



ENVIRONMENT ADVISORY COMMITTEE CHARTER

Adopted: 30 August 2017

TRIM: 005920.2018



ENVIRONMENT ADVISORY COMMITTEE CHARTER

1. NAME

Environment Advisory Committee Charter

2. INTERPRETATION

For the purpose of these guidelines:

- a) “*CEO*” means Chief Executive Officer;
- b) “*Council*” means the Liverpool City Council;
- c) “*Member*” means a member of the Committee;
- d) “*Committee*” means the Environment Advisory Committee.

3. STATUS OF COMMITTEE

Advisory Committee of Council

4. PURPOSE

This committee has been established primarily to consider and provide input to Council’s environment programs by making recommendations to Council.

5. FUNCTIONS

The purpose of the Environment Advisory Committee is to:

- a) Consider key environmental issues facing Liverpool and make recommendations to Council.
- b) Provide input to Council with respect to the development of environmental programs for Liverpool.
- c) Work in partnership with Council in terms of various Environmental initiatives.
- d) Provide input to the implementation of Council’s Environment Restoration Plan.
- e) Provide input to the development of future programs as part of the ongoing implementation of the Environment Restoration Plan.
- f) Provide opportunities for meaningful community participation.

6. OUTCOMES

The Committee aims to achieve the following:

- a) Provide input to the development of future programs as part of the ongoing implementation of Council’s environment programs.
- b) Provide input to Council with respect to the development of environmental related policies for Liverpool.
- c) Allow the dissemination of information to the community on Council’s environmental programs.

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7. COMMITTEE DELEGATIONS

- a) The Committee has no delegation of Authority. Its role is to make recommendations to Council on matters that relate to its purpose.
- b) The committee shall not have the power to incur expenditure.
- c) The committee does not have the power to bind the Council.
- d) The committee can make recommendations to the Council or another committee of the Council on all relevant business presented before it. Recommendations of the Committee will generally be presented to the Council in written form, accompanied by a report from relevant Council officers. Recommendations made by the Council committee may or may not be adopted by Council.
- e) Recommendations made by the committee which are determined by the CEO to be substantially operational in nature will be dealt with by the relevant Director, and any action or decision not to act will be reported to the committee on a regular basis.

8. MEMBERSHIP

The committee does not have the authority to co-opt anyone to its membership.

The committee shall consist of the members outlined in Table 1.

Representative	Number	Term	Method of Appointment
Councillors	2	To September 2015	Resolution of Council
CEO (or delegate) shall assign relevant staff to this committee, usually from the environment discipline.	2	Ongoing	Delegated officers assume membership and participate equally with others in terms of discussion and debate. Delegated Officers do not have voting rights
Community	5	2 years	Expression of interest
Gandangara Aboriginal Lands Council	1	Ongoing	Nominated by the Land Council
Tharawal Aboriginal Lands Council	1	Ongoing	Nominated by the Land Council
Industry Representative	1	2 years	Expression of Interest
Hawkesbury Nepean Catchment Management Authority	1	Ongoing	Nominated by the Authority
Environment Group Coordinators	2	2 years	Expression of Interest
Total members	12		

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Table 1: Environment Advisory Committee (EAC) membership

NOTE: In accordance with Council's Resolution of 24 September 2014, all Councillors are entitled to attend, speak and participate in Committee deliberations.

8.1 Community representatives

The criteria for membership of the Committee as a community representative are:

- a) Demonstrated interest in conserving, maintaining and protecting the natural environment.
- b) Demonstrated experience/knowledge in environmental practices and issues.
- c) Ability to achieve objectives in a team environment.
- d) Willingness to participate in community capacity building to achieve broad environmental outcomes.

8.2 Industry representative

The criteria for membership of the Committee as an environmental industry representative are:

- a) Professional background (Background in the environmental field preferable).
- b) Demonstrated genuine interest in the community and natural environment of Liverpool.
- c) Willingness to add value to programs and initiatives.

8.3 Environment Group representatives

The criteria for membership of the Committee as an Environment Group representative are:

- a) A requirement to be a Coordinator for one of Council's approved Environment Groups.
- b) Demonstrated genuine interest in the community and natural environment of Liverpool.
- c) Willingness to participate in community capacity building to achieve broad environmental outcomes.

8.4 Method of Appointment for Community & Industry Representatives

Community and industry representatives shall be elected as follows:

- a) Advertisements for nominations to the Committee as a community representative or industry representative shall be advertised for at least one month in Liverpool local newspapers prior to the expiry of the term of the incumbent Committee members.

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- b) In the case of a vacancy created by a community or industry representative resignation or removal, an advertisement for nominations must be placed in the Liverpool local newspaper as soon as practical following the finalisation of the resignation or removal. The term of the appointment for the vacant position shall be the same as the remaining term of that position.
- c) Any person who works or resides in Liverpool is eligible for Committee Membership as a community representative.
- d) Any person who is a professional person within the environment sector is eligible for Committee Membership as an industry representative.
- e) Nominations shall be made in writing to the CEO.
- f) A report will be submitted to Council after the closing date for nominations assessing each of the nominees against the selection criteria and making recommendation.
- g) The final decision in relation to appointment to the Committee as a community or industry representative shall be made by Council.

8.5 Method of Appointment for Environment Group Representatives

Environment Group representatives shall be elected as follows:

- a) Council will invite all Environment Group Coordinators to make an application to be part of the Environment Advisory Committee.
- b) A report will be submitted to Council after the closing date for nominations assessing each of the nominees against the selection criteria and making recommendation.
- c) The final decision in relation to appointment to the Committee as an Environment Group representative shall be made by Council.

8.6 Support Staff

A council officer will attend meetings to provide administrative and other support to the committee. Administrative support is provided for the preparation of the agenda, recording of the minutes and distribution of the agenda and business papers.

8.7 Chairperson & Deputy Chairperson

- a) The election of the Chairperson or Deputy Chairperson should occur at the first meeting of the new committee.
- b) The role of the Chairperson is to preside at a meeting of the committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the committee. In the absence of the Chairperson, the Deputy Chairperson shall preside at the meeting.
- c) If the Chairperson or the Deputy Chairperson of a committee is not able or willing to preside at a meeting of the committee, the committee will elect a member of the committee to be Acting Chairperson for that meeting.
- d) If the Chairperson (or the Deputy Chairperson) of a committee is not present at the time designated for the commencement of a meeting, the first business of the meeting must be election of an Acting Chairperson to preside at the meeting.

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- e) The election of a Chairperson, Deputy Chairperson or Acting Chairperson must be conducted:
 - o By the CEO or, in his or her absence, an employee of Council designated by the CEO to conduct such an election; or
 - o If neither of them is present at the meeting – by the person who called the meeting or a person acting on his or her behalf.
- f) The Chairperson may invite external subject matter experts to participate in meetings from time to time as non-voting members.

8.7 Other Office Bearers and staff

There are no other office bearers.

9. TERM OF OFFICE

The term of office for each member is stated in Table 1: Environment Advisory Committee (EAC) membership.

9.1 Casual Vacancy

Should a vacancy occur during the term of appointment it will be filled by following the normal process for appointments (refer section 8 Membership).

9.2 Non-Attendance at Meetings

- a) Ongoing membership of the committee is subject to regular attendance and reasonable apologies. A committee member should notify the committee Chairperson of their planned absence from a meeting.
- b) Any committee member knowing that they will be absent for three or more consecutive meetings should notify the committee Chairperson in writing of the planned absence.
- c) Any member of the Committee may appoint an alternate to attend and vote at a meeting of the Committee. The Chairperson shall be notified of any alternates attending the meeting. A member shall appoint an alternate only when they are genuinely unable to attend a meeting.
- d) In the event of a member being absent for three or more consecutive meetings without apology, an alternate, or the approval of the committee, the committee can vote on whether to declare the member's position vacant, inform the member of the outcome and fill the position as a casual vacancy.

9.3 Removal of Committee Members

The Committee may, by resolution of Council, recommend to Council the removal of any member of the Committee before the expiration of the member's term of office. The decision of Council is final.

9.4 Resignation from Committee

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Any Committee Member wishing to resign from the Committee shall do so in writing to the committee Chairperson.

10. QUORUM AND RECOMMENDATIONS

The quorum required to enable business to be transacted at meetings is:

- a) One Councillor, and
- b) Three community members (which can include any of the following from 'Table 1' including community representatives, industry representative, or the Environment Group Sub Coordinators).

Observers or visitors at the meeting do not form part of the quorum.

In the absence of a quorum 15 minutes after the advertised start of the meeting, the committee members present may discuss the agenda items although any recommendation made will not become formalised until they have been ratified at the next committee meeting with a quorum present.

Wherever possible, decisions of the committee will be made on the basis of consensus, i.e. where all present agree.

At the discretion of the Chairperson, a vote may be called to resolve a matter. This may occur when consensus cannot be reached or in relation to a matter that is more significant in nature. In such cases, the matter will be resolved by a simple majority of those at the meeting, provided that there is a quorum present. In the event of a tied vote, the Chairperson will exercise the deciding vote.

Committee recommendations are not binding on Council. To obtain endorsement a committee recommendation must be reported to the Council for their decision.

11. MEETINGS AND MEMBERS OF THE PUBLIC

Meetings of the committee are open to members of the public.

Representatives of organisations, other Council staff or members of the public may address the committee on matters on the agenda in accordance with the provisions of Council's Code of Meeting Practice.

12. TIMETABLE FOR MEETINGS

The Committee will meet quarterly, being four (4) times per year.

A meeting will be limited to a maximum of two hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.

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Extraordinary meetings may be called by the Chairperson of the committee in consultation with the CEO (or delegate).

The location, date and starting time for meetings will be advised on the agenda.

Committee meetings can only be held if five working days' notice has been given to all members.

13. MEETING PRACTICE AND PROCEDURES

The administrative provisions of Council's adopted Code of Meeting Practice shall apply.

The committee will observe any other relevant Council protocols.

Minutes of meetings will be kept in accordance with Council Meeting Practice and will be administered in accordance with the protocol to be established for each committee.

The minutes of each committee meeting will be submitted to the next available meeting of Council for consideration and adoption.

14. INSURANCE COVER

Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the committee.

15. OBSERVING THE CODE OF CONDUCT AND RELEVANT COUNCIL POLICIES

All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the committee. All new members will be provided with a copy of Council's Code of Conduct and will sign to indicate that they have read and understood their obligations. A breach of the Code of Conduct may lead to the member being excluded from the committee (refer section 13 Disciplinary Action).

In particular, if a committee member has a pecuniary interest in any matter with which the committee is concerned, and who is present at a meeting of the committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion (see Clause 251 of the General Regulation and Section 14.2(1) of the Code).

A person does not breach the above clause if he or she 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.

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A member of a committee who has a non-pecuniary conflict of interest in any matter with which the committee is concerned and who is present at a meeting of the committee at which the matter is being considered will disclose the interest to the meeting as soon as practicable. If a member of the committee has declared a non-pecuniary conflict of interest there is a range of options for managing the conflict. 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.

A Councillor or other member of the committee will deal with a non-pecuniary conflict of interests in at least one of these ways:

- a) Where the potential for conflict is deemed minimal, take no action. However, the Councillor or committee member should consider providing an explanation as to why it is considered that only a minimal or non-existent conflict exists.
- b) Where the potential for conflict is more significant, take no part in the matter by leaving the room in which the meeting is taking place and take no part in any debate or vote on the issue, as if the provisions in Section 451(2) of the Act applied.

Committee members must act in a professional and responsible manner with any information they obtain as a committee member, especially because committees require openness and honesty to function well. Committee members should feel free to express their opinions and views without fear of recrimination. It is therefore important that committee members respect each other, often despite differences, and work together to create an open and trusting atmosphere.

It is essential for committee members to accept collective responsibility for committee decisions and remain loyal to those decisions, even when they might disagree with the decision.

16. CONFIDENTIALITY AND MANAGING PRIVACY

Members, through their involvement on the committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. More information about the legislation can be obtained by contacting Council's Public Officer.

Should a committee member become aware of any breach of the security, or misuse of Council's confidential or personal information he or she is asked to contact the Public Officer.

All committee members are required to observe the provisions of the Liverpool City Council Privacy Management Policy relating to their access to personal information.

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All new members will be provided with a copy of Council's Privacy Guidelines and will sign to indicate that they have read and understood their obligations.

17. DISCIPLINARY ACTION

Should a member of the committee breach Council's Code of Conduct, the matter will be referred to Council's CEO for consideration. The CEO may consider a range of sanctions, depending on the nature of the breach. Serious breaches may result in a decision by the CEO to remove the member concerned from the committee. In such cases the CEO would convene a meeting of the meeting Chairperson and the person concerned to discuss the matter prior to the decision being finalised. The member who has committed the breach may be suspended from the committee until the matter is resolved.

18. MEDIA PROTOCOL

The committee Chairperson is the only person permitted to speak to the media on behalf of the committee, subject to obtaining the appropriate approval in accordance with Council's Media Policy.

No other member of the committee is permitted to speak to the media in his or her capacity as a committee member.

19. REVIEW OF THE COMMITTEE AND THIS CHARTER

The committee and its charter will be reviewed as a minimum at the commencement of each term of Council. The constitution may only be amended by resolution of Council.

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AUTHORISED BY

Council Resolution

EFFECTIVE FROM

30 August 2017

DEPARTMENT RESPONSIBLE

Infrastructure and Environment

REVIEW DATE

30 August 2019

VERSION

Version	Amended by	Date	TRIM Number
1	Council Resolution	28 November 2012	217040.2013
2	Council Resolution	30 October 2013	266097.2013
3	Council Resolution	24 September 2014	247574.2014
4	Council Resolution	17 June 2015	156089.2015
5	Council Resolution	30 August 2017	215697.2017

REFERENCES

Liverpool City Council: Code of Conduct

Liverpool City Council: Code of Conduct Procedures

Liverpool City Council: Code of Meeting Practice

Liverpool City Council: Councillor Access to Information and Interaction with Staff Policy

Liverpool City Council: Ethical Governance: Conflicts of Interest Policy

Liverpool City Council: Privacy Management Plan

Liverpool City Council: Procurement Manual and Procedures

Liverpool City Council: Procurement Policy