



Colac Otway
SHIRE

ONDIT QUARRY CONSULTATIVE COMMITTEE

TERMS OF REFERENCE

MAY 2015

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1 BACKGROUND

The Ondit Quarry Consultative Committee (the Committee) was established by the Colac Otway Shire to fulfil the requirements of a condition of planning permits authorising the operation of the Ondit Quarry. Its primary function is to review the operator's environmental performance and enhance communication between the quarry operator, Council, government agencies and the community.

The Committee has been operating for a number of years. Since inception the scope of the Committee's interests has grown from a focus on purely environmental matters to other matters of relevance to the community. As a result the ability of the Committee to act as an effective body for review and communication has also grown.

2 FUNCTIONS OF THE COMMITTEE

The role of the Committee is one of consultation, not consent. The Committee cannot approve a Work Plan, Planning Permit or discharge any other legislated authority. Recommendations from the Committee can assist the regulating agencies including the Council in the enforcement of work authority and planning permit conditions, assessment of proposed changes to the operation, and can influence the operator in its management of the quarry's operation. However, the Committee and its members are not legally liable for any actions of the company or a Government agency.

The Committee should confine their review to those areas and activities under the control or direct responsibility of the company and within the work authority area. This aside, it is normal practice for the Committee to deal with monitoring stations or local community inquiries that may be some distance from the site provided they relate to the operation.

The key roles of the Committee are to:

- Review the performance of the operator against the requirements of legislation, the work authority, planning permit and any associated Environmental Management Plan (EMP).
- Provide feedback on any environmental problems associated with the quarry operation
- Enable consultation on Work Plans, Work Plan Variations and changes to planning permits and planning permit conditions; and
- Improve community understanding about quarrying and mechanisms of government.

3 GENERAL

3.1 Membership

The Committee is chaired by a Colac Otway Shire Councillor and Executive support is provided by a Council Officer.

The membership of the Committee is:

- Colac Otway Shire Councillor (Chair);
- Department of Economic Development, Jobs, Transport & Resources;
- Community Representatives (no more than two representatives);
- Representatives of the Quarry operator (one or two representatives); and
- Colac Otway Shire Planning and Building Manager, or his/her delegate
- Executive Officer – Colac Otway Shire administrative officer

The two community representatives were elected to this role upon establishment of the Committee, and continue to represent the interests of the local community.

Should one of these representatives choose to leave the Committee, a new representative will be selected by vote at a publicly advertised meeting. Nominations will be sought by Council for the position by public advertisement in local newspapers and through letters to owners of land in the vicinity of the quarry (i.e. within 5km of the site).

The community representatives need not have a technical background, but should ideally have strong links with the local community, and should be neighbours or amongst those living close to the quarry. As a group, the community representatives should geographically represent all areas local to the quarry, not just a single location.

A community representative should have the following qualities:

- An interest in the activities at the quarry site;
- A willingness to contribute positively to meetings;
- An ability and willingness to represent community interests and to provide feedback to members of the community;
- An ability to look beyond personal interests;
- A willingness to work together on a common challenge

Other bodies may be invited by agreement of the committee on a short or long term Basis for specific issues or where the local situation warrants. For example Department of Environment, Land, Water and Planning (DEWLP) may be required for projects which have impacts on threatened species. Other groups such as the Victorian Farmer's Federation, local environmental groups, or Aboriginal associations may also be useful contributors for some projects.

3.2 Meeting Frequency

The Committee shall meet at least two times per year, in line with the release of ground water testing results, but may meet more regularly if required. Any member of the Committee, through the Chair of the Committee, can call for an extraordinary meeting to discuss a particular issue. Committee will therefore aim to meet in May/June and November/December each year.

Members of the Committee will be advised of scheduled meetings at least two weeks in advance.

The Committee will agree on a preferred venue and time for meetings to occur, and shall be mindful of the circumstances of all Committee members, particularly community representatives, ensuring that the timing and location of meetings enables full participation where possible.

3.3 Chair

The Chairperson will convene all meetings and provide feedback to the Committee in accordance with the agreed principles or direction of the group.

If the designated Chair is not available, then the Executive Officer will assume the role of Acting Chair and will be responsible for convening and/or conducting that meeting. The Acting Chair is responsible for informing the Chair as to the salient points/decisions raised or agreed to at that meeting.

Meetings of the group shall at all times be under the control of the Chair and shall be conducted in accordance with good meeting procedures.

3.4 Executive Officer

The Executive Officer will be responsible for minutes, agendas, meeting papers, etc.

In the event that Executive Officer is unavailable, he/she will designate these responsibilities to another member of Colac Otway Shire staff and notify the Chair of such arrangements.

3.5 Decision Making

Voting will be used to accept minutes and other resolutions where necessary. The group should aim to achieve consensus on any decisions (where required). Where this cannot be attained, the Chair has the casting vote. This vote may be undertaken at the following meeting, if further advice is required.

3.6 Conflict of Interest

Members of the group shall notify the Chair where potential conflicts of interest may arise at the earliest possible convenience, in accordance with good meeting practice. Such conflicts shall be recorded in meeting minutes.

3.7 Agenda Items

All Committee members are welcome to contribute items to the meeting agenda. All agenda items should be forwarded to the Executive Officer by close of business five working days prior to the next scheduled meeting.

The agenda with attached meeting papers including monitoring data provided by the Quarry operator will be distributed at least three working days prior to the next scheduled meeting by the Executive Officer. For documents requiring review, appropriate time will be allowed between document distribution and the meeting.

The meeting agenda will include outstanding action items from the previous meeting and any relevant new issues for consideration as submitted by the members. It will include items relating to reporting of the quarry operator on environment related activities such as results of monitoring noise, dust, blasting impacts and ground water. Members may raise an item under 'Other Business' as time permits and at the discretion of the Chair.

3.8 Minutes & Meeting Papers

The minutes of each meeting will be prepared by the Executive Officer. Full copies of the minutes, including attachments, will be provided to all members no later than ten working days following each meeting. Minutes including attendance, apologies, issues discussed, resolutions made and action items will all be recorded for each meeting by the Executive Officer.

Copies of meeting minutes will be made available for inspection by members of the public if requested.

3.9 Participation in Meetings

Committee members should make their best effort to attend all meetings to maintain continuity and understanding of issues. If three consecutive meetings are missed without an apology, the community representative will be approached and asked to step down or send another representative.

3.10 Guests and Observers

The group may invite guests to appear at the meeting via the approval of the Chair and a majority of members. Guests may include any persons whom provide technical or other insight as appropriate from time to time. The group is encouraged to make use of guests where particular skills/experience can be provided, however guests do not have voting capacity.

Meetings will be open to the public and observers may attend to listen to proceedings but may not participate in the meeting, unless authorised by the Chair, and must not vote.

3.11 Quorum Requirements

A minimum of four members is required for the meeting to be recognised as an authorised meeting for the recommendations or resolutions to be valid.