

ITEM 12

APPOINTMENT OF MEMBERS TO THE LAKE ILLAWARRA ESTUARY MANAGEMENT COMMITTEE

The Lake Illawarra Estuary Management Committee (LIEMC) is a joint Committee of both Shellharbour and Wollongong City councils charged with providing advice, feedback and support to the respective Councils in developing, implementing and monitoring a Coastal Management Program and projects for Lake Illawarra. In accordance with the Terms of Reference for the LIEMC the current member term ends on 31 October 2018. Consequently a selection process was recently undertaken to determine the membership for the new term of the LIEMC.

This report outlines the selection process and provides recommendations for the appointment of two community representatives for Wollongong Local Government Area (LGA) and two Independent Scientific Advisors to the LIEMC.

### RECOMMENDATION

- 1 Ms Annie Marlow and Mr Wayne Cook be appointed as community representatives on the Lake Illawarra Estuary Management Committee for the next term of the Committee
- 2 Dr Kerrylee Rogers and Dr Brian Jones be appointed as Independent Scientific Advisors to the Lake Illawarra Estuary Management Committee for the next term of the Committee
- 3 The unsuccessful candidates be thanked for their nomination and interest in assisting in the management of Lake Illawarra
- 4 A letter of thanks be sent to members of the Lake Illawarra Estuary Management Committee who have not re-nominated for their involvement and commitment to the management of Lake Illawarra.

### REPORT AUTHORISATIONS

Report of: David Green, Manager Environmental Strategy and Planning (Acting)  
Authorised by: Mark Riordan, Director Planning and Environment – Future City and Neighbourhoods (Acting)

### ATTACHMENTS

- 1 Lake Illawarra Estuary Management Committee Terms of Reference

### BACKGROUND

In July 2014, the NSW Government disbanded the Lake Illawarra Authority (LIA), and the responsibility for managing Lake Illawarra was given to Wollongong and Shellharbour City councils, and other relevant government agencies including NSW Crown Lands.

With support from the NSW Government, Wollongong and Shellharbour City councils proposed to develop a Coastal Management Program (CMP) for the Lake to strategically guide its long term management, including roles, responsibilities and funding strategies.

In association with the CMP the LIEMC was established in 2015, to provide advice and support to the respective Councils on the preparation and implementation of the CMP and related projects for the Lake, primarily focused on protecting estuary health. The LIEMC comprises key stakeholders who have an interest in the sustainable management of the health of Lake Illawarra including government agencies, community representatives and scientific advisors.

The Terms of Reference for the Lake Illawarra Estuary Management Committee (LIEMC) were updated by both Councils in April 2018 and are attached to this report for reference (Attachment 1). The current term of the LIEMC ends on 31 October 2018 and the mechanisms for the appointment of members for the next term are set out in the Terms of Reference.

### Community Representatives

A public call for two community representatives from each of the Wollongong and Shellharbour LGA's was placed in The Advertiser, on Council's Facebook page and was also discussed on ABC local radio. Each Council has undertaken their own selection process for community representatives. Shellharbour City Council is considering their community member recommendations at a Council meeting scheduled for 30 October 2018.

Wollongong City Council received four applications for the two Wollongong community representative positions.

In accordance with the Wollongong City Council Policy "*Recruitment of External Members to Committees*" and the LIEMC's Terms of Reference, a selection panel comprising Councillor Cath Blakey, Councillor Cameron Walters, the Environment Planning Manager and the City Wide Development Manager was formed. Councillor Walters subsequently withdrew from the process because of illness.

An initial assessment against the following selection criteria was undertaken:

- Demonstrated interest in and knowledge of estuary management issues
- Demonstrated ability to dedicate time to attend meetings and perform tasks related to committee business
- Demonstrated ability to contribute positively and constructively within an agreed management framework
- Demonstrated contact with a cross-section of the local community for the purpose of passing on information and receiving feedback.

All applicants are residents/ratepayers of the Wollongong LGA and were approved for interview. The results of the selection process are provided in the 'Proposal' section of this report.

### Independent Scientific Advisors

Two Independent Scientific Advisor positions exist on the LIEMC. Two applications were received for the positions.

In accordance with the Wollongong City Council policy "*Recruitment of External Members to Committees*" and the Committee's Terms of Reference, a panel made up of Council staff from both Councils assessed the applications against the following selection criteria:

- High-level experience in research or management of estuaries
- Demonstrated ability to dedicate time to attend meetings and perform tasks related to Committee business
- Demonstrated ability to provide sound scientific advice and a high level of personal commitment while engaged in an honorary position
- Independence from Council, government, developers or any other group with a vested interest in the management of estuaries.

The results of the selection process for the Independent Scientific Advisor positions are provided in the proposal section of this report. Both Wollongong and Shellharbour City councils need to approve the Independent Scientific Advisor recommendations before the positions can be filled. Shellharbour City Council will receive the same recommendations for approval at their meeting on 30 October 2018.

## PROPOSAL

### Community Representatives

The selection panel conducted interviews with applicants at Council's Administration Building on 3 October 2018.

All four applicants were deemed suitable for membership of the LIEMC. Responses to questions were scored and the two highest ranked candidates are unanimously recommended by the panel for appointment to the WCC Community representative positions for the next term of the LIEMC, being:

- 1 Ms Annie Marlow and
- 2 Mr Wayne Cook.

### Independent Scientific Advisors

The Independent Scientific Advisor selection panel assessed the applications for the two Scientific Advisor positions.

Both applicants satisfactorily met the criteria for the role and are existing advisors on the Committee. Consequently both applicants are unanimously recommended by the panel for the two Independent Scientific Advisor positions, being:

- 1 Dr Kerry Lee Rogers and
- 2 Dr Brian Jones.

Neither applicant was identified as having any conflict of interest, based on the information provided in their applications.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal "Our natural Environment and Waterways are protected and Enhanced".

It specifically delivers on core business activities as detailed in the Manage and Effectively Improve the Cleanliness, Health and Biodiversity of Creeks, Lakes, Waterways and Oceans Service Plan 2018-19.

## FINANCIAL IMPLICATIONS

In accordance with Item 12 of the Terms of Reference of the Lake Illawarra Estuary Management Committee, there is no remuneration for members. There are no additional financial implications for Council.

## CONCLUSION

Both Wollongong and Shellharbour City councils have committed to using the Lake Illawarra Estuary Management Committee to advise and assist them in managing Lake Illawarra jointly into the future. Endorsement is sought by Council for the appointment of the recommended applicants for the positions of community representative and Independent Scientific Advisor.

# TERMS OF REFERENCE

## LAKE ILLAWARRA ESTUARY MANAGEMENT COMMITTEE



### 1 INTRODUCTION

Lake Illawarra lies in the Local Government Areas of Wollongong City and Shellharbour City Councils. The Lake Illawarra Estuary Management Committee has been established to provide advice and support to Wollongong City and Shellharbour City Councils on the preparation and implementation of a strategic Coastal Management Program for Lake Illawarra. The Committee comprises people interested in the sustainable management of the health of Lake Illawarra.

### 2 AUTHORITY

The Lake Illawarra Estuary Management Committee will provide advice, feedback and support to Wollongong City and Shellharbour City Councils in developing, implementing and monitoring a Coastal Management Program and projects for Lake Illawarra, that are primarily focused on protecting estuary health.

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

### 3 RESPONSIBILITIES AND FUNCTIONS

The responsibilities and functions of the Lake Illawarra Estuary Management Committee are to:

- assist Wollongong City and Shellharbour City Councils to develop a Coastal Management Program for Lake Illawarra in accordance with the NSW Government guidelines;
- develop a better understanding of estuary health and identify issues which need to be addressed;
- assist in developing suitable strategies to address estuary and coastal zone management issues;
- monitor and evaluate the implementation of the Coastal Management Program; and
- provide advice on planning proposals and major capital works proposed to take place in the Lake Illawarra catchment.

Routine operational and maintenance matters relating to Lake Illawarra will not be the business of the Lake Illawarra Estuary Management Committee. These matters are to be followed up using the Customer Service functions operating at Wollongong City and Shellharbour City Councils.

### 4 PRIORITIES

The immediate priority of the Lake Illawarra Estuary Management Committee is to oversee the completion of the Lake Illawarra Coastal Management Program in accordance with NSW Government guidelines. Upon completion, the Lake Illawarra Coastal Management Program shall be submitted to both Councils for adoption, and implementation in line with their business priorities.

### 5 COMPOSITION OF THE LAKE ILLAWARRA ESTUARY MANAGEMENT COMMITTEE

The Lake Illawarra Estuary Management Committee is proposed to be made up of:

- THREE (3) councillors from each of the two Councils. One of the three Wollongong councillors is expected to be a member of its Estuary and Coastal Zone Management Committee;
- TWO (2) community members from each LGA;
- TWO (2) Aboriginal community representatives. One nominated by the Shellharbour City Council Aboriginal Advisory Committee and one nominated by the Wollongong City Council Aboriginal Reference Group;
- TWO (2) independent scientific advisors;
- representatives from each of the following State Government agencies – Office of Environment and Heritage, Department of Industry (Crown Lands), Department of Primary Industries (Fisheries), and Department of Planning;
- one representative from the Roads and Maritime Services;

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- one representative of the South East Local Land Services;
- one representative from Sydney Water; and
- one representative from the Illawarra Local Aboriginal Lands Council.

Hosting of the Committee will alternate between the two Councils annually, and the Chairperson will be appointed by the host Council from its councillor representatives.

Vacancies that occur on the Committee will be filled by nomination.

Staff from the two councils will attend meetings as observers, to provide information to the Committee or to fulfil an administrative function (eg taking minutes and/or distributing minutes within the two Councils and to Committee members). These individuals will act as ex-officio members. Administrative support for the Committee will be provided by the host Council staff.

Term of appointment for the Committee is for 12 months [31 October 2018] or until the State Minister endorses the Coastal Management Program for Lake Illawarra – whatever comes first.

## 6 APPOINTMENT OF MEMBERS

### Councillors

Three councillors each are to be appointed by the Wollongong City and Shellharbour City Councils. One of the Wollongong councillors is expected to be a member of the Estuary and Coastal Zone Management Committee.

### Community Members

The community member positions available for each LGA will be advertised by the respective Council at the start of the Committee's term. The applications will be assessed by the respective Council staff and recommendations made for appointment by their corresponding Council. The selection criteria for community members will be:

- Demonstrated interest in and knowledge of estuary management issues.
- Demonstrated ability to dedicate time to attend meetings and perform tasks related to committee business.
- Demonstrated ability to contribute positively and constructively within an agreed management framework.
- Demonstrated contact with a cross-section of the local community for the purpose of passing on information and receiving feedback.
- Resident/rate payer in the LGA for which they are applying.

### Aboriginal Community Representatives

The Aboriginal community representatives will be appointed after one nomination is received from the Shellharbour City Council Aboriginal Advisory Committee and one nomination is received from the Wollongong City Council Aboriginal Reference Group.

### Independent Scientific Advisors

The Independent Scientific Advisor positions will be advertised by the Council hosting the Committee at the start of its term. The applications received will be assessed jointly by staff from the two Councils and a recommendation made for endorsement by both Councils. The selection criteria for the Independent Scientific Advisors will be:

- High-level experience in research or management of estuaries.
- Demonstrated ability to dedicate time to attend meetings and perform tasks related to committee business



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- Demonstrated ability to provide sound scientific advice and a high level of personal commitment while engaged in an honorary position.
- Independence from Council, government, developers or any other group with a vested interest in the management of estuaries.

### State Agency Representatives

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

## 7 OBLIGATIONS OF MEMBERS

Members of the Lake Illawarra Estuary Management Committee, in performing their duties, shall:

- Act honestly and in good faith;
- Participate in the work of the Committee;
- Perform their duties in a manner that ensures public trust in the integrity, objectivity, and impartiality of the Committee;
- Exercise the care, diligence and skill that would be expected of a reasonable person;
- Comply with the Committee's Terms of Reference; and
- Comply with the two Council's Code of Conduct.

## 8 MEETINGS AND MINUTES

The Committee shall meet at least four times a year to progress the work involved in the Lake Illawarra Estuary Management Process.

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

Meetings will be chaired by the Council appointed chairperson. If the 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 Lake Illawarra Estuary Management Committee has an advisory role to the two Councils and will make recommendations by consensus. In the absence of consensus, advice from the Lake Illawarra Estuary Management Committee may be presented with supporting and dissenting views of members.

Meeting agendas will be distributed at least one week prior to the meeting.

## 9 REPORTS

The minutes of the Lake Illawarra Estuary Management Committee meetings will be provided to all Councillors and executive management of both Councils for information. Minutes will also be distributed to all Lake Illawarra Estuary Management Committee members.

Advice and recommendations of the Lake Illawarra Estuary Management Committee relating to specific Council projects will be reported to the two Councils as part of their project reporting process.

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.

## 10 EVALUATION AND REVIEW

A review of the Lake Illawarra Estuary Management Committee will be undertaken every 12 months to ensure the purpose, membership and operation of the Committee is effective and to make appropriate changes.

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### 11 COMMITTEE RESOURCING

Resources required to progress the work of the Committee will be considered and made available by one or both Councils, in line with their budgetary constraints and other business priorities. Where both Councils agree to contribute to a program or works, the proportion of funding will be negotiated at 2:1 Wollongong to Shellharbour. External grant funding may be sought to supplement council contributions.

### 12 REMUNERATION AND EXPENSES

There is no remuneration for members.

Reasonable expenses incurred by the Lake Illawarra Estuary Management Committee members in relation to their responsibilities as members of the Committee will be met by prior approval. These expenses should relate directly to tasks completed for the Lake Illawarra Estuary Management Committee business and will be reimbursed at the discretion of one or both Councils.