

Byron Shire Wildlife Corridor System

Examples of public land where land use would be impacted by the provisions of the Local Government Act, if the land remains included in the Byron Shire Wildlife Corridor System.

Legislation that applies to public land in Byron Shire includes the Local Government, Crown Land Management and Native Title Acts for Council and Crown Land.

Under the public land provisions of the Local Government Act 1993 (Part 2 of Chapter 6 – Public Land) - if Council resolves that Community Land is a “wildlife corridor” a “Natural Area” categorisation is triggered. This means that the land can only be used in accordance with the core objectives of a Natural Area, which are for conservation and minimisation of ‘disturbance caused by human intrusion’.

An unintended consequence of this would be to prevent many existing community uses from continuing. This would negatively impact on continued use of important community parks, sports fields, sports facilities, dog exercise areas etc, along with a number of Council facilities. Some specific examples of impacts are summarised below.

1. Petria Thomas Swimming Pool, Mullumbimby

A Council-managed Crown Reserve, that is Community Land categorised as General Community Use (GCU). The core objectives for General Community Use land are to encourage uses that *‘meet current and future community need in relation to the physical, cultural, social and intellectual welfare or development of individual members of the public’*.

If Council resolves to adopt wildlife corridor mapping over this land triggering a Natural Area categorisation, the swimming pool would have to close and park and carparking uses cease.

The perimeter of this site, including the riparian zone along Mullumbimby Creek, has been, and will continue to be, managed by Council to restore biodiversity values. There is no need for the land to be mapped as corridor for this to continue.

2. Bangalow Recreation Grounds

Council owned Community Land that is categorised as Sportsground, General Community Use and Natural Area Watercourse. The Riparian area is already included in the PoM as Natural Area with conservation objectives and actions. However, if the land is not excised from the wildlife corridor mapping and a Natural Area categorisation is triggered over all the sportsfields, then all sporting and community uses would have to cease.

The Bangalow Village Plan identifies the Recreation Grounds as important community facility and Council has recently completed community consultation which reconfirmed demand for use of this land for community uses.

This, and the Pool and Heritage Park, are examples where inclusion of this public land in the wildlife corridor system would inadvertently impact community uses, but the integrity of the wildlife corridor system can instead be maintained through the Local Government Act 'Plans of Management' system.

3. Heritage Park Mullumbimby

A Council-managed Crown Reserve, that is Community Land categorised as Park. If Council resolves any part of this Reserve to be a wildlife corridor triggering a Natural Area categorisation over all the Park then the:

- park, playground, off-leash dog exercise area and passive recreation uses would have to cease;
- walkways could only continue if they can be managed to ensure they have minimal impact on the environment; and
- regeneration/conservation activities would become the primary use across the whole reserve.

Council currently managing approximately 4ha of riparian zone in Heritage Park for biodiversity conservation and this will continue.

4. Old South Byron STP

Council Operational Land with potential future uses under review. If this is included in the wildlife corridor mapping and the classification changes from Operational to Community Land, then at the time of the change either:

- the land would then have to be categorised as Natural Area, preventing continuing community uses other than for conservation; or
- the Wildlife Mapping would have to be updated to excise it from the mapping at the time of the reclassification process.

The process of reclassification of Operational Land to Community Land is very simple and short, all that is required is a Council resolution. If Operational Land is included in the wildlife corridor mapping that simplicity will be removed, and each reclassification process to create community land for sportsfields, parks or general community use will need to involve an administration and consultation process to amend the wildlife corridor mapping which is inefficient.

5. Some other of public land types/community uses that could be inadvertently impacted:

- the rail corridor
- South Beach Brunswick, Brunswick Heads Community Centre, Tennis Courts, park, toilets and carparking
- Butler Street Reserve
- Cavanabah Centre
- parks and passive recreation areas eg Torakina, Tuckeroo Ave, Waterlily
- RFS and Rescue Services facilities on community land
- cemeteries, STPs and water reservoirs
- drainage and flood detention areas on community land, eg at Mullumbimby, Suffolk Park and Ocean Shores
- dog exercise areas (on and off leash).