



Cessnock City Council Environment Committee Terms of Reference

Title

The Cessnock City Council Environment Committee is an advisory committee and shall be known as the **Cessnock City Council Environment Committee** (hereinafter called 'The Committee').

Definitions:

Environment includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings.

Source: LGA 1993

"environment" means components of the earth, including:

- a. land, air and water, and
- b. any layer of the atmosphere, and
- c. any organic or inorganic matter and any living organism, and
- d. human-made or modified structures and areas,
- e. and includes interacting natural ecosystems that include components referred to in paragraphs (a)-(c).

Source: PoEO Act 1997

Principles of Ecologically Sustainable Development requires the effective integration of economic and environmental considerations in decision-making processes. Ecologically sustainable development can be achieved through the implementation of the following principles and programs:

- a) the precautionary principle-namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In the application of the precautionary principle, public and private decisions should be guided by:

- I. careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
 - II. an assessment of the risk-weighted consequences of various options,
- b) inter-generational equity-namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,
 - c) conservation of biological diversity and ecological integrity-namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,

- d) improved valuation, pricing and incentive mechanisms-namely, that environmental factors should be included in the valuation of assets and services, such as:
- I. polluter pays-that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,
 - II. the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,
 - III. environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.

Source:

Local Government Amendment (Ecologically Sustainable Development) Act 1997
PROTECTION OF THE ENVIRONMENT ADMINISTRATION ACT 1991

Objectives :

This Committee, convened by Council, to provide a forum for discussion and recommendation to Council. This may include;

- Advise Council in how to translate the Committee's strategic vision for environmental sustainability into action
- Identify the communities' key sustainability values
- To provide a forum for discussion, learning and support
- Providing comment and advice, including priorities, on key projects of Council which address climate change and/or relating to sustainability issues
- Providing advice on Council policy to address climate change and sustainability

Role:

- Provide strategic direction to Council on environment and sustainability matters
- Embed a culture of sustainability and integrate sustainability principles within the organisation and wider community through promotion, awareness raising and enhancing opportunities for participation
- Promote a positive image in environmental initiatives
- To assist the Sustainability Officer in determining priority actions in relation to community education and actions.
- Support capacity building at a local level, helping communities to achieve sustainable solutions to locally identified needs
- To raise awareness and promote local solutions to a range of sustainability issues
- To act as a consultative / mentoring forum on issues of sustainability and to help promote agreed programs
- Assist Council to integrate environmental sustainability into Council policy, plans, and operations
- Provide a forum for discussion and recommendation on sustainability issues relevant to the Cessnock local government area

Membership and Operation:

Mayor + 3 Councillors & 12 community representatives

The Chairperson shall be the Mayor or his/her delegate

From time to time community members with experience or qualification in an area or field which would add value to the committee may be engaged to provide input into projects or programmes. Such engagement shall be in a voluntary capacity.

This is an advisory Committee, and its decisions in the first instance will be by consensus. However, should consensus not be reached, 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.

The Committee 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 Committee or any of its members.

- 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, or at the discretion of the Chair during the meeting.
- 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.

Quorum:

The quorum for the Committee will be 2 Councillors + 3 community members.

Cessation of Membership

Members of the Committee shall cease to hold office:

- If the Committee is dissolved by Council.
- By written notice of resignation from membership.

Dissolution:

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

Agenda, Minutes & Reporting Procedures

The Manager Environment & Waste or his/her representative will be the Coordinator of the Committee. The Coordinator shall:

- Provide notice of Committee meetings at least seven days in advance
- Prepare meeting agendas and circulate at least five days in advance
- Record and ensure timely distribution of minutes of meetings to members
- Distribute a copy of Agenda & Minutes to all Councillors, General Manager & Directors.
- Implement decisions of the Committee
- Deal with all incoming and outgoing correspondence and present all correspondence for either receipt or confirmation
- Prepare reports in accordance with Councils normal reporting mechanisms
- Keep the Committee informed of any matters before the Council and decisions of Council that may impact on the recommendations and area of responsibility of the Committee

Where an issue arises that requires a policy response, financial contribution or endorsement from the committee, the following protocols apply:

- Preparation of a briefing paper &/or recommendations to Council
- Council will deliberate and their decision will be advised to the Committee

Meeting Schedule

There will be a minimum of five (5) meetings per year.