

# TERMS OF REFERENCE

## LAKE ILLAWARRA COASTAL MANAGEMENT PROGRAM IMPLEMENTATION GROUP

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### 1 INTRODUCTION

Lake Illawarra and its catchment span both the Wollongong and Shellharbour Local Government Areas. In 2020, a Coastal Management Program (CMP) was certified to facilitate the coordinated management of the lake by all responsible stakeholders. The Lake Illawarra CMP Implementation Group has been established to enable communication and foster relationships between those stakeholders, including Councils, the Community, and relevant State Agencies.

### 2 PURPOSE

The purpose of the Lake Illawarra CMP Implementation Group (the Group) is to support implementation of the CMP and, where needed, provide advice on the implementation of actions within the Lake Illawarra CMP. It will act as a platform for relationship building between all stakeholders, with the shared aspiration to ensure that Lake Illawarra's ecological, social, and economic value is maintained and improved now and into the future.

### 3 AUTHORITY

The Group does not have decision making authority, the power to bind the two Councils or the power to incur expenditure.

### 4 RESPONSIBILITIES AND FUNCTIONS

The responsibilities and functions of the Group are to -

- Provide input into the implementation of specific actions within the CMP.
- Assist both Councils and other relevant Lake Managers in supporting the implementation of the CMP.
- Serve as an important link to the community and assist both Councils to communicate with the broader community by collaboratively sharing information received at meetings on the progress of CMP implementation.
- Encourage community participation in implementation of CMP actions where relevant and appropriate.
- Provide input and advice from the perspective of the community groups and/or organisations they are representing.
- Reflect the concerns of relevant stakeholders and the broader community regarding implementation of actions within the CMP.
- Assist both Councils by providing information regarding known threats to Lake Illawarra that are identified in the Lake Illawarra CMP.

Routine operational and maintenance matters relating to Lake Illawarra will not be the business of the Lake Illawarra CMP Implementation Group. These matters are to be followed up using the Customer Service functions operating at the relevant Council or Agency.

### 5 COMPOSITION OF THE LAKE ILLAWARRA CMP IMPLEMENTATION GROUP

The Group is made up of an Executive membership and a Community membership.

The Executive membership shall consist of -

- Up to three (3) Councillors from each of the two Councils.
- Senior Council Staff Representatives from the Lake Illawarra CMP Project Management Team.

- One (1) nominated representative from the Asset Management Working Group; and
- Representatives from each of the following Government agencies:
  - Department of Planning and Environment (DPE).
    - Environment, Energy and Science.
    - Planning and Policy.
    - Crown Lands.
    - National Parks and Wildlife Services (where required).
    - Property NSW.
  - Department of Primary Industries (Fisheries).
  - Transport for NSW
  - South East Local Land Services
  - Sydney Water
  - Illawarra Local Aboriginal Lands Council

The Community membership shall consist of -

- Two (2) community members from each LGA.
- Two (2) Aboriginal community representatives - one member from each LGA.
- One (1) independent scientific advisor.

Other Staff from the Councils may attend meetings as observers, to provide information to the Group or to fulfil an administrative function (eg taking minutes and/or distributing minutes within the two Councils and to Group members).

## 6 APPOINTMENT OF MEMBERS

### **Councillors**

Up to three Councillors each are to be appointed by the Wollongong City and Shellharbour City Councils following the relevant Council policy for appointment of Councillor Delegates to Committees. A Chairperson will be appointed from the host Councils Councillor delegates following the relevant Councils Policy.

### **Senior Council Staff Representatives**

Each Council will be represented by Senior staff appointed by the relevant GM/CEO as required.

### **State Agency Representatives**

The host Council at the start of the Group's term will invite the State Agencies listed to nominate a representative to the Group.

### **Community Members**

The community member positions will be appointed via an expression of interest process. The positions will be advertised by the respective Council at the start of the Group's term. The applications will be assessed by the respective Council and recommendations for appointment made for endorsement by their corresponding Council. The selection criteria for community members includes -

- Demonstrated interest in and knowledge of estuary/ lake management issues.
- Demonstrated capacity and willingness to attend quarterly meetings and actively participate in Group business or activities.
- Ability to contribute positively and constructively within an agreed management framework.
- Demonstrated networks with a cross-section of the local community for the purpose of sharing information and commentary.

- Desire to support and promote an inclusive approach for representation of a diversity of perspectives.
- Resident/rate payer in the LGA for which they are applying.

### **Aboriginal Community Representatives**

The Aboriginal community representatives will be appointed nominations from the Shellharbour City Council Aboriginal Advisory Committee and Wollongong City Council Aboriginal Reference Group, being one from each group.

If the Advisory Committee/Reference Group is unable to nominate a representative, the Councils will undertake a broader expression of interest process.

### **Independent Scientific Advisor**

The Independent Scientific Advisor position will be appointed via an expression of interest process. The position will be advertised by the hosting Council at the start of the Group's term. The applications received will be assessed by staff from the two Councils and a recommendation made for endorsement by both Councils. The selection criteria for the Independent Scientific Advisor includes:

- High-level experience in research and/or management of lakes and estuaries.
- Commitment to dedicate time to attend meetings and participate in Group activities where required.
- Demonstrated ability to provide sound scientific advice and a high level of personal commitment while engaged in an honorary position.
- No formal association with Council, government, developers or any other group with a vested interest in the management of estuaries.

## **7 REAPPOINTMENT OR RESIGATION OF COMMUNITY MEMBERS**

Community representatives and scientific advisors are appointed for the full term of Council.

Community members, including Independent Scientific Advisors, may be eligible for re-appointment to the Group, following the expiration of their term, by registering their interest in re-appointment with the Group Chairperson and receiving approval of appointment from the respective Council.

A community member may resign from the Group at any time by advising in writing to the Group Chairperson. Council may directly appoint a community member to fill the vacancy for the remainder of the term or undertake an expression of interest process.

## **8 OBLIGATIONS OF MEMBERS**

Members of the Group, in performing their duties, shall:

- Act honestly and in good faith.
- Actively participate in the work of the Group.
- Perform their duties in a manner that ensures public trust in the integrity, objectivity, and impartiality of the Group.
- Exercise the care, diligence and skill that would be expected of a reasonable person.
- Comply with the Group's Terms of Reference.

## **9 CODE OF CONDUCT**

All members of the Group are required to comply with the Model Code of Conduct for Local Councils in *NSW – Code of Conduct for Council Group Members, Delegates of Council and Council Advisors 2018* and any other policy or requirement applicable to the proper functioning of the Group.

A breach of the Code of Conduct may lead to the member being expelled from the Group.

## 10 GENERAL FUNCTION OF THE GROUP

### **Agenda Items**

The Lake Illawarra Project Officer will prepare a draft Agenda and submit it to the Project Management Team for review. The endorsed agenda will be communicated to all Group members at least three business days prior to the scheduled meeting.

### **Meeting Frequency and Minutes**

The Group shall meet four times a year and no more frequently than quarterly to meet the responsibilities and functions of the Group.

Hosting of the Group will alternate between the two Councils annually, and the Chairperson will be appointed by the host Council from its Councillor Representatives. If the appointed Chairperson is absent from a meeting, the first business of every such meeting is to elect a chairperson from the members present to preside over such meeting. The minutes should capture the consensus view of the group, as well as feedback and advice on any management actions.

### *Executive Membership Meetings*

Executive members may meet as required to discuss confidential matters ahead of the Group meetings. If an Executive membership meeting is required these meetings shall be arranged by the Project Management Team. Where required, an agenda for these meetings will be made available at least three business days prior to the scheduled meeting.

### **Attendance at Meetings**

Members of the Group are expected to attend all meetings (for which they are a member) or alternatively make apologies to the Chairperson for non-attendance. When Executive members cannot attend, they should make all efforts to arrange a suitable proxy to attend.

When Community members cannot attend, they should make apologies to the Chairperson. Community members absent from two consecutive meetings without an accepted apology will receive a notice from the Chairperson. If their absenteeism continues, they may be asked to step down from the Group.

Subject to the approval of the Chairperson, non-members may be invited to attend Group meetings from time to time relating to specific issues or projects as the need arises.

A quorum will consist of half plus one of the Group members, including at least one elected representative (Councillor) from each Council.

### **Term of the Group**

Membership of the Group will operate for the current term of the elected Councils.

## 11 REPORTS

The meeting minutes will be provided to all Councillors, representatives, and executive management of both Councils for information. Minutes will also be distributed to all Group members and uploaded to the Wollongong City Council website within 10 business days following the scheduled meeting.

Any matters arising that require a separate decision of one or both Councils may be reported to the respective Council(s) by managerial staff at their discretion.

## 12 EVALUATION AND REVIEW

A review of the Group will occur at the end of each full term to ensure the purpose, membership and operation of the Group is effective and to make appropriate changes.

## 13 GROUP RESOURCING

Resources required to progress the work of the Group will be considered and made available by one or both Councils, in line with their budgetary constraints and other business priorities.

## 14 REMUNERATION AND EXPENSES

Membership positions in the Group are voluntary and therefore there is no remuneration.