

NOTICE OF MEETING



SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING

An Sustainability and Emissions Reduction Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 30 August 2018
Time	11.30am

Shannon Burt
Director of Sustainable Environment and Economy

I2018/1647
Distributed 23/08/18

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
SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING

BUSINESS OF MEETING

1. APOLOGIES

2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 3.1 Sustainability and Emissions Reduction Advisory Committee Meeting held on 28 June 2018

4. STAFF REPORTS

Sustainable Environment and Economy

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STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1

SERAC Key Project Updates

Directorate:

Sustainable Environment and Economy

Report Author:

Tania Crosbie , Economy and Sustainability Coordinator

File No:

I2018/1347

Theme:

Sustainable Environment and Economy
Planning Policy and Natural Environment

Summary:

This report provides a short update on the key sustainability and emissions reduction projects. The Project Manager for each project will provide further updates at the meeting to inform Committee discussion.

RECOMMENDATION:

That the Sustainability and Emissions Reduction Advisory Committee note the report.

Report

Resource Recovery Key Projects

5 Dingo Lane, Myocum Solar Farm project

Size (output)	<ul style="list-style-type: none"> Nominal capacity: 5 MW Capacity factor: 22.7% Power Generation 11.4 GWh/annum
Cost – total project	\$11,550,000
Localised Cost of Electricity - \$/MWH	\$125/MWH
On-going maintenance	\$96,000 per year \$19.2/kW/yr
Internal Rate of Return	11 %
Utilisation of energy behind meter OR feed into Grid	Grid connection feed
Electricity Contract Model	Local Energy Trading model e.g. Pool Price Pass Through retail model (dependent on local electricity contract negotiations)
Savings expected from project	\$8M over 25 years
Funding Source	Upfront capital TBD, most likely full leveraged via loan funding. NPV determined as an electricity displacement project
Project Stage	“Project Inception” phase - Preliminary Business Case completed (OLG Cape Expenditure application being conducted).
Genesis of project (resolution, op plan, strategy etc...)	Res 17-386. Zero Emissions by 2025
Link to Emission Reduction Strategy (or other strategy)	Internal Sustainability Team, Project Team and consultants to determine and track
Other/Ancillary benefits of project	<ul style="list-style-type: none"> Potential behind the meter electricity use at Byron Resource Recovery Facility, especially with the development of a Leachate Management System. Positive Cash flows → Profit could be used to support Council capital projects, further sustainability investment, sinking fund for renewal, etc.

Utilities Key Projects

Bioenergy Project

5 Tender documents being prepared for Bankable Feasibility Study. Key project dates are

RFT for Bankable Feasibility Study complete	21 August 2018	
Award tender	18 October 2018	
Council Decision re Design & Construct Bioenergy Plant	20 March 2019	Hold Point
Design and Construct Contract Award	20 April 2019	
Bioenergy Plant Operation Start up	2020	

- Expression of Interest for Byron Shire's commercial organic waste being advertised this week (refer above).

Brunswick Valley Sustainable Centre

- Work to proceed on the rehabilitation of the on site nurseries to facilitate the occupation of part by the Big Scrub Reforestation team.
- Meetings with Council's Community Services and Governance teams this week to start up a rigorous community consultation/participation process.
- This project has stalled in recent months. The project management team is now being reorganised to speed up this process.
- The Community Solar Farm Expression of Interest has been prepared. Awaiting General Manager's approval to let EOI

Sewage Treatment Plant Solar Farms

Request for Tender for Bangalow, Byron Bay and Brunswick approved and ready to advertise.

Baywood Chase Lake

- Preliminary Discussions commenced with NPWS regarding the use of recycled water. Agreed for Council to proceed with modelling to quantify scheme and quantities of recycled water required

Sandhills Rehabilitation (Behind the Rec Grounds)

- 12 month licence from Crown has been received
- Management Plan for the Scope of Work to be finalised 3rd week August
- Work to be in accordance with Masterplan guidelines and Byron Bay Stormwater Management Plan
- Possible conflict with Rangers who have been working with Crown independently

Recycled Water Management Strategy 2017-27

- Submissions report to Council's 23 August meeting.
- Recommended adoption of Strategy as advertised.

Sustainability Team Key Projects**Emissions Reduction Strategy**

- 5 • First Draft ready for review with internal Council Stakeholders for comment and to SERAC members as soon as approved by ET
- ZEB have been briefed and provided feedback
- On track for Strategic Planning Workshop proposed for September, and do be released for Public Exhibition in October.
- 10 • An energy matrix will form this documentation which tracks all completed, current and proposed energy projects. This will be updated prior to every SERAC meeting.
- As part of this process and working internally as one team focussed on all sustainability issues, an internal staff sustainability team has been formed to meet to develop the SERAC report and ensure that cross Council teams are engaged including members from IS, SEE and CCS. As a sub-set of this group an internal solar installation team has been formed from members of staff
- 15 who have experience commissioning and installing solar projects.

EUA

- 20 • Civica Authority EUA guidelines have been received from OEH and given to Council's Rates Department for comment. OEH will come to Council and doing full day training on implementation.

Love Food Communities

- 25 • \$250,000 grant for councils provided by NSW EPA for innovative food waste prevention programs. EOI opening in September with program commencing in March 2019.

Solar Gardens

- 30 • Finance tool provided to council to help determine viability of possible projects.

Solar Carpark at Mullumbimby Administration Building

- 35 • Scoping and brief development has commenced.

New Electricity Contract including Local Electricity Trading

- Completed.

40 Plastic Free Byron : Make The Switch Program

- Extremely successful since the launch on July 8 : 25 Businesses already signed up to the Program
- Receiving regular air time on Bay FM and advertisement through the Echo
- 45 • Have met with Chambers of Commerce and attended two Chamber events, and have created a short video outlining the Program at their request, to be circulated on council website and social media platforms

Financial Implications

50 Nil

Statutory and Policy Compliance Implications

55 Nil

**Report No. 4.2 Minutes of 28 June 2018 meeting - Sustainability and Emissions
Reduction Advisory Committee**

Directorate: Sustainable Environment and Economy
Report Author: Michelle Chapman, Project Support Officer
File No: I2018/1559
Theme: Sustainable Environment and Economy
Planning Policy and Natural Environment

Summary:

The minutes of the previous Sustainability and Emissions Reduction Advisory Committee meeting held on 28 June 2018 and referred to at Item 3 of this meeting's agenda, are attached.

RECOMMENDATION:

That the Sustainability and Emissions Reduction Advisory Committee note the minutes of 28 June meeting which were reported to 2 August Council meeting.

Attachments:

- 1 Minutes 28/06/2018 Sustainability and Emissions Reduction Advisory Committee, I2018/1262 , page
10 [↓](#)

Report

The minutes of the previous Sustainability and Emissions Reduction Advisory Committee meeting held on 28 June 2018 are attached and available at

5 https://byron.infocouncil.biz/RedirectToDoc.aspx?URL=Open/2018/06/SERAC_28062018_MIN_876.PDF .

The minutes were reported to 2 August Council meeting, resulting in Resolution 18-458:

10 *Resolved that Council note the minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 28 June 2018.*

Financial Implications

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Nil

Statutory and Policy Compliance Implications

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Nil

MINUTES OF MEETING

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SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING

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Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 28 June 2018
Time	11.30am

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BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2 - ATTACHMENT 1

Minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting held on Thursday, 28 June 2018

PRESENT: Cr S Richardson, Cr S Ndiaye

Staff: Sharyn French, Manager Environmental and Economic Planning
Daniel Harper, Sustainability Officer
Coral Latella, Sustainability Officer
Bryan Green, Water Sewer Systems Environment Officer

Community: Luke McConell
Chris Sanderson

Guests: Ella Goninan- COREM

Cr Richardson (Chair) opened the meeting at 11.40am and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES:

John Taberner (ZEP representative), Shannon Burt (Director Sustainable Environment and Economy), Dave Rawlins (COREM)

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

The minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 26 April 2018 be noted as the minutes were resolved upon at the Ordinary Meeting held on 24 May 2018.

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 Key Project Updates
File No: I2018/1073

Committee Recommendation:

That the Sustainability and Emissions Reduction Advisory Committee note the report.

(Richardson/Ndiaye)

The recommendation was put to the vote and declared carried.

Report No. 4.2 Update from Community Groups
File No: I2018/1074

Committee Recommendation:

That the Sustainability and Emissions Reduction Advisory Committee note the report.

(Richardson/Ndiaye)

The recommendation was put to the vote and declared carried.

Report No. 4.3

Community Emissions Profile and Tool

File No:

I2018/1075

Committee Recommendation:

That the Sustainability and Emissions Reduction Advisory Committee note the report.

(Richardson/Ndiaye)

The recommendation was put to the vote and declared carried.

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There being no further business the meeting concluded at 1.05pm.

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