

NOTICE OF MEETING



BIODIVERSITY ADVISORY COMMITTEE MEETING

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

Venue	Conference Room, Station Street, Mullumbimby
Date	Monday, 10 December 2018
Time	3.15pm

A handwritten signature in black ink, appearing to read 'S Burt', is located in the bottom left corner of the page.

Shannon Burt
Director Sustainable Environment & 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

3.1 Biodiversity Advisory Committee Meeting held on 15 October 2018

4. STAFF REPORTS

Sustainable Environment and Economy

4.1	Flying Fox Project Reference Group	4
4.2	Integrated Pest Management Strategy update	15
4.3	Biodiversity Strategy Consultation	20

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 **Flying Fox Project Reference Group**
Directorate: Sustainable Environment and Economy
Report Author: Peter Boyd, Project Officer - Environmental Projects
File No: I2018/2003
Theme: Sustainable Environment and Economy
 Planning Policy and Natural Environment

Summary:

This report provides a summary of outcomes from the meetings held with the Flying Fox Project Reference Group (PRG) which aims to provide advice, advocacy, reporting, community feedback and suggestions to Council in relation to matters of on-ground actions and education and awareness strategies in the management of flying foxes in Byron Shire.

The meetings were held on 2 October and 27 November 2018.

This report also requests the Committee to consider whether to recommend to Council that the Councillor representative be replaced or alternatively not replaced as the PRG reports to the Biodiversity Advisory Committee on which there are 3 nominated Councillors, and amend the draft Flying Fox Project Reference Group Constitution accordingly.

RECOMMENDATION:

That the Biodiversity Advisory Committee recommend to Council not to replace the Councillor representative on the Flying Fox Project Reference Group as this group reports to the Biodiversity Advisory Committee on which there are three Councillor representatives, and amend the Flying Fox Project Reference Group constitution accordingly for adoption.

Attachments:

1 DRAFT CONSTITUTION Flying Fox Project Reference Group, E2018/109946 , page 7  

Report

On 24 September 2018 Council resolved (**Resolution 18-623**)

- 5 1. *Appoint the nominated eight (8) community members one (1) wildlife carer representative and one (1) representative each from the Office of Environment & Heritage and the Department of Industry Crown land to the Flying-fox Project Reference Group.*
2. *Appoint Cr Hunter to the Flying-fox Project Reference Group.*
- 10 3. *Staff continue to identify two (2) community representatives from Butler Reserve camp in Byron Bay.*
4. *Support the draft Flying Fox Project Reference Group Constitution to be further considered and reviewed at the first Flying-fox Project Reference Group meeting in September / October 2018 and to provide for measurable outcomes to support the Flying Fox Camp Management Plan implementation.*

15

On 2 October 2018, the PRG held its first meeting with Councillor Hunter, Council staff, community, wildlife and state government representatives. At the first meeting, the PRG considered the draft PRG Constitution and were provided with a budgetary update.

20

In considering the draft PRG Constitution, there was a general agreement to the Goal (i.e. the aim or desired result) and Purpose of the PRG, but some debate around the PRG's Objectives.

25

The goal of the PRG is to provide advice, advocacy, reporting, feedback to Council and Council officers, state agencies and the community in order to assist Council to implement the Flying Fox Camp Management Plan effectively and efficiently.

30

The purpose of the PRG is for Council and community to be better informed of the aspirations and expectations of Council and community in regards to a strategic approach to the management of flying-foxes and their habitat in the Byron Shire local government area.

35

The proposed objectives of the draft PRG Constitution are:

- a) To provide a vital communication link to and from Council to interest groups, state agencies and the community in general.
- 35 b) To further assist Council with prioritising on-ground actions and education and awareness strategies under with available resources.
- c) To inform Council of community aspirations and expectations in regard to on-ground actions and raise awareness and education about flying foxes
- 40 d) To engage with the broader community during future direction setting on its strategic approach to the management of flying-foxes and their habitat
- e) To monitor key measures of success as per the Flying Fox Camp Management Plan

45

Cr Hunter suggested to incorporate into the Constitution a number of alternative objectives that sought to quantify (measure) the reported impacts as outlined in the Flying Fox Camp Management Plan (Plan). For example, for the PRG to help set an 'acceptable' level of noise that could be measured by decibels (or dBA) or to investigate the actual (not perceived) impacts of faecal droppings on water quality.

50

Members noted the Plan already identified the impacts but quantifying the impact would further delay Plan implementation, which community are expecting Council to commence on in 2018-19 financial year. Also, the Plan was developed following due consideration and considerable consultation with the Community and relevant expert stakeholders.

55

On 22 October 2018, Cr Hunter advised of his resignation from the PRG.

The Committee may like to recommend to Council that the Councillor representative position be replaced. Alternatively, the Councillor representative not be replaced as the PRG reports to the Biodiversity Advisory Committee on which there are 3 nominated Councillors.

- 5 The next PRG meeting was held on Tuesday 27 November 2018. A further review of the draft Constitution was carried out. The proposed objectives of the Constitution were accepted by the Project Reference Group. A few minor amendments to the constitution were made for administrative purposes.

- 10 The PRG agreed to the amended Constitution (Attachment 1) and for it to be reviewed for recommendation by the Biodiversity Advisory Committee.

- 15 Discussion occurred clarifying the management tasks that can and cannot be paid for by various grants. Council has funds set aside to use as leverage to apply for an OEH funding opportunity which should be announced in January 2019. Buffers through vegetation removal cannot be funded through ET grants but may be funded with Council funds and the proposed OEH grant.

- 20 Further discussion occurred regarding the ET Flying Improvements project application, its outcomes and activities.

- 25 The PRG was updated on the results of the National Flying Fox Census count from 15-16 Nov 2018 where 5 camp sites were counted. The current roost size and location within the 5 camps was discussed and compared to Feb 2018 maps. Only Grey Headed Flying foxes were observed. No Black Flying foxes were observed.

Financial Implications

- 30 Nil

Statutory and Policy Compliance Implications

- 35 Nil



BYRON SHIRE COUNCIL

FLYING FOX

PROJECT REFERENCE GROUP

CONSTITUTION

#Doc No E2018/109946

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1 - ATTACHMENT 1

INFORMATION ABOUT THIS DOCUMENT (INTERNAL USE ONLY)

Date Commenced	24 September 2018	Timeframe to carry out objectives	2018-2023
Date Group to be Disbanded	30 June 2023		
Convenor / Facilitator	Council Officer, Sustainable Environment and Economic Planning		
Review Timeframe	Annually		

5 *Document History*

Doc No.	Date Amended	Details Comments e.g. Resolution No.
E2018/69378	20 August 2018	Res 18-623
E2018/109946	29 November 2018	Following PRG meeting 27/11/18

Further Document Information and Relationships

Actions (Operational Plan)	2018-19 Operational Plan Action 3.1 Implement the Flying Fox Camp Management Plan
Related Legislation	Local Government Act 1993 Section 451 Government Information (Public Access) Act) 2009 NSW Biodiversity Conservation Act 2016 National Parks & Wildlife Act 1974 Prevention of Cruelty to Animals Act 1979 Environmental Planning & Assessment Act 1979 Crown Lands Act 1989 Local Government Act 1993 Environment Protection and Biodiversity Conservation Act 999
Related Policies	Code of Conduct Policy 2016 Privacy Management Plan (E2013/32774) Work Health Safety Policy OEH Flying-Fox Camp Management Policy 2015
Related Procedures/ Protocols, Statements, documents	Agenda Template for PRG Meetings Minutes Template for PRG Meetings Action List Template for PRG Meetings

Table of Contents

	1.	Preamble	2
5	2.	Goal, Purpose and Objectives	2
	3.	Timeframe for Group	2
	4.	Membership	2
	5.	Chairperson	3
	6.	Quorum	3
10	7.	Dispute Resolution	3
	8.	Performance Indicators	3
	9.	Confidentiality	3
	10.	Convenor/Facilitator	4
	11.	Voting	4
15	12.	Majority Decision	4
	13.	Convening Meetings	4
	14.	Reporting	4
	15.	Meetings Open to the Public	4
	16.	Invited Guests	4
20	17.	Vacation of Office	5
	18.	Publicity	5
	19.	Records of meetings (agenda and minutes)	5
	20.	Section 377 Delegation	5
	21.	Miscellaneous	6
25			

1.

Preamble

The Project Reference Group is a group formed by the Council and does not have executive power or authority to implement actions.

5

The role of the Project Reference Group is to carry out specific objectives as stated in this Constitution.

2. Goal, Purpose and Objectives

10 The goal of the Flying Fox Project Reference Group is to provide advice, advocacy, reporting, feedback to Council and Council officers, state agencies and the community in order to assist Council to implement the Flying Fox Camp Management Plan effectively and efficiently.

15 The purpose of the Flying Fox Project Reference Group is for Council and community to be better informed of the aspirations and expectations of Council and community in regards to a strategic approach to the management of flying-foxes and their habitat in the Byron Shire LGA.

The objectives of the Flying Fox Project Reference Group are:

- 20 a) To provide a vital communication link to and from Council to interest groups, state agencies and the community in general.
- b) To further assist Council with prioritising on-ground actions and education and awareness strategies with available resources.
- 25 c) To inform Council of community aspirations and expectations in regard to on-ground actions and raise awareness and education about flying foxes
- d) To engage with the broader community during future direction setting on its strategic approach to the management of flying-foxes and their habitat
- e) To monitor key measures of success as per the Flying Fox Camp Management Plan

30 The objectives have been considered by Council on 24 September 2018 and further confirmed by the nominated members on 27 November 2018.

3. Timeframe for Group

35 The Project Reference Group has 60 months to complete its objectives.

This group will be disbanded on 30 June 2023.

40 The Council may dissolve the group at any time.

4. Membership

Membership is to include a maximum number of 15 (TBC) members. This includes the following:

- 45 • Ten (10) community representatives (2 community representatives from each of the five (5) subject urban camps. These community representatives will also be from within 300m of each of the subject camps, and not represent an animal welfare group).
- one (1) representative from a suitable animal welfare group;
- one (1) each representative from the relevant NSW State Government agencies including
- 50 Office of Environment & Heritage and Department of Industry – Crown land, and
- one (1) Council officer

- one (1) nominated Councillor (to be confirmed)

Note: Staff members and agency representatives participating on the working group do not have any voting entitlements.

5

Members will be appointed by the Council.

5. Chairperson

The Chair of the PRG is to be elected from Councillors nominated to the PRG. If there are no Councillors on the PRG, then the PRG is chaired by the relevant staff member.

10

If the designated Chair is not available to attend a meeting, then a Council representative proxy (referred to as the Acting Chair) will be responsible for convening and conducting that meeting. The Acting Chair is responsible for informing the Chair as to the salient points/decisions raised or agreed to at that meeting.

15

6. Quorum

A quorum is to constitute at least half the number of appointed community members.

Note: Council officers and agency representatives are not counted as part of a quorum.

20

7. Dispute Resolution

All efforts shall be made to resolve conflict and disputes between Guidance Group members amicably and swiftly through open discussion. Where conflict and disputes cannot be resolved via these means a mediator shall be appointed. If the mediation process fails to resolve the conflict or dispute satisfactorily, a request shall be made by Council for members to replace the representatives involved in the conflict or dispute

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8. Performance Indicators

- At least 4 meetings each year
- Regular attendance by a minimum of 7 members.
- Regular contact and communication with individual members.
- Member's positive satisfaction ratings with each meeting; and that the issues raised and outcomes being achieved and delivered are seen as being valued by Council and meaningful and relevant to the endorsed Flying Fox Management Plan.
- Biannual reports to Biodiversity Advisory Committee on the implementation of the Flying Fox Camp Management Plan.
- Annual list of Council outcomes that have been based on the guidance, direction and advice of the PRG.

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35

9. Confidentiality

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

10. Convenor/Facilitator

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The Convenor/Facilitator of the Project Reference Group will, in most cases, be the staff member unless otherwise decided by the Council.

11. Voting

Each member of the group (with the exception of staff members and agency representatives) is to have one vote. If the vote is tied on any particular matter it will be referred to the Biodiversity Advisory Committee.

12. 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.

13. Convening Meetings

Meetings will be held in accordance with a schedule determined by the Project Reference Group.

Note: The frequency of the meetings will be influenced by the timeframe and the objectives of the Project Reference Group to be completed in that timeframe.

14. Reporting

- a) The minutes of meetings are to be circulated to members of the group within 21 days of the meeting so that they can provide feedback through the Chair on the draft unconfirmed minutes.
- b) The Project Reference Group reports to Biodiversity Advisory Committee.

15. Meetings Open to the Public

PRG meetings are not public meetings as they have no executive function. Public transparency is provided for when the reports of these meetings are reported to the Biodiversity Advisory Committee.

16. Invited Guests

The PRG Convenor/Facilitator may request to seek further expertise and consultation as agreed to by the group and, if necessary, arrange attendance of a person providing the expertise at a PRG meeting. Any request for information to be at no cost to Council unless a budget is allocated by Council and the expenditure has been authorised in writing by staff with requisite delegations.

17. Vacation of Office

Any Project Reference Group member wishing to resign from the group shall do so in writing.

Invited Members: If an invited member on the group who represents an Organisation resigns, an invitation to the Organisation for an alternate delegate will be requested. If no alternate delegate is nominated by the Organisation then that position will become redundant.

Community Representatives: If a community representative resigns and if more than half of the timeframe to complete the PRG's objectives still exists, and an alternate delegate has been appointed by Council, then that appointed person will become the new community representative. If no alternate delegate has been appointed by Council, or the alternate delegate declines to accept the vacant position, then that position will become redundant.

18. Publicity

PRG members are not authorised by Council to promote, advertise or to make public statements to through public media's on the group's activities on behalf of the PRG and or Council.

19. Records of meetings (agenda and minutes)

- a) The Convenor/Facilitator of the group will prepare the Agenda and Action Lists of the group's meetings formatted in accordance with Council's templates.
- b) The minutes of meetings are to be circulated to members of the group within 21 days of the meeting so that members can provide feedback through the Chair on the draft unconfirmed minutes.
- c) The minutes of the group's meetings are to be reported to Council when required. The Council webpage will indicate at what meeting Council will be considering the PRG's reports.
- d) If the PRG considers it necessary, reports from each PRG meeting may be placed on Council's website for access by the public and Councillors after each meeting.
- e) If the timeframe allocated to complete the objective/s is 6 months or more the PRG is to provide an annual progress report to the Biodiversity Advisory Committee.
- f) At the end of the PRG's term a final status report is to be presented to Council on the outcomes of each objective.

20. Section 377 Delegation

The Project Reference Group 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.

21. Miscellaneous

Insurance: All group members are covered by the public liability policy of Council insofar as they are acting in their capacity as a group member, within the scope of the PRG's Constitution and in accordance with the Code of Conduct and statutory obligations. This insurance does not preclude the group from due diligence and all Council policies must be adhered to.

Code of Conduct: All group members to abide by Council's adopted Code of Conduct at all times.

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.

Privacy: All group members are to abide by Council's Privacy Management Plan (see <http://www.byron.nsw.gov.au/publications?P>) relating to their access to personal information.

Meeting Practice: If any other issue arises regarding meeting practice not covered under this constitution, it is to be referred to the General Manager or delegate or, if required, Council for a determination to be made.

Work Health Safety: All group members are required to comply with the “Worker Responsibilities” as prescribed in the Work Health Safety Policy.

Report No. 4.2 **Integrated Pest Management Strategy update**
Directorate: Sustainable Environment and Economy
Report Author: Karen Love, Research Officer – Integrated Pest Management
File No: I2018/2225
5 **Theme:** Sustainable Environment and Economy
 Planning Policy and Natural Environment

Summary:

10 In 2014, Council resolved (**Res 13-621**) to develop an Integrated Pest Management (IPM) Policy and Strategy for Council owned and managed land.

15 The IPM Policy (Policy) is complete and was adopted by Council in August. The IPM Strategy (Strategy) is currently in preparation and will deliver the objectives outlined within the Policy.

20 Draft mapping of council owned or managed land to identify pesticide exclusion and minimisation zones has been prepared through consultation with key staff including the internal working group. The mapping delivers part of Objective 2 in the Policy and will be presented for consultation at public workshop(s) in 2019. As baseline data, the exclusion and minimisation zones inform on-ground works within Council's Infrastructure Services Directorate across roadsides, town centres, parks, reserves and buildings owned and managed by Council.



25 In addition, a draft 'Decision Tree for Pesticide Use' has been developed to enable transparency across Council services, where pesticide use may be required due to legislative requirements e.g. *Biosecurity Act 2015*. It is a tool for management that facilitates procedural process where none existed before and will also be publically available once the IPM Strategy is adopted.

30 The Biodiversity Advisory Committee was previously updated on the status of the project milestones 30 April 2018. This report provides the Committee a further update on the development of the Strategy, status of project milestones, and information on two key tools developed as part of the Policy's objectives.

RECOMMENDATION:

That the Biodiversity Advisory Committee review the Draft IPM exclusion and minimisation mapping (Attachment 1 E2018/109349), Draft Pesticide Use Decision Tree (Attachment 2 E2018/109648) and provide any feedback by 18 December 2018.

Attachments:

- 1 Example IPM Mapping for B.A.C meeting 10 Dec 2018.pdf, E2018/109349 , page 18 
- 2 DRAFT Pesticide Use Decision Tree for B.A.C Meeting 10 December 2018.pdf, E2018/109648 , page 19 

Report

Background:

- 5 Council resolved (**Res 13-621**) to develop an IPM Policy (adopted by Council, 23 August 2018; **Res 18-565**) and IPM Strategy for Council owned and managed land. Since passing the resolution, pesticide use by Council staff has ceased in all children's playgrounds, formal bus stops, town and village centres, on roadsides and 15 of 23 sports fields. The cessation of pesticide use has been achieved through adopting some IPM principles, however the consequences of cessation have only recently been studied and interpreted. In April 2018, the IPM Directions Document (DD),
- 10 which accompanied the IPM Policy's exhibition, defined the aspirations of the original Resolution, provided information on the emerging issues and gave insight into lessons learned thus far. As a result, the information presented in the DD has informed the development of the IPM Policy and underpins the IPM Strategy.
- 15 This report provides the Biodiversity Advisory Committee an update on the status of the development of the IPM Strategy with an outline of completed tasks, provided below;

Table 1: IPM Strategy Project Key Milestones

Key Milestones	Due Date
Consultant to independently review the preparation of an IPM Strategy engaged	Complete
Research Officer appointed to deliver the project	Complete
Project Plan and Communications Plan	Complete
Project Kick Off meeting	Complete
Internal Strategic Planning Workshop with Working Group	Complete
Develop IPM Mapping layers – current exclusion zones	Complete
Biodiversity Advisory Committee meeting (replaced the SPW for Councillors)	10 Dec 2018
Develop criteria for Pesticide Exclusion & Minimisation Zones	Complete
Utilise criteria and map proposed Pesticide Exclusion (PEX) and Minimisation (Pmin) Zones	Current
Develop Pesticide Use-Decision Tree	Current
Community Engagement - Workshop(s)	January 2019
Development of Draft IPM Strategy	March 2019
Draft Strategy reported to Council for endorsement to go to Public Exhibition	March 2019
Draft IPM Strategy for public exhibition (6 weeks)	April 2019
Review submissions	May 2019
Final Draft Strategy reported to Council for endorsement	June 2019

- 20 Within Council's adopted IPM Policy there are three key objectives with the following tools being developed to deliver part of Objective 2 - see IPM Policy Objective 2 extract in grey box below:

- 25 **Objective 2. Establish decision-making tools to underpin and inform Integrated Pest Management. These tools include (but are not limited to):**
- 30 (i) **a digital map** that identifies a Pesticide Exclusion Zone in which pesticides are no longer used; as well as a Pesticide Minimisation Zone where pesticide use may remain a necessary and justifiable part of an integrated pest management toolkit but is minimised on a continuous improvement basis. The principles of this mapping is to be consistent with the intent of Council Resolution 13-621 that reflects(i) cessation of the use of pesticide in high public use areas on Council-managed areas and (ii) minimisation of the use of pesticides in other areas on a continuous improvement basis,
- 35 (ii) **a set of protocols** to enable Council managers to approve the use of a pesticide in a Pesticide Exclusion zone in an emergency or where this is deemed necessary to meet its legislative and

other obligations (including public safety, biosecurity, the maintenance of infrastructure and responsible financial management) in a manner that results in the lowest adverse outcomes for people and the environment. This will include:

- a. criteria and a decision tree to assist staff decide on whether to use a pesticide and, if so, which pesticide; and,
- b. examples of thresholds and pest action points in which a pesticide may need to be used

IPM Mapping

An example of the draft IPM Mapping is provided, for discussion with Committee members. All feedback is sought by 18 December 2018 (Attachment 1 E2018/109349). With regards to the mapping, it is noted that the newly enacted *Crown Land Management Act 2016* has resulted in discussions with Governance regarding the future of Crown Lands where Council are the current Trust Manager. Consequently, the IPM mapping will only include Crown Land parcels actively managed as Bush Regeneration Sites, with all other Crown Reserves under Council Management excluded.

Pesticide Use Decision Tree

A Draft Pesticide Use Decision Tree has been developed that will include the information that must be considered to change the methodology for Pest control within a current 'Exclusion' zone. It is not exhaustive and is in early draft (see attachment 2) requiring consultation with management, the IPM Working group and relevant Stakeholders. It aims to provide managers with a protocol that is transparent while delivering legislative requirements regarding pest control within the jurisdiction of Council.

The Draft Pesticide Use Decision Tree is provided for review and comment by Committee members with feedback sought by 18 December 2018 (Attachment 2 E2018/109648).

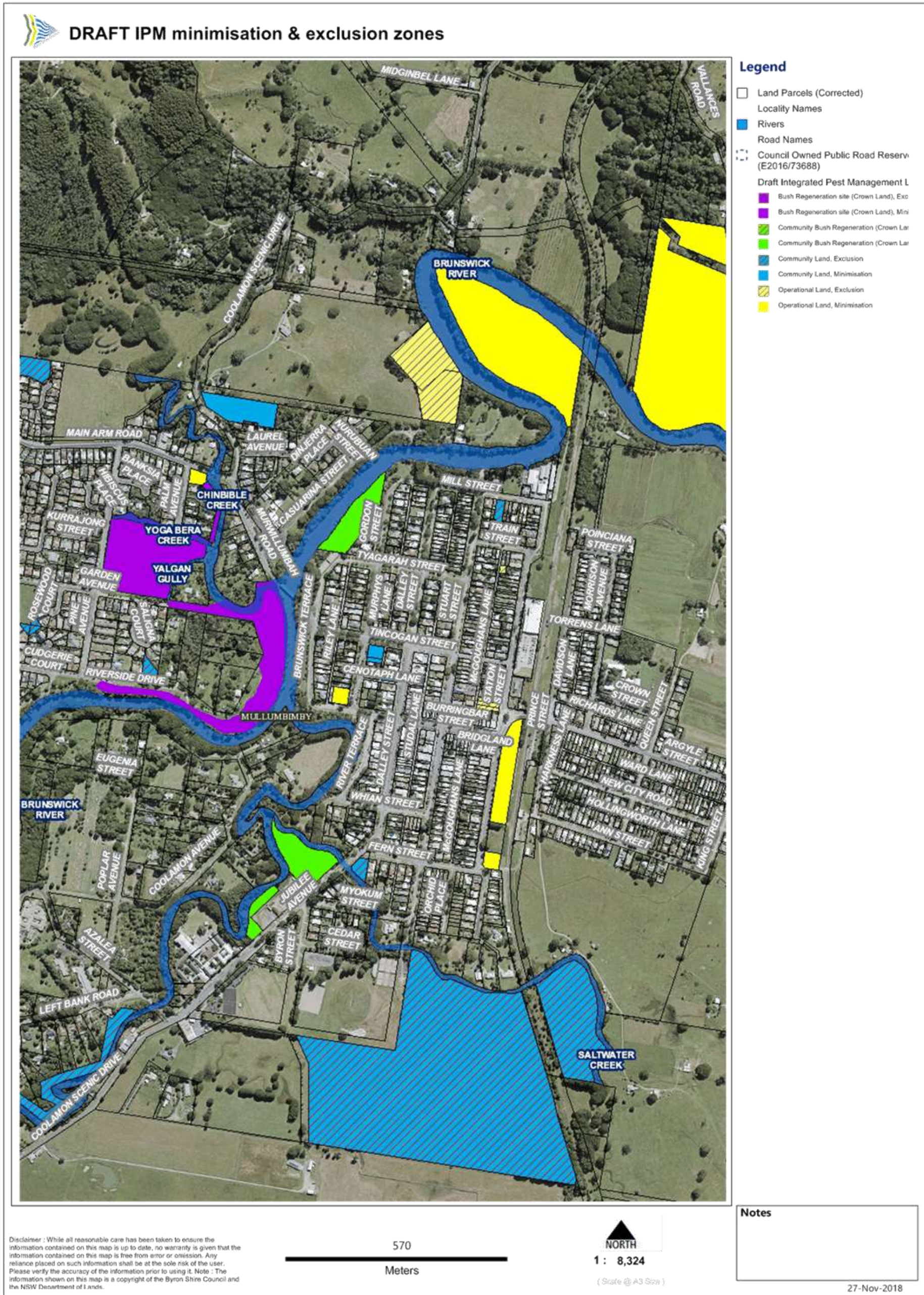
Both tools will form the practical side of the IPM Strategy and as such are required to be easily utilised by a large stakeholder group across all directorates, as well as the general public. The requested feedback from the Biodiversity Advisory Committee regarding both tools will be presented at the next IPM Working Group Meeting on 19 December 2018.

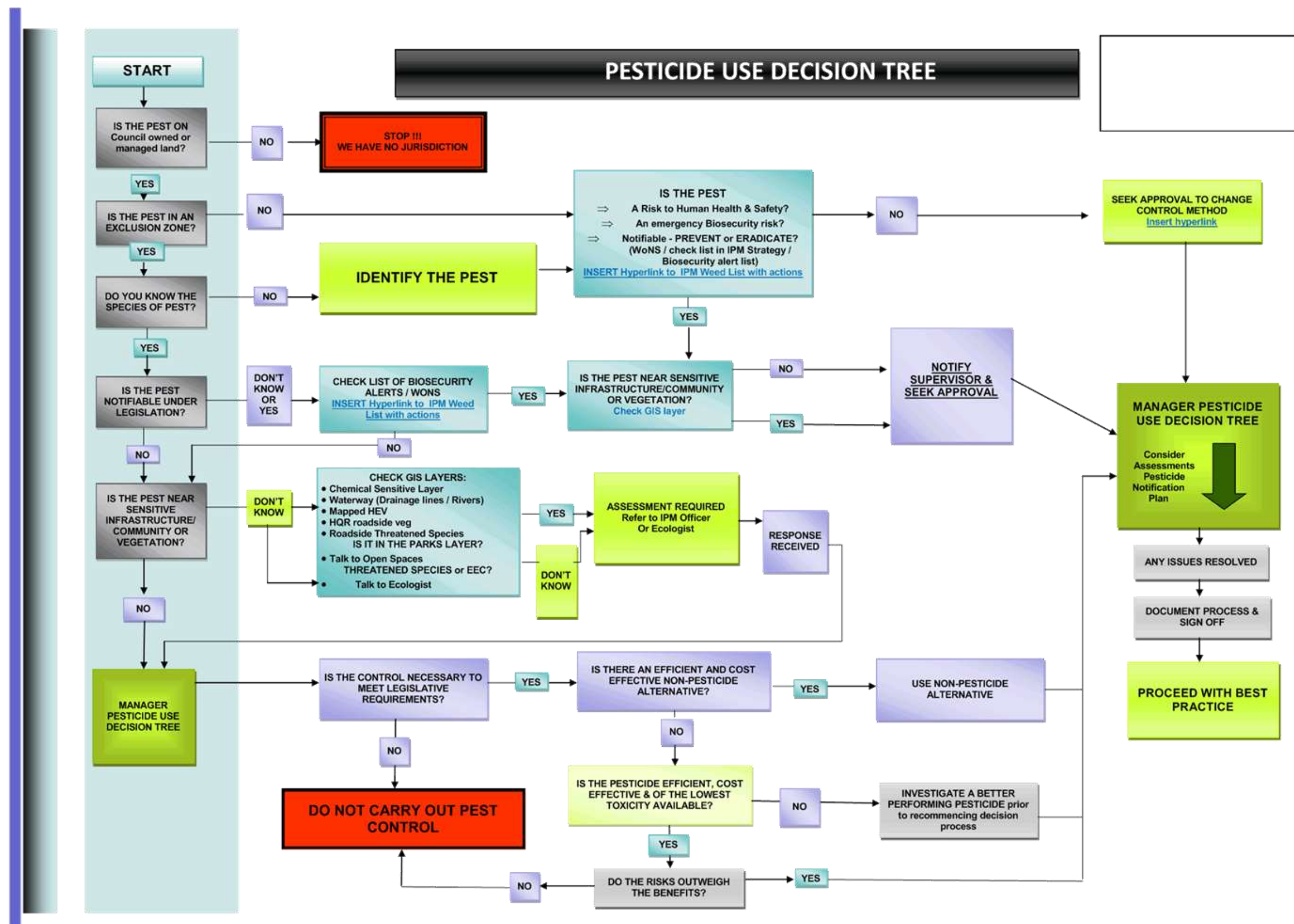
Financial Implications

None

Statutory and Policy Compliance Implications

Biosecurity Act 2015
 Biosecurity Regulation 2017
 Roads Act 1993
 Work Health and Safety Act (2011) & Work Health and Safety Regulations (2017)
 Crown Land Legislation Amendment Act 2017





Report No. 4.3
Directorate: Sustainable Environment and Economy
Report Author: Peter Boyd, Project Officer - Environmental Projects
File No: I2018/2227
5 **Theme:** Sustainable Environment and Economy
Planning Policy and Natural Environment

Summary:

10 To help inform the development of the revised Biodiversity Conservation Strategy (the Strategy), the consultant (Ecosure) is holding meetings with relevant stakeholders during December 2018. Previous consultation also occurred during the month of September 2018 with a Farmers
15 Workshop at Huonbrook. Engagement with the broader community was completed on 5 December 2018 in a Café Style Workshop, along with discussion with Council management and staff also on the same day.

20 To further inform the development of the Strategy, Ecosure will be presenting to the Biodiversity Advisory Committee at the 10 December 2018 meeting to discuss the project and establish what biodiversity values and issues are important to the Committee. This feedback will assist in developing the Strategy which is presently on-track to be delivered to Council by May 2019.

RECOMMENDATION:

That the Biodiversity Advisory Committee contributes to the development of the revised Biodiversity Conservation Strategy by informing the Consultant of what biological values and issues are important to them.

Report

As advised in the report of March 2018 (I2018/375), a revised Biodiversity Conservation Strategy (Strategy) is currently under development. This strategy will highlight what Council should do in the next 5 years, what hurdles Council might face and what Council may need to do to continue to protect and restore Byron's biodiversity. It will be shaped by community values, changing legislation, population growth, consumption patterns and climate change.

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

Critical to the development of the revised strategy is consultation with relevant stakeholders. To ascertain community values and inform how to go about protecting these values, the Consultant Project Manager will be meeting with the broader community, environmental groups, Traditional Owners, Public Land Managers, Council Managers and Directors as well as the Biodiversity Advisory Committee over the coming months.

The below consultation activities are planned to inform the Strategy, with further consultation due to occur in the New Year (2019):

- Meeting with relevant Council Management and Staff, 5 December 2018 - **complete**
- Workshop (Café Style) with the broader community, 5 December 2018 - **complete**
- Presentation to the Biodiversity Advisory Committee, 10 Dec 2018 (this report)

Important issues relevant to the Strategy include (but are not limited to):

- Important Biodiversity values
- Threatened species including the iconic Koala
- Managing biodiversity on private land
- Diversifying farm income through private land conservation
- Coastal management
- Managing pest animals and weeds
- Corridors and connectivity
- Relevant new legislative and policy framework including:
 - Biodiversity Conservation Act 2016
 - Biodiversity Conservation Investment Strategy 2018

All feedback gathered through engagement activities will assist in developing the Strategy which is presently on-track to be delivered to Council by May 2019.

Financial Implications

N/A

Statutory and Policy Compliance Implications

Biodiversity Conservation Act (2016)
 Biosecurity Act (2015)
 Strategic Plan for Biodiversity 2011–2020
 Australia's Biodiversity Conservation Strategy 2010-2030
 Australia's Threatened Species Strategy
 Australian Pest Animal Strategy 2017-2027
 Australian Weeds Strategy 2017-2027

Draft Biodiversity Conservation Investment Strategy 2017-2037
NSW Biosecurity Strategy 2013-2021 (launched on 22 May 2013)
Draft NSW Invasive Species Plan 2017–2021
North Coast Regional Weed Management Plan 2017-2022

5 North Coast Regional Pest Animal Management Plan