

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, 15 April 2021
Time	11.30am

Shannon Burt
Director Sustainable Environment & Economy

I2021/579
Distributed 08/04/21

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 vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as of the provisions in the Code of Conduct (particularly if you have a significant non-pecuniary interest)

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

1. APOLOGIES

2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 3.1 Adoption of minutes from 28 January 2021 meeting..... 5

4. STAFF REPORTS

Sustainable Environment and Economy

- 4.1 Updates from Zero Emissions Byron, COREM and Resilient Byron..... 11
4.2 Sustainability and Emissions Reduction Projects - Update Report..... 13

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Adoption of minutes from 28 January 2021 meeting

5 **Directorate:** Sustainable Environment and Economy
Report Author: Kimberley Rogers, Environment Support Officer
File No: I2021/451

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RECOMMENDATION:

That the minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 15 April 2021 be confirmed.

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Attachments:

- 1 Minutes 28/01/2021 Sustainability and Emissions Reduction Advisory Committee, I2021/77 ,
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BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

Report

The attachment to this report provides the minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting of 15 April 2021 .

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Report to Council

The minutes were reported to Council on 25 March 2021.

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M I N U T E S O F M E E T I N G



**SUSTAINABILITY AND EMISSIONS
REDUCTION ADVISORY COMMITTEE
MEETING**

Venue	Council Chambers, Station Street, Mullumbimby
Date	Thursday, 28 January 2021
Time	11.30am

*I2021/77
Distributed 21/01/21*

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING
MINUTES 28 JANUARY 2021

**Minutes of the Sustainability and Emissions Reduction Advisory Committee
Meeting held on Thursday, 28 January 2021**

File No: I2021/77

PRESENT: Cr S Richardson, Cr M Lyon

Staff: Shannon Burt (Director Sustainable Environment and Economy)

Julia Curry (Sustainability Officer)

Hayley Briggs (Sustainability Officer)

Rachel Thatcher (Sustainability Officer)

Cameron Clark (Manager Utilities)

Deborah Stafford (Manager Social & Cultural Planning)

Community:

Chris Sanderson

Katrina Shields (ZEB representative)

Anthony Pangallo

Luke McConell

Matt Kendall (Resilient Byron)

Cr Richardson (Chair) opened the meeting at 11.44am and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES:

Sharyn French (Manager Environmental and Economic Planning)

Cr S Ndiaye

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING
MINUTES 28 JANUARY 2021

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

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

File No: I2021/55

Committee Recommendation:

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

(Shields/Sanderson)

The recommendation was put to the vote and declared carried.

Note: The minutes of the meeting held on 12 November 2020 were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on 17 December 2020.

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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

File No: I2021/32

Committee Recommendation:

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

(Richardson/Lyon)

The recommendation was put to the vote and declared carried.

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BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

SUSTAINABILITY AND EMISSIONS REDUCTION ADVISORY COMMITTEE MEETING
MINUTES 28 JANUARY 2021

Report No. 4.2 Updates from Zero Emissions Byron and COREM
File No: I2021/45

Committee Recommendation:

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

(Richardson/Lyon)

The recommendation was put to the vote and declared carried.

Report No. 4.3 Climate resilience framework update
File No: I2021/89

Committee Recommendation:

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

(Pangallo/Sanderson)

The recommendation was put to the vote and declared carried.

There being no further business the meeting concluded at 1.38pm.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 **Updates from Zero Emissions Byron, COREM and Resilient Byron**
Directorate: Sustainable Environment and Economy
Report Author: Kimberley Rogers, Environment Support Officer
File No: I2021/60
Theme: Sustainable Environment and Economy
 Planning Policy and Natural Environment

Summary:

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

RECOMMENDATION:

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

Report

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

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1. Zero Emissions Byron;
2. COREM; and
3. Resilient Byron

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STRATEGIC CONSIDERATIONS

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.

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Legal/Statutory/Policy Considerations

Nil

Financial Considerations

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Nil

Consultation and Engagement

N/A

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Report No. 4.2

Directorate:

Report Author:

Sustainability and Emissions Reduction Projects - Update Report

Sustainable Environment and Economy

Julia Curry, Sustainability and Emissions Reduction Officer

Hayley Briggs, Sustainability and Emissions Reduction Officer

Rachel Thatcher, Sustainability and Emissions Reduction

Officer

File No:

I2021/442

Summary:

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

RECOMMENDATION:

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

REPORT

Sustainability Team Key Projects

5 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.
- Staff waiting to receive indicative business case – it is due end of March.

10 Climate Clever partnership

- Council is participating in a one year trial partnership with ClimateClever. All schools and residents in the Byron Shire can access a 50% discount on their subscription for the next year (trial has commenced).
- Council has pre-purchased 50 subscriptions for households and one for a local school. Household subscriptions are being awarded on a first come, first served basis.
- Staff conducted an Expression of Interest with all schools in the Shire and received three on-time submissions, from Byron Community Primary School, Brunswick Heads Primary School and Mullumbimby High School. (Byron Bay High School submitted a response two weeks after the due date and was discounted.)
- We have selected Mullumbimby High School as the recipient of the subsidised subscription. Mullumbimby High School scored highest on the questions given how strong their existing position on sustainability is. We reasoned that, given their extensive existing systems and the age of the students (teenagers as opposed to primary age), they would be best placed to maximise the benefits of the Climate Clever Schools App.
- Council is also collaborating with Zero Emissions Byron to promote and encourage uptake of Climate Clever in Byron Shire.

Sustainability Symposium - cancelled

- Staff were looking into the possibility of sponsoring a local school to participate in the Sustainability Symposium run by the Sustainable Schools Network (SSN). This is no longer going ahead due to the SSN no longer operating as of 31 March 2021. Reasons provided were –
 - Lack of funding
 - COVID disruptions
 - Successful achievement of goals/purpose

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.
- ICLEI were contacted to discuss how this fee could be more appropriate directed toward benefitting Oceania members (reporting process is northern hemisphere focussed, leading to misleading report results for BSC).
- Response was that ICLEI would provide enhanced support for Oceania Councils during reporting period through webinars and 'helpdesk' support. In addition, more strategic support for the Oceania region is being put in place in 2021.
- ICLEI membership will remain in place for now and further reviewed post additional support being offered in 2021.

Climate Adaptation Plan

- Draft Plan complete – distributed for peer review on 1 April. To be discussed by SERAC members.
- Depending on stakeholder engagement timeframe, staff aiming to report to Council in May.

Utilities Key Projects

Dingo Lane, Myocum Solar Farm Project Update

- Development application being finalised for submission.
- Essential energy progressing assessment of connection study.
- OLG Capital Expenditure Review has been drafted internally, waiting outcomes from Council report before completing / submission to OLG.
- Council report on outcomes of Feasibility Study of the project planned for April 2021.

Byron Bay Sewage Treatment Plant Bioenergy Facility Project Updates

- Council has completed its application for the Building Better Regions Fund Round 5 grants.
- Council will submit its ARENA Capital Deployment Grant EOI (Stage 1 of the 3-step application) in April 2021 (delayed by one month due to the BBRF grant application).
- Work is significantly advanced on the Environment Impact Statement companion studies; a forecast lodgement date should be known soon.
- Council has retained Deloitte following competitive procurement for the commercial business case, governance advisory and financial modelling services.
- Council is conducting procurement work for the owner's engineer and legal advisors.
- Council is maintaining diligent work on community and stakeholder communications, and has completed the consultation for the EIS social impact assessment in the intervening period.

Brunswick Valley Sustainability Centre (Vallances Road)

- Council has engaged a consultant to refresh the 2017 Management Plan. Work has kicked off, and a Vision and Roadmap is being drafted.
- 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. The results of this analysis are informing the revised Brunswick Valley Sustainability Centre Vision and Roadmap.
- 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.
- The draft Vision and Roadmap will be presented to Councillors at the May Strategic Planning Workshop.

STRATEGIC CONSIDERATIONS

Community Strategic Plan and Operational Plan

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

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

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
	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
	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
	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
	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
	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
	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.
	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