

# NOTICE OF MEETING



## BIODIVERSITY AND SUSTAINABILITY ADVISORY COMMITTEE MEETING

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

Venue	<b>Conference Room, Station Street, Mullumbimby</b>
Date	<b>Thursday, 14 May 2015</b>
Time	<b>9.00am</b>

A handwritten signature in black ink that reads 'Mark Arnold'.

Mark Arnold  
A/General Manager

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## CONFLICT OF INTERESTS

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

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

**Non-pecuniary** – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (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 Section 448 of the Local Government Act.

**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.

### Participation in Meetings Despite Pecuniary Interest (S 452 Act)

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

**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 if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

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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 Division 2A of Part 6 of 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.

**BYRON SHIRE COUNCIL**  
BIODIVERSITY AND SUSTAINABILITY ADVISORY COMMITTEE MEETING

**BUSINESS OF MEETING**

**1. APOLOGIES**

**2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY**

**3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

3.1 Biodiversity and Sustainability Advisory Committee Meeting held on 19 February 2015

**4. BUSINESS ARISING FROM PREVIOUS MINUTES**

**5. STAFF REPORTS**

**Sustainable Environment and Economy**

5.1	Integrated Weed Management Strategy Workshop .....	4
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**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 5.1**                    **Integrated Weed Management Strategy Workshop**  
**Directorate:**                    Sustainable Environment and Economy  
5 **Report Author:**                Angus Underwood, Team Leader Natural Environment  
**File No:**                            I2015/342  
**Theme:**                            Ecology  
   Land and Natural Environment

10 **Summary:**

15 An Integrated Weed Management Strategy is currently being prepared in accordance with Council resolution 13-621. The development of the Strategy is being informed by a series of stakeholder consultation activities. A facilitated workshop will be held during the Biodiversity and Sustainability Advisory Committee meeting which will provide the committee members an opportunity to provide input into the Strategy's development. The focus of the workshop will be to identify the challenges and priorities for Councils weed management program and discuss practical and achievable weed management options that can be included in the Strategy.

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**RECOMMENDATION:**

**That the Biodiversity and Sustainability Advisory Committee note this report.**

**Report**

At the Council meeting on 21 November 2013 Council made the following resolution:

- 5 13-621 Resolved (in part):
1. That Council develop a Shire Wide Integrated Weed/Pest Management Policy for Council owned and managed lands, and a Shire Wide Integrated Weed/Pest Management Strategic Action Plan for Council owned and managed lands in consultation with Council staff, community and experts in the field.
  - 10 2. That the following are included within the vision of the Integrated Weed/Pest Management Policy:
    - 15 a) An aspiration to reach the goal of ceasing the use of all non organic chemical based herbicides and the repetitive use of all non organic chemical pesticides, in highly frequented, public use areas, within 5 years.
    - 20 b) Consideration that non organic chemical herbicides are the least preferred, though currently are, at times essential management option, and the process of managing weeds and controlling vegetation should be undertaken in a way that minimises adverse effects.
    - 25 c) Promotion of the concept of best practice weed management, taking an integrated approach to the control of weeds and vegetation, and uses methods that have the least potential to adversely affect human health and the environment while achieving the desired outcome.
    - 30 d) A statement outlining desired outcomes of the Policy.
  3. That an Integrated Weed and Pest Management Strategic Action Plan considers:
    - 35 a) A non organic chemical use audit for weed control, including an outline of where it is used, the types used and the current budget of use.
    - 40 b) Increasing native plantings as a method of weed control.
    - 45 c) An updated report every two years outlining progress of the goal of ceasing the use of all non organic chemical based herbicides and the repetitive use of non organic chemical pesticides, within 5 years, impediments to this target and possible options that have arisen and that this report compares the relative environmental costs & benefits.
    - 50 d) Within a review, the investigation of different possible management options, within different areas and ecosystems and a prioritisation of areas to be targeted.
    - 55 e) Possible cooperation with Universities for selecting waterway sites to monitor and test the impacts of using non organic chemicals, possibly as a research project as a case study.
    - 60 f) Investigation of further opportunities to make significant reductions in non- organic chemical use, for example, rate incentives for organic farmers and subsidising responsible non organic chemical use training for farmers.
    - 65 g) Investigation of using one park or open space within the Shire as a 'trial park' to engage community support and test non chemical methods.

Council have engaged Australian Wetlands Consulting to prepare an Integrated Weed Management Strategy. As part of the development of the strategy a series of consultation activities are being undertaken including workshops with Council staff; Landcare and Dunecare groups and volunteers working on Council land; and the Biodiversity and Sustainability Advisory Committee.

5 A facilitated workshop will be held during the Biodiversity and Sustainability Advisory Committee meeting. The workshop will provide committee members an opportunity to provide input into the Strategies development. The focus of the workshop will be to identify the challenges and priorities for Councils weed management program and discuss practical and achievable weed management options that can be included in the strategy.

**Financial Implications**

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**Statutory and Policy Compliance Implications**

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**Report No. 5.2**                    **Byron Shire - Zero Emissions Community**  
**Directorate:**                    Sustainable Environment and Economy  
**Report Author:**                Sandi Middleton, Acting Sustainability Officer  
**File No:**                         I2015/358  
5 **Theme:**                         Ecology  
    Land and Natural Environment

**Summary:**

10 This report is to advise of Council’s resolution regarding the intention for Byron Shire to become Australia’s first Zero Emissions Community and provide an update of the project.

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**RECOMMENDATION:**

**That the Biodiversity and Sustainability Advisory Committee note the report and provide any relevant names of individuals that may be interested in attending the Informal Working Group Meetings.**

**Report**

At the 19 March 2015 meeting, Council considered a Notice of Motion - *Intention for Byron Shire to become Australia's first Zero Emissions Community* and resolved the following:

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**15-099 Resolved that Council:**

1. *Supports Byron Shire becoming a Zero Emissions Community.*
2. *Send a letter of appreciation to Beyond Zero Emissions (BZE) for selecting Byron Shire to become Australia's first Zero Emissions Community for such a leadership role.*
3. *Support BZE to develop a process, including conducting workshops with key stakeholders, in order to develop a roadmap to achieve the stated intention.*

Since then a community working group consisting of representatives from Council, BZE, Northern Rivers Energy, Community Owned Renewable Energy Mullumbimby and the Total Environment Centre and John Sparks has been loosely formed.

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The next step for the project is to hold a Community Forum in June with the aim of building a social license for this initiative and form Working Groups to help create and deliver the sectoral plans. It will also be an opportunity to present a possible vision of what a zero net emissions Shire could be in 10 years time.

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There will be another meeting of the community working group prior to the Community Forum to help develop some terms of reference and decide on roles and responsibilities.

**Working Groups**

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The working groups will be community lead, with an assigned working group manager to keep things on track and ideally a facilitator to support process and meetings. The purpose of the working groups is to develop sectoral plans for energy, buildings, transport, land use and waste - these sectoral plans will sit underneath the overarching Zero Emissions Byron strategic plan. BZE will provide research and methodology as required for each of the working groups.

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The intention is to openly build the working groups, rather than individual leaders, and invite expressions of interest from all of the community. A transparent and fair process for assessing and deciding on who is in the working groups needs to be designed. BZE is currently talking to funders about how to finance and resource these working groups so that they are sustainable.

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Below is a summary provided by BZE on what the working groups could possibly cover.

**Sectoral plans form Working Groups - underpin overarching Zero Carbon Strategy**

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**1. Buildings**

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- i. *BZE to use modelling of different buildings types and emissions reductions possible from Zero Carbon Buildings Plan (BZE researcher already involved in similar process in zero energy Uralla project)*
- ii. *Identify and assess building stock in community including homes, retail and commercial buildings*
- iii. *Assess emissions reductions possible from 9 Energy Freedom actions in each building type*
- iv. *Assess likely trends and technological advances over 10 year period (eg. Batteries)*
- v. *Dedicated Energy Freedom information campaign by Council and BZE (including letter from Mayor etc) highlighting actions that can be implemented in the home*



- vi. *Identify opportunities that council can implement (eg. council rates) as financial mechanism to pay for emissions reductions in homes (as being done in some existing councils in Victoria and NSW)*

5    **2. Transport**

- i. *Council provide estimates of emissions from transport in council area, including breakdown across private vehicles, fleets, trucks, buses and rail*
- ii. *Identify existing public transport infrastructure*
- 10    iii. *BZE utilise and adapt existing public transport model to develop improved public transport system in Byron shire including interaction between different transport mode types*
- iv. *Assess emission reduction strategies across different modes*
- v. *Assess likely trends and technological changes over 10 year period (eg. EVs, batteries, car sharing etc)*
- 15    vi. *Determine what actions can be implemented by community members, private sector, council (eg. EV fleet etc)*

**3. Land Use**

- i. *Council provide estimates of emissions from land use in council area, including breakdown across subsectors*
- 20    ii. *BZE apply regional modelling from Zero Carbon Land Use Report to identify revegetation potential in Shire, and other opportunities for emissions reductions (BZE researcher located in Byron shire and available to do this)*

**4. Waste**

- 25    i. *Identify existing council programs to divert waste from landfill*
- ii. *Identify existing programs to divert organics from landfill*
- iii. *Identify existing programs to capture methane from landfill and generate renewable energy*
- iii. *Learn from neighbouring councils about waste separation and generation of renewable energy from landfill*

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**5. Energy**

- i. *Identify from existing energy stakeholders plans already underway to implement rooftop solar across households, businesses and towns over a 10 year period*
- 35    ii. *Identify from NR Energy provision of 100% renewable energy to Byron Shire over a 10 year period*
- iii. *In short term examine switch to energy providers that provide or support renewable energy to households, businesses and council*

**Informal Working Group Meetings**

40    Prior to the Community Forum there will be some informal ‘community briefings’ with key individuals from the Transport, Building and Land Use sectors.

45    These informal discussions will include the context of the Zero Byron initiative including a rough outline of ‘what’s possible’ for the local context. It was noted that the intention is not to implement everything in the BZE plans but to work out what was relevant and appropriate for Byron.

**Financial Implications**

50    Council supports some staff time will be put towards organising and attending the Community Forum and assisting in applying for grants to pay for full time people to work on the project.

**Statutory and Policy Compliance Implications**

Nil.