

## ITEM 3

## LAKE ILLAWARRA COASTAL MANAGEMENT PROGRAM IMPLEMENTATION GROUP - APPOINTMENT OF COMMUNITY REPRESENTATIVES AND INDEPENDENT SCIENTIFIC ADVISOR

In 2020, a Coastal Management Program was certified to facilitate the coordinated management of Lake Illawarra by all responsible stakeholders. The Lake Illawarra Coastal Management Plan Implementation Group was established to enable communication and foster relationships between the various stakeholders including State Agencies, Wollongong and Shellharbour City Councils and the community.

This report seeks Council endorsement for the appointment of two community representatives for Wollongong and the independent Scientific Advisors to the Implementation Group for the new term of Council.

### RECOMMENDATION

- 1 Council endorse appointment of the following representatives to the Lake Illawarra Coastal Management Program Implementation Group:
  - a Rebekah Lambert and Alexander Sherley as primary community representatives
  - b Tracy Baron, Emma Rooksby, and Colin La Flamme as alternate community representatives and that they be encouraged to engage with management of the Lake, including by attending Implementation Group meetings as observers with the endorsement of the Chair
  - c Professor Kerrylee Rogers as the independent scientific advisor, and
  - d Professor Brian Jones as the alternate independent scientific advisor.

### REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

### ATTACHMENTS

- 1 Terms of Reference - Lake Illawarra CMP Implementation Group

### ACRONYMS USED IN REPORT

Abbreviation	Meaning
CMP	Coastal Management Plan
EOI	Expression of Interest
Implementation Group	Lake Illawarra Coastal Management Program Implementation Group
LGA	Local Government Area
SCC	Shellharbour City Council
TOR	Terms of Reference
WCC	Wollongong City Council

### BACKGROUND

At its meeting on 8 February 2022, Council endorsed the Terms of Reference for the Lake Illawarra Coastal Management Program Implementation Group (Implementation Group). The purpose of the Implementation Group is to oversee and, where needed, provide advice on the implementation of actions within the Lake Illawarra Coastal Management Program (CMP). It provides a platform for relationship building between all stakeholders, with shared aspiration to ensure that Lake Illawarra's ecological, social, and economic value is maintained and improved now and into the future.

The Terms of Reference (TOR) for the Implementation Group were updated and endorsed at the 28 November 2023 Council meeting (Attachment 1). The TOR calls for the appointment of two Wollongong

Local Government Area (LGA) and two Shellharbour LGA community representatives as well as an Independent Scientific Advisor. The Wollongong LGA representatives and the Independent Scientific Advisor are required to be endorsed by Wollongong City Council.

Advertising for the community representatives and Independent Scientific Advisor was open from 12 February to 10 March 2025.

In accordance with the Recruitment of External Members to Committees Policy adopted by Council and the Implementation Group TOR, a selection panel was formed comprising staff from Wollongong and Shellharbour Councils serving on the Lake Illawarra Project Control Group. These staff were -

Chris Stewart – Manager City Strategy (WCC).

Isabelle Ghetti – Environment Planning Manager (WCC).

Trudy Costa – Coastal Environment Officer (WCC).

Luke Musgrave – Executive Manager Strategic Planning and Environment (SCC).

Jessica Lintern – Manager Environment (SCC).

Leslie Reid – Coastal Programs Coordinator (SCC).

## PROPOSAL

### Community Representatives

Wollongong City Council received five applications for the two community representative positions. The applicants for the community representative positions were assessed against their response to the following selection criteria -

- 1 Demonstrated interest in and knowledge of estuary/lake management issues.
- 2 Demonstrated capacity and willingness to attend quarterly meetings and actively participate in Implementation Group business or activities.
- 3 Ability to contribute positively and constructively within an agreed management framework.
- 4 Demonstrated networks with a cross-section of the local community for the purpose of sharing information and commentary.
- 5 Desire to support and promote an inclusive approach for representation of a diversity of perspectives.
- 6 Resident/rate payer in the LGA for which they are applying.

All five applicants provided submissions that addressed the selection criteria. The applications were prioritised by the selection panel based on the strength of the responses to all assessment criteria. It is recommended that Council appoint Rebekah Lambert and Alexander Sherley as the primary Wollongong community representatives to the Implementation Group.

It is further recommended that Tracy Baron, Emma Rooksby and Colin La Flamme be appointed as alternate community representatives. Should a primary representative be unavailable to serve on the Implementation Group at any stage during the next term of Council, one of the alternate representatives could be called upon without going through a separate EOI process.

The alternative representatives are encouraged to stay engaged with management of the lake and will be invited to participate in our various community engagement initiatives (i.e. lake walks, clean-ups, rehabilitation projects) and encouraged to attend Implementation Group meetings as observers subject to the approval of the Chair.

### Independent Scientific Advisor

Two applications were received for the independent scientific advisor position. The applicants were assessed against their response to the following selection criteria -

- 1 High-level experience in research and/or management of lakes and estuaries.
- 2 Commitment to dedicate time to attend meetings and participate in Implementation Group activities where required.

- 3 Demonstrated ability to provide sound scientific advice and a high level of personal commitment while engaged in an honorary position.
- 4 No formal association with Council, government, developers or any other group with a vested interest in the management of estuaries.

Two applications were received for the position of Independent Scientific Advisor. As a result of the panel's assessment, it is recommended that Council approve the appointment of Professor Kerrylee Rogers to the role of Independent Scientific Advisor and that Professor Brian Jones be appointed as the alternate Independent Scientific Advisor.

## CONSULTATION AND COMMUNICATION

As per the endorsed TOR, a process was initiated to appoint new Community members and an Independent Scientific Advisor at the start of the Implementation Group's new term. Public notices were prepared and posted on both Wollongong and Shellharbour City Council's websites advertising the positions.

Links were provided to the Lake Illawarra Implementation Group pages for prospective applicants to complete an on-line form, responding to the selection criteria listed in the TOR.

Advice was also sought from Council's Manager Customer and Business Integrity regarding the reporting process.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong Our Future 2032 Community Strategic Plan Objective 1 "We value and protect our environment". It specifically delivers on the following:

Community Strategic Plan 2032	Delivery Program 2022-2026
Strategy	Service
1.1 The community is actively involved in the expansion, improvement and preservation of our waterways, green corridors and other natural areas connecting the escarpment to the sea.	Environmental Services

## SUSTAINABILITY IMPLICATIONS

The Lake Illawarra CMP outlines the strategic aims for managing Lake Illawarra and identifies specific actions to mitigate the threats and issues identified for the lake to be implemented over the next 5-10 years. It facilitates the coordinated and strategic management of the lake by all responsible stakeholders. In this regard establishment and operation of the Implementation Group delivers on CMP action PM2, helps to ensure that a coordinated approach to CMP implementation is taking place across the two Councils and across State Government Agencies, with input from relevant stakeholders.

## RISK MANAGEMENT

Establishment of the Implementation Group is considered a risk mitigation measure. The absence of a governance element that focused on stakeholder consultation and collaboration would potentially result in delays and create challenges with CMP implementation. An important function of the Implementation Group is to provide a mechanism to communicate with the broader community by sharing information at meetings and improving outcomes through community feedback. It is noted that the recommended community representation has the potential to broaden the programs reach into the community. Failure to effectively engage with the community may pose a reputational risk to Council and impact on community support for the CMP.

## FINANCIAL IMPLICATIONS

There is a no financial impact as membership positions in the Implementation Group are voluntary and therefore there is no remuneration.

## CONCLUSION

Wollongong and Shellharbour City Councils have developed and endorsed a governance structure and Terms of Reference to facilitate delivery of actions in the Lake Illawarra Coastal Management Program. Establishment of the Lake Illawarra CMP Implementation Group is an integral part of the governance arrangements. Effective stakeholder engagement and collaboration is essential to meet the objectives of the Lake Illawarra CMP. Council's endorsement is sought to appoint the recommended community representatives and Independent Scientific Advisors for the new term of the Lake Illawarra CMP Implementation Group.

# TERMS OF REFERENCE

## LAKE ILLAWARRA COASTAL MANAGEMENT PROGRAM IMPLEMENTATION GROUP



### 1 INTRODUCTION

Lake Illawarra and its catchment span both the Wollongong and Shellharbour Local Government Areas. In 2020, a Coastal Management Program (CMP) was certified to facilitate the coordinated management of the lake by all responsible stakeholders. The Lake Illawarra CMP Implementation Group has been established to enable communication and foster relationships between those stakeholders, including Councils, the Community, and relevant State Agencies.

### 2 PURPOSE

The purpose of the Lake Illawarra CMP Implementation Group (the Group) is to support implementation of the CMP and, where needed, provide advice on the implementation of actions within the Lake Illawarra CMP. It will act as a platform for relationship building between all stakeholders, with the shared aspiration to ensure that Lake Illawarra's ecological, social, and economic value is maintained and improved now and into the future.

### 3 AUTHORITY

The Group does not have decision making authority, the power to bind the two Councils or the power to incur expenditure.

### 4 RESPONSIBILITIES AND FUNCTIONS

The responsibilities and functions of the Group are to -

- Provide input into the implementation of specific actions within the CMP.
- Assist both Councils and other relevant Lake Managers in supporting the implementation of the CMP.
- Serve as an important link to the community and assist both Councils to communicate with the broader community by collaboratively sharing information received at meetings on the progress of CMP implementation.
- Encourage community participation in implementation of CMP actions where relevant and appropriate.
- Provide input and advice from the perspective of the community groups and/or organisations they are representing.
- Reflect the concerns of relevant stakeholders and the broader community regarding implementation of actions within the CMP.
- Assist both Councils by providing information regarding known threats to Lake Illawarra that are identified in the Lake Illawarra CMP.

Routine operational and maintenance matters relating to Lake Illawarra will not be the business of the Lake Illawarra CMP Implementation Group. These matters are to be followed up using the Customer Service functions operating at the relevant Council or Agency.

### 5 COMPOSITION OF THE LAKE ILLAWARRA CMP IMPLEMENTATION GROUP

The Group is made up of an Executive membership and a Community membership.

The Executive membership shall consist of -

- Up to three (3) Councillors from each of the two Councils.
- Senior Council Staff Representatives from the Lake Illawarra CMP Project Management Team.

- One (1) nominated representative from the Asset Management Working Group; and
- Representatives from each of the following Government agencies:
  - Department of Planning and Environment (DPE).
    - Environment, Energy and Science.
    - Planning and Policy.
    - Crown Lands.
    - National Parks and Wildlife Services (where required).
    - Property NSW.
  - Department of Primary Industries (Fisheries).
  - Transport for NSW
  - South East Local Land Services
  - Sydney Water
  - Illawarra Local Aboriginal Lands Council

The Community membership shall consist of -

- Two (2) community members from each LGA.
- Two (2) Aboriginal community representatives - one member from each LGA.
- One (1) independent scientific advisor.

Other Staff from the Councils may attend meetings as observers, to provide information to the Group or to fulfil an administrative function (eg taking minutes and/or distributing minutes within the two Councils and to Group members).

## 6 APPOINTMENT OF MEMBERS

### **Councillors**

Up to three Councillors each are to be appointed by the Wollongong City and Shellharbour City Councils following the relevant Council policy for appointment of Councillor Delegates to Committees. A Chairperson will be appointed from the host Councils Councillor delegates following the relevant Councils Policy.

### **Senior Council Staff Representatives**

Each Council will be represented by Senior staff appointed by the relevant GM/CEO as required.

### **State Agency Representatives**

The host Council at the start of the Group's term will invite the State Agencies listed to nominate a representative to the Group.

### **Community Members**

The community member positions will be appointed via an expression of interest process. The positions will be advertised by the respective Council at the start of the Group's term. The applications will be assessed by the respective Council and recommendations for appointment made for endorsement by their corresponding Council. The selection criteria for community members includes -

- Demonstrated interest in and knowledge of estuary/ lake management issues.
- Demonstrated capacity and willingness to attend quarterly meetings and actively participate in Group business or activities.
- Ability to contribute positively and constructively within an agreed management framework.
- Demonstrated networks with a cross-section of the local community for the purpose of sharing information and commentary.

- Desire to support and promote an inclusive approach for representation of a diversity of perspectives.
- Resident/rate payer in the LGA for which they are applying.

#### **Aboriginal Community Representatives**

The Aboriginal community representatives will be appointed nominations from the Shellharbour City Council Aboriginal Advisory Committee and Wollongong City Council Aboriginal Reference Group, being one from each group.

If the Advisory Committee/Reference Group is unable to nominate a representative, the Councils will undertake a broader expression of interest process.

#### **Independent Scientific Advisor**

The Independent Scientific Advisor position will be appointed via an expression of interest process. The position will be advertised by the hosting Council at the start of the Group's term. The applications received will be assessed by staff from the two Councils and a recommendation made for endorsement by both Councils. The selection criteria for the Independent Scientific Advisor includes:

- High-level experience in research and/or management of lakes and estuaries.
- Commitment to dedicate time to attend meetings and participate in Group activities where required.
- Demonstrated ability to provide sound scientific advice and a high level of personal commitment while engaged in an honorary position.
- No formal association with Council, government, developers or any other group with a vested interest in the management of estuaries.

### **7 REAPPOINTMENT OR RESIGATION OF COMMUNITY MEMBERS**

Community representatives and scientific advisors are appointed for the full term of Council.

Community members, including Independent Scientific Advisors, may be eligible for re-appointment to the Group, following the expiration of their term, by registering their interest in re-appointment with the Group Chairperson and receiving approval of appointment from the respective Council.

A community member may resign from the Group at any time by advising in writing to the Group Chairperson. Council may directly appoint a community member to fill the vacancy for the remainder of the term or undertake an expression of interest process.

### **8 OBLIGATIONS OF MEMBERS**

Members of the Group, in performing their duties, shall:

- Act honestly and in good faith.
- Actively participate in the work of the Group.
- Perform their duties in a manner that ensures public trust in the integrity, objectivity, and impartiality of the Group.
- Exercise the care, diligence and skill that would be expected of a reasonable person.
- Comply with the Group's Terms of Reference.

### **9 CODE OF CONDUCT**

All members of the Group are required to comply with the Model Code of Conduct for Local Councils in NSW – *Code of Conduct for Council Group Members, Delegates of Council and Council Advisors 2018* and any other policy or requirement applicable to the proper functioning of the Group.

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

## 10 GENERAL FUNCTION OF THE GROUP

### **Agenda Items**

The Lake Illawarra Project Officer will prepare a draft Agenda and submit it to the Project Management Team for review. The endorsed agenda will be communicated to all Group members at least three business days prior to the scheduled meeting.

### **Meeting Frequency and Minutes**

The Group shall meet four times a year and no more frequently than quarterly to meet the responsibilities and functions of the Group.

Hosting of the Group will alternate between the two Councils annually, and the Chairperson will be appointed by the host Council from its Councillor Representatives. If the appointed Chairperson is absent from a meeting, the first business of every such meeting is to elect a chairperson from the members present to preside over such meeting. The minutes should capture the consensus view of the group, as well as feedback and advice on any management actions.

### *Executive Membership Meetings*

Executive members may meet as required to discuss confidential matters ahead of the Group meetings. If an Executive membership meeting is required these meetings shall be arranged by the Project Management Team. Where required, an agenda for these meetings will be made available at least three business days prior to the scheduled meeting.

### **Attendance at Meetings**

Members of the Group are expected to attend all meetings (for which they are a member) or alternatively make apologies to the Chairperson for non-attendance. When Executive members cannot attend, they should make all efforts to arrange a suitable proxy to attend.

When Community members cannot attend, they should make apologies to the Chairperson. Community members absent from two consecutive meetings without an accepted apology will receive a notice from the Chairperson. If their absenteeism continues, they may be asked to step down from the Group.

Subject to the approval of the Chairperson, non-members may be invited to attend Group meetings from time to time relating to specific issues or projects as the need arises.

A quorum will consist of half plus one of the Group members, including at least one elected representative (Councillor) from each Council.

### **Term of the Group**

Membership of the Group will operate for the current term of the elected Councils.

## 11 REPORTS

The meeting minutes will be provided to all Councillors, representatives, and executive management of both Councils for information. Minutes will also be distributed to all Group members and uploaded to the Wollongong City Council website within 10 business days following the scheduled meeting.

Any matters arising that require a separate decision of one or both Councils may be reported to the respective Council(s) by managerial staff at their discretion.

## 12 EVALUATION AND REVIEW

A review of the Group will occur at the end of each full term to ensure the purpose, membership and operation of the Group is effective and to make appropriate changes.

## 13 GROUP RESOURCING

Resources required to progress the work of the Group will be considered and made available by one or both Councils, in line with their budgetary constraints and other business priorities.



## 14 REMUNERATION AND EXPENSES

Membership positions in the Group are voluntary and therefore there is no remuneration.