

NOTICE OF MEETING



BIODIVERSITY ADVISORY COMMITTEE MEETING

An Biodiversity Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Bus Tour
Date	Thursday, 14 June 2018
Time	2.00pm

A handwritten signature in black ink, appearing to read 'SB', is located in the lower left area of the page.

Shannon Burt
Director Sustainable Environment and Economy

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 Local Government Act (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 Section 448 of the Local Government Act.

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.

Participation in Meetings Despite Pecuniary Interest (S 452 Act)

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

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 if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

RECORDING OF VOTING ON PLANNING MATTERS

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

- (1) In this section, **planning decision** means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
 - (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
 - (b) not including the making of an order under Division 2A of Part 6 of that Act.
- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document, and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

BYRON SHIRE COUNCIL
BIODIVERSITY ADVISORY COMMITTEE MEETING

BUSINESS OF MEETING

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY**
- 3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

3.1 Biodiversity Advisory Committee Meeting held on 30 April 2018

4. STAFF REPORTS

Sustainable Environment and Economy

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| 4.2 | Agri-environment projects site visit | 7 |

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 Pest Animal Management Plan Update

Directorate: Sustainable Environment and Economy

Report Author: Clare Manning, Biodiversity Officer

File No: I2018/928

Theme: Ecology
Planning Policy and Natural Environment

Summary:

To provide an update to the Biodiversity Advisory Committee regarding recommendations from 12 March 2018 meeting, and the preparation of a new Pest Animal Management Plan (PAP).

Due to unforeseen circumstance in which key consultant resources have changed, delivery of a draft Pest Animal Management Plan for public exhibition for a 6 week period 28 June to 10 August 2018 is delayed by 6 weeks.

A draft Pest Animal Management Plan for public exhibition will now be available for a 6 week period 9 August to 20 September 2018, prior to reporting to Council on 22 November 2018.

To minimize the impacts, a timetable to deliver the PAP is detailed in this report.

RECOMMENDATION:

That the Biodiversity Advisory Committee note the revised project timetable for the Pest Animal Management Plan.

Report

Under the NSW Government Saving our Species – Iconic Koala grant, Council has secured \$40,000 to implement priority threat mitigation actions outlined in the draft Byron Coast Koala Comprehensive Plan of Management (KPOM). The funds are assisting Council to review the Pest Animal Management Plan (PAP) as well as deliver on a number of other threat mitigation activities as identified in the KPOM.

Ecosure Consultancy has been engaged to work with staff to facilitate community workshops and the preparation of a Pest Animal Management Plan (PAP) 2019-24.

A revised PAP will align with Council Resolution (13-621) in that it will seek to cease or minimise the use of pesticides to manage vertebrate pest animals and Resolution 17-500 in that it will aim to meet our legislative obligation by identifying a strategic on ground pest animal management program thus ensure effective and efficient use of future Council funds.

Due to unforeseen circumstance in which key Ecosure Consultancy staff have changed, delivery of a draft PAP for public exhibition for a 6 week period 28 June to 10 August 2018 is delayed by 6 weeks.

To minimize the impacts a timetable to deliver the PAP is detailed below in Table 1.

These changes have been discussed with and supported by the Office of Environment and Heritage, the funding body.

Table 1: Revised timetable for delivery of Pest Animal Management Plan

Stage	Key Milestone	Estimated Time
Stage 1 17-18 FY	Social engagement	Mar - complete
	Draft plan	Mar-Jun – in progress
	Strategic Planning Workshop	7 June – coming soon
	Report to Biodiversity Advisory Committee	14 June – this report
Stage 2 18-19 FY	Report to Executive Team & Council recommending public exhibition	2 August
	Public exhibition for a 6 week period	9 August to 20 September
	Report to Biodiversity Advisory Committee	8 October
	Review submission and finalise plan	10 October
	Report to Council for adoption	22 November

Financial Implications

Nil. Under the NSW Government Saving our Species – Iconic Koala grant, Council has secured \$40,000.

Statutory and Policy Compliance Implications

Local Government have a responsibility under the NSW Biosecurity Act 2015 to prevent, eliminate or minimise biosecurity risks on public land. The general biosecurity duty is a principal that can be used by all land managers to encourage or in some cases enforce best practise behaviours to achieve effective pest animal management

Public land managers will play an integral role in the delivery of the North Coast Regional Strategic Pest Animal Management Plan for an effective, coordinated, nil tenure approach to pest animal management for the delivery of key pest animal programs and strategic planning across the state.

- 5 This Plan will support regional implementation of the NSW Biosecurity Act 2015.

Report No. 4.2 **Agri-environment projects site visit**
Directorate: Sustainable Environment and Economy
Report Author: Sharyn French, Manager Environmental and Economic Planning
File No: I2018/1040
5 **Theme:** Ecology
 Planning Policy and Natural Environment

Summary:

10 To present to the Committee some outstanding, best practice examples of rural properties actively managing their land for agricultural enterprises and improved environmental outcomes in our Shire. This meeting includes a tour to a 40 acre wetland project, cabinet timber and rainforest regeneration at Seapeace, Ewingsdale.

15 The bus will depart our Administration Building's back car park at 2.00pm. Please come prepared for all weather conditions as we will be walking over the project site.

RECOMMENDATION:

20 **That the Biodiversity Advisory Committee note the report.**

Report

The tour will include a visit to Seapeace at Ewingsdale, a 40 acre wetland project, cabinet timber and rainforest regeneration on 300 acres.

Tony Kenway will accompany us to provide information on Seapeace's projects.

Our Shire is fortunate to host other best practice examples, however due to time available for today's we are unable to visit them all, but hope to include them in future site tours:

- Lune de Sang - Kings Road, Federal: removal of a camphor forest and planting of approx. 100,000 diverse cabinet timber trees over 250 acres, for possible future selective forestry
- Bangalow farmland best practice farming using biochar and other soil enriching practices.

Financial Implications

Nil

Statutory and Policy Compliance Implications

Nil