

<b>Approval Date:</b>	16/10/2023
<b>Classification:</b>	Terms of Reference
<b>Committee:</b>	Sustainability Committee
<b>Relevant Legislation:</b>	<i>Local Government Act 1999</i>
<b>Last Reviewed</b> 20/02/2023	<b>Next Review</b> October 2027

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## 1. Establishment

The Sustainability Committee (the **Committee**) is established under Section 41 of the *Local Government Act 1999* and associated Regulations.

## 2. Objectives & Role of the Committee

That in conjunction with Resilient East, the primary role of the Committee is to report and provide advice to Council on all Social, Environmental and Economic sustainability matters as they relate to the Town of Walkerville, as well as associated initiatives that could be implemented to combat any emerging and/or ongoing issues, actual or perceived.

## 3. Authority

- 3.1 The Council has not delegated any powers to the Committee. Accordingly all decisions of the Committee will constitute recommendations to Council unless Council has resolved to delegate the decision on the agenda to the Committee.
- 3.2 The Committee has no authority to act independently of Council, but the Committee is authorised by Council to undertake work to efficiently and effectively meet the objectives described by its role and Terms of Reference.

## 4. Membership

- 4.1 The Committee is comprised of four (4) Council Members who are to be appointed to the Committee by way of Council resolution.
- 4.2 All members of the Committee will hold office for a period of two (2) years.
- 4.3 Members of the Committee may be removed by Council resolution at any time.
- 4.4 Members of the Committee may resign their position any time by giving notice of their intention, in writing, to the Chief Executive Officer.
- 4.5 The Mayor is automatically appointed as ex-officio of the committee.
- 4.6 If a vacancy occurs on the Committee the Council will appoint a replacement member.
- 4.7 Any Councillor who is not a member of the Committee can be called upon by the Chief Executive Officer (or nominee) to act as proxy as and when required.

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## 5. Presiding Member

- 5.1 The Presiding Member will be appointed by vote of the Committee and subsequently formally endorsed by way of Council resolution.
- 5.2 The Presiding Member will hold office for a term as determined by Council up to a maximum of two (2) years. They may be reappointed at the conclusion of their term by way of Council resolution.
- 5.3 The Presiding Member may nominate a Committee Member as “Deputy” Presiding Member, to Chair meetings in the event the Presiding Member is not able to attend a meeting.
- 5.4 The role of the Presiding Member is to:
  - 5.4.1 Oversee the conduct of meetings;
  - 5.4.2 Ensure that all Committee Members have an opportunity to participate in discussions in an open and responsible manner; and
  - 5.4.3 Call the meeting to order and move the debate towards finalisation when a matter has been debated to a point that a recommendation can be made.

## 6. Meetings

- 6.1 The Committee will meet four (4) times per calendar year.
- 6.2 Committee meetings will be conducted in accordance with the Local Government (Procedures at Meetings) Regulations 2013 and the Town of Walkerville Code of Practice - Procedures at Meetings.
- 6.3 Meetings will be held at the Civic and Community Centre or such other location as determined by the Chief Executive Officer.
- 6.4 Access to agendas, minutes and other documents associated with the Committee will be provided in accordance with the Town of Walkerville’s Code of Practice – Access to Meetings and Documents.
- 6.5 Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee no later than three (3) clear days before the date of the meeting. Supporting papers, reports and documents shall be sent to the Committee Members at the same time.
- 6.6 Additional meetings shall be convened at the discretion of the Chief Executive Officer.
- 6.7 The Chief Executive Officer will allocate appropriate administrative support to ensure that reports, agendas, notice of meetings and minutes of the Committee are recorded and managed in accordance with legislative compliance requirements.
- 6.8 All decisions and minutes of the Committee will be reported to the Council at its next ordinary meeting.

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## 7. Voting

- 7.1 Each member of the Committee at a meeting will have one vote per matter considered.
- 7.2 In accordance with regulation 27 of the Local Government (Procedures at Meetings) Regulations 2013, the Presiding Member will have a deliberative vote but does not, in the event of an equality of votes, have a casting vote.
- 7.3 All decisions of the Committee shall be made on the basis of a majority decision of the members present.
- 7.4 In the event of a tied vote, the matter will be referred to the Council for deliberation.
- 7.5 Any staff attending Committee meetings will not have voting rights.

## 8 Quorum

- 8.1 A quorum for the Committee will be ascertained by dividing the total number of members of the Committee by two (2), ignoring any fraction resulting from the division and adding one.
- 8.2 A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.
- 8.3 If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a meeting, the Chief Executive Officer may adjourn the meeting to a specified day and time.
- 8.4 If at the expiration of 15 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the Presiding Member or, in the absence of the Presiding Member, the Deputy Presiding Member or, in the absence of the Deputy Presiding Member, the Chief Executive Officer, will adjourn the meeting to a specified day and time.
- 8.5 If the meeting is adjourned for want of a quorum, the Chief Executive Officer will record in the minutes the reason for the adjournment, the names of any Members present and the date and time to which the meeting is adjourned.
- 8.6 If the meeting is adjourned to another day, the Chief Executive Officer must:
  - 8.6.1 give notice of the adjourned meeting to each Member setting out the date, time and place of the meeting; and
  - 8.6.2 give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the Council.

## 9 Review

- 9.1 The Committee shall review its Terms of Reference within the first 12 months of a General Election to ensure that it is operating at maximum effectiveness.
- 9.2 The Council may at any time vary these Terms of Reference, or the Committee may recommend variations to the Terms of Reference to Council.

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## **10. Sitting Fees**

10.1 Where a Council Member, who is not the Mayor or Deputy Mayor, has been appointed as the Presiding Member of the Committee they shall be paid a sitting fee in accordance with Section 6.6 and 6.7 of the Town of Walkerville's Elected Member Allowances & Benefits Policy.

10.2 Council Members sitting on the Committee shall not be paid a sitting fee.

## **11. Liabilities of Members**

No civil liability attaches to a member of the Committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the Member's or Committees powers, functions or duties, Such a liability is attached instead to the Council.