunities*”.

10 The Scoping Study also identified several priority information gaps critical to be addressed in Stage 2 of the CMP to inform the development of actions for priority management issues (in Stage 3). A number of studies and activities were recommended in the Scoping Study forward plan to be undertaken in Stage 2 including a recommendation for “*Identification of water quality pollution sources...and composition to inform management strategies developed in Stage 3...*”.

This technical study has been prepared on the basis of recommendations of the Scoping Study and further identifies risks and opportunities associated with several key threats including:

- 15
- “Water pollution from urban stormwater and treated effluent discharge”.
 - “Water pollution from agricultural diffuse source runoff”.
 - “Pollution of water, beach sand and other habitat areas from litter, solid waste, marine debris and microplastics”.

20 Council engaged Hydrosphere Consulting Pty Ltd to undertake this CMP Stage 2 technical study. Aspects included:

- stakeholder engagement
- review of background information
- identification of water quality pollution sources including:
 - preliminary mapping of catchment land use and characteristics
 - 25 ○ mapping of water quality pollution sources
 - a degree of ground-truthing and verification
 - prioritisation of water quality pollution sources
- Development of potential management options (for further consideration at Stage 3)
- 30 • Recommendations for Future Water Quality Monitoring (for further consideration at Stage 3 and in any entrance management activities).

Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
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	3.3.1.3	Identify pollution sources and plan to improve water quality in Byron Shire's intermittently closed and open lakes and lagoons (ICOLLS)

Recent Resolutions

NIL

5 Legal/Statutory/Policy Considerations

Council is presently preparing Coastal Management Programs (CMPs) for the Byron Shire coast and estuaries in accordance with the NSW Coastal Management Framework.

Recommendations made through this project will be considered at Stage 3 of CMP development.

10 Financial Considerations

NIL

Consultation and Engagement

15 A stakeholder engagement plan was prepared for the project involving engagement with relevant Council staff, advisory committee members, State Government agencies, and other organisations and groups likely to hold key information/data of interest.

Report No. 4.4 Presentation by DPE on "DPE Coastal and Marine Science Programs - NSW North coast"

Directorate: Sustainable Environment and Economy

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

File No: I2023/977

Summary:

10 This will be a presentation by the Coastal and Marine Science Team of DPE's Science, Economic and Insights Division on the upcoming marine and coastal research and monitoring projects in NSW (including the Byron region) within the near future. These projects aim to continue to improve our collective understanding of coastal and marine science throughout the state; and support sustainable management of coastal and marine environments in NSW.

15 Presented by Dr Tom Doyle, Senior Scientist Coastal & Marine, along with Rai Ibaceta Vega, Senior Scientist, and Kym Bilham (STL).

RECOMMENDATION:

20 **That the Coast and ICOLL Advisory Committee note the Presentation by Department of Planning and Environment (DPE) on "DPE Coastal and Marine Science Programs - NSW North coast by the Department to Planning and Environment - Water, Floodplains and Coast (North East).**

25

Report

- 5 The Department of Planning and Environment (DPE) undertakes marine and coastal research and monitoring to better understand the underwater environment and support the sustainable management of our coastal and marine environments. This research and monitoring are undertaken in collaboration with NSW government agencies, including NSW Department of Regions (Primary Industries – Fisheries), Marine Estate Management Authority, Commonwealth agencies, private industry, our university partners, and the community. Examples of projects include mapping of the seafloor and marine habitats, ocean and coastal wave research, monitoring of marine debris etc.
- 10 Research outcomes are made available for a variety of purposes including use by Councils in the preparation of Coastal Management Programs (CMPs). Representatives from DPE will provide an overview of Coastal and Marine Science Programs in the NSW North Coast and their relevance to CMP preparation.

Strategic Considerations

15 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	1.4: Enhance organisation capability through innovative practices and regional partnerships	1.4.1 Inter-governmental relationships - Develop and maintain effective relationships with other levels of government to advocate for the needs of the community		
3: Nurtured Environment We nurture and enhance the natural environment	3.2: Deliver initiatives and education programs to encourage protection of our environment	3.2.2: Environmental education and awareness - Coordinate and support environmental education to the community	3.2.2.2	Provide coastal and biodiversity information and encourage and support community activities and groups.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.4

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
---	--	--	---------	--

Recent Resolutions

N/A

Legal/Statutory/Policy Considerations

N/A

5 Financial Considerations

N/A

Consultation and Engagement

N/A