Manly Council
Community Environment Advisory Committee

This Special Purpose Committee has been established under the Local Government Act, 1993

<u>The Status of the Committee is purely advisory</u>

Terms of Reference

1. Title

The Committee shall be known as the Community Environment Advisory Committee (hereinafter called the Committee).

2. Role and Objectives

This is a Special Purpose Committee, convened by General Manager, to provide a forum for discussion and recommendation to Manly Council to:

Advise Council regarding Manly's special natural landscapes, biodiversity and aquatic environments to conserve a sustainable, healthy and safe environment for future generations of the Manly community. Key functions of the Committee will be to:

- Promote environmental best practice
- Advise the General Manager on priority projects to be considered for funding from the Environmental Levy each year
- Review the effectiveness of projects funded on an annual basis following advice provided by Council staff.

- Receive information and provide advice on key environmental and natural resource programs, services and facilities planned to be, or, currently being, provided by Council.
- Advise on environmentally related matters pertinent to the environment and or issues of climate change.
- The Committee may also provide assistance and support to other Committees of Council concerning environmental issues.
- Liaison with and support for the Manly Environment Centre, Sustainability Youth Crew and other stakeholders and interested parties, including National Parks and Wildlife Service in the Manly Area.

Advise the General Manager and Councillors on both allocation and expenditure of funds consistent with Levy criteria, i.e. by

- Reviewing a draft budget each year and providing advice on priorities for expenditure.
- Monitoring environmental outcomes of Levy projects.

The role of this Committee is purely advisory and may not commit Council resources. The Committee is to work within the framework of the Community Strategic Plan and does not deal with day to day operational matters. It should be noted that employees of the Council are not subject to the direction of the Advisory Committee or any of its members.

3. Management

A. Membership of Committee

The Committee shall consist of:

Councillor representative (and the Mayor ex officio):

- Councillor Burns

1 Representative from the National Parks and Wildlife Service (non voting)

1 Little Penguin Warden.

11 Community members.

The Community members shall serve on the Committee in a voluntary capacity.

Membership of the Committee shall be reviewed in September 2016.

The quorum for the Committee is 6 members.

This Committee meets monthly.

B. Absence from Meetings

A Committee member absent from three (3) consecutive Committee meetings without approval of the Committee shall forfeit his/her place on the Committee.

C. Resignation from the Committee

Any member of the Committee may, by notice in writing addressed to the Committee, resign his/her office as a member.

D. Notification of Vacancies

The Committee shall notify the General Manager promptly of any vacancy occurring in its membership, whether it is through death, absence or resignation from the Committee. The Committee shall submit to the General Manager within 28 days the name of a person considered by the Committee to be suitable for appointment. The General Manager will decide whether to accept that appointment, or to call for public Expressions of Interest. All newly appointed members must participate in a committee induction process as soon as possible following their appointment to the Committee so that they can comply with the proper conduct of meetings.

4. Duties of Officers

A. Chairperson

The duties of the Chairperson are to:

- Direct meetings according to the Committee Terms of Reference, and Council's Code of Conduct.
- Facilitate the discussion of items on the agenda in a timely manner, and the consideration and approval of recommendations to Council.
- Ensure all committee members have the opportunity to participate in the meetings.
- Not attempt to direct Council staff, including not directing staff as to the content of any advice or recommendation.

B. Secretariat and Staff Officer

The duties of the Secretariat and Staff Officer are to:

- Call all meetings of the Committee.
- Develop and send out the agenda and reports for the meetings.
- Advise the Committee without fear or favour.
- Comply with Council's Guide to Ethical Behaviour: Staff.
- Record the minutes in the meeting, prepare all minutes and distribute them as described below.

- Keep a record of attendance for every member of the committee.
- Attend to such housekeeping matters as booking meeting rooms and arranging refreshments in accordance with standard protocols.
- The Council Staff will not be members of the Committee, nor have voting rights, nor preside at meetings, apart from when it is necessary to organise the election of a chairperson to preside at the meeting.

C. Members

The duties of the members are to:

- Attend and participate in meetings (as well as induction, planning sessions and relevant training).
- Work co-operatively with other members in achieving the objectives of the Committee.
- Contribute advice, ideas and suggestions relating to items on the agenda.
- Show respect for their peers, councillors, staff and others during Committee meetings.
- Understand that employees of the Council are not subject to the direction of Councillors, Committees or their members.

5. Meetings

- The quorum for the Community Environment Committee has been set at 6 members. A scheduled meeting must be adjourned if a quorum is not present within half an hour after the time designated for the holding of the meeting, or at any time during the meeting. In either case, the meeting must be adjourned to a time, date and place fixed by the Chairperson, or, in his or her absence, by the majority of the members present.

- This is an Advisory Committee, and it is unlikely that there will be a need for voting, however, should that eventuality arise, each member of the Committee shall have one vote and decisions of the Committee shall be by simple majority. In the event of the votes and the members being equal the Chairperson of the meeting shall have a casting vote in addition to his/her deliberative vote.

- Council Secretariat and staff will attend meetings but have no voting rights, and provide administrative support and professional advice, as determined by the General Manager.

- Items may only be raised under General Business if the permission of the Chairperson is obtained before the meeting starts, and each such item is to have a recommendation;

- The first item on the agenda for all committee meetings (after apologies and requests for leave of absence) shall be the declaring by members present of **pecuniary and non-pecuniary interests** and these shall be recorded in the minutes.

- Any committee member who has a pecuniary interest in any matter on the agenda for a committee meeting, or that arises during a meeting at which they are present, must disclose the nature of the interest to the meeting as soon as practicable, and must not be present at, or in sight of, the meeting at any time during which the matter is being considered or discussed, or at any time during which the committee is voting on any question in relation to the matter.

- Conflicts of interest may also arise due to a strong relationship or affiliation the member may have with a matter being discussed by the committee. These are referred to as non-pecuniary interests. A non-pecuniary interest would be considered significant where the relationship or affiliation is such as it would prevent the member from impartially and objectively considering all the relevant information as a result of this conflict of interest.

- A Councillor committee member who has a non-pecuniary interest in any matter on the agenda for a meeting, or that arises during a meeting at which they are present, must disclose the nature of the interest to the meeting as soon as practicable, and, in the case of a “significant” non-pecuniary interest must disclose the nature of the interest to the meeting as soon as practicable, and must not be present at, or in sight of, the meeting at any time during which the matter is being considered or discussed, or at any time during which the committee is voting on any question in relation to the matter.

- A community member of a committee who is also a member or representative of a community group that could be affected by any matter on the agenda, or that arises during a meeting at which they are present, (irrespective of whether or not the person has a pecuniary or a non-pecuniary interest), must state the name of the community group of which the person is a member or representative, and the matter shall be recorded in the minutes.

6. Working Groups

- The Committee may appoint any number of Working Groups at any time to investigate any matter or thing to which the Committee may require information or to organise and manage, subject to the control of the Committee, any activity which may be considered by the Committee to be essential to the objectives of the Committee.

- Each Working Group appointed shall have Terms of Reference and a fixed term.

- The Working Group must ensure that full and accurate minutes of the proceedings of its meetings are kept and completed within 2 weeks of the meeting and then reported to the next available Committee meeting.

7. Minutes, Communications and Reporting

- The agendas and minutes of the Committee shall be stored as a permanent record of Council, as determined by the General Manager.
- Once the draft minutes have been approved they will be referred to the Chair of the Committee for confirmation. The draft minutes will then be circulated to Committee members. Any questions by members regarding the minutes are to be referred immediately to the Staff Officer and if any error in the minutes is confirmed, the Staff Officer shall arrange to make the appropriate changes.
- Minutes will be completed within 2 weeks of the Committee meeting and then reported to the next available Council Meeting.
- All agendas shall be published on Council's website prior to the meeting.
- All minutes shall be published on Council's website within 5 days of adoption by Council.
- Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by Council.

8. Insurance

- Council shall effect personal accident insurance on Committee members together with legal liability cover, Voluntary Workers, cash in transit and personal property insurance cover.

Note: Legal liability cover will only be provided to members of the Committee and voluntary workers whilst they are acting within the scope of their duties for and on behalf of Council.

9. Statutory Requirements

- The Committee shall ensure that the *Local Government Act 1993* and related Regulations, all other statutory provisions and all Council's Codes and Policies relating to its activities are at all time strictly observed.

10. Dissolution

All committees are automatically dissolved from the date of the quadrennial election.

Adopted: 13 March 2013

Modified: 25 February 2016

Addendum:

Members of the Community Environment Committee

Councillor Representatives:

- Councillor Burns

And the Mayor ex-officio

Community Members:

Lloyd Keen
Natasha Hammond-Deakin
Dr Jan Ritchie
Michella Burgers
Keelah Lam
Jacqueline French
Dave Thomas
Jane Seletto
Rosanna Perillo-Boutin
Rosie Lempre

1 Representative from the National Parks and Wildlife Service

Little Penguin Warden

Sue Matthews