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# Cessnock City Council

## Environmental Lands Study Community Reference Groups

### Terms of Reference

Date Adopted: **14/09/2020** Revision: **2**

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#### 1. Purpose

The environmental lands study community reference groups (ELSCRGs) provide advice, direction and guidance in the development of the Cessnock City Council Environmental Lands Study (the Study).

The ELSCRG members will contribute to ensuring that the Study is appropriate, effective and considers the views of the community.

#### 2. Background

Council has not undertaken a comprehensive review of our environmental lands or their management since the making of the Cessnock Local Environment Plan in 2011. The Study will seek to identify lands of high environmental value in consultation with the local community and develop an environmental zoning framework for their management.

The Study will satisfy several actions from the recently adopted Local Strategic Planning Statement 2036 and it directly supports the Cessnock 2027 Community Strategic Plan Objective 3.1 *Protecting and enhancing the natural environment and the rural character of the area.*

The Study will:

- identify and document the environmental values of land within the Cessnock Local Government Area;
- ensure that environmental zones are appropriately applied, reflecting the true environmental value and importance of the environmental attribute;
- ensure adequate protection of environmentally significant lands and areas of high biodiversity;
- ensure that Council is applying NSW legislation as intended;
- recommend environmental zone objectives, land uses and lot sizes for inclusion in the Cessnock Local Environment Plan; and
- Develop environmental zone principles and criteria to guide the future application of environmental zones.

The Study will be undertaken in two phases and there will be many opportunities for the community to provide input. The Study is expected to take a minimum of 12 months to complete. Any recommendations developed as part of the Study, will considered for implementation through the comprehensive LEP planning proposal process.

### 3. Role and Scope

The role of the ELSCRGs is to provide a discussion and consultative forum for community representatives to assist in the development of the Study.

Members of the ELSCRGs have no authority to:

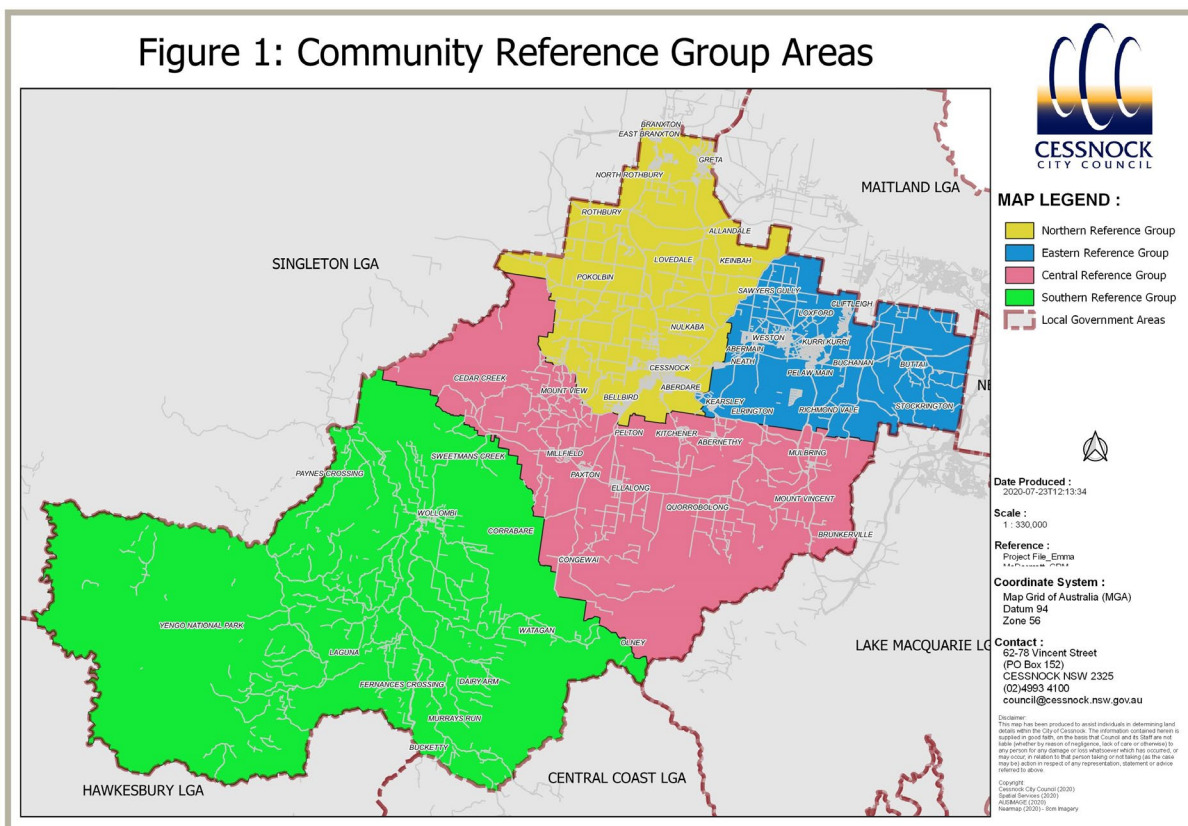
- make decisions on behalf of Council
- direct Council staff
- speak or comment on behalf of Council.

### 4. Membership

There are four separate ELSCRGs covering four distinct landscapes across the Cessnock LGA. The four separate ELSCRGs include the:

- Southern Group (including Wollombi and surrounds);
- Northern Group (including Vineyards District, Branxton, Greta and Cessnock);
- Central Group (including Millfield, Mulbring and Brunkerville); and
- Eastern Group (including Kurri Kurri, Buchanan, Black Hill, Buttai and Clifftleigh).

The four separate ELSCRGs areas are also shown in **Figure 1**.



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Membership on each of the four ELSCRGs will consist of no more than eight individuals that represent a broad range of community views.

The ELSCRGs will aim to be representative of the Cessnock community in terms of demographics, geographic location and reflect a broad range of views on environmental, economic, social and governance issues.

## 5. Eligibility Criteria for Membership

To be eligible for membership on the ELSCRGs, nominees must:

- live or work in Cessnock LGA;
- be available to attend meetings as per the schedule and location included in this document;
- submit the completed Expressions of Interest form (**Appendix A**) by closing deadline; and
- accept and abide by these Terms of Reference.

Elected representatives of Council are not eligible to be Members of any ELSCRGs. Members will be selected by Council using an open and transparent 'Expressions of Interest' process.

Members will be selected based on the Eligibility Criteria outlined above and completion of the Expressions of Interest form (**Appendix A**) by the advised closing date and time.

Selection, termination and / or replacement of ELSCRG membership will be at the absolute discretion of Council.

## 6. Responsibility of Members

Members of ELSCRGs are responsible for:

- Reviewing and providing timely feedback on various aspects during the development of the Study, as and when required;
- Providing advice based on the long term interests of the Cessnock community;
- Providing advice on the implications for their local area and the Cessnock LGA as a whole; and
- Ensuring the Study adequately captures community values and aspirations

## 7. Payments

Members of the ELSCRGs are considered volunteers of Council and are covered by Council's insurance whilst undertaking their role as a member of the ELSCRGs.

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## 8. Conduct by Members

All ELSCRG members are required to comply with Council Policies including the [Code of Conduct](#).

In addition, all ELSCRG members agree to:

- Declare conflicts of interest and manage them appropriately, as outlined below;
- Abide by the confidentiality clauses of the Code of Conduct in particular;
- Respect the role of the Chair and follow his/her directions;
- Represent the views of the community;
- Respect the views and opinions of other ELSCRG Members;
- Notify the Chair in advance if unable to attend a meeting;
- Notify the Chair if a change of circumstance occurs which may affect membership eligibility; and
- Not make written or verbal public statements claiming to represent the views of the ELSCRGs or that of Council.

Pecuniary or significant, non-pecuniary conflicts of interest must be managed by the Member excluding themselves from the meeting during the discussion of the relevant agenda item. Such exclusion are be recorded in the minutes and this will be a sufficient record of a declaration of conflict of interest.

Failure to comply with the [Code of Conduct](#) may result in membership on the ELSCRG being terminated.

## 9. Meetings

ELSCRG Members are expected to attend four (4) meetings throughout the Study (e.g. two in each phase of the Study) either via remote methods or face to face.

Meetings may be held at Council's Administration Building or at an appropriate venue within each of the four reference group areas (observing strict social distancing requirements).

Relevant Council staff will attend ELSCRG meetings.

Members and Council staff may request to have additional meeting(s). However, arranging additional meetings will be at the discretion of Council.

The ELSCRGs do not require a quorum to hold a meeting. The Chair shall use his/her discretion to determine if any item on the agenda should be deferred to a future meeting if it is considered there are insufficient Members at the meeting.

Members may also attend other activities/events scheduled as part of the Study's engagement process.

The ELSCRG meetings are not open to the public. Addressing or attending meetings by interested persons is at the discretion of Council.

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Members who fail to attend (with or without notifying the Chair) two or more meetings may be removed as Members from the ELSCRG and a replacement Member may be sought at Council's discretion.

## **10. Voting**

The ELSCRGs have an advisory role only, their recommendations are made by consensus, and no recommendation(s) is deemed to be a decision of Council.

## **11. Chair**

The Chair of the ELSCRGs is to be a Council staff member appointed by the Strategic Planning Manager.

The Chair is to have precedence at the meeting and shall determine the order of business generally as set by the agenda.

In the absence of the Chair, another Council staff member or the Facilitator is to Chair the meeting as authorized by the Strategic Planning Manager.

## **12. Administration**

The administration of the ELSCRGs will be undertaken by Council. Council is responsible for coordinating the preparation and distribution of agendas and minutes.

The Chair and Council staff are responsible for coordinating any presentations from guest speakers and for considering requests from members of the public to address the ELSCRGs.

## **13. Facilitator**

A Facilitator may be appointed by the Strategic Planning Manager, if deemed required, to manage meetings and ensure the relevant sections of the [Code of Conduct](#) (such as appropriate behaviour) are followed.

## **14. Agenda**

The Agenda will be set by Council's Strategic Planning team and will include enough detail to enable matters to be considered at the meeting.

The Agenda will be distributed at least 5 days prior to the meeting.

## **15. Minutes and Reporting**

Minutes will be taken for all meetings of the ELSCRGs. Confidential and/or matters of a sensitive nature will be redacted from the published minutes at the discretion of the Chair.

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Minutes of the meeting will be forwarded to the Councils Strategic Planning Manager and Director Planning and Environment for information.

Minutes of the meeting will be recorded in Council's Information Management System.

## **16. Cessation of ELSCRGs**

The ELSCRGs shall cease to operate at the completion of the Study, which is expected to be July 2021, unless Council decides to cease it earlier.

## **17. Terms of Reference History**

<b>Revision</b>	<b>Date Approved / Authority</b>	<b>Description of Changes</b>
1	21/08/2020	New Terms of Reference adopted
2	14/09/2020	Closing date extended to 20/09/2020

## **18. Appendices**

### **Appendix A – Expressions of Interest Form**

## Appendix A - Expressions of Interest Form

Cessnock City Council is seeking Expressions of Interest from people who live or work in the Cessnock Local Government Area (LGA) to be members of four location-based Environmental Study Community Reference Groups (ELSCRGs).

The purpose of the ELSCRGs is to give advice, direction and guidance in the development of the Cessnock City Council Environmental Lands Study, including a review of Environmental Zones.

Please read the Conditions for submitting Expressions of Interest below and complete the form to express your interest in joining one of the ELSCRGs.

If you have any questions or need assistance in completing this form please contact the Council Contact Officer indicated below.

Expressions of Interest for:	Environmental Study Community Reference Groups
Description:	Membership of Environmental Study Community Reference Groups
Closing Time:	20 September 2020
Method of Lodgement:	<p><b>Online Form:</b> available at:  <a href="http://www.cessnock.nsw.gov.au/Environmental-Lands-Study">www.cessnock.nsw.gov.au/Environmental-Lands-Study</a></p> <p><b>Email:</b> council@cessnock.nsw.gov.au</p> <p><b>Post:</b> PO Box 152, Cessnock NSW 2325</p> <p><b>In person:</b> 62-78 Vincent Street, Cessnock NSW 2325</p>
Council Contact Officer:	Emma McDermott, Senior Environment Planner, (02) 4993 4100, council@cessnock.nsw.gov.au
Evaluation Criteria:	<p>The applicant meets the eligibility criteria outlined in the Terms of Reference. Overall membership of the ELSCRGs is balanced and representative of the Cessnock LGA community and their differing views. To be eligible for membership on the ELSCRGs, nominees must:</p> <ul style="list-style-type: none"> <li>• live or work (including volunteer work) in Cessnock LGA;</li> <li>• be available to attend meetings as per the schedule and location included in this document;</li> <li>• submit this form by the closing deadline; and</li> <li>• accept and abide by these Terms of Reference.</li> </ul>
Documents to be submitted with Expressions of Interest:	Expressions of Interest form

Name:	
Phone:	Email:
Residential Address:	
Postal Address (if different than residential address):	
Please tick which statement(s) apply to you: <input type="checkbox"/> I am a resident of Cessnock LGA <input type="checkbox"/> I work (or volunteer) in the Cessnock LGA	
To ensure membership of the Environmental Study Community Reference Groups are balanced and representative of the Cessnock community please complete the following:	
Age:	Gender:
<input type="checkbox"/> 0 - 17 <input type="checkbox"/> 18 – 24	<input type="checkbox"/> Male
<input type="checkbox"/> 25 – 34 <input type="checkbox"/> 35 - 49	<input type="checkbox"/> Female
<input type="checkbox"/> 50 - 59 <input type="checkbox"/> 60 – 69	<input type="checkbox"/> Non binary
<input type="checkbox"/> 70 - 84 <input type="checkbox"/> 85+	<input type="checkbox"/> Prefer not to say
Please tick the Environmental Study Community Reference Group(s) that you are interested in joining:	
<input type="checkbox"/> Southern Group (including Wollombi and surrounds)	
<input type="checkbox"/> Northern Group (including Vineyards District, Branxton, Greta and Cessnock)	
<input type="checkbox"/> Central Group (including Millfield, Mulbring and Brunkerville)	
<input type="checkbox"/> Eastern Group (including Kurri Kurri, Buchanan, Black Hill, Buttai and Cliftleigh)	
What is your connection to the geographical landscape(s) of the Environmental Study Community Reference Group(s) that you're interested in?	
Why would you like to be a member of the Environmental Study Community Reference Group(s)?	



What skills, knowledge and experience would you bring to the Environmental Study Community Reference Group(s)?

Please list all community groups, organisations and business groups you are part of:

Please list any accessibility requirements.

I have read, understood and agree to abide by the Terms of Reference and Council's Code of Conduct

I have read, understood and agree to the Conditions for Submitting Expressions of Interest

Signature (electronic signature is also acceptable):

Date:

### Conditions for submitting Expressions of Interest

Expressions of Interest are invited in accordance with the following Conditions:

1. **Acceptance:** Membership on the Environmental Study Community Reference Groups will only be accepted by Council when a signed Letter of Acceptance is given to the successful members on behalf of Council. The successful applicant will be required to accept and abide by the Environmental Study Community Reference Groups Terms of Reference and Cessnock City Council's [Code of Conduct](#).
2. **Authority** Environmental Study Community Reference Group members have no authority to make decisions on behalf of Council nor the authority to direct Council staff nor speak on Council's or the Environmental Study Community Reference Groups' behalf.
3. **Closing Time:** Responses to this Expressions of Interest must be received by the Closing Time specified in the related documentation. Proposals received after the Closing Time will only be considered in exceptional circumstances and at the discretion of Council.

4. **Lodgement:** Expressions of Interests will only be accepted by the lodgement method(s) specified in this document.
5. **Addenda:** Council may vary the terms and requirements of this Expressions of Interest at any time before the Closing Time, by issuing addenda.
6. **Evaluation Criteria:** Expressions of Interests will be evaluated on the basis of the Evaluation Criteria specified in this document. Applicants should not place any significance on the order in which the criteria are listed. All questions in the Expressions of Interest form must be completed to ensure conformity with the evaluation criteria. Incomplete applications will not be considered.
7. **Appointment:** Environmental Study Community Reference Group member appointment, removal and / or substitution is at the absolute discretion of Council. Council is not bound to accept every Expressions of Interest or any Expressions of Interest submitted, whether conforming to eligibility requirements or not. Council reserves the right to suspend, terminate or abandon the Environmental Study Community Reference Groups at any time during or after its establishment. Council will not be bound to explain reasons for unsuccessful Expressions of Interest submissions.
8. **Privacy Disclosure**

Purpose	The information on the Expressions of Interest Form is being collected for the purpose of assessing candidates for the Environmental Study Community Reference Groups and notifying them of the outcome of the assessment process. For successful candidates / members, the information will be used to communicate Environmental Study Community Reference Group matters.
Intended Recipients	The intended recipients are Cessnock City Council Officers, including but not limited to Senior Environment Planner, Community Engagement Officer, Manager Strategic Planning and Director Planning and Environment. The names of successful candidates / members of the Environmental Study Community Reference Groups may be made available to the public in Council meeting reports and minutes, in correspondence, on Council's website or through other means as required by Council.
Supply	The supply of information is Voluntary.
Consequence of non-provision	If you do not supply the information, your Expression of Interest form will not be processed.
Storage and Security	Your personal information will be kept in Council's Information Management System in accordance with the relevant legislation. Council's address is 62-78 Vincent Street CESSNOCK NSW 2325.
Access	You may correct or update your personal information by contacting Council's Privacy Contact Officer on (02) 4993 4100 or by sending an email to <a href="mailto:council@cessnock.nsw.gov.au">council@cessnock.nsw.gov.au</a>