

MT BUNINYONG RESERVE ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference document, the Ballarat City Council (**Council**) establishes the Mt Buninyong Reserve Advisory Committee (**Committee**). The Committee is established to replace the current management committee and is developed to have a longer-term focus on the development of the facility and its programs.
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.3 The Committee has the functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.4 This Terms of Reference document is authorised by a resolution (R308/18) of Council passed on 24 October 2018.

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 The implementation and review of the existing management plan for the Mt Buninyong Reserve.
- 2.2 Investigating funding opportunities.
- 2.3 Promoting and engaging community involvement.

3. OBJECTIVES

The objectives of the Committee are:

- 3.1 To provide information relating to the management of the Mt Buninyong Reserve.
- 3.2 To broadly represent and involve a variety of the community and other stakeholders in Council's decision making processes.

4. ROLES AND RESPONSIBILITY

- 4.1 The role of the Committee is to:
 - 4.1.1 have an active role in communicating community views to Council.
 - 4.1.2 participate in discussions at two (2) meetings per year (March and September).

- 4.2 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.

5. MEMBERSHIP

- 5.1 The Committee will consist of a minimum of 7 members comprising of:
- 5.1.1 Three (3) Community member representatives;
 - 5.1.2 One (1) Councillor of Council;
 - 5.1.3 One (1) Upper Williamson Landcare Committee member;
 - 5.1.4 One (1) Parks Victoria representative;
 - 5.1.5 One (1) Department of Environment, Land, Water and Planning (**DELWP**) representative; and
 - 5.1.6 Such other persons as Council may resolve from time to time.
- 5.2 The Chief Executive Officer shall appoint a Council Officer to provide administrative support and guidance to the Committee.
- 5.3 A Council Officer appointed under clause 5.2 is not considered a member of the Committee and does not have voting rights.
- 5.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 5.5 Councillors, other than a Councillor appointed under clause 5.1.2, who attend a meeting are not to be classed as members of the Committee and do not have voting rights.
- 5.6 Council will revise the membership and voting rights of each Committee member as it sees fit.
- 5.7 A Councillor appointed under clause 5.1.2 will be the Chairperson of the Committee.
- 5.8 If a Chairperson is not appointed under clause 5.7, as the case may be, before the Committee's first meeting, the Committee members must appoint a chairperson at the first meeting.
- 5.9 If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.
- 5.10 Any Councillor can attend meetings of the Committee as an observer.

6. MEETINGS

- 6.1 Unless Council resolves otherwise Committee meetings must be conducted in accordance with:
- 6.1.1 Council's Meeting Procedure Local Law (as amended from time to time and adopted by Council);

- 6.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 6.1.3 The Committee's discretion, as exercised from time to time; and
 - 6.1.4 Council's Community Consultation and Participation framework.
- 6.2 The Committee will meet 2 times per year or with such other frequency as determined by resolution of Council or, absent such a resolution, with such greater frequency as agreed by the Committee from time to time.
- 6.3 The Chairperson will chair all Committee meetings.
- 6.4 The Chairperson is the authorised spokesperson for the Committee
- 6.5 The role of the Council Officer appointed under clause 5.2 will include:
- 6.5.1 maintaining a Register of committee members, their date of appointment, reappointment and official positions held (if any) as a committee member;
 - 6.5.2 advising committee members of term completion dates and their eligibility for reappointment as relevant;
 - 6.5.3 acting as the contact point between Council and the Committee;
 - 6.5.4 assisting with meeting the Committee's reporting requirements;
 - 6.5.5 providing appropriate notifications of meetings; and
 - 6.5.6 preparing minutes, agendas and other documentation required for members to actively participate on the committee.
- 6.6 A quorum of the Committee will be half of the members plus one.
- 6.7 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 6.8 Sub committees may be appointed by the Committee and may meet between general meetings and as authorised by the Committee.

7. REPORTING

- 7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Council's consideration in accordance with:
- 7.1.1 Council's meeting procedure Local Law;
 - 7.1.2 Part 4, Division 2 of the *Local Government Act 1989*;
 - 7.1.3 any resolution of Council made from time to time; and
 - 7.1.4 The Committee's discretion, as exercised from time to time.

- 7.2 The Committee must prepare and present to Council a report of its activities upon being required to do so by Council and, in any event at least once per year.
- 7.3 In accordance with the *Local Government Act 1989*, when a Councillor attends a Committee Meeting, this is deemed to be an *Assembly of Councillors* and an Assembly of Councillors Record must be completed as soon as possible by the Council Officer appointed under clause 5.2 or, if that Council Officer is not present by the Committee Chairperson, and forwarded to the Statutory Compliance Unit for inclusion in the report to Council.
(Note – this only applies when a Councillor is in attendance.)

8. CREATION AND DISSOLUTION

- 8.1 By these Terms of Reference the Committee:
- 8.1.1 is established; and
 - 8.1.2 has the responsibilities as set out in the Terms of Reference.
- 8.2 These Terms of Reference:
- 8.2.1 come into force immediately the resolution of Council adopting them is made; and
 - 8.2.2 remain in force until Council determine to vary or revoke them.
- 8.3 The Committee will only be dissolved by resolution of Council.

Dated: 24 October 2018