

Central Waste Facility Consultative Committee Terms of Reference



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Bega Valley Shire Council acknowledges and pays our respects to the traditional custodians of the lands, waterways and airspace of the shire.

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Preface

In determining the application for development consent on 27 July 2011, the Southern Joint Regional Planning Panel also resolved as follows:

“BVSC form a Consultative Committee that includes three representatives of residents of the immediate locality, for the purposes of providing a forum for information exchange and consultation regarding the operation of the central waste facility.”

These terms of reference include information on the roles and responsibilities of members of this committee and the scope and limitations of the committee.

Review

These documents will be reviewed and amended by Council as required.

Feedback from Committee members is welcome and should be forwarded to Council to ensure consideration in the review process. Correspondence can be forwarded to council@begavalley.nsw.gov.au.

Support

These terms of reference are designed to give Committee members an understanding of the committees' operating framework. However, Council is committed to ensuring that committee members have access to the support needed to fulfil their roles and responsibilities.

Any questions or requests for assistance should be directed in the first instance to Council's Waste Services Manager.

1 Introduction

1.1 The Central Waste Facility

The CWF, located on Wanatta Lane at Wolumla, is Council's sole operating landfill for the Bega Valley Shire. It is centrally located for the disposal of general solid waste from municipal, construction and commercial sources.

1.2 Implementation of the terms of reference

A copy of the terms of reference will be provided to all members of this committee at the inaugural meeting for 2023. Additional copies of the terms of reference are available from Council with prior notice.

It must be noted that the absence of terms of reference for specific activities in this, or related documents, must not be taken as an absence of any required procedures or responsibilities. Questions not specifically addressed in this guideline should be directed in the first instance to Council's Waste Services Manager.

1.3 Key dates for committees

The Committee shall meet 3 times per year. Meetings will typically be held at the CWF at 4:30pm on the first Tuesday of April, August, and December in each calendar year. Some flexibility in dates may be required on occasion depending on operational requirements.

2 Committee Operations

2.1 The legal position of the committee

The purpose of the CWF consultative committee is articulated in the JRPP recommendation. The committee is formed for the purposes of providing a terms of reference forum for information exchange and consultation regarding the operation of the central waste facility.

The CWF consultative committee is not a member of council within the meaning of Section 355 of the Local Government Act (1993). The committee has no executive function.

2.2 Related Council policies and procedures

Policies and procedures are essential to ensure that legal, fair and consistent decisions are made across Council operations. Policies and procedures support Council in achieving its corporate objectives and provide crucial terms of reference for councillors, staff and other stakeholders.

This document aims to provide details of the steps that committees need to follow to meet the requirements of Council policies and procedures.

A copy of all related Council policies and procedures are available from Council or online at <https://begavalley.nsw.gov.au>.

Council officers are also available to answer questions and assist committees with policies and procedures that are essential to ensure that legal, fair and consistent decisions are made across Council operations.

2.3 Committee correspondence and communications

The following terms of reference are provided for all committees to use in correspondence and communications to ensure appropriate representation on behalf of Council:

- A Committee may write to any person, body, organisation or agency in the pursuit of information which, in the committee's option is an integral part of information and data gathering and collecting to enable the committee to be best placed to advise the Council.
- A Committee may write to or otherwise communicate with any person, body, organisation or agency on any other matters within the committee's delegations which are not of a contentious nature. A Contentious matter is taken to be a matter which has the potential to be derogatory, unseemly, not in the public interest, or likely to erode public confidence in the Council.
- A Committee may not represent or imply a representation of the views of Council without express authorisation of Council's Chief Executive Officer or his/her representative.

2.4 Committee roles and responsibilities

The roles and responsibilities of the CWF Consultative Committee, as delegated by resolution of Council, are to:

- Exchange information regarding the operation of the CWF; and
- Engage in consultation regarding the operation of the CWF.

2.5 Committee membership

The CWF Consultative Committee is chaired by the Waste Services Manager or a nominated representative, with membership comprising the Mayor or delegated Councillor representative, along with three members of the community residing within a nominal direct-line distance of 5km from the CWF.

Calls for nominations from community representatives to participate in the Committee will be advertised in a local newspaper affiliated with the locality, and published (at minimum) on a weekly basis. Nominations should be made either in writing or by email.

To ensure a fair and equitable opportunity for participation, in addition to a greater breadth of public input, the term of committee appointments will be for two years or four meetings (with the exception of the Chairperson). Re-appointment of previous committee members will not be permitted, unless no other nominations are available.

Community member representatives of the CWF Consultative Committee are appointed by resolution of Council.

Council will provide a secretariat function to this committee, in the form of a Council employee.

3 Meeting Procedures

3.1 Meeting frequency

As per Section 1.3 of the terms of reference, the Committee shall meet 3 times per year. Meetings will typically be held at the CWF at 4:30pm on the first Tuesday of April, August, and December in each calendar year. Some flexibility in dates may be required on occasion depending on operational requirements.

3.2 Meeting notification

Although meeting dates are predetermined, as a reminder, notification of meetings will be made in writing to committee members providing at least 2 weeks' notice of the next meeting date. In this instance, email is considered an acceptable form of notification.

3.3 Quorum

The quorum of the CWF committee meeting shall be a minimum of three members of the Committee including at least one community representative.

3.4 Record keeping and public access to information

Draft minutes of the CWF consultative committee will be provided to committee members within one week after the meeting date (where possible) and confirmed at the next meeting of the committee.

3.5 Code of Conduct and Code of Meeting Practice

Council recognises the importance of being transparent in all its dealings and has adopted a Code of Conduct and Code of Meeting Practice to be observed by Committees. These codes detail the appropriate behaviours of committee members and the obligations of committee members should a conflict of interest or pecuniary interest arise.

In order to assist committee members, definitions of conflict of interest and pecuniary interest are provided below:

- a. A conflict of interest exists when a committee person has to deal in a matter in their public capacity, which is also a matter where the person:
 - Has a private interest arising out of kinship, membership of an association, society or trade union, or involvement or interest in any activity; or
 - Could reasonably be perceived by others as one in which a conflict of interest could possibly exist.
- b. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom that person is associated.

In the event of a committee member feeling that they may have a conflict of interest or pecuniary interest, it is their obligation to ensure that they comply with the Council Code of Conduct and the Council Code of Meeting Practice.

The appropriate procedure for handling conflicts of interest or pecuniary interests is for that person to declare the interest and taking no part in discussion or voting on the matter under discussion. This may include the necessity for the person to leave the meeting while the agenda item is addressed.

Full copies of Council's Code of Conduct and Code of Meeting Practice and are available from Council or online at: <https://begavalley.nsw.gov.au>



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