

TREE ADVISORY PANEL

TERMS OF REFERENCE

FUNCTIONS OF THE PANEL

The Tree Advisory Panel (the Panel) is established under the *Tree Protection Act 2005* to provide expert advice to the Conservator of Flora and Fauna (the Conservator) on matters relating to tree protection in the ACT.

The specific functions of the Panel will be:

1. To advise the Conservator upon request on:
 - a. Applications to undertake tree damaging activities or groundwork;
 - b. Proposals to include a tree on the Tree Register;
 - c. Requests to remove a tree from the Tree Register; and
 - d. Requests for reconsideration of a decision made by the Conservator under the *Tree Protection Act 2005*.
2. To act as expert witness on matters brought before the ACT Civil and Administrative Appeals Tribunal relating to decisions made by the Conservator under the *Tree Protection Act 2005* or advice provided by the Conservator to the ACT Planning and Land Authority under the *Land (Planning and Environment) Act 1991*;
3. To provide advice to the Conservator on draft instruments made under the *Tree Protection Act 2005*; and
4. To give other advice to the Conservator on anything relevant to the Conservator's functions in relation to tree protection;

PANEL MEMBERSHIP

Appointments to the Panel will be made by the Minister based on a person's expertise in one or more of the following fields:

1. arboriculture;
2. forestry;
3. horticulture;
4. landscape architecture; or
5. natural and cultural heritage.

The Panel will be appointed by the Minister.

The term of each appointment will be for a period of at least one year but not exceeding 2 years. Individual representatives may be reappointed.

RESIGNATION AND TERMINATION OF MEMBERSHIP

Provision will be made for members to resign from the Panel.

The Conservator will be able to terminate the membership of an appointee on grounds of physical or mental incapacity and will be obliged to do so if:

- a) the member becomes bankrupt;
- b) the member is absent from three consecutive meetings without leave of the Chairperson;
- c) the member is convicted of an offence punishable by imprisonment for twelve months or greater; or
- d) the Conservator has reasonable grounds for believing that the member has ceased to be a member of the kind referred to above, or has lost the confidence of, or no longer represents, the membership he or she was appointed to represent.

PANEL MEETINGS

Panel meetings should be held approximately every month or more frequently as required.

The Panel deliberations, information received by it and recommendations made to the Conservator will be treated at all times as confidential. Public access to information under normal Freedom of Information procedures is available and will not be limited by this provision.

A quorum for a meeting is at least one half of the number of members appointed to the Panel.

The Chairperson has a casting as well as deliberative vote.

OTHER OPERATIONS

The operation of the Panel other than detailed above will be conducted in a manner as determined by the Panel.

Applicants for the role of TAP member should provide a written expression of interest that outlines the following:

- Field of relevant experience/expertise and extent of experience/expertise.
- Current or former profession where appropriate/relevant.
- Level of education attained/any relevant training/relevant qualifications/membership of relevant professional associations or similar.
- Extent of computer and written skills.
- Availability to carry out the role.
- Knowledge/experience interpreting/applying or working with the *Tree Protection Act 2005* or similar legislation.
- Experience in or knowledge of ACT Government business processes.