



Moorabool Environment and Sustainability Advisory Committee

Terms of Reference

1. Purpose

To provide advice and support to Council on matters relating to conservation, biodiversity, environment, environmental sustainability, pest and weed programs on Council owned land, water quality, waste, circular economy, and related matters within the municipality as referred by Council, to ensure Council's decisions are evidence based and informed by strong community input.

2. Objectives

The Committee is an Advisory Committee of Council with the following functions:

- a) Receive updates on the preparation and/or review of key environment and sustainability strategies and policies.
- b) Provide input into the action plans arising from applicable strategies.
- c) Provide feedback for projects, initiatives or legislation that impact environment and sustainability activities across the Shire.
- d) Provide input into the development and enhancement of environment and sustainability services and programs offered to the Moorabool Shire Community.
- e) Provide feedback on matters raised by Council relating to current and emerging issues relevant to environment and sustainability.

3. Definitions

- **Acting Chairperson** means a Councillor (appointed as a sub representative) or alternative Senior Council Officer/delegate, in the absence of the Chairperson
- **Chairperson** means a Councillor or Senior Officer of Council Staff appointed to support the Committee
- **Chief Executive Officer** means the Chief Executive Officer of Council
- **Committee** means the Moorabool Environment and Sustainability Advisory Committee

- **Community Member** is a member of a Committee who is not a Councillor or a member of Council staff
- **Council** means Moorabool Shire Council
- **Councillor** means a Councillor of Moorabool Shire Council

4. Dates, Times and Places of Meetings

- 4.1 Times and dates of meetings of the Committee shall be at the discretion of the Chairperson, after seeking the views of members of the Committee.
- 4.2 The Advisory Committees will hold a minimum of five (5) meetings over the February to December period inclusive. Additional meetings throughout the period will be subject to the approval of the Chairperson.
- 4.3 Meetings shall be held at the Council offices in Bacchus Marsh or Ballan, online, or an appropriate alternative location.
- 4.4 An agenda for meetings held, will be delivered to each Committee member at least one (1) week prior to the date of each meeting.

5. Membership and Attendance

5.1 Appointments to Committees

- a) Council shall undertake an expression of interest process calling for community members.
- b) An invitation for membership will be extended to appropriate community groups throughout the Shire, seeking nomination for appointment of a representative and deputy.
- c) The following criteria shall apply for the selection of members:
 - i) Skills and other attributes of the applicant
 - ii) Qualifications of the applicant
 - iii) The level of experience and interest in the work of the Committee
 - iv) Membership with an environmental group based within Moorabool Shire
 - v) A broad distribution of applicants, in terms of the geographic and physical location within municipality
 - vi) Broad representation of applicants that reflect the diversity of Moorabool.
- d) Necessary arrangements will be made by Council administration to facilitate the short-listing and selection of community applicants for the Committee.
- e) The Committee will be convened by Council and shall comprise:
 - i) Two (2) Councillors of Moorabool Shire Council, One (1) Councillor and One (1) Deputy”
 - ii) Appropriate Council Officers

- iii) Up to eight (8) members community members who reside within the boundaries of Moorabool Shire Council

5.2 Term of Appointment

Councillor members shall be appointed for a period, as deemed appropriate, so long as the period of appointment does not extend past the existing Council term.

The period of appointment for Community members shall be for the duration of the existing Council term.

5.3 Attendance

A Committee member shall endeavour to advise the Chairperson and/or delegate of non-attendance at any meeting prior to the commencement of the meeting.

Attendance is recorded in the minutes.

In virtual meetings, Committee attendance can only be recorded where the member can confirm that they meet all three of the following:

- They can hear proceedings;
- They can see other members in attendance and can be seen by other members;
- They can be heard (to speak)

A quorum of members of the Committee is breached where a member forming a quorum cannot meet the above requirements.

5.4 Failure to Attend Meetings

Any member who is unable to attend three (3) consecutive Advisory Committee meetings shall notify the Chairperson and/or delegate in writing as to his/her availability to continue to be a member of the Committee.

5.5 Resignation of Committee Member

- a) A Committee member may resign from the Committee by advising the Chairperson and/or delegate in writing.
- b) Following the resignation of a Committee member, a new Committee member will be appointed as per the procedure outlined in 5.1.
- c) If there is less than six months left in the existing Council term, then the position will remain vacant.

6. Conflict of Interest and Confidentiality

6.1 Committee Members will enter into a *Pledge of Confidentiality* agreement at the commencement of their term.

6.2 Committee Members must disclose a Conflict of Interest in accordance with the Local Government Act 2020.

6.3 In the event of a Conflict of Interest arising the Committee Member:

- a) Must disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered.
- b) Must leave the room and not participate in any discussion and/or decision.
- c) The disclosure must be recorded in the meeting minutes including the time the Committee Member left and returned into the room. If the Chairperson is declaring a conflict of interest, a deputy or elected Chair will take over the meeting until the next agenda item for which the Chair does not have a Conflict of Interest.

7. Quorum

7.1 A quorum is the majority of appointed members but must include either the Chairperson or Acting Chairperson.

7.2 If a quorum is not present within 30 minutes of the time appointed for the commencement of the meeting, the meeting shall lapse. If a quorum fails after the commencement of the meeting, the meeting shall lapse.

7.3 Business that is unfinished at the completion of a meeting may at the discretion of the Chairperson be referred to the next meeting of the Committee.

8. Chairperson

8.1 Meetings will be chaired by the appointed Councillor or deputy, relevant Senior Officer of Council Staff or delegate.

8.2 Duties and Discretions

- a) must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, Committee Member, member of Council staff, or member of the community; and
- b) must call to order any person who is disruptive or unruly during any meeting.

9. Operations

9.1 Meetings shall be held in accordance with adopted Council meeting guidelines (ie. Local Law or other adopted guidelines as required).

9.2 The Committee has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration.

9.3 The Committee shall follow the general consensus principle, when determining its preferred position on matters under discussion.

9.4 Committee members will not publicly comment on behalf of the group. Neither will it seek to advocate on the needs of individual organisations.

9.5 The Council will provide the necessary support to assist the Committee to function effectively including:

- a) Maintaining contacts details of members.

- b) Preparing and distributing agendas and prior reading materials.
- c) Preparing and distributing meeting minutes.

9.6 Committee members wishing to table a community/organisation report including any relevant attachments must do so by submitting to Council's Officer representative 7 days business day prior to a Committee meeting.

10. Sub-Committees

10.1 The Advisory Committee may auspice the establishment of special interest working groups as needed to progress specific initiatives for a defined period of time.

10.2 Subject to the approval of the Committee, these Sub-Committees may invite other members as required to address the specific subject matter at hand.

10.3 All Sub-Committees will comprise two (2) or more Committee Members and may include relevant Council Staff.

11. Media

11.1 Committee Members are not to represent the Committee to the media.

12. Reporting

12.1 Minutes of the Committee meetings shall be circulated to the Committee prior to the next meeting

12.2 Status updates will be provided for all agenda items where the Advisory Committee has provided input, advice or a recommendation.

13. Review

13.1 A review of the role, function, membership and productivity of the Advisory Committee will be conducted once every four (4) years or as required to ensure currency, effectiveness and stakeholder engagement.

13.2 Council retains the right to:

- a) Review, amend or alter the operations and membership of this Committee as it deems appropriate and necessary.
- b) Revoke these Terms of Reference at any time.