



15 February 2021

NOTICE OF MEETING

Dear Committee Member,

The next Environmental Advisory Committee meeting will be held at 6.00pm on Tuesday, 16 March 2021 in the Council Chamber, 7000 Great Eastern Highway, Mundaring.

The attached agenda is presented for your consideration.

Yours sincerely

Jonathan Throssell
CHIEF EXECUTIVE OFFICER

Please Note

If an Elected Member has a query regarding a report item or requires additional information in relation to a report item, please contact the senior employee (noted in the report) prior to the meeting.



AGENDA
ENVIRONMENTAL ADVISORY COMMITTEE MEETING
16 MARCH 2021

ATTENTION/DISCLAIMER

The purpose of this Committee Meeting is to discuss and make recommendations to Council about items appearing on the agenda and other matters for which the Committee is responsible. The Committee has no power to make any decisions which are binding on the Council or the Shire of Mundaring unless specific delegation of authority has been granted by Council. No person should rely on or act on the basis of any advice or information provided by a Member or Employee, or on the content of any discussion occurring, during the course of the Committee Meeting.

The Shire of Mundaring expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a Member or Employee, or the content of any discussion occurring during the course of the Committee Meeting.

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**ENVIRONMENTAL ADVISORY COMMITTEE MEETING
COUNCIL CHAMBER, 7000 GREAT EASTERN HIGHWAY, MUNDARING – 6.00PM**

1.0 OPENING PROCEDURES

Acknowledgement of Country

Shire of Mundaring respectfully acknowledges the Whadjuk people of the Noongar Nation, who are the traditional custodians of this land. We wish to acknowledge Elders past, present and emerging and respect their continuing culture and the contribution they make to the region.

1.1 Announcement of Visitors

1.2 Attendance/Apologies

Staff Ruth Broz

Minute Secretary

Apologies

Guests

2.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

3.0 DECLARATION OF INTEREST

3.1 Declaration of Financial Interest and Proximity Interests

Elected Members must disclose the nature of their interest in matters to be discussed at the meeting (*Part 5 Division 6 of the Local Government Act 1995*).

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting (*Sections 5.70 and 5.71 of the Local Government Act 1995*).

3.2 Declaration of Interest Affecting Impartiality

An Elected Member or an employee who has an interest in a matter to be discussed at the meeting must disclose that interest (*Shire of Mundaring Code of Conduct, Local Government (Admin) Reg. 34C*).

4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

5.0 PRESENTATIONS

6.0 REPORTS OF EMPLOYEES

6.1 Revised EAC Terms of Reference

File Code	GV.MTG 6/7
Author	Briony Moran, Coordinator Environment and Sustainability
Senior Employee	Mark Luzi, Director Statutory Services
Disclosure of Any Interest	Nil
Attachments	1. Environmental Advisory Committee Revised Terms of Reference

SUMMARY

The Environmental Advisory Committee (EAC) is requested to review the EAC terms of reference and recommend its adoption to Council.

BACKGROUND

The current EAC Terms of Reference (TOR) were adopted by Council at its meeting of 28 October 2019 (SC3.10.19). These terms of reference include provision for the EAC itself to review its TOR:

12.1 The Committee is to conduct a review of its terms of reference every two years.

The previous review by the EAC was undertaken in February 2018 and the revised TOR adopted by Council at its meeting of 13 March 2018 (C6.03.18). Further amendments were made by Council at its meeting of 11 September 2018 (C8.09.18) including a change to the requirements for a quorum, to be consistent with section 5.19 of the *Local Government Act 1995*.

At its meeting of 18 November 2020 (EAC3.11.20) the EAC considered the current Terms of Reference and decided:

That this item be deferred to the next meeting of the Environmental Advisory Committee to allow the Committee to consider revisions to the objectives.

An informal meeting of the EAC was held on 2 December 2020 to consider revisions to the objectives.

STATUTORY / LEGAL IMPLICATIONS

Formal committees of Council are established under the *Local Government Act 1995*.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Mundaring Strategic Community Plan 2020 - 2030

Priority 4 - Governance

Objective 4.4 – High standard of governance and accountability

Strategy 4.4.8 – Compliance with the Local Government Act 1995 and all relevant legislation and regulations

SUSTAINABILITY IMPLICATIONS

Nil

RISK IMPLICATIONS

Risk: Reputational – terms of reference for committees not reviewed		
Likelihood	Consequence	Rating
Unlikely	Minor	Low
Action / Strategy		
Review terms of reference regularly.		

EXTERNAL CONSULTATION

No external consultation was required to be undertaken.

COMMENT

As noted above, an informal meeting of the EAC was held on 2 December 2020 to review the TOR with a particular focus on clarifying the objectives of the committee.

The current listed objectives are:

4.1 To provide a forum for discussion and recommendation to Council to:

- Provide advice to Council on a range of environmental and sustainability issues within the Shire of Mundaring and across the community;*
- Advise on priority projects to be considered for funding in the Corporate Business Plan and/or Annual Budget;*
- Receive information and provide advice on key environmental and natural resource programs, services and facilities currently provided or planned by the Shire;*
- Work with the community to create and encourage increased levels of environmental awareness;*
- Make recommendations to Council on policy and appropriate courses of action to promote social, economic and environmental sustainability; and*
- Work within community to increase awareness in mitigation and adaptation strategies for climate change.*

The revised objectives requested by EAC members are below:

4.1 To provide a forum to:

- Provide advice and recommendations to Council on environmental sustainability issues and related policy;*
- Work with the community to increase awareness of environmental and climate change issues;*

- *Respond to Council requests for advice on environmental sustainability matters; and*
- *Advise on priority environmental projects to be considered for funding by Council.*

An additional change is proposed to insert the word 'available' into section 11 reporting requirements. This to accommodate changes to scheduling of Committee meetings, which may be held before a Council meeting but after that agenda has been published:

11.1 Recommendations arising from the Committee's deliberations shall be presented to the next available ordinary meeting of Council.

The attached revised EAC Terms of Reference incorporate the changes noted above.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council adopts the revised Terms of Reference for the Environmental Advisory Committee.



ENVIRONMENTAL ADVISORY COMMITTEE

TERMS OF REFERENCE

(Adopted 8 March 2016 – C4.03.16)
(Amended 25 October 2017 – SC5.10.17)
(Amended 13 March 2018 – C6.03.18)
(Amended 11 September 2018 – C8.09.18)
(Amended 28 October 2019 – SC3.10.19)

Established: October 1993

1. NAME

The name of the Committee is the Shire of Mundaring Environmental Advisory Committee.

2. HEAD OF POWER

The Committee is established by Council under section 5.8 of the *Local Government Act 1995* as a committee comprised of council members and other persons under section 5.9(2)(d).

3. DEFINITIONS

Act means the *Local Government Act 1995*.

Committee means the Shire of Mundaring Environmental Advisory Committee.

Council means the Council of the Shire of Mundaring.

Elected Member means a Councillor of the Shire of Mundaring.

4. OBJECTIVES

4.1 To provide a forum to:

- Provide advice and recommendations to Council on environmental sustainability issues and related policy;
- Work with the community to increase awareness of environmental and climate change issues;
- Respond to Council requests for advice on environmental sustainability matters; and
- Advise on priority environmental projects to be considered for funding by Council.

5. COMMITTEE STRUCTURE

5.1 The Committee shall consist of eleven members:

- Two elected members; and
- Up to nine community members with an interest and/or expertise in environmental matters and a demonstrated ability to provide impartial advice.

5.2 A quorum will be at least 50% of the number of positions on the Committee (whether vacant or not).

5.3 The Committee is supported by the Manager Planning and Environment and Coordinator Environment and Sustainability.

6. TERMS OF APPOINTMENT

6.1 Members are appointed by Council following ordinary local government elections for a term of up to two years to expire on the date of the subsequent ordinary local government elections.

6.2 If a member resigns prior to an ordinary local government election, Council will appoint a replacement.

7. PRESIDING PERSON

7.1 One elected member appointed to the Committee will be the presiding person.

7.2 In the absence of the Presiding Person the other elected member will assume the chair.

7.3 The role of the presiding member includes:

- Overseeing and facilitating the conduct of meetings in accordance with the Act and the Shire's Meeting Procedures Local Law 2015;
- Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner; and
- Where a matter has been debated significantly and no new information is being discussed, to call the meeting to order and ask for the debate to be finalised and the motion to be put.

8. MEETINGS OF THE COMMITTEE

8.1 The Committee will meet at least three times per calendar year.

8.2 Meetings of the Committee are open to the public and will be advertised on the Shire website.

8.3 An ordinary or special meeting of the Committee is to be held:

- If called for by either the presiding person or at least two Committee members in a notice to the CEO setting out the date and purpose of the proposed meeting; or
- If so decided by the Committee; or
- If called for by Council.

- 8.4 The Committee may invite Shire employees and other appropriate persons to attend meetings and provide pertinent information where necessary.
- 8.5 The first item on the agenda for all Committee meetings (after apologies) shall be the declaration by Committee members present of any financial, proximity and impartiality interests. These shall be recorded in the minutes.
- 8.6 Committee members who have disclosed a financial or proximity interest must not be present during discussion of and voting on the matter in which they have an interest.
- 8.7 Committee members who have disclosed an impartiality interest may remain in the meeting and participate in the discussion and voting, unless the interest is such that it would prevent them from impartially and objectively considering all the relevant information.

9. POWERS OF THE COMMITTEE

- 9.1 The Committee is a formally appointed committee of Council and is responsible to that body.
- 9.2 The Committee does not have any delegated authority.
- 9.3 Committee recommendations must be adopted by Council during a formal Council meeting before they can be implemented.
- 9.4 Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by Council.

10. VOTING

- 10.1 Each member of the Committee present during a meeting will have one vote.
- 10.2 The names of members voting for and against will be recorded in the minutes.

11. REPORTING REQUIREMENTS

- 11.1 Recommendations arising from the Committee's deliberations shall be presented to the next **available** ordinary meeting of Council.

12. REVIEW OF TERMS OF REFERENCE

- 12.1 The Committee is to conduct a review of its terms of reference every two years.
- 12.2 Reviewed terms of reference will be provided to Council for consideration and adoption.

13. TERMINATION OF THE COMMITTEE

- 13.1 The Committee can be terminated in accordance with the Act or at the discretion of Council.

7.0 URGENT BUSINESS (LATE REPORTS)

8.0 CLOSING PROCEDURES

8.1 Date, Time and Place of the Next Meeting

The next meeting of the Environmental Advisory Committee will be held on Tuesday 11 May 2021 in the Council Chamber.

8.2 Closure of the Meeting