

# 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, 23 June 2016</b>
Time	<b>9.00am</b>

A handwritten signature in black ink, appearing to read 'S Burt'.

Shannon Burt  
Director Sustainable Environment and Economy

---

---

## 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)

---

---

## 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 21 April 2016

**4. BUSINESS ARISING FROM PREVIOUS MINUTES**

**5. STAFF REPORTS**

**Sustainable Environment and Economy**

5.1 Zero Emissions Byron - Baseline Report and Project Plan .....4

**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 5.1**                    **Zero Emissions Byron - Baseline Report and Project Plan**

**Directorate:**                    Sustainable Environment and Economy

5 **Report Author:**                Sandi Middleton, Sustainability Officer

**File No:**                        I2016/612

**Theme:**                         Ecology  
    Planning Policy and Natural Environment

10

**Summary:**

This report is an executive summary of the Zero Emissions Byron Baseline Report and outlines the next steps for the project.

15

---

**RECOMMENDATION:**

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

**Report:**

5 In 2015 the Mayor of Byron Shire Council announced Byron Shire’s intention to become the first zero emissions community in Australia by 2025. To achieve this visionary goal Council has partnered with the Centre for Social Change and Beyond Zero Emissions (BZE) who has undertaken zero emissions research across different sectors in Australia. BZE’s Zero Carbon Communities initiative aims to empower communities and councils across Australia transition to zero emissions.

10 The Zero Emissions Byron project is overseen by a steering committee comprising the Mayor (Simon Richardson), Council staff, local community groups, BZE and the Centre for Social Change. The project is organised according to five sectors that contribute to emissions in the Shire: energy, transport, buildings, land use and waste. In each sector a team of local volunteers and experts has been established to calculate the baseline emissions and develop high level strategies to reduce emissions. The Baseline Emissions Report is the current emissions and emission reduction strategies for the Byron community. A hard copy of the report will be submitted on the day.

**Current Greenhouse Gas Emissions for Byron Shire**

20 Total annual greenhouse gas emissions in Byron Shire: **263,199 tonnes CO<sub>2</sub>e** (8 tonnes CO<sub>2</sub>e/person)

This breaks down for the five sectors as follows:

- 25
- Energy – 134,967 tonnes CO<sub>2</sub>e
  - Transport – 95,004 tonnes CO<sub>2</sub>e
  - Land Use – 27,637 tonnes CO<sub>2</sub>e
  - Buildings – 111,447 tonnes CO<sub>2</sub>e
  - 30 • Waste – 5,591 tonnes CO<sub>2</sub>e

**Zero Emissions Byron - Project stages**

**The Zero Emissions Byron project involves three key stages:**

- 35
1. Calculate baseline of current emissions in energy, transport, buildings, land use and waste sectors
  2. Develop mitigation strategies and quantify their potential to reduce emissions
  - 40 3. Implement emissions reduction strategies
    - a. Short-term practical action such as energy efficiency and rooftop solar.
    - 45 b. Longer-term strategy to move to zero emissions.

**From Knowledge to Action**

50 Moving forward post baseline report, the next step is to create a 10 Year Strategic Action Plan, identifying clear projects to help reduce our emissions and get us to our goal.

An example of what some of these actions could be per sector are outlined below:

55

High Level Action ideas

- 5 • Energy – Work with Enova, Australia’s first community owned renewable energy retailer, to encourage the uptake of solar on rooftops and distribute and export renewable energy.
- Transport – Establish and promote electric vehicles, electric bicycle and car share schemes, utilising the rail corridor to allow for local commuter and visitor services.
- Establishing and promoting local Land Use – Manure management capturing methane from dairy, pig and poultry production (70% reduction).
- 10 • Buildings – Emissions and energy use in Byron Shire’s residential building sector can be drastically reduced by implementing an information and education campaign for households based on BZE’s Energy Freedom initiative.
- Waste – Improving the re
- 15 • cycling rates of cardboard, especially from commercial, industrial and construction sources.

**Next steps**

20 To move forward into the next three months of action planning the ZEB team will require detailed technical and community engagement assistance as well as funds to pay for the Project Coordinator who has for the last 9 months being volunteering for 5 days a week.

**Financial Implications**

25 Nil

**Statutory and Policy Compliance Implications**

Nil