

Notice of Meeting

Biodiversity Advisory Committee Meeting

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

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 9 May 2024
Time	4.30pm

Shannon Burt
Director Sustainable Environment and Economy

I2024/683
Distributed 02/05/24

CONFLICT OF INTERESTS

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

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

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

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

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

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

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

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

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

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

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

Disclosure and participation in meetings

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

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

Non-pecuniary Interests - Must be disclosed in meetings.

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

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

RECORDING OF VOTING ON PLANNING MATTERS

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

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

OATH AND AFFIRMATION FOR COUNCILLORS

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

CONFLICT OF INTERESTS

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

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

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

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

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

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

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

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

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

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

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

Disclosure and participation in meetings

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

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

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

Non-pecuniary Interests - Must be disclosed in meetings.

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

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

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

RECORDING OF VOTING ON PLANNING MATTERS

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

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

OATH AND AFFIRMATION FOR COUNCILLORS

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

BYRON SHIRE COUNCIL

BUSINESS OF MEETING

1. APOLOGIES

2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 3.1 Confirmation of minutes of the meeting held on 29 February 2024 8

4. STAFF REPORTS

Sustainable Environment and Economy

- 4.1 Brunswick Valley Landcare Support Officer quarterly report, January to
March 2024..... 16
- 4.2 Biodiversity and Agriculture Projects and Operations Update 21
- 4.3 Future Discussion Items for Biodiversity Advisory Committee 38

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Confirmation of minutes of the meeting held on 29 February 2024

5 **Directorate:** Sustainable Environment and Economy

File No: I2024/594

10 **RECOMMENDATION:**

That the minutes of the Biodiversity Advisory Committee Meeting held on 29 February 2024 be confirmed.

15 **Attachments:**

1 Minutes 29/02/2024 Biodiversity Advisory Committee, I2024/269 , page 10 [↓](#) 

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 29 February 2024 .

Report to Council

- 5 The minutes were reported to Council on 28 March 2024.

Comments

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

- 10 **24-109 Resolved** that Council notes the minutes of the Biodiversity Advisory Committee Meeting held on 29 February 2024.

Minutes of Meeting
Biodiversity Advisory Committee Meeting

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



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

BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 29 FEBRUARY 2024

Minutes of the Biodiversity Advisory Committee Meeting held on Thursday, 29 February 2024

File No: I2024/269

ATTENDANCE:

Councillors:	Cr S Ndiaye	Present
	Cr P Westheimer	Present
	Cr S Balson	Audio Visual
Staff:	Shannon Burt (Director Sustainable Environment and Economy)	Apology
	Sharyn French (Manager Environmental & Economic Planning) (Minute Taker)	Present
	Chloe Dowsett (Coast & Biodiversity Coordinator)	Apology
	Liz Caddick (Biodiversity Team Leader)	Present
	Caitlin Weatherstone (Project Officer-Koala)	Apology
	Claudia Caliarì (Biodiversity Projects Officer)	Present
	Ainsley Rose (Project Support Officer)	Present
Community Representatives:	Dave Rawlins (Brunswick Valley Landcare)	Present
	Liana Joseph	Present
	Lindsay Murray	Present
	James Jackson	Apology
	Stephen Millard	Apology
	David Milledge	Apology
	Leonard Cronin	Apology

Cr Westheimer (Chair) opened the meeting at 9.11am and acknowledged that the meeting was being held on Bundjalung Country.

ATTENDANCE VIA AUDIO-VISUAL LINK: Cr S Balson

APOLOGIES: Shannon Burt, Chloe Dowsett, Caitlin Weatherstone, James Jackson, Stephen Millard, David Milledge, Leonard Cronin

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 29 FEBRUARY 2024

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 **Confirmation of minutes from the meeting held on 16 November 2023**
File No: I2024/171

Committee Recommendation:

That the minutes of the Biodiversity Advisory Committee Meeting held on 16 November 2023 be confirmed. (Murray/Ndiaye)

The recommendation was put to the vote and declared carried.

Note: The minutes of the meeting held on 16 November 2023 were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on 14 December 2023.

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 **Biodiversity and Agriculture Projects and Operations Update**
File No: I2024/45

Committee Recommendation:

That the Biodiversity Advisory Committee notes the update on current projects and programmes being undertaken by Council staff. (Ndiaye/Westheimer)

The recommendation was put to the vote and declared carried.

BYRON SHIRE COUNCIL

BYRON SHIRE COUNCIL

BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 29 FEBRUARY 2024

Report No. 4.2 Brunswick Valley Landcare Support Officer quarterly report,
October to December 2023.
File No: I2024/205

Committee Recommendation:

That the Biodiversity Advisory Committee note the report and for staff to follow up on the Tallowood Development on options for protection and management of the Tallowood Ridge Track and associated areas. (Westheimer/Ndiaye)

The recommendation was put to the vote and declared carried.

Report No. 4.3 Future Discussion Items for Biodiversity Advisory Committee
File No: I2023/1989

Committee Recommendation:

That the Biodiversity Advisory Committee notes the report and the report from David Milledge will be carried over to the next meeting. (Westheimer/Ndiaye)

The recommendation was put to the vote and declared carried.

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

BIODIVERSITY ADVISORY COMMITTEE MEETING MINUTES 29 FEBRUARY 2024

FOR INFORMATION ONLY

Report No. 6.1 **2024 Meeting dates for Biodiversity Advisory Committee meetings**

File No: I2024/172

Committee Recommendation:

That the Biodiversity Advisory Committee receive an update from staff following exploration of the potential for an additional meeting at the beginning of June.
(Westheimer/Ndiaye)

The recommendation was put to the vote and declared carried.

There being no further business the meeting concluded at 11:10am.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 Brunswick Valley Landcare Support Officer quarterly report, January to March 2024.

5 **Directorate:** Sustainable Environment and Economy

Report Author: Liz Caddick, Biodiversity Officer

File No: I2024/604


Summary:

10 This report tables the activities of the Landcare Support Officer quarterly report, from 1 January – 30 March 2024.

RECOMMENDATION:

15 **That the Biodiversity Advisory Committee notes the report (Attachment 1 E2024/46330).**

Attachments:

20 1 BSC Landcare Support Officer report January-March 2024, E2024/46330 , page 18 [↓](#) 

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 1 January – 30 March 2024 (E2024/46330), 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
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 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

1st January – 30 March 2024

LFW

Total of 158 properties registered in Byron Shire

94 registered by BVL, 64 registered by BSC

3 new EOI's pending assessment as at end-March, 1 EOI not formally withdrawn, but no responses from attempts at contact since January 2024.

LANDCARE GROUPS

- 16 BVL locality groups active
- 10 working on council managed land.
- 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 Coastal Corridor Restoration Stage 3** \$170,000 over 4 years working on 7 properties, 10.18ha of restoration and 4.9ha of planting. Stage 2 activities are well underway, progress report from Annette at Broken Head Landcare has things tracking well. Field day opportunity is upcoming and will be used for landholder education to ID species naturally regenerating on their sites.
- **MNES Grant** from LLS (Matters of National Environmental Significance). Progress report submitted to LLS early February 2024, project activity continues over May - June with all funds to be expended by 30 June 2024 and Final Report delivered.
- **Seedbank Project** BVL collaborated with Tweed Landcare in delivery of Byron Shire workshop held at Byron Wetlands on March 7. Great attendance including members of BSC Biodiversity & Regen Teams. BVL has supported TLI's application to InGrained Foundation to strengthen the program in the formation of regional native seed bank hubs. Future workshops are planned.
- **Revegetating Streams for the Brunswick River Catchment brochure update** Imagery has been sourced and shortlisted for inclusion, now in final stages with our graphic designer. Draft will be made available for comment and proofing, expected in the next week. Aiming for sign off late April / early May in order to schedule printing by EOFY.
- **Rous Watershed Initiative** Alison & Harry provided feedback to the river restoration project proposal developed by Liz Caddick & team.
- **Landcare / NEMA "Caring for Catchments" funding round** Attended NCRLN zoom meeting to learn more about Landcare's soon-to-be announced Caring for Catchments funding stream
- **Richmond River Keeper** Attended the March 18 launch of Richmond River Keeper at Ballina RSL to learn about the collaborative partnership responsible for delivering restoration activities within the Richmond catchment, as well as the science and methodologies of their approach.
- **Flood Recovery** project pitch developed for Reconstruction Authority Flood Recovery "Empowering Landholders through community-based learning in weed control and water flow management techniques". Two workshops proposed, one tackling top 5 post-flood weed species, the other focussed on management of water flow on your property. Workshops to be filmed with video content made widely available as digital resource on BVL website. Fact sheets will also be produced as accompanying resources. Funding arrangement not quite yet confirmed with Mel Bloor, Recovery Officer.
- **BVL's 13th annual Mothers Day planting** Candidate shortlisted sites for this year's planting were visited by the Committee's working group and Project Officer. Decision has been made on the site for the 2024 planting. Highly supportive and engaged landholders are fencing the planting area off from

March 2024 Report by Joanne McMurtry and Harry Hackett

livestock. The internal stream running through the property will be revegetated with a diverse riparian spp selection, with a koala corridor planted along the fenceline (koala sighted 2023)..

- **FRRR Junior Landcare Project** Funding of \$25,000 has been received from FRRR and the project has matched funding of \$10,000 from BVL. The project will include school workshops, community plantings and connection with existing landcare locality groups for maintenance experience. The project is due for completion by the end 2024. Preliminary planning is underway with Ray Moynihan engaged to deliver the project.

EVENTS

- **Workshop volunteers** – BVL recently developed new resources and information for all our volunteers. A Planning and Information Workshop was held on 19 March to offer volunteers an opportunity to have input into BVL planning for 2024 as key members of our organisation. This included a ‘Meet the Committee’ morning tea.
- BVL attended the Mullumbimby Plant Fair at Mullumbimby Community Gardens on Sunday 17th March.
- A full calendar of events is currently being planned for 2024 for both awareness raising and for locality group volunteers to improve their skills and knowledge.



Volunteers Planning and Information Workshop



Mullumbimby Plant Fair

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 2 to 3 days per week.
- Alison Ratcliffe is easing her way back into work during the first quarter of 2024.

OPERATIONAL

- Salesforce software is now used to manage all our member and project data.
- The BVL website is currently undergoing a complete revamp.

March 2024 Report by Joanne McMurtry and Harry Hackett

BYRON SHIRE COUNCIL

ENQUIRY TOPICS/ ISSUES

Phone	Email	Website	Social Media	Walk in	In Person
Weed control	Davidson's Plum seeds		Request to share info in newsletter		Nestbox installation
Person giving away lomandras	Query use of glysohate x2		Managing camphor on private property		Cats Claw creeper for weaving
Locality group queries x7	Add to mailing list		Info on films shown last year		Membership and locality groups
Re Brunswick River Regen Alliance	Locality group queries x3				
Membership queries x2	Cane Toad control				
Interested in organic landcare	Request for support for project				
Re Cane Toad control	Expert for Camphor Laurel documentary				
Re Flood Recovery vouchers x4	New members x3				
Re landslip recovery information	Request for Koala feed trees				
Complaint about glysohate spraying	Weed information request				
	Weed control technique for LFW applicant				
20	16	0	3	0	3
					Approx. 42

Report No. 4.2 Biodiversity and Agriculture Projects and Operations Update

Directorate: Sustainable Environment and Economy

Report Author: Liz Caddick, Biodiversity Officer

5 **File No:** I2024/600

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:

- Wildlife Corridor Mapping and DCP review
- Koala Conservation
- North Coast Regional Seed Bank
- 15 • Pest Animal Management Program
- Sustainable Agriculture Program
- Flying Fox Management
- 20 • Bringing Back the Bruns

RECOMMENDATION:

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

Report

Wildlife Corridor Mapping and Biodiversity DCP review

Biodiversity Conservation Strategy Action:

- 5 **1.18** Update Council's wildlife corridor mapping and liaise with other NRJO Councils to ensure consistency in wildlife corridor mapping across the region.

10 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. In April 2024, Council received a \$10,000 grant from DCCEEW to fund development of a user-friendly GIS map-based information portal to showcase the Byron Shire wildlife corridor network at an individual property scale. ESRI have been engaged to deliver this and have met with relevant staff to start the project.

15 The information portal will provide landholders with a planting list for their habitat type and 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.

20 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 on public exhibition – 11 April-10 May 2024 ([Changes to development controls for biodiversity and tree management - Byron Shire Council \(nsw.gov.au\)](https://www.byronshire.nsw.gov.au/changes-to-development-controls-for-biodiversity-and-tree-management)), 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 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.

30 Council has also written to landholders who raised concerns to clarify that that the wildlife corridor map is not a statutory land use planning zone, that the wildlife corridor map does not impact on the requirement for a VMP for rural subdivisions, and that any further change to a land use zone requires public exhibition and notification to all affected landholders, as was done during the C-Zone review.

Koalas

Koala Vehicle Strike

35 *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.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

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

5 Staff are continuing to progress the Koala LED radar speed signs project, funded by a \$185,029 grant from the NSW Koala Strategy, which includes variable message signs and pavement treatments at koala road strike blackspots on Coolamon Scenic Rd, Coorabell Rd and Broken Head Rd. Signage quotes and sign location maps have been reviewed by Infrastructure Services staff, and signs are expected to be installed in 2024.

10 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 options 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 Council is now working with DCCEEW to seek funding to deliver some of the mitigation measures proposed. Due to the extremely high cost of road infrastructure projects, proposed mitigation options are likely to be delivered in a staged manner subject to available grant funding.

Koala Monitoring

Biodiversity Conservation Strategy Action:

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

20 The 2023 Koala Activity Survey was completed in November 2023, with 76 sites surveyed 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.

25 Additionally, DCCEEW installed song meters at selected sites throughout the shire as part of their 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, and results are expected in the coming months. A report on Byron Shire's survey results is in preparation in partnership with DCCEEW and will be shared with stakeholders later in the year.

Northern Rivers Koala Network (NRKN)

Biodiversity Conservation Strategy Action:

35 **4.13** Liaise with local conservation groups and government agencies to share information (e.g. monitoring data) and identify opportunities for biodiversity conservation partnerships.

40 Representatives from NRKN (including Council's Koala Projects Officer Caitlin Weatherstone) attended the Koala Summit in Sydney on 22 March 2024 held at Taronga Zoo. This event was organised by the NSW government to seek input from on-ground koala conservation practitioners to guide future direction and resourcing of the NSW Koala Strategy. The summit was attended by Environment Minister Penny Sharp and 150 koala conservation stakeholders from NSW. Staff have also made a submission to the reviewing

the NSW Koala Strategy Discussion Paper ([Reviewing the NSW Koala Strategy | NSW Environment and Heritage](#)).

5 The North Coast “Koala Conversations” event is being organised for the 2-week period between 18 May – 1 June 2024, finishing with a koala forum on June 1 held at Southern Cross University. Council’s Koala Projects Officer is on the organising committee and staff are developing workshops on koala food tree identification and koala survey methods.

North Coast Koala Habitat Tree Key

10 Staff and Earthscapes contractors are progressing development of a North Coast Koala Habitat Guide Project and Key, funded by \$15,000 grant funding from DCCEEW and WWF-Australia. The guide is designed to be used in the field by koala practitioners, bush regenerators and land managers, and will feature approximately 61 key koala food tree species found on the North Coast’s 3 catchment areas: Tweed, Ballina and Richmond catchments.

15 **North Coast Regional Seed Bank**

Council hosted a workshop on March 7 at West Byron Wetlands to introduce the North Coast Region Native Seed Bank Project to local land carers. The workshop was well attended by local Landcare volunteers and Council bush regeneration staff keen to learn more about native seed collection.

20 This project is a partnership between North Coast Local Land Services, Friends of the Coffs Harbour Regional Botanic Garden and the North Coast Regional Landcare Network, and is being led by Tweed Landcare in this area. The project is developing a central seed storage hub at Coffs Harbour Botanic Gardens, with seed being collected by local hubs, including a far north coast group. The hub will store over 100 species of sclerophyll plants commonly used in habitat restoration projects, with the aim of supporting environmental restoration efforts into the future (e.g. when large amounts of seed are needed quickly following fire or flood).

30 Stakeholders, including Council biodiversity and bush regeneration staff have met on several occasions to discuss elements of the project, including collecting and record keeping and species to collect. Seed collection training workshops have been delivered in Tweed, Byron and Ballina. The workshops aim to improve capacity of individuals and organisations involved in collecting, storing, exchanging, and supplying native plant seeds.

35 In addition to the workshop, interested seed collectors have access to Florabank on-line seed collection training to ensure high the high quality of collections and record keeping.

Pest Animal Management Program

Pest Animal Management Plan 2018-23

Biodiversity Conservation Strategy Action:

40 **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

4.2

Ecosure are continuing to work with Council to develop the revised Pest Animal Management Plan, part funded by a \$25,000 grant from DCCEEW. Work on the plan is currently focusing on a literature review and developing a community engagement strategy.

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, and are currently in discussions with Local Land Services (LLS) regarding local government capacity to manage feral deer on private land.

Together with other North Coast LGAs, the Department of Primary Industries (DPI) and LLS, we are working to develop a Deer Rapid Response Plan. Council staff are also now represented on the Northern Rivers Deer Prevention Expert Panel.

25 Indian Myna

Biodiversity Conservation Strategy Action:

- 4.22** *Develop and implement Operational Plans for target pest species*

Council's Indian myna trapping program is currently in progress (October to May), with traps and decoy birds being distributed to interested landholders.

30 Imported Red Fire Ant

35 The National Fire Ant Eradication Program has ramped up actions to control Fire Ants in the Northern Rivers. In February and March, DPI ran stalls throughout the Northern Rivers to raise community awareness of fire ants, including 3 locations in Byron Shire (Byron Farmers Market and Bunnings, Ocean Shores Village Shopping Centre). Council staff worked with DPI to identify and facilitate access to these locations. More recently, the Senate inquiry, initiated due to the costs and impacts of Fire Ants, has made ten recommendations to contain and eradicate the South American pest, including more cooperation and transparency in its actions.

Sustainable Agriculture

Sustainable Agriculture Activities – Dingo Lane Cover Crop Demonstration Site

Agriculture Action Plan actions:

5 **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.*

10 A 1-hectare area of farmland leased by Council at Dingo Lane is being trialled 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. Treatments include 3 different forms of seed coating on a soil building cover crop mix, and a site appropriate biology mix.

15 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.

20 The trials will start in autumn, and will be kept simple so that they can be easily replicated by other farmers. As the trials progress, we will 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.

Farm Extension

25 *Agriculture Action Plan action:*

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.*

30 Our new Agriculture support officer has started, and is busy updating and maintaining the Byron Farmers Network database, and developing a mail out to new rural landholders to engage them with the Sustainable Agriculture program.

Agriculture Workshops/Field Days

Agriculture Action Plan actions:

35 **1.4** *Develop and deliver (or refer landholders to) workshops and field days on best practice farming, innovation, productivity, sustainable land use and biodiversity.*

1.6 *Source and provide current best practice farming information and techniques to assist farmers to improve productivity and sustainability by practice change*

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

We recently held an On Farm Field Day at The Farm, for producers to learn about integrating animals for food production whilst building fertility and biodiversity within our soils. The workshop demonstrated successful use of chickens within a syntropic setting and integration of cattle in a pasture setting.

- 5 In March, Council partnered with LLS and Pasture experts Carol and Harry Rose to deliver an on farm pasture and plant ID workshop (picture below). This workshop gave landholders the opportunity to improve plant identification, analysis of landscapes and soils to inform land management decisions. The event was well attended, with great discussions around pasture dieback and sharing ideas on better land management.
- 10 We are continuing to develop an educational video on chemical-free ways to manage camphor laurel, to give landholders a greater range of options to enhance and maintain biodiversity and soil condition while replacing exotic camphor laurels with native forest species.



15 **Flying-Fox Management**

No Bat No Me Project – Flying-foxes/Koala

Biodiversity Conservation Strategy Actions:

2.1 Provide expert advice regarding how people can help protect biodiversity

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

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

- 5 We have completed our successful No Bat No Me project – highlighting that koalas need flying foxes for their survival. We presented 17 school workshops in 9 local schools, plus 1 home school group, for 318 children and their teachers, as well as had presence at Splendour in the Grass Science Tent, made 3 street banners displayed in Mullumbimby, Bangalow & Byron, created a video for Council's You Tube which was screened at Byron Palace Cinemas for 12 wks (to over 10,000 people), made a flying fox costume for use at events, and delivered a social media campaign highlighting the importance of flying foxes. 82.5% of the children surveyed reported a significant increase in views & knowledge about flying foxes from the presentation.
- 10 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.

National Flying-Fox Monitoring Program - Census

- 15 *Biodiversity Conservation Strategy Action:*

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.

- 20 Council is continuing to carry out quarterly surveys at 6 flying-fox urban camps as part of the National Flying-fox Monitoring Program (NFFMP). The NFFMP began in 2012, and recently researchers did a [10-year round evaluation of that data](#). The encouraging results show that despite threats like habitat loss and climate change, the grey-headed flying fox population has remained stable over the past decade, showing resilience even after major
- 25 events like the 2019-20 bushfires. However, ongoing monitoring is crucial to understand the long-term impacts and ensure the species' survival, especially as climate-related challenges persist.

Flying Fox Camp Management Plan Review

Biodiversity Conservation Strategy Actions:

- 30 **4.18 Implement actions in the Flying Fox Camp Management Plan 2018-2023.**

- Council has completed the five-week public exhibition period (18 January to 22 February), and three submissions were received emphasising the essential role of flying-foxes and the need to increase efforts in habitat conservation to support not only these species but many others. Council staff and contractors are now editing the final version and the Plan
- 35 should be ready for Council endorsement by the end of May.

Bringing Back the Bruns

Biodiversity Conservation Strategy Action:

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

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.*

5

Addressing priority flood impacts in the Byron Shire

Council has recently completed a partnership project with North Coast Local Land Services (NCLLS) to address riparian erosion that threatens the ongoing stability of priority selected sites. A grant funding allocation was provided to BSC by NCLLS of \$220,000.

10 The project partnership aims to:

- Address priority areas where there are changes to river meandering and/or major loss of sediment.
- Improve flood resilience by implementing solutions to bed and bank stability to reduce sediment loss and ensure long term geomorphic resilience.

15 Any improvement of biodiversity is deemed a welcome opportunity.

The primary component of the project comprised selective removal of *Camphor laurel* and other weeds along a 1.8km project extent of the Brunswick River at Mullumbimby where there was a high level of native species diversity and abundance present with a great potential for natural regeneration. Once the Camphor's/weeds were removed the riparian buffer was widened. The benefits of riverbank rehabilitation include:

20

- Increased bed and bank stability to ensure long term geomorphic resilience of the Brunswick River.
- Increase habitat value within the riparian buffer and improve ecological connectivity (i.e. Wildlife Corridor). Native trees provide shade, habitat and food for fish and aquatic life, animals and insects..
- Reduced erosion potential and sedimentation through loss of riverbank
- Improved water quality because riverbanks are stable and not subject to erosion.
- Improvement in the overall health of the river.

25

30 As an added opportunity to the project outcomes, Council sourced a local contractor to install:

- habitat holes in Camphor stumps across entire site once remaining Camphor had been removed; and
- nest boxes across entire site once remaining Camphor has been removed.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project outcomes include:

- Camphor Removal:
 - 135 Camphor Laurel trees removed
- Bush Regeneration:
 - 5,500 plants
 - 1300 Hrs of bush regeneration work
- Habitat Enhancement:
 - 10 nest boxes
 - 20 hollows created
- Community consultation:
 - Direct engagement with ~ 40 adjacent residents
 - Letter box drop
 - Social media coms for broader engagement

The project was extremely successful and alternative funding opportunities are being investigated to continue the riparian restoration work.



Before (left) and After (right) photos at Photo Point #1 (Chinbible Ave)



Habitat holes in Camphor stumps

Brunswick Valley Riparian Planting Booklet

5 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.

10 **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	3.1.1.3	Partner with Regional Koala Group to progress delivery of Byron Shire Koala Plan of Management and NSW Koala Strategy

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

		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	3.1.1.4	Conduct 2023 Koala Activity Surveys
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	3.1.1.5	Review Flying Fox Camp Management Plan
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	3.1.1.7	Complete quarterly National Flying Fox census
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

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

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	3.1.2.2	Implement Indian Myna 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 threats to biodiversity	3.1.2.3	Participate in Northern Rivers Feral Deer Management group
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	3.1.2.7	Review of Pest Animal Management Plan
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

4.2

		community		
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 community	3.2.2.8	Provide advice and information to the community regarding flying foxes
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

- **RESOLUTION NUMBER:** 23-594

Resolved that Council:

- 5 1. Endorses the Byron Shire Wildlife Corridor System as a conservation planning tool to support and encourage wildlife habitat restoration with the following changes and actions:
- 10 a. That Council writes to landholders who raised concerns, to clarify:
- 15 i) that the wildlife corridor map is not a statutory land use planning zone and that areas of high conservation value are currently protected in the LEP as C-Zones.
- 20 ii) that any further change to a land use zone requires public exhibition and notification to all affected landholders, as was done during the C-Zone review.
- 25 iii) that the wildlife corridor map does not impact on the requirement for a VMP for rural subdivisions.
- 30 b. That Council provides clear advice on the wildlife corridor web map that the wildlife corridor map:
- 35 i) is not a provision within the LEP and this map will not impact the ability of landholders to apply for land uses permitted under the LEP, including, those that relate to tourist cabins and secondary dwellings and those that relate to the ability of farmers to carry out permitted agricultural activities on rural land
- 40 ii) does not impact on the requirement for a VMP for rural subdivisions
- iii) does not impact on the requirement for a BDAR under the Biodiversity Conservation Act.
- iv) Include the following caveat (or similar) on the wildlife corridor map on Council's website: *A landholders right to carry out agricultural and development activities on their land under the Byron Shire LEP are not altered by their property being identified on this map.*
- c. Realigns corridor boundaries to exclude densely urbanised land use zones, including R2, R3, IN1, B1, B2, B4 and B7 in the following towns and villages: Ocean Shores, South Golden Beach, New Brighton, Brunswick Heads, Mullumbimby, Byron Bay, Bangalow and Suffolk Park.
- d. Updates Council's Guidelines for preparing Vegetation Management Plans or Biodiversity Conservation Management Plans (E2019/31834 - [Developing Vegetation and Biodiversity Conservation Management Plans - Byron Shire Council \(nsw.gov.au\)](https://www.byrongov.au/developing-vegetation-and-biodiversity-conservation-management-plans)), to ensure that wildlife corridors are identified on VMP and BCMP site maps and to recommend wildlife corridors be considered as priority areas for planned management and restoration activities (e.g. tree planting required for tourist cabins).

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

- e. Continues to support local primary producers to maintain food security and adopt sustainable agricultural practices through the Agricultural Extension Program, Agriculture Cluster Group and providing ongoing support for the work done by Brunswick Valley Landcare.
- 5 f. Council recognises that local Aboriginal groups including Bundjalung of Byron Bay Arakwal Corporation and Local Aboriginal Land Councils have limited capacity to review the mapping, and allow an opportunity for these organisations to negotiate the wildlife corridor map on their land in future.
- 10 g. That all Council and Crown land be excised from the wildlife corridor map until such time that legislation pertaining to this land allows multiple land uses to occur on land mapped by Council as a wildlife corridor.
- 15 h. That rail corridor and state agency land continues to be included in the wildlife corridor map, with acknowledgement that, because the future status of this land is unknown, the wildlife corridor map may need to be revised in future (e.g. if rail corridor land is transferred to Council or Crown and is therefore included within the Local Government Act).
2. a. Develops a GIS map and data portal to give landholders user-friendly advice on corridor values in their local area and what species they can plant to enhance local wildlife corridors.
- 20 b. Notes there are at least 11 Threatened ecological communities in the Shire as at 2022:
- 25 Byron Bay Dwarf Graminoid Clay Heath
Coastal Saltmarsh
Coastal Cypress Pine Forest
Freshwater Wetlands on Coastal Floodplains
Littoral Rainforest
Lowland Rainforest on Floodplain
Lowland Rainforest in the NSW North Coast Bioregion
Swamp Sclerophyll Forest on Coastal Floodplain
30 Subtropical Coastal Floodplain Forest
Swamp Oak Floodplain Forest
Themeda grassland on seacliffs and coastal headlands
- c. Notes that of the 402 vertebrate species identified 95 species or 24% are threatened under the NSW Biodiversity Conservation Act 2016.
- 35 d. Acknowledges that mitigating the impacts of anthropogenic climate change will be one of the primary benefits of implementing a corridor system within the Byron LGA, through the protection and buffering of refugia and facilitating the movement of plant and animal species with limited dispersal capabilities.
(Westheimer/Dey)
- 40 *The motion was put to the vote and carried.*

Cr Hunter voted against the motion.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Cr Ndiaye was not present for the vote.

Legal/Statutory/Policy Considerations

N/A

5 N/A

Financial Considerations

N/A

Consultation and Engagement

N/A

10

**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:** I2024/332





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.

RECOMMENDATION:

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

Attachments:

- 20 1 Threatened Species Monitoring on Council Land - Attachment 1 - 17 Aug 2023,
E2023/78469 , page 42  
- 2 2 D Milledge Advice Re: BSC lands being managed for biodiversity - 5/11/23, E2023/120227 ,
page 50  

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:

Information requested	Resourcing	Operational Plan & other Council Strategies
<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>Requested by: 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>OP 3.1.1.3 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>4.25 Work with RMS, local wildlife groups and Regional Koala Network to identify road strike hotspots in Byron Shire.</p> <p>4.26 Seek funding for road strike mitigation trials at priority road strike hotspots.</p> <p>4.27 Consider roadkill mitigation measures and opportunities to improve wildlife connectivity into design work for new roads and road asset upgrades.</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 1)</p>	<p>Resourcing is discussed in Attachment 1</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>OP 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</p>

BYRON SHIRE COUNCIL

Information requested	Resourcing	Operational Plan & other Council Strategies
<p>and has provided comments (Attachment 2), which he will speak to at the next BAC meeting.</p> <p>Requested by: David Milledge</p>		<p>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>

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	3.1.3: 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

Recent Resolutions

Biodiversity Advisory Committee:

5 Report No. 4.3 Future Discussion Items for the Biodiversity Advisory Committee

File No: I2023/1989

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

Committee Recommendation:

That the Biodiversity Advisory Committee notes the report and the report from David Milledge will be carried over to the next meeting. (Westheimer/Ndiaye)

The recommendation was put to the vote and declared carried.

5

Legal/Statutory/Policy Considerations

N/A

Financial Considerations

No detailed costings for requested items provided at this stage.

10 **Consultation and Engagement**

N/A

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

Location	Year	Hours worked	Cost
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).

BYRON SHIRE COUNCIL

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
Amphibians					
<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
Birds					
<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>Calyptrorhynchus 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> [#]	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.
Insectivorous Bats:					
<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

BYRON SHIRE COUNCIL

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
Mammalia					
<i>Phascolarcto cinereus</i>	Koala	E	E	Recorded from Swamp Mahogany (<i>Eucalyptus robusta</i>) on southwest edge of Cell H. Main habitat outside of BBIWMR	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.
Gastropoda					
<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

BYRON SHIRE COUNCIL

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