

NOTICE OF MEETING



BIODIVERSITY ADVISORY COMMITTEE MEETING

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

Venue	Council Chambers, Station Street, Mullumbimby
Date	Monday, 12 March 2018
Time	3.15pm

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 ADVISORY COMMITTEE MEETING

BUSINESS OF MEETING

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY**
3. **ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**
4. **STAFF REPORTS**

Corporate and Community Services

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STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

Report No. 4.1 **Committee Induction**
Directorate: Corporate and Community Services
5 **Report Author:** David Royston-Jennings, Corporate Governance Officer
File No: I2018/385
Theme: Corporate Management
 Governance Services

10 **Summary:**

To provide an overview of Council's Code of Conduct and the draft Constitution for the Biodiversity Advisory Committee.

15 **RECOMMENDATION:**

1. That the Biodiversity Advisory Committee receive a presentation on Byron Shire Council's Code of Conduct.
2. That the Biodiversity Advisory Committee confirm the Constitution for this Committee, in accordance with Council Resolution 18-114.

Attachments:

- 20
- 1 Byron Shire Council Code of Conduct, E2017/101101 , page 6 [↓](#)
 - 2 Draft Constitution - Biodiversity Advisory Committee, E2018/2233 , page 27 [↓](#)

Report

Members of the Biodiversity Advisory Committee are required to read and understand Council's Code of Conduct.

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The key points of the Code of Conduct will be provided in a presentation for the Committee's information.

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A copy of Byron Shire Council's Code of Conduct is provided as an attachment to this report for the Committee's perusal.

The Biodiversity Advisory Committee is also required to confirm the Constitution for this Committee, in accordance with Council Resolution 18-114, which reads (in part) as follows:

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3. That the draft Terms of Reference for the Biodiversity Advisory Committee (Attachment 1 E2018/2233), and Sustainability and Emissions Reduction Advisory Committee (Attachment 2 E2018/2239) be confirmed at their respective first meetings.

Financial Implications

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Nil

Statutory and Policy Compliance Implications

25

Code of Conduct



Policy:

Code of Conduct

2016

INFORMATION ABOUT THIS DOCUMENT

Date Adopted by Council	29 March 1994	Resolution No.	
Policy Responsibility	General Manager		
Review Timeframe	Council is required by s440 of the Local Government Act 1993 to review its Code of Conduct within the first year of office and/or whenever the prescribed Model Code of Conduct changes		
Last Review Date:	4 February 2016	Next Scheduled Review Date	January 2017 or as required by the Local Government Act 1993.

Document History

Doc No.	Date Amended	Details Comments eg Resolution No.
	February 2005	Council adopted the Model Code of Conduct for Local Councils in NSW Dec 2004 as issued by the Department of Local Government
#534640	21/11/2006	Res No. 06-746
#790333	28/8/2008	Res No. 08-482
#886424	13/8/2009	Res No. 09-633 reconfirmed existing Code of Conduct
#E2013/4326	14/2/2013	Reported to Council Res 13-16
E2013/12377	1/3/2013	Adopted to commence 1/3/2013 (Res 13-16)
E2016/8002	4/2/2016	Res No. 16-21 statutory change

Further Document Information and Relationships

Related Legislation	Local Government Act 1993 Local Government (General) Regulation 2005 Government Information (Public Access) Act 2009 Public Interest Disclosures Act 1994 NSW Ombudsman, Investigating complaints, A manual for investigators June 2008 Local Government Amendment (Councillor Misconduct and Poor Performance) Act 2015
Related Policies	Policy No 13/004 – Code of Conduct- Procedures for the Administration of Council's E2013/12510 Policy No 11/008 - Internal Reporting Policy (#DM1137087) Policy No 3.22 - Complaints Management Policy (#1154370) Privacy Management Plan (#214081)
Related Procedures/ Protocols, Statements, documents	Procedure No 26 - Declaration of Gifts and Benefits (#1198559) DLG Circular 12-45 issued 19/12/2012 Information Protection Principles and Health Privacy Principles; The Privacy Code of Practice for Local Government

NB: This administrative part of this Policy and any cross-references within the Policy may be amended without referral to Council, as procedures, policies, legislation etc are developed, reviewed or updated etc, to ensure ongoing administrative accuracy.

See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.



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PART 1: INTRODUCTION

This Model Code of Conduct for Local Councils in NSW ("the Model Code of Conduct") is made for the purposes of section 440 of the *Local Government Act 1993* ("the Act"). Section 440 of the Act requires every council to adopt a code of conduct that incorporates the provisions of the Model Code. For the purposes of section 440 of the Act, the Model Code of Conduct comprises all parts of this document.

Councillors, administrators, members of staff of council, independent conduct reviewers, members of council committees including the conduct review committee and delegates of the council must comply with the applicable provisions of Council's Code of Conduct in carrying out their functions as council officials. It is the personal responsibility of council officials to comply with the standards in the Code and regularly review their personal circumstances with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this Code constitutes misconduct for the purposes of the Act. The Act provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office.

Failure by a member of staff to comply with council's Code of Conduct may give rise to disciplinary action.

A better conduct guide has also been developed to assist councils to review and enhance their codes of conduct. This guide supports this code and provides further information on the provisions in this code.

PART 2: PURPOSE OF THE CODE OF CONDUCT

The Model Code of Conduct sets the minimum requirements of conduct for council officials in carrying out their functions. The Model Code is prescribed by regulation.

The Model Code of Conduct has been developed to assist council officials to:

- understand the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in the integrity of local government.



PART 3: GENERAL CONDUCT OBLIGATIONS

General Conduct

- 3.1 You must not conduct yourself in carrying out your functions in a manner that is likely to bring the council or holders of civic office into disrepute. Specifically, you must not act in a way that:
- a) contravenes the Act, associated regulations, council's relevant administrative requirements and policies;
 - b) is detrimental to the pursuit of the charter of a council;
 - c) is improper or unethical;
 - d) is an abuse of power or otherwise amounts to misconduct;
 - e) causes, comprises or involves intimidation, harassment or verbal abuse;
 - f) causes, comprises or involves discrimination, disadvantage or adverse treatment in relation to employment;
 - g) causes, comprises or involves prejudice in the provision of a service to the community. (Schedule 6A)
- 3.2 You must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the Act or any other Act. (section 439)
- 3.3 You must treat others with respect at all times.

Fairness and equity

- 3.4 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.5 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

Harassment and discrimination

- 3.6 You must not harass, discriminate against, or support others who harass and discriminate against colleagues or members of the public. This includes, but is not limited to harassment and discrimination on the grounds of sex, pregnancy, age, race, responsibilities as a carer, marital status, disability, homosexuality, transgender grounds or if a person has an infectious disease.

Development decisions

- 3.7 You must ensure that development decisions are properly made and that parties involved in the development process are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the development assessment process.
- 3.8 In determining development applications, you must ensure that no action, statement or communication between yourself and applicants or objectors conveys any suggestion of willingness to provide improper concessions or preferential treatment.



Binding Caucus Votes

- 3.9 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.10 For the purposes of clause 3.9, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.11 Clause 3.9 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.12 Clause 3.9 does not apply to a decision to elect the Mayor or Deputy Mayor or to nominate a person to be a member of a council committee. .



PART 4: CONFLICT OF INTERESTS

- 4.1 A conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
- 4.2 You must avoid or appropriately manage any conflict of interests. The onus is on you to identify a conflict of interests and take the appropriate action to manage the conflict in favour of your public duty.
- 4.3 Any conflict of interests must be managed to uphold the probity of council decision-making. When considering whether or not you have a conflict of interests, it is always important to think about how others would view your situation.
- 4.4 Private interests can be of two types: pecuniary or non-pecuniary

What is a pecuniary interest?

- 4.5 A pecuniary interest is 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. (*section 442*)
- 4.6 A person will also be taken to have a pecuniary interest in a matter if that person's spouse or de facto partner or a relative of the person or a partner or employer of the person, or a company or other body of which the person, or a nominee, partner or employer of the person is a member, has a pecuniary interest in the matter. (*section 443*)
- 4.7 Pecuniary interests are regulated by Chapter 14, Part 2 of the Act. The Act requires that:
- councillors and designated persons lodge an initial and an annual written disclosure of interests that could potentially be in conflict with their public or professional duties (*section 449*)
 - councillors and members of council committees disclose an interest and the nature of that interest at a meeting, leave the meeting and be out of sight of the meeting and not participate in discussions or voting on the matter (*section 451*)
 - designated persons immediately declare, in writing, any pecuniary interest. (*section 459*)
- 4.8 Designated persons are defined at section 441 of the Act, and include, but are not limited to, the general manager and other senior staff of the council.
- 4.9 Where you are a member of staff of council, other than a designated person (as defined by section 441), you must disclose in writing to your supervisor or the general manager, the nature of any pecuniary interest you have in a matter you are dealing with as soon as practicable.

What is a non-pecuniary conflict of interests?

- 4.10 Non-pecuniary interests are private or personal interests the council official has that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.
- 4.11 The political views of a councillor do not constitute a private interest.

**Managing non-pecuniary conflict of interests**

- 4.12 Where you have a non-pecuniary interest that conflicts with your public duty, you must disclose the interest fully and in writing, even if the conflict is not significant. You must do this as soon as practicable.
- 4.13 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes. This disclosure constitutes disclosure in writing for the purposes of clause 4.12.
- 4.14 How you manage a non-pecuniary conflict of interests will depend on whether or not it is significant.
- 4.15 As a general rule, a non-pecuniary conflict of interests will be significant where a matter does not raise a pecuniary interest but it involves:
- a) a relationship between a council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse, current or former spouse or partner, de facto or other person living in the same household;
 - b) other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship;
 - c) an affiliation between the council official and an organisation, sporting body, club, corporation or association that is particularly strong.
- 4.16 If you are a council official, other than a member of staff of council, and you have disclosed that a significant non-pecuniary conflict of interests exists, you must manage it in one of two ways:
- a) remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another council official;
 - b) have no involvement in the matter, by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in section 451(2) of the Act apply.
- 4.17 If you determine that a non-pecuniary conflict of interests is less than significant and does not require further action, you must provide an explanation of why you consider that the conflict does not require further action in the circumstances.
- 4.18 If you are a member of staff of council, the decision on which option should be taken to manage a non-pecuniary conflict of interests must be made in consultation with your manager.
- 4.19 Despite clause 4.16(b), a councillor who has disclosed that a significant non-pecuniary conflict of interests exists may participate in a decision to delegate council's decision-making role to council staff through the General Manager, or appoint another person or body to make the decision in accordance with the law. This applies whether or not council would be deprived of a quorum if one or more councillors were to manage their conflict of interests by not voting on a matter in accordance with clause 4.16(b) above.



Reportable Political Donations

- 4.20 Councillors should note that matters before council involving political or campaign donors may give rise to a non-pecuniary conflict of interests.
- 4.21 Where a councillor has received or knowingly benefited from a reportable political donation:
- 3.12.1 made by a major political donor in the previous four years; and
 - 3.12.2 where the major political donor has a matter before Council,
- then the councillor must declare a non-pecuniary conflict of interests, disclose the nature of the interest, and manage the conflict of interests in accordance with clause 4.16(b).
- 4.22 For the purposes of this Part:
- a) a "reportable political donation" is a "reportable political donation" for the purposes of section 86 of the *Election Funding, Expenditure and Disclosures Act 1981*;
 - b) a "major political donor" is a "major political donor" for the purpose of section 84 of the *Election Funding, Expenditure and Disclosures Act 1981*.
- 4.23 Councillors should note that political donations below \$1,000, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interests. Councillors should determine whether or not such conflicts are significant and take appropriate action to manage them.
- 4.24 If a councillor has received or knowingly benefited from a reportable political donation of the kind referred to in clause 4.21, that councillor is not prevented from participating in a decision to delegate council's decision-making role to council staff through the General Manager or appointing another person or body to make the decision in accordance with the law (see clause 4.19 above).

Loss of Quorum as a Result of Compliance with this Part

- 4.25 Where a majority of Councillors are precluded under this Part from consideration of a matter the council or committee must resolve to delegate consideration of the matter in question to another person.
- 4.26 Where a majority of councillors are precluded under this Part from consideration of a matter and the matter in question concerns the exercise of a function that may not be delegated under section 377 of the Act, the councillors may apply in writing to the Chief Executive to be exempted from comply with a requirement under this Part relating to the management of a non-pecuniary conflict of interests.
- 4.27 The Chief Executive will only exempt a councillor from complying with a requirement under this Part where:
- a) compliance by councillors with a requirement under this Part in relation to a matter will result in the loss of a quorum; and
 - b) the matter relates to the exercise of a function of the council that may not be delegated under section 377 of the Act.



- 4.28 Where the Chief Executive exempts a councillor from complying with a requirement under this Part, the councillor must still disclose any interest they have in the matter the exemption applies to in accordance with the requirements of this Part.
- 4.29 A councillor, who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interests in the matter, is permitted to participate in consideration of the matter, if:
- a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant part of the council's area, or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the council's area, and
 - b) the non-pecuniary conflict of interests arises only because of an interest that a person has in that person's principal place of residence, and
 - c) the councillor declares the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part.

Other business or employment

- 4.30 If you are a member of staff of council considering outside employment or contract work that relates to the business of the council or that might conflict with your council duties, you must notify and seek the approval of the general manager in writing. (section 353)
- 4.31 As a member of staff, you must ensure that any outside employment or business you engage in will not:
- a) conflict with your official duties;
 - b) involve using confidential information or council resources obtained through your work with the council;
 - c) require you to work while on council duty;
 - d) discredit or disadvantage the council.

Personal dealings with council

- 4.32 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.



PART 5: PERSONAL BENEFIT

For the purposes of this section, a reference to a gift or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant election funding legislation.

Gifts and Benefits

- 5.1 You must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from you or from the Council.
- 5.2 You must take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouses, children and siblings.

Token Gifts and Benefits

- 5.3 Generally speaking, token gifts and benefits include:
 - a) free or subsidised meals, beverages or refreshments provided in conjunction with:
 - i) the discussion of official business;
 - ii) council work related events such as training, education sessions, workshops;
 - iii) conferences;
 - iv) council functions or events;
 - v) social functions organised by groups, such as council committees and community organisations;
 - b) invitations to and attendance at local social, cultural or sporting events;
 - c) gifts of single bottles of reasonably priced alcohol to individual council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address);
 - d) ties, scarves, coasters, tie pins, diaries, chocolates or flowers;
 - e) prizes of token value.

Gifts and benefits of value

- 5.4 Notwithstanding clause 5.3, gifts and benefits that have more than a token value include, but are not limited to, tickets to major sporting events (such as state or international cricket matches or matches in other national sporting codes (including the NRL, AFL, FFA, NBL)), corporate hospitality at a corporate facility at major sporting events, discounted products for personal use, the frequent use of facilities such as gyms, use of holiday homes, free or discounted travel.

**How are Offers of Gifts and Benefits to be Dealt With?****5.5 You must not:**

- a) seek or accept a bribe or other improper inducement;
- b) seek gifts or benefits of any kind;
- c) accept any gift or benefit that may create a sense of obligation on your part or may be perceived to be intended or likely to influence you in carrying out your public duty;
- d) accept any gift or benefit of more than token value;
- e) accept an offer of cash or a cash-like gift, regardless of the amount.

5.6 For the purposes of clause 5.5(e), a "cash like gift" includes but is not limited to gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, memberships or entitlements to discounts.

5.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly to your supervisor, the Mayor or the General Manager. The recipient, supervisor, Mayor or General Manager must ensure that any gifts or benefits of more than token value that are received are recorded in a Gifts Register. The gift or benefit must be surrendered to Council, unless the nature of the gift or benefit makes this impractical.

Improper and undue influence

5.8 You must not use your position to influence other Council officials in the performance of their public or professional duties to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the appropriate exercise of their representative functions.

5.9 You must not take advantage (or seek to take advantage) of your status or position with or of functions you perform for council in order to obtain a private benefit for yourself or for any other person or body.



PART 6: RELATIONSHIP BETWEEN COUNCIL OFFICIALS**Obligations of Councillors and administrators**

- 6.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. The governing body has the responsibility of directing and controlling the affairs of the Council in accordance with the Act and is responsible for policy determinations, for example, those relating to workforce policy.
- 6.2 Councillors or administrators must not:
- a) direct council staff other than by giving appropriate direction to the General Manager in the performance of council's functions by way of council or committee resolution, or by the Mayor or administrator exercising their power under section 226 of the Act (*section 352*);
 - b) in any public or private forum, direct or influence or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the member or delegate (*Schedule 6A of the Act*);
 - c) contact a member of the staff of the council on council related business unless in accordance with the policy and procedures governing the interaction of Councillors and council staff that have been authorised by the Council and the General Manager;
 - d) contact or issue instructions to any of council's contractors or tenderers, including council's legal advisers, unless by the Mayor or administrator exercising their power under section 226 of the Act. This does not apply to council's external auditors or the Chair of Council's Audit Committee who may be provided with any information by individual councillors reasonably necessary for the external auditor or audit committee to effectively perform their functions.

Obligations of Staff

- 6.3 The General Manager is responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation of the decisions of the council without delay.
- 6.4 Members of staff of Council must:
- a) give their attention to the business of council while on duty;
 - b) ensure that their work is carried out efficiently, economically and effectively;
 - c) carry out lawful directions given by any person having authority to give such directions;
 - d) give effect to the lawful decisions, policies, and procedures of the Council, whether or not the staff member agrees with or approves of them;
 - e) ensure that any participation in political activities outside the service of Council does not conflict with the performance of their official duties.



Obligations During Meetings

- 6.5 You must act in accordance with Council's Code of Meeting Practice, if Council has adopted one, and the *Local Government (General) Regulation 2005* during Council and committee meetings.
- 6.6 You must show respect to the chair, other council officials and any members of the public present during Council and committee meetings or other formal proceedings of the Council.

Inappropriate Interactions

- 6.7 You must not engage in any of the following inappropriate interactions:
- a) Councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters other than broader workforce policy issues.
 - b) Council staff approaching Councillors and administrators to discuss individual or operational staff matters other than broader workforce policy issues.
 - c) Council staff refusing to give information that is available to other Councillors to a particular Councillor.
 - d) Councillors and administrators who have lodged a development application with council, discussing the matter with Council staff in staff-only areas of the Council.
 - e) Councillors and administrators being overbearing or threatening to Council staff.
 - f) Councillors and administrators making personal attacks on Council staff in a public forum.
 - g) Councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make.
 - h) Council staff providing ad hoc advice to Councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community.
 - i) Council staff meeting with developers alone AND outside office hours to discuss development applications or proposals.
 - j) Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by Council associated with current or proposed legal proceedings unless permitted to do so by Council's General Manager or, in the case of the Mayor or administrator, exercising their power under section 226 of the Act.



PART 7: ACCESS TO INFORMATION AND COUNCIL RESOURCES**Councillor and Administrator Access to Information**

- 7.1 The General Manager and Public Officer are responsible for ensuring that members of the public, Councillors and administrators can gain access to the documents available under *Government Information (Public Access) Act 2009*.
- 7.2 The General Manager must provide Councillors and administrators with information sufficient to enable them to carry out their civic office functions.
- 7.3 Members of staff of council must provide full and timely information to Councillors and administrators sufficient to enable them to carry out their civic office functions and in accordance with Council procedures.
- 7.4 Members of staff of council who provide any information to a particular Councillor in the performance of their civic duties must also make it available to any other Councillor who requests it and in accordance with Council procedures.
- 7.5 Councillors and administrators who have a private (as distinct from civic) interest in a document of Council have the same rights of access as any member of the public.

Councillors and Administrators to Properly Examine and Consider Information

- 7.6 Councillors and administrators must properly examine and consider all the information provided to them relating to matters that they are dealing with to enable them to make a decision on the matter in accordance with Council's charter.

Refusal of Access to Documents

- 7.7 Where the General Manager and Public Officer determine to refuse access to a document sought by a Councillor or administrator they must act reasonably. In reaching this decision they must take into account whether or not the document sought is required for the Councillor or administrator to perform their civic duty (see clause 7.2). The General Manager or Public Officer must state the reasons for the decision if access is refused.

Use of Certain Council Information

- 7.8 In regard to information obtained in your capacity as a Council official, you must:
 - a) only access Council information needed for Council business;
 - b) not use that Council information for private purposes;
 - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have by virtue of your office or position with Council;
 - d) only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.



Use and Security of Confidential Information

- 7.9 You must maintain the integrity and security of confidential documents or information in your possession, or for which you are responsible.
- 7.10 In addition to your general obligations relating to the use of Council information, you must:
- a) protect confidential information;
 - b) only release confidential information if you have authority to do so;
 - c) only use confidential information for the purpose it is intended to be used;
 - d) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person;
 - e) not use confidential information with the intention to cause harm or detriment to your Council or any other person or body;
 - f) not disclose any information discussed during a confidential session of a council meeting.

Personal Information

- 7.11 When dealing with personal information you must comply with:
- a) *the Privacy and Personal Information Protection Act 1998;*
 - b) *the Health Records and Information Privacy Act 2002;*
 - c) the Information Protection Principles and Health Privacy Principles;
 - d) Council's privacy management plan,
 - e) the Privacy Code of Practice for Local Government.

Use of Council Resources

- 7.12 You must use Council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate.
- 7.13 Union delegates and consultative committee members may have reasonable access to Council resources for the purposes of carrying out their industrial responsibilities, including but not limited to:
- a) the representation of members with respect to disciplinary matters;
 - b) the representation of employees with respect to grievances and disputes;
 - c) functions associated with the role of the local consultative committee.
- 7.14 You must be scrupulous in your use of Council property, including intellectual property, official services and facilities, and must not permit their misuse by any other person or body.
- 7.15 You must avoid any action or situation that could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.



- 7.16 You must not use Council resources, property or facilities for the purpose of assisting your election campaign or the election campaign of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 7.17 You must not use council letterhead, council crests and other information that could give the appearance it is official Council material for:
- 3.12.3 the purpose of assisting your election campaign or the election campaign of others; or
3.12.4 for other non-official purposes.
- 7.18 You must not convert any property of the Council to your own use unless properly authorised.
- 7.19 You must not use Council's computer resources to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

Councillor Access to Council Buildings

- 7.20 Councillors and administrators are entitled to have access to the Council chamber, committee room, Mayor's Office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the General Manager.
- 7.21 Councillors and administrators must not enter staff-only areas of Council buildings without the approval of the General Manager (or delegate) or as provided in the procedures governing the interaction of Councillors and Council staff.
- 7.22 Councillors and administrators must ensure that when they are within a staff area they avoid giving rise to the appearance that they may improperly influence Council staff decisions.



PART 8: MAINTAINING THE INTEGRITY OF THIS CODE

8.1 You must not conduct yourself in a manner that is likely to undermine confidence in the integrity of this Code or its administration.

Complaints Made for an Improper Purpose

8.2 You must not make a complaint or cause a complaint to be made under this Code for an improper purpose.

8.3 For the purposes of clause 8.2, a complaint is made for an improper purpose where it is trivial, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:

- a) to intimidate or harass another Council official;
- b) to damage another Council official's reputation;
- c) to obtain a political advantage;
- d) to influence a Council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions;
- e) to influence the Council in the exercise of its functions or to prevent or disrupt the exercise of those functions;
- f) to avoid disciplinary action under this Code;
- g) to take reprisal action against a person for making a complaint under this Code except as may be otherwise specifically permitted under this Code;
- h) to take reprisal action against a person for exercising a function prescribed under the procedures for administration of this Code except as may be specifically permitted under this Code;
- i) to prevent or disrupt the effective administration of this Code.

Detrimental Action

8.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made under this Code except as may be otherwise specifically permitted under this Code.

8.5 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under this Code except as may be otherwise specifically permitted under this Code.

8.6 For the purposes of clauses 8.4 and 8.5 detrimental action is an action causing, comprising or involving any of the following:

- a) injury, damage or loss;
- b) intimidation or harassment;
- c) discrimination, disadvantage or adverse treatment in relation to employment;
- d) dismissal from, or prejudice in, employment;
- e) disciplinary proceedings.

Compliance with Requirements under this Code

8.7 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under this Code.



8.8 You must comply with a reasonable and lawful request made by a person exercising a function under this Code.

8.9 You must comply with a practice ruling made by the Division of Local Government.

8.10 Where you are a Councillor or the General Manager, you must comply with any Council resolution requiring you to take action as a result of a breach of this Code.

Disclosure of Information about the Consideration of a Matter under this Code

8.11 You must report breaches of this Code in accordance with the reporting requirements under this Code.

8.12 You must not make allegations of suspected breaches of this Code at Council meetings or in other public forums.

8.13 You must not disclosure information about the consideration of a matter under this Code except for the purposes of seeking legal advice unless the disclosure is otherwise permitted by this Code.

Complaints Alleging Breaches of this Part

8.14 Complaints alleging a breach of this Part (Part 8) by a Councillor, the General Manager or an administration are to be made to the Division of Local Government.

8.15 Complaints alleging a breach of this Part by other Council officials are to be made to the General Manager.



PART 9: DEFINITIONS

In the Model Code of Conduct the following definitions apply:

the Act	the Local Government Act 1993
act of disorder	see the definition in clause 256 of the <i>Local Government (General) Regulation 2005</i>
administrator	an administrator of Council appointed under the Act other than an administrator appointed under section 66
Chief Executive	Chief Executive of the Division of Local Government, Department of Premier and Cabinet
committee	a council committee
conflict of interests	a conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
Council committee	a committee established by resolution of council
Council committee member	a person other than a Councillor member of staff of a Council who is a member of a Council committee
council official	includes Councillors, members of staff of council, administrators, council committee members, conduct reviewers and delegates of council
delegate of council	a person (other than a Councillor or member of staff of a Council) or body, and the individual members of that body, to whom a function of Council is delegated
designated person	see the definition in section 441 of the Act
election campaign	includes council, State and Federal election campaigns
personal information	information or an opinion about a person whose identity is apparent, or can be ascertained from the information or opinion
the Regulation	the Local Government (General) Regulation 2005.

The term "you" used in the Model Code of Conduct refers to Council officials.

The phrase "this Code" used in the Model Code of Conduct refers also to the procedures for the administration of the Model Code of Conduct prescribed under the Local Government (General) Regulation 2005.

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BYRON SHIRE COUNCIL

BIODIVERSITY ADVISORY COMMITTEE

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CONSTITUTION

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INFORMATION ABOUT THIS DOCUMENT

(INTERNAL USE ONLY)

Date Adopted by Council		Resolution No.	
Responsibility	Director Sustainable Environment and Economy		
Review Timeframe			
Last Review Date:		Next Scheduled Review Date	

5

Document History

Doc No.	Date Amended	Details Comments eg Resolution No.
E2018/2233	30 January 2018	Draft to be reported to 22 Feb 2018 meeting (see Res 17-611)

Further Document Information and Relationships

Related Legislation	Section 355, Local Government Act (1993)
Related Policies	Code of Conduct 2016 Work Health Safety Policy Code of Meeting Practice Guide to Operations – Advisory Committee and Panels (E2016/85075)
Related Procedures/ Protocols, Statements, documents	

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1. Preamble

The Biodiversity Committee is an advisory committee of the Council and does not have executive power or authority to implement actions.

The role of the committee is to report to Council and provide appropriate advice and recommendations on matters relevant to this Constitution.

2. Purpose

The purpose of the Biodiversity Advisory Committee is:

1. To assist Council in the development, implementation and review of relevant biodiversity plans and policies such as: Biodiversity Conservation Strategy, Integrated Pest Management Plan, Flying Fox Management Plan, Koala Plan of Management, Feral Animal Management Plan.
2. To identify and report opportunities or concerns regarding biodiversity issues to Council including, but not limited to, funding opportunities, special events, government policy, practice or guidelines

It is proposed that meetings can target specific issues related to biodiversity and that in order for the Committee to understand the issue and identify opportunities, experts on the subject can be invited to contribute.

It is also proposed that meetings can be held outside the Council building within environments that are relevant to that meeting's theme. For example, different formats could be used such as field days and workshops.

3. Timeframe for Committee

The lifespan of the Sustainability and Emissions Reduction Advisory Committee is for the term of Council 2016-2020.

4. Responsible Directorate

This committee is administered by the Sustainable Environment and Economy Directorate. The Director or their delegate will attend these meetings and minutes will be taken by a member of their staff.

5. Membership

Council must appoint all advisory committee members. Appointment must take place prior to a member being conferred the responsibilities and rights as set out in this document.

Council may release individual members from the advisory committee at any time by a resolution of council. Council may also appoint any new members to a committee at any time by a resolution of council.

Membership is to include:

Councillors - • *as determined by council at the 22 February 2018 meeting*

- Eg At least 1 relevantly qualified community representative
- 5 • General Manager (or staff member delegate)

Note: Staff members participating on the committee do not have any voting entitlements.

10 6. Induction

All members will be required to participate in an induction process at the establishment of a new committee, and at any time a replacement voting member joins a committee. The induction will be scheduled prior to the first meeting of the committee and will cover topics such as this Constitution, the Code of Meeting Practice, Conflicts of Interest and Code of Conduct.

Replacement voting members will be inducted by experienced committee members at, or prior to, their first meeting.

20 7. Quorum

A quorum is to constitute at least half the number of members plus one (resulting half numbers go down), two of which are to be Councillors. The General Manager or delegate, who must be a member of staff, is to attend the Advisory Committee meeting and is not counted in the quorum for the meeting.

8. Confidentiality

Members of the committee will, in those circumstances where confidential matters are subject to deliberation, maintain confidentiality.

9. Election of Chairperson

The position of Chairperson is to be elected from Councillors comprising the committee but only in circumstances where the Mayor elects not to assume the position of Chairperson.

10. Voting

- a) Each member of the committee (with the exception of staff members) is to have one vote, with the Chairperson to have a casting vote in addition to a deliberative vote.
- b) Members of the committee who are not Councillors may abstain from voting in any circumstances without such abstention being recorded in the negative.

45 11. Majority Decision

A majority decision of the committee requires a majority of elected members to be present and voting on any item subject to the requirements of a quorum being met at the meeting.

12. Convening Meetings

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Meetings will be held as required, generally every quarter. An annual timetable of meetings will be prepared in advance, and adopted by Council every October/November for the following 12 months.

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A meeting of the committee may be convened in response to either the direction of the Mayor (or in the Mayor's absence the Deputy Mayor) in written form to the General Manager; or two Councillors in written form to the General Manager, or by resolution of the Council.

13. Agenda Preparation

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It is the responsibility of the chairperson to prepare the agenda in consultation with the relevant Director, setting out the terms of business to be considered.

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The agenda is an organised list of the business, in order, that will be transacted at the meeting. An agenda for each meeting, containing a brief report on each item, is to be provided to committee members and available on Council's website at least 7 days prior to the meeting being held.

Each item of business to discuss at the meeting is required to be listed on the agenda and in written form. Verbal reports at the meeting are not an acceptable practice.

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For some matters, it will be necessary to attach other relevant information to the agenda to inform and direct discussion. Such information is to be circulated with the agenda.

Committee members may request items for inclusion in future agendas, through the Chair.

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14. Conduct of Business

Each item of business is discussed in the order in which it appears on the agenda. No new matters will be introduced at the meeting. New items of business may be included in a future agenda as noted in clause 13 above.

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15. Records of meetings

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a) The minutes of meetings are to be circulated to members of the group within 7 days of the meeting so that members can provide feedback through the Chair on the draft unconfirmed minutes.

b) Minutes of committee meetings will be kept and presented to Council at its next meeting via a report of the committee meeting.

45

16. Absence from Committee Meetings

All committee members are required to advise the chair when they are unable to attend committee meetings. The absence of committee members from the meeting is to be recorded in the minutes. A committee member (other than the Mayor) ceases to be a member of a committee if the member:

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- a) Has been absent from three consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absence, or
- b) Has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

17. Project Reference Groups

Project Reference Groups may be established by Council at the recommendation of the committee to address issues clearly identified by the committee.

Project Reference Groups operate in accordance with Council's adopted Constitution template for Project Reference Groups.

18. Section 377 Delegation

The committee does not have any delegated functions pursuant to section 377 of the Local Government Act (1993) and does not have the power to direct staff.

19. Meeting Practice

Meetings are to be conducted in accordance with this Constitution and, where required, reference to Council's Code of Meeting Practice.

20. Miscellaneous

- a) **Insurance:** All group members are covered by the public liability policy of Council. This insurance does not preclude the Advisory Committee from due diligence and all Council policies must be adhered to.
- b) **Code of Conduct:** All group members to abide by Council's adopted Code of Conduct at all times.
- c) **Pecuniary Interest:** Pecuniary Interest may be defined as an interest that a person has in a matter, as a group member or employee of a company or other body, 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. Such other person includes the spouse or de-facto partner or relative of the group member.

Section 446 of the Local Government Act states that "a member of a council committee, other than a committee that is wholly advisory, must disclose pecuniary interests..."

Even though the Local Government Act provides an exemption to disclose pecuniary interests Council's preference is for all members to declare pecuniary interests where applicable.
- d) **Work Health Safety:** All group members are required to comply with the "Worker Responsibilities" as prescribed in the Work Health Safety Policy.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.2 Integrated Pest Management Strategy and other Environmental Projects

5 **Directorate:** Sustainable Environment and Economy
Report Author: Clare Manning, Biodiversity Officer
File No: I2018/375
Theme: Ecology
10 Planning Policy and Natural Environment

Summary:

15 Councillors at the 8 February 2017 Strategic Planning Workshop (SPW) received an update on the Integrated Pest Management draft Directions Document and requested that the timeframe for its delivery be condensed to provide a final Integrated Pest Management Strategy (IPM Strategy) by 13 December 2018 Council meeting (reports due 21 November 2018).

20 This report provides an update to the Biodiversity Advisory Committee on the progress of current environmental strategic documents and the potential implication to these projects if the collective delivery of an Integrated Pest Management Directions Document, Policy and Strategy is supported for December council meeting.

25 A condensed deliver of the IPM Strategy is at conflict with the Community Engagement Policy and Community Strategic Plan 2022. It would reduce education, engagement and feedback opportunities for meaningful community participation and place unnecessary pressure on Council staff to deliver the grant funded Pest Animal Management Plan, which is non-negotiable in its delivery. It would also likely delay the delivery of the Biodiversity Conservation Strategy (BC Strategy) by 6-months.

30 Should the IPM Strategy be condensed in its delivery, there will be financial implications in that additional project support officer and administration officer estimated at \$5,600 will be required to deliver a Pest Animal Management Plan. Furthermore, the BC Strategy will be placed on hold – noting if Council wish to precede concurrently an additional project officer will be required – estimated at \$40,000.

35 To underpin the development of the IPM Strategy, staff strongly recommends the draft Directions Document and draft Policy be placed on public exhibition for a period of 6 weeks from 23 April to 8 May 2018. A community workshop is tentatively planned for Wednesday 9 May 2018 in Mullumbimby. Under this timeframe, the delivery the IPM Strategy would be early 2019.

40 This would ensure adequate community engagement is undertaken to disseminate information to the local and wider community and gain feedback in a meaningful and constructive way. Involving the public and employees in the evolution of the Directions Document and Policy is one of the most productive ways that people without technical expertise can participate in the policy-making process and provide opportunity to help inform everyone on the potential hazards and benefits of pest management practises.
45

Undertaking an appropriate planning process will also allow the continued delivery of other environmental strategic documents.

RECOMMENDATION:

That the Biodiversity Advisory Committee support the revised project timetable for the Biodiversity Conservation Strategy and Option 1 for the Integrated Pest Management: Directions Document, Policy and Strategy.

50

Report:

Background:

- 5 Over the next 15-months, there are four large strategic documents currently being rolled out by the Biodiversity Officer, as outlined below:
- Integrated Pest Management
 - a. draft Directions Document – complete
 - 10 b. draft policy – in progress
 - c. draft strategy – in progress
 - Biodiversity Conservation Strategy review – progressed but revised timetable
 - 15 • Pest Animal Management Plan review – on track to delivery

Integrated Pest Management: Directions Document, Policy and Strategy

20 To inform the preparation of an integrated pest management policy and strategy, the Integrated Pest Management Working Group (Working Group) has prepared a draft Directions Document. The draft Directions Document will report on the current success and impediments to implementing resolution 13-621, which addresses pesticide use in Byron Shire. The draft Directions Document will guide the development of a Pesticide Use Policy (Policy) and Integrated Pest Management Strategy (IPM Strategy). It will address Council's need for improved clarity and purpose around the goal of ceasing and minimising pesticide use at all sites within Council's jurisdiction. The Policy intends to draw on the draft Directions Document. A Policy for making pest management decisions will provide the organisation with an effective way to respond to the community and at the same time improve the origination's internal decision-making process, resulting in more efficient, more effective and safer resolution of pest problems.

30 The IPM Strategy will aim to provide Council with the practical framework to implement the Policy and align with both Council's obligations and community needs. Thus, it is envisaged that an IPM Strategy is developed in accordance with the legislation to co-ordinate pest management priorities and actions of all key stakeholders and deliver integrated pest management activities Shire-wide. Partners who will be integral to the success of the delivery and implementation of the IPM Strategy include stakeholders NSW Roads and Maritime Services, Rous County Council, local communities and Council. Such a strategy should be developed through a genuine in-depth social engagement process with these stakeholders and internal work units of Council. Further, the IPM Strategy should be consistent with the priorities and directions set by higher order (National, State and 40 Regional) pest management documents e.g. Australia Weed and Pest Strategy and North Coast Regional Weed and Pest Plan.

45 It is also intended that an IPM Strategy will establish local priorities for pest species and areas to be managed and identify required pest management strategies and actions, with implementation timeframes and responsibilities assigned. The action plan component will include mechanisms and timeframes for monitoring and reporting on its implementation and success in managing the impacts of pest species within Byron Shire while also aspiring to cease or minimise pesticide use, as per Resolution 13-621.

50 Consultants Tein McDonald & Associates have been working closely with the Working Group to prepare the draft Direction Document and are intended to assist in future community engagement

of the documents, proposed for April-May 2018. A community workshop has been tentatively planned for Wednesday 9 May 2018 in Mullumbimby.

5 The comprehensive draft Directions Document has been prepared in-house, and was proposed to be followed by the preparation of the Policy and IPM Strategy documents, as per Resolution 13-621.

10 The Consultants have been liaising with the Working Group to review legislation and how it will interact, support or influence the outcomes of Resolution 13-621, investigate and critically review pesticide use set by higher order (International, National, State and Regional) and the herbicide glyphosate and make realistic recommendations to continuously improve on Council's aspiration to cease and minimise pesticide use in Byron Shire.

15 To underpin the development of the Policy and IPM Strategy, the Working Group strongly recommend the draft Directions Document be placed on public exhibition for a period of 6 weeks. Under this timeframe, the delivery of the Policy was expected by August 2018 followed by the IPM Strategy by early 2019. This recommendation and project delivery timeframes was outlined to Councillors at the SPW held 8 February 2018. To fast track deliverables however the draft Policy could be delivered for public exhibition at the same time as the draft Direction Document (Option
20 1).

25 Councillors at the 8 February SPW requested that the final collective delivery of the Directions Document, Policy and an IPM Strategy be brought forward to 13 December 2018 council meeting (report due 21 November 2018). In order to deliver the Directions Document, Policy and an IPM Strategy by 21 November 2018 as per Councillors request, refer to Option 2 timeframes.

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Option 1: Staged delivery of Integrated Pest Management documents – Working Groups preferred option

Stage	Key Milestone	Estimated Time
Stage 1 17-18FY	Draft Directions Document	16 Mar 2018
	Draft Policy	16 Mar
	Report to Executive Team recommending report to Council for public exhibition	21 Mar
	Report to Council recommending public exhibition (28 Mar to Director)	19 Apr
	Public exhibition & social engagement (6 weeks)	23 Apr-28 May
	Community Workshop on pesticide use in Mullumbimby	9 May
	Review submission and finalise Directions Document & Policy	May-Jun
	Develop Community Engagement Plan for IPM Strategy (as per Policy)	Jun-Jul
Stage 2 18-19FY	Report to Council recommending adoption of Direction Document & Policy (11 July 2018 to Director)	2 Aug
	Report to Communications Panel (16 Aug to Director)	30 Aug
	Draft IPM Strategy	Aug-Dec
	Strategic Planning Workshop	4 Oct
	Report to Biodiversity Advisory Committee	11 Oct
	Report to Council seek draft Strategy for public exhibition (January 2019 to Director)	Feb 2019
	Public exhibition & social engagement (6 weeks)	Feb-Mar
	Review submission and finalise IPM Strategy	Mar-Apr
	Strategic Planning Workshop	Apr
	Report to Biodiversity Advisory Committee	Apr
	Report to Council for adoption	May 2019

Option 2: Delivery of Integrated Pest Management documents by 21 November 2018 – Requested by Councillors at 8 February SPW

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Stage	Key Milestone	Estimated Time
Stage 1 17-18FY	Draft Directions Document	16 Mar 2018
	Draft Policy	16 Mar
	Report to Executive Team to support in principal Directions Document & Policy to inform IPM Strategy	21 Mar
	Report to Council to support in principal Directions Document & Policy to inform IPM Strategy (28 March 2018 to Director)	19 Apr
	Draft IPM Strategy	May-Aug
	Develop Community Engagement Plan	May
	Report to Biodiversity Advisory Committee	14 Jun
	Report to Communications Panel	28 Jun
Stage 2 18-19FY	Strategic Planning Workshop	9 Aug
	Report to Council recommending public exhibition (29 August 2018 to Director)	20 Sep
	Communicate Directions Document, policy & draft strategy (4-weeks only)	Oct
	Report to Biodiversity Advisory Committee	11 Oct
	Review submission and finalise documents	Nov
	Report to Director	21 Nov
Report to Council for adoption	13 Dec 2018	

Implications of Revised Project Timetables

The difficulty in delivering multiple strategic environmental planning documents is not one of Council staff capacity but rather relating to the planning process.

5 Community engagement around sensitive issues such as pest animal management, biodiversity conservation or Council’s use of pesticides should be undertaken with care to avoid rushing the social engagement process. Council’s existing Community Engagement Policy supports people to be given adequate time to consider how they feel about an issue and the impact actions may have on their way of life.

15 Due to the complexity and highly debated range of issues being confronted by Council staff it would be prudent to ensure adequate community engagement is undertaken to disseminate information to the local and wider community and gain feedback in a meaningful and constructive way. It must be emphasised that Bryon Shire hosts a broad diversity of views on the issue of pesticide use, and to shape a policy and strategy that reflects these views is a challenge, all the more so due to the power of social media. Managing the message that Council wants to communicate is something that needs time. Without it, all the good work that has been achieved by Council staff in the last 12-months could be undone.

20 The risks and benefits for Option 1 and 2 of the Integrated Pest Management: Directions Document, Policy and Strategy are outlined in Table 3 below.

25 **Table 3: Risks and benefits of the revised timetable for the Integrated Pest Management: Directions Document, Policy and Strategy.**

Option 1: Risks	Option 1: Benefits
<ul style="list-style-type: none"> • May not meet councillor expectation 	<ul style="list-style-type: none"> • Informed and engaged community • Uses a range of effective communication tools to engage the community to support transparent and accountable Council decision making • Provides education, engagement and feedback initiative for meaningful community participation • A strategic approach to ceasing and minimising pesticide use in Byron Shire • staff provided time exercise compliance around internal Council processes (e.g. reporting to the Biodiversity Advisory Committees, Executive Team and Council) and manage other Council’s requests • Continued delivery of Biodiversity Conservation Strategy and review of the Pest Animal Management Plan.
Option 2: Risks	Option 2: Benefits
<ul style="list-style-type: none"> • Consultant availability. • At conflict with the Community Engagement Policy and Community Strategic Plan 2022 • Poorly informed and engaged community • Minimal effective communication tools to 	<ul style="list-style-type: none"> • Integrated Pest Management: Directions Document, Policy and Strategy delivered by December 2018

<p>engage the community</p> <ul style="list-style-type: none"> • Minimal transparency and accountability in Council's decision making • Reduced education, engagement and feedback opportunities for meaningful community participation • community may think they are being 'snowed' • Biodiversity Conservation Strategy delayed by at least 6-months • Issues and solutions may be overlooked or underestimated by stakeholders, community and Council • Places unnecessary pressure on Council staff to deliver the Pest Animal management Plan which is non-negotiable in its delivery • Identifying a suitable and available consultant to assist Council staff with the delivery of an IPM Strategy has not yet been identified. 	
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Biodiversity Conservation Strategy

5 A revised Biodiversity Conservation Strategy (BC Strategy) will highlight what Council should do in the next 10-years, what hurdles Council might face, and what Council may need to do to continue to protect and restore Byron's biodiversity that will be shaped by population growth, consumption patterns and climate change.

10 The revised BC Strategy will aim to serve as a roadmap for Council's stewardship of our local environment. To guide our planning decisions and policy making in all those areas that has the ability to influence or impact on the environment.

Ecosure have been engaged to work with staff in the preparation of a revised BC Strategy.

15 On 1 December 2017 Council resolved (17-622) that the BC Strategy by delivered by end of 2018.

20 Due contractual management delays together with multiple roll outs of environmental planning documents and competing priorities, delivery of the BC Strategy has been further revised. This is irrespective of the Integrated Pest Management: Directions Document, Policy and Strategy.

25 The timetable to deliver the BC Strategy is provided below, refer to Table 1. However, should Option 2 of the Integrated Pest Management: Directions Document, Policy and Strategy be adopted then the BC Strategy will need to be placed on hold and its delivery fully reviewed.

30

30

Table 1: Revised timetable for delivery of Biodiversity Conservation Strategy

Stage	Milestone	Estimated Time
Stage 1 17-18FY	Identify & engage a consultant	Complete
	Project Inception & Management	Mar 2018
	Background & review assessment inc. analyse the Community Survey results 2015	Apr
	Defining the problems inc. stakeholder & community engagement	Jun
Stage 2 18-19FY Pending Funds	Priority Actions inc. develop a clear and concise vision statement. Identify new goals and strategies with measurable objectives to cover a period of 10 years	Jul
	Draft Biodiversity Conservation Strategy 2019-2023	Nov
	Public Exhibition (8-weeks)	28 Jan-22 Mar 2019
	Final Biodiversity Conservation Strategy 2019-2023	May
	Report to Council for adoption	June 2019

Pest Animal Management Plan

5 Under the NSW Government Saving our Species – Iconic Koala grant, Council has secured \$40,000 to implement priority threat mitigation actions outlined in the draft Byron Coast Koala Comprehensive Plan of Management (KPOM). In parallel, Council is reviewing its Pest Animal Management Plan (PAP) as well as delivering on a number of other threat mitigation activities as identified in the KPOM.

10 The University of Technology Sydney and Ecosure have been engaged to work with staff to facilitate community workshops and the preparation of a Pest Animal Management Plan (PAP).

15 A revised PAP will consult with community in March 2018 (17-500) and align with Council Resolution (13-621) in that it will seek to cease or minimise the use of pesticides to manage vertebrate pest animals. The PAP is on track and due October 2018.

20 The timetable to deliver the PAP is provided below, refer to Table 2. However, should Option 2 of the Integrated Pest Management: Directions Document, Policy and Strategy be adopted then additional human resources will be required to keep the deliverables on track, as per Grant Agreement. Council staff have previously negotiated extended timeframes with the Office of Environment and Heritage, any further delays to the agreed deliverables are unlikely to be granted.

25 Stakeholder and community consultation is due to commence in March 2018 (Res 17-500).

Table 2: Timetable for delivery of Pest Animal Management Plan

Stage	Key Milestone	Estimated Time
Stage 1 17-18 FY	Social engagement including community workshops 28 March 2018	Mar 2018
	Draft plan	Mar-May 2018
	Strategic Planning Workshop	5 April 2018
	Report to Executive Team & Council recommending public exhibition	May 2018
	Public exhibition & social engagement (6 weeks)	Jun-Aug 2018
Stage 2 18-19 FY	Review submission and finalise documents	Aug-Sep 2018
	Report to Council for adoption	Oct 2019

The risks and benefits to BS Strategy and PAP, if Option 2 of the Integrated Pest Management: Directions Document, Policy and Strategy are supported are outlined in Table 4 below.

5

Table 4: Risks and benefits to BS Strategy and PAP, if Option 2 of the Integrated Pest Management: Directions Document, Policy and Strategy are supported

Planning document	Risks	Benefits
Byron Shire Biodiversity Conservation Strategy	<ul style="list-style-type: none"> BC Strategy will need to be placed on hold until option 2 nears to an end later in 2018 Consultant availability. Councillors and community expectation are not met Budget not fully expended in 17-18FY 	<ul style="list-style-type: none"> Nil
Pest Animal Management Plan	<ul style="list-style-type: none"> Additional human resources required to lead the community engagement phase scheduled throughout March 2018 	<ul style="list-style-type: none"> Nil

Financial Implications

10

If Option 2 of the Integrated Pest Management: Directions Document, Policy and Strategy is supported there will be:

15

- Increased involvement and demand on the Working Group meetings
- Increased project management
- Irrespective of Option 2, additional funds of \$40,000 in 18-19 FY will be required for the completion of the IPM Strategy

20

The Environment Levy 17-18 FY provides funds of \$33,300 for the draft Directions Document, Policy and community engagement program. Originally, it was envisioned that the Environment Levy 17-18 FY funds would deliver the Directions Document and a revised Byron Shire Integrated Pest Management Policy and Strategy. However, in seeking external assistance has been exceptionally challenging, which led to the appointment of Tein McDonald and Associates at a greater cost than expected.

Subsequently, if Option 2 of the Integrated Pest Management: Directions Document, Policy and Strategy are supported there will be the following financial implications for the PAP and BS Strategy and PAP:

5

PAP

- Additional project support officer and administration officer for 1 day a week for 8 weeks over 3 months estimated at \$5,600

10

BC Strategy

- Document placed on hold – noting if Council wish to precede concurrently an additional project officer will be required – estimated at \$40,000.

15

Statutory and Policy Compliance Implications

Nil

Report No. 4.3 **Brunswick Valley Landcare**
Directorate: Sustainable Environment and Economy
Report Author: Sharyn French, Manager Environmental and Economic Planning
File No: I2018/377
5 **Theme:** Ecology
 Planning Policy and Natural Environment

10 **Summary:**

Brunswick Valley Landcare is a volunteer organisation supporting and encouraging natural resource management (NRM) in Byron Shire.

15 As well as undertaking numerous NRM projects, it also acts as an umbrella organisation, supporting local Landcare groups and landholders developing their own projects and applying for funds.

20 A Memorandum of Understanding (MOU) exists between Council and Brunswick Valley Landcare (BVL), refer to Attachment 1.

One of Council's inputs in the MOU is to:

25 *Facilitate liaison between BVL and Council's Sustainability and Biodiversity Committee, via either an annual meeting or BVL addressing the meeting.*

BVL has been invited to present to the Biodiversity Advisory Committee meeting.

Council staff recently met with Brunswick Valley Landcare (BVL) representatives regarding:

- 30
- the Memorandum of Understanding we have with BVL;
 - changes to grant funding streams which will result in changes to the services BVL provides Council and our community,
 - capacity for Council to increase our level of support to BVL and the local landcare groups they support and their programs such as Land for Wildlife, and

35

 - opportunity to partner on future grant applications

This report provides background information on these conversations.

RECOMMENDATION:

That the Biodiversity Advisory Committee recommend that Council:

1. **Consider the allocation of \$15,500 as part of the forward budget process 2018/19 (alongside other Council program and budget priorities) to support the Brunswick Valley Landcare, Landcare Support Officer position for 1 day per week to continue to deliver the Land for Wildlife Program and respond to customer enquiries.**
2. **Work with Brunswick Valley Landcare to review the location and needs of the Locality groups to determine what level of support can be provided.**
3. **Consider inviting Brunswick Valley Landcare to have a seat on the Biodiversity Advisory Committee.**

Attachments:

- 1 Brunswick Valley Landcare (BVL) Memorandum of Understanding (MOU), August 2016, E2018/16789 , page 48[↓](#)
- 2 BVL Annual Review 2016-2017, E2018/16784 , page 54[↓](#)
- 3 BVL - Land Support Officer summary of outputs 2016-2017, E2018/16781 , page 55[↓](#)

5

Report

Changes to grants and BVLs services

5 BVL employs a Landcare Support Officer (LSO) who currently works 3 days per week. The LSO provides a range of services including:

- supporting 26 local landcare groups restoring land some of which are on council owned or managed land;
- administering the Land for Wildlife Program
- organising and delivering workshops on various landcare matters;
- 10 • applying for grants and managing projects
- responding to customer enquiries that come through Council's switch for all manner of environmental issues - refer Attachment 3 for a list of the type of enquiries.

15 Attachment 2 and 3 provide further detail on the services the LSO provided during 2016/17.

As part of the MOU, Council provides administrative support (desk, computer, phone & printing) for the LSO to provide the community with support, assistance and access to external NRM funding sources.

20 Due to the presence of the Landcare Support Officer (LSO) in the Council building their role has expanded from the intent of the MOU. They have been seen as the 'go to' officer for all manner of wildlife and land management enquiries from our customers. The LSO took over 104 enquiries in the 2016/17 from our customers. Attachment 3 list the nature of the calls the LSO received. Of the 104 enquiries less about one half were directly related to BVL's services and programs. The LSO
25 estimates that customer enquires take up to 3hrs per week.

The LSO is also on the Integrated Pest Management Strategy Working Group and has provided Council with fundamental support in the development of the Directions Document. The LSO has provided 2hrs per fortnight since November 2016 on this working group.

30 The LSO is funded by two grants. One grant finishes 30 June 2018, and will drop the number of work days to one and a half per week. The other grant finishes 30 June 2019 ending the grant funding for this position.

35 BVL advised that they've have been changes to the Landcare grants program, which will continue to provide support to projects but not landcare support officers.

The decrease in LSO work days and eventual loss of the position will result in shifting our customer enquiries to other staff which based on current program and project deliverables will be difficult to
40 accommodate. Council will need to assume this service for our customers from the 2018/19 financial year.

As such it is recommended that Council consider an allocation of \$15,500 to support the Landcare Support Officer for 1 day per week to continue to deliver the Land for Wildlife Program and respond
45 to customer enquiries. This investment is considered minimal given the value to staff and community that it currently provides.

Increase level of support to BVL

50 BVL described our rural landowners as a 'new wave of farmers' who have the means and keen interest but not necessarily the skills, knowledge or time to effectively manage the land.

- **Land for Wildlife Program**

55 The Land for Wildlife Program (LFW), previously run by Council was taken up by BVL when Council's funding for the Environmental Extension Officer position finished. Land for Wildlife is a voluntary property registration scheme for landowners who wish to manage areas for biodiversity

and wildlife habitat. It encourages and assists landholders to include nature conservation along with other land management objectives. It is free to join and is not legally binding. Registration in the scheme will not change the legal status of a property.

5 Landowner benefits of joining LfW is that there is no cost and the title of the property is not affected and registration puts landholders in touch with like minded people and to receive useful information or invitations to workshops.

Landholders who qualify for registration receive:

- A site visit from a trained assessors
- a Land for Wildlife sign in recognition of their commitment to wildlife conservation.
- 10 • ongoing support and advice through – workshops, field days, newsletters.

BVL have requested if Council could support them to continue to provide the Land for Wildlife program.

15 • **Landcare Locality Groups**
BVL governs 20 local landcare groups and provides access to insurance, information, funding and equipment. Some of these groups undertake work on council owned or managed land and they include five Dunecare groups at: Main Beach Byron; South New Brighton; South Golden Beach, Brunswick Heads and Suffolk Park.

20 For a full list of groups and their location refer to <http://brunswickvalleylandcare.org.au/join-a-locality-group/>

25 Each group requires a financial start up commitment of \$1500 to \$2000 to provide first aid kit and training, tools and equipment and chemical certificate training, if required. Thereafter \$500-600 is required per group for certificate recertification. The Dunecare groups are already in part supported by Council funding through Infrastructure Services. BVL have requested if Council could support the groups on Council land. There are 15 groups undertaking work on council owned or managed land, including the 5 dunecare groups. A new group at Cemetery Road, Byron Bay has just established requiring a higher level of financial support.

30 It is recommended that Council work with BVL to review the location and needs of the Locality groups to determine what level of support can be provided.

Grant partnership

35 BVL apply for grants that also benefit Council land. For example, a DPI Habitat Action Grant for Casons Rd, New Brighton enabled erosion control to be installed along the creek line, weeding control and tree planting. Council through the Bush Regeneration Team assisted with the works.

Staff discussed supporting BVL with two grant applications:

- 40 1. Restoration and Rehabilitation Program 2018: provide assistance to BVL who would take the lead on the application. It is anticipated that the application would seek financial assistance (devolved grants) to support landowners in the Shire to manage their land sustainably.
- 45 2. Smart Farms: work with BVL as part of a consortium to prepare an application prior to applications opening at the end of the year. It is anticipated that the application would seek funding to support the Land for Wildlife Program over the next 4 years (and up to \$4million can be sought). There may also be synergies with Zero Emissions Byron aim to offset the communities emissions through a tree planting scheme and this grant may also support this
- 50 endeavour.

Summary

- 5 BVL provide a valuable service to both Council and the community. They directly support our landowners and enable interested community members to get involved in caring for our public spaces. Byron Shires natural environment has been greatly enhanced through the efforts of this mostly volunteer group. The loss of their services will be felt by both council and the community.
- 10 BVL directly deliver services that support the actions in Councils Rural Land Use Strategy, Biodiversity Conservation Strategy and our goal of zero emissions.

15 It is recommended that BVL be invited to have a seat on the newly formed Biodiversity Advisory Committee; and that the Executive Team consider the allocation of \$15,500 to support the Landcare Support Officer for 1 day per week to continue to deliver the Land for Wildlife Program and respond to customer enquiries; and that Council work with BVL to review the location and needs of the Locality groups to determine what level of support can be provided.

20 **Financial Implications**

To support BVL in the delivery of existing services, Council consider the allocation of \$15,500 in the 2018/19 financial year. This amount would be a new budget bid and as such would need to be considered along side other Council budget and program commitments and priorities.

25 **Statutory and Policy Compliance Implications**

Nil



Memorandum of Understanding

between

Byron Shire Council

and

Brunswick Valley Landcare Inc.



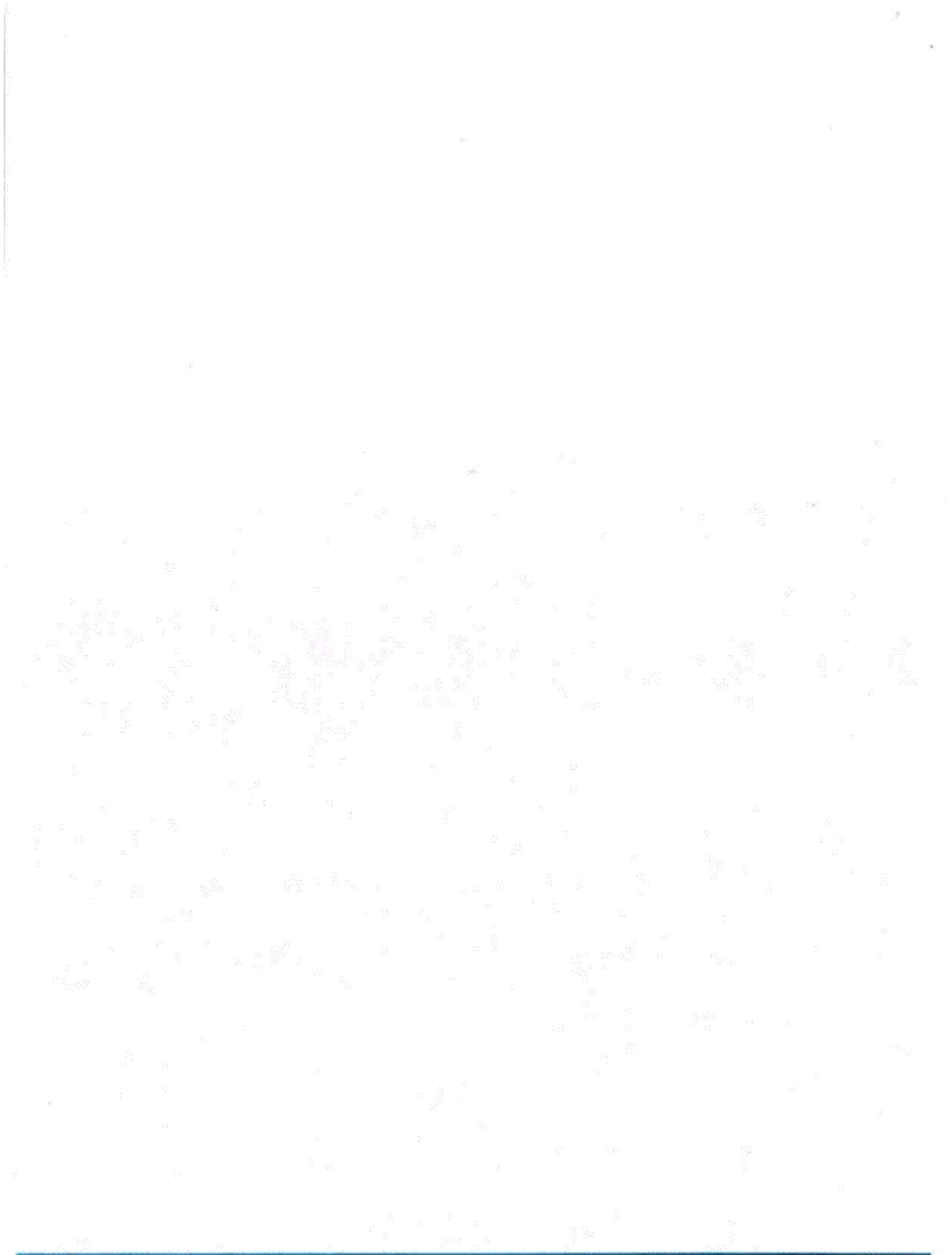
Brunswick Valley
Landcare
Inc.

18 August 2016



*Traditional home of
the Bundjalung people*





E2016/76875



**MEMORANDUM of UNDERSTANDING
BETWEEN BYRON SHIRE COUNCIL
and
BRUNSWICK VALLEY LANDCARE Inc.**



PARTIES are BYRON SHIRE COUNCIL (BSC) and BRUNSWICK VALLEY LANDCARE Inc. (BVL)

Introduction

The parties have for many years had an informal and mutually beneficial association whereby natural resource management in the Byron Shire has gained prominence. The input of voluntary expertise, training and efforts of BVL in raising community efforts and awareness on lands within the Shire has been vitally augmented by BSC via the provision of administrative support and the expertise and efforts of its own natural resource management and bush regeneration staff.

This MOU sets this association in a written context, whereby the parties' build upon their association and continue to move ahead in a mutually respectful and beneficial manner. We both value the contribution that each makes to the communities' awareness of Natural Resource Management (NRM) and proactive actions to enhance NRM within the Shire.

Relevant Background

The primary objective of BVL is to support and inspire the community in the restoration and conservation of the natural environment. This is achieved via community awareness, training, support, demonstration and encouragement at field days, at schools, and for local Landcare groups. BVL is funded from a variety of sources and the very significant efforts of volunteers.

BSC has within its written objectives a priority on bush regeneration on its lands, and the promotion of community awareness and involvement in natural resource management. This is achieved by the funding of bush regeneration and natural resource management teams within Council, some external funding and the active encouragement of the community in field days, community gardens, education, and the raising of awareness in the 1.5 million visitors to the Shire each year.

The two groups thus each share a strong common objective and have cooperatively worked together at individual and management levels for a considerable period of time.

Disclaimer

This MOU does not entitle any legally enforceable obligations between BSC and BVL.



E2016/76875

Primary Purpose

This MOU formalises the relationship and the inputs of BSC and BVL in the work of volunteers on public lands in the Byron Shire.

Specific Inputs

BVL will:

- Continue to seek external funding for NRM activities on public and private lands in the Shire and work jointly with BSC in the application for funding of works on its lands.
- Continue to provide a support platform for the community to access and be provided with assistance in obtaining funds for NRM at localities across the catchment.
- Maintain a register of volunteers and accredited bush regenerators for works on lands in consultation with BSC.
- Promote the MOU and individual planting days, field days and workshops via its regular newsletter and occasional media advertisements.
- Promote the MOU to its funding sources and the wider Landcare community as an example of the cooperative approach to NRM that the community seeks.
- Liaise with BSC during external funding applications of relevance and discuss where a joint application would enhance the outcomes and chances of success, agree on a joint or supported application.

BSC will:

- Liaise with BVL and its appointees in the planning of construction and/or maintenance works on or adjacent to Landcare and Dunecare sites.
- Assist with the development of Site Action Plans to guide environmental management and restoration activities.
- Promote the MOU and its benefits across the wider community.
- Continue to provide administrative support (desk, computer, phone, printing) for BVL or an appointed representative to provide the community with support, assistance and access to external NRM funding sources. This has been proven to increase community and volunteer involvement, such that works on lands in the Shire can be conducted with the valuable assistance of external funding, under the auspices of this MOU. BSC and BVL recognise the provision of support for the community is vital as there are numerous sources for funding and applying for funding is often convoluted and daunting. Significant funds can be accessed when the community is assisted in the process, leading to many volunteers conducting significant works in the Shire.
- Facilitate liaison between BVL and Council's Sustainability and Biodiversity Committee, via either an annual meeting or BVL addressing the Committee.
- Continue to work cooperatively with BVL in the application for external funding of NRM works on public lands.
- Liaise with BVL when external funding is sought so that each party is aware of proposals and in some instances, agree where a joint or supported application enhances the chances of successful funding outcomes.



E2016/76875

Outcomes

- More focussed attention to bush regeneration and cost-effective management of public lands by volunteers and BSC in cooperative undertakings.
- Promoting the involvement of volunteers and the wider community in the restoration and management of public lands.
- Better coordination of volunteers and Council staff in community-focussed activities such as planting days and field days.
- Efficient management of volunteers and their workplace health and safety.
- Promoting better communication between the parties and acknowledging the contribution of volunteers in the natural resource management of the Shire.

Related policies and plans

- Byron Biodiversity Conservation Strategy
- Council Policy 201/012 Care of Public land by the Community
- Council policy 11/007 Camphor Laurel Management in Byron Shire
- Policy No 10/013 Tree/ Vegetation vandalism

Site Planning and Risk Assessment

- The parties will carry out site assessments for planning for site activities. This will include consultation between BSC and BVL and the production of template site plans and risk assessments prior to works commencing.
- Wherever reasonably practical, training and induction will be given to volunteers prior to works being undertaken.

Communication

BSC and BVL commit to good and open communication, and that:

- Workplace, health and safety matters are addressed
- BVL and volunteers understand BSC's objectives for the lands
- BSC understands BVL's objectives as a community voluntary organisation
- BSC communicates its planned activities at relevant sites
- BVL has BSC agreement to work on public lands

Insurance

Registered volunteers undertaking approved works at designated sites are covered by Personal Accident Insurance held by BVL.



E2016/76875


Tools and Materials

Tools are generally self-provided by volunteers, apart from some mechanised or specialist tools [eg. power-auger drills] which may be provided and operated by BSC staff.


Materials such as plants, tree guards, mulch and stakes and follow-up watering are often provided by BSC, although some of these items may also be provided by external funding obtained by BVL or BSC.

This Memorandum of Understanding will be reviewed in three years.

Signed this 18th day of August 2016.



Peter Ryan
President
Brunswick Valley Landcare



Simon Richardson
Mayor
Byron Shire Council





02 6626 7028
www.brunswickvalleylandcare.org.au

Active Membership

- 138 members
- 26 locality groups
- 2 special interest groups

Community Events

- 7 workshops / field days
- 150 participants
- 1 Talks / Presentations
- Over 100 attendees
- 7 Information Stalls at community events
- 3 Events - World Water Day, Renew Fest & Big Scrub Day
- 2 Community Tree Plantings

Communication

- 12 monthly newsletters to 661 recipients (increase of 111)
- 157 Facebook posts to a group with 294members
- 2 media releases
- 104 enquiries answered

2016 - 2017 In Review



Ocean Shores Public School students were some of the 272 children who planted 1300 trees. One of the new Land for Wildlife members in front of the rainforest she has planted.

Highlights

- Continuing to meet more landholders through Land for Wildlife
- Partnering with other Landcare networks to run an information stall at Big Scrub Day
- Updating and launching our My Local Native Garden booklet.
- Creating and launching the North Byron Parklands Schools Planting.

Resourcing and Leverage

- \$140,081 of grant funding received for on-ground works
- \$54,000 of funding for a part-time Landcare Support Officer
- Over 5700 hours of volunteers time which equals a \$199,500 in kind contribution

TOTAL of \$393,581 contribution towards protecting our biodiversity

Partnerships

- MOU with Byron Shire Council
- Continuing contracts with Local Land Services
- Grants from DPI Fisheries, The Environmental Trust and The Foundation for National Parks and Wildlife.
- Member of North Coast Regional Landcare Network - 11 networks

Casons Lane, New Brighton. Through the installation of coir logs, planting and bollards to restrict vehicle access a major area of undercutting has been improved. This work was carried out on a road reserve through funding from the Department of Primary Industries Fish Habitat Action Grant Funding. The first photo was taken in September 2016 and the second in July 2017.





Landcare Support Officer Summary of Outcomes July 2016 to June 2017

MEDIA, PROMOTION AND NEWSLETTERS

- 12 Newsletters distributed to between 566 – 661 recipients. An increase of 95 recipients over the year.
- Maintained the BVL Facebook page and website.
- Mention of BVL's nest box project on the back page "Backlash" of the Echo 21/12/2016.
- Newspaper articles published x 2 about the North Byron Parklands Schools plantings in Northern Star 27/06/2017 and the Echo 23/07/2017.
- 7 x information stalls – big Scrub Day, Federal Park Party, World Water Day, Renew Fest, Mothers Day Planting, Mullum Farmers Market and New Brighton Famers market.
- Talk at Big Scrub Rainforest Day on Land for Wildlife.

WORKSHOPS 3 in total with 48 attendees

- Forest without Trees Field day Sunday 7th August 2016, 21 attendees.
- Riparian Restoration Workshop Sunday 14th August 2016, 11 attendees partnered with Rous Water
- Weed and Waves Intrepid Landcare event 27th August 2016, 16 attendees.
- **SAG Sustainable Agriculture Grant field days** - managed by Bela **4 in total**
 - SAG "Easy steps to Farm Planning" field day 26th October 2016, 24 attendees.
 - SAG Weed workshop 17th February 2017, 27 attendees
 - SAG Farm forestry workshop 21st April 2017
 - SAG Bee Workshop was held on 15th May

GROUPS

- 5 new locality groups:
 - Federal Bush food Living Classroom
 - Friends of Lilli Pilli, Byron Bay
 - Karu Kali, Mauri Creek, Durrumbul
 - Tongarra Drive, Ocean Shores
 - The Old Quarry, Coolamon Scenic Drive
- 20 BVL locality groups, 6 Dunecare groups and 2 special interest groups supported in their activities including 14 groups that work on council owned land or council managed crown land.
- Supported Wilsons Creek Huonbrook Landcare with Wildlife Connections Field Day on Friday 2nd September with 56 people attending.

PROJECTS

- Targeted Landcare grant at Gondwana – completed application and supported the project.
- Sustainable Agriculture Grant- helped with promotion and organisation and attended some of the field days.
- North Byron Parklands Schools Plantings – 3 schools over 4 days -272 school children, 1300 native trees planted over 0.5ha and a story on Totally Wild TV show.
- Bio Bridges Regional project – assisted with ET Education grant "Rising Strong" application and attended meeting with Tamara Smith MP to promote project.
- Native Species Planting Guide – ET Education grant run by Tweed Shire Council - on management team.
- Pacific Vista Drive, Byron Bay – privately funded project
- Beating Byron's Bitou Bush Project ET grant managed by LLS – on project steering group.

24/10/2017 *Report by Alison Ratcliffe*

MEETINGS

- 47 meetings
- 2 Northern SEL Landcare network meeting
- NCRLN conference in Coffs Harbour 17th -19th October 2016.
- LLCi regional event 21st June 2017 in Grafton

GRANT APPLICATIONS**BVL grants – successful days in green**

- Splendour in the Grass Community Grant \$10,000 for schools project – unsuccessful
- DPI Fisheries Habitat Action Grant \$ \$39,705 For Ocean Shores Country Club and Casons Lane, New Brighton - successful
- ET R&R for Land for Wildlife \$99,000 - unsuccessful
- ET R&R for Koala project at Simpsons Creek
- Santos Staff Charity-Fund Grant Application for My Wildlife Garden - unsuccessful
- Foundation of National Parks and Wildlife grants - \$5,976 for 6 LfW workshops over 3 years.
- SUEZ grants – also a rejig of the My Wildlife Garden grant – unsuccessful
- Landcare Australia Habitat Restoration Grant for My Wildlife Garden - unsuccessful
- Threatened Species Recovery grant for Mitchells Rainforest Snail - \$187,515 - unsuccessful

Assisted other groups or provided supporting letters

- Bangalow Koalas 20 million trees project

LAND FOR WILDLIFE

- 13 registrations
- 14 enquiries

RESOURCES

Distributed resources including those listed below to individuals as well as to Byron Shire Council, other local councils, Rous water, schools, and tourist information centres.

- Sustainable grazing on Small Farms Booklet
- North Coast Weeds booklet
- List of local native nurseries
- List of bush regeneration contractors

Created the following resources

- Updated and extended version of My Local Native Garden booklet
- Resources to accompany SAG field days

GOVERNANCE

- Updated BVL's strategic plan and completed an annual action plan.
- Re-signed the Memorandum of Agreement with Byron Shire Council.

ENQUIRIES from 104 people in total (most common at the top)

- Private Property Owner wanting to do work x 17
- Land for Wildlife x 13
- Weeds x 13
- Contacts x 9
- Volunteering x 7
- Becoming a BVL locality group x 5
- Coral Trees x 3
- Cane toad x 3
- Nest boxes x 2
- Newsletter x 2
- Publications x 3

24/10/2017 *Report by Alison Ratcliffe*

- Myrtle Rust x 1
- Dunecare x 1
- Green Army Supervisor x 1
- Wild dogs and Foxes x 1
- Weed book x 1
- Koala's x 1
- Young person wanting to plant 5000 trees x 1
- Property planning x 1
- Membership x 1
- Indian Mynas x 1
- Torakina Brunswick Heads beach access x 1
- Weeds on council reserve x 1
- Free plants x 1
- Steam weeding x 1
- Native lawn x 1
- Kids landcare x 1
- Birds x 1
- Weed and native plants info for suburban residents x 1
- Info on plants around dams and wildlife friendly dams to a landscape architect x 1
- Native nursery list and planting list x 1
- Tree ID x 1
- Brush Turkeys x 1
- Animal ID x 1
- Dunecare x 1
- Looking for work x 1
- Solar Bulk Buy x 1

24/10/2017 *Report by Alison Ratcliffe*

Report No. 4.4

Future Meeting Agendas

Directorate:

Sustainable Environment and Economy

Report Author:

Sharyn French, Manager Environmental and Economic Planning

File No:

I2018/390

5

Theme:

Ecology

Planning Policy and Natural Environment

Summary:

10

The Biodiversity Advisory Committee has 4 meetings scheduled in 2018, in addition to today's meeting.

15

This report is to consider future agenda items to ensure the Committees meetings are productive.

RECOMMENDATION:

That the Biodiversity Advisory Committee consider the future meeting schedule in Table 1 of this report.

20

Report

Council resolved (**Resolution 18-114**, relevant parts only) at the 22 February 2018 meeting:

5 4. That Council adopt the meeting scheduled for [the] advisory group as follows:

Biodiversity Advisory Committee

- First week of March 2018 subject to nominated councillor availability
- 2pm 12 April 2018
- 10 • 2pm 14 June 2018
- 9am 11 October 2018
- 9am 20 December 2018

15 5. That an amount of \$3,000 is considered in the 2018/19 budget to support the committee meetings.

The report advised:

20 some meetings may engage professionals to present on a particular subject of relevance to the committees and some may use different meeting formats such as field days and workshops. An amount of \$3,000 is required, to support the committee meetings.

Table 1: Agenda items are proposed for future Committee meetings:

Meeting Date	Agenda Items
12 April 2018	Integrated Pest Management draft Directions Document and Policy - discussion on draft documents and public exhibition activities
14 June 2018	<p>Agri-environment project visits:</p> <ol style="list-style-type: none"> 1. Wilsons creek: which has transformed a camphor forest into an incredibly diverse property-and has been the subject of a great doco- this can show us how we can work with camphor and get outstanding riparian outcomes 2. Kings road Federal: removal of a camphor forest and planting of approx. 100, 000 diverse cabinet timber trees for possible future selective forestry 3. Ewingsdale- massive scale wetland creation and tree planting 4. Rex Harris' land-outstanding example of best practice farming using biochar and other soil enriching practices. <p>Property visits pending confirmation with landowners.</p> <p>Open to all Councillors to attend.</p> <p>Pest Animal Management Plan – Report on outcomes of community engagement activities to date</p> <p>Biodiversity Conservation Strategy – Report on community engagement activities</p>
11 October 2018	<p>Integrated Pest Management Strategy - workshop on draft Strategy*</p> <p>Pest Animal Management Plan – summary of planning process and final plan</p> <p>Biodiversity Conservation Strategy – Report on progress</p>
20 December 2018	Biodiversity Conservation Strategy - discussion on draft document and public exhibition activities

Meeting Date	Agenda Items
	Integrated Pest Management Strategy - discussion on draft document and public exhibition activities

* The Integrated Pest Management Strategy public submission report will be tabled with the Committee in April 2019

Financial Implications

5 Council resolved to consider a budget allocation in the 2018/19 budget to support both the Biodiversity and Advisory Committee and the Sustainability and Emissions Reduction Committee

Statutory and Policy Compliance Implications

10 Nil