

Notice of Meeting

Climate Change and Resource Recovery Advisory Committee Meeting

An 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, 21 September 2023
Time	2.00pm

Shannon Burt
Director Sustainable Environment and Economy

I2023/1397
Distributed 13/09/23



BYRON
SHIRE
COUNCIL

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. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 3.1 Confirmation of minutes from the 29 June meeting 6

4. STAFF REPORTS

Sustainable Environment and Economy

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4.2 Development of Litter and Illegal Dumping Strategic Plan 17
4.3 Future Discussion Items for Climate Change and Resource Recovery
Advisory Committee..... 22

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Confirmation of minutes from the 29 June meeting

5 **Directorate:** Sustainable Environment and Economy


File No: I2023/1329

10 **RECOMMENDATION:**

That the minutes of the Climate Change and Resource Recovery Advisory Committee Meeting held on 29 June 2023 be confirmed.

Attachments:

15

1 Minutes 29/06/2023 Climate Change and Resource Recovery Advisory Committee, I2023/965 , page 8 [↓](#) 

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

Report

The attachment to this report provides the minutes of the Climate Change and Resource Recovery Advisory Committee Meeting of 29 June 2023 .

Report to Council

- 5 The minutes will be reported to Council on 28 September 2023.

Minutes of Meeting
Climate Change and Resource Recovery
Advisory Committee Meeting

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 29 June 2023
Time	2.00pm



BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

CLIMATE CHANGE AND RESOURCE RECOVERY ADVISORY COMMITTEE MEETING
MINUTES 29 JUNE 2023

**Minutes of the Climate Change and Resource Recovery Advisory Committee
Meeting held on Thursday, 29 June 2023**

File No: I2023/965

PRESENT: Cr Asren Pugh, Cr Duncan Dey

Staff: Shannon Burt (Director Sustainable Environment and Economy)

Julia Adams (Sustainability Team Leader)

Danielle Hanigan (Manager Resource Recovery)

Sarah Child (Resource Recovery Strategy and Engagement Officer)

Community: Bronwyn Elliott

Fleur Brown

Madeleine Green

Sasha Mainsbridge

Christobel Munson (Zero Emissions)

Cr Pugh (Chair) opened the meeting at 2:04pm and acknowledged that the meeting was being held on Bundjalung Country.

ATTENDANCE VIA AUDIO-VISUAL LINK: Cr Asren Pugh, Bronwyn Elliott

APOLOGIES:

Cr Mark Swivel, Cr Sarah Ndiaye, Luke McConell, Katrina Shields (ZEB representative), Jean Renouf (Plan C Byron), Sharyn French

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

Madeleine Green declared a non-pecuniary interest. The nature of the interest being that Madeleine lives 2kms from the Resource Recovery Centre.

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

CLIMATE CHANGE AND RESOURCE RECOVERY ADVISORY COMMITTEE MEETING
MINUTES 29 JUNE 2023

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 **Confirmation of minutes from the 18 May 2023 meeting**
File No: **I2023/807**

Committee Recommendation:

That the minutes of the Climate Change and Resource Recovery Advisory Committee Meeting held on 18 May 2023 be confirmed.

(Dey/Brown)

The recommendation was put to the vote and declared carried.

Note: The minutes of the meeting held on 18 May 2023 were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on 22 June 2023.

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 **Future Discussion Items for Climate Change and Resource Recovery Advisory Committee**
File No: **I2023/727**

Committee Recommendation:

That the Climate Change and Resource Recovery Advisory Committee notes the community members' report and looks forward to a more detailed report in the September meeting.

(Green/Brown)

The recommendation was put to the vote and declared carried.

CCRR Climate Change and Resource Recovery Advisory Committee Meeting page 4

BYRON SHIRE COUNCIL

CLIMATE CHANGE AND RESOURCE RECOVERY ADVISORY COMMITTEE MEETING
MINUTES 29 JUNE 2023

Report No. 4.2 **Regional Waste Strategy and Waste to Energy**
File No: I2023/806

Committee Recommendation:

That the Climate Change and Resource Recovery Advisory Committee:

1. Notes the report;
2. Notes that we oppose any incineration or waste treatment that results in worse environmental outcomes than current operations.
3. That Council supports the NSW Energy From Waste Policy Statement 2022 approach that the *incineration facilities for the destruction of waste* not be permitted.
4. Supports maintaining an open, investigative approach to long term waste management, including alternative waste treatment, ensuring options are assessed transparently to ensure the best outcome for the environment and our communities; and.
5. Is updated on regional waste management initiatives and any progression or changes in energy from waste status locally or at a State level as part of the Resource Recovery Update report provided to this Committee each meeting.

(Mainsbridge/Brown)

The recommendation was put to the vote and declared carried.

Report No. 4.3 **Draft Single-use Packaging and Materials Policy**
File No: I2023/549

Committee Recommendation:

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

(Brown/Dey)

The recommendation was put to the vote and declared carried.

BYRON SHIRE COUNCIL

CLIMATE CHANGE AND RESOURCE RECOVERY ADVISORY COMMITTEE MEETING
MINUTES 29 JUNE 2023

Report No. 4.4 Sustainability project updates
File No: I2023/877

Committee Recommendation:

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

(Pugh/Munson)

The recommendation was put to the vote and declared carried.

Report No. 4.5 Climate Change Risk and Adaptation: Council Project Update
File No: I2023/419

Committee Recommendation:

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

(Munson/Brown)

The recommendation was put to the vote and declared carried..

OTHER BUSINESS

John Taberner resigned from the Climate Change and Resource Recovery Advisory Committee on 22 June 2023.

Committee Recommendation:

That Council seek a replacement member for the Climate Change and Resource Recovery Advisory Committee.

The recommendation was moved by Cr Dey and seconded by Christobel Munson.

The recommendation was put to the vote and declared carried.

There being no further business the meeting concluded at 3:59PM.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 Investigating Bangalow Heritage House as an eco-house demonstration site

5 **Directorate:** Sustainable Environment and Economy

Report Author: Hayley Briggs, Sustainability Officer
Rachel Thatcher, Sustainability Officer

File No: I2023/1122

Summary:

10 Zero Emissions Byron (ZEB) have proposed to Council staff an option to retrofit Bangalow
Heritage House as an eco-house demonstration site. An energy and water efficiency audit
of Bangalow Heritage House was conducted by ZEB to establish baseline energy and
water usage and corresponding measures to improve efficiencies were recommended by
15 the auditor. These include (but are not limited to) LED lighting, water tanks, insulation, and
induction cooktop.

ZEB have consulted with the Sustainability Team on several occasions to establish what
the process is for implementing these measures, as well as constraints and permissions.
The Sustainability Team is supportive of energy and water efficiency upgrades on Council
assets however do not manage building alterations and have therefore consulted with the
20 asset manager for advice. As advised by the Social and Cultural Planning Team, there are
several considerations that need to be addressed. These include:

- A detailed project proposal is to be provided to the Social and Cultural Planning
Team in order to make an assessment
- The current lease to Bangalow Historical Society ends on 30 June 2024
- 25 - A Councillor Workshop is to be held in September to explore future lease options.

The Sustainability Team have provided guidance to ZEB on these points and are also
assisting with solar monitoring.

30

RECOMMENDATION:

That Zero Emissions Byron provides the Social and Cultural Planning Team with a project proposal outlining key items as discussed in report.

Report

5 ZEB contacted the Sustainability Team to gain clarification on what they needed from Council to retrofit Bangalow Heritage House as an eco-demonstration site. The Sustainability Team consulted with the Social and Cultural Planning Team, who manage the asset, in relation to the proposal. The corresponding advice was for ZEB to provide them with a more detailed project proposal including the following items:

- Intended project outcomes
- Project stages and key deliverables
- Project governance, roles and decision making
- 10 - Site options, including criteria for site selection and alternative sites
- Budget and funding sources
- Risks and mitigations
- Timeframes including ongoing maintenance etc.

Other points to consider were:

- 15 - The current lease for Bangalow Heritage House ends on 30 June 2024
- A Councillor Workshop will be held in September to explore lease options.

Next steps

ZEB is working on a proposal for the Social and Cultural Planning Team and the Sustainability Team will continue to provide assistance and clarification where needed.

20 **Strategic Considerations**

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
3: Nurtured Environment	3.4: Support and empower the community to adapt to, and mitigate the 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

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

Financial Considerations

5 The proposal will require funding to go ahead. Council allocates funding for community groups through the grant process to ensure fair and equitable distribution of funds. ZEB have been directed to Council's Grants Officer for assistance. The Sustainability Team have also offered in-kind support should the project go ahead.

Consultation and Engagement

Stakeholder	Consultation	Mode of Engagement
Zero Emissions Byron	Discussed proposal, energy audit recommendations, funding, and ongoing requirements and support from Council.	In person, email
Manager Social and Cultural Planning	Discussed proposal, requirements for approval, and leasing issues.	In person, email

Report No. 4.2 Development of Litter and Illegal Dumping Strategic Plan

Directorate: Infrastructure Services

Report Author: Zoe White, Waste Education and Compliance Officer

5 **File No:** I2023/1069

Summary:

10 Purpose: To inform the Climate Change and Resource Recovery Committee that the Resource Recovery team have commenced the development of a Litter and Illegal Dumping Strategic Plan 2024 – 2029 (The Plan) and outline the community engagement activities that will be undertaken in this process.

Targets and objectives were achieved from the past Illegal Dumping and Litter Education and Enforcement Plan 2019 including a:

- 40% reduction in litter volume (achieved 40.8% reduction end of 2021)
- 30% reduction in illegal dumping incidents (achieved 36% reduction 21/22 FY)

15 The Plan will continue to build on this success to reduce illegal dumping and littering in the Shire and the various impacts these issues have on our community.

RECOMMENDATION:

20 **That the Climate Change and Resource Recovery Committee notes the report on the Development of a Litter and Illegal Dumping Strategic Plan.**

Report

Background

Council developed an Illegal Dumping and Litter Education and Enforcement Plan (IDLEEP) in 2019. The document provided a comprehensive outline of the objectives and associated action plans to help reduce both litter and illegal dumping in the Byron Shire, which has now been implemented.

Through delivery of the IDLEEP, the following targets, that aligned with state targets (at that time) were both exceeded:

- 40% reduction in litter volume (achieved 40.8% reduction end of 2021)
- 30% reduction in illegal dumping incidents (achieved 36% reduction 21/22 FY)

To align with updated state strategies and targets set by NSW EPA, objectives within BSC's endorsed Towards Zero Integrated Waste Management and Resource Recovery Strategy (2019-2029) and to continue reducing litter and illegal dumping in the Byron Shire, an updated long-term, and more strategic plan is required. Development of the Plan will ensure cross-organisational efforts to reduce the environmental, social and economic impacts that litter and illegal dumping have on the organisation and region and continues to address current needs.

The Plan will set out a clear strategic vision, targets and objectives to ensure litter and illegal dumping is significantly reduced in the Byron Shire over the next five years (2024-2029). The document will be guided by thorough research, stakeholder engagement, ongoing monitoring and a Cost of Litter and Illegal Dumping Study.

Grant Funding

Council successfully obtained \$95,000 in grant funding under the NSW EPA Waste and Sustainable Materials Strategy 2041 (WASM) Litter Prevention Grants Program - Stream 2: Strategic development and capacity building. This funding will cover the associated costs for developing the litter component of the Plan, including salaries and consultancy costs. The Illegal dumping component of the Plan will be developed concurrently, however this will be funded by Council from the waste reserve under current budgets.

This grant project will also entail undertaking NSW EPA strategic documents - a prerequisite for applying for Stream 3 funding in 2024, which would provide long-term funding (up to \$500,000 in total) for implementation of the plan. Demonstrating executive endorsement and cross organisational collaboration is in keeping with the EPA's framework, and a pre-requisite for Stream 3 funding.

5

Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
3: Nurtured Environment	3.2: Deliver initiatives and education programs to encourage protection of the environment	3.2.2: Environmental education and awareness - Coordinate and support environmental education to the community	3.2.2.6	Support and promote annual Clean Up Australia Day events throughout the Shire in collaboration with community groups and members
3: Nurtured Environment	3.2: Deliver initiatives and education programs to encourage protection of the environment	3.2.3: Planning - Plan to improve the quality of the natural environment	3.2.3.3	Participate in coastal and environmental working groups and initiatives
3: Nurtured Environment	3.3: Protect the health of coastline, estuaries, waterways, and catchments	3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation	3.3.1.3	Identify pollution sources and plan to improve water quality in Byron Shire's intermittently closed and open lakes and lagoons (ICOLLS)

BYRON SHIRE COUNCIL

STAFF REPORTS – INFRASTRUCTURE SERVICES

4.2

		on		
3: Nurtured 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	3.5.1.4	Develop updated Illegal Dumping and Litter Education and Enforcement Plan (IDLEEP) for 2024 - 2029 in accordance with new NSW EPA litter and illegal dumping strategies and targets
3: Nurtured 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	3.5.2.1	Develop and deliver targeted anti-littering and waste avoidance campaign for visitors, tourists and short-term accommodation providers
3: Nurtured 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 Illegal Dumping and Litter Education / Enforcement Actions

Legal/Statutory/Policy Considerations

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

[NSW Litter Prevention Strategy 2022-2030](#)

[NSW Illegal Dumping Prevention Strategy 2022- 2027](#)

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

Council Policies

[Enforcement Policy 2020](#)

[Homelessness Policy](#)

[Water Sensitive Urban Design Policy](#)

[Asbestos Policy](#)

[Waste disposal fees for not-for-profit groups policy](#)

5 **Consultation and Engagement**

A thorough communications and engagement plan for the project has been developed and approved by the Media and Communications Team. There are a range of communication and engagement activities planned to ensure The Plan incorporates relevant internal and external stakeholder feedback.

10 The key timeframes for engagement are:

- Internal Working Group: Ideas Workshop - July 2023
- Community Survey – Currently Open
- Present to Community Board Association - September 20th
- Present to Climate Change and Resource Recovery Committee – September 21st

15 • Internal Working Group: Review objective - October 2023

- Community Stakeholder Engagement Workshop: November 2023
- Internal Working Group: Review draft - January 2024
- Draft Strategic Plan reported to Council - February 2024
- Draft Strategic Plan on Public Exhibition: March 2024

20 • Final Strategic Plan reported to Council – April 2024

Report No. 4.3 Future Discussion Items for Climate Change and Resource Recovery Advisory Committee

Directorate: Sustainable Environment and Economy

5 **Report Author:** Arika McElroy, Project Support Officer

File No: I2023/729

Summary:

This report summarises reports and information requested by the Climate Change and Resource Recovery Advisory Committee.

10 Future requests, resourcing and alignment with Council’s Operational Plan can be tabled for discussion by the committee.

There were no requests for reports or information received from the Climate Change and Resource Recovery Advisory Committee members for this meeting.

15

RECOMMENDATION:

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

20

Report

There were no requests for reports or information received from the Climate Change and Resource Recovery Advisory Committee members for this meeting.

Requests for future items can be raised at this meeting.

- 5 These requests, resourcing and alignment with Council’s Operational Plan will be tabled for discussion by the committee at the next meeting, to resolve whether they are taken to Council for consideration for inclusion in a future Council OP and budget.

Key issues

Nil

10 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	1.2: Engage and involve community in decision making	1.2.4: Advisory Committees - Coordinate advisory committees to inform decision making on their areas of expertise	1.2.4.1	Coordinate and support Advisory Committees to assist with effective Council decision making

Recent Resolutions

Nil

Legal/Statutory/Policy Considerations

- 15 Nil

Financial Considerations

No detailed costings for requested items provided at this stage.

Consultation and Engagement

Nil