

BALLARAT MUNICIPAL OBSERVATORY ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference document, the Ballarat City Council (**Council**) establishes the Ballarat Municipal Observatory Advisory Committee (**Committee**).
- 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 (R341/18) of Council passed on 21 November 2018.

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 Providing advice and recommendations to Council on the Management of the Ballarat Municipal Observatory located at Corner Cobden and Magpie Street, Mt Pleasant, Ballarat; and
- 2.2 Acting as a conduit between the Ballarat Astronomical Society and Council.

3. OBJECTIVES

The objectives of the Committee are:

- 3.1 To work closely with Council to ensure that the Ballarat Municipal Observatory and all assets contained at the facility are in a working condition suitable for visitor use;
- 3.2 Evaluate proposals for commercial activities of the Ballarat Astronomical Society at the site; and
- 3.3 Review master plans and business modelling for use to ensure the longevity of the facility.

4. ROLES AND RESPONSIBILITY

- 4.1 The role of the Committee is to:
 - 4.1.1 have an active role in communicating to Council views and items relating to the operation and maintenance of the Ballarat Municipal Observatory;
 - 4.1.2 make recommendations to the Council on the budget requirements for the Observatory;
 - 4.1.3 continue to seek funds with relevant organisations or through general operations for the continuous development of the site;
 - 4.1.4 report to Council by way of minutes on matters that may impact the ongoing operation and maintenance of the site; and
 - 4.1.5 participate in discussions at quarterly meetings.
- 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 four (4) members:
 - 5.1.1 Two (2) members or representatives of the Ballarat Astronomical Society;
 - 5.1.2 One (1) Councillor of Council as invited or required from time to time;
 - 5.1.3 One (1) Council officer as invited or required from time to time with no voting rights; and
 - 5.1.4 Other members invited or co-opted 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 The 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 quarterly 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 includes:
- 6.5.1 maintaining a Register of Committee members, their date of appointment, reappointment and official positions (if any) held 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; and
 - 6.5.4 assisting with meeting the Committee's reporting requirements.
- 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 Committee's consideration in accordance with:
- 7.1.1 Council's meeting procedure Local Law (as amended from time to time and adopted by Council);
 - 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.

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 determines to vary or revoke them.
- 8.3 The Committee will only be dissolved by resolution of Council.

Dated: 21 November 2018