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 Council Chambers, Station Street, Mullumbimby

Thursday, 28 January 2021

Time 11.30am

Shannon Burt

l2021/76 Distributed 21/01/21

CONFLICT OF INTERESTS

What is a "Conflict of Interests" - A conflict of interests can be of two types:

Pecuniary - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-pecuniary – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Code of Conduct for Councillors (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

Remoteness – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in the Code of Conduct for Councillors.

Who has a Pecuniary Interest? - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of the person, or another person with whom the person is associated (see below).

Relatives, Partners - a person is taken to have a pecuniary interest in a matter if:

- The person's spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. "Relative", in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse;
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter - however, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter
 with which the Council is concerned and who is present at a meeting of the Council or
 Committee at which the matter is being considered must disclose the nature of the interest to
 the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or

(b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - a person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Non-pecuniary Interests - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or viceversa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as of the provisions in the Code of Conduct (particularly if you have a significant non-pecuniary interest)

RECORDING OF VOTING ON PLANNING MATTERS

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

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

BYRON SHIRE COUNCIL BUSINESS OF MEETING

APO	LOGIES	
DECI	_ARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY	
ADO	PTION OF MINUTES FROM PREVIOUS MEETINGS	
3.1	Adoption of Minutes from 12 November 2020 Sustainability and Emissions Reduction Advisory Committee meeting	5
STAF	FF REPORTS	
Susta	ainable Environment and Economy	
4.1 4.2	Sustainability and Emissions Reduction Projects - Update Report	16
	DECI ADOI 3.1 STAF Susta 4.1	STAFF REPORTS Sustainable Environment and Economy 4.1 Sustainability and Emissions Reduction Projects - Update Report

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Adoption of Minutes from 12 November 2020 Sustainability and Emissions Reduction Advisory Committee meeting

Directorate: Sustainable Environment and Economy

Report Author: Kimberley Rogers, Environment Support Officer

File No: 12021/55

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RECOMMENDATION:

That the minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 12 November 2020 be confirmed.

Attachments:

15 1 Minutes 12/11/2020 Sustainability and Emissions Reduction Advisory Committee, I2020/1766, page 7 🗓

<u>3.1</u>

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report

The attachment to this report provides the minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting of 12 November 2020.

5 Report to Council

The minutes were reported to Council on 17 December 2020.

Comments

In accordance with the Committee Recommendations, Council resolved the following:

20-712 Resolved that Resilient Byron be invited to join the Sustainability and EmissionsReduction Advisory

20-713 Resolved that Council enter into a one year trial partnership with ClimateClever.

MINUTES OF MEETING



SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING

Venue Conference Room, Station Street, Mullumbimby

Thursday, 12 November 2020

Time 9.00am



3.1 - ATTACHMENT 1

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING
MINUTES 12 NOVEMBER 2020

Minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting held on Thursday, 12 November 2020

File No: 12020/1766

PRESENT: Cr S Richardson, Cr M Lyon, Cr S Ndiaye, Cr C Coorey

Staff: Shannon Burt (Director Sustainable Environment and Economy)

Julia Curry (Sustainability Officer) Rachel Thatcher (Sustainability Officer) Hayley Briggs (Sustainability Officer) Cameron Clark (Manager Utilities) Kim Rogers (Minute Taker)

Community: Luke McConell

Chris Sanderson

Katrina Shields (ZEB representative)

Anthony Pangallo

Cr Richardson (Chair) opened the meeting at 9.35am and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES:

Sharyn French, Phil Holloway

<u>DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY</u>

There were no declarations of interest.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Adoption of Minutes from 10 September 2020 Sustainability and

Emissions Reduction Advisory Committee meeting

File No: 12020/1721

Committee Recommendation:

That the minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 10 September 2020 be confirmed.

(Ndiaye/Pangallo)

The recommendation was put to the vote and declared carried.

BUSINESS ARISING FROM PREVIOUS MINUTES

SERAC Sustainability and Emissions Reduction Advisory Committee Meeting page 3

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING
MINUTES 12 NOVEMBER 2020

There was no business arising from previous minutes.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 Climate Emergency Response Update on Res 20-351

File No: 12020/1455

Committee Recommendation:

- That the Sustainability and Emissions Reduction Advisory Committee note this report as an update on Resolution 20-351.
- That Resilient Byron be invited to join the Sustainability and Emissions Reduction Advisory Committee.

(Ndiaye/Sanderson)

The recommendation was put to the vote and declared carried.

Report No. 4.2 Sustainability and Emissions Reduction Projects - Update Report

File No: 12020/1557

Committee Recommendation:

- That the Sustainability and Emissions Reduction Advisory Committee note the report on key projects.
- 2. That the Sustainability and Emissions Reduction Advisory Committee recommend Council enter into a one year trial partnership with ClimateClever.

(Lyon/Pangallo)

The recommendation was put to the vote and declared carried.

Report No. 4.3 Updates from Zero Emissions Byron and COREM

File No: 12020/1719

Committee Recommendation:

That the Sustainability and Emissions Reduction Advisory Committee note the updates from Zero Emissions Byron and COREM.

(Lyon/Pangallo)

The recommendation was put to the vote and declared carried.

There being no further business the meeting concluded at 11.30am..

SERAC Sustainability and Emissions Reduction Advisory Committee Meeting

page 4

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Sustainability and Emissions Reduction Projects - Update Report Report No. 4.1

Directorate: Sustainable Environment and Economy

5 Julia Curry, Sustainability and Emissions Reduction Officer **Report Author:**

Hayley Briggs, Sustainability and Emissions Reduction Officer

Rachel Thatcher, Sustainability and Emissions Reduction Officer

File No: 12021/32

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Summary:

This report provides a short update on the key sustainability and emissions reduction projects 15 across Council. Project managers will speak to their items.

RECOMMENDATION:

1. That the Sustainability and Emissions Reduction Advisory Committee note the report on key projects.

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REPORT

Sustainability Team Key Projects

5 Annual Emissions Report

• At the December 2020 Ordinary Council meeting, the sustainability team reported that Council is on track to meet its goal of net zero emissions for Council Operations by 2025.

NSW Renewable PPA (Procurement Australasia)

- Council has opted in to a free and non-binding business case development process with the NSW Renewable PPA program run by Procurement Australasia.
- Project business case will be available to Council in March.

ClimateClever partnership

- Council is participating in a one year trial partnership with ClimateClever. All schools and residents in the Byron Shire will be able to access a 50% discount on their subscription from the trial start date.
- Staff will present information videos about how ClimateClever program works for schools and households https://www.climateclever.org/schools
- Council will be purchasing 50 subscriptions for households and one for a local school. Staff
 are yet to confirm the method of awarding subscriptions options to be discussed in
 meeting.
- Discuss collaboration with Zero Emissions Byron to promote and encourage uptake of ClimateClever in Byron Shire.

Sustainability Symposium

 Staff are looking into the possibility of sponsoring a local school to participate in the Sustainability Symposium run by the Sustainable Schools Network. Opportunity will be discussed further in meeting.

ICLEI Membership and other partnerships

- Byron Shire Council currently pays an annual fee of approximately \$1,100 for membership to ICLEI Local Governments for Sustainability.
- The Global Covenant of Mayors (GCoM) is linked to ICLEI membership but it is not exclusive to ICLEI members.
- Being a member means Council must report its emissions and initiatives to ICLEI each year

 however it is challenging to do so as a small regional Australian local council. The
 questionnaire and measurement units are strongly targeted at northern hemisphere cities.

 As a result Council is unable to complete the questionnaire correctly, and therefore the
 results do not accurately reflect our progress and initiatives.
- Sustainability team to lead discussion on future of ICLEI membership.
- Staff seeking feedback on if there are any other more beneficial partnerships that Council should consider?

45 Climate Wise Communities Website

- The Climate Wise Communities website was delayed due to focus required on the Emergency Dashboard with the December storms and flooding.
- Website is being finalised will be ready for use in resilience community meetings starting end of January.

Climate Adaptation Plan

• Draft Plan in development, aiming for stakeholder consultation in February.

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- SERAC and Biodiversity Committee members will be contacted regarding consultation and feedback on the Plan.
- Depending on stakeholder feedback, staff aiming to report to Council in March or April.

5 Utilities Key Projects

Dingo Lane, Myocum Solar Farm Project Update

- Development application being finalised for submission.
- Essential energy progressing assessment of connection study.
- Contractor discussions complete and technical specification developed for D&C and O&M project.
 - First draft of Updated Business Case has been provided and currently being reviewed by Council staff.
 - OLG Capital Expenditure Review report being prepared.

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Byron Bay Sewage Treatment Plant Bioenergy Facility Project Updates

- Council is advancing work on the first EOI stage of the 3-step application for an ARENA Capital Deployment Grant; submission planned for Feb 2021.
- Work has commenced on the Environment Impact Statement.
- Council is conducting procurement work for the commercial business case, governance advisory and financial modelling services; submissions due in Jan 2021.
- Council is conducting procurement work for the owner's engineering representative.
- Council is advancing work on community consultations and will participate in the EIS social impact assessment.

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Brunswick Valley Sustainability Centre (Vallances Road)

- Council has engaged an electrical engineer to conduct a high-level feasibility analysis for the technical and financial potential of placing the 5 MW community solar adjacent to the Brunswick Valley STP; work is due in Jan 2021.
- An assessment is underway of potential areas for a contemplate natural burial at the Vallances Road property; Infrastructure Services will digitally map land-use constraints to contemplate this potential use; a Project Reference Group will be struck subsequently.
- Council has begun a multi-stakeholder internal engagement to craft an Expression of interest for the broad uses of the nursery.
- Council has engaged a consultant to refresh the 2017 Management Plan and then to conduct pre-feasibility analysis of potential business cases for the potential education and information centre; work has kicked off and is underway.
- Council personnel still plan to apply for grants (planned for January 2021 submission subject to NSW State government) to seek funds for bank stabilisation and riparian zone rehabilitation, in support of the 'Bringing Back the Bruns' efforts.

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STRATEGIC CONSIDERATIONS

45 Community Strategic Plan and Operational Plan

Community	3.2 Strive to	3.2.1	Work towards	3.2.1.1	Deliver the Net Zero
Objective 3: We	become	a	Council's zero-		Emissions Action Plan for
protect and	sustaina	able	emissions target		Council Operations 2025
enhance our	commu	nity			
natural					
environment					

Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.1	Work towards Council's zero- emissions target	3.2.1.2	Prepare Annual Emissions Inventory to determine progress towards 2025 Net Zero Emission Target
Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.1	Work towards Council's zero- emissions target	3.2.1.3	Investigate a digital fuel card system for the bulk fuel supply
Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.1	Work towards Council's zero- emissions target	3.2.1.4	Investigate Council's methane gas flare and Australian carbon credit unit generation in line with net zero emissions target
Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.1	Work towards Council's zero- emissions target	3.2.1.5	Investigate streetlight bulk rollout of LED lighting
Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.1	Work towards Council's zero- emissions target	3.2.1.6	Council decision for 'Go/No Go' on construction for Bioenergy Facility, subject to State/Federal authorities
Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.1	Work towards Council's zero- emissions target	3.2.1.7	Monitor Solar Performance at STP and provide annual report
Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.1	Work towards Council's zero- emissions target	3.2.1.9	Develop and implement a Climate Adaptation Plan
Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.1	Work towards Council's zero- emissions target	3.2.1.10	Regular reporting requirements for international partnerships (Global Covenant of Mayors, ICLEI (Cities With Nature), Cities Power Partnership, Carbon Disclosure Project)
Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.1	Work towards Council's zero- emissions target	3.2.1.12	Monitor solar assets

Community Objective 3: We protect and enhance our natural environment	3.2 Strive to become a sustainable community	3.2.2	Support community environmental and sustainability projects	3.2.2.1	Provide coastal, environmental and sustainability information and encourage and support community activities and groups
Community Objective 3: We protect and enhance our natural environment	3.2 Strive to become a sustainable community	3.2.2	Support community environmental and sustainability projects	3.2.2.2	Participate in regional sustainability and environmental working groups and initiatives.
Community Objective 3: We protect and enhance our natural environment	3.2 Strive to become a sustainable community	3.2.2	Support community environmental and sustainability projects	3.2.2.8	Develop capital works plan in line with the 'Enquiry by Design' for the Brunswick Valley Sustainability Centre Management Plan

Legal/Statutory/Policy Considerations

Net Zero Emissions Strategy for Council Operations 2025

5 Financial Considerations

This is a project update report only. Financial considerations for individual projects have been or will be considered on a case by case basis. Sustainability and emissions reduction projects have the potential to either cost or save Council money.

10 Consultation and Engagement

Manager Utilities, Infrastructure Services
Process Consultant, Infrastructure Services
Senior Project Manager, Infrastructure Services

Senior Project Manager Dingo Lane Solar Farm, Infrastructure Services

Report No. 4.2 Updates from Zero Emissions Byron and COREM

Directorate: Sustainable Environment and Economy

Report Author: Julia Curry, Sustainability and Emissions Reduction Officer

File No: 12021/45

5 **Theme:** Sustainable Environment and Economy

Planning Policy and Natural Environment

10 **Summary**:

At this Sustainability and Emissions Reduction Advisory Committee (SERAC) meeting, representatives from Zero Emissions Byron and COREM will provide an update to SERAC from their organisations.

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RECOMMENDATION:

That the Sustainability and Emissions Reduction Advisory Committee note the updates from Zero Emissions Byron and COREM.

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Report

Representatives from the groups outlined below will provide verbal updates to the committee from their respective organisations.

1. Zero Emissions Byron; and

2. COREM

STRATEGIC CONSIDERATIONS

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Community Strategic Plan and Operational Plan

Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.2	Support community environmental and sustainability projects	3.2.2.1	Provide coastal, environmental and sustainability information and encourage and support community activities and groups
Community Objective 3: We protect and enhance our natural environment	3.2	Strive to become a sustainable community	3.2.2	Support community environmental and sustainability projects	3.2.2.2	Participate in regional sustainability and environmental working groups and initiatives.

15 **Legal/Statutory/Policy Considerations**

Nil

Financial Considerations

Nil

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Consultation and Engagement

N/A

4.3

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.3 Climate resilience framework update

Directorate: Sustainable Environment and Economy

Report Author: Rachel Thatcher, Sustainability and Emissions Reduction Officer

File No: 12021/89

5 **Summary:**

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Res 20-351 resolved for Council staff to investigate a resilience framework for Byron Shire. A draft proposal was presented at the December SPW by the sustainability and disaster resilience teams. The intention was to create an internal document to highlight the preexisting cross-directorate collaboration occurring in the resilience space across Council, focussing on three themes adapted from the City of Sydney Resilience Strategy.

The next step forward is to finalise the draft resilience framework proposal for Byron Shire. Council staff suggest that the document be published internally for the purposes of staff education and awareness of how resilience is embedded across all directorates. An action in the Operational Plan will also be added to form an annual report produced via Pulse, to monitor the implementation of the resilience framework.

RECOMMENDATION:

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

Report

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Council at the 25 June 2020 meeting considered a report on the Climate Change Adaptation Plan and resolved (*Res 20-351*) relevant parts only:

- 2. Agree to explore the development of a resilience framework and plan for Byron Shire.
 - 3. Make contact with Resilience NSW to discuss the potential preparation of a Resilience Plan and how Council may partner in the early preparation of such a plan for Byron Shire.
- 4. Make contact with the City of Sydney to discuss their Resilience Plan framework and how it might be applied to Byron Shire.
 - 5. Request staff to undertake a gap analysis of Council's current plans against a resilience framework such as the City of Sydney.
 - 6. Request staff to present the findings of items 3-5 at a Strategic Planning Workshop and report to Council.
- The draft resilience framework is intended to be used internally to provide for a more holistic future approach to natural disaster prevention, preparedness and recovery for Byron Shire. It was developed via collaboration between the sustainability and disaster resilience teams, using the City of Sydney Resilience Strategy as guidance. Council staff condensed the five 'Directions' which Sydney used, into three themes relevant for Byron Shire:
 - 1. People centred shire/one shire
 - 2. Live with our climate
 - 3. Connect for strength/get ready

A summary of the draft proposal presented at the December Strategic Planning Workshop is pictured below:

Byron Shire Council Directions



Next steps

5 Council staff will continue to finalise the draft resilience document. Council's Operational Plan will be updated to include an annual report generated through Pulse to monitor the implementation of the resilience actions occurring across Council.

Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	L2	CSP Strategy	L3	DP Action
Community Objective 4: We manage growth and change responsibly	4.5	Work to improve community resilience in our changing environment	4.5.1	Develop and implement strategies for our community's needs

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

*Note – additional OP action will be included under this CSP Objective and Strategy.

Related Resolutions

Res 20-351

Consultation and Engagement

5 Consultation was undertaken between the disaster resilience and sustainability teams.

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4.3