



**PORT STEPHENS**  
COUNCIL

# Environmental Advisory Group

## Terms of Reference

This document sets out the administration and management requirements for the Environment Advisory Group.



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## **ENVIRONMENTAL ADVISORY GROUP**

### **1. PURPOSE:**

- 1.1 The purpose of the Port Stephens Environmental Advisory Group (the Group) is to provide community representation for consultation, advice and advocacy on environmental matters in Port Stephens.

### **2. BACKGROUND:**

- 2.1 The Group has been established in accordance with a 2023 Council resolution. The Group offers Council a regular forum for discussion, consultation, collaboration and advice with interested members of the Port Stephens community concerning Environmental matters. The Group meets four (4) times throughout the year with an agenda prepared by Port Stephens Council.

### **3. SCOPE AND LIMITATIONS:**

- 3.1 To provide community representation for consultation, advice and advocacy on environmental matters, including biodiversity, climate change and sustainability, in Port Stephens.
- 3.2 To share and preserve knowledge, network and build environmental understanding across Port Stephens.
- 3.3 To identify opportunities for community based environmental projects across Port Stephens.
- 3.4 To promote the importance of the environment within the community.
- 3.5 Council retains the responsibilities for planning matters in accordance with the Environmental Planning and Assessment Act 1979. It is therefore not the role of the Group to resolve environmental related issues associated with development or rezoning applications.
- 3.6 The Group is required to comply with the following policies and legislation:
- a) Local Government Act 1993
  - b) Work Health and Safety Act 2011
  - c) Privacy and Personal Information Protection Act 1998
  - d) State Records Act 1998
  - e) PSC Code of Conduct
  - f) PSC Access to Information Policy
  - g) PSC WHS Statement of Commitment

## 4. DEFINITIONS:

Council	Port Stephens Council and the officers of Council.
PSC	Port Stephens Council.
The Group	Environmental Advisory Group.
ToR	Terms of Reference.
EOI	Expression of Interest.
Established Community Group	A group that is currently active and located in the Port Stephens Local Government area with 10 or more registered members.

## 5. AUTHORITY:

- 5.1 The Group is not a committee of Council in accordance with the NSW Local Government Act 1993. The Group provides support and advisory services and are not delegated functions of Council.
- 5.2 The Group does not:
- a) make decisions on behalf of Council;
  - b) provide formal policy advice or recommendations to Council;
  - c) expend moneys on behalf of Council;
  - d) commit Council to any arrangement;
  - e) consider any matter outside its specific reference;
  - f) direct Council officers in the performance of their duties.

## 6. TERM:

- 6.1 The initial term of the Group will be until September of the next Council Election. Council are to re-adopt the ToR within three (3) months following the election.

## 7. MEMBERSHIP:

- 7.1 The Group will be chaired by a nominated Councillor Chairperson or the alternate Councillor, in their absence.
- 7.2 Port Stephens Council: four (4) representatives – two (2) Councillors, Strategy and Environment Section Manager, or their delegate, and an additional officer. The Mayor and any Councillors may attend any Group meeting.
- 7.3 Nominated representatives selected through an Expression of Interest (EOI) as described in the Community Group Member Selection Process below. Nominated representatives to include:
- 7.3.1 One (1) nominated representative from an established community group, or a delegate, in their absence. Up to ten (10) community groups to be represented.

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- 7.3.2 Up to three (3) independent community representatives (not affiliated with an existing established community group).
- 7.4 Group members may resign at any time by advising of their resignation in writing to the Chairperson.
- 7.5 A Group member who is absent for more than two (2) consecutive meetings without leave or reasonable excuse, may be requested to explain their absence. If absenteeism of a member is ongoing, the Group may request Council to declare the position vacant.
- 7.6 In the event that a panel member resigns or position becomes vacant:
- 7.6.1 The eligibility list (described below) will be utilised to replace the outgoing independent community representative.
- 7.6.2 Established Community groups will reserve the right to nominate one (1) representative to replace the outgoing member.
- 7.6.3 Council may appoint an independent community representative to fill the casual vacancy for the remainder of the term.
- 8. MEMBER SELECTION PROCESS:**
- 8.1 One (1) nominated representative from up to ten (10) established community groups, and up to three (3) independent community representatives (not affiliated with an existing established community group) will be selected through an expression of interest (EOI).
- 8.2 EOIs will be accepted in multiple formats including but not limited to:
- a) written (electronic or handwritten);
  - b) video (including video recording of person using Auslan);
  - c) audio.
- 8.3 An assessment panel of two (2) nominated Councillors and two (2) Council Officers will assess all applications and endorse group membership.
- 8.4 Applicants are to nominate if they are representing an established community group and are to specify which group they are representing.
- 8.5 Applicants must reside, work or study in the Port Stephens LGA and demonstrate they meet the below criteria:
- a) have knowledge or skills and an active interest in environmental protection and enhancement within the Port Stephens LGA;
  - b) have a willingness to make an active contribution to discussions;
  - c) have a capacity to commit to the Group.

In addition to the above, where an applicant seeks appointment as a representative of an established community group, an explanation of how the group aligns with the Environmental Advisory Group purpose as described above is required.

- 8.6 Offers of membership will be made to the applicants that most closely align with the selection criteria and which ensures the Group has a broad representation from across all three (3) Council wards. The unsuccessful applicants will be placed on an eligibility list for up to two (2) years.

## **9. ROLES AND RESPONSIBILITIES:**

- 9.1 The General Manager may refer any matter to the Group within the scope of its role and responsibilities.

- 9.2 Council reserve the right to revise or expand the responsibilities of the Group.

- 9.3 The responsibilities of the Group are described below. All roles are to adhere to Council's Code of Conduct. Conflict of interests must be managed in accordance with the Code of Conduct.

### 9.4 The Chairperson

- a) Manages Group meetings;
- b) Ensures that the meeting agenda is followed and discussion remains focused on the matters being considered;
- c) Ensures the Group endorses the minutes.

### 9.5 Group members

- a) Works collaboratively with all members of the Group to achieve its purpose;
- b) Provides independent and constructive advice and feedback to Council;
- c) Identifies opportunities for environmental advocacy;
- d) Identifies opportunities for community based environmental projects across Port Stephens.

### 9.6 Council Secretariat

- a) Organises meeting dates, times and location;
- b) Takes and distributes draft meeting minutes.

## **10. ADMINISTRATION ARRANGEMENTS:**

### 10.1 Meeting practices and cycles

- 10.1.1 The Group shall hold ordinary meetings four (4) times in a calendar year and these shall be held in February, May, August and November. The meetings will run for up to two (2) hours.

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10.1.2 Meetings are to be held in Council's Administration Building, or other locations as determined by the Chairperson, and members may attend in person or over zoom.

## 10.2 Secretariat

10.2.1 Council will provide a secretariat for the Group.

## 10.3 Agenda and minutes

10.3.1 Any Group member may submit agenda items. The Chairperson, with the support of a Council officer, is responsible for finalising the agenda. The Chairperson will make the final decision on matters to be included.

10.3.2 The Secretariat will ensure the agenda for each meeting are circulated to members in sufficient time (at least three (3) working days) before the meeting.

10.3.3 Circulation of the agenda will be by electronic means.

10.3.4 The agenda and minutes will be made available on Council's website.

## 10.4 Recordkeeping

10.4.1 The Secretariat will be responsible for minute taking and appropriate record keeping in line with Council policy and the requirements of the State Records Act 1998. Meeting minutes will be circulated to all members within one (1) week of the meeting.

## 11. **CONFIDENTIALITY:**

11.1 Members listed in this Terms of Reference may become acquainted with or have access to confidential and/or sensitive information. Members should not disclose such information to any other party unless specifically authorised to do so and should not make improper use of any information.

## 12. **INTELLECTUAL PROPERTY:**

12.1 The Group acknowledges and agrees:

- a) It is important for Council to develop, maintain, protect and manage the organisation's intellectual property including copyright, trademarks, registered designs, patents and databases.
- b) The Group has a duty to observe and help protect Council's intellectual property by not copying or supplying such property without the express permission of Council or the copyright owner.
- c) Council retains ownership of all intellectual property created by Members in the course of their Group work.

12.2 The Group will refer to the Secretariat any questions relating to intellectual property rights or the use of another organisation's document.

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## 13. MEDIA:

- 13.1 Any media liaison associated with the activities of the Group shall be undertaken in accordance with Port Stephens Council protocols and with the Chairperson or Council staff member with appropriate delegations.

## 14. REVIEW:

- 14.1 The Terms of Reference will be reviewed at the first meeting in each calendar year.

## 15. OTHER MATTERS:

- 15.1 In carrying out its functions the Group will be guided by existing processes and policies of Council.

## 16. MEETING CODE OF COOPERATION:

- We start on time and finish on time.
- We focus on the strategic intent of the item.
- We ensure that people attending meetings are provided with guidance and support.
- We consider the risks and opportunities of each item.
- We are prepared to have open and honest conversations about an issue even if it is uncomfortable.
- We all participate fully and are prepared to challenge each other.
- We use improvement tools that enhance meeting efficiency and effectiveness.
- We actively listen to what others have to say, seeking first to understand then to be understood.
- We consider the deployment of actions and programs through appropriate frameworks and communicate the consensus view through appropriate channels.
- We follow up on the actions we are assigned responsibility for and complete them on time.
- We give and receive open and honest feedback in a constructive manner.
- We use data to make decisions (whenever possible).
- We determine issues arising by consensus or refer to the Chair for consideration.
- We strive to continually improve our meeting process and build time into each agenda for reflection and learning.
- We will promote best practice, keeping open minds, combining our experiences and shared learnings to inform our deliberations.

## 17. RELATED DOCUMENTS:

- 17.1 CODE OF CONDUCT  
17.2 LOCAL GOVERNMENT ACT 1993

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## CONTROLLED DOCUMENT INFORMATION:

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