

Shoalhaven Heads Estuary Taskforce (SHET) – Terms of Reference

Adoption Date:	12/09/2022
Amendment Date:	5/12/2022
Minute Number:	MIN22.591, MIN22.937
Review Date:	01/12/2024
Directorate:	City Development
Record Number:	POL22/173

1. Purpose

The purpose of the Shoalhaven Heads Estuary Taskforce (SHET) is to act as an advisory and representative group on matters relating to the Shoalhaven River, its estuary and entrance at Shoalhaven Heads.

2. Interpretation

For the purpose of this document:

Member means a member of the Taskforce

CMP means Coastal Management Program

Council means Shoalhaven City Council

Chairperson / Chair means the chairpersons of the Taskforce

Elected members mean the elected Councillors of Shoalhaven City Council

3. Status of the Taskforce

The Taskforce provides non-binding advice to Council for consideration.

4. Role

- To receive and disseminate information and updates to and from the Shoalhaven Heads community about the management of the Shoalhaven Heads estuary.
- To provide and receive information to the Northern CMP Advisory Committee in the preparation of the Lower Shoalhaven River CMP.
- To provide and receive information to the Northern Floodplain Risk Management Committee in the development and preparation of the Lower Shoalhaven Flood Risk Management Study/Plan.
- When the Lower Shoalhaven River CMP is adopted by Council on behalf of the community, the SHET will be disestablished.

5. Delegations

Advisory Taskforces, such as SHET, may make recommendations to Council on all matters within the role outlined above. These recommendations may be submitted via the minutes of each meeting to Council for consideration.

This does not include substantial issues and recommendations (possibly including expenditure) that will be reported to Council by a separate report from the Manager – Environmental Services.

The Taskforce does not have the power to incur expenditure (directly or indirectly), or the power to bind Council.

6. Membership

The Taskforce will be chaired by a Councillor, elected by Council. The Taskforce is expected to act in accordance with the Role of the Taskforce as defined above in Section 4. The Taskforce will comprise the following:

- Appointed Chair (Councillor)
- All available Councillors
- Council's Chief Executive Officer (CEO) or nominee
- Member for Kiama or nominee
- Indigenous representative
- Youth representative
- Five (5) Community representatives
- Shoalhaven Heads Community Forum representative
- Greenwell Point Community representative
- Department of Planning and Environment (DPE) representatives
- Transport for NSW (TfNSW) representatives
- New South Wales State Emergency Services (NSW SES) representative
- Local Aboriginal Land Council representative
- Other relevant government agency representatives
- Other such persons as the Chairperson of SHET may deem necessary from time to time.

Note: Council encourages the appointment of two (2) Indigenous representatives, male and female, on all Advisory Committee.

Councillor Representatives

Council appoints (1) Councillor to be the voting Chair of the Taskforce. All other Councillors are welcome to attend meetings of the Taskforce as observers and contribute to discussions but are not entitled to vote.

If no Councillors are appointed as members, the Chief Executive Officer or nominee represents the elected member to chair the meeting.

Community Representatives

Following an expression of interest process, the CEO appoints a maximum of five (5) local community representatives, one (1) youth representative between ages 16 and 30, one (1) indigenous representative, one (1) Shoalhaven Heads Community Forum representative, and one (1) Greenwell Point CCB representative, that meet the following criteria:

- A broad interest, and understanding of floodplain and/or coastal management.
- A commitment to floodplain and/or coastal management in the nominated Council area.
- Local resident or businessperson living or working in or near a coastal and/or flood prone area.

Community representatives with Taskforce membership have voting rights.

Community representative appointments:

- Nominations should be advertised throughout the community via an Expression of Interest (EOI) process.
- Appointments to the Taskforce will be for a three (3) year term with a set commencement and finish date (to be disestablished through the adoption of the Lower Shoalhaven CMP by Council – refer Section 4.0).
- Vacancies will be advertised locally via media and Council communication networks.
- Council will manage the application process.
- An assessment panel consisting of a Council staff member (Manager – Environmental Services), the Chairperson of the Taskforce and one (1) suitably qualified independent representative will assess the applications and make recommendations for appointments to Council. Each member of the assessment panel will vote on recommendations with a majority ruling.

Council Officers

Council officers may attend meetings to provide specialist professional advice in engineering, strategic planning, development assessment and environmental management. Council officers do not have voting rights.

Government Agencies

The Chief Executive Officer (or nominee) invites a range of State Government agencies to nominate representatives each.

The nominated agency representatives provide advice in relation to their functions and areas of expertise, however, are non-voting members.

Chair and Deputy Chair

Council appoints one (1) Councillor to be the Chair of the Taskforce. In the absence of the nominated Chair at a particular meeting, the members shall elect a Chair for that meeting.

Terms of Office

The term of the Chair will be one (1) year which will be reviewed annually in September. Elected members (or their representative) continue as members of the Taskforce until the next ordinary election of the Mayor, or the next general election of Council, or until the Taskforce is disbanded or completes its purpose in accordance with these Terms of Reference.

7. Taskforce Meeting

Agenda

The agenda will be developed by the Director – City Development with support from the Manager – Environmental Services in view of the prevailing issues. Councillors and member can contribute to the agenda by requesting a report on a particular issue four (4) weeks prior to the meeting, subject to the approval of the Chair and the Director – City Development.

Quorum

Five (5) provided that a minimum of one (1) Councillor as Chair or acting chair with voting rights and four (4) community representatives are present. No proxy votes are permitted. If a quorum is not present within 30 minutes of the scheduled commencement time, the meeting lapses.

Voting

It is expected that the Taskforce, and any working group, develop recommendations by consensus. If voting is required, a majority shall prevail with the Chair having a casting vote in the case of a tie

Any votes against will be recorded in the minutes.

Meeting Schedule

In general, meetings should be held at least quarterly or otherwise as determined by the Chair and conducted either in person or electronically.

Minutes

The Taskforce shall provide advice to the Council for consideration. The Taskforce's advice shall be posted on the Council website with minutes reported to the elected council. Following consideration of the advice from the Taskforce, any resolution determined by Council, will be posted on the Council website.

Confidentiality And Privacy

Members who may have access to confidential or personal information retained by Council are required to maintain the security of such confidential or personal information and therefore shall not use or remove any information unless the member is authorised to do so.

Communication

In relation to the communication functions of SHET, the following apply:

- Members of the Taskforce are not permitted to speak to the media as Council representatives of the Taskforce unless approved by the Chairperson.
- Where approval has been given by the Chairperson, views and opinions expressed are those of the Taskforce and not of Shoalhaven City Council.
- Where endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes.
- The Chair of the Taskforce is the preferred point of contact for communication between Taskforce members and Council staff.
- Council will endeavour to utilise the Chair as the primary point of contact to communicate with Taskforce members.

8. Code of Conduct

All members of the Taskforce are required to observe the provisions of Council's Code of Conduct and any other policy or requirement applicable to the proper functioning of the Taskforce.

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

9. Document Control

These Terms of Reference are reviewed at the commencement of each term of Council. Amendments to these Terms of Reference are to be reported to Council for approval. A version history (footnote on front page) is included if amendments have been approved.