

# Notice of Meeting

## Climate Change and Resource Recovery Advisory Committee Meeting

A Climate Change and Resource Recovery Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Conference Room, Station Street, Mullumbimby
Date	Friday, 21 October 2022
Time	9.00am

Shannon Burt  
Director Sustainable Environment and Economy

I2022/1488  
Distributed 17/10/22



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## 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)

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## 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.

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## OATH AND AFFIRMATION FOR COUNCILLORS

Councillors are reminded of the oath of office or affirmation of office made at or before their first meeting of the council in accordance with Clause 233A of the Local Government Act 1993. This includes undertaking the duties of the office of councillor in the best interests of the people of Byron Shire and the Byron Shire Council and faithfully and impartially carrying out the functions, powers, authorities and discretions vested under the Act or any other Act to the best of one's ability and judgment.

# BYRON SHIRE COUNCIL

## BUSINESS OF MEETING

### 1. APOLOGIES

### 2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

### 3. STAFF REPORTS

#### **Sustainable Environment and Economy**

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5 **Report No. 3.1      Review Constitution of Climate Change and Resource Recovery Advisory Committee for adoption**

**Directorate:** Sustainable Environment and Economy

**Report Author:** Michelle Chapman, Project Support Officer

**File No:** I2022/1120



**Summary:**

10 Attached is the draft Constitution for the Climate Change and Resource Recovery Advisory Committee, for the Committee's review and recommendation for adoption.

**RECOMMENDATION:**

15 **That the Climate Change and Resource Recovery Advisory Committee recommends to Council to adopt the constitution at Attachment 1 (E2021/148037).**

**Attachments:**

20 1 DRAFT Constitution Climate Change & Resource Recovery Advisory Committee 2022, E2021/148037 , page 9  

## Report

The constitution is attached for the Committee’s review and endorsement, following Res 22-026 that resolved the proposed Resource Recovery Advisory Committee and the Climate Change Advisory Committee be combined.

- 5 Resolution 22-098 appointed Zero Emissions Byron representative and five community representatives to the Committee. It also resolved that Resilient Byron and Community Owned Renewable Energy Mullumbimby (COREM) be given another opportunity to nominate a representative.

- 10 Resilient Byron has now nominated their representative and COREM is yet to respond to Council’s invitations. In order to confirm membership numbers and therefore quorum, it is recommended that the COREM representative not be included as a committee member. The attached draft constitution has been amended accordingly.

It is recommended, for this Committee, that the number of Councillors required for a quorum be amended from two to one. The wording at Point 7 has changed to:

- 15 “A quorum is to constitute at least half the number of members plus one (resulting half numbers go down), one of which is to be a Councillor.”

For the Committee’s noting, future meetings are scheduled for 29 September at 11.30am and 17 November 2022 at 4.30pm.

## Strategic Considerations

- 20 **Community Strategic Plan and Operational Plan**

<b>CSP Objective</b>	<b>CSP Strategy</b>	<b>DP Action</b>	<b>Code</b>	<b>OP Activity</b>
<b>Community Objective 5: We have community led decision making which is open and inclusive</b>	5.2: Create a culture of trust with the community by being open, genuine and transparent	5.2.4: Support Councillors to carry out their civic duties	<b>5.2.4.5</b>	Implement and manage Code of Conduct training programs for Councillors, staff, and committee members

### Recent Resolutions

- 22-026, 22-098

### Legal/Statutory/Policy Considerations

Not applicable.

**Financial Considerations**

Not applicable.

**Consultation and Engagement**

Not applicable.

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**BYRON SHIRE COUNCIL**

**CLIMATE CHANGE & RESOURCE  
RECOVERY ADVISORY COMMITTEE**

**DRAFT CONSTITUTION**

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**INFORMATION ABOUT THIS DOCUMENT**

(INTERNAL USE ONLY)

<b>Date Adopted by Council</b>	TBC	<b>Resolution No.</b>	TBC
<b>Responsibility</b>	Director Sustainable Environment and Economy		
<b>Review Timeframe</b>	Each Term of Council		
<b>Last Review Date:</b>	December 2021	<b>Next Scheduled Review Date</b>	December 2024

***Document History***

<b>Doc No.</b>	<b>Date Amended</b>	<b>Details Comments eg Resolution No.</b>
E2021/148037	May 2022	Draft to Committee for endorsement following Res 22-026 & Res 22-098

***Further Document Information and Relationships/--***

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

Constitution: Climate Change & Resource Recovery Advisory Committee

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**Report No. 3.2 Introduction and Update from Zero Emissions Byron**

**Directorate:** Sustainable Environment and Economy

**Report Author:** Julia Adams, Sustainability Team Leader

5 **File No:** I2022/1121

**Summary:**

10 This report has been jointly prepared by council staff and Zero Emissions Byron in relation to item 5 from **Resolution 22-168** – “A report on the role and relationship between Zero Emissions Byron and Council in relation to emissions reporting to be presented to the Climate Change and Resource Recovery Committee in June.”

**Resolved** that Council notes:

1. The annual emissions inventory and Council’s progress toward meeting the net zero emissions 2025 target (Attachment 1 - E2022/5746).
- 15 2. The progress update on the *Net Zero Emissions Action Plan for Council Operations 2025*.
3. The successful achievement of Resolution 17-086 to achieve 100% renewable energy, five years ahead of schedule.
4. An internal Councillor and staff workshop will be organised for the May Strategic Planning Workshop on carbon offsetting for Council’s operational net zero emissions target.
- 20 5. A report on the role and relationship between Zero Emissions Byron and Council in relation to emissions reporting to be presented to the Climate Change and Resource Recovery Committee in June.

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**RECOMMENDATION:**

**That the Climate Change and Resource Recovery Advisory Committee notes the update report from Zero Emissions Byron.**

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## Report

### Purpose of Zero Emissions Byron

To accelerate Byron Shire's transition to net zero emissions by continuously engaging our local community to increase their uptake of emission reduction activities. To champion, educate and inspire action aimed toward zero emissions locally.

Zero Emissions Byron focuses on the Shire's community emissions profile, and Council focuses solely on its operational emissions profile.

### History and background

Zero Emission Byron (ZEB) was initiated in March 2015, at a public meeting with the CEO of Melbourne Think Tank, Beyond Zero Emissions, and the Byron Shire Mayor, Simon Richardson, and community members. ZEB was developed as a collaboration between the Byron Shire Community, the Byron Shire Council, Beyond Zero Emissions and the Centre for Social Change

In October 2016, ZEB was registered as a Public Company Limited by Guarantee. Each year, ZEB sends a statistical return to the Register of Environmental Organisations. A Registered Charity, it also has deductible gift recipient (DGR) status.

The first meeting was jointly initiated by the Mayor Simon Richardson and Beyond Zero Emission in and he sat on the inaugural board. Then for the first two years, through incubation with Council, the focus was on developing the internal structure and capacity; relationships with key stakeholders; the community emissions inventory for the Byron Shire region; the regional strategy for emissions mitigation; and initial projects.

In 2019, ZEB became an independent organisation that sits separately to Council as an independent and mature organisation, and other local not-for-profit and commercial organisation who advocate for environmental and renewable energy solutions to our local 'low carbon' future. To use an analogy, ZEB is like our Reserve Bank, sitting above but separately to everyone, not having projects of their own but overseeing and providing guidance to others.

### The group & wider network

ZEB consists of a volunteer board of six members who oversee governance, facilitate projects and head up five working groups. We employ two part time project workers for one day a week each. Other volunteers participate in working groups and assist with events.

ZEB's main areas of activity are:

- *Emissions tracking* – ZEB has commissioned a baseline report on community emissions in the Byron Shire and two updates. ZEB is responsible for both keeping track of and encouraging the reduction of our community's emissions, through the activities below:

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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- 5
- *RePlant Byron Alliance* – ZEB has formed an Alliance to promote appropriate plantings of native trees for carbon sequestration, promote the uptake of appropriate burning regimes, developed formulas for calculating the approximate carbon benefits of plantings, produced educational information, guides, videos and workshops. We have undertaken extensive plantings including a community forest project. Also, the biodiversity team at Council is using the Good Fire film to initiate more appropriate burning in the Shire. To view the Good Fire film, visit the website – <https://zerobyron.org/co2-drawdown-stories/>

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  - *Buildings* – we have produced educational flyers and video, energy saving information, and regularly promote the uptake of solar and battery tech for households and business. After the flooding we have been providing expert information on rebuilding with more flood resilience.

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  - *Electric vehicles* – we have produced a series of 8 webinars with experts on the latest in EVs, produced Q & A material and regular updates. We have undertaken a comprehensive survey on needs for EV uptake in the local Northern Rivers region, shared with local Councils. We have held an EV Expo and plan another to be held at Bangalow Showgrounds on Sunday 11 September 2022, already attracting sponsors, including Council, and stallholder interest.

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  - *Community engagement* – We maintain an extensive website with regular blog posts, local low carbon living directory, champion local low carbon living stories, maintain three Facebook pages and groups, Instagram, regular e-news, place topical articles in the media and on radio interviews. We also produce information flyers/posters such as ‘12 Actions You Can Take on Climate Change’. We hold stalls at community events and in the street. We also regularly promote other groups’ activities and events that align with our goal of carbon pollution reduction or carbon drawdown.

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ZEB also participates in regional bodies, including the Sustain Northern Rivers Energy Working Group and Council’s Climate Change and Resource Recovery Advisory Committee, and undertake cooperative activities with Council. Other groups around Australia are using our educational material and seek our advice on matters of mutual interest.

## 35 Strategic Considerations

### Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
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## BYRON SHIRE COUNCIL

### STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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<p>3: Nurtured Environment We nurture and enhance the natural environment</p>	<p>3.4: Support and empower our community to adapt to, and mitigate our impact on climate change</p>	<p>3.4.3: Monitoring and reporting - Monitor and report on actions that aim to address climate change</p>	<p>3.4.3.3</p>	<p>Report annually on sustainability partnerships, such as Cities Power Partnership.</p>
<p>3: Nurtured Environment We nurture and enhance the natural environment</p>	<p>3.2: Deliver initiatives and education programs to encourage protection of our environment</p>	<p>3.2.2: Environmental education and awareness - Coordinate and support environmental education to the community</p>	<p>3.2.2.2</p>	<p>Provide coastal and biodiversity information and encourage and support community activities and groups.</p>
<p>3: Nurtured Environment We nurture and enhance the natural environment</p>	<p>3.4: Support and empower our community to adapt to, and mitigate our impact on climate change</p>	<p>3.4.4: Net Zero - Work towards achieving Council's 100% net zero-emissions target</p>	<p>3.4.4.2</p>	<p>Participate in regional sustainability working groups and initiatives.</p>
<p>3: Nurtured Environment We nurture and enhance the natural environment</p>	<p>3.2: Deliver initiatives and education programs to encourage protection of our environment</p>	<p>3.2.4: Sustainability projects - Support community led environmental and sustainability projects</p>	<p>3.2.4.1</p>	<p>Promote Sunspot tool in collaboration with Zero Emissions Byron</p>
<p>3: Nurtured Environment We nurture and enhance the natural environment</p>	<p>3.2: Deliver initiatives and education programs to encourage protection of our environment</p>	<p>3.2.4: Sustainability projects - Support community led environmental and sustainability projects</p>	<p>3.2.4.2</p>	<p>Promote Climate Clever partnership to community.</p>
<p>3: Nurtured Environment</p>	<p>3.4: Support and empower</p>	<p>3.4.3: Monitoring and</p>	<p>3.4.3.1</p>	<p>Monitor output performance of</p>

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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We nurture and enhance the natural environment	our community to adapt to, and mitigate our impact on climate change	reporting - Monitor and report on actions that aim to address climate change		solar assets and report annually.
3: Nurtured Environment We nurture and enhance the natural environment	3.4: Support and empower our community to adapt to, and mitigate our impact on climate change	3.4.3: Monitoring and reporting - Monitor and report on actions that aim to address climate change	3.4.3.2	Prepare Annual Emissions Inventory to determine progress towards 2025 Net Zero Emissions Target.
3: Nurtured Environment We nurture and enhance the natural environment	3.4: Support and empower our community to adapt to, and mitigate our impact on climate change	3.4.3: Monitoring and reporting - Monitor and report on actions that aim to address climate change	3.4.3.3	Report annually on sustainability partnerships, such as Cities Power Partnership.

### Recent Resolutions

- Resolution **17-086** – To achieve 100% net zero emissions by 2025 in collaboration with Zero Emissions Byron (ZEB).
- 5
- 22-168

### Legal/Statutory/Policy Considerations

Applicable Council Strategies and Plans:

- Net Zero Emissions Strategy for Council Operations 2025
  - Net Zero Emissions Action Plan for Council Operations 2025
- 10
- Climate Change Adaptation Plan

### Financial Considerations

This is a project update report only.

### Consultation and Engagement

## BYRON SHIRE COUNCIL

### STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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Zero Emissions Byron board members – phone and email correspondence.

**Report No. 3.3      Introduction to Council's Sustainability Program**

**Directorate:**                      Sustainable Environment and Economy

**Report Author:**                Julia Adams, Sustainability Team Leader

5    **File No:**                        I2022/1122

**Summary:**

This report provides an introduction and short update on the key sustainability and climate change projects across Council. Project managers will speak to their items.

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**RECOMMENDATION:**

1.    **That the Climate Change and Resource Recovery Advisory Committee notes the updates in the report.**
- 15 2.    **That the Climate Change and Resource Recovery Advisory Committee recommends to Council that the annual membership with Climate Emergency Australia continues.**

**Attachments:**

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- 1    Regional State of the Environment Report - 2016 to 2020, E2021/135168 , page 33  

## Report

5 The sustainability team manages several different projects, including but not limited to Council's Net Zero Emissions Strategy and Action Plan, the Climate Change Adaptation Plan, community gardens, public car share initiatives, and various partnerships with external organisations.

## Key Sustainability Updates

### *State of the Environment Report 2020*

- 10 • The 2020 Regional State of the Environment report is the third prepared for the North Coast NSW region. It involved collaboration between 12 councils and reports on environmental conditions at both a regional and local level from 2012 to 2020. (Reporting delays are due to COVID-19 and local government 2021 elections)
- The report is divided into four main sections: people and the environment, biodiversity and vegetation, land and soils, and water.
- 15 • Attached is the summary for the 2016 to 2020 reporting period (see Attachment 1 E2021/135168).

### *Finalisation of Council's Operational Emissions Boundary*

- 20 • Council is progressing towards its goal of net zero emissions by 2025 (**Res 17-086**). As part of this process, Council must complete its emissions boundary and include scope 3 emissions.
- Staff have been working with consultants for several months to compile the data required to report on scope 3 emissions. As a result, the following emissions sources will be added to our annual emissions inventory:
  - Fuel use – recycled waste trucks
  - 25 ○ Paper
  - IT equipment and software
  - Office equipment
  - Food and catering
  - Postage and couriers
  - 30 ○ Car share services
  - Waste from council operations

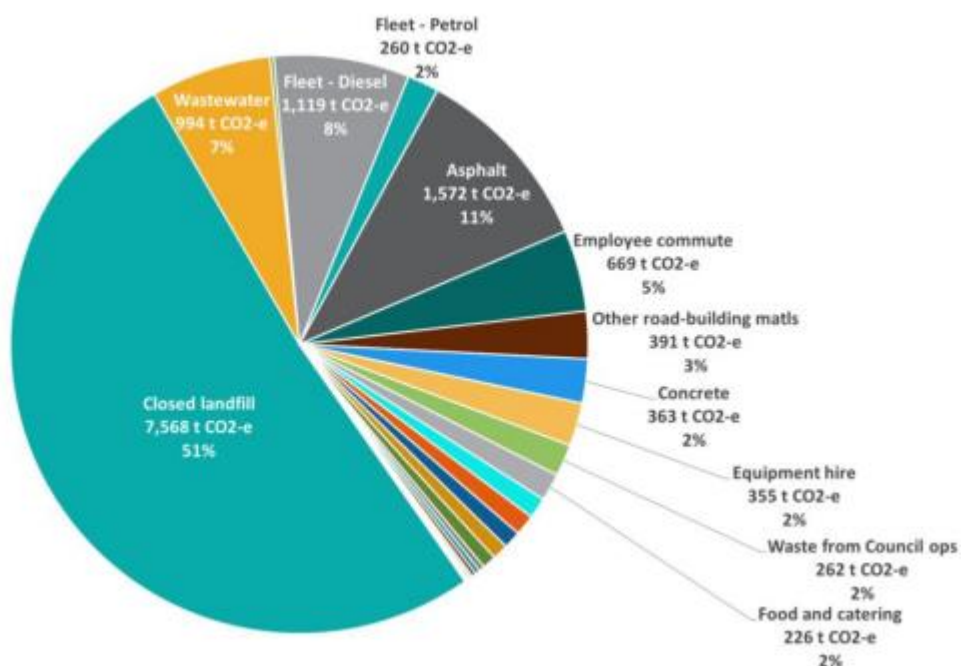


# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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- Air travel
- Business accommodation
- Employee commute
- Working from home
- 5 ○ Telecommunications
- Cleaning supplies and services
- Stationery
- Chemicals
- Entertainment
- 10 ○ Business services
- Advertising
- Legal fees
- Education and training
- Asphalt
- 15 ○ Concrete
- Other road-building materials
- Machinery and vehicle repairs
- Equipment hire
- Clothing
- 20 ● It is expected that the addition of scope 3 sources will increase our emissions boundary by approximately 4,831 tCO<sub>2</sub>e-, taking the total to approximately 14,735 tCO<sub>2</sub>e-, using figures from FY2020/21.
- The top three emissions sources are landfill fugitive emissions, asphalt, and diesel (see Figure 1).
- 25



**Figure 1.** Byron Shire Council's operational emissions inventory, including scopes 1, 2 and 3.

- Staff plan to report on Council's complete emissions boundary from 2022, in preparation for the net zero target.

5 *Solar Assets Annual Update*

- Council currently has 15 solar PV arrays totalling 615kW that are installed across 13 sites. They range in size from 5 – 152 kW and are installed on a range of council-owned assets, such as sewage treatment plants, the Byron Bay Library, and Mullumbimby Civic Hall.

10 **Table 1.** Byron Shire Council solar assets annual statistics.

	<b>Total size</b>	<b>Total generation</b>	<b>Cost avoided</b>	<b>Feed-in tariff income</b>	<b>Emissions avoided</b>
15 solar PV sites	615 kW	738 MWh	\$129,697	\$4,622	583 tCO <sub>2</sub> e-

*External Partnerships Update*

- Climate Council's Cities Power Partnership (CPP)
  - Free membership that provides staff and councillors with access to a nation-wide community of local government sustainability teams, knowledge resource library, educational webinars and reports.

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# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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- Council Connect – online collaborative platform for members to connect, share knowledge and create opportunities. For example, the sustainability team is now part of an electric vehicle working group.
- <https://citiespowerpartnership.org.au/>
- 5      ● ICLEI – Local Governments for Sustainability
  - ICLEI supports local governments across Australia, New Zealand and the Pacific to accelerate climate action and sustainable urban development
  - Council currently pays an annual fee of approximately \$1,100 for membership to ICLEI Local Governments for Sustainability.
- 10     ○ Staff reviewed the membership in 2021 and have decided to remain a member and supporter of the ICLEI Oceania community in order for council's emissions reduction efforts to contribute to global efforts.
- <https://www.icleioceania.org/>
- Global Covenant of Mayors (GCoM) and Carbon Disclosure Project (CDP)
- 15     ○ A global alliance of cities and local governments sharing goals for an action-oriented approach to climate change for the transition to low-emission and resilient societies. It is the largest global network of local councils taking action on climate change.
- Council reports its emissions to the CDP and GCoM on an annual basis, and
- 20     has subsequently been awarded both Mitigation and Adaptation 'badges' under this alliance.
- <https://www.gcom-oceania.org/members/byron>
- Climate Emergency Australia (CEA)
- Council has been trialling a one year membership with CEA. CEA is a
- 25     network of local governments working together to have all levels of government acknowledge and respond to the climate emergency. It was formed as a response to the over 90 municipalities across Australia declaring a climate emergency, and represents the collective LGAs in the movement.
- Staff recommend that Council continue its annual membership of \$1,000,
- 30     and thus support the climate emergency movement across Australia.
- [CEA - Home \(climateemergencyaustralia.org.au\)](https://climateemergencyaustralia.org.au)
- Sustain Energy

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

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- 5
- The Sustain Energy Working Group is a network of councils, regional peak bodies and community renewable energy groups facilitating the transition to renewable energy in the Northern Rivers. The group was established as a subset of the broader Sustain Northern Rivers collaboration in 2008 and has been delivering on ground and research based energy outcomes since then.
  - The group meets quarterly to share project learnings, prepare submissions, apply for grants, and disseminate information and deliver regional projects.
  - <https://www.sustainenergy.nr.org.au/>
- 10
- Zero Emissions Byron
    - Council collaborates with local community organisation, Zero Emissions Byron, on a regular basis to support them in their goal to transition our community to net zero emissions.
    - See separate report on Zero Emissions Byron for more detailed information.
- 15
- Climate Clever
    - Council participated in a one year trial partnership with software platform Climate Clever in 2021. This partnership provided all schools and residents with a 50% discount on a subscription, and council also pre-purchased 50 subscriptions for households, provided on a first come, first served basis, and one for a local school, awarded through an expression of interest process.
- 20
- Unfortunately community uptake was very low and it was found to be very challenging to incorporate into the existing school programming
  - As of January 2022, the household platform has become free for everyone and no longer has paid tiers. There are also free versions available to schools and businesses.
- 25
- As a result of these changes, Council now has a free partnership in place with Climate Clever until 24<sup>th</sup> January 2023. This offer includes upgrading Council to a tier 2 Partnership Program, equivalent of \$5,000/year. Benefits include five community information sessions per year and live user data according to postcode.
- 30
- Staff and Zero Emissions Byron will be collaborating to promote these free programs later in 2022.
  - <https://www.climateclever.org/>

*Climate Conversations to replace Sustainability Awards*

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

3.3

- 5 In 2019/20 Council reignited the Sustainability Awards program in council, whereby the community were asked to nominate and then vote for an organisation, individual or community group in several different categories, including sustainability, biodiversity, waste and water. The awards received a low number of nominations and votes, and as a result the Awards were turned into a “[showcase](#)” where every nominee was a winner, however the overall level of engagement and impact was low.
- 10 Reflecting on this and the experiences of 2022 thus far, the awards will be replaced with an innovative arts-based approach this year to engage the community in conversations and ideas related to sustainability, resilience, and climate change.
- Climate Conversations is a new biennial collaborative art project encouraging artists to explore, with the community, how we can adapt, reorganise, and evolve as a community in the face of climate change.
- 15 Climate Conversations is a collaboration between the sustainability and cultural teams at council.

### *Sustainability E-newsletter*

- The sustainability and resource recovery teams produce a sustainability e-newsletter that is sent out to subscribers on a quarterly basis.
- 20 • The newsletter will feature an “In Focus” section in place of the sustainability awards that will share information about local organisations and people doing great projects on a more regular basis, rather than once every two years. An invitation to submit stories is included in the newsletter, and staff encourage individuals and groups to email [sustainability@byron.nsw.gov.au](mailto:sustainability@byron.nsw.gov.au) to submit stories.
- 25 • To subscribe to the newsletter, head to the [Newsletters webpage](#) on Council's website.

### *Climate Change Adaptation Plan*

- Staff will present a report focusing on adaptation updates at the next committee meeting.

### **Key Utilities Project Updates**

#### 30 *Bioenergy Facility*

The Bioenergy Facility renewable energy project has progressed to the next stage. The Northern Rivers Regional Planning Panel has approved the development application for the facility to be built on operational land at the Byron Bay sewage treatment plant.

35 The project will be reviewed by the elected Council in late 2022, with grant funding options for the \$23.8 million project currently being explored.

For more background information on the Bioenergy facility, head to Council’s webpage - [Council website - Bioenergy](#).

## **Strategic Considerations**

### **Community Strategic Plan and Operational Plan**

<b>CSP Objective</b>	<b>CSP Strategy</b>	<b>DP Action</b>	<b>Code</b>	<b>OP Activity</b>
<b>3: Nurtured Environment We nurture and enhance the natural environment</b>	3.4: Support and empower our community to adapt to, and mitigate our impact on climate change	3.4.4: Net Zero - Work towards achieving Council's 100% net zero-emissions target	3.4.4.2	Participate in regional sustainability working groups and initiatives.
<b>3: Nurtured Environment We nurture and enhance the natural environment</b>	3.2: Deliver initiatives and education programs to encourage protection of our environment	3.2.2: Environmental education and awareness - Coordinate and support environmental education to the community	3.2.2.3	Publish a Sustainability E-newsletter
<b>3: Nurtured Environment We nurture and enhance the natural environment</b>	3.2: Deliver initiatives and education programs to encourage protection of our environment	3.2.2: Environmental education and awareness - Coordinate and support environmental education to the community	3.2.2.4	Deliver Sustainability Awards Recognition Program.
<b>3: Nurtured Environment We nurture and enhance the natural environment</b>	3.4: Support and empower our community to adapt to, and mitigate our impact on climate change	3.4.2: Climate change adaptation - Enhance community resilience and ability to adapt before, during, and after climate events	3.4.2.1	Review Climate Change Risk Assessment

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

3.3

<p><b>3: Nurtured Environment</b> <b>We nurture and enhance the natural environment</b></p>	<p>3.4: Support and empower our community to adapt to, and mitigate our impact on climate change</p>	<p>3.4.2: Climate change adaptation - Enhance community resilience and ability to adapt before, during, and after climate events</p>	<p>3.4.2.2</p>	<p>Scope the development of an Urban Cooling Strategy (CCAP Action 62)</p>
<p><b>3: Nurtured Environment</b> <b>We nurture and enhance the natural environment</b></p>	<p>3.4: Support and empower our community to adapt to, and mitigate our impact on climate change</p>	<p>3.4.3: Monitoring and reporting - Monitor and report on actions that aim to address climate change</p>	<p>3.4.3.1</p>	<p>Monitor output performance of solar assets and report annually.</p>
<p><b>3: Nurtured Environment</b> <b>We nurture and enhance the natural environment</b></p>	<p>3.4: Support and empower our community to adapt to, and mitigate our impact on climate change</p>	<p>3.4.3: Monitoring and reporting - Monitor and report on actions that aim to address climate change</p>	<p>3.4.3.2</p>	<p>Prepare Annual Emissions Inventory to determine progress towards 2025 Net Zero Emissions Target.</p>
<p><b>3: Nurtured Environment</b> <b>We nurture and enhance the natural environment</b></p>	<p>3.4: Support and empower our community to adapt to, and mitigate our impact on climate change</p>	<p>3.4.3: Monitoring and reporting - Monitor and report on actions that aim to address climate change</p>	<p>3.4.3.3</p>	<p>Report annually on sustainability partnerships, such as Cities Power Partnership.</p>

### Recent Resolutions

- 17-086
- 18-680
- 19-634

5

## **Legal/Statutory/Policy Considerations**

Applicable Council Strategies and Plans:

- Net Zero Emissions Strategy for Council Operations 2025
  - Net Zero Emissions Action Plan for Council Operations 2025
- 5
- Climate Change Adaptation Plan

## **Financial Considerations**

The annual membership for Climate Emergency Australia would be drawn from the sustainability programs budget, GL 2605.63.

## **Consultation and Engagement**

- 10
- Sustainability Team
  - Relevant internal staff
  - Executive Team
  - Zero Emissions Byron



















































































































REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

**Report No. 3.1 Introduction to Resource Recovery -  
Projects and Programs**

5 **Directorate:** Infrastructure Services  
**Report Author:** Danielle Hanigan, Manager Resource Recovery  
**File No:** I2022/1123

**Summary:**

10 This report provides an introduction and overview of the key operations, projects, programs and challenges within Council’s Resource Recovery Department. The report also gives a brief overview of the flood recovery and clean-up operations that have taken place in the first part of 2022.

15

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**RECOMMENDATION:**

**That the Climate Change and Resource Recovery Advisory Committee notes the report.**

20

## **Report**

5 The Resource Recovery Department is taking on the challenge of reducing waste and the impact it has on our environment and our community. To achieve this, we need to create a culture of avoidance, where reuse replaces single use and throwaway consumerism. This involves changing thinking and behaviour, moving our organisation and community to a circular economy model where waste is seen as a resource.

## **Key areas of responsibility**

### **Operational**

#### **10 Waste and Resource Recovery Collection**

- Kerbside domestic waste, recycling and organics bin collection in urban and rural areas
- Commercial bin collections.
- Customer service for all bin repairs, new services and general enquiries
- 15 • Manage disposal / processing Contracts for recycling, organics and residual waste
- Public place waste and recycling bins and collections, cigarette butt recycling receptacles and dog poo bag dispensers
- Community Recycling Stations (for problem waste such as batteries, light globes, mobile phones, smoke alarms, x-rays and printer cartridges)

20

#### **Byron Resource Recovery Centre (BRRC)**

- Operation and environmental management of the Centre which operates under two Environmental Protection Licences. EPL 6057 (Landfill) and EPL 13127 (Resource Recovery)
- 25 • The Centre operates primarily as a transfer station, with waste and materials brought into the centre, sorted and transferred to various locations for processing or landfilling. All residual waste is taken to the Ti-Tree Bioenergy Facility at Willowbank (SE QLD) whereby renewable energy is generated from the methane
- 30 produced within the landfill cell. This averages 20,000 tonnes per year.

The BRRC also houses: -

- Second hand Shop,
- Composting facility,
- 35 • Community Recycling Centre for collection of problem wastes
- Polystyrene processing

## Strategic

**Towards Zero: Byron Shire's Integrated Waste Management and Resource Recovery Strategy 2019-2029** focusses on 4 key objectives: -

- 5
1. Empower the community to increase avoidance, reuse and recycling activities;
  2. Maintain and enhance solutions to recover / treat / dispose of residual waste;
  3. Work with the business and tourism sector to reduce waste to landfill; and
  4. Support and lobby for NSW and Federal Government action to help reduce overall waste generation and disposal.

10

Byron Shire Council is one of 7 member Councils in the Northern Rivers that form North East Waste, a voluntary Waste Group working on regional programs to improve resource recovery, circular economy and waste management outcomes.

## 15 Strategic Projects

- Review and update of *Development Control Plan 2014 Chapter B8 Waste Minimisation and Management* to align it with the NSW Waste and Sustainable Materials Strategy and the changes that have occurred across the Byron Shire over the past 8 years. This will allow improved outcomes to be directed at the development assessment stage.
- 20
- Policy development – introducing new policies aimed at eliminating single use materials from Council operations.

## Community Engagement and Education

25

Through designed campaigns and programs, community education and engagement focus on resource recovery, avoidance, reuse, recycling, circular economy, litter and illegal dumping. A key element of education programs is to support and promote community based sustainability and circular economy initiatives through collaboration with community organisations and businesses.

## Programs

- 30
- Litter and Illegal Dumping Programs delivering the *Illegal Dumping Litter Education and Enforcement Plan*
  - Circular Cafes – in partnership with North East Waste
  - Worn Up – uniform textiles recycling
  - Byron Loves BYO

- Zero Waste Events
- School Education Programs – through North/East Waste
- Butt Free Byron Shire
- Recycle Right – kerbside bin education program
- 5 • Bring It Back Bruns (EPA funded pilot for reusables in place of single use takeaway containers)
- Lift the Lid – kerbside contamination reduction
- Scrap together - household organics education campaign ( commencing June 2022)
- 10 • Source to Sea (EPA funded pilot to address litter in drains)

### **Major Projects**

- Regional Waste Investment Review Project - working with 8 neighbouring Councils on regional solutions for recycling and residual waste
- Southern Landfill Closure and Rehabilitation Project
- 15 • Leachate Storage System Upgrade Project
- BRRC Stormwater Management Plan Implementation
- Second Life for Second Hand Shop ( to be renamed Re-market) – improvements and enhancements aimed at engaging the broader community and encouraging circular economy initiatives including repair and upcycling workshops.
- 20

### **Key Challenges**

- Increased cost of recycling, organics and waste processing – has increased significantly over the past 5 years with the National Sword Policy driving up recycling costs, as well as increasing landfill levy and fuel costs which have increased costs to process waste materials
- 25 • Legacy issues relating to an aged, unlined landfill and aging leachate storage system – this is being addressed via the landfill closure, stormwater management and leachate storage replacement projects.
- 30 • Increased development and tourism significantly impacts the Resource Recovery Department – with many developments within the Byron CBD having outgrown their premises and the designated waste collection spaces, as well as an influx of new developments requiring assessment. A significant push to have developers

undertake means to reduce their waste generation, and service waste within their property is a focus of the Team.

- The impact of Covid-19 has seen an increase in “takeaway culture” which has put increased strain on our public place bin collection system, and general litter.  
5 Programs such as Bring it Back Bruns and Byron loves BYO aim to increase reuse and reduce the amount of single use items being used by business and community, and therefore reduce waste generation
- Lack of robust legislation to guide manufacturing to ensure waste is designed out of products and packaging, and that the life of products is extended, with reuse and  
10 repair enabled.
- Changes to FOGO inputs as proclaimed by the NSW EPA – this is detailed in a separate report.

### **Flood Recovery**

- 15 Following the flood event of 28 February 2022, the Resource Recovery Team was tasked with the clean up, removal and disposal of flood waste from the kerbside as quickly and efficiently as possible. The clean up commenced 30 February – 2 days after the flooding occurred. This continued following the subsequent event in late March. Resource  
20 Recovery staff worked on the ground advising residents of clean up actions in the absence of phone or internet communications in the initial days of the clean up.

As of end of April 2022, over 4,000 tonnes of incoming disaster waste was received at the BRRC. This was in addition to waste collected at the kerb and taken directly to the regional waste transfer sites that were established after the initial 2 weeks of the clean up at Alstonville and Coraki which is estimated at 2,000 tonnes.

- 25 The team worked with NSW Public Works Advisory ( PWA) to set up set up skip bin hubs in central locations for the drop off of flood waste to ease the burden on the BRRC and increase accessibility and safety for residents. Skip bins were also placed in rural locations to assist residents in specific areas. To date it is estimated an additional 5,000 tonnes of waste has been collected via skips which has been transported directly to South  
30 East Queensland.

### **Diversion**

Of the 4,000 tonnes of flood waste that entered the BRRC, 250 tonnes of scrap metal was diverted including fridges and other whitegoods.

- 35 White goods, E-waste and hazardous wastes at skip bin hubs were collected separately for recovery and recycling.

# BYRON SHIRE COUNCIL

## REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

3.1

13 tonnes of Problem Waste (CRC- Community recycling program) was collected and transported off site (BRRC) for recycling, this includes oils, paints, hazardous chemicals.

Worked with Repair Café to recover some furniture and whitegoods for repair.

### **Community engagement**

- 5 Worked with community groups and organisations to assist with waste management and disposal options.

Fees for flood waste disposal at the BRRC have been waived for this period and this will continue upon application for those with genuine flood waste.

- 10 Bin banks have been established in rural areas to allow for domestic waste servicing for those with limited or no access. These are temporary measures and are constantly reviewed as roads are repaired and access restored for collection vehicles.

Communications on the clean up schedule, changes in various stages of the clean up and collection access have been ongoing through Councils Flood Updates and various platforms.

- 15 A claim for reimbursement is underway through Public Works Advisory

### **Challenges**

- 20 There have been some challenges in working with multiple State Government agencies in the clean up and recovery. Delays in receiving clear and consistent direction in relation to the clean up of demolition waste, asbestos, hazardous waste and waste in waterways has been particularly problematic. Better future planning is needed to be able to streamline these processes in the future.

### **Future considerations: resilience and rebuilding**

- 25 In order to reduce damage to homes/buildings, recover more resources, reduce waste to landfill and to have second hand/repaired items accessible to flood affected residents we need to future proof processes pre and post flood.

This includes but is not limited to:-

- building with flood resilient materials to reduce demolition waste – a lot of gyprock and flooring
  - smart design of electrical outlets and appliances to save appliances
  - processes that work with local groups to salvage and repair household items
- 30



- places for storage of items for residents so they are not left on the street
  - education around separation on kerbside
  - contractors hired for specific waste/resource streams
  - strategic demolition to reuse building materials
- 5      • working with community organisations to build relationships and have mechanisms in place to deal with waste on ground immediately, especially hazardous waste.

10      **Further plans to mitigate these issues are underway and will be the subject of reports to subsequent meetings of the Climate Change and Resource Recovery Committee.**

## Strategic Considerations

### Community Strategic Plan and Operational Plan

<b>CSP Objective</b>	<b>CSP Strategy</b>	<b>DP Action</b>	<b>Code</b>	<b>OP Activity</b>
<b>Community Objective 1: We have infrastructure, transport and services which meet our expectations</b>	1.4: Provide a regular and acceptable waste and recycling service	1.4.1: Implement Integrated Waste Management and Resource Recovery Strategy	<b>1.4.1.1</b>	Implement 2021/22 action plan activities identified in the Waste Management Strategy
<b>Community Objective 1: We have infrastructure, transport and services which meet our expectations</b>	1.4: Provide a regular and acceptable waste and recycling service	1.4.2: Provide waste and resource recovery services	<b>1.4.2.1</b>	Implement Waste and Resource Recovery Collection Contract Management Plan

## BYRON SHIRE COUNCIL

### REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

3.1

<p><b>Community Objective 1: We have infrastructure, transport and services which meet our expectations</b></p>	<p>1.4: Provide a regular and acceptable waste and recycling service</p>	<p>1.4.3: Participate in regional waste management programs and initiatives</p>	<p><b>1.4.3.1</b></p>	<p>Maintain membership and participation in the North East Waste regional waste management group</p>
<p><b>Community Objective 1: We have infrastructure, transport and services which meet our expectations</b></p>	<p>1.4: Provide a regular and acceptable waste and recycling service</p>	<p>1.4.3: Participate in regional waste management programs and initiatives</p>	<p><b>1.4.3.2</b></p>	<p>Support the progression of a regional; alternative waste treatment facility in alignment of the adopted strategy and relevant resolutions</p>
<p><b>Community Objective 1: We have infrastructure, transport and services which meet our expectations</b></p>	<p>1.4: Provide a regular and acceptable waste and recycling service</p>	<p>1.4.4: Ensure facilities and services meet statutory requirements</p>	<p><b>1.4.4.1</b></p>	<p>Maintain compliance with NSW Environmental Protection Licences for the Byron Resource Recovery Centre and Myocum Landfill</p>
<p><b>Community Objective 1: We have infrastructure, transport and services which meet our expectations</b></p>	<p>1.4: Provide a regular and acceptable waste and recycling service</p>	<p>1.4.4: Ensure facilities and services meet statutory requirements</p>	<p><b>1.4.4.3</b></p>	<p>Maintain compliance with the Federal Government's Emissions Reduction Fund contract conditions for the Myocum Landfill Gas Carbon Farming Initiative Project</p>

# BYRON SHIRE COUNCIL

## REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

3.1

<b>Community Objective 1: We have infrastructure, transport and services which meet our expectations</b>	1.4: Provide a regular and acceptable waste and recycling service	1.4.4: Ensure facilities and services meet statutory requirements	<b>1.4.4.4</b>	Delivery of stage 1 of the Capping Plan
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### Legal/Statutory/Policy Considerations

<b>Legislative responsibilities</b>	<b>Legislation</b>	<a href="#">Protection of the Environment Operations (Waste) Regulation 2014 - NSW Legislation</a>
	<b>Policies</b>	<a href="#">Waste Disposal Fees for Not-for-Profit Groups Policy - Byron Shire Council (nsw.gov.au)</a> <a href="#">Waste Disposal after a Natural Disaster/Significant Storm Event Policy - Byron Shire Council (nsw.gov.au)</a>
	<b>Strategies and plans</b>	<a href="#">Towards Zero Integrated Waste Strategy 2019 to 2029 - Byron Shire Council (nsw.gov.au)</a> <a href="#">NSW Waste and Sustainable Materials Strategy 2041</a>

### Financial Considerations

5 Budget for waste related activities is funded through the Domestic and Non-Domestic Waste Reserve as well as Grant programs. It is not funded through the general Fund.

### Consultation and Engagement

Resource Recovery Team

Executive Team

**BYRON SHIRE COUNCIL**

**REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES**

**3.1**

**Report No. 3.2      Changes to Food and Garden Organics and  
NSW Plastics ban**

**Directorate:**                      Infrastructure Services

**Report Author:**                Danielle Hanigan, Manager Resource Recovery

5    **File No:**                        I2022/1125

**Summary:**

The report provides an update to the Committee on upcoming changes in the waste industry in regards to the NSW EPA's Position Statement on acceptable inputs to the Food and Garden Organics (FOGO) stream, as well as the upcoming NSW Plastics Ban.

- 10    The changes to the FOGO stream will mean some initial challenges in changing community behaviour. However, this is viewed as a positive change in that it will help support the shift away from single use packaging, provide the clarity we have requested with regards to "compostability" of packaging and will result in a cleaner compost product, increasing viability of this circular industry.
- 15    In response to these changes, Council's Resource Recovery team is proposing Council demonstrate leadership through Policies that ban single use items in Council business and operations, Council owned and managed lands, and in Council buildings and facilities.

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**RECOMMENDATION:**

**That the committee note the report.**

25

## Report

### EPA Position Statement on Food and Garden Organics (FOGO) Inputs

5 On 25 July 2022, the NSW EPA released an official Position Statement on FOGO inputs to clarify items that are accepted / not accepted in FOGO (green lid) bins. This position statement is in line with the Compost Order 2016 under the Resource Recovery Order under Part 9, Clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014.

The Position Statement lists the following materials as acceptable in the FOGO stream:

#### Food and garden organics – items accepted

- 10 • Food
- Garden organics
- Compostable plastic kitchen caddy liners that comply with Australian Standard AS 4736-2006 (for commercial composting) used to collect and transfer food waste to the FOGO bin
- 15 • Fibre-based kitchen caddy liners (e.g. paper or newspaper) used to collect and transfer food waste to the FOGO bin.

#### Food and garden organics – items NOT accepted

- Pet poo and poo bags (whether or not these bags meet AS 4736-2006)
- 20 • Fibre-based materials, such as bamboo, timber or cardboard packaging (including pizza boxes) and cutlery, paper towels and serviettes
- Compostable or biodegradable plastic products or bags
- Paper and cardboard
- Vacuum cleaner dust, washing machine and dryer lint

25 Although not specified on the EPA website, it is believed this extends to tea bags and coffee filters also.

#### Why the position statement?

- Clarification from the NSW EPA has followed research into compost product generated from FOGO materials.
- 30 • The NSW EPA has mandated FOGO services in all NSW Councils by 2030, and in some commercial settings such as supermarkets by 2025.
- The clarification aims to ensure a clean compost product, free from contaminants.

# BYRON SHIRE COUNCIL

## REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

3.2

- The EPA has also highlighted the risk of additives that provide water and grease resistance in food packaging, which can include per and polyfluoroalkyl substances (PFAS) which may cause human and environmental harm.
- 5 • There is currently no legislation around the labelling of “compostable” products and the range of packaging has created contamination and confusion.
- Packaging does not add any nutrient value to compost.
- The Statement is in accordance with the NSW Compost Order 2016 which specifies the maximum levels of plastics and other physical contaminants allowed in compost being applied to land. It does not allow compostable (or conventional) plastics or  
10 fibre-based packaging materials to be accepted by composting facilities.

As early adopters of the FOGO Program, Councils in the Northern Rivers including Byron Shire has accepted some the above items in the ‘not accepted’ list for a number of years. Council has continued to develop education materials around acceptable items for our FOGO system in line with changing industry and packaging trends. This information,  
15 approved and funded by the NSW EPA has been included in education campaigns, communication and infrastructure in the form of bins and kitchen caddies which all state that the above items, now on the not accepted list, could be placed in FOGO bins.

Whilst Council’s education and communication has never included items like coffee cups or bioplastics, other items such as napkins, bamboo plates and cutlery, paper bags and  
20 pizza boxes have been allowed.

The current regional campaign “Get your Scrap together” which is being run by North East Waste (NEW) on behalf of its member Councils remains relevant as its messaging is directed at ensuring all food waste goes into the FOGO bins. This campaign collateral will continue to be rolled out over the coming weeks, and the messaging around non food or  
25 garden waste will be that we are transitioning away from this.

NEW Councils have determined that this transition approach is appropriate given there may be some changes to the position statement based on discussions with the EPA.

Councils current FOGO feedstock processor, Phoenix Recyclers have expressed they wish to align with this regulation despite being Queensland based.

### 30 NSW Single Use Plastics Ban

Coinciding with the EPA’s Position Statement on FOGO inputs are bans on some single use plastics. The plastics ban includes the following:

From 1 June 2022 lightweight plastic bags of 35 microns thick or less (including compostable and bioplastic alternatives) have been banned in NSW.

35 From 1 November 2022 additional bans will be implemented covering single-use plastic straws, stirrers, cutlery, plates, bowls and cotton buds, expanded polystyrene food ware and cups, and rinse-off personal care products containing plastic microbeads.

# BYRON SHIRE COUNCIL

## REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

3.2

The bans follow the Plastic Reduction and Circular Economy Act 2021 passed in November 2021.

Single-use plastic items and packaging make up 60% of all litter in NSW.

5 The NSW single-use plastic ban will prevent almost 2.7 billion items of plastic litter from entering the environment in NSW over the next 20 years.

The NSW Government has engaged the National Retailers Association to deliver a comprehensive retailer education and awareness campaign about the bans.

10 The NSW Government is running a consumer awareness and education campaign: Stop it and Swap it. A communications toolkit has been made available to Councils to support in communicating these bans.

Whilst the bans are welcomed, they are minimal in terms of dealing with the overall issues around single use plastics and other materials, and the bans coming to effect as of November 1 are in majority items that have already been phased out within our region.

15 Single-use takeaway packaging has created many environmental impacts over the past few decades. In Byron Shire there has been a 42.8% increase in amount of littered takeaway items in 2021 compared to 2017.

20 Many businesses have switched to what they believe are “compostable” alternatives, but given the recent position statement, much of this will not be able to go the into the FOGO stream, and therefore will continue to contribute to waste sent to landfill and increased methane emissions.

A further list of items is flagged for review by the NSW State Government in 2024 which includes:

- Plastic bowls (including lids) and plates
- Plastic cups (including lids)
- 25 • Oxo-degradable plastics
- Fruit stickers (non compostable)
- Heavyweight plastic shopping bags
- Barrier/produce bags

### 30 **Key issues**

#### Environmental

- Increase in waste to landfill with many cardboard based items no longer accepted in FOGO.



# BYRON SHIRE COUNCIL

## REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

3.2

- Increase in emissions that will impact Council's Towards Zero Target.
  - Potential increase in recycling contamination, as many paper based items that are food soiled may end up in recycling stream because they are no longer accepted in the FOGO stream.
- 5
- Impacts to Bioenergy facility feedstock – likely a reduction in food waste feedstock as people are unlikely to separate food from packaging
  - Changes in public perception of resource recovery and confusion, resulting in increased contamination across all streams and lost resources going into the landfill stream.
- 10
- Bans leading to alternatives that “shift” rather than “solve” the problem – reusables are the only way we can achieve positive environmental outcomes re. Eg lightweight plastic bags to heavy duty plastics bags should just be reusable bags.

### Financial

- 15
- The EPA FOGO inputs statement means that all future collateral, education materials and infrastructure will need to be changed – this is not something that the EPA has committed any funding to support.

Ceasing acceptance of cardboard and other food packaging in the FOGO stream will see an increase in the landfill stream resulting in increased transport and disposal costs.

### 20 Reputational

- Changes to FOGO inputs present reputational risk to Council in that the EPA has supported these inputs in the past through the approval and funding of collateral, education, bins, caddies etc all with this information contained within. However, EPA now stating that these inputs were never part of the Compost order presents a real risk that the
- 25
- community will “give up” and we will see an increase in landfill rates

- There is additional risk that the EPA will change their position on FOGO inputs in the future. This makes it difficult to determine future direction, and the pace at which to roll out future education campaigns. The North East Waste Councils have agreed that we will not rush into changes, and communicate that we are in a transition period with regards to
- 30
- acceptable inputs.

### Resourcing

Extensive community and business engagement to alter behaviour with regards to takeaway food packaging is required, this will impact resourcing within the Resource Recovery Team and could impact delivery of other Projects.

### 35 Regulatory

Whilst the EPA has stated that they will not be regulating the FOGO inputs or Councils messaging in the near future, there is an expectation that changes will be made to align with their Position Statement.

The NSW EPA is the regulator and will monitor and enforce the plastics bans.

**5 Next steps**

As an organisation, Council has the opportunity to demonstrate further leadership by implementing our own policies around single use plastics and other materials, and lobbying State and Federal governments to do the same, ensuring further bans are implemented and the list extended.

- 10 These changes present an opportunity for our region to be leaders in creating a solution, through the implementation of policies and practices within our community that allow a shift to reusables during this transition period.

- 15 The Resource Recovery department, with the support of Council's Executive, aims to use these changes to further support a move away from single use to reusables in the forms of cups, containers, cutlery, plates, bowls, bags and bottles. The answer to banning plastics is not to move to another form of single use packaging as this still requires manufacture, disposal, and processing using valuable resources for a product used momentarily.

- 20 As such, a Single Use Plastics and Other Materials Policy, as well as a Balloon Ban Policy is proposed for all Council business, Council owned and managed lands, and in Council buildings and facilities.

Implementation of policies such as these will be supported by guidelines and resources as well as extensive education campaigns. Having Council support such Policies will enable appropriate actions to be demonstrated to the Community and assist with guiding them to do the same.

- 25 A move to reusables over single use enables a reduction in emissions, keeps products in circulation significantly longer and moves our community from a linear take-make-use-dispose economy to a circular economy whereby items are reused and kept in circulation. It will also result in litter reduction, having a positive impact on our natural environment.

- 30 Community education and communication across a variety of media with regards to FOGO changes and plastic bans will be interwoven into all relevant Resource Recovery Programs. This will start via engagement with businesses involved in the Circular Cafes program.

## Strategic Considerations

### Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
<b>3: Nurtured Environment</b> We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.1: Waste management and resource recovery strategy - Implement Integrated Waste Management and Resource Recovery Strategy - Towards Zero	3.5.1.3	Improve management of Council generated waste
<b>3: Nurtured Environment</b> We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.4: Education - Empower the community to increase avoidance, reuse, and recycling activities	3.5.4.3	Develop and support community based sustainability and circular economy initiatives
<b>3: Nurtured Environment</b> We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.4: Education - Empower the community to increase avoidance, reuse, and recycling activities	3.5.4.1	Implement and update Illegal Dumping and Litter Education and Enforcement Plan (IDLEEP)

### Legal/Statutory/Policy Considerations

[Protection of the Environment Operations Act 1997 No 156 - NSW Legislation](#)

5 [NSW Waste and Sustainable Materials Strategy 2041](#)

[Plastics Action Plan 2021 \(nsw.gov.au\)](#)

[Plastic Reduction and Circular Economy Act 2021 No 31 - NSW Legislation](#)

[The compost order 2016 \(nsw.gov.au\)](#)

## Consultation and Engagement

- 5 Preliminary consultation has been undertaken with some Council staff directly affected, all of which are supportive of such policy development in light of the forthcoming changes to waste inputs.

Significant consultation will be required across all directorates of Council in development of the abovementioned Policies.

- 10 Consultation with other land managers National Parks and Wildlife and Crown Lands determine synergies to be able to extend Policies across land areas.

Extensive consultation with the business community, particularly those who sell or manufacture items proposed to be banned will be undertaken.

- 15 Further consultation in the development of the abovementioned policies will be undertaken with members of the Climate Change and Resource Recovery Advisory Committee, as well as other Community Organisations that advocate for such Policy development.

The Draft *Balloon Ban Policy* and *Single Use Materials Policy* will be placed on public exhibition to allow broader community consultation prior to being finalised and adopted.