

## **1. Purpose**

The purpose of the Sustainability and Environmental Advisory Panel (SEAP) is to inform and advise Council on environmental and sustainability related issues and Council's role in sharing and enhancing the natural environment of Waratah-Wynyard. The SEAP particularly advises on the implementation, monitoring and review of the Integrated Council Environmental Plan (iCEP) 2020-2030.

## **2. Objectives**

The objectives of the SEAP are to:

- a) Represent a range of sectors and opinions relating to or impacting the natural environment, including community, agency, industry etc;
- b) Provide input and advice to Council on issues of environmental sustainability;
- c) Provide input to Council on behalf of the community and community organisations;
- d) Actively support Council's consultation with and advocacy to the broader community;
- e) Provide specific and targeted feedback on relevant policies, strategies and key environmental initiatives;
- f) Establish working groups on an as required basis;
- g) Monitor and review environmental and sustainability issues in Waratah-Wynyard;
- h) Advocate (within the SEAP's structure) to Council for the benefit of the Waratah-Wynyard environment; and
- i) Assist Council in determination of priority activities to be undertaken, annual objectives and action plans.

It is expressly noted that the SEAP will only consider matters directly related to the purpose of the SEAP. The SEAP will not consider matters of personal, private or party-political nature.

## **3. Action Plan**

The objectives of SEAP will be achieved through the implementation of the SEAP Action Plan. A new draft action plan will be developed by Council for the upcoming membership term of the SEAP. This action plan will focus on specific activities contained within the iCEP and other priorities recognised by the Council. A draft action plan will be provided to the public at the time of advertising the registration of interest process.

Members of the SEAP will have an opportunity to review and make suggested amendments to the draft action plan at the first meeting of the groups term. Council will consider the recommended adjustments and will adopt a final version of the action plan at the next available ordinary Council meeting.

## **4. Alignment with strategy**

It is important that the SEAP does not undermine the principles of the iCEP and as such, the SEAP shall seek to conduct their business in line with the deliverables contained within iCEP. Activities that are expressly against the principles and deliverables of iCEP may only be conducted where:

- a) The proposed activity/direction and reasons for the change are tabled at a scheduled SEAP meeting;

- b) Members in attendance at the scheduled meeting agree by consensus to the proposed change; and
- c) The recommendation is tabled at a Council meeting and is endorsed by the elected members.

## 5. Delegated authority and decision making

The SEAP will act in an advisory capacity only to assist Council in their decision making. The SEAP has no delegated authority to make decisions as if they were Council nor do they have delegated authority to act or incur expenditure on behalf of Council.

## 6. Membership, period of membership and method of appointment

The SEAP will have a minimum of 8 members, comprising:

MEMBERSHIP	APPOINTMENT & TERM	ROLE/S
Councillor(s)	Up to 2 Councillors appointed by Council for a period of 2 years (typical).	<ul style="list-style-type: none"> <li>▪ Act as Chairperson of the SEAP</li> <li>▪ To be the link between Council and SEAP</li> <li>▪ To table issues and concerns to Council on behalf of SEAP</li> </ul>
Community representative(s)*	A minimum of 6 and up to 10 community representatives appointed by Council, through a registration of interest and selection process (see below), for a period of 2 years (typical).	<ul style="list-style-type: none"> <li>▪ Actively participate in meeting discussions in the interests of the wider community</li> <li>▪ Where appropriate, vote on matters addressed by the SEAP</li> </ul>
Council Staff	A minimum of 2 officers are expected to attend each meeting, although this may vary pending resource availability. The officers who attend may vary from meeting to meeting (without prior approval) depending on the agenda content.	<ul style="list-style-type: none"> <li>▪ To provide advice to the SEAP</li> <li>▪ Reporting on actions and/or matters arising from previous meetings back to the SEAP</li> <li>▪ To provide administrative support to the SEAP, including but not limited to the preparation of agendas and minutes</li> </ul>
<p>* - Community representatives shall live, work or have an active interest in the municipal area. Community representatives will be drawn from a cross-section of the community (where possible) and <u>shall</u> include at least:</p> <ul style="list-style-type: none"> <li>• 1x young person (&lt;24 years) with an interest in developing knowledge and networks within the environmental sector. It is acknowledged that young people may prefer not to attend a panel meeting alone. A young person may attend panel meetings with another young person but shall only hold one vote between them.</li> <li>• 1x community representative with links to the indigenous community.</li> </ul>		

### Registration of interest

All SEAP community representative positions are voluntary positions.

The registration of interest process shall be advertised on Council's website for a minimum period of 21 days. Council is under no obligation to contact individuals or groups to notify of the open registration process but may choose to do so at its discretion.

Eligible community members will have an interest in and good working knowledge of environmental management, natural resource management, community adaption and resilience, or sustainability.

Information relating to the SEAP, including the Terms of Reference and any selection criteria, shall be made available to the public at the time of advertising the registration of interest. Only registrations of interest that meet the specified requirements of the application (including receipt by the due date) shall be considered during the selection process.

A nomination during the registration of interest process does not guarantee membership on the SEAP. Appointment of community representatives shall be to individual persons and not to representatives of particular interest groups or organisations. If there are insufficient community registration of interests, the Council may engage members of the community directly to ensure cross-representation and minimum number of members are achieved.

### **Selection process**

Councillor representatives shall be determined by the Council. Staff attend in a non-voting capacity and therefore no selection process is required for Council officers.

A selection panel will be established comprising of at least one Councillor, one member from the Council's leadership team and one member of staff. The selection panel shall assess registrations received during the advertised period and make recommendation to the Council of the successful candidates for endorsement. All applicants shall be notified in writing of their success (or otherwise) to the appointment on the SEAP.

Every effort shall be made to ensure a representative cross section of community members with interest and knowledge covering the five (5) themes contained within iCEP are appointed to the panel, as appropriate.

Community representatives shall be selected on the basis of their skills, knowledge and experience in one or more of the following:

- a) Resource recovery and management (including waste and water);
- b) Biodiversity conservation;
- c) Climate change mitigation and adaption;
- d) Sustainable development;
- e) Community adaption and resilience;
- f) Environmental education and engagement;
- g) Amenity horticultural/landscaping management (urban and/or bush); or
- h) Asset management, finance management or risk/insurance.

Community representatives should also have skills, knowledge or experience in one or more of the following areas:

- a) Relevant federal and state government legislation, goals, policies and objectives;
- b) Links to relevant networks, community groups and the wider community; and/or
- c) Track record of achieving positive outcomes through collaborative projects.

## **7. Meeting procedures**

Meetings are to be held every two months and will be limited to a maximum of 1.5 hours duration, unless the panel resolves to extend the meeting to a particular time for the completion of business. Meetings shall be scheduled after 5:00pm. An annual schedule of meetings will be agreed upon at the first meeting of the SEAP in each year.

The SEAP, as an advisory group, are not required to give public notice of their meetings and meetings are not open to the public or other interested parties. Additional meetings may be called as required, and the SEAP may establish working groups to address specific issues (relevant to the SEAP and these terms of reference) as they arise.

Meetings will:

- a) Commence on time and conclude by the stated completion time;

- b) Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member;
- c) Encourage fair and respectful discussion;
- d) Focus on the relevant issues at hand; and
- e) Provide advice to Council, as far as practicable, on a consensus basis

It is expected that each member attends a minimum 60% (e.g. 4 of 6 meetings per annum) of all meetings. Members with a low attendance rate may be asked to retire from the panel to allow new members an opportunity to contribute.

Apologies from members are to be received at least two business days prior to a scheduled meeting time, where possible. If apologies are received from 50% or more of the membership, the meeting will be cancelled and rescheduled (if feasible) for 4 weeks after the original scheduled meeting date.

The SEAP may invite attendees with specialist skills to attend and/or present to a meeting for a specified period of time with prior approval of the Chair. Such attendances shall be in an advisory capacity only, is not entitled to vote and does not form part of the quorum.

## **8. Panel decisions and voting**

The SEAP's quorum shall consist of a majority of panel members and a quorum must be achieved if a vote or panel decision is to be made. No formal business is to be conducted by the SEAP unless a quorum exists. If a quorum is not present, the Chairperson may decide that the SEAP meet for discussion only.

It is preferable that decisions of the SEAP are made by consensus, however there may be circumstances where a matter is decided by a vote.

Councillor and community members have voting rights, and each are entitled to cast one vote. Staff provide support and advice to the SEAP only and have no voting rights. In the event of an equality of votes the Chairperson has a second vote.

Items considered by the SEAP may result in advice and recommendations being put to Council for consideration. Council will remain the ultimate decision-maker with respect to any matters put forward and/or recommendations made by the SEAP. The way in which recommendations are provided to Council depend on the issue at hand. In summary:

- General advice and recommendations will be recorded in the SEAP's minutes, and these will be noted at the next ordinary meeting of council
- Detailed and specific advice on a singular matter may be put forward to Council in an agenda report for consideration at an ordinary meeting of council
- A recommendation on a singular matter which requires a financial investment may be put forward through the council's annual budgeting process and include all necessary supporting information and business case/s to support the recommendation

In all listed matters above, Council officers shall provide administrative support as necessary to ensure the SEAP's recommendations are captured in line with standard business practices.

## **9. Chairperson**

Where there is one Councillor representative on the SEAP that Councillor stands as Chair. Where there is more than one Councillor the chair is to be agreed upon between Councillors. When this cannot be achieved, the Mayor shall determine the Chair.

If the Chairperson is not present at a meeting, any other Councillor representative shall be appointed Chairperson. In the absence of any other Councillor representative/s, the SEAP members shall appoint a Chairperson for the purpose of conducting the meeting.

## **10. Vacancies**

Casual vacancies which occur due to community members being unable to complete their full term may be filled by appointing suitable candidates from the most recent selection process for the remainder of the previous incumbent's term. Where there are no suitable candidates identified, a formal expression of interest process will occur. Where a vacancy occurs within 6 months of the current membership expiring and providing that a quorum is maintained, there is no requirement to fill the vacancy for the remainder of the term.

Casual vacancies during the term of the SEAP shall be achieved by a resolution of Council after consideration of a recommendation by Council officers.

Members who wish to resign prior to the end of their term of appointment should submit their resignation in writing:

- a) Via email: [council@warwyn.tas.gov.au](mailto:council@warwyn.tas.gov.au);
- b) Via post: PO Box 168, Wynyard; or
- c) In person: 21 Saunders Street Wynyard during business hours.

## **11. Agendas and minutes**

Agenda and minutes must be prepared for each meeting of the SEAP by Council Officers. The agenda must be provided to members of the panel not less than 7 days before the time fixed for the holding of the meeting.

New items for consideration on the agenda may be submitted by SEAP members. Contributions to an upcoming agenda should be submitted to Council Officers no later than 10 days prior to a scheduled meeting. Operational issues and other items outside of the scope of the SEAP will not be included on the agenda and the individual shall instead be referred to the appropriate method for submission as per normal business practices.

Where new items for consideration are submitted later than the 10 days prior to a scheduled meeting, the matter shall be tabled at the meeting for discussion at the next, unless it is determined to be operational in nature or outside the scope of the SEAP.

The minutes of the meeting will be taken by a Council Officer. The minutes of a meeting must:

- a) Contain details of the proceedings and resolutions made;
- b) Be clearly expressed;
- c) Be self-explanatory;
- d) In relation to resolutions recorded in the minutes, incorporate relevant reports or a summary of the relevant reports considered in the decision-making process; and
- e) Distributed to all SEAP members within 14 days of the meeting.

## **12. Conduct and interest provisions**

In performing the role of SEAP member, a person must:

- a) Act with integrity;
- b) Impartially exercise his or her responsibilities in the interests of the local community;
- c) Not improperly seek to confer an advantage or disadvantage on any person;
- d) Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;

- e) Commit to regular attendance at meetings; and
- f) Not make improper use of information acquired because of their position or release the information that the member knows, or should reasonably know, is confidential in nature.

Councillors and officers are required to comply with the conflict of interest provisions as set down in the Local Government Act. When a Councillor or Officer declares a conflict of interest in relation to a matter in which the panel is concerned, they must disclose the interest to the panel before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting. The member must leave the room while the matter is being considered and may return only after consideration of the matter and all votes on the matter.

Where a community member has an interest or conflict of interest (as defined by the Local Government Act) in relation to a matter in which the panel is concerned, or is likely to be considered or discussed, the community member must disclose the matter to the group before the matter is considered or discussed. Disclosure must include the nature of the relevant interest or conflict of interest and be recorded in the minutes of the meeting. It will be at the discretion of the Chairperson if the community member remains or leaves the room when the matter is discussed, and this must also be recorded in the minutes of the meeting. A community member who has declared a conflict of interest on a matter must abstain from voting on the matter if they remain in the meeting.

### **13. Confidentiality**

Information discussed, received, users or created by the SEAP may be confidential. A SEAP member must not disclose, discuss or otherwise make public any confidential information, unless authorised to do so by the General Manager.

The Council may terminate the appointment of a member of the SEAP if they have been found to have breached confidentiality requirements.

### **14. Reporting**

As a minimum, the SEAP is required to prepare a formal report on an annual basis in line with their stated objectives and targeted action plan. The report must be formally adopted by the SEAP and should directly reflect the objectives of the Panel. The report will be presented to the Council for noting at a following scheduled ordinary meeting of council.

### **15. Communications**

Community members must defer any media enquiries to Council's Communications Officer and should take care not to respond to the media as a representative of the SEAP.

### **16. Reimbursements**

All SEAP community member positions are voluntary positions and as such, no reimbursements will be offered or provided to SEAP community positions for any direct or indirect costs associated with attendance and functioning of the meetings. This includes (but is not limited to) childcare, transport, meal expenses, accommodation or stationery supplies.

### **17. Review date**

A review of the role, function, membership and productivity of the SEAP will be conducted every four years by Council Officers to ensure currency, effectiveness and stakeholder engagement. Amendments of inconsequential nature (such as correcting grammatical errors, formatting etc.) may be made by Council staff and approved by the SEAP at the next scheduled meeting. Alterations to the Terms of Reference which change the intent shall only be made upon resolution of Council.