



AUSTRALIAN BOTANIC GARDENS SHEPPARTON ADVISORY COMMITTEE TERMS OF REFERENCE

Adopted by Resolution of Council on [20/4/21]

For Review April 2023

1. Purpose

The purpose of the Australian Botanic Gardens Shepparton Advisory Committee is to provide advice to Council in relation to the ongoing development, functioning and performance of Australian Botanic Gardens Shepparton.

2. Role of the Australian Botanic Gardens Shepparton Advisory Committee

The Australian Botanic Gardens Committee is appointed in an advisory capacity to perform the following roles:

- make recommendations to Council on development, plant collections, procedures, rules and conditions of use necessary for the proper management of the Gardens
- provide advice on specific issues as required
- propose capital works for Council consideration
- assist Council with the resolution of conflicts between users as they occur
- arrange meetings, forums, seminars or other activities to assist the committee in meetings its objectives
- liaise with Council and its staff to ensure continuing cooperation and coordination of the Gardens
- publicise and promote interest in the facility
- maintain relationship with Botanic Gardens Australia and New Zealand (BGANZ)
- act consistently with the objectives of the committee
- not commit, or permit to be committed, any act which will render the operation of any of the Council's insurance policies invalid

3. Committee Membership

The Committee can comprise of up to 8 members representative of the community and one Councillor. A Council Officer will also be present at meetings. All Nine members will be appointed by resolution of the Council and have voting rights.

Council will call for applications to fill vacant community positions by way of notice in the public notice section of the Shepparton News before appointing community representatives to the committee.

Community representatives will be appointed for a period of two years commencing on 1 July, but may be removed by the Council at any time. Vacated community positions will be subject to a public call for applications with the outgoing member/s eligible for reappointment. In the case of a casual vacancy on the committee, any appointment will be for the remainder of the term of the original appointment.

If a member does not attend a scheduled meeting of the committee for more than three consecutive meetings, membership may be reviewed by the Committee and may prompt a vacancy on the committee.

4. Committee Meeting Procedure

Meetings of the Committee shall be conducted in accordance with the following procedures:

- Meetings of the committee will be held Bi-monthly.
- The Chairperson must chair all meetings at which he or she is present. In the Chairpersons absence, the Committee must appoint an Acting Chairperson who will chair that meeting.
- At the first meeting of each year, the committee will elect office bearers to the positions of Chairperson and Secretary.
- The Committee's position on any issue under consideration will be made upon a majority vote by members present. In the event of a tie, the Chairperson will have an additional casting vote.
- 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.
- When the Committee's business involves a matter in which one or more members have a conflict of interest, or when their presence may inhibit full discussion, those members should withdraw from that portion of the meeting. All committee members must comply with the *Local Government Act 1989* with respect to Conflict of Interest requirements.

5. Committee Conduct Principles

Committee members are expected to:

- a. actively participate in Committee discussions and offer their opinions and views
- b. treat all persons with respect and have due regard to the opinions, rights and responsibilities of others
- c. act with integrity
- d. attend each meeting at a venue to be confirmed
- e. avoid conflicts of interest
- f. refrain from releasing confidential information

6. Assemblies of Councillors

In accordance with the *Local Government Act 1989* the definition of an Assembly of Councillors includes any meeting of an advisory committee of the Council, if at least one Councillor is present.

Any Councillors in attendance at committee meetings are required to declare all conflicts of interest. Following each meeting, a Record of Assembly of Councillors must be completed stating:

- The names of all Councillors and members of Council staff in attendance
- The matters considered
- Any conflicts of interest disclosures made by a Councillor attending, and
- Whether the Councillor who has disclosed the conflict of interest leaves the assembly.

The Record of Assembly of Councillors must be submitted to Council in accordance with the *Assembly of Councillors CEO Directive 37.CEOD2* (Trim Ref: M13/51766) within 7 days of the date of the committee meeting so that it can be included in the next available Ordinary Council Meeting agenda.

7. Review

The terms of reference for the Australian Botanic Gardens Shepparton Advisory Committee will be reviewed on a biennial basis prior to recruitment of community member