

# **ATTACHMENT TO AGENDA ITEM**

**Ordinary Meeting**

**20 December 2016**

**Agenda Item 10.2      Cussen Park Advisory Committee - Terms of Reference**

**Attachment 1            Cussen Park Advisory Committee Terms of Reference  
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## CUSSEN PARK ADVISORY COMMITTEE

### TERMS OF REFERENCE

*Adopted by Resolution of Council on 20 December 2016*

*For Review 2020*

#### 1. Purpose

Cussen Park and its associated wetlands were established to cater for a wide range of passive recreation needs, educational values and to provide partial biological treatment for Tatura's stormwater. The Cussen Park Advisory Committee exists to provide community input into the development and management of Cussen Park.

#### 2. Roles

2.1 The Cussen Park Advisory Committee will:

- 2.1.1 advise Council on strategic development and management of the park.
- 2.1.2 work in accordance with the Environmental Management Plan (the Plan)
- 2.1.3 review the plan from time to time with Council
- 2.1.4 encourage and foster community involvement in the use and development of the park
- 2.1.5 participate in tours of the park
- 2.1.6 undertake or organise plantings of native flora (trees, shrubs, groundcover, grasses etc) including replacement of dead plants, preparation, watering and weeding
- 2.1.7 undertake minor maintenance where it has the appropriate capacity, skills and equipment to do so safely
- 2.1.8 appoint a designated committee member to notify Council of the need for emergency maintenance and report damage
- 2.1.9 propose and undertake new works, with the appropriate authorisation from Council (eg. Fencing, gates, seating, signage)
- 2.1.10 prepare and submit budget proposals annually

- 2.1.11 meet regularly (at least twice per year) with an appointed Council representative.

Any work undertaken by the Committee members will only be done after gaining approval from Council.

2.2 The Council will:

- 2.2.1 Manage the park in accordance with the Environmental Management Plan (the Plan)
- 2.2.2 Undertake routine maintenance including:
- Slashing and mowing according to seasonal requirements
  - Weed control
  - Cleaning of toilet facilities (twice per week)
  - Rubbish collection
  - Conduct weekly inspections to identify maintenance issues
- 2.2.3 undertake emergency maintenance for safety reasons and in response to vandalism
- 2.2.4 operate water regulating structures for water quality consideration and to control water levels
- 2.2.5 provide funds to undertake approved works
- 2.2.6 ensure all structures comply with appropriate OH&S standards
- 2.2.7 manage all bookings for use of park facilities
- 2.2.8 meet regularly (at least twice per year) with appointed committee representative/s.
- 2.2.9 where possible, consult with the Committee on matters relating to the facility including prior to the commencement of any new capital works.

### 3. Committee Membership

- 3.1 The Committee shall comprise of between five and 11 members representative of the community, appointed by resolution of the Council along with the Manager Environment will also attend Committee meetings as a non-voting member and will act as the official Minute Taker.
- 3.2 Members will be appointed for a period of two years, but may be removed by the Council at any time. A community member of the Committee shall be eligible for re-election or re-nomination at the expiration of his or her period of office.

- 3.3 If a member does not attend a scheduled meeting for more than three consecutive meetings, membership may be reviewed by the committee and may prompt a vacancy on the committee
- 3.4 The Council will call for applications to fill vacant community positions by way of notice in the public notice section of the Shepparton News and the Tatura Guardian. All applications will be carefully considered based on relevant skills and experience before the appointment of community representatives is made by a formal resolution of the Council.

#### 4. Committee Meeting Procedure

##### 4.1 Annual General Meeting

- 4.1.1 The Committee shall hold an Annual General Meeting on a date fixed by the Chairperson. The business of the Annual General Meeting shall be :
- (a) to receive the annual report;
  - (b) to elect office bearers to the position of Chairperson and other positions determined by the Committee as being necessary for the efficient functioning of the Committee.

##### 4.2 General Meetings

- 11.2.1 The Committee shall hold at least four other meetings during the year, with the date and time of each meeting determined by the Chairperson.
- 11.2.2 The Secretary shall give reasonable notice of all meetings by distributing a notice of the meeting to all members at least seven clear days prior to the meeting.

##### 4.3 Special Meetings

The Chairperson may call a special meeting on his or her own initiative. The Chairperson must also call a special meeting upon receiving a request from any three members. The notice of the meeting by the Chairperson and the request by the three Committee members must contain a statement of the purpose of the meeting.

The meeting must be held on a date and time as fixed by the Chairperson, provided that, in cases where the Chairperson calls a meeting in response to a request, the meeting is held within 21 days of the request being received.

The Chairperson must arrange for notice of the meeting to be given to all Committee members. No other business shall be transacted at that meeting except that specified in the notice.

- 4.4 The Committee is not required to comply with Council's Local Law No. 2 – Processes of Local Government (Meetings and Common Seal).
- 4.5 The quorum at any Committee meeting shall be a majority of the voting members of the Committee (half plus one) in attendance for the meeting to take place.
- 4.6 A motion before a meeting of the Committee is to be determined as follows:

- 4.3.1 each member of the Committee who is entitled to vote is entitled to one vote;
- 4.6.2 unless otherwise prohibited by the Act, each member of the Committee present must vote;
- 4.6.3 unless the procedures of the Committee otherwise provide, voting must be by a show of hands;
- 4.6.4 the motion is determined by a majority of the vote; and
- 4.6.5 if there is an equality of votes, the Chairperson has a second vote.
- 4.7 The Chairperson shall take the chair at all meetings at which he or she is present. In the Chairperson's absence, the Committee must appoint a voting member to chair the meeting.
- 4.8 Minutes shall be kept of the proceedings at all meetings. After confirmation of the minutes, they must be signed and certified by the chairperson of the meeting at which they are confirmed. Copies of minutes must be forwarded to Council within fourteen days of a meeting.
- 4.9 Each member of the Committee must comply with the Act with respect to any conflicts of interest of members and all agendas for committee meetings must contain an item for consideration of conflicts of interest.
- 4.10 Any meeting or special meeting of the Committee must be open to members of the public, subject to clause 4.11.
- 4.11 The Committee may resolve that a meeting be closed to members of the public if the meeting is discussing any of the following:
  - 4.11.1 personnel matters;
  - 4.11.2 the personal hardship of any resident or ratepayer;
  - 4.11.3 industrial matters;
  - 4.11.4 contractual matters;
  - 4.11.5 proposed developments;
  - 4.11.6 legal advice;
  - 4.11.7 matters affecting the security of Council property; or
  - 4.11.8 any other matters which the Committee considers would prejudice the Council or any person.
- 4.12 If the Committee resolves to close a meeting to the public, the reason must be recorded in the minutes of the meeting.
- 4.13 Any decision of the Committee which the Committee does not have delegated power to implement, cannot be implemented until approved by the Council.

4.14 In the event of an unresolved dispute, the matter shall be submitted to the Council in writing for a final decision.

4.15 The Committee may form sub-committees from among its members for the purpose of forming recommendations on matters, provided that no decision may be acted upon until adopted by the full Committee.

The Chairperson shall be an ex-officio member of all sub-committees.

Sub-committees shall only be established by resolution of the Committee and shall only carry out those functions stated in such resolution.

## **5. Committee Conduct Principles**

Committee members are expected to:

- 5.1 actively participate in Committee discussions and offer their opinions and views,
- 5.2 treat all persons with respect and have due regard to the opinions, rights and responsibilities of others,
- 5.3 act with integrity,
- 5.4 attend each meeting where practical
- 5.5 avoid conflicts of interest
- 5.6 refrain from releasing confidential information.

## **6. Review**

The terms of reference for the Cussen Park Advisory Committee will be reviewed every four years prior to recruitment of community members.