

# Notice of Meeting

## Biodiversity Advisory Committee Meeting

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

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 29 February 2024
Time	9.00am

Shannon Burt  
Director Sustainable Environment and Economy

I2024/256  
Distributed 21/02/24



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## CONFLICT OF INTERESTS

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**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

- 3.1 Confirmation of minutes from the meeting held on 16 November 2023 ..... 6

### 4. STAFF REPORTS

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

- 4.1 Biodiversity and Agriculture Projects and Operations Update ..... 14
- 4.2 Brunswick Valley Landcare Support Officer quarterly report, October to  
December 2023. .... 29
- 4.3 Future Discussion Items for Biodiversity Advisory Committee ..... 36

### 5. LATE REPORTS

### 6. FOR INFORMATION ONLY

- 6.1 2024 Meeting dates for Biodiversity Advisory Committee meetings ..... 63



# BYRON SHIRE COUNCIL

## ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

### **Report**

The attachment to this report provides the minutes of the Biodiversity Advisory Committee Meeting of 16 November 2023 .

### **Report to Council**

- 5 The minutes were reported to Council on 14 December 2023.

### **Comments**

In accordance with the Committee Recommendations, Council resolved the following:

**23-627 Resolved** that Council notes the minutes of the Biodiversity Advisory Committee Meeting held on 16 November 2023.

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**Minutes of Meeting**  
**Extraordinary Biodiversity Advisory**  
**Committee Meeting**

<b>Venue</b>	<b>Council Chambers, Station Street, Mullumbimby</b>
<b>Date</b>	<b>Thursday, 16 November 2023</b>
<b>Time</b>	<b>11.30am</b>





**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

EXTRAORDINARY BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 16  
NOVEMBER 2023

### Minutes of the Extraordinary Biodiversity Advisory Committee Meeting held on Thursday, 16 November 2023

**File No:** I2023/1815

PRESENT:

Councillors:	Cr S Ndiaye	Present, online
	Cr P Westheimer	Present
	Cr S Balson	Present
	Cr M Lyon	Present
Staff:	Shannon Burt (Director Sustainable Environment and Economy)	Apology
	Sharyn French (Manager Environmental & Economic Planning)	Present
	Chloe Dowsett (Coast & Biodiversity Coordinator)	Apology
	Liz Caddick (Biodiversity Team Leader)	Present
	Caitlin Weatherstone (Project Officer-Koala)	Present
	Claudia Caliarì (Biodiversity Projects Officer)	Present
	Sharyn French	Minute Taker
Community Representatives:	Dave Rawlins (Brunswick Valley Landcare)	Apology
	Liana Joseph	Absent
	Lindsay Murray	Present
	Martin Brook	Absent
	James Jackson	Present
	Stephen Millard	Absent
	David Milledge	Present
	Leonard Cronin	Apology
Guests	Jane Wickers, Earthscapes	Present, online
	Greg Shanahan, Earthscapes	Present, online

*Cr Westheimer (Chair) opened the meeting at 11.34am and acknowledged that the meeting was being held on Bundjalung Country.*

ATTENDANCE VIA AUDIO-VISUAL LINK:

Cr S Ndiaye, Greg Shanahan (Earthscapes), Jane Wickers (Earthscapes)

**BYRON SHIRE COUNCIL**

EXTRAORDINARY BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 16  
NOVEMBER 2023

APOLOGIES:

Leonard Cronin, Dave Rawlins (Brunswick Valley Landcare), Shannon Burt (Director Sustainable Environment and Economy), Chloe Dowsett (Coast & Biodiversity Coordinator).

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

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**ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

**Report No. 3.1      Confirmation of minutes from the 21 September meeting**  
**File No:            I2023/1629**

**Committee Recommendation:**

**That the minutes of the Biodiversity Advisory Committee Meeting held on 21 September 2023 be confirmed.**

(Westheimer/Balson)

*The recommendation was put to the vote and declared carried.*

*Note: The minutes of the meeting held on 21 September were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on 26 October 2023.*

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

**BYRON SHIRE COUNCIL**

EXTRAORDINARY BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 16  
NOVEMBER 2023

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**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 4.1**      **Flying-fox Camp Management Plan Review - Draft**  
**File No:**            I2023/1362

**Committee Recommendation:**

**That the Biodiversity Advisory Committee**

- 1. Provide feedback on the FFCMP parts A and B by 21/11/2023. (Note: the draft plan will be sent to committee members on 07/11/2023).**
- 2. Supports the draft Report being presented to Council for Public Exhibition.**
- 3. Notes the draft Report and thanks those involved in delivering it.**

(Balson/Westheimer)

*The recommendation was put to the vote and declared carried.*

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**Report No. 4.2**      **Future Discussion Items for the Biodiversity Advisory  
Committee**  
**File No:**            I2023/1767

**Committee Recommendation:**

**That the Biodiversity Advisory Committee notes the report and requests the following future report items:**

- Ways to prevent wildlife death on roads**
- Nonlethal control methods for Dingoes**
- Follow up on the introduction of the Nature Repair Market Bill**
- Council land managed for biodiversity conservation – distribute existing information to Committee and a future meeting presentation by David Milledge**
- Update on Varroa Mites**

(Balson/Westheimer)

*The recommendation was put to the vote and declared carried.*

**BYRON SHIRE COUNCIL**

EXTRAORDINARY BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 16  
NOVEMBER 2023

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**Report No. 4.3 Biodiversity and Agriculture Projects and Operations Update**  
**File No: I2023/1358**

**Committee Recommendation:**

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

(Westheimer/Jackson)

*The recommendation was put to the vote and declared carried.*

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**Report No. 4.4 Brunswick Valley Landcare Support Officer quarterly report,  
July to September 2023.**  
**File No: I2023/1660**

**Committee Recommendation:**

**That the Biodiversity Advisory Committee notes the report.**

(Milledge/Westheimer)

*The recommendation was put to the vote and declared carried.*

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*There being no further business the meeting concluded at 1.31pm.*

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

**Report No. 4.1 Biodiversity and Agriculture Projects and Operations Update**

5 **Directorate:** Sustainable Environment and Economy

**Report Author:** Liz Caddick, Biodiversity Officer

**File No:** I2024/45

**Summary:**

10 This report provides the Biodiversity Advisory Committee with an update on current key projects and programs being undertaken by the Biodiversity and Agriculture team, in accordance with Council's Operational Plan, Biodiversity Conservation Strategy, Agriculture Action Plan, Koala Plan of Management, Pest Animal Management Plan and Flying Fox Camp Management Plan, including:

- 15 • Farm extension program
- Sustainable agriculture
- Bringing Back the Bruns
- Curlews and Cockatoos Project
- Wildlife Corridor Mapping
- Flying Fox monitoring
- 20 • Flying Fox Camp Management Plan review
- No Bat No Me Project
- Koala vehicle strike
- Koala habitat restoration
- Koala monitoring
- 25 • Northern Rivers Koala Network (NRKN)
- North Coast Koala Habitat Field Key
- Pest animal management program
- West Byron Integrated Water Management Reserve.

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**RECOMMENDATION:**

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

## Report

### Sustainable Agriculture

#### Farm Extension

*Agriculture Action Plan action:*

- 5            **1.3** *Develop and maintain a database of farmers and primary production stakeholders to: identify farmers issues and opportunities and enable easy forwarding of relevant information and activities to specific farmers and stakeholders.*

10           We are in the process of hiring an Agriculture support officer as Andrew moves to 3 days. This will enable fine tuning of the Farmers Network (which has grown in numbers) and its function, with many farming groups now wanting to reach our local farming audiences.

15           The first task for the new Agriculture support officer will be to promote Council's farm services - namely on farm consultations, as demand has slowed down a bit over the past year or so. No doubt a few properties have changed hands over the past 3 years to its timely to reach those with the use of direct mail to select properties and some Social media advertising, both of which worked very successfully in the past.

#### Agriculture Workshops/Field Days

*Agriculture Action Plan actions:*

- 20           **1.4** *Develop and deliver (or refer landholders to) workshops and field days on best practice farming, innovation, productivity, sustainable land use and biodiversity.*
- 20           **1.6** *Source and provide current best practice farming information and techniques to assist farmers to improve productivity and sustainability by practice change*

The last on farm Field Day was with Bec Zentveld at Zentveld's coffee. Coffee is one of our large downturn local industries with incredible potential and opportunity, so we are looking to help encourage coffee growers.

25           The next On Farm Field Day is at The Farm to learn about integrating animals for food production whilst building fertility and biodiversity within our soils. We will look at using chickens within a syntropic setting and a pasture setting integrated with cattle.

30           A chemical free camphor management workshop held December 2023 with great success. The workshop showcased a work with nature approach as well as inoculating trees with mushrooms - creating a food source whilst growing rainforest. There was amazing feedback and plenty on the waiting list, so we hope to repeat this workshop in future. The excitement we see from people when they find out they can grow food from camphor is remarkable and something we want to educate people further on.

35           Given there is so much focus on camphor laurel from landowners and a much-needed paradigm shift towards their management, the recent workshop provided a perfect

5 opportunity to film some best practice management of camphor laurel and ways to turn problems into solutions. The video will be a great educational tool for landholders to understand the alternative camphor management options available, particularly options that enhance biodiversity and minimise negative impacts on wildlife, ecology and most importantly our soil.

Sustainable Agriculture Activities

*Agriculture Action Plan actions:*

10 **1.2** *Establish and support an agricultural mentoring program to support new and existing farmers in starting up, expanding their enterprise or changing their land management practices.*

**1.5** *Establish and maintain links to relevant organisations for the benefit of information sourcing, project collaboration, resource sharing and support.*

**3.6** *Investigate, develop and support processes and arrangements that increase opportunities to access and activate underutilised farmland.*

15 The first Farm Incubator program is complete and we are now in the process of evaluating the program as the next one is on hold. After evaluation and restructuring the hope is to attract the right funding to launch a second round. A great little video from Stone and Wood to summarise the program.

[Stone & Wood Presents: Regenerating Our Backyard - The Patch \(youtube.com\)](https://www.youtube.com/watch?v=...)

20 Our Farming Celebration Day is in development and looking to be an autumn harvest celebration. There's still a lot of planning and actions to execute but there is great support and excitement from our local farming groups, some of which include, TROPO, Farmers Footprint, Southern Cross University, Brunswick Valley Landcare, Mullum Rural Co Op.

25 The theme so far "the future is in our dirty hands" - celebrating local food production and custodianship. Making connections building our culture.

There will be talks from local farmers to showcase some of the great programs that have been held and hopefully foster connections between chefs and farmers, landless farmers and land owners.

***Media Article - A cultural shift from ownership to custodianship***

30 Staff recently to put an article in the local magazine Byron Wave. This was an opportunity to write about a problem that all our ecological and food loss issues stem from, which is our lack of culture towards custodianship and what that means. The hope is to get this message out more and more to build a community that has a culture closely linked to care of earth and the production of food.

35 [Byron Wave Magazine Jan 24.pdf](#)



**Dingo Lane Demonstration site to increase soil biodiversity and build carbon.**

5 A 1-hectare area of farmland leased by Council at Dingo Lane has been identified as a demonstration site for variations of cover cropping and potential biological sprays to show how these can promote change in soil fertility and carbon building. The site will be divided into 4 different cells, 0.25 ha each, with different management methods trialled at each, and cattle integrated into the system as a tool to graze and trample.

10 After discussing trial treatment options with various farmers, we've decided to focus on a soil building mix (cover crop cocktail) suitable to our context here in the northern rivers. We will use 3 different forms of seed coating to test differences. The 4<sup>th</sup> quadrant will be set aside for application of a site appropriate biology mix.

15 In preparation, EAL soil tests, Micro Biometer and Microscope soil biology tests have been completed, and show a lack of any predatory soil fauna, a fungal: bacteria ratio of 4:1 and significant microorganisms missing within the soil. Over the course of the trial, soils will be re-tested, and we are aiming for a 1:1 ratio from the Micro Biometer once we can introduce targeted biological sprays to introduce missing soil microorganisms.

The trials will be started in autumn, and will be kept simple so that they can be easily replicated by other farmers. As the trials progress, we hope to host field days at the site so that farmers can see the options and results first hand and get support and advice regarding implementing similar techniques on their own farms.

20 **Bringing Back the Bruns**

*Biodiversity Conservation Strategy Action:*

25 **4.29** *Continue to develop and implement 'Bringing back the Bruns' branded projects to address improvements in riparian and instream habitat, water quality, fish passage and habitat connectivity on Council and private land along the Brunswick River and its tributaries.*

30 Council is partnering with Brunswick Valley Landcare to update and reprint the *Planting Rivers and Streams in the Brunswick Valley Catchment* booklet that was developed in the 1990s. This booklet will give clear information on what species to plant where in riparian zones and how to plant. Particular emphasis will be on keystone riparian species that held banks and slopes well in the recent floods. Text and images for the booklet have been finalised and are currently being formatted by a graphic designer.

**Curlews and Cockatoos Project**

*Biodiversity Conservation Strategy Objective:*

35 **4.2** *Partner with community environmental groups, universities, citizen scientists and other land managers to monitor threatened species and ecological communities to improve best-practice biodiversity planning and management across the Northern Rivers.*

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

Byron Shire Council is partnering with Tweed Shire Council on Stage 2 of Tweed Shire Council's Environment Trust funded Curlews and Cockatoos project. In Byron Shire, the focus of the project will be on Bush Stone-curlews, which are Endangered in NSW, as there are already other local projects focussing on Endangered Glossy-black Cockatoos.

- 5 The objectives of the project are to monitor local curlews to learn more about local foraging and breeding sites, to improve habitat for curlews at priority sites, and to educate the community about the importance of these birds and how people can help protect them.

- 10 A Project Advisory Group has been set up, including ecological experts and representatives from local wildlife care and bird conservation groups. Tweed Shire Council have set up a web page where residents throughout the Northern Rivers can report curlew sightings and behaviour, and Council staff and volunteers attended a training day on curlew monitoring and behaviour on 24 November 2023.

- 15 Council staff are currently working with partners in Tweed Shire Council to develop a communications plan, which will include print media, social media, a film clip, educational materials, visits to farmers markets, Council staff training/capacity building and school visits.

### **Mapping Projects**

#### Wildlife Corridor Mapping

##### *Biodiversity Conservation Strategy Action:*

- 20 **1.18** *Update Council's wildlife corridor mapping and liaise with other NRJO Councils to ensure consistency in wildlife corridor mapping across the region.*

The Byron Shire Wildlife Corridor System was adopted by Council on 7 December 2023 (Resolution 23-594). The final corridor map is now available on Council's website via the online mapping tools.

- 25 To help inspire private landholders to restore habitat on their land, Council is seeking funds to create an engaging, user-friendly GIS map-based information portal (e.g. Story Map) to showcase the Byron Shire wildlife corridor network at an individual property scale. The map would allow landholders to view their property in a whole of landscape context, and to zoom into their property, see what wildlife the corridor on their land protects and to
- 30 view a site-specific list of plants they can grow to enhance the corridor. The information portal will also provide links to additional resources and support for habitat creation and enhancement, including links to local Byron Shire planting guides, suppliers, training and support networks. A funding application for this work was sent to DPE in December 2023 and we are awaiting a response.

- 35 Amendments to Council's Biodiversity and Tree and Vegetation Management chapters, that were made in parallel with the development of the wildlife corridor map are currently being prepared for public exhibition in the first half of 2024, in accordance with Council resolution 23-585 and section 13 of the *Environmental Planning and Assessment Regulations 2021*. The amendments made are intended to create a more streamlined and

5 simplified biodiversity and planning framework for the Byron LGA, with a stronger focus on biodiversity being integral to the site analysis process and genuinely prioritised, without being an exclusive constraint. Amendments were made following extensive consultation with technical staff, and public exhibition will allow further feedback and ‘road-testing’ of the draft controls by the community and industry specialists.

**Flying-Foxes**

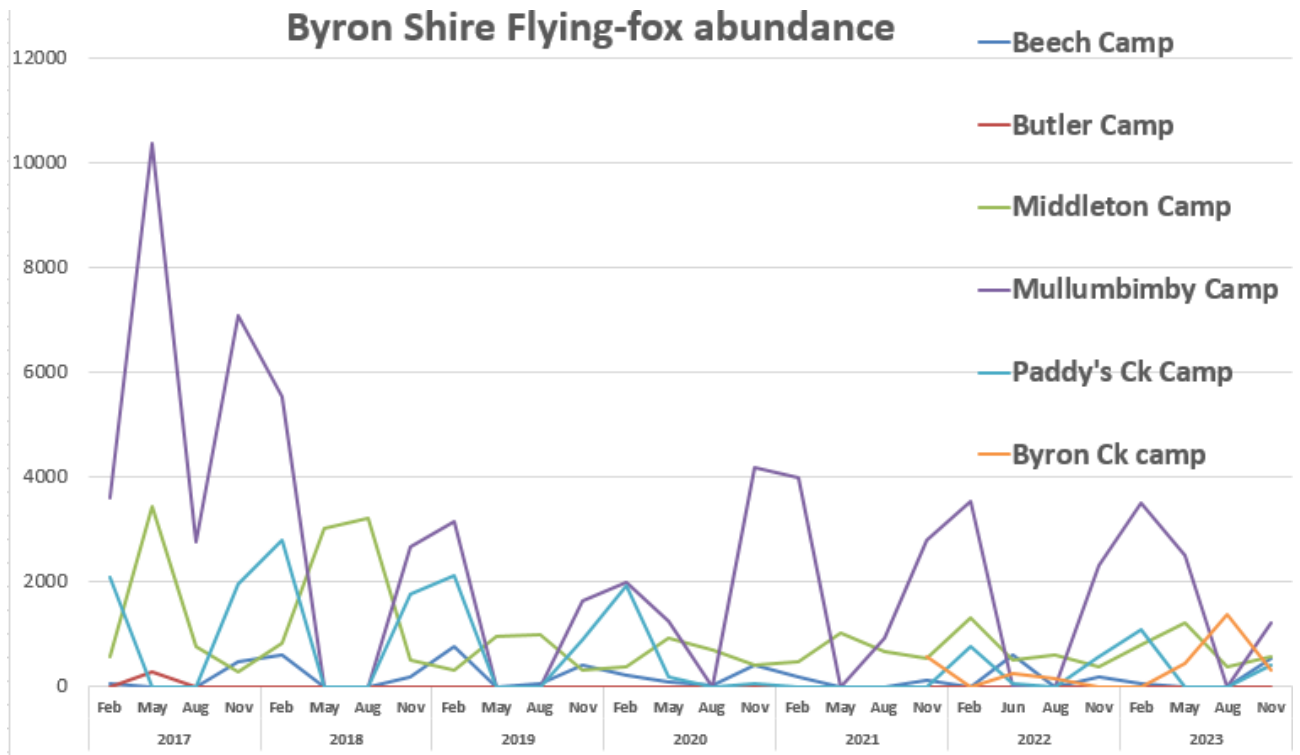
National Flying-Fox Monitoring Program - Census

*Biodiversity Conservation Strategy Action:*

10 **2.1** Provide expert advice regarding how people can help protect biodiversity, including how to protect native wildlife from threats.

**4.9** Review and implement monitoring programs to assess effectiveness of Council ecological restoration.

15 As part of the National Flying-fox Monitoring Program (NFFMP) Council has surveyed 6 flying-fox urban camps in November and is now preparing for the 15 and 16 of February survey. The data has been sent to state government and it’s the baseline for that Monitoring Program. This survey is done quarterly, formally since 2016.



Flying Fox Camp Management Plan Review

*Biodiversity Conservation Strategy Actions:*

20 **4.18** Implement actions in the Flying Fox Camp Management Plan 2018-2023.

# BYRON SHIRE COUNCIL

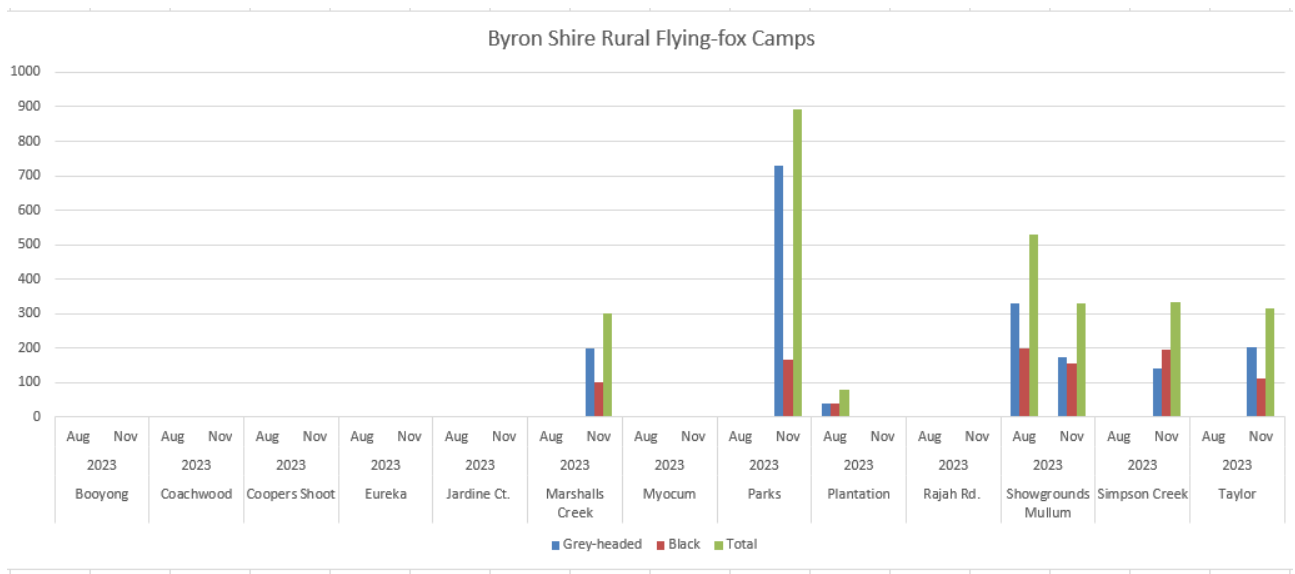
## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

Council is finalising the revised [Flying-fox Camp Management Plan \(2024-29\)](#), and has put the plan on public exhibition. A combination of newspaper ads and social media posts were used for community awareness. A community information session on the plan was held in Mullumbimby on 7 February, where positive feedback was provided. The main updates to the revised plan are a legislation review, updated science and monitoring methodology and detailed information on all known camps in Byron Shire. New approaches include: a strategy for managing heat stress events, engagement with Traditional Custodians (which will be an ongoing process), evaluation of achievements to date and an Education and Awareness Strategy.

5

10 A summary of the field data related to the camps occupancy:



### No Bat No Me Project – Flying-foxes/Koala

#### *Biodiversity Conservation Strategy Actions:*

**2.1** Provide expert advice regarding how people can help protect biodiversity

15

**4.9** Implement actions in the Flying Fox Camp Management Plan 2018-2023.

This project, funded by a \$27,100 grant from WIRES, aimed to increase community understanding of the importance of flying foxes in our local ecosystems, particularly for other species such as koalas. The project was a combination of a local media campaign together with local schools' workshops.

20

Achievements of the project include:

- Development of an engaging video about the important ecological role of flying foxes.
- Flying-fox and koala workshop presented 17 times (when proposed only 10), in 9 local schools (10 proposed schools), 1 home schooling group, to a total of 318 children.

25



The project was also highlighted at the National Flying-fox Forum 2023 and the video produced during the project has been streamed at Byron Palace Cinema since late January for 12 weeks having a total target audience of 10,706 cinemagoers.

## **Koalas**

### 5 Koala Vehicle Strike

*Biodiversity Conservation Strategy Actions:*

**4.25** *Work with RMS, local wildlife groups and Regional Koala Communications Group to identify road strike hotspots in Byron Shire.*

**4.26** *Seek funding for road strike mitigation trials at priority road strike hotspots.*

10 **4.27** *Consider roadkill mitigation measures and opportunities to improve wildlife connectivity into design work for new roads and road asset upgrades.*

15 Geolink have developed a Koala Vehicle Strike Mitigation Feasibility Options Assessment Report, covering the key koala road-strike black spots that extend from Granuaille Rd to Lismore Rd, coming into and out of Bangalow. Mitigation measures proposed include fauna exclusion fencing, escape structures, lighting, vehicle activated signage and on-road koala crossing zones and entrances. This report was funded by the NSW Koala Strategy and DPE representatives are now following up with the NSW government regarding funding to deliver some of the mitigation measures proposed. Should funding be available, this is likely to be delivered in a staged manner, due to the high costs of such  
20 infrastructure, and to coordinate with any other planned works along these road sections (which are managed by Transport for NSW, not Council).

25 Staff are continuing to progress the Koala LED radar speed signs project, funded by a \$185,029 grant from the NSW Koala Strategy. Signage quotes and sign location maps have been reviewed by Infrastructure Services staff, and signs are being purchased this month.

### Koala Habitat Restoration

*Biodiversity Conservation Strategy Action:*

**3.9** *Seek grant funding opportunities for combined Council-private landholder restoration and revegetation projects on private land.*

30 Byron Shire residents featured in our koala restoration database have been notified of free koala habitat and feed trees being provided by Friends of the Koala nursery. Up to 500 free trees are being provided per landholder as requested.

### Koala Monitoring

*Biodiversity Conservation Strategy Action:*

35 **4.7** *Implement a monitoring program for the Byron Coast koala population.*

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

The 2023 Koala Activity Survey was completed in Nov '23, with 76 sites completed along Byron's Coast. The survey work was undertaken by the Biodiversity team, with additional contractor costs and equipment funded under the NSW Koala Strategy (\$32,604). Sites were surveyed using the Spot Analysis Technique (koala scat surveys) to assess koala occupancy and activity level over the 2023 koala breeding season. Additionally, DPE installed song meters at selected sites throughout the shire as part of Tier 2 NSW Koala Strategy to detect calling male koalas during the breeding season. The song meter program is being extended throughout the Northern Rivers region and state-wide. The data entry and analysis process is now underway.

### 10 Northern Rivers Koala Network (NRKN)

*Biodiversity Conservation Strategy Action:*

**4.13** *Liaise with local conservation groups and government agencies to share information (e.g. monitoring data) and identify opportunities for biodiversity conservation partnerships.*

15 Representatives from NRKN (including Council's Koala Projects Officer Caitlin Weatherstone) are attending the Koala Summit in Sydney on 22 March 2024 held at Taronga Zoo. This event has been organised by the NSW government to seek input from on-ground koala conservation practitioners in order to guide the future direction and resourcing of the NSW Koala Strategy.

20 The North Coast "Koala Conversations" Forum is being organised for the 2 week period between 20 May – 1 June 2024. Council's Koala Projects Officer is on the organising committee.

### North Coast Koala Habitat Tree Key

25 BSC has been awarded \$15,000 to manage and design a North Coast Koala Habitat Tree Key and Guide Project. Byron Shire Council staff are currently working closely with DPE and WWF-Australia to design the Guide, and have engaged Earthscapes to design the plant identification key component. The Guide is designed to be used in the field to identify koala food trees by koala practitioners, landholders, bush regenerators and land managers currently engaged in koala conservation activities. The Guide will feature 61 key koala food tree species found on the North Coast. The Guide is proposed to be completed by the end of 2024, and will be in the form of a downloadable electronic document (e.g. pdf).

## **Pest Animal Management Program**

### Pest Animal Management Plan 2018-23

35 *Biodiversity Conservation Strategy Action:*

**4.23** *Work with North Coast LLS and private land managers to develop a coordinated cross-tenure approach to pest animal management.*

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

The team is evaluating the outcomes of the 2018-2023 PAMP and preparing a revised plan for the next 5 years. Ecosure have been engaged by Council to develop the revised plan, and Council has received a grant of \$25,000 from DPE to contribute towards development of the plan.

5 Some new elements of the 2023 plan are likely to include:

- Greater collaboration with neighbouring Councils in recognition that many pest animals are highly mobile.
- Greater emphasis on management of feral deer.
- Investigation on Dingo Conservation areas: up to date information on genetics and management of wild dogs and/or dingoes as a culturally significant species for traditional owners.

### Deer

*Biodiversity Conservation Strategy Action:*

- 15 **4.13** *Liaise with local conservation groups and government agencies to share information (e.g. monitoring data) and identify opportunities for biodiversity conservation partnerships.*

20 Council staff are working with Tweed Shire Council to develop a coordinated protocol for managing feral deer from sightings reported in both Local Government Areas. Staff have also coordinated a deer workshop (05/12/2023) with representatives of all North Coast LGAs to align strategies and further develop each LGA Deer Rapid Response Plan. The intent is having this plan endorsed by LLS and DPI for a coordinated fast response.

### Indian Myna

*Biodiversity Conservation Strategy Action:*

- 25 **4.22** *Develop and implement Operational Plans for target pest species*
- The Indian myna trapping program runs from October to May. Council's trapping contractor is currently trapping and distributing decoy birds to interested landholders. After months investigating possible new sources for manufacturing new traps, Byron will be able to purchase some more from a welding apprentice, and we hope this will be a long-term supplier. Ensuring a secure source for traps will support Council in promoting this program.

### 30 Imported Red Fire Ant

Recent monitoring (January 2024) has revealed that Red imported fire ants (fire ants) have been found in Wardell. As a consequence, an email to managers has been sent with relevant information and the guidelines to follow DPI as the leading agency in this response. Staff have been supporting community members through responding to phone enquiries. DPI has intensified border control with random operations checks.

### **West Byron Integrated Water Management Reserve**



5 Australian Wetlands Consulting (AWC) have developed a draft Biodiversity Management Plan for the West Byron Integrated Water Management Reserve. This plan brings together information and management requirements that were previously dispersed in a number of management documents for the site. By consolidating all the biodiversity information and management requirements into one, up to date, document, it will be easier for site managers to understand and implement management and monitoring required.

10 AWC met with key stakeholders on 6 February, including Byron Bird Buddies, Birdlife Australia, researchers and Council staff to discuss the draft plan and get feedback on proposed management and monitoring. Issues discussed included monitoring methods, community involvement, salvinia management, active water level management and mud flat creation. Stakeholders are now providing AWC with written feedback on the draft plan, and the intention is that the stakeholder group will continue to meet periodically to progress management of biodiversity values at this site.

15

## **Strategic Considerations**

### **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>
2: Inclusive Community	2.2: Enhance safety and contribute to the physical, mental, and spiritual health and well being of the community	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	3.2: Deliver initiatives and education programs to encourage protection of the environment	3.2.2: Environmental education and awareness - Coordinate and support environmental education to the	3.2.2.7	Partner with DPE to implement koala vehicle strike mitigation as part of the NSW Koala Strategy 2022-2026

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

		community		
3: Nurtured Environment	3.1: Partner to nurture and enhance 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 delivery of Byron Shire Koala Plan of Management and NSW Koala Strategy
3: Nurtured Environment	3.1: Partner to nurture and enhance 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	3.1: Partner to nurture and enhance 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	3.1.2.1	Implement dog, fox and cat trapping program
3: Nurtured Environment	3.1: Partner to nurture and enhance biodiversity, ecosystems, and ecology	3.1.2: Pest and weed management - Use best practice land management to improve ecological resilience and reduce	3.1.2.3	Participate in Northern Rivers Feral Deer Management group

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

		threats to biodiversity		
3: Nurtured Environment	3.1: Partner to nurture and enhance biodiversity, ecosystems, and ecology	3.1.3: Habitat restoration - Restore degraded areas that provide high environmental or community value	3.1.3.5	Deliver Federal Fish Habitat Restoration Project
3: Nurtured Environment	3.2: Deliver initiatives and education programs to encourage protection of the environment	3.2.3: Planning - Plan to improve the quality of the natural environment	3.2.3.3	Participate in coastal and environmental working groups and initiatives
3: Nurtured Environment	3.3: Protect the health of 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	4.3: Promote and support the 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	4.3: Promote and support the 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	4.3: Promote and support the local economy	4.3.5: Regenerative agriculture - Develop and implement strategies to support regenerative agriculture, agri-business and farmers	4.3.5.3	Deliver farmer mentoring and farmer education activities

**Recent Resolutions**

N/A

**Legal/Statutory/Policy Considerations**

N/A

**5 Financial Considerations**

N/A

**Consultation and Engagement**

N/A

**Report No. 4.2 Brunswick Valley Landcare Support Officer quarterly report, October to December 2023.**

**Directorate:** Sustainable Environment and Economy

**Report Author:** Arika McElroy, Project Support Officer

5 **File No:** I2024/205

**Summary:**

This report tables the activities of the Landcare Support Officer quarterly report, from October to December 2023.

10


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**RECOMMENDATION:**

**That the Biodiversity Advisory Committee notes the report.**

**Attachments:**

15

1 BSC Landcare Support Officer report 1 October - 31 December 2023, E2024/13877 , page 31 [↓](#) 

## Report

Council provided an allocation of funds in the 2023/24 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.

- 5 Attached is the quarterly report for October to December 2023, from the Brunswick Valley Landcare Support Officer, for the Committee’s reference.

## Strategic Considerations

### Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
<b>3: Nurtured Environment</b> 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	3.2.2.1	Support Brunswick Valley Landcare to deliver the Land for Wildlife Program and biodiversity enquiries.

## Recent Resolutions

- 10 N/A

## Legal/Statutory/Policy Considerations

N/A

## Financial Considerations

Funding allocated in 2023/24 budget.

- 15 **Consultation and Engagement**

N/A



**Landcare Support Officer Report for Byron Shire Council**

**1<sup>st</sup> October – 31<sup>st</sup> December 2023**

**LFW**

**Total of 148 properties registered in Byron Shire**

84 registered by BVL, 64 registered by BSC

8 new EOI's pending assessment, 4 now scheduled for January 2024, the following 4 February 2024

**LANDCARE GROUPS**

- 16 BVL locality groups active (4 new groups in last six months – Upper Mullum Creek, Upper Coopers Creek, Yelgun Valley, new one forming for Saddle Road)
- 10 working on council managed land.
- Work is underway to reinvigorate the volunteer base with a focus on getting young people involved.
- 1 BVL special interest group – Byron Bird Buddies.
- 8 Incorporated Landcare groups working in Byron Shire (not under BVL's umbrella).

**PROJECTS**

- **ET Broken Head Costal Corridor Restoration Stage 3** \$170,000 over 4 years working on 7 properties, 10.18ha of restoration and 4.9ha of planting. Year 1 report lodged (3-year project). ET Independent Review Panel feedback received in November was positive: *“Thank you for the high-quality work that has been carried out in milestone 1. You have successfully completed your planned activities with the budget on track, some measures exceeded, and have provided good evidence of works. You have made a significant effort to build an ongoing community-supported restoration project.”* Year 2 funds have been released late 2023 for Stage 2 activity to commence in 2024.
- **LLS Landslip Recovery** – regional project across 4 northern Landcare networks. Phase two of landslip remediations is now complete, with reporting delivered to BRVVLN. A community day “Reclaiming Stability, navigating landslip recovery together” was held on 25 November for affected landholders to come together to learn from each other’s experiences as well as panel of experts. BVL acted as local hosts with the event held at Mullumbimby Civic Hall. Attendees were treated to a fully catered spread for morning tea, lunch and afternoon tea. What became very evident on the day was the fundamental role of Landcare in supporting landholders through such an event as 2022 and it’s aftermath and recovery. Feedback from the day in response to the question: “What was your favourite part of the day?”: *“Hard to pick one thing as it was so well organised, so full of information and a source of support.”* *“So well done AND amazing food and drinks. Thank you so much.”* *“How many different modes of engagement you planned; talks/questions, panel, small group discussion.”*



*December 2023 Report by Joanne McMurtry and Harry Hackett*

- **MNES Grant** from LLS (Matters of National Environmental Significance) \$65,084 over 1 year to work on 8 sites with subtropical rainforest that have had 1 year of funding already, and 5 of the landslide sites requiring critical weed control follow up. LLS advised 50% reduction in grant allocation after NSW Treasury accounting mistake was realised. BVL successfully negotiated with LLS to have the reduced allocation bumped up to 60% in order to meet scale of need and drop the proposed engagement event. Resulting project total is now \$48,084, confirmed by Variation Agreement 24 October 2023. Progress report due to LLS early February 2024, with all funds to be executed by 30 June 2024.
- **Seedbank Project** BVL have been part of ongoing conversations with Tweed Landcare, as the Northern Hub Coordinator for this Project, following the last meeting convened with partners held late Sept at Byron Shire Council meeting room through the assistance of Liz Caddick. In December BVL canvassed its members in regard to interest in potential Byron Shire Seed Collection workshop to be held early 2024 and a number of members expressed support of this.
- **Seeds of Hope** – BVL delivered its “regenerative agriculture in a changing climate” program for secondary students Years 9 - 11 in Grafton on Friday 20<sup>th</sup> October. The event was run in partnership with Dorroughby Environmental Education Centre (DEEC), TAFE Trenayr and Clarence Landcare, with funding received from Northern Rivers Community Foundation. Students had opportunity to learn from a wonderful panel of local Regen Ag experts in a very practical “hands-on” day of workshop sessions. Topics included soil health; water quality monitoring & water bugs; native pollinators; keeping water in our soils; traditional land management; Regen Ag pathways; and stopping cane toads at the Clarence. Student feedback was overwhelmingly positive, including the surprise comment: “We wish the day could have run longer!”



- **Revegetating Streams for the Brunswick River Catchment brochure update.** Species advice has been provided through collaborative efforts of Jo Green, Liz Caddick, Dave Filipczyk and John McVicar. The revised ssp. list has trebled the previous document’s. A full design brief, created in collaboration with BSC Biodiversity team, was delivered to our designer upon her return from overseas in late October. Great progress made so far on design & layout, with some new imagery and map to be created, along with a more modern image selection. Awaiting further advice from Designer re: printing costs based on economies of scale to determine size of print run.

*December 2023 Report by Joanne McMurtry and Harry Hackett*



**EVENTS**

- **Film Fundraisers** – three film fundraisers were held at Brunswick Picture House. Each film included either a Q&A or a short talk to localise the film content. These were very successful in raising awareness about landcare, particularly around habitat, and attracted younger audiences. We raised approximately \$9,000.
  - Planet Fungi Sunday 15<sup>th</sup> October
  - Black Cockatoo Crisis Wednesday 25<sup>th</sup> October
  - The Message of the Lyrebird Wednesday 15<sup>th</sup> November
- **Workshops for locality group members** – we organised two events aimed at locality group members, including:
  - Locality Group Bus Field Trip, Sunday 22<sup>nd</sup> October. We visited Gondwana/ Tyagarah locality group, Friends of Lilli Pilli Byron Bay and Heritage Park Mullumbimby, finishing with a group BBQ lunch.
  - Weed ID workshop held at Mullumbimby Cemetery, Saturday afternoon 18<sup>th</sup> November. Bob from BRS went through several types of common weeds, then the group went for a walk to help identify them in situ and control methods were demonstrated.
- BVL held our **AGM and Christmas Party** on Sunday 10<sup>th</sup> December. The event included a short presentation by Ray Moynihan and his son on propagating natives and a talk on some of the school workshops Ray has been involved in.
- **Reclaiming Stability: Navigating Landslip Recovery Together** was held at Mullumbimby Civic Hall on Saturday 25<sup>th</sup> November. Experts, presentations and short films were shown throughout the day on preventing and rehabilitating landslip sites. This was in partnership with Border Ranges Richmond Valley Landcare, Richmond Landcare and Tweed Landcare.
- We also conducted a fundraiser at Hotel Brunswick as a PubInlc Community Peer with a free BBQ.



*Q&A following sold-out Black Cockatoo Crisis film screening*



*Locality Group Bus Field Trip*



*Panel of experts at Reclaiming Stability Workshop*

**COUNCIL**

- Chem Free Camphor Laurel management for growing rainforest and food, held on Saturday 9<sup>th</sup> December. Partnered with Council’s Sustainable Agriculture officer. The workshop demonstrated mycelium growth on camphor which eventually kills the tree and grows food at the same time.

*December 2023 Report by Joanne McMurtry and Harry Hackett*



**BVL STAFFING**

- Joanne McMurtry is working 3 days per week on a flexible basis as Community Liaison Officer.
- Harry Hackett is working for BVL as Project Officer on a flexible basis between 1 to 2 days per week.
- Alison Ratcliffe is easing her way back into work during the first quarter of 2024.

**Operational**

- Joanne and Sue Haining (Secretary) attended a Biocontrol workshop in Coffs Harbour on 7<sup>th</sup> December organised by Local Land Services.
- BVL have obtained Salesforce to manage our member and project data. BVL’s Salesforce database has been customised in a similar way to Tweed Landcare’s and we are working to put all our members, contacts and project data into the database. This will make it much easier to keep track of members and their participation plus project progress and outcomes.

**ENQUIRY TOPICS/ ISSUES**

Phone	Email	Website	Social Media	Walk in	In Person
Membership	RSVP's to events		Can we use your social media as a good example (NLN)	Pick up No Place for Weeds 2024 calendars	Koala info
X2 Private landholder seeking advice	X4 Private landholder seeking advice/ grants		X2 Collaboration		
Can I remove Camphor Laurel?	Native bees		Request to put our events on events calendar		
x4 Brochure request	X2 Distribute info in newsletter		Request to use us to fundraise		
Developing a food garden	Corporate volunteering		Locality group info		
Locality group enq	Requesting info about DGR status		Weed control info		
LfW					
X2 Distribute info in newsletter					
Contractor contact / info					
Wanting to volunteer/ join group					

*December 2023 Report by Joanne McMurtry and Harry Hackett*

# BYRON SHIRE COUNCIL

Wanting more info re landcare					
Weed control info					
Advice on coordinating a tree-planting					
How to obtain Bush Regen experience					
Bamboo removal					
20+	10	0	7	1	2
					<b>Approx. 40</b>

*December 2023 Report by Joanne McMurtry and Harry Hackett*

**Report No. 4.3      Future Discussion Items for Biodiversity  
Advisory Committee**

**Directorate:**                      Sustainable Environment and Economy

**Report Author:**                Liz Caddick, Biodiversity Officer

5    **File No:**                        I2023/1989

**Summary:**

10    This report summarises reports and information requested by the Biodiversity Advisory Committee. These requests, resourcing and alignment with Council's Operational Plan are tabled for discussion by the committee, to resolve whether these requests are taken to Council for consideration for inclusion in a future Council OP and budget.

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**RECOMMENDATION:**

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

**Attachments:**

- 20    1    Report 25/05/2023 Council Nature Repair Market Bill, I2023/650 , page 46 [↓](#) 
- 2    2    Report to Biodiversity Advisory Committee - Threatened Species Monitoring on Council Land - Attachment 1 - 17 Aug 2023, E2023/78469 , page 52 [↓](#) 
- 3    3    D Milledge Advice Re: BSC lands being managed for biodiversity - 5/11/23, E2023/120227 , page 60 [↓](#) 

25

## Report

At the 17 August Biodiversity Advisory Committee meeting, the committee sought a follow up response to the following items that were discussed at the 20 April Biodiversity Advisory Committee meeting:

<b>Information requested</b>	<b>Resourcing</b>	<b>Operational Plan &amp; other Council Strategies</b>
<p>Information regarding options available to prevent wildlife road deaths (e.g. wildlife underpasses, overpasses), particularly as a consideration for new developments, funded by developer contributions.</p> <p><b>Requested by:</b> Cr Balson</p>	<p>Staff to invite Brendan Taylor (DPE) to present information at a future BAC meeting regarding various wildlife road strike mitigation options available in Australia, their application to wildlife in the Northern rivers, and pros and cons of these.</p>	<p><b>OP 3.1.1.3</b> Partner with DPE to implement koala vehicle strike mitigation in Byron Shire as part of the NSW Koala Strategy 2022-2026.</p> <p><i>Biodiversity Conservation Strategy Actions:</i></p> <p><b>4.25</b> Work with RMS, local wildlife groups and Regional Koala Network to identify road strike hotspots in Byron Shire.</p> <p><b>4.26</b> Seek funding for road strike mitigation trials at priority road strike hotspots.</p> <p><b>4.27</b> Consider roadkill mitigation measures and opportunities to improve wildlife connectivity into design work for new roads and road asset upgrades.</p>
<p>A presentation from Aboriginal practitioners, scientists and/or farmers working in dingo conservation and management.</p> <p><b>Requested by:</b> Cr Balson</p>	<p>Staff are currently preparing a report to Council regarding methods to trap and monitor dingoes, as well as revising the Pest Animal Management Plan.</p> <p>Both these bodies of work are involving extensive consultation with aboriginal practitioners, researchers and land managers, including Arakwal rangers, Minyumai IPA rangers, K'gari</p>	<p>Council is currently reviewing the Pest Animal Management Plan – <b>OP Action 3.1.2.7</b>.</p> <p>Resolution 23-351</p> <p>Resolved that Council:</p> <ol style="list-style-type: none"> <li>1. Reviews the 2018-2023 Byron Shire Pest Animal Management Plan early in 2024 and that this review</li> </ol>

# BYRON SHIRE COUNCIL

Information requested	Resourcing	Operational Plan & other Council Strategies
	<p>rangers, researchers from Taronga Zoo and the University of NSW, Humane Society International, Local Land Services and staff at Mid-Coast Council. The Council report will include a number of case studies describing the work currently occurring in the Hawks Nest – Tea Gardens area, Minyumai IPA and K’gari, and this information can be made available to BAC members shortly.</p> <p>Council have already heard presentations from UNSW researchers, Mid-Coast Council staff and HSI regarding work that is occurring elsewhere in Australia. Staff are currently discussing the potential for <u>local</u> dingo monitoring and conservation projects with UNSW and WildBnB. To have a local context, we would recommend a presentation from one of these groups later in the year, once we have had the opportunity to work out with these groups what options are most applicable in Byron Shire, so that Council can continue to progress this issue.</p>	<p>includes:</p> <ul style="list-style-type: none"> <li>a) Community engagement to identify community priorities and impacts on land managed by primary producers, traditional owners, rural lifestyle landholders, local community members and Land for Wildlife.</li> <li>b) Engagement with researchers including those using updated DNA methods and non-lethal management practices to collate data relevant to the Byron Shire local environment to inform best practice pest animal management.</li> </ul> <p>2. Works with Local Land Services, independent scientists, traditional owners, and animal protection organisations to develop the best-informed Pest-Predator Management Plan for Byron Shire which will prioritise non-lethal pest management options.</p> <p>3. Requests that the previously DNA tested samples from Local Land Services be shared with UNSW scientist Dr Kylie Cairns to run updated DNA testing.</p> <p>4. Receives a report by</p>

# BYRON SHIRE COUNCIL

Information requested	Resourcing	Operational Plan & other Council Strategies
		<p>March 2024 (prior to the 2024 trapping season) on the use of non-trapping investigative methods, monitoring and if necessary, cage traps, which can be used to successfully monitor and trap dingoes, roaming dogs, foxes and cats if used properly.</p> <p>5. Explores opportunities for funding to work alongside above stakeholders to create awareness and education campaigns about Dingoes, as part of the Pest Animal Management Plan review.</p> <p>6. Notes that there is a National Inaugural First Nations Dingo Forum 15-16 September 2023, hosted by GIRRINGUN Aboriginal Corporation, in relation to the cultural significance of the Dingo to First Nations People. The forum will review current methods of management, review legislation, and provide first nations perspectives.</p> <p>7. Considers sending a delegate/s to the above events and for the findings to be considered as part of ongoing inclusion and consideration into the Byron Shire Pest Animal Management Plan in 2024.</p>

# BYRON SHIRE COUNCIL

Information requested	Resourcing	Operational Plan & other Council Strategies
		8. Notes this resolution does not replace, Council Resolution on 27 April 2023 (23-124) (Balson/Pugh)
<p>Staff provide follow up information on the Nature Repair Market Bill, which was introduced into Federal Parliament on August 1<sup>st</sup> 2023.</p> <p><b>Requested by:</b> Cr Westheimer</p>	<p>The <i>Nature Repair Act 2023</i> (the Act) came into effect on 15 December 2023. The Act establishes a framework for a national, voluntary, legislated Nature Repair Market. The Nature Repair Market will enable private finance to help to repair and protect the natural environment and will reward landholders for protecting biodiversity.</p> <p>Information on how the Nature Repair Market will operate can be found at <a href="#">How the Nature Repair Market will operate - DCCEEW</a>. This information has previously been provided to Councillors in relation to Council’s submission in support of the Nature Repair Bill [Attachment 1].</p> <p>Staff contacted DCCEEW for an update on the Nature Repair Market and we’ve been advised that the scheme will start in approximately 12 months. This will allow for establishment/ development of:</p> <ul style="list-style-type: none"> <li>• An expert committee</li> <li>• Legislative rules</li> <li>• Project methods, including</li> </ul>	<p><b>Operational Plan 3.1.1.9:</b> Seek funding to implement the Biodiversity Conservation Strategy, Coastal Koala Plan of Management and Flying Fox Camp Management Plan.</p> <p>Biodiversity Conservation Strategy Objective 3.2: Council works positively and proactively with rural landholders to facilitate biodiversity restoration and conservation on private land.</p>



# BYRON SHIRE COUNCIL

Information requested	Resourcing	Operational Plan & other Council Strategies
	<p>time for public consultation</p> <ul style="list-style-type: none"> <li>• A biodiversity assessment instrument</li> <li>• Ecological knowledge system</li> <li>• The Clean Energy Regulator to develop the processes and IT systems necessary to manage the scheme.</li> </ul> <p>Current information on the DCCEEW website indicates that DCCEEW recently undertook two pilot projects in selected regions of Australia (<a href="#">Agriculture Biodiversity Stewardship - DCCEEW</a>):</p> <ul style="list-style-type: none"> <li>• the Carbon + Biodiversity (C+B) Pilot</li> <li>• the Enhancing Remnant Vegetation (ERV) Pilot</li> </ul> <p>The pilots have been monitored and learnings are being incorporated into the design of the Nature Repair Market. Neither of these pilots included the Northern Rivers.</p> <p>For each pilot, protocols set out rules about the location, dimensions, configuration, and composition of plantings, or management existing of vegetation, to ensure projects generate more biodiversity benefits. These protocols are adapted to local ecosystems to cater to region-specific needs, with input from Natural Resource Management (NRM)</p>	

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

Information requested	Resourcing	Operational Plan & other Council Strategies
	<p>organisations.</p> <p>DCCEEW have advised that keeping an eye on the Nature Repair Market <a href="#">webpage</a> and <a href="#">joining</a> their mailing list is the best way to stay up to date on developments.</p>	
<p>Further discussion regarding the information request from BAC meeting 17 August 2023 regarding council lands being managed for biodiversity.</p> <p>David Milledge has reviewed the information provided by staff (Attachment 2) and has provided comments (Attachment 3), which he will speak to at the next BAC meeting.</p> <p><b>Requested by:</b> David Milledge</p>	<p>Resourcing is discussed in Attachment 2</p>	<p>There is no activity in Council's OP that directly resources this action.</p> <p>The following OP action provides indirect support:</p> <p><b>OP 3.1.3.6</b> Undertake bush regeneration activities to maintain and expand restoration of HEV sites on Council owned or managed lands forming part of the Council bush regeneration program.</p> <p>Council is currently developing a Biodiversity Management Plan for West Byron STP that will guide future threatened species monitoring and reporting at this site.</p>
<p>Can Council provide any information regarding veroa mite management, in particular relating to recent compliance restrictions that are impacting on bee-keepers, particularly those with only one or</p>	<p><b>Varroa Mite</b></p> <p>As brought up in previous meeting there has been a change from eradication to management. After speaking with a few beekeepers and DPI themselves there is still a bit of ambiguity around what this actually means. Some organic growers have been fearful that if</p>	<p><b>OP 4.3.5.2</b> Provide extension services to farmers to support and promote sustainable agriculture.</p> <p><b>OP 4.3.5.3</b> Deliver farmer mentoring and farmer education activities.</p>

# BYRON SHIRE COUNCIL

Information requested	Resourcing	Operational Plan & other Council Strategies
<p>2 hives.</p> <p><b>Requested by:</b> Lindsay Murray</p>	<p>they report seeing the mite, they will be forced to use chemicals which according to DPI is not the case.</p> <p>Staff are still waiting to hear back from DPE non-chemical treatment options, as there are alternatives for bee keepers.</p> <p>Bee keepers are required to make observations and record what they see. But at this stage DPI are just requesting that operators maintain records, not that they have to send them in to DPI.</p>	

## Strategic Considerations

### Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
3: Nurtured Environment	3.1: Partner to nurture and enhance 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 delivery of Byron Shire Koala Plan of Management and NSW Koala Strategy
3: Nurtured Environment	3.1: Partner to nurture and enhance biodiversity, ecosystems, and ecology	3.1.2: Pest and weed management - Use best practice land management to improve	3.1.2.7	Review of Pest Animal Management Plan

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
		ecological resilience and reduce threats to biodiversity		
3: Nurtured Environment	3.1: Partner to nurture and enhance 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	3.2: Deliver initiatives and education programs to encourage protection of the environment	3.1.3: Habitat restoration - Restore degraded areas that provide high environmental or community value	3.1.3.6	Undertake bush regeneration activities to maintain and expand restoration of HEV sites on Council owned or managed lands forming part of the Council bush regeneration program
4: Ethical Growth	4.3: Promote and support the 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	4.3: Promote and support the local economy	4.3.5: Regenerative agriculture - Develop and implement strategies to	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
		support regenerative agriculture, agri-business and farmers		

### Recent Resolutions

Biodiversity Advisory Committee:

#### Report No. 4.2 Future Discussion Items for the Biodiversity Advisory Committee

5 File No: I2023/1767

#### Committee Recommendation:

That the Biodiversity Advisory Committee notes the report and requests the following future report items:

- Ways to prevent wildlife death on roads
- 10 • Nonlethal control methods for Dingoes
- Follow up on the introduction of the Nature Repair Market Bill
- Council land managed for biodiversity conservation – distribute existing information to Committee and a future meeting presentation by David Milledge
- 15 • Update on Varroa Mites (Balson/Westheimer) The recommendation was put to the vote and declared carried.

### Legal/Statutory/Policy Considerations

N/A

### Financial Considerations

20 No detailed costings for requested items provided at this stage.

### Consultation and Engagement

N/A

BYRON SHIRE COUNCIL

NOTICES OF MOTION

9.1

**Notice of Motion No. 9.1 Nature Repair Market Bill**

File No: I2023/650

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**I move that Council:**

1. **Notes that the Senate referred the provisions of the Nature Repair Market Bill 2023 and the Nature Repair Market (Consequential Amendments) Bill 2023 to the Environment and Communications Legislation Committee for inquiry and report by 1 August 2023 and that submissions are open until 1 June 2023.**
2. **Makes a submission in support of the Nature Repair Bill, with input from members of the Biodiversity Advisory Committee.**

Signed: Cr Peter Westheimer

**Councillor's supporting information:**

As a current Councillor and Chairperson of Byron Shire Council's Biodiversity Management Committee and member since the Committee started during my 2004 -2008 Councillor term including 18 months as Deputy Mayor, and as a private land holder who has significantly restored revegetation to what was previously cow paddocks, I was thrilled when I recently came across the details of the Nature Repair Market Bill through my local Brunswick Valley Land Care newsletter. This is potential legislation that I had been lobbying for and considering for many years now as a support mechanism to support a paradigm of more sustainable land management.

Personally, I am fortunate to be an owner/custodian of 15 hectares [38 acres] of land 5 kilometres south of Mullumbimby and 20 minutes north west of Byron Bay. The land was purchased in 1997 and from 1998 onwards I've engaged in successful reforestation programme projects planting over 30,000 native plants especially along riparian areas and steep slopes, including a mixed native species 2.5-hectare farm forestry planting. I've been fortunate to obtain a number of Grants covering the cost of revegetation and importantly the essential maintenance work required and have dedicated a portion of the land on title to conservation in perpetuity.

The property's wildlife and regenerating native vegetation is now thriving with an exponential increase in new native trees and rapidly advancing understory plants and native grasses appearing and replacing traditional weeds. I would estimate that there now is a cascading effect happening where the numbers of self-regenerating natives are about 10 times the numbers of those plantings over the years. The satisfaction of assisting and witnessing this transformation of the property are immense and ongoing. It also makes me

BYRON SHIRE COUNCIL

NOTICES OF MOTION

9.1

feel that I am walking my talk and has given me the ground truthing experience to understand revegetation projects.

5 However, I have needed to put up my own funds for about 3/4 of the costs of replanting and maintenance densely enough such that weed control is facilitated with canopy cover within approximately three to four years. This can require planting 3000-4000 trees per hectare.

10 So, I know through personal experience and membership of Landcare organisations over the last 25 years how much cost and maintenance is required to revegetate. As for an estimate of the current cost of revegetation in the Northern Rivers of NSW, the cost per tree to plant and then maintain for four years would likely be around the \$22 mark. To obtain canopy cover within four years a tree spacing of approximately 1.8 to 2 metres would be required such that each hectare would need 3000 to 4000 trees planted to capture the site.

15 I am acutely aware that approximately 50% of Byron Shire's land is basically cleared land that probably the majority of landholders have cattle managers or themselves run cows on the property to keep the grass under control and obtain a small profit from the periodic sale for slaughter of these animals. Besides the negative methane and carbon storage consequences this tends to be a poor usage of the land. Much better for society/the community would be reforestation with local climate resilient native species to repair riparian areas, minimise soil erosion and compaction and of course sequester carbon.

20 So I believe it's important that the biodiversity offsets to be created in the Nature Repair Bill incentivise revegetation by landholders to the extent or dollar amount such that land holders who are uncertain as to whether embrace a revegetation scheme would feel that they were minimally or not out of pocket for revegetation vs. compared to running cattle.

25 Society is rapidly recognising the increasingly values of the sequestering potential of trees as well as obvious benefits to general biodiversity and a benefit to the value of the land from reforestation.

30 It is important that those wavering landholders are supported not just with offsets but with expert advice on how to replant their properties appropriately and successfully. Byron Shire Council already has one of our biodiversity staff addressing schools on the importance of flying foxes for seed dispersal and also an agricultural extension officer liaising regularly with landholders. Augmenting these programs could raise community awareness in schools, new landowners and traditional farmers as to what would be involved in changing the paradigm of running cattle versus planting trees.

35 I for example live on a rural road where 1 wealthy landowner owns 2 separate properties of approximately 30 hectares each which are hardly lived on and have no soil erosion control for the cattle. He agists his land and makes no attempt to repair or revegetate. He is essentially land banking. While he generally controls the grass with cows there is basically land degradation rather than improvement environmentally.

40 So I welcome the possibility of the bill and suggest that the biodiversity offsets be of a value and integrity such that they will seriously encourage landowners to revegetate rather than graze cattle.

BYRON SHIRE COUNCIL

NOTICES OF MOTION

9.1

As a Councillor this is my top priority and I hope that the Bill will do exactly what we have been talking about but struggling to implement for many years now i.e., incentivise more sustainable land management.

**Staff comments**

5 **by Shannon Burt, Director, Sustainable Environment and Economy:**

On **30 March 2023**, the Senate referred the provisions of the Nature Repair Market Bill 2023 and the Nature Repair Market (Consequential Amendments) Bill 2023 to the Environment and Communications Legislation Committee for inquiry and report by **1 August 2023**.

10 The closing date for submissions is **1 June 2023**.

The Nature Repair Market Bill 2023 seeks to provide a framework for a voluntary national market that delivers improved biodiversity outcomes. Eligible landholders who undertake projects that enhance or protect biodiversity would be able to receive a tradeable certificate that will be tracked through a national register. Link below provided more details on the Bill.

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[Nature Repair Market Bill 2023 and Nature Repair Market \(Consequential Amendments\) Bill 2023 \[Provisions\] – Parliament of Australia \(aph.gov.au\)](https://aph.gov.au/legislation/bills/2023/nature-repair-market-bill-2023)

The Biodiversity Advisory Committee, at its meeting 30 March 2023, discussed the Bill briefly and moved the following recommendation:

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1. **That the Biodiversity Advisory Committee notes the report and thanks Gerard Wedderburn-Bisshop for his presentation.**

25

2. **That the Biodiversity Advisory Committee notes that the Nature Repair Market Bill 2023 and the Nature Repair Market (Consequential Amendments) Bill 2023 has been referred to the Federal Environment and Communications Legislation Committee for inquiry and report by 1 August 2023.**

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3. **That the Biodiversity Advisory Committee supports a Notice of Motion on point 2 to the May Council Planning Meeting and seek stakeholder feedback to include in Council's submission prior.**

[Labor plan for nature repair market rehashes old proposal and risks failure, experts say | Conservation | The Guardian](https://www.theguardian.com/environment/2023/mar/30/nature-repair-market-bill-2023)



BYRON SHIRE COUNCIL

NOTICES OF MOTION

9.1

[Landcare Australia's position on the Nature Repair Market Bill - Landcare Australia](#)  
[Landcare Australia](#)

[Can a 'nature repair market' really save Australia's environment? It's not perfect, but it's worth a shot \(theconversation.com\)](#)

5 What is the Nature Repair Market?

- The aim of the Australian Government's proposed Nature Repair Market (NRM) is to encourage private sector investment in restoring Australia's natural environment.
- It is different to biodiversity offsets, where companies are forced under legislation to compensate for the damage they cause. The NRM is aimed at companies/investors that want to improve their green credentials and will pay to do this.
- The NRM will enable landholders (First Nations people, conservation groups, Governments and farmers) to undertake projects to enhance or protect existing habitat or to establish or restore habitat (e.g. weeding, fencing, planting, protecting threatened species habitat).
- Rather than landholders being issued credits (like carbon credits, where one credit is the equivalent of one unit), the scheme will issue landholders with a tradeable certificate for each individual biodiversity project. Certificates might be for a large, multi-hectare restoration project, or for a much smaller tree planting along a creek. i.e they may vary a lot. The certificate will contain standardised information (size of land repaired, type of work conducted, threatened species protected, length of time actions will continue), to help buyers understand what they're investing in – and allow them to compare and value projects.
- Regular project reports will be used to verify the environmental outcomes achieved by projects. Certificates and ownership of these will be on a public register, for transparency.
- The market will operate in parallel with the carbon markets, so landholders can earn carbon credits and also get biodiversity certificates from carbon projects that create biodiversity. The Clean Energy Regulator will regulate the market to help align carbon and biodiversity markets and make participation in both schemes easier for landholders.

Several Council strategies and plans acknowledge the urgent need for wildlife habitat restoration and carbon sequestration in Australia, including the Biodiversity Conservation Strategy, the Climate Change Adaptation plan and the Coastal Koala Plan of Management and the Agriculture Action Plan. A nature repair market may help this by scaling up investment in on-ground habitat restoration and planting of native vegetation for carbon sequestration.

In developing the Nature Repair Market Bill, staff consider that the following issues should be considered:

1. The Nature Repair Market must be clear and simple for private landholders. The complexity of existing markets, such as the carbon offsets scheme, inhibits landholders from getting involved. Many rural landholders in Byron Shire operate

BYRON SHIRE COUNCIL

NOTICES OF MOTION

9.1

their farms as a secondary income stream (because income from farming is relatively low) and are still recovering from recent flood events. As such they may not have the capacity to enter into complex new land management arrangements.

- 2. Securing Biodiversity Certificates should be efficient. The very long establishment time taken for other land protection programs, such as BCT Conservation Agreements, has resulted in some landholders changing their minds and dropping out of this scheme.
- 3. It should be clear that the Nature Repair Market is different to the biodiversity offset market, and that developers and corporations are not enabled to use the market as part of their offset requirements. The more conservation-minded landholders in Byron Shire want to support net gains in biodiversity and are reluctant to restore their land as an offset, as they consider this is resulting in a biodiversity loss elsewhere.
- 4. Funding for biodiversity actions must be sufficient to cover costs of maintenance as well as initial work. Many tree planting and restoration projects fail due to inadequate resources for follow up maintenance. Generally follow up maintenance is required for at least 3-4 years.
- 5. Monitoring biodiversity outcomes on certified land must be robust and transparent, but also simple and easy to apply. Methodologies such as the BAM, which is used for Biodiversity Offsets, are too complex, and therefore costly for landholders, particularly those operating at smaller scales. For farmers to engage in this market, monitoring and reporting processes need to be designed with an understanding of the needs of farmers and farm operations.
- 6. The program needs to be applicable at small as well as large scales. The majority of rural land holdings in Byron Shire are less than 40 ha, and the largest land holding is only 400 ha. This has prevented many landholders from entering into other carbon or biodiversity markets that require larger properties for economies of scale. Options to aggregate properties can be useful in some circumstances, but depend on goodwill and like-mindedness between neighbours.
- 7. The free market alone may not facilitate rapid update of this scheme. We recommend the Federal Government kick-start the market by committing to purchasing certificates itself (as it previously with the carbon market).

**Financial/Resource/Legal Implications:**

N/A

**Is the proposal consistent with any Delivery Program tasks?**

35 Yes

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
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BYRON SHIRE COUNCIL

NOTICES OF MOTION

9.1

<b>3: Nurtured Environment</b> 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.
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## Attachment 1:

### Current threatened species monitoring on Council-managed land.

Council's restorations team are currently working on 90 sites, all of which have threatened species on them. However they do not have resources for ecological monitoring, and implementing a monitoring program across Council sites would be very costly. If this were considered a priority in future, it is essential that monitoring is not funded from the restorations budget, as all these funds are needed to enable the restorations team to restore and maintain these sites.

The biodiversity team are not currently resourced to do extensive surveys and monitoring across Council's estate. However staff do undertake monitoring of priority threatened species. Staff undertake a quarterly flying fox census at 6 flying fox camps on Council/Crown land. Council also undertakes koala activity surveys in the Coastal Koala Plan of Management Area, and we are able to do this due to grant funding from NSW DPE under the NSW Koala Strategy. The NSW Koala strategy has also recently funded monitoring to assess the impacts of the 2022 floods on koala habitat plantings, on both Council and private land in Byron Shire. 12-month post flood monitoring is currently underway and can be reported to the BAC once the monitoring program is complete.

### Council Sewage Treatment Plants (STPs)

**[Including West Byron STP Cell H and areas of forest, woodland and shrubland in the NW part of the site, and Vallances Road STP including land linking to the Ocean Shores STP]**

Note: Council does not manage any land linking Vallances Rd STP with Ocean Shores STP.

The bush regen team manage 14 sites, covering over 300ha, at Council's STPs. Current work sites include Cells D, E and H at West Byron Wetlands, plus sites at Vallances Rd and Bangalow STP. Once all these sites are at a maintenance level, the team will have capacity to move on to other priority sites, including the NW section of West Byron STP.

At W Byron STP, Council's bush regen team work in Cells D, E and H 4-5 times/year (hours worked are presented in Table 1 below). They have spent 100s of hours getting rid of hairy commelina and have recently got on top of salvinia in Cell H by reintroducing the salvinia weevil. It is hoped the weevil will also take off in the other cells as the weather warms later in the year. In the northern area they do targeted groundsel eradication but, to date, haven't done any more intensive regen work in this area as they are currently focussing on other sites.

**Table 1. Bush Regeneration hours at West Byron Wetlands**

<b>Location</b>	<b>Year</b>	<b>Hours worked</b>	<b>Cost</b>
West Byron Wetlands	2019-20	2938	\$161,590
West Byron Wetlands	2020-21	1518.5	\$83,517
West Byron Wetlands	2021-22	1161	\$63,855

Council is currently developing a Biodiversity Management Plan for West Byron STP, in partnership with Australian Wetlands Consulting (AWC). This plan is intended to collate other biodiversity and ecological reports that have been developed previously for different parts of the site, into one simpler, more accessible document. The Biodiversity Management Plan will list all threatened species that have been recorded from the site (Table 2), and will include a monitoring plan. The draft plan should be complete by August 2023 and Council will be seeking some expert peer review of the plan and would welcome review by interested BAC members.

As part of the Biodiversity Management Plan, AWC would like to establish a reference group for the site, including Council operations staff as well as stakeholder groups such as Byron Bird Buddies and ecological/wetland experts. To date AWC have been prioritising some immediate site management actions (e.g. acid sulfate soils), but they see a reference group as a good opportunity to bring different skill sets together to guide management of this large and complex site.

AWC report that some preliminary monitoring has begun, and seasonal monitoring for Grass Owl, Wallum Froglet and Wallum Sedge Frog is planned for later in the year. Since salvinia has been removed from Cell H, Byron Bird Buddies have reported an increase in waterbird use, however there are some complexities in trying to manage this site for both Comb-crested Jacana and migratory shorebirds, which require different water depths. Monitoring reports can be provided to the BAC as they become available.

Monitoring of Avifauna at West Byron Wetlands and Valances Rd is done by Byron Bird Buddies, funded by Council's Utilities department. The most recent BBB report was reported to the BAC on 15 September 2022 (I2022/1178).

**Table 2 Threatened fauna known to occur within the Byron Bay Integrated Waste Management Reserve**

Scientific name	Common name	BC Act	EPBC Act	Potential Habitat within BBIWMR	Specific Habitat Requirements
<b>Amphibians</b>					
<i>Crinia tinnula</i> *	Wallum Froglet	V		Frog & Grass Owl Habitat, Constructed Treatment Cells (F, G, J and I), Cell H	PH range 3-5.7
<i>Litoria olongburensis</i> *	Wallum Sedge Frog / Olongburra Frog	V	V	Frog & Grass Owl Habitat, Constructed Treatment Cells (F and G)	PH range from 3 – 5.7, dense sedges, moist substrate, water
<b>Birds</b>					
<i>Amauornis moluccana</i>	Pale-vented Bush-hen	V		24 Hectare Melaleuca Regeneration Habitat, Frog & Grass Owl Habitat	Dense edge vegetation, Paperbark forest. Nests in middle of dense sedges
<i>Anseranatidae semipalmata</i>	Magpie Goose	V		Constructed Treatment Cells (D, E1 and J), Cell H	Open water, wet marshlands
<i>Botaurus poiciloptilus</i> *	Australasian Bittern	E	E	Cell H, Constructed Treatment Cells (F and G)	Dense sedge edges, wet sedge/marsh, ephemeral open water
<i>Calidris ferruginea</i>	Curlew Sandpiper	E	CE	Cell H, Constructed Treatment Cells (D and E)	Mudflats

# BYRON SHIRE COUNCIL

Scientific name	Common name	BC Act	EPBC Act	Potential Habitat within BBIWMR	Specific Habitat Requirements
<i>Calyptorhynchus lathamii</i>	Glossy Black-Cockatoo	V		24 Hectare Melaleuca Regeneration Habitat, Frog & Grass Owl Habitat	Sheoaks in coastal forests and woodlands, timbered watercourses, and moist and dry eucalypt forests of the coast and the Great Divide up to 1,000 m.
<i>Ephippiorhynchus asiaticus*</i>	Black Necked Stork	E		Cell H	Open water fringes up to about 30cm depth. Primarily feeds on eels and mullet
<i>Grus rubicunda</i>	Brolga	V		Cell H	Open water and associated edges
<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	V		Whole site may provide foraging habitat	Coastal habitats and around terrestrial wetlands characterised by the presence of large areas of open water (larger rivers, swamps, lakes, ocean).
<i>Hirundapus caudacutus</i>	White-throated Needletail		V	Whole site may provide foraging habitat	Aerial foraging generally over woodland and forest.
<i>Irediparra gallinacean*</i>	Comb-crested Jacana	V		Cell H	Lily pads/open water and dense sedge edges
<i>Ixobrychus flavicollis*</i>	Black Bittern	V		Cell H, Constructed Treatment Cells (F and G)	Dense vegetated edges (wet heath) Tree or shrub vegetation adjacent to watercourses
<i>Ptilinopus regina</i>	Rose-crowned Fruit Dove	V		24 Hectare Melaleuca Regeneration Habitat, Frog &	Subtropical and dry rainforest, moist eucalypt forest and swamp forest.

# BYRON SHIRE COUNCIL

Scientific name	Common name	BC Act	EPBC Act	Potential Habitat within BBIWMR	Specific Habitat Requirements
				Grass Owl Habitat, Coastal Wetland	
<i>Sternula albifrons</i>	Little Tern	E		n/a	Almost exclusively coastal, preferring sheltered environments; low dunes or on sandy beaches
<i>Stictonetta naevosa</i>	Freckled Duck	V		Cell H	Open water, wet sedge/marsh with sedge edges
<i>Tyto capensis</i> <sup>#</sup>	Eastern Grass Owl	V		Frog & Grass Owl Habitat	Areas of tall grass, including tussocks in swampy areas, grassy plains, swampy heath, cane grass, sedges on flood plains.
<b>Insectivorous Bats:</b>					
<i>Miniopterus australis</i>	Little Bentwing Bat	V		24 Hectare Melaleuca Regeneration Habitat, Cell H, Constructed Treatment Cells (D and E)	Forage over open water, roost in caves, sometimes in tree hollows (bat roost boxes)
<i>Myotis macropus</i>	Southern Myotis	V		24 Hectare Melaleuca Regeneration Habitat, Cell H, Constructed Treatment Cells (D, E, F and G)	Forage over open water, Potential roost sites in dense forest (bat roost boxes)
<i>Pteropus poliocephalus</i>	Grey-headed Flying Fox	V	V	24 Hectare Melaleuca Regeneration Habitat, Coastal Wetland, Constructed	Nectar, fleshy fruits. Roosts at colonial sites



Scientific name	Common name	BC Act	EPBC Act	Potential Habitat within BBIWMR	Specific Habitat Requirements
				Treatment Cells (F and G)	
<i>Syconycteris australis</i>	Common Blossom Bat	V		24 Hectare Melaleuca Regeneration Habitat, Coastal Wetland, Constructed Treatment Cells (F and G)	Nectar, fleshy fruits. Roosts in dense foliage
<b>Mammalia</b>					
<i>Phascolarcto cinereus</i>	Koala	E	E	Recorded from Swamp Mahogany ( <i>Eucalyptus robusta</i> ) on southwest edge of Cell H. <b>Main habitat outside of BBIWMR</b>	Koala feed tree species (not present with BBIWMR)
<i>Planigale maculata</i>	Common Planigale	V		STP Future Development Area, Coastal Wetland, Frog & Grass Owl Habitat	Dense ground strata – prey items House Mouse, Insects, Pollen
<i>Potorous tridactylus</i>	Long-nosed Potoroo	V	V	Coastal Wetland, Frog & Grass Owl Habitat	Inhabits coastal heaths and dry and wet sclerophyll forests. Dense understorey with occasional open areas is an essential part of habitat.
<b>Gastropoda</b>					
<i>Thersites mitchellae</i>	Mitchell's Rainforest Snail	E		STP Future Development Area, Coastal Wetland, Frog & Grass Owl Habitat, 24 Hectare Melaleuca	Lowland subtropical and swamp forest

Scientific name	Common name	BC Act	EPBC Act	Potential Habitat within BBIWMR	Specific Habitat Requirements
				Regeneration Habitat	

CE = Critically Endangered; E = Endangered; V = Vulnerable

- NB:
- Under the conditions laid out in NPWS Concurrence Report, Byron Shire Council has specific obligations to consider potential impacts on species marked with \* when undertaking activities with the BBIWMR
  - Targeted fauna surveys should be undertaken for species marked with # to confirm presence within the BBIWMR
  - While some species (listed above), such as the Koala, Grey-headed Flying-fox and White-bellied Sea Eagle, have been recorded within the BBIWMR, they are not considered to have optimal habitat within the reserve. Specific mitigation measures have thus not been designed for these species.

At Valances Rd, the bush regen team is currently working in 6 zones. 3 of these zones are at maintenance level and one is close.

Ocean Shores STP site is not currently being worked although it has been in the past. The team will move onto this site once all the aforementioned STP sites are at a maintenance level – this should be fairly soon as Bangalow and Vallances Rd STPs are close to maintenance level. Their work is much more effective if they focus on fewer sites at a time, rather than spreading themselves across all 140 council sites requiring management. In total they are currently working 90 sites, with 50 more on the list. The land between Valances Rd STP and Ocean Shores STP is private, with 4 separate landholders.

At Valances Rd, Earthscapes have also been engaged to do photo point monitoring, which began 1 year ago. Valances Rd, Ocean Shores and West Byron STP sites are also included in Council’s koala activity monitoring program.

**Land to the east of Lilli Pilli Drive. Includes: Lot 66 DP863772, Lot 46 DP860353, Lot 47 DP854800, Lot 46 DP848543, Lot 24 DP845454, Lot 7 DP809005.**

This is a biobanking site, set up as part of the offsets for the Byron Bypass. As such, flora and fauna have been surveyed and there has been rigorous six-monthly monitoring and annual reporting by Earthscapes for the past 4 years (Attachments 1-10).

The restorations team currently work at this site and it is at a maintenance level for most weeds, although they are having difficulty eradicating salvinia from the melaleuca swamp.

**Land to the east of the Byron Bypass - Lot 2 DP1289363**

This site is owned by the Transport Asset Holding Entity of NSW. Council's bush regeneration team leader has contacted them to request funding for restoration, but so far none has been forthcoming. To date Council has funded restoration of the smaller section of this land immediately north of the bus station (Figure 1 below). Council has also funded restoration of Butler St Reserve (Figure 1), as part of the above and beyond compensatory works for the Byron bypass. Both sites are close to a maintenance level.



**Figure 1. Council restoration sites adjacent to Butler St**

### **Comments on Report No. 4.3, Byron Biodiversity Advisory Committee meeting 17 August 2023 - Future Discussion Items for Biodiversity Advisory Committee**

This report provides detailed and comprehensive descriptions of bush or vegetation regeneration activities being undertaken on Council lands, primarily in the Byron Bay Integrated Water Management Reserve (BBIWMR, West Byron STP site) and the Lilly Pilly BioBanking Site. The former is being partly facilitated and reported for Council by Australian Wetlands Consulting and the latter by Earthscapes Consulting.

The report also refers to monitoring of flying-fox camps, coastal Koala populations and Koala habitat plantings affected by flooding in 2022.

Most of the material in the report refers to activities involving weed control, pest species management and other impacts adversely affecting threatened (*Biodiversity Conservation Act*-listed) ecological communities (TECs) and the habitat of threatened species, but does not specifically describe the benefits or otherwise of these activities on the communities or species concerned.

Reference is made to management and monitoring reports that are in preparation for the BBIWMR and completed to date for the Lilly Pilly BioBanking Site. However, these appear to be focussed on descriptions of habitat restoration, which although commendable do not appear to be providing, or designed to provide measures of community or species population health and trends that the restoration activities are proposed to achieve. This is not only necessary to demonstrate the effectiveness of the activities being applied, but also to provide the basis for adaptive management.

No detailed information is apparently available with regard to TECs in the BBIWMR, although a table (Table 2, Attachment 1) is provided of threatened fauna species recorded from the area. Council has statutory obligations to consider potential impacts on a subset of these species (Wallum Froglet, Wallum Sedge Frog, Australasian Bittern, Black Bittern, Black-necked Stork, Comb-crested Jacana, Eastern Grass Owl) but there does not appear to be a systematic, repeatable monitoring program to generate measurable data to provide a baseline to assess this.

Part of the BBIWMR was also proposed as a BioBanking site (Wallum Place) to offset impacts of development of the Byron Bypass on the Black Bittern, Pale-vented Bush-hen and Common Planigale and if this was formalised, it will be necessary to include the latter two species in an adequately designed monitoring program for this area.

It is apparent that there is a conflict in attempting to manage habitat for the range of threatened and migratory species (such as listed under CAMBA/JAMBA, ROKAMBA, *EPBC Act 1999*) within Cell H of the BBIWMR and consideration should

be given to providing exposed mudflats for migratory wading birds in other cells or suitable areas within the Reserve.

For future reference with regard to Table 2 (Attachment 1):

- i) the table is headed species "known to occur" in the BBIWMR but column 5 lists "potential" rather than known habitat;
- ii) habitat for the Wallum Sedge Frog should include Paperbark (Melaleuca) forest as the species aestivates under the bark of these trees;
- iii) habitat for the Glossy Black-cockatoo should be limited to stands with Black Oak as the species does not normally feed on Swamp Oak (the predominant species in the BBIWMR);
- iv) the Brolga will also forage in "Frog and Grass Owl" habitat;
- v) the Black Bittern will also forage in "Frog and Grass Owl" habitat and Paperbark (Melaleuca) forest;
- vi) it's doubtful that the Rose-crowned Fruit-dove would use regenerating Paperbark (Melaleuca) habitat, it is more likely to use established floodplain forest with a rainforest understorey;
- vii) the Eastern Grass Owl is known to occur in the BBIWMR so targeted surveys are not required to "confirm" its presence, monitoring surveys are more relevant;
- viii) insectivorous bats (micro-bats) and fruit-bats should be included under Mammalia, also fruit-bats are not insectivorous bats;
- ix) information on Koala in column 5 contradicts information in column 6 – Swamp Mahogany is a primary Koala food tree;
- x) there do not appear to be any verified records of the Long-nosed Potoroo for the BBIWMR;
- xi) optimal habitat for the Grey-headed Flying-fox in the BBIWMR is provided by Paperbark (Melaleuca) forest, also forest containing Swamp Mahogany (contrary to the footnote to Table 2).

The BioBanking Agreement for the Lilly Pilly BioBanking Site (BA352) requires regular, detailed six-monthly monitoring and annual reporting of habitat enhancement and weed, fire and pest control activities in the two TECs that are the subject of the offset. This has been thoroughly documented by Earthscapes, but the Agreement does not appear to require actual monitoring of the population of Mitchell's Rainforest Snail, which is the threatened fauna species also being offset. This is a deficiency of BioBanking agreements generally (BioBanking has now been superseded by the Biodiversity Offsets Scheme) and as noted above, success of the offset should be gauged by an actual improvement in the health not only of the vegetation community(ies), but of the threatened species being detrimentally affected by development. There does not appear to have been any surveying of Mitchell's Rainforest Snail in the site since 2016, with no indication of functioning of the offset in this regard. This situation could be remedied by establishing a series of

permanent monitoring points employing motion-sensor cameras to gain a measure of the status of the snail's population in the Lilly Pilly site.

While separate costs for much of the monitoring work recommended above need to be included in Council's Operational Plan, it is clear that Council does not have the resources (budget or staff) to implement programs to effectively assess the population health or trends of the threatened species referred to above.

Consequently, it is suggested that Council apply to the NSW Department of Environment and Planning for grant funding to facilitate such monitoring programs, particularly for the species where there is a statutory responsibility to undertake this work.

David Milledge

November 2023



## Report

The following date has been scheduled for the Committee’s further meetings for 2024, to be held in the Conference Room:

- Thursday 16 May, 9.00am

5 Meetings of all Advisory Committees following the September 2024 election have not been scheduled as the newly elected Council will consider the establishment of Advisory Committees following the election. A suitable schedule will be prepared for the last quarter of the year.

## Strategic Considerations

### 10 Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
<b>1: Effective Leadership</b> 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

- 23-559 - Meeting Schedule 2024 - Council Meetings, Committee Meetings, and Councillor Workshops

## Legal/Statutory/Policy Considerations

15 Not applicable

## Financial Considerations

Not applicable

## Consultation and Engagement

Not applicable