

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	Thursday, 17 November 2022
Time	4.30pm

Shannon Burt
Director Sustainable Environment and Economy

I2022/1669
Distributed 11/11/22



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)

Committee members are reminded that they should declare and manage all conflicts of interest in respect of any matter on this Agenda, in accordance with the [Code of Conduct](#).

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.

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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Infrastructure Services

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STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 3.1 Sustainability Project Updates

Directorate: Sustainable Environment and Economy

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

File No: I2022/1426

Summary:

This report provides a short update on current sustainability and climate change projects across Council. Project managers will speak to their items.

10

RECOMMENDATION:

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

20

Report

Current project updates:

Annual Emissions Report for Council Operations

- 5
- Staff are in the process of finalising Council's annual operational emissions report. It will be reported to Council at the December Ordinary meeting.
 - The annual emissions report will include Scope 1, 2 and 3 for the first time.

Climate Conversations Expression of Interest

- 10
- 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. It is a collaboration between the sustainability team and Lone Goat Gallery.
 - Expression of Interests are open until 30th November - [Climate Conversations: Expressions of Interest Now Open - News - Lone Goat Gallery](#)

Climate Emergency Australia (CEA)

- 15
- Council has been trialling a one-year membership with CEA. CEA is a 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.
- 20
- Staff recommend that Council continue its annual membership of \$1,000, and thus support the climate emergency movement across Australia.
 - CEA - Home (climateemergencyaustralia.org.au)

Fleet Transition Strategy

- 25
- In line with the net zero emissions target, Council has begun the planning process of a Fleet Transition Strategy. It will review the whole of Council's fleet and provide guidance in future vehicle strategies, and associated infrastructure.
 - Staff are in the process of drafting the Project Plan for the Council Fleet Transition Strategy and intend on presenting it to the Committee in 2023.
- 30
- The plan will also address Federal and State incentives being offered for fleet transitions to electric vehicles and how Council can take advantage of these opportunities.

Climate Risk and Adaptation

- The sustainability team will be working with staff across council in early 2023 to review Council's operational climate change risk assessment.
- This risk assessment provides the foundations of Council's Climate Change Adaptation Plan, and staff will be working together to review each risk and the related adaptation actions.
- One of these adaptation actions is to develop an Urban Cooling Strategy for Byron Shire. A report on this action will be presented in 2023.
- The sustainability team will also speak to other climate adaptation and resilience actions within Council in the committee meeting, using the most up-to-date information available.

Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
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	3.4.4: Net Zero - Work towards achieving Council's 100% net zero-emissions target	3.4.4.2	Participate in regional sustainability working groups and initiatives.
3: Nurtured Environment We nurture and enhance the natural environment	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.
3: Nurtured Environment We nurture and enhance the natural	3.4: Support and empower our community to adapt to, and mitigate	3.4.2: Climate change adaptation - Enhance community	3.4.2.1	Review Climate Change Risk Assessment

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

3.1

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
environment	our impact on climate change	resilience and ability to adapt before, during, and after climate events		
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.
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	3.4.2: Climate change adaptation - Enhance community resilience and ability to adapt before, during, and after climate events	3.4.2.2	Scope the development of an Urban Cooling Strategy (CCAP Action 62)

Recent Resolutions

- 17-086

- 18-680
- 19-634

Legal/Statutory/Policy Considerations

Applicable Council Strategies and Plans:

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

Financial Considerations

- 10
- The annual membership for Climate Emergency Australia would be drawn from the sustainability programs budget, GL 2605.63.

Consultation and Engagement

- Sustainability Team
- Relevant internal staff
- Executive Team

15

Report No. 3.2 **Revised Constitution of Climate Change and Resource Recovery Advisory Committee**

Directorate: Sustainable Environment and Economy

Report Author: Julia Adams, Sustainability Team Leader

5 **File No:** I2022/1661

Summary:

10 Council resolved at the 10 November 2022 Council Planning Meeting to defer the discussion of the proposed constitution at Attachment 1 (E2021/148037) to the next available Climate Change and Resource Recovery Advisory Committee meeting, and to consider the inclusion of Councillor Dey as an additional fourth councillor as a committee member.

Two changes are proposed to the Constitution which are expected to assist with achieving meeting quorum. These are:

- the number of Councillors required for a quorum be amended from two to one, and
- 15 • that COREM not be included in the Committee's membership as COREM is yet to respond to either of Council's two invitations to participate.

The revised Climate Change and Resource Recovery Advisory Committee's Constitution is provided for the committee's consideration and endorsement.



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RECOMMENDATION:

That the Climate Change and Resource Recovery Advisory Committee endorse the constitution at Attachment 1 (E2021/148037).

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Attachments:

- 1 DRAFT Constitution Climate Change & Resource Recovery Advisory Committee 2022, E2021/148037 , page 14  
- 30

Report

5 Following Resolution **22-026** which resolved that the proposed Resource Recovery Advisory Committee and the Climate Change Advisory Committee be combined, a new Constitution was developed.

This Constitution was further informed by Resolution **22-098**, which appointed Zero Emissions Byron representative and five community representatives to the Committee. Council 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 either of 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.

15 It is also recommended, that the number of Councillors required for a quorum be amended from two to one, which is in line with other Committees. The wording at Point 7 has changed to:

"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."

The final meeting for 2022 is scheduled for 17 November 2022.

20 The draft constitution is included in Attachment 1 for Council's consideration.

Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
1: Effective Leadership We have effective decision making and community leadership that is open and informed	1.1: Enhance trust and accountability through open and transparent leadership	1.1.2: Governance - Ensure legislative compliance and support Councillors to carry out their civic duties	1.1.2.3	Provide administrative support to Councillors to carry out their civic duties

Recent Resolutions

- 22-026
- 22-098

Legal/Statutory/Policy Considerations

5 Not applicable.

Financial Considerations

Not applicable.

Consultation and Engagement

Not applicable.

10



BYRON SHIRE COUNCIL

**CLIMATE CHANGE & RESOURCE
RECOVERY ADVISORY COMMITTEE**

DRAFT CONSTITUTION

INFORMATION ABOUT THIS DOCUMENT

(INTERNAL USE ONLY)

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

Document History

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

Further Document Information and Relationships/--

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

Constitution: Climate Change & Resource Recovery Advisory Committee

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Constitution: Climate Change & Resource Recovery Advisory Committee

1. Preamble

The Climate Change & Resource Recovery Advisory Committee is an advisory committee of the Council and does not have executive power or authority to implement actions.

The role of the committee is to report to Council and provide appropriate advice and recommendations on matters relevant to this Constitution.

2. Purpose

The purpose of the Climate Change & Resource Recovery Advisory Committee is:

1. To assist Council in the development, implementation and review of relevant sustainability, resource recovery and climate change mitigation and adaptation plans, policies and projects such as:
 - Council's Net Zero Emissions Strategy and Action Plan
 - Council's Towards Zero Integrated Waste Management and Resource Recovery Strategy
 - Council's Illegal Dumping and Litter Enforcement and Education Plan
 - Climate Change Adaptation Plan
 - Renewable energy projects
 - Local network trading and local network charges
 - Carbon reporting
 - Waste avoidance, resource recovery, circular economy and reuse programs
 - Other sustainability and resource recovery initiatives.
2. To support our community's drive towards zero emissions and zero waste to landfill.
3. To identify and report opportunities or concerns regarding resource recovery, waste management, sustainability and climate change adaptation and mitigation issues to Council including, but not limited to, funding opportunities, special events, government policy, practice or guidelines.

It is proposed that meetings can target specific issues related to resource recovery, waste management, sustainability and climate change mitigation and adaptation and that in order for the Committee to understand the issue and identify opportunities, experts on the subject can be invited to contribute.

It is also proposed that meetings can be held outside the Council building within environments that are relevant to that meeting's theme. For example, different formats could be used such as field days and workshops.

3. Timeframe for Committee

The lifespan of the Climate Change & Resource Recovery Advisory Committee is for the term of Council 2022-2024.

4. Responsible Directorate

This committee is administered by the Sustainable Environment and Economy and Infrastructure Services Directorates. The Director or their delegates will attend these meetings and minutes will be taken by a member of their staff.

5. Membership

Council must appoint all advisory committee members. Appointment must take place prior to a member being conferred the responsibilities and rights as set out in this document.

Council may release individual members from the advisory committee at any time by a resolution of council. Council may also appoint any new members to a committee at any time by a resolution of council.

Membership is to include:

- 3 Councillors
- 5 relevantly qualified community representatives
- 1 Zero Emissions Byron (ZEB) representative
- 1 Resilient Byron representative
- Byron Shire Council General Manager (or staff member delegate)

Note: Staff members participating on the committee do not have any voting entitlements.

6. Induction

All members will be required to participate in an induction process at the establishment of a new committee, and at any time a replacement voting member joins a committee. The induction will be scheduled prior to the first meeting of the committee and will cover topics such as this Constitution, the Code of Meeting Practice, Conflicts of Interest and Code of Conduct.

Replacement voting members will be inducted by experienced committee members at, or prior to, their first meeting.

7. Quorum

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. The General Manager or delegate, who must be a member of staff, is to attend the Advisory Committee meeting and is not counted in the quorum for the meeting.

8. Confidentiality

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

9. Election of Chairperson

The position of Chairperson is to be elected from Councillors comprising the committee but only in circumstances where the Mayor elects not to assume the position of Chairperson.

10. Voting

- a) Each member of the committee (with the exception of staff members) is to have one vote, with the Chairperson to have a casting vote in addition to a deliberative vote.
- b) Members of the committee who are not Councillors may abstain from voting in any circumstances without such abstention being recorded in the negative.

11. Majority Decision

A majority decision of the committee requires a majority of elected members to be present and voting on any item subject to the requirements of a quorum being met at the meeting.

12. Convening Meetings

Meetings will be held as required, generally every quarter. An annual timetable of meetings will be prepared in advance and adopted by Council for the following 12 months.

A meeting of the committee may be convened in response to either the direction of the Mayor (or in the Mayor's absence the Deputy Mayor) in written form to the General Manager; or two Councillors in written form to the General Manager, or by resolution of the Council.

13. Agenda Preparation

It is the responsibility of the chairperson to prepare the agenda in consultation with the relevant Director, setting out the terms of business to be considered.

The agenda is an organised list of the business, in order, that will be transacted at the meeting. An agenda for each meeting, containing a brief report on each item, is to be provided to committee members and available on Council's website at least 7 days prior to the meeting being held.

Each item of business to discuss at the meeting is required to be listed on the agenda and in written form. Verbal reports at the meeting are not an acceptable practice.

For some matters, it will be necessary to attach other relevant information to the agenda to inform and direct discussion. Such information is to be circulated with the agenda.

Committee members may request items for inclusion in future agendas, through the Chair.

14. Conduct of Business

Each item of business is discussed in the order in which it appears on the agenda. No new matters will be introduced at the meeting. New items of business may be included in a future agenda as noted in clause 13 above.

Constitution: Climate Change & Resource Recovery Advisory Committee

15. Records of meetings

- a) The minutes of meetings are to be circulated to members of the group within 7 days of the meeting so that members can provide feedback through the Chair on the draft unconfirmed minutes.
- b) Minutes of committee meetings will be kept and presented to Council at its next meeting via a report of the committee meeting.

16. Absence from Committee Meetings

All committee members are required to advise the chair when they are unable to attend committee meetings. The absence of committee members from the meeting is to be recorded in the minutes. A committee member (other than the Mayor) ceases to be a member of a committee if the member:

- a) Has been absent from three consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absence, or
- b) Has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

17. Project Reference Groups

Project Reference Groups may be established by Council at the recommendation of the committee to address issues clearly identified by the committee.

Project Reference Groups operate in accordance with Council's adopted Constitution template for Project Reference Groups.

18. Section 377 Delegation

The committee does not have any delegated functions pursuant to section 377 of the Local Government Act (1993) and does not have the power to direct staff.

19. Meeting Practice

Meetings are to be conducted in accordance with this Constitution and, where required, reference to Council's Code of Meeting Practice.

20. Miscellaneous

- a) **Insurance:** All group members are covered by the public liability policy of Council. This insurance does not preclude the Advisory Committee from due diligence and all Council policies must be adhered to.

Constitution: Climate Change & Resource Recovery Advisory Committee

- b) **Code of Conduct:** All group members to abide by Council's adopted Code of Conduct at all times.
- c) **Pecuniary Interest:** Pecuniary Interest may be defined as an interest that a person has in a matter, as a group member or employee of a company or other body, because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person, or another person with whom the person is associated. Such other person includes the spouse or de-facto partner or relative of the group member.

Section 446 of the Local Government Act states that "a member of a council committee, other than a committee that is wholly advisory, must disclose pecuniary interests..."

Even though the Local Government Act provides an exemption to disclose pecuniary interests Council's preference is for all members to declare pecuniary interests where applicable.

- d) **Work Health Safety:** All group members are required to comply with the "Worker Responsibilities" as prescribed in the Work Health Safety Policy.

STAFF REPORTS - INFRASTRUCTURE SERVICES

Report No. 3.3 Resource Recovery Projects Update

Directorate: Infrastructure Services

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

File No: I2022/1473

Summary:

10 This report provides a brief overview of some of the Resource Recovery Projects currently underway. Whilst the report does not cover all projects and activities it aims to provide an update on projects that are public facing, or of relevance to the Committee.

RECOMMENDATION:

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

20

Resource Recovery Projects Update

Byron Resource Recovery Centre – Major Capital Projects

A Project Officer was engaged in September to deliver three integrated Capital Works Projects for the Resource Recovery Department:

Leachate System Upgrade Project

Leachate is defined as: *any contaminated liquid that is generated from water percolating through a solid waste disposal site, accumulating contaminants, and moving into subsurface areas. A second source of leachate arises from the high moisture content of certain disposed wastes.*

All waste facilities are required to capture and adequately manage leachate generated from their sites and activities.

This Project looks to implement a revised system to manage leachate at the site, which may include reduction, on-site treatment and discharge (or re-use) and / or continuation of the current practice of tank storage and leachate transport off-site to West Byron Sewerage Treatment Plant (STP). The current storage infrastructure is aging and requires upgrade and/or replacement. The Leachate System Upgrade project is focused on meeting licence conditions and ensuring site leachate capture in accordance with environmental and government requirements, with the first stage of the Project being a Project Plan submitted to the NSW EPA on 4 November 2022.

Southern Landfill Closure and Rehabilitation Project

Talis Consultants have been engaged to undertake the design of the closure, capping and rehabilitation of the Southern Expansion Landfill in accordance with NSW EPA Guidelines. This design scope requires provision for operational space at the crown of the capping, enabling current operations to continue post closure. The design work has also included an independent stability risk assessment. It is expected that this design will be finalised and submitted to the NSW EPA by the end of December 2022. whilst the landfill has not been operational since 2015, there has been some air space remaining. Capping the landfill essentially places a permanent lid over it, and therefore significantly reduces the amount of leachate infiltration from rainwater through the waste.

BRRC Stormwater Management Plan Implementation

Concurrent to the Closure and Rehabilitation Plan, Talis have also delivered a Stormwater management Plan for the Resource Recovery Centre site. The Plan integrates with the Closure and Rehabilitation project and also addresses areas for improvement and clean

water diversion across the site. The implementation of the Plan is being coordinated by the Project Officer with Stage One works underway.

Resource Recovery Projects and Programs

5 Regional Waste Investment Review Project

Working with 8 neighbouring Councils on regional solutions for recycling and residual waste. A separate report with further detail has been provided to the Committee on this Project.

10 Second Life for Second Hand Shop

- EPA Waste Less Recycle More funded program
- Shop to be to be renamed and rebranded as *Re-market*
- Council run business promoting a Circular Economy Improvements and enhancements aimed at engaging the broader community and encouraging circular economy initiatives including repair and upcycling workshops, improved signage and Point of Sale System to allow for better data capture and management of stock.
- Moving existing shed on site to outdoor Shop space to allow for workshops and increased all weather storage of goods

20 Bring It Back Bruns

- EPA funded pilot to implement reusable container scheme in place of single use takeaway containers
- Business engagement commenced with two business signing up thus far
- Containers to be used for the trial have been ordered and receptacles for collection under construction.
- Launch event in planning stages – may coincide with Brunswick Picture House outdoor cinema event

Food and Garden Organics – allowable materials changes

- SCRAP Together: Regional TV and social media campaign – aimed at diverting more food waste out of landfill bins and into organics bins

BYRON SHIRE COUNCIL

STAFF REPORTS - INFRASTRUCTURE SERVICES

3.3

- EPA changes to allowable items in the organics (FOGO) stream have been communicated to businesses in Brunswick Heads involved in the Circular Cafes program
- No food packaging – either cardboard or bio plastic will be allowed in organics bins
- 5 • Regional Council's do not wish to communicate information prematurely, in case EPA changes their position
- Proposing broader community communications to commence early 2023

Concrete recycling trial

- 10 • Commenced in October at the BRRC.
- Set up in 2 locations- commercial and public drop off areas- recovery of a resource, concrete/ bricks/ roof tiles, and prevent from going to landfill in QLD.
- Trial aims at understanding volumes, handling costs and logistics, once understood, an appropriate fee can be attributed to encourage separated concrete bricks and
- 15 tiles and reduce incidence of illegal dumping
- Reduced weight and transport costs associated with this waste stream and reduced cost in handling this material on site.
- 14 tonne of concrete diverted thus far – working with Bens Recycling at Alstonville who is processing into recovered aggregate

Single Use Plastics and Other Materials Policy and Balloon Ban

- Work on the Single Use Plastics and Other Materials Policy, as well as a Balloon Ban Policy for all Council business, Council owned and managed lands, and in Council buildings and facilities is underway.
- 25 • Implementation of policies such as these will be supported by guidelines and resources as well as extensive education campaigns.
- These Policies will enable appropriate actions to be demonstrated to the Community and assist with guiding them to do the same.
- Engagement with key internal stakeholders has commenced with favourable
- 30 response.

Christmas / Summer peak season servicing

BYRON SHIRE COUNCIL

STAFF REPORTS - INFRASTRUCTURE SERVICES

3.3

- Additional “summer service” will commence Monday 26 December – Friday 6 January 2023 whereby all residential properties have all of their bins (3 in urban and 2 in rural areas) serviced for the two week period.
- The Byron Resource Recovery Centre will be closed to the general public all public holidays, as well as half day for staff Christmas Party 16th December.
- Additional public place servicing (including afternoons) to commence start of school holidays, as well as during “schoolies” and be monitored from then until end of January
- Additional public place bins to be allocated at Apex Park Byron Bay, Banner Park, Terrace Park and Torakina Brunswick Heads over peak period – exact dates to be confirmed but likely 21/12/22 – 9/1/2023.
- Community education campaigns to encourage avoidance, reuse, buying second hand, using leftovers, correct recycling etc to run in lead up to Christmas period.
- Communication on servicing changes and site closures via newsletters, social media, media release etc to commence December.

Resource Recovery Flood Preparedness

- Internal working document specific to the Resource Recovery Team in accordance with Councils overarching Recovery Action Plan.
- Actions to deal with improvement, preparedness and ensure resourcing plans for future events
- Addresses who and how we work with Community organisations to support salvage and repair, as well as the education and communication tools needed for volunteers, community organisations, residents and businesses.
- Operational need for contingency sites for the transfer of waste, and working with neighbouring Councils on a regional approach, as well as support should there be an event isolated to one or two local government areas.
- Integrate with Councils Business Continuity Plan where appropriate

Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
3: Nurtured Environment We nurture and enhance the natural	3.5: Minimise waste and encourage recycling and resource	3.5.1: Waste management and resource recovery	3.5.1.3	Improve management of Council generated waste

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CSP Objective	CSP Strategy	DP Action	Code	OP Activity
environment	recovery practices	strategy - Implement Integrated Waste Management and Resource Recovery Strategy - Towards Zero		
3: Nurtured Environment We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.2: Recycling - Work with business and tourism sector to reduce waste to landfill	3.5.2.2	Implement reusable takeaway container pilot program in Brunswick Heads
3: Nurtured Environment We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.2: Recycling - Work with business and tourism sector to reduce waste to landfill	3.5.2.4	Reduce contamination in kerbside organics and recycling
3: Nurtured Environment We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.3: Waste collection and landfill - Maintain and enhance solutions to recover / treat / dispose of residual waste	3.5.3.2	Support the progression of a regional; alternative waste treatment facility in alignment of the adopted strategy and relevant resolutions

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CSP Objective	CSP Strategy	DP Action	Code	OP Activity
3: Nurtured Environment 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	3.5.4.4	Improve and enhance the Second Hand Shop to increase patronage, upcycling and repair
3: Nurtured Environment We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.5: Facilities and services - Provide resource recovery facilities and services that meet statutory requirements	3.5.5.1	Maintain compliance with NSW Environmental Protection Licences for the Byron Resource Recovery Centre and Myocum Landfill
3: Nurtured Environment We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.5: Facilities and services - Provide resource recovery facilities and services that meet statutory requirements	3.5.5.3	Implement closure and rehabilitation Plan for Myocum Landfill
3: Nurtured Environment We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.5: Facilities and services - Provide resource recovery facilities and services that meet	3.5.5.4	Deliver Stormwater Management Plan of Byron Resource Recovery Centre Site (Stage 1)

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CSP Objective	CSP Strategy	DP Action	Code	OP Activity
		statutory requirements		
3: Nurtured Environment We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.5: Facilities and services - Provide resource recovery facilities and services that meet statutory requirements	3.5.5.6	Deliver Leachate Management system upgrade in accordance with Variation of EPL conditions

Legal/Statutory/Policy Considerations

Applicable Strategies, Plans and Information

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

- 5 [Towards Zero Integrated Waste Strategy 2019 to 2029 - Byron Shire Council \(nsw.gov.au\)](#)
[FOGO information for households \(nsw.gov.au\)](#)

Financial Considerations

Financial Considerations will be reported once Capital Project budgets are reviewed.

10 Consultation and Engagement

- Resource recovery Team
- Executive Team
- Relevant Internal Staff

Report No. 3.4 North Coast Regional Waste Investment Project and Richmond Valley Council's waste update for Councils

Directorate: Infrastructure Services

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

File No: I2022/1474

Summary:

10 The Report provides the Committee with an overview of the North Coast Waste Investment Review Project to date, and how this has coincided with the NSW Governments Policy and Planning around Energy from Waste.

15 The intent of the North Coast Waste Investment Review Project, from Council's point of view, is to determine the volume and types of materials we are dealing with as a region, the possible solutions for avoidance, reuse, recycling, recovery and as a last resort energy recovery and disposal. Through working with neighbouring Councils, solutions for a range of waste streams have been discussed, with a move to a Circular Economy model at the forefront.

20 Concurrently, the NSW government has put in place regulation and policy around Energy from Waste and stipulated locations in which it would allow this to occur, which includes the Richmond Valley Jobs Precinct.

RECOMMENDATION:

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

30

Report

Background

- Byron Shire Council is one of 13 Councils in the NSW North Coast region participating in the North Coast Waste Investment Review Project (The Project) which commenced in 2019. The Project has considered options to develop regional responses to collective waste challenges, including infrastructure to divert residual waste (the waste left after resource recovery and recycling) from landfill, to enhance resource recovery rates and to support the security and local opportunity of the recovered materials supply chain through to end markets.
- The project has been driven by Richmond Valley Council with support and expertise from Council Waste staff and General Managers from all participating Councils.

Stage 1: Waste Stocktake and North Coast Regional Waste Investment Review Report

- Thus far the Project has delivered a *Waste Stocktake* analysis, assessing the amount and type of waste within the region, as well as the infrastructure that currently exists to deal with this waste. On this basis the *North Coast Regional Waste Investment Review Report* was developed. These reports provide the information base for Councils to test the market for Alternate Waste Treatment (AWT) solutions for all waste streams that are environmentally, economically and socially acceptable to North Coast communities. AWT refers to a range of activities that process mixed solid waste into products (such as compost, fuel, biogas, energy) as an alternative to landfilling. Modelling included financial analysis, carbon profiling and also described opportunities to support the emergence of a local circular economy.

Stage 2: Market Sounding and Expression of Interest

- In the second stage of the Project, 9 of the original 13 Councils committed to participation in a Market Sounding and Expression of Interest (EOI), for the establishment of regional waste facilities with a focus on alternative waste treatment solutions for both residual and recyclable waste streams. Consultants MRA were engaged to undertake the EOI process on behalf of the 9 Councils. This allowed companies who have the suitable technology to deal with the volume and classifications of waste within the region to put forward a proposal, and for these proposals to be assessed transparently.

- Richmond Valley Council have received submissions to the EOI put to the market. Responses covered residual, recycle and food organic/green organic streams. A wide range of technologies have been put forward, including energy from waste facilities. Submissions have been assessed using the methodology outlined in the EOI documents. MRA has assisted Richmond Valley Council with the EOI process and assessment. The EOI process has demonstrated that there is strong market interest in establishing alternative waste technologies on the North Coast.

Energy from Waste: NSW Government

Concurrent to the North Coast Regional Waste Investment Project, the NSW Government has released the *Energy from Waste Infrastructure Plan* to support the *NSW Waste and Sustainable Materials Strategy 2041*. The *Plan* recognises that thermal treatment of waste will form part of the future solution for managing residual waste in NSW, providing an opportunity to replace less environmentally sound energy sources, such as coal-fired power stations, and avoid methane emissions from landfill. Alternate waste treatment will not be prioritised over reduction and reuse.

In July 2022 the NSW Government put in place new energy from waste regulation - *The Protection of the Environment Operations (General) Amendment (Thermal Energy from Waste) Regulation 2022* which put into law the Government's *Energy from Waste Infrastructure Plan* to strategically locate energy from waste in four designated locations in NSW to maximise efficiencies in infrastructure, waste management, innovation and energy recovery. The Richmond Valley Regional Job Precinct has been identified as one of these four locations.

Any proposals within the priority infrastructure areas would be required to comply with current planning and environmental legislation and policies, including the NSW Government's Policy Statement on Energy from Waste Facilities.

This policy statement, released in June 2021, provides for extensive community consultation and includes some of the most rigorous environmental controls in the world.

Under the Policy, proposals must:

- Meet current international best practice techniques, including emissions controls
- Use technologies that are proven, well understood and capable of handling the waste inputs
- Meet technical, thermal efficiency and resource recovery criteria
- Undertake monitoring with real-time feedback.

Furthermore, such facilities will only be supported where they are used to manage residual waste, not as an alternative to recycling.

North Coast Waste Investment Review Project: As at November 2022

Private companies have made submissions via the EOI process. The details of these submissions have not yet been made available to the participating Councils, and there are several other steps required before the Project would proceed to this stage if at all.

Richmond Valley Council, as the lead in the procurement process, has provided the following information with regards to next steps;

To further consider the possibilities of an Alternate Waste Treatment solutions for the North Coast, the following next steps are proposed:

- *Confirming the depth of support from the State Government and any funding that may be available for Alternate Waste Treatment facilities*
- *Exploring the process by which the Parkes Energy from Waste facility is being procured, and how proposals in Lithgow and Goulburn are progressing*

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- *Exploring the contractual arrangements underpinning the Energy from Waste facilities that have been developed in Western Australia*
- *Developing relationships with potential advisors*
- *Developing a communications strategy to inform the community on all options*
- *Developing potential procurement strategies for the different options*
- *Continued liaison and partnering with North Coast councils*

Within the Byron Shire a long-term sustainable option for residual waste management is a key priority, given the sole licensed landfill is scheduled for closure and remediation within the next 12 months. Currently residual waste is transported to Ti-Tree Bioenergy Landfill in South-East Queensland for disposal, however a more localised facility is preferable.

Whilst individual Councils have committed to being a part of the Market Sounding and EOI process, this does not commit to continuation in the project overall. Council's participation will be determined by the opportunities presented through this process and a rigorous assessment process which includes consultation with Councillors and alignment with Councils Strategies which strongly preference Circular Economy and Resource Recovery Initiatives above any disposal options.

Next steps

The Climate Change and Resource Recovery Advisory Committee will be kept updated as more information comes to hand in relation to the North Coast Waste Investment Review Project, as well as any developments in relation to Richmond Valley Council and Energy from Waste.

Councils are simultaneously looking at a range of options which include Projects to process construction and demolition waste and keep it in circulation, further food and garden processing facilities, recycling through Materials Recovery Facilities and plastics processing. Future projects aim to assist in designing out waste at the source, implementing reuse programs to eliminate single use materials and ensuring recycled content materials are pulled through supply chains, decreasing the need for disposal options

Strategic Considerations

[Towards Zero Integrated Waste Strategy 2019 to 2029 - Byron Shire Council \(nsw.gov.au\)](https://www.nsw.gov.au/towards-zero-integrated-waste-strategy-2019-to-2029)

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
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3: Nurtured Environment We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.3: Waste collection and landfill - Maintain and enhance solutions to recover / treat / dispose of residual waste	3.5.3.1	Maintain and manage Waste and Resource Recovery Collection, processing and disposal contracts
3: Nurtured Environment We nurture and enhance the natural environment	3.5: Minimise waste and encourage recycling and resource recovery practices	3.5.3: Waste collection and landfill - Maintain and enhance solutions to recover / treat / dispose of residual waste	3.5.3.2	Support the progression of a regional; alternative waste treatment facility in alignment of the adopted strategy and relevant resolutions

Legal/Statutory/Policy Considerations

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

[NSW Energy from Waste Policy Statement](#)

5 [Energy from Waste Infrastructure Plan \(nsw.gov.au\)](#)