

## Terms of Reference - Pest Management Advisory Committee (PMAC)

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Responsible Officer	Director Infrastructure Services	Date Approved:	21 Sep 2022
Review Officer:	Director Infrastructure Services	Review Due:	21 Sep 2024
Author:	Director Infrastructure Services	Commencement:	21 Sep 2022

### 1. PURPOSE

The Pest Management Advisory Committee (PMAC) is established under the *Local Government Regulation 2012*<sup>1</sup> to provide expert advice to Council on community biosecurity matters to assist Council in achieving its Corporate Plan objectives and advise on emerging pest management issues and projects.

### 2. SCOPE

The Terms of Reference apply to Councillors, Committee members and staff of Mareeba Shire Council.

### 3. FUNCTIONS

The purpose of the Advisory Committee is to:

1. Advise on the preparation and annual review of the Mareeba Shire Community Biosecurity Plan.
2. Provide advice on prioritising invasive plant and animal species, including emerging species, to plan for management strategies and resource requirements.
3. Provide a forum to share knowledge and collaborate on invasive species management, control and sustainable environmental solutions including; site rehabilitation, restoration and revegetation.
4. Identify and advise on funding and partnership opportunities for resourcing and cost sharing
5. Provide expert advice on other matters as referred to the PMAC Committee by the Council regarding Biosecurity.

### 4. COMPOSITION

Advisory Committee members must be committed to the strategic objectives outlined in these Terms of Reference. The following will apply:

- The Chairperson of the Advisory Committee will be a Councillor.
- Two (2) Councillors will be appointed by Mareeba Shire Council to the Advisory Committee—one (1) serving as Chair and the other as Deputy Chair.
- One (1) representative will be appointed to the Committee from each of the following:
  - DAF
  - DOR
  - Terrain

<sup>1</sup> See *Local Government Regulation 2012 (Qld) pt. 5 div 2 -see especially ss264-265*

#### Human Rights Compatibility Statement

The *Human Rights Act 2019* (HR Act) (Qld) came into effect on 1 January 2020 and will mean fairer laws, policies and practices by public entities when dealing with the community on a day-to-day basis. This procedure has been drafted in alignment with obligations under s 58 of the HR Act.

- Northern Gulf Natural Resource
- Cape York Natural Resource
- Remaining Advisory Committee members will be appointed by Council and will hold extensive knowledge and experience in Biosecurity or pest management.
- The Advisory Committee may from time to time seek the advice of persons with specialist knowledge and invite them to attend a meeting.

## 5. TERMS OF APPOINTMENT

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The Advisory Committee is appointed for the term up to the next Council election or for the lifespan of the Committee, whichever is the earlier event and is subject to review by Council at any stage.<sup>2</sup> The following will apply:

- The Advisory Committee has no decision-making powers and will make recommendations only for consideration by Council.
- Advisory Committee members are appointed on a voluntary basis and meeting fees are not available.
- Advisory Committee members are expected to be available for regular communication by email and telephone.
- Where a member is appointed, they must receive notification of the appointment in writing
- Council may remove an Advisory Committee member from office for:
  - conduct in breach of Council's *Employee Code of Conduct*;
  - failure to attend three consecutive meeting without leave of absence.
- The Advisory Committee may be renewed with the same membership following the next Council election or when public nominations are called for positions.

## 6. CONDITIONS OF MEMBERSHIP

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Advisory Committee members are to comply with Council's *Handbook for Advisory Committees* and *Employee Code of Conduct*. The following will apply:

- Advisory Committee members have a duty to act honestly and in good faith, exercise reasonable skill, care and diligence.
- Advisory Committee members are to exercise common courtesy on all occasions.
- Advisory Committee members are to work collaboratively towards the purpose of the Committee.
- Advisory Committee members are not authorised to speak directly to the media or public on behalf of the Council or with regard to any matter that has or is to be discussed by the Committee unless otherwise determined and agreed by Council. All media inquiries and requests for comment by members must be directed to the Advisory Committee Chairperson.

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<sup>2</sup> See *Handbook for Advisory Committees* (MSC) s 3.1.

- Where a Committee member ceases employment with the organisation their membership to the Advisory Committee ceases, and the membership organisation are to appoint a replacement in writing.
- The office of an appointed Advisory Committee member becomes vacant if the member submits resignation in writing to the Secretariat of the Advisory Committee or is unable to continue their duties as an Advisory Committee member under these Terms of Reference.

## **7. MEETINGS**

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Advisory Committee Meetings will be conducted in accordance with Council's *Handbook for Advisory Committees*.<sup>3</sup> The following will apply:

- Meetings are to be held as and when items of business arise but must be at least twice annually.<sup>4</sup>
- Meeting of the Advisory Committee will be held at a venue in Mareeba unless otherwise determined.
- A quorum will be determined to be 50% of the total number of committee members, of which at least one must be a Mareeba Shire Council Councillor.<sup>5</sup>
- If after ten to fifteen (10-15) minutes have elapsed from the advertised time of the meeting without a quorum being present, the meeting will be abandoned. The chairperson is to reconvene the Committee as convenient, but no later than the next scheduled meeting date.<sup>6</sup>
- An appointed member who has a direct or indirect pecuniary interest in a matter under consideration by the Committee must disclose the nature of the interest to the Committee. Such a disclosure must be recorded in the minutes of the Committee.<sup>7</sup>
- Voting procedure will be conducted in the manner consistent with requirements under the *Local Government Regulation 2012* and Council's *Handbook for Advisory Committees*.<sup>8</sup>
- Advisory Committee members will not nominate alternate members (proxies) or representatives to attend meetings in their absence.
- Observers are permitted in attendance by approval of the Chairperson.

## **8. ADMINISTRATION**

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The Committee will undertake an assessment of performance against these Terms of Reference at an agreed time. Council Officers will provide information, secretarial and other assistance to the Committee as required.

## **9. REPORTING**

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The Advisory Committee will provide updates to Council by submitting reports when required. The following will apply:

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<sup>3</sup> Ibid s 3.4.

<sup>4</sup> Ibid s 3.4.2.

<sup>5</sup> Ibid s 3.4.3.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid s 3.4.7.

<sup>8</sup> See *Local Government Regulation 2012* (Qld) s 270. See also *Handbook for Advisory Committees* (MSC) s 3.4.1.

- The Advisory Committee's advice and recommendations will be recorded in the Meeting Minutes and presented for Council consideration and assessment in a report.
- Meeting Minutes will be of formal resolutions and may note discussion topics and will comply with Council's *Handbook for Advisory Committees*.<sup>9</sup>
- Approved Meeting Minutes are available to the public and will be published on Council's website.
- All written material associated with the Committee is subject to the Right to Information Act 2009 and may be made available to the public.

## 10. DEFINITIONS

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**Alternate member** – means a person who attends meetings of the committee and acts as a member of the committee only if another member of the committee is absent from the meeting of the committee.<sup>10</sup>

## 11. RELATED DOCUMENTS AND REFERENCES

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*Employee Code of Conduct (MSC)*  
*Handbook for Advisory Committees (MSC)*  
*Local Government Regulation 2012 (Qld)*

## 12. Review

It is the responsibility of the director infrastructure services to review these terms of reference and effect the necessary changes following each council election.

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### LIST OF OBSERVERS

- FNQROC
- Mitchell River Watershed Management Group
- Barron River Catchment Care Group
- Agriculture Industries
- Sunwater
- Department of Transport and Main Roads
- Wetherby Station
- Karma Waters
- Mareeba District Fruit & Vegetable Growers Association
- Tableland Canegrowers Association
- Wet Tropics Management Authority

List of Revelant Acts list in the Biosecurity Act

- Economic Development Act 2012
- Fisheries Act 1994
- Forestry Act 1959
- Marine Parks Act 2004
- Nature Conservation Act 1992
- Planning Act 2016
- Vegetation Management Act 1999

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<sup>9</sup> See *Handbook for Advisory Committees (MSC)* s 3.4.6.

<sup>10</sup> See *Local Government Regulation 2012 (Qld)* s 266.