



# Climate Emergency and Environment Committee

## Terms of Reference

### 1. ESTABLISHMENT OF THE CLIMATE EMERGENCY AND ENVIRONMENT COMMITTEE

The Council has established the Committee in accordance with section 41 of the *Local Government Act 1999* to be known as the Climate Emergency and Environment Committee, in order to:

- 1.1 provide leadership on and enable and actively support the achievement of Council's key priorities in relation to the climate change emergency, as declared by Council at its meeting of 16 December 2019;
- 1.2 provide environmental stewardship, including improving the resilience of ecosystems and the conservation and enhancement of Biodiversity, Waters and the Community and other objectives of Council's Environmental Action Plan; and
- 1.3 in accordance with these Terms of Reference.

### 2. DEFINITIONS

Unless the context indicates otherwise, the following terms have the following meanings in these Terms of Reference:

<b>Act</b>	means the <i>Local Government Act 1999</i> (SA).
<b>Chairperson</b>	means the chairperson of the Committee, appointed in accordance with clause 5 of these Terms of Reference.
<b>Committee</b>	means the Climate Emergency and Environment Committee established by resolution of the Council, to be governed by these Terms of Reference.
<b>Council</b>	means the Alexandrina Council.
<b>Member</b>	means a member of the Committee.
<b>Terms of Reference</b>	means these terms of reference.

### 3. ROLE OF THE COMMITTEE

- 3.1 The functions of the Committee are to:



- 3.1.1 provide advice, feedback and advocacy to the Council with respect to Council's Climate Emergency Declaration, its Environmental Action Plan, and other associated Council plans, strategies and policies, where relevant;
  - 3.1.2 identify and recommend solutions and prioritisation of issues of a climate emergency and/or environmental degradation;
  - 3.1.3 assist Council in reviewing existing public policies, plans and procedures, with a view to facilitating a climate emergency and environmental stewardship;
  - 3.1.4 assist Administration in the education of the community, Council Members, and Administration relating to Council's Carbon Neutral Plan, Climate Emergency Action Plan, Climate Change Policy, and Environmental Action Plan;
  - 3.1.5 collaborate with Administration to guide community consultations relating to Council's Climate Emergency Action Plan and Environmental Action Plan;
  - 3.1.6 provide feedback and information to and from other interested community groups and members about Council's Climate Emergency Action Plan and Environmental Action Plan; and
  - 3.1.7 assist in future reviews of Council's Carbon Neutral Plan, Climate Emergency Action Plan, Climate Change Policy, and Environmental Action Plan.
- 3.2 The Council has not delegated any powers or functions to the Committee. However, the Council may do so at any time if necessary or convenient to allow the Committee to properly carry out its roles and functions. These Terms of Reference will be amended if any such delegation is made.
- 3.3 The roles and responsibilities of the Committee include:
- 3.3.1 working collaboratively with Council Administration on key priorities associated with Council's Climate Emergency Declaration, its Environmental Action Plan, and associated Council plans, strategies and policies;
  - 3.3.2 help setting key priorities in the Committee's work plan;
  - 3.3.3 playing an active role in the implementation of key priorities identified in the work plan; and
  - 3.3.4 being accountable for the implementation of these key priorities.
- 3.4 The roles and responsibility of Administration include:



3.4.1 working collaboratively with the Committee in setting and implementing key priorities identified in the work plan;

3.4.2 setting the meeting Agenda with the Chairperson.

#### *Work Plan*

- 3.5 The work plan will be adopted in collaboration between Administration and the Committee at its first meeting of the Committee and may be varied from time to time by resolution of the Committee.
- 3.6 Key priorities identified in the work plan will include one climate emergency action as per the Climate Emergency Action Plan, and one environmental action as per the Environmental Action Plan. No more than three key priorities may be active at any given time.
- 3.7 Responsibility and accountability and timeframes for completion of key priorities outlined in the work plan will be either shared between Administration and the Committee as mutually determined, or as indicated in the work plan.
- 3.8 Responsibility may include being involved in community consultations, joint projects with other committees, councils and external organisations that fall within the scope of the functions and responsibilities of the Committee; and members may make presentations to Council and other organisations.
- 3.9 Committee members must be prepared to work on key priorities outlined in the work plan outside Committee meetings and respond to requests within reasonable timeframes.

#### **4. MEMBERSHIP**

- 4.1 Membership of the Committee shall consist of each of the following persons (unless they have ceased to be a Member by virtue of clause 4.5):
- 4.1.1 one Independent Chairperson who will be appointed through an expression of interest process;
  - 4.1.2 no more than eight members of the community who will be appointed through an expression of interest process; and
  - 4.1.3 up to two Council Members.
- 4.2 Committee members shall have the skills, knowledge, experience and capabilities in one or more of the following key areas:
- 4.2.1 experience in climate change mitigation and adaptation, ecology, biodiversity conservation, natural resource management, water management, and / or circular economy;



- 4.2.2 ability to translate the challenges faced by Council and the community into relevant, local, suitable and achievable key priorities;
- 4.2.3 understanding of relevant Federal, State and Local Government legislation, goals, policies, and objectives; and
- 4.2.4 board governance experience or skills considered favourably.
- 4.3 The Council may at any time alter the above membership by adding, subtracting, or substituting any membership positions.
- 4.4 A Member will, subject to the Act, hold office as a member of the Committee until their office becomes vacant by virtue of clause 4.5 of these Terms of Reference, or until the conclusion of the current term of the Committee, or in accordance with clause 8.1.
- 4.5 A person ceases to be a Member upon any of the following circumstances occurring:
  - 4.5.1 the Member is removed from office by the Council;
  - 4.5.2 the Member resigns from office by written notice to the Council;
  - 4.5.3 the Member ceases to hold the office which entitles them to be a Member (for example they cease to be a Member of Council);
  - 4.5.4 the Member dies or becomes of unsound mind.
- 4.6 The Committee may appoint individuals as advisors to the Committee to assist with specific matters, or invite members of the public, subject matter experts or members of Administration to a Committee meeting if their attendance is deemed relevant to the topics discussed at the meeting.

## **5. CHAIRPERSON**

- 5.1 The presiding member of the Committee will be the Chairperson.
- 5.2 The Chairperson shall be appointed through an Expression of Interest process.
- 5.3 The Chairperson will hold board governance experience or skills considered favourably for the role.
- 5.3 If the Chairperson is absent from a meeting of the Committee, another Member chosen from those present will preside at the meeting as the acting Chairperson.
- 5.4 The Chairperson shall be appointed for a two year term of the Committee.
- 5.5 A Chairperson is eligible for reappointment by the Council for a further two year term.



## 6. ADMINISTRATION

- 6.1 The Committee will be provided with administrative support by the person occupying or acting in the office of Chief Executive Officer of the Council.
- 6.2 The Committee shall act at all times in accordance with the Act and in accordance with these Terms of Reference in the performance of its functions.
- 6.3 Minutes must be kept of the proceedings at every meeting of the Committee. The minutes of the meeting will include:
  - 6.3.1 the names of the Members present at the meeting;
  - 6.3.2 each motion carried at the meeting;
  - 6.3.3 any disclosure of interest made by a Member, with an appropriate note in accordance with section 74 or 75 of the Act (as the case may be);
  - 6.3.4 details of the making of an order under section 90(2) of the Act, in accordance with section 90(7) of the Act; and
- 6.4 The minutes of the proceedings at a meeting of the Committee must be submitted for confirmation at the next meeting of the Committee or, if that is omitted, at a subsequent meeting.

## 7. MEETINGS

- 7.1 Insofar as the Act, these Terms of Reference, and any procedures adopted by the Council and applicable to the Committee do not specify a procedure to be observed in relation to the conduct of a meeting of the Committee, then the Committee may determine its own procedure.
- 7.2 The first meeting of the Committee after it has been established shall occur at a place and time determined by the Chief Executive Officer.
- 7.3 The Committee shall, at its first meeting after being established, determine the place, date and time meetings of the Committee held, provided that the Committee shall meet at least once per quarter (or with such greater frequency as it deems necessary to carry out its functions in a timely manner).
- 7.4 Notice of meetings of the Committee shall be provided to Members in accordance with section 87 of the Act and to the public in accordance with section 88 of the Act.
- 7.5 A quorum for a meeting of the Committee shall be one half of the total number of Members of the Committee in office (ignoring any fraction) plus one.



- 7.6 No business can be transacted at a meeting of the Committee unless a quorum is present.
- 7.7 A question arising for decision at a meeting of the Committee will be decided by a majority of the votes cast by the Members present at the meeting and entitled to vote on the question.
- 7.8 Each Member who is present at a meeting of the Committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.
- 7.9 The Chairperson has a deliberative vote on a question arising for decision at the meeting and, in the event of an equality of votes, does not have a casting vote.
- 7.10 For the purpose of sections 89 and 90(7a) of the Act, the Council determines that the Chairperson, or the Committee, may approve one or more Members (including, to avoid doubt, all Members) participating in a meeting of the Committee by telephone or other electronic means, by way of a telephone, computer or other electronic device used for communication.
- 8. TENURE**
- 8.1 The Committee will continue in existence until wound up by Council.
- 9. SUBCOMMITTEES**
- 9.1 The Committee may establish subcommittees to assist it in any matter.
- 9.2 Subcommittees are required to comply with these Terms of Reference.
- 10. REVIEW**
- 10.1 The Committee shall review its own performance and Terms of Reference annually to ensure that it is operating at maximum effectiveness. Following this review, it will provide a report to Council on its performance, recommending any changes that are necessary.
- 10.2 These Terms of Reference may be reviewed and amended by the Council at any time.