



WAVERLEY
COUNCIL

Sustainability Expert Advisory Panel

Terms of Reference



Policy owner	Executive Manager, Environmental sustainability
Approved by	Council
Date approved	
Commencement date	
TRIM Reference	SF19/1191
Next revision date	2024
Relevant legislation/codes	Waverley Code of Conduct for Council Committee Members and Other Council Officials Waverley Code of Meeting Practice
Related policies/procedures/guidelines	Environmental Action Plan Community Strategic Plan
Related forms	Sustainability Expert Advisory Panel Expression of Interest Form

Table of Contents

Acknowledgement	4
1. Objective.....	4
2. Purpose Statement.....	4
3. Authority.....	4
4. Membership.....	4
4.1 Appointment of Councillor members	5
4.2 Appointment of community members	5
4.3 Chair of the Panel.....	5
4.4 Non-voting Invitees.....	6
4.5 Vacancies.....	6
5. Term of Office	7
6. Member Responsibilities	7
6.1 Code of Conduct.....	7
6.2 Conflict of Interests.....	7
6.3 Confidential and Personal Information.....	8
6.4 Media Protocol.....	8
6.5 Responsibilities of Non-voting Invitees, Observers and Non-member Councillors.....	8
7. Review of the Terms of Reference.....	8
8. Administrative Arrangements	9
8.1 Administrative Support	9
8.2 Meetings	9
9.3 Agendas and Minutes	9
8.3 Remuneration	10

Acknowledgement

The Panel acknowledges the Bidjigal and Gadigal people who traditionally occupied the Sydney Coast, and Aboriginal Elders both past and present.

1. Objective

The aim of the Panel is to assist Council in translating its strategic vision as outlined in *the Waverley Community Strategic Plan* and Council's *Environmental Action Plan* (EAP) in an efficient and effective manner.

2. Purpose Statement

The role of the Sustainability Expert Advisory Panel (SEAP) will be to:

- a. Work with Council to promote sustainable practices, focusing on the Waverley Community Strategic Plan and Environmental Action Plan.
- b. Assist Council and the community to implement and achieve the environmental targets of the EAP.
- c. Assist Council to integrate environmental sustainability into Council policy, plans and operations.

The Panel will operate in a collaborative manner and convene to workshop environmental problems and solutions to improve the environmental sustainability of Council and the Waverley community more broadly.

3. Authority

The Panel is an advisory body to Council that assists the Council to fulfil its functions. It does not have any delegated authority to act on behalf of Council. The advisory status of the Panel means that it may provide input to Council officers and make recommendations to Council or its Standing Committees.

The Panel is not authorised to:

- Make decisions on behalf of Council
- Expend money on behalf of Council
- Commit the Council to any actions or arrangements
- Direct Council officers in the performance of their duties, or
- Represent the Council in any communication with the public or media.

4. Membership

Panel membership will comprise:

- The Mayor (or Mayor's nominee) and three Councillors.

- Up to six local community sustainability professionals.
- Should the Mayor decline membership of the Panel, a Councillor nominated by the Mayor shall be appointed to the Panel for the councillor term.

A community member is to be appointed as an individual member of the community and not as a representative of an organisation, business, advocacy body, or stakeholder group.

4.1 Appointment of Councillor members

The Mayor, or the Mayor's nominee, and the three councillor members must be appointed by resolution of the Council.

Council may resolve to appoint an alternate Councillor member to attend Panel meetings in the absence of one of the Councillor members. The alternate Councillor member will have the same voting rights as the Councillor member being replaced.

4.2 Appointment of community members

The community members may only be appointed to the Panel by resolution of the Council.

The six community members shall be sought by way of public advertisement inviting expressions of interest for assessment by a selection panel comprising the Executive Manager Environmental Sustainability and two Council officers.

An Easy Read version of the Expression of Interest form will be made available.

The selection panel will evaluate the candidates against the following criteria:

- Live or work in the Waverley local government area
- Have the capacity to contribute views and perspectives that represent, as far as is possible, a diverse range of environmental issues.
- Have significant professional experience in environmental sustainability.
- Have specific expertise relevant to Waverley Council such as in the areas of climate resilience, water, biodiversity or waste.
- Be available to attend meetings out of business hours.

The selection panel will recommend the community membership to Council for its determination.

4.3 Chair of the Panel

The Chair of the Committee or the Chair's delegate is the Chair of the Panel.

The Chair is to have precedence over the control and management of the meetings. In relation to any procedural matter, the ruling of the Chair shall be final.

The Chair may call any member to order whenever in the opinion of the Chair it is necessary to do so.

Should the Chair be unable to chair a meeting or part of a meeting, prior to the meeting the Chair will nominate a councillor member or a suitable Council Officer.

4.4 Non-voting Invitees

The Panel will issue a standing invitation to the following people to attend meetings of the Panel as non-voting invitees:

- All non-member Councillors
- The General Manager

Other Council staff may be invited by the Chair of the Panel or the Executive Manager Environmental Sustainability to attend meetings as observers, advisors or to provide information and presentations as required.

The Panel may also invite other external parties to provide expert advice, information or presentations as the Panel deems necessary. This will be facilitated by the Director of Planning, Environment and Regulatory Services and the Executive Manager of Environmental Sustainability.

Councillors who are not Panel members may attend meetings of the Panel. However, they are not entitled to:

- Give notice of business for inclusion on the agenda of the meeting;
- Move a motion at the meeting; or
- Vote at the meeting.

4.5 Vacancies

A vacancy for a community member of the Panel will occur upon the resignation of the member, expiry of a term of appointment as outlined in Section 5 of this Terms of Reference, failure to attend without cause for two consecutive meetings, or removal of the member by resolution of the Council.

Following an expression of interest process for community membership of the Panel, Council may establish a pool of suitable candidates to fill vacancies on the Panel. A candidate may be a member of the pool for a maximum period of 36 months.

Where no pool of suitable candidates is established, vacant community member positions on the Panel must be filled by way of public advertisement inviting expressions of interest

for assessment by the selection panel, who will recommend a new member to Council. This will occur as soon as practical within the period of two Panel meetings.

5. Term of Office

Councillor members of the Panel shall hold office for one Council term

Community members shall hold office for one Council term (or such other period of appointment) or when reviewed by Council. Where possible the term is to coincide with the Council term.

An individual member will cease to be a member of the Panel if the member has been absent from two consecutive meetings without having given reasons acceptable to the Chair for their absence.

A review of the panel will be completed every Council term.

6. Member Responsibilities

It is the responsibility of Panel members to:

- Participate in and contribute to meetings.
- Understand the relevant legislation and regulatory requirements appropriate to the Panel.
- Contribute the time needed to study and understand the papers/information provided
- Apply good analytical skills, objectivity and good judgment.
- Keep up to date and informed of the work of the Panel.
- Perform tasks agreed by the Panel that may need to occur outside of meetings.
- Perform any other duties that may reasonably be determined from time to time and agreed by the Panel e.g. site visits.

6.1 Code of Conduct

Members of the Panel must comply with Council's Code of Conduct for Council Committee Members and Other Council Officials in carrying out their functions as Panel members.

6.2 Conflict of Interests

Panel members must declare any conflict of interests at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be recorded in the minutes.

Where Panel members attending meetings are deemed to have a real or perceived conflict of interest, it may be appropriate that they be excused from Panel deliberations on the issue where the conflict of interest may exist.

For the avoidance of doubt, non-councillor members of the Panel are not 'designated persons'.

6.3 Confidential and Personal Information

In the course of their work on the Panel, Panel members may be entrusted with sensitive or confidential information about Council's operations.

Panel members must maintain the integrity and security of confidential and personal information in their possession, or for which they are responsible.

Provisions concerning the use and security of confidential and personal information are set out in Part 7 of Council's *Code of Conduct for Council Committee Members and Other Council Officials*.

Should a Panel member become aware of any breach of security, or misuse of Council's confidential or personal information, they should inform the Executive Manager Environmental Sustainability immediately.

6.4 Media Protocol

Panel members must not make public comment, including to the media and on social media, on any matter related to Waverley Council. The Mayor or the Chairperson of the Panel are the only persons permitted to speak to the media on behalf of the Panel.

6.5 Responsibilities of Non-voting Invitees, Observers and Non-member Councillors

All non-voting invitees, observers and non-member Councillors must comply with sections 6.1-6.4 of this Terms of Reference.

7. Review of the Terms of Reference

The Panel will review its Terms of Reference at least every Council term to ensure it remains current, relevant, and accurately reflects the Panel's composition, role, and responsibilities.

The Panel may make recommendations to the Council to change aspects of the Terms of Reference. However, the adoption of the Terms of Reference is the responsibility of the Council.

8. Administrative Arrangements

8.1 Administrative Support

- Administrative support will be provided by Council Officers from the Environmental Sustainability Department.
- Council's main contact for the Panel will be the Executive Manager, Environmental Sustainability.

8.2 Meetings

- Meeting will be in a workshop format and take place without strict adherence to the rules of debate and other procedural requirements. Recommendations at meetings will be made by way of consensus. In cases where consensus cannot be reached recommendations will be made by majority vote.
- Meetings of the Panel will be held at least three times per year.
- Meetings will be held outside of business hours.
- Meetings may be held in person, online, or both.
- Meetings of the Panel are not open to the public. However, members of the public may be invited to speak at a meeting on the issues being considered by the Panel at the discretion of the Chair.
- Additional meetings may be required outside the regular meetings to complete the requirements of the Panel. The purpose of these meetings will not be to make recommendations to Council but to complete actions of the Panel.
- Where these Terms of Reference do not address the conduct of a meeting, Council's Code of Meeting Practice will apply.

9.3 Agendas and Minutes

- Council officers will provide agenda items and reports for Panel meetings in consultation with the Chair of the Panel.
- The assigned support officer will ensure meeting agendas and associated documents will be issued to Panel members, all councillors and non-voting invitees at least seven days before the meeting.
- Members may raise specific matters that they believe are within the Panel's Terms of Reference for discussion, comment and consideration. Where practicable, members should notify the Executive Manager Environmental Sustainability of items of general business that they would like to discuss in the meeting at least 21 days prior to a scheduled meeting to enable its inclusion in the agenda. Agenda items put forward must be aligned with the Waverley Environmental Action Plan and Waverley Community Strategic Plan. Where there is insufficient time to discuss an item of general business, whether raised before or at the meeting, consideration will be given to placing it on the agenda of the next meeting or dealing with the matter out of session.

- The Executive Manager Environmental Sustainability, through the assigned support officer, will record minutes of the of Panel. The minutes must record:
 - The date and start time of meetings, attendees and any apologies.
 - Any conflict of interests declared at the meeting.
 - The confirmation of the minutes from previous the meeting.
- The draft minutes must be approved by the Chair of the Panel. The assigned support officer will then circulate the draft minutes to all Panel members, Councillors and relevant staff within 10 business days of the meeting being held.
- Draft minutes are not publicly available.
- The draft minutes must be confirmed by the Panel at the next available Panel meeting, and subsequently reported to Council for noting and published on Council's website.
- If the Panel wishes to recommend to the elected Council that it takes action on a particular matter, officers must write a report to the Council with details of the background and the issues and include the Panel's recommendation for Council's consideration.

8.3 Remuneration

Involvement in the panel is on a volunteer base only, there is no remuneration for participating on the Panel.