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Terms of Reference:
Uralla Township &
Environs Committee
2022

INFORMATION ABOUT THIS DOCUMENT

Date Adopted by Council		Resolution No.	
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Document History

Doc No.	Date Amended	Details
0.1	9 February 2022	Draft prepared, circulated for individual Councillor, Committee members and staff input
0.2	22 February 2022	Draft to council recommending consultation with current committee members and public exhibition for community input
0.3	10 May 2022	Draft with comments from UTEC in comments section
1.0	June 2022	Council resolution to adopt

Related Legislation	<i>Local Government Act 1993 (NSW)</i> <i>Local Government (General) Regulation 2021 (NSW)</i>
Related Policies	Uralla Shire Council Code of Conduct Uralla Shire Council Code of Meeting Practice Uralla Shire Council Sponsorship Policy Uralla Shire Council Hire of Council Facilities, Plant, and Equipment Policy Procurement Policy 2020 Disposal of Assets Policy 2021 Enterprise Risk Management Framework Policy 2020 Workplace Health & Safety Policy 2019
Related Procedures/ Protocols, Statements, documents	Section 355 Committee Handbook 2022 Uralla Shire Council Open Spaces Strategy Uralla Pedestrian Access Mobility Plan August 2019 (PAMP)



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1. Establishment

- 1.1 The Uralla Township and Environs Committee (hereafter “the Committee”) is established under section 355(b) of the *Local Government Act 1993* (NSW) pursuant to Council resolution 32.02/18 made 27 February 2018.

2. Purpose and Objectives

- 2.1 The Committee is established for the purpose of providing strategic advice to Council on the future development and redevelopment of public spaces in and near the township of Uralla.
- 2.2 The objectives of the Committee are to:
- 2.2.1 Provide guidance to Council for the implementation of public space related planning, design and management;
 - 2.2.2 Provide advice to Council on current and emerging issues for public spaces, including issues related to, but not limited to leisure, education, economic, cultural, social and environmental aspects;
 - 2.2.3 Ensure consideration is given to disability access to public spaces in strategy development;
 - 2.2.4 Provide advice on matters strategically relevant to public spaces as required by Council including, but not limited to, development and implementation of Council’s Open Spaces Strategy and Pedestrian and Access Mobility Plan (PAMP);
 - 2.2.5 Participate in consultative forums initiated by Council for the purpose of informing and seeking feedback from the community; and
 - 2.2.6 Provide clear recommendations and advice to Council based on the skills, knowledge and experience of the Community members.

Commented [USC1]: UTEC COMMENT: Add ‘disabled’ before ‘leisure’.

Commented [USC2R1]: Note: per accessible language, should be ‘access for people with a disability’

Commented [USC3]: UTEC COMMENT: Delete 2.2.3

Commented [USC4R3]: Agree, and noting terminology is not current – cover appropriately in 2.2.2

Commented [USC5]: UTEC COMMENT: delete ‘clear’ and ‘based on the skills, knowledge and experience of the Community members’.

3. Term of Committee

- 3.1 The Committee shall operate from the date Council adopts these Terms of Reference and will conclude three months after the date of the next Council election, unless terminated earlier in accordance with these Terms of Reference.

4. Membership

- 4.1 Membership of the Committee shall consist of:
- 4.1.1 A minimum of six (6) and a maximum of 12 members of the public; and
 - 4.1.2 Two (2) councillor representatives.
- (OR)**
- 4.2 Membership of the Committee shall consist of a minimum of six (6) and a maximum of 12 members of the public.
- 4.3 Two (2) non-voting councillor representatives shall be appointed by Council to the Committee.

(Delete either 4.1 or 4.2 and 4.3)

- 4.4 Committee membership is on a quadrennial basis for the term of the Council. Following a general election of councillors, the existing Committee membership continues until such time as the Council appoints new Committee members.
- 4.5 A person remains a Committee member for the duration of the Committee term until:
 - 4.5.1 Death; or
 - 4.5.2 That person ceasing to be a member upon:
 - 4.5.2.1 Delivering, in writing (letter or email), a resignation to the Committee Secretary or a meeting of the Committee;
 - 4.5.2.2 Being absent from three (3) consecutive meetings of the Committee without leave of absence from the Committee; or
 - 4.5.2.3 Receiving written notification from Council that the person's membership with the Committee has been terminated.
- 4.6 A Committee member who is an Office Bearer to the Committee may resign from the position and remain a member of the Committee.
- 4.7 Casual vacancies shall be filled in accordance with clause 5.2.

Commented [USC6]: UTEC COMMENT: Delete 4.2 and 4.3

Commented [USC7]: UTEC COMMENT: Delete 'on a quadrennial basis'

Commented [USC8]: UTEC COMMENT: Add '(Chair and Secretary)' following 'Bearer'

5. Appointment of Members and Office Bearers

5.1 Appointment of Members

- 5.1.1 Committee members shall be appointed by Council.

5.2 Vacancies

- 5.2.1 The Committee Secretary shall promptly advise Council of any casual vacancy.
- 5.2.2 The filling of any vacancy shall be approved by the Council. Nominations and appointment to vacancies must be from the same sector or representative body as the vacant position.
- 5.2.3 A casual vacancy may be filled through a review of earlier expressions of interest or a call for new expressions of interest to invite nominations from the public.
- 5.2.4 Interested persons may nominate for a vacant position regardless of whether expressions of interest have been called. Nominations shall be presented to Council for determination.

Commented [USC9]: UTEC COMMENT: Add 'will be preferred' following the word 'vacancies'. Delete 'must be'. Add 'Other sectors or representative bodies will be considered in the absence of any nominations from the same sector as the vacancy'.

5.2.2 The filling of any vacancy shall be approved by the Council. Nominations and appointment to vacancies will be preferred from the same sector or representative body as the vacant position. Other sectors or representative bodies will be considered in the absence of any nominations from the same sector as the vacancy.

5.3 Leave of Absence

- 5.3.1 Per clause 4.5.2.2, any member absent for 3 or more consecutive meetings without apology or leave of the Committee shall have their position declared vacant and clause 5.2.1 shall be invoked.

Commented [USC10]: UTEC COMMENT: Delete 'Per clause 4.5.2.2'

Commented [USC11]: UTEC COMMENT: 5.2 not 5.2.1

5.4 **Removing Members**

5.4.1 The Council may at any time remove a member of the Committee but shall observe the principles of natural justice.

5.5 **Committee Chairperson**

5.5.1 At the first meeting of the Committee's term the Committee shall elect one of its members as Chairperson. The method of election shall be decided by the Committee.

(OR)

5.5.2 The Chairperson shall be appointed by the Council.

(Delete either 5.5.1 or 5.5.2)

5.6 **Committee Secretary**

5.6.1 At the first meeting of the Committee's term the Committee shall elect one of its members as Secretary. The method of election shall be decided by the Committee.

Commented [USC12]: UTEC COMMENT: Delete: **(OR)**
1.1.1The Chairperson shall be appointed by the Council.
(Delete either 5.5.1 or 5.5.2)

6. **Roles and Responsibilities**

6.1 The role of a Committee member is to:

6.1.1 Participate in the deliberations of the Committee, with regard to the policy and business which is before it;

6.1.2 Be mindful of the objectives and policies of the Council as they relate to the business of the Committee;

6.1.3 Be aware of the Council resources, budget and strategic plans, and the need for efficiency and effectiveness in the activities for which the Committee has been established;

6.1.4 Be informed on issues before the Committee, to prepare adequately for meetings and seek additional information if required;

6.1.5 Be mindful of the potential for a conflict of interest to occur through participation on the Committee and to declare such interests as and when they arise;

6.1.6 Represent the nominating sector, body or organisation honestly and fairly; and

6.1.7 Observe confidentiality when it is required.

6.2 Councillor representatives to the Committee shall facilitate communication between the Committee and Council by:

6.2.1 Presenting relevant minutes of the Council to the Committee;

6.2.2 Reporting on the Committee's activities to the Council; and

Commented [USC13]: UTEC COMMENT: Delete 'Be aware of the Council' and replace with 'Consider the advice provided by Councillors and Council staff in relation to resources'
6.1.3 Consider the advice provided by Councillors and Council staff in relation to resources, budget and strategic plans, and the need for efficiency and effectiveness in the activities for which the Committee has been established;

6.2.3 Referring any matters requiring clarification by the Committee to the General Manager or to the Council by way of a Councillor Delegates Report or Notice of Motion.

7. Meetings

7.1 Meeting Frequency

7.1.1 Meetings of the Committee will generally be held on a bi-monthly basis, with six (6) meetings held per annum.

7.2 Notice of meetings

7.2.1 Committee members will be provided notice of the meeting at least three (3) days before the date of the meeting and the business proposed to be considered at the meeting.

7.2.2 Committee meetings will be advertised on Council's web page.

7.3 Minutes

7.3.1 Committee meeting minutes will be supplied to each Committee member and Council within seven (7) business days after the Committee meeting.

7.3.2 Committee meeting minutes must be provided to Council not less than 10 business days prior to the next Ordinary meeting of Council to be presented to that meeting for endorsement.

7.4 Meeting Procedure

7.4.1 The Uralla Shire Council Code of Meeting Practice shall guide the meeting procedures of the Committee.

7.4.2 Committee meetings are exempt from webcast requirements as described in clause 5.19 of the Code of Meeting Practice.

7.5 Presiding Member

7.5.1 The Chairperson shall preside at all Committee meetings at which he or she is present.

7.5.2 In the absence of the Chairperson at a meeting or in the event of a conflict of interest in which the Chairperson has recused him or herself from discussion, the Committee shall elect a temporary Chairperson.

7.6 Quorum

7.6.1 The quorum required for a meeting to commence will be a majority of current voting members (half the number of current members plus one). A Committee meeting will be adjourned and rescheduled if there is no quorum present within 15 minutes.

Commented [USC14]: UTEC COMMENT Delete: 'held on a bi monthly basis, with six (6) meetings held per annum. Replace with 'determined by the Committee, held quarterly with a minimum of four (4) meetings per year. Additional meetings can be convened as required.'

7.1.1 Meetings of the Committee will generally be determined by the Committee, held quarterly with a minimum of four (4) meetings per year. Additional meetings can be convened as required.

Commented [USC15]: UTEC COMMENT: Change (3) to (7) Committee members will be provided notice of the meeting at least seven (7) days before the date of the meeting and the business proposed to be considered at the meeting

Commented [USC16]: UTEC COMMENT: Delete 7.2.2

7.7 Voting

- 7.7.1 A question arising for decision at a meeting of the Committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.
- 7.7.2 A voting member of the Committee present at any meeting shall have one (1) vote on any matter.
- 7.7.3 In the event of an equality of votes, the Chairperson shall have the casting vote.

7.8 Public Access

- 7.8.1 Meetings of the Committee shall be open to the public, except any item on the agenda closed under s10A of the *Local Government Act 1993 (NSW)*.
- 7.8.2 Committee business agendas and minutes shall be published to the Council website.

8. Code of Conduct and Conflict of Interest

- 8.1 The Uralla Shire Council Code of Conduct applies to all Committee members.
- 8.2 Committee members and councillor representatives are to declare conflicts of interest when any such interest arises.
- 8.3 Declarations of conflict of interest shall be recorded in the minutes and committee members shall abstain from voting on any matter relating to the declared conflict of interest.

9. Reporting

- 9.1 The Committee shall report to Council through the provision of its Minutes.
- 9.2 To assist Council in its decision-making, proposals made to Council shall:
 - 9.2.1 Describe benefits and disadvantages;
 - 9.2.2 Identify potential costs (up-front and ongoing); and
 - 9.2.3 Identify the deliberations the Committee made in forming its decision. If there are differing views within the Committee, these opinions be communicated to Council to assist Council in understanding the complexities of the issue at hand.

Commented [USC17]: UTEC COMMENT: Add 'where possible' following 'ongoing'
Identify potential costs (up-front and ongoing) where possible; and

10. Delegated Authority

- 10.1 The Committee does not have any delegated functions pursuant to section 377 of the *Local Government Act 1993 (NSW)* and does not have the power to direct Council officials.

11. Correspondence

- 11.1 The Committee is not permitted to issue official correspondence to government officials or government departments.

11.2 All official correspondence must be signed by the General Manager.

12. Media Liaison

12.1 The Chair of the Committee may speak to the media in relation to the activities of the Committee in accordance with Council's media policy and Code of Conduct.

Commented [USC18]: UTEC COMMENT Delete 12.1 and replace with 'The Chair is permitted to speak to the media on recommendations made by the Committee.'

13. Operational Support

13.1 Uralla Shire Council will support the Committee through the provision of:

13.1.1 A meeting place;

Commented [USC19]: UTEC COMMENT Add A meeting place 'with virtual meeting facilities; and'

13.1.2 Insurance coverage for volunteers;

Commented [USC20R19]: Not resourced

13.1.3 Administrative support to post agenda online and present Minutes to Council; and

13.1.4 Attendance of staff for technical advice at the General Manager's discretion.

Commented [USC21]: UTEC COMMENT: Delete 13.1.3 and 13.1.4

14. Alteration of Terms of Reference and Committee Dissolution

14.1 These Terms of Reference may only be altered by Council resolution.

14.2 The Council may, at any time and either at its own initiative or upon request of the Committee, alter, delete, or add provisions to these Terms of Reference.

14.3 The Council may, by resolution, terminate the term of the Committee at its discretion.

14.4 In such event that the Council terminates the Committee term, the Council will provide formal notice to the Committee in writing including the reason for the termination.

15. Interpretation

15.1 Any ambiguity or difficulty in interpretation of these Terms of Reference shall be referred to the Council for direction.

16. Dispute Resolution

16.1 Where the Committee is unable to reach a determination on any issue, the Committee must refer that issue to the Chairperson for determination.

16.2 Where the Committee resolves that it is dissatisfied with the resolution of that dispute by the Chairperson it may, by notice in writing, request the General Manager review the issue.

16.3 Should the Committee be dissatisfied with the decision by the General Manager it may, by notice in writing to the General Manager, request that the matter be referred to Council for determination of the dispute by resolution of Council, whose determination of the dispute shall be final and binding upon the Committee.