



# ENVIRONMENT ADVISORY COMMITTEE

## TERMS OF REFERENCE

### 1. Purpose

The purpose of the Environmental Advisory Committee is to inform and advise Council on environmental and sustainability related issues and Council's role in improving the natural environment of Monash. The Committee particularly advises on the implementation, monitoring and review of the 2016-2026 Environmental Sustainability Strategy and Implementation Plan and subsequent strategies and actions.

### 2. Objectives

The objectives of the Environmental Advisory Committee are to:

- Provide input and advice to Council on issues of environmental sustainability;
- To provide input to Council on behalf of the community and community organisations;
- To actively support Council's consultation with and advocacy to the broader community;
- To establish working groups on an as required basis;
- To monitor and review environmental and sustainability issues in Monash;
- Within the Committee structure advocate to Council for the benefit of the Monash environment; and
- To assist Council in determining of priority activities to be undertaken and annual objectives

### 3. Delegated authority and decision making

The Committee will act in an advisory capacity only. The Committee has no delegated authority to make decisions as if they were Council. Advisory Committees provide advice to Council to assist them in their decision making.

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

The Committee will comprise:

**Councillor(s)** – Up to 3 Councillors appointed annually by Council

The role of the Councillors is to:

- Act as Chairperson of the EAC
- To be the link between Council and the EAC
- To table issues and concerns to Council on behalf of the EAC

**Community representative(s)** – Up to 15 community representatives appointed by Council, through a registration of interest and selection process, for a period of two (2) years.

Every effort should be made to ensure a representative cross section of people from the municipality with interest and knowledge covering the seven (7) Environmental Sustainability Strategy priority areas are appointed to the committee, as appropriate.

All EAC community positions are voluntary positions.

Casual vacancies which occur due to members being unable to complete their appointments may be filled by co-opting 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.

Staff in consultation with the Chairperson of the Committee will prepare a recommendation for Council approval to appoint the recommended candidate to the committee for the remainder of the previous incumbent's term. 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.

**Staff** – Council staff provide administrative support and advice to the committee.

## 5. Meeting procedures

Meetings are to be held every two months. Advisory Committees are not required to give public notice of their meetings and meetings are not required to be open to the public.

Meetings will:

- Commence on time and conclude by the stated completion time;
- Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member;
- Encourage fair and respectful discussion;
- Focus on the relevant issues at hand; and
- Provide advice to Council, as far as practicable, on a consensus basis

It is expected that each member attends a minimum of 60% (e.g. 4 of 6 meetings per annum) of all meetings.

Additional meetings can be called as required, and the EAC may establish Working Groups to address specific issues as they arise.

## 6. Voting

Councillor and community members have voting rights. Staff provide support and advice to the committee only and have no voting rights. In the event of an equality of votes the Chairperson has a second vote.

## 7. Chair

The position of Chairperson shall be reviewed annually immediately following the appointment of Councillors to committees.

Where there is one Councillor Representative on the committee 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 of the day 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 committee members shall appoint a Chairperson for the purpose of conducting the meeting.

## 8. Agendas and minutes

Agendas and Minutes must be prepared for each meeting of an Advisory Committee. The Agenda must be provided to members of the committee not less than 7 days before the time fixed for the holding of the meeting.

The minutes of each meeting will be taken by a Council Officer. The minutes of a meeting of an Advisory Committee must:

- Contain details of the proceedings and resolutions made;
- Be clearly expressed;
- Be self-explanatory;
- 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
- Distributed to all Committee Members within 14 days of the meeting.

## 9. Conduct and interest provisions

In performing the role of Advisory Committee member, a person must:

- Act with integrity;
- Impartially exercise his or her responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release 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 1989. When a Councillor or officer declares a conflict of interest in relation to a matter in which the committee is concerned, they must disclose the interest to the committee 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 a Conflict of Interest (as defined in the Local Government Act) in relation to a matter in which the committee 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.

## 10. Reporting

An Assembly of Councillors report is to be completed by a council officer and submitted to Governance within 5 working days of the meeting.

As a minimum, the Committee is required to prepare a formal report on an annual basis in line with their stated objectives. The report must be formally adopted by the Committee and should directly reflect the objectives of the Committee. The report will be presented to Council for noting under the relevant directorate heading.

## 11. Other

Community members should defer any media enquires to Council's Communications Manager and should take care not to respond to the media as a representative of the committee.

EAC community representatives will be reimbursed for any transport and/or childcare costs they have incurred in participating in meetings and related activities as deemed appropriate.

## 12. Review date

The Committee and Terms of Reference have a sunset clause of two years, Council may by the exception establish a committee for a period of more than two years. If the committee has a relevant function at the end of the standard two year period, a report will be presented to Council prior to that period ending, seeking endorsement from Council to continue to act in an advisory capacity for a nominated period of time.

Directorate:	Infrastructure
Responsible Officer:	Sustainability Coordinator
Committee Type:	Advisory
Approval Date:	xx xx 2020
Review Date:	xx xx 2022