



BYRON SHIRE COUNCIL

ENVIRONMENTAL
(COASTAL AND ESTUARY)

PROJECT REFERENCE GROUP

CONSTITUTION

**INFORMATION ABOUT THIS DOCUMENT
(INTERNAL USE ONLY)**

Date Commenced:	1 March 2010	Time Frame to carry out objectives	6 Months
Date Group to be Disbanded	September2010		
Responsibility	Coastal and Estuary Officer		
Review Timeframe			

Document History

Doc No.	Date Amended	Details Comments eg Resolution No.
828374		Res 08-852
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927513	17/12/2009	Res 09-1071, 09-1162
979182	10/6/10	Amendment Res 10-403 of 10/6/10 Amendment Res 10-422 of 10/6/10

Further Document Information and Relationships

Principal Activity (Management Plan)	
Related Legislation	Local Government Act 1993 Section 451
Related Policies	Code of Conduct Policy 1.8
Related Procedures/ Protocols, Statements, documents	Agenda Template for PRG Meetings #811842 Report Template for PRG Meetings #810632 Action List Template for PRG Meetings #811851

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1. Preamble

The Project Reference Group is a Group formed by the Council or Strategic Planning Committee of the Council and does not have executive power or authority to implement actions.

The role of the Project Reference Group is to carry out specific objectives as stated in this Constitution.

2. Objectives

1. The purpose of the Environmental (Coastal and Estuary) Project Reference Group is to:
 - a) Provide strategic advice and support in the implementation of the:
 - Belongil Estuary Management Plan;
 - Brunswick Estuary Management Plan;
 - b) Provide strategic advice and support in the development and implementation of the:
 - Coastal Zone Management Plan
 - c) To consider the development of a policy for Coastal Stabilisation Works - subject to the finalisation of the Coastal Zone Management Plan action 2.2.2 (to be initiated immediately) to undertake a risk analysis of erosion protection structures and works, both private and public in relation to safety, integrity and structures and the impacts to surrounding environment (including beach access, beach amenity and environmental processes) which should be undertaken as a matter of urgency.
 - d) Provide strategic advice and support in the development of a Memorandum of Understanding (MoU) with other land management agencies for the integrated planning and management of the coastal zone as per the Draft Coastal Zone Management Plan action 9.1.1.
 - e) Provide strategic advice and support in the development and finalisation of research projects currently being undertaken, e.g. Byron Bay Embayment Sand Transport Modelling study and History of Storms in Byron Shire study.
2. The Group shall work strictly in accordance with the Coastline Management Manual and the Estuary Management Manual

The objectives have been confirmed by Council on 8 October 2009, objectives 1(c), (d) and (e) resolved on 10 June 2010 Res 10-403.

3. Timeframe for Group

The Project Reference Group has 6 months to complete its objectives.

This group will be disbanded in September 2010

The Council or Strategic Planning committee may dissolve the Group at any time.

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4. Membership

Membership is to include 10 members:

- 2 Councillors
 - Cr Jan Barham
 - Cr Richard Staples
- 4 invited members:
 - Richard Hagley representing DECCW Coastal and Estuary
 - Lori Cameron representing DECCW National Parks and Wildlife Service
 - Andrew Page representing DECCW Marine Parks Authority
 - Richard Dunning representing NSW Department of Lands
- 4 interested community representatives: (Ecology Panel):
 - Dr Scott Johnston
 - Robert Rosen
 - Jan Olley
 - Matthew Lambourne
- Staff: Coastal and Estuary Officer
 - * Staff members participating on the working group do not have any voting entitlements.

Members have been appointed by the Strategic Planning Committee [Res 09-392 09-393].

5. Chairperson

The Chair of the PRG be elected from Councillors nominated to the PRG, to be determined at the first meeting. If there are no Councillors on the PRG, then the PRG be convened/facilitated by the relevant staff member.

6. Quorum

A quorum is to constitute at least half the number of members.

ie. 5members

* Staff members are not counted as part of a quorum.

7. Confidentiality

Members of the Project Reference Group will, in those circumstances where confidential matters are subject to deliberation, maintain confidentiality.

8. Convenor/Facilitator

The Convenor/Facilitator of the Project Reference Group in most cases will be the staff member unless otherwise decided by the Council or the Strategic Planning Committee.

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9. Voting

Each member of the Group (with the exception of the staff members) is to have one vote. If the vote is tied on any particular matter it will be referred to the Strategic Planning Committee for determination.

10. Majority Decision

A requirement that a majority decision of the Group comprises a majority of the invited representative members present and voting on any item subject to the requirements of a quorum being met at the meeting.

11. Convening Meetings

Meetings to be held bi-monthly or as required.

12. Reporting

This Project Reference Group reports to Council or the Strategic Planning Committee.

13. Meetings Open to the Public

PRG meetings are not public meetings as they have no executive function. Public transparency is provided for when the reports of these meetings are reported to Council or the Strategic Planning Committee.

14. Invited Guests

The PRG Convenor may request to seek further expertise and consultation as agreed to by the Group and if necessary arrange attendance of a person providing the expertise at a PRG meeting. Any request for information to be at no cost to Council unless a budget is allocated by Council and the expenditure has been authorised in writing by staff with requisite delegations.

15. Audio Taping of Meetings

A PRG meeting may be recorded. If the meeting is being recorded, all PRG members will be advised of this and it will be noted in the Report of that meeting.

Recordings of PRG meetings may involve the recording of personal information provided at the meeting. The recordings will be made to assist with the administration of the PRG. The provision of any information that is recorded is voluntary, however, if any person does not wish to be recorded they should not address the meeting.

The recordings may be made available to other persons where such access is in accordance with the relevant regulations and requirements in this regard, such as under s12(6) of the Local Government Act or the Freedom of Information Act. The recordings where made will ultimately be stored in Council's document storage system.

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16. Vacation of Office

Any Project Reference Group member wishing to resign from the group shall do so in writing.

Invited Members: If an invited member on the Group who represents an Organisation resigns, an invitation to the Organisation for an alternate delegate will be requested. If no alternate delegate is nominated by the Organisation then that position will become redundant.

Community Members: If a community member resigns and if more than half of the timeframe to complete the PRG's objectives still exists and an alternate delegate has been resolved by Council then that person appointed by Council as an alternate delegate will then be appointed as the new community member. If no alternate delegate has been appointed by Council or the alternate delegate declines to accept the vacant position then that position will become redundant.

17. Publicity

PRG members unless authorised by Council are not to promote or advertise the group's activities.

18. Records of meetings (agenda and reports)

- a) The Convenor/Facilitator of the Group will prepare the Agenda, Progress Reports and Action lists of the Group's meetings formatted in accordance with Council's templates.
- b) The reports of meetings (minutes) are to be circulated to members of the group within 7 days of the meeting so that members can provide feedback through the Chair on the draft unconfirmed minutes.
- c) The reports of the Group's meetings are to be reported to Council or the Strategic Planning Committee when required. The PRG's web page will indicate what meeting Council will be considering the PRG's reports.
- d) If the PRG considers necessary, reports from each PRG meeting may be placed on Council's Web Page for access by the public and Councillors after each meeting.
- e) If the time frame allocated to complete the objective(s) is 6 months or more the Group is to provide a progress report quarterly to Council or the Strategic Planning Committee on its progress.
- f) At the end of the Group's term a final status report be presented to Council or the Strategic Planning Committee on the outcomes of each objective.

19. Section 377 Delegation

The Project Reference Group does not have any delegated functions pursuant to section 377 of the Local Government Act (1993) and does not have the power to direct staff.

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20. Miscellaneous

Insurance: All group members are covered by the public liability policy of Council insofar as they are acting in their capacity as a group member, within the scope of the PRG's Terms of reference and in accordance with the Code of Conduct and statutory obligations. This insurance does not preclude the working group from due diligence and all Council policies must be adhered to.

Code of Conduct: All group members to abide by Council's adopted Code of Conduct at all times.

Pecuniary Interest: Pecuniary Interest may be defined as an interest that a person has in a matter, as a group member or employee of a company or other body, because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person, or another person with whom the person is associated. Such other person includes the spouse or de-facto partner or relative of the group member.

Section 446 of the Local Government Act states that:

"a member of a council committee, other than a committee that is wholly advisory, must disclose pecuniary interests.."

Even though the Local Government Act provides an exemption to disclose pecuniary interests Council's preference is for all members to declare pecuniary interests where applicable.

Privacy: All group members are to abide by Council's Privacy Management Plan (see <http://www.byron.nsw.gov.au/publications?P>) relating to their access to personal information.

Meeting Practice: If any other issue arises regarding meeting practice not covered under this constitution, it be referred to the General Manager or delegate or if required Council for a determination to be made.