

# NOTICE OF MEETING



## STRATEGIC BUSINESS PANEL MEETING

A Strategic Business Panel Meeting of Byron Shire Council will be held as follows:

Venue	<b>Council Chambers, Station Street, Mullumbimby</b>
Date	<b>Thursday, 11 June 2020</b>
Time	<b>2.00pm</b>

Shannon Burt  
Director Sustainable Environment & Economy

*12020/880  
Distributed 04/06/20*

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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 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)

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## RECORDING OF VOTING ON PLANNING MATTERS

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

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

**BYRON SHIRE COUNCIL**  
**STRATEGIC BUSINESS PANEL MEETING**

**BUSINESS OF MEETING**

**1. APOLOGIES**

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

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

3.1 Strategic Business Panel Meeting held on 12 March 2020

**4. STAFF REPORTS**

**Sustainable Environment and Economy**

4.1 Strategic Business Panel Agenda 11 June 2020 .....4

**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 4.1 Strategic Business Panel Agenda 11 June 2020**

**Directorate:** Sustainable Environment and Economy

5 **Report Author:** Lisa Richards, Business Enterprise Officer

**File No:** I2020/815

10 **Summary:**

This report outlines the agenda for the Strategic Business Panel meeting on 11 June 2020.

15 The Panel will be provided a live, online presentation from Ryan James from .id the population experts on the latest economic impact data and forecasts for Byron Shire, and an update on the Byron Shire Sustainable Visitation Strategy 2020-2030, the new Business in Byron Shire E-Newsletter, and the key findings from Council's first Business Impacts, Resilience and Continuity Survey.

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**RECOMMENDATION:**

**That the Strategic Business Panel note the presentation from .id the populations experts and other agenda items.**

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**Report**

At the 12 March 2020 Panel meeting it was proposed to theme the 11 June meeting around businesses, employment and demographic shifts and trends.

5 From 2-3pm .id- the population experts will provide a live, online presentation on historical and forecasted economic impact statistics for Byron Shire, and provide the opportunity for the Panel to ask any questions. The Executive Team has been invited to attend.

10 From 3pm-4pm staff will provide an update on the Sustainable Visitation Strategy and the new Business in Byron Shire E-Newsletter, as well as some key findings from the first Business Impacts, Resilience and Continuity Survey.

***Sustainable Visitation Strategy***

15 Whilst Council resolved to place the draft Strategy on exhibition we've paused in light of COVID to reframe how to best engage with our industry and community and to capture the issues that our industry are currently facing in a new resilience chapter. The following two stage engagement process is being undertaken:

**Stage 1 engagement (now to end July):**

- 20 • Tourism Officer to write the resilience chapter using industry feedback from the following surveys already completed or underway; Council's business survey; Destination North Coast and Regional Development Australia (and reference the current stage and federal government approach to natural disasters and pandemics).
- Council will also connect with those areas of the industry that are still affected by Covid-19 to ensure their feedback is captured in the resilience chapter (such as the weddings, festivals and events industries)
- 25 • A media release will be prepared encouraging visitors travelling to Byron Shire be Covid safe and also outline the work of the SVS and the new project timelines
- A copy of the draft SVS will be provided on Council's website for the community to review (a project update will also be provided)
- 30 • Tourism Officer to prepare a report to Council with the addendum to the SVS (Resilience chapter) for the July Council meeting

**Stage 2 (August – September):**

- Engagement in accordance with Communication Plan
- 35 • Questions on Yoursay asking the community retrospectively about the positive and negative impacts of Covid-19
- Formal public exhibition takes place for 8 weeks

The final SVS, together with the public exhibition report is expected to be considered by Council in October.

**40 *Business in Byron Shire E-Newsletter***

New monthly newsletter to Byron Shire businesses that provides updates on legislation and regulations around COVID-19 for businesses, resources and connections for business assistance and positive case studies of local businesses adapting their business model during these times.

It is available to anyone to subscribe at <https://www.byron.nsw.gov.au/Business>

***Business Impacts, Resilience and Continuity Survey***

5 This fortnightly survey was introduced on 4 May 2020 to best understand how Council can service our industry sectors. The survey can be found at <https://www.yoursaybyronshire.com.au/business-impacts-resilience-and-continuity>

The results from the survey will be used to inform an update to the Enterprising Byron Strategy 2025 by 30 June 2021.

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**Financial Implications**

NA

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**Statutory and Policy Compliance Implications**

NA