

Moruya Racecourse Management Committee

Terms of Reference

September 2016

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Introduction

The Community Strategic Plan 'One Community' identifies the long term priorities that we are healthy and active and our community is a great place to live.

TERMS OF REFERENCE

Purpose of the Moruya Racecourse Management Committee

The Moruya Racecourse Management Committee has care, control and management of the gardens advises on the maintenance and upgrades of buildings and facilities.

Title and Delegations

The committee shall be referred to as the Moruya Racecourse Management Committee and is appointed for the care, control and management of the gardens. Members of the Moruya Jockey Club look after the racecourse and surrounds, from mowing to upgrades of the facility.

Objectives

- To provide information to Council concerning use of the facility and future needs.
- Advise Council on the maintenance and upgrades of the grounds, building and equipment.
- Advise Council on the expenditure of funds.
- Identify opportunities to enhance the services and amenities.
- Make recommendations on permitted uses and relevant fees and charges, keeping in mind those applicable to a similar venue.
- Foster good communication between the community, facility users and Council.
- Undertake an advocacy role for users of the surrounding recreational precinct, if required.

Membership of the Committee

A quorum of the committee shall be half the total number of appointed voting members plus one. The Chairperson has voting rights. Eurobodalla Shire Council staff do not have voting rights.

Tenure to the Committee

- Representatives to participate on the Moruya Racecourse Management Committee will be given formal notification by Council in writing.
- The tenure of membership will be four years in line with Council elections.
- A member absent from three consecutive meetings without acceptable apology will be replaced.
- Representatives must be willing to abide by the terms of reference.

Composition

- Two Councillors, the Chairperson will be a Councillor (selected by Council).
- Three representatives from the Moruya Jockey Club.

Recruitment process

Council will advertise positions on the committee through media and corporate communication channels.

Reporting Hierarchy

Minutes of each meeting will be distributed to Councillors through the councillor newsletter. Recommendations and Council response will be communicated through the General Manager.

Contact Officer

Contact officer for the committee is Coordinator Recreation Development.

Responsibilities of Committee Members

- To attend and positively participate in the committee's meetings and activities.
- Champion the committee's endeavours within the community and Council.
- Keep relevant community members and Council personnel informed of the group's activities.
- To advise and make recommendations to Council.
- To give advice to the best of their knowledge and ability that will help achieve the objectives of the committee.
- Facilitate in a timely way any tasks allocated to and accepted by them.
- Behave in a manner that respects the interests and viewpoints of other members.
- To declare any potential or actual conflicts of interest on matters that are brought before the committee.
- All committee members will abide by Council's Management Committee Guidelines and Policy for Code of Meeting Practice and the Division of Local Government Model Code of Conduct for Local Councils in NSW.

Responsibilities of the Chairperson

- To chair the meeting and exercise functions, as determined by the committee.
- To be the spokesperson for the committee, as directed by the committee.
- To advocate for the committee and represent its decisions.
- To sign off minutes endorsed by the committee.
- Extraordinary meetings may be called by the Chairperson.

Responsibilities of Council

- Provide professional officer support, as appropriate.
- Provide the committee with complete, accurate and meaningful information in a timely manner particularly in relation to income and expenditure.
- Allow reasonable time for adequate consultation when key decisions are required.
- Engage with the community in open, honest and objective discussions.
- Provide regular feedback on the perceived performance of the committee.

The ongoing role of the committee will be reviewed annually. Relevant matters will be referred to the committee for consideration. Committee recommendations will be referred to Council for action. Council at its discretion may review the role, structure re-organise or disband the committee.

General meetings

- The Chairperson will be a Councillor elected by Council. The second Councillor or another member, nominated by the committee at the meeting, will Chair in the event of the Chairperson being absent.
- The Chairperson of the committee will be able to call special meetings of the committee as necessary for the effective conduct of the committee and establish limited working parties as required.
- Meetings will be held bi-monthly at a place, time and date determined by the committee.
- Members may refer items for agendas through the Chairperson at least seven days before a scheduled meeting.
- Meetings of sub-committees, where required, may be held at times convenient to sub-committee members. Sub-committees will report on their meetings to the next scheduled meeting of the Committee.
- Meetings will be open to the public unless closed in accordance with relevant requirements of Local Government Act 1993 and Council's Code of Meeting Practice.
- Replacement of members between terms will be via the recruitment process outlined on page 2 of this document.
- Other interested individuals may be invited to attend meetings as irregular observers, or be invited to present to the meeting, however they will only be recognised by consent of the Chairperson.
- Pursuant to Section 10(2) of the Local Government Act 1993, the Chairperson of the committee can exercise the power of expulsion of persons not recognised as being entitled to be present at a meeting of the Committee.

Distribution of Information

Recommendations of the committee are to be reported to Council and minutes distributed to Councillors through the Councillor newsletter.

Media releases are approved by the Chairperson of the committee and distributed by Council according to Council's Media Policy.

The Chairperson is the spokesperson for the committee.

Individual committee members may not issue a media release on behalf of the committee.

Variation to the Terms of Reference

The *Terms of Reference* may be added to, repealed or amended by resolution of the Council, in consultation with or upon the recommendation of the committee.

APPENDIX 1 - WEBSITES

Eurobodalla Shire Council

<http://www.esc.nsw.gov.au/>

Eurobodalla Shire Council's Code of Meeting Practice

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Division of Local Government Model Code of Conduct for Local Councils in NSW

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Strategies

<http://www.esc.nsw.gov.au/inside-council/community-and-future-planning/strategies>



Batemans Bay Mackay Park Precinct Sunset Committee

Terms of Reference

12 July 2016

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1. Introduction and Background

The former Batemans Bay Bowling Club site has recently been purchased by Eurobodalla Shire Council. This site adjoins the existing Batemans Bay Aquatic Centre and the Mackay Park sporting grounds and together form a significant precinct in Batemans Bay. With the right development, this precinct has the potential to have a major positive impact on the future of Batemans Bay and the Eurobodalla.

Council is presently considering options to facilitate a future public private partnership that could result in a developer working with Council to redevelop the bowling club and aquatic centre precinct in a manner that will stimulate the economic development of Batemans Bay and provide an upgrade to community facilities in the precinct.

2. Role of the Batemans Bay Mackay Park Precinct Sunset Committee

The role of the Batemans Bay Mackay Park Precinct Sunset Committee is as follows:

1. To assist Eurobodalla Shire Council with the investigation of opportunities for the development of the precinct.
2. To develop and oversee the community engagement process during the investigation of opportunities for the development of the Batemans Bay Mackay Park precinct.

3. Title and Delegations

The committee shall be referred to as the Batemans Bay Mackay Park Precinct Sunset Committee.

The committee shall function as a non-delegated advisory committee.

4. Membership of the Committee

The sunset committee will be coordinated by the Eurobodalla Shire Council and will include the following representatives:

1. Chairperson (Mayor or their nominee)
2. Eight community representatives appointed via an expression of interest
3. Two representatives of Council, being the General Manager and Director, Planning and Sustainability Services (or their nominees) (no voting rights).
4. Any other councillors appointed by Council.

The criteria for the selection of community representatives is as follows:

1. Involvement in a community or business group that is related to the following potential development outcomes within the precinct: conference or convention facilities, tourism accommodation, arts and culture, seniors living, tourism and recreational facilities and aquatic centre.

5. Tenure of the Committee

The tenure of the committee is proposed to cease on 31 December 2017 in the first instance, with a further review at that stage. It is noted that to effectively implement a redevelopment of the precinct, a time period beyond 31 December 2017 will most likely be required.

6. Responsibilities of Committee Members

- Give advice to the best of their knowledge and ability that will help achieve the objectives of the committee in accordance with their role.
- Complete in a timely way, any tasks referred to the committee by the Council.
- Behave in a manner that respects the interests and viewpoints of other members, community and Council officers.
- Declare any potential or actual conflicts of interests on matters that are brought before the committee.
- Represent the broader interests of the Eurobodalla community.

All members will abide by [Council's Code of Conduct](#) and [Council's Code of Conduct - Conduct Committee Guidelines](#) and [Council's Code of Meeting Practice](#).

7. Responsibilities of Council

- Council will provide administrative support, including minute taking, distribution of related correspondence and professional officer support.
- Council will be responsible for providing suitable venues and related support to Committee members.
- Matters will be referred to the Committee for its consideration and information will be provided on actions arising from adopted Committee recommendations.
- Council has the discretion to review the role, re-organise or disband the Committee.
- Council will facilitate liaison with Councillors, Executive Leadership Team and Government.
- Council will manage external consultant(s).
- Only the Chair or the Mayor (or the Mayor's nominee) can speak on behalf of the Committee with the media.

8. Quorum, Voting Rights and Rules

A quorum of the committee shall be half plus one.

Voting members of the Committee will include all committee members with the exception of Council staff.

The Committee will operate by consensus as much as is possible. In the event that consensus cannot be reached, the advice back to Council will include the majority view along with any alternative view expressed. Where a vote is required, it will be undertaken in accordance with [Council's Code of Meeting Practice Policy](#), as follows:

- (i) Each Voting Committee Member has one vote on each matter being dealt with at a meeting, unless excluded.

- (ii) The Chairperson of the meeting has a second vote, or casting vote on any matter being dealt with, only if the vote is tied.
- (iii) If the Chairperson elects not to use the casting vote in the case of a tied vote, the motion is deemed as being lost.
- (iv) Voting Committee Members must be in the meeting room to vote. Voting Committee Members who have left the meeting room prior to the vote and are absent during the vote are not counted as voting. There are no proxy votes.
- (v) A Voting Committee Member who does not vote, or abstains from the vote, is considered to have voted against the motion.
- (vi) Council minutes will not record those voting against any matter, unless the Committee Member(s) request so at the time of the declaration of the motion.

9. Delegations

Nil

10. Reporting Hierarchy

Minutes of each meeting will be distributed to Councillors and the General Manager. Council responses will be communicated through the Director, Planning and Sustainability Services.

Recommendations of the committee requiring a Council resolution will be reported to Council.

11. Contact Officer

Contact Officer for the committee is the Director, Planning and Sustainability Services

12. Meetings

It is anticipated that Committee meetings will be held quarterly.

Corrigans Beach Reserve Accessible Playground Sunset Advisory Committee

Terms of Reference

September 2018

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Introduction and Background

The Community Strategic Plan 'One Community' identifies we are healthy and active and our community is a great place to live.

The Delivery Program identifies the need to provide and maintain a safe, sustainable and accessible range of community infrastructure that caters for a range of recreation opportunities.

The Operational Plan further identifies that our Parks, Reserves and Community Facilities service provides, maintains and renews parks, reserves and community infrastructure to improve utilisation, quality and meet community needs.

Purpose of the Corrigan's Beach Reserve Accessible Playground Sunset Advisory Committee

This is an exciting opportunity for the community and Council to work together to develop a regional accessible playground at Corrigan's Beach Reserve.

Title and Delegations

- The committee shall be referred to as the Corrigan's Beach Reserve Accessible Playground Sunset Advisory Committee.
- The committee shall function as a non-delegated advisory and working group.

Objectives

- Develop and oversee the community consultation process for the project.
- Oversee the development of a detailed design plan for an all-inclusive accessible playground for Corrigan's Beach Reserve located Beach Road, Batehaven within the context of Corrigan's Beach reserve.
- Provide advice back to Council on the adoption of a detailed design plan for the accessible playground.

Membership of the Committee

A quorum of the committee shall be three and members will have voting rights. The Chairperson has voting rights. Eurobodalla Shire Council staff do not have voting rights.

Tenure of the Committee

The tenure of the Corrigan's Beach Reserve Accessible Playground Sunset Advisory Committee will conclude the development detailed design plan for all-inclusive accessible playground has been completed.

Composition

The Committee will be coordinated by the Eurobodalla Shire Council and will include the following representatives:

- Two Councillors, with one as Chair
- Two members of The Bay Push
- Two members of the community

The Director Infrastructure Services will be Council's contact for this Committee. The Committee will be supported by personnel from the Infrastructure Services and Community, Arts and Recreation Services teams.

Chairperson

Councillor to be determined by Council

Delegations of Committee

To advise Council

Reporting Hierarchy

Minutes of each meeting will be distributed to Councillors and the General Manager. Council responses will be communicated through the Director, Infrastructure Services.

Contact Officer

Contact officer for the Committee is the Director, Infrastructure Services.

Responsibilities of Committee Members

1. Give advice to the best of their knowledge and ability that will help achieve the objectives of the Committee in accord with their role.
2. Review results and recommendations of the project or provide general advice.
3. Behave in a manner that respects the interests and viewpoints of other members, community and Council officers.
4. Declare any potential or actual conflicts of interest on matters that are brought before the Committee.
5. All members will abide by Council's Code of Conduct and Council's Code of Meeting Practice.

Responsibilities of the Chairperson

- To chair the meeting and exercise functions, as determined by the committee.
- To be the spokesperson for the committee, as directed by the committee.
- To advocate for the committee and represent its decisions.
- Extraordinary meetings may be called by the Chairperson.

Responsibilities of Council

1. Council will provide secretarial support, including minute taking, distribution of related correspondence and professional officer support.
2. Council will be responsible for providing suitable venues and related support to Committee members including refreshments.
3. Matters will be referred to the Committee for its consideration and information will be provided on actions arising from adopted Committee recommendations.
4. Council has the discretion to review the role, re-organise or disband the Committee.
5. Council will facilitate liaison with Councillors, Executive Leadership Team and Government.
6. Council will facilitate liaison with, and any necessary approvals from, Crown Lands.
7. Only the Chair can speak on behalf of the Committee with the media unless otherwise approved.

General Meetings

It is anticipated that Committee meetings will be required for the following purpose:

1. To develop and oversee community consultation.
2. To oversee the development of a detailed design plan for Corrigan's Reserve Accessible Playground.
3. To review results from the community consultation process.
4. To make recommendations following the community consultation process to allow for finalisation of the detailed design.

A calendar of meetings will be prepared.

Meetings will ordinarily take place at Council's office in Moruya, however alternate venues can be arranged.

Distribution of Information

- Recommendations of the committee are to be reported to Council and minutes distributed to Councillors through the Councillor newsletter.
- Media releases are approved by the Chairperson of the committee and distributed by Council according to Council's Media Policy.
- The Chairperson is the spokesperson for the committee.
- Individual committee members may not issue a media release on behalf of the committee.

Variation to the Terms of Reference

The *Terms of Reference* may be added to, repealed or amended by resolution of the Council, in consultation with or upon the recommendation of the committee.

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Strategies

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Aboriginal Advisory Committee

Terms of Reference

September 2016

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Introduction and Background

The Community Strategic Plan 'One Community' identifies the long term priorities that our community is a great place to live and we should celebrate our creativity and cultural expression.

The Delivery Program identifies the need to enable a sense of belonging through the provision of child, youth and social development initiatives and services.

TERMS OF REFERENCE

Purpose of the Aboriginal Advisory Committee

The role of the committee is to promote Aboriginal Culture within the Eurobodalla Shire and to advise and make recommendations to Council on matters relating to Aboriginal people.

Title and Delegations

- The committee shall be referred to as the Aboriginal Advisory Committee.
- The committee shall function as a non-delegated advisory committee of Council.

Objectives

To inform development, implementation and review of Council's corporate plans.

To assist Council with joint projects and information sharing.

To advise and liaise with Council regarding issues impacting on local Aboriginal communities.

Membership of the Committee

A quorum of the committee shall be 5 and members will have voting rights. The Chairperson has voting rights. Eurobodalla Shire Councillor staff do not have voting rights.

Tenure to the Committee

- Representatives to participate on the Aboriginal Advisory Committee will be given formal notification by Council in writing.
- Aboriginal community representatives will be selected on a skills basis by Council, the tenure of membership will be four years in line with Council elections.
- A member absent from three consecutive meetings without acceptable apology will be replaced.
- Representatives must be willing to abide by the terms of reference for the committee.

Composition

- Local Aboriginal Land Council (LALC) nominees, one from each group (6), plus 1 alternate designated representative from each LALC.
- 1 Gulaga Joint Board Management Chairperson or nominee.
- 1 Eurobodalla Koori Employment Network (EKEN).
- Up to 7 community members will be selected by Council that will ensure all sectors and geographic regions of the Aboriginal community are represented.
- Aboriginal youth representative/s drawn from Eurobodalla Shire Council's Youth Committee and/or other sources.
- One Councillor representative, plus one designated alternate (selected by Council).
- Director, Community Arts and Recreation Services or nominee/s (non voting).

Recruitment process

Council will advertise positions on the committee through media and corporate communication channels.

Delegations of Committee

To advise Council.

Reporting Hierarchy

Minutes of each meeting will be distributed to Councillors through the councillor newsletter.

Recommendations and Council response will be communicated through the General Manager.

Contact Officer

Contact officer for the committee is Community Development Officer.

Responsibilities of Committee Members

- To advise and make recommendations to Council on matters relating to Aboriginal communities including Council's corporate plans.
- To give advice to the best of their knowledge and ability that will help achieve the objectives of the committee.
- To make recommendations for allocation of NAIDOC week funding.
- Facilitate in a timely way any tasks allocated to and accepted by them.
- Behave in a manner that respects the interests and viewpoints of other members.
- To declare any potential or actual conflicts of interest on matters that are brought before the committee.
- All committee members will abide by the Council's Policy for Code of Meeting Practice and the Division of Local Government Model Code of Conduct for Local Councils in NSW.

Responsibilities of the Chairperson

- To chair the meeting and exercise functions, as determined by the committee.
- To be the spokesperson for the committee, as directed by the committee.
- To advocate for the committee and represent its decisions.
- Extraordinary meetings may be called by the Chairperson.

Responsibilities of Council

Council will provide secretarial support, including minute taking, and professional officer support, as appropriate.

The ongoing role of the committee will be reviewed every two years. Relevant matters will be referred to the committee for consideration. Committee recommendations will be referred to Council for action.

Council at its discretion may review the role or structure of the committee.

General meetings

The Chairperson will be an Aboriginal member of the committee voted in by the Aboriginal Advisory Committee at the beginning of each four year term. An alternate Chair may be nominated by the Chair, or committee at the meeting, in the event of the Chairperson being absent.

- The committee is to meet a minimum 4 times per annum.
- Replacement of members between terms will be via the recruitment process outlined on page 2 of this document.
- Other interested individuals may be invited to attend meetings as irregular observers, or be invited to present to the meeting, however they will only be recognised by consent of the Chairperson.
- The Chairperson of the committee will be able to call Extraordinary meetings of the committee as necessary for the effective conduct of the committee and establish limited working parties as required.
- A quorum of the committee shall be a total of 5 (committee members with voting rights).
- Pursuant to Section 10(2) of the Local Government Act 1993, the Chairperson of the Committee can exercise the power of expulsion of persons not recognised as being entitled to be present at a meeting of the Committee.

Distribution of Information

Recommendations of the committee are to be reported to Council and minutes distributed to Councillors through the councillor newsletter.

Media releases are approved by the Chairperson of the committee and distributed by Council according to Council's Media Policy.

The Chairperson is the spokesperson for the committee.

Individual committee members may not issue a media release on behalf of the committee.

Variation to the Terms of Reference

The *Terms of Reference* may be added to, repealed or amended by resolution of the Council, in consultation with or upon the recommendation of the committee.

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Division of Local Government Model Code of Conduct for Local Councils in NSW

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Strategies

<http://www.esc.nsw.gov.au/inside-council/community-and-future-planning/strategies>

Audit, Risk and Improvement Committee Terms of Reference

September 2018

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AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE

Authority

The Audit, Risk and Improvement Committee (the Committee) is advisory to Council and the General Manager and has no executive powers unless such powers are delegated to it by the Council.

The Committee is directly responsible and accountable to the Council for the exercise of its powers and responsibilities.

The Council authorises the Committee, within the scope of its role and responsibilities to:

- Require any information it needs from any employee or external party (subject to legal obligations to protect information)
- Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations)
- Request the attendance of any employee or councillor at Committee meetings
- Obtain external legal or other professional advice considered necessary to meet its responsibilities.

Objectives (in accordance with the Community Strategic Plan):

The objective of the Committee is to provide independent assurance and assistance to the Eurobodalla Shire Council on risk management, control, governance and external accountability responsibilities.

As per the Local Government Amendment (Governance and Planning) Bill 2016 (NSW)
Schedule 1 Amendment of Local Government Act 1993 No 30

The Committee must keep under review the following aspects of the Council's operations:

- a) Compliance
- b) Risk management
- c) Fraud control
- d) Financial management
- e) Governance
- f) Implementation of the strategic plan, delivery program and strategies
- g) Service reviews
- h) Collection of performance measurement data by the council
- i) Any other matters prescribed by the regulations.

The Committee is also to provide information to the Council for the purpose of improving the Council's performance of its functions.

Membership of the committee

Member/s (Voting)

- Two Councillors
- Three Independent external member/s to be determined by Council.

Attendee (non-voting)

- General Manager or nominee
- Internal Auditor or person responsible
- Director Finance and Business Development or nominee
- External Auditor or nominee

Invitee (non-voting) for specific Agenda items

Other officers may attend by invitation as requested by the Committee.

Nomination and Appointment of Independent External Members

Council management will coordinate the advertisement and assessment of the nominations. Management will present to the Committee the individual/s for Committee consideration and endorsement. Management will prepare a report for Council consideration with Committee comments.

The independent external members will be appointed for the term of council, after which they will be eligible for extension or re-appointment following a formal review of their performance.

The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Eurobodalla Shire Council. At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public sector environment.

Reporting Hierarchy

Reports to Council.

Role and Responsibilities

The Committee has no executive powers, except those expressly provided by the Council.

In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act 1993 (as amended).

The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are:

Risk Management

- Review whether management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of business and financial risks, including fraud
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings
- Review the impact of the risk management framework on its control environment and insurance arrangements
- Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements including whether plans have been tested periodically.

Control Framework

- Review whether management has adequate internal controls in place including over external parties such as contractors and advisors
- Review whether management has in place relevant policies and procedures and these are periodically reviewed and updated
- Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with
- Review whether appropriate policies and procedures are in place for the management and exercise of delegations
- Review whether management has taken steps to embed a culture which is committed to ethical and lawful behavior.

External Accountability

- Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and supported by appropriate management sign-off on the statements and the adequacy of internal controls
- Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments
- To consider contentious financial reporting matters in conjunction with Council's management and external auditors
- Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements
- Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations
- Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.

Legislative Compliance

- Determine whether management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements
- Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

Internal Audit

- Act as a forum for communication between the Council, General Manger, senior management, internal audit and external audit
- Review the internal audit coverage and Internal Audit Plan, ensure the plan has considered the Risk Management Plan, and approve the plan
- Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan.
- Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices
- Monitor the implementation of internal audit recommendations by management
- Periodically review the Internal Audit Charter to ensure appropriate organizational structures, authority, access and reporting arrangements are in place
- Periodically review the performance of Internal Audit.

External Audit

- Act as a forum for communication between the Council, General Manger, senior management, internal audit and external audit
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the external audit services provided
- Review all external plans and reports in respect of planned or completed external audits and monitor the implantation of audit recommendations by management
- Consider significant issues raised in relevant external audit reports and better practice guides and ensure appropriate action is taken.

Responsibilities of Members

Members of the Committee are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to Eurobodalla Shire Council
- Contribute the time needed to study and understand the papers provided
- Apply good analytical skills, objectivity and good judgment
- Express opinions frankly, ask questions that go to the fundamental core of issues and pursue independent lines of enquiry.

Significant Projects

Review the risks, progress, controls, finances and performance surrounding major projects.

Finance Policy

Assist the General Manager with formulation of Finance and related Policy.

Reporting

At the first Committee meeting after 30 June each year, Internal Audit will provide a performance report of:

- The performance of Internal Audit for the financial year as measured against agreed key performance indicators
- The approved Internal Audit Plan of work for the previous financial year showing the current status of each audit.

The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.

Administrative arrangements

Meetings

- The Committee will meet at least four times per year, with one of these meetings to include referral of the draft annual financial reports to the auditor
- The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings
- A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Audit Committee Charter
- The Committee is bound by Council's Code of Meeting Practice Policy.

Attendance at Meetings and Quorums

- A quorum will consist of a majority of Committee members, including at least one independent member. Meetings can be held in person, by telephone or by video conference.
- The head of Internal Audit will be invited to attend each meeting unless requested not to do so by the Chair of the Committee. The Committee may also request the Senior Finance manager or any other employees to participate for certain agenda items, as well as the external auditor.

Secretariat

The General Manager (or Senior Finance Manager) to provide secretariat support to the Committee. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated at least one week before the meeting and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.

Conflicts of Interest

Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

Assessment Arrangements

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair) with appropriate input from management and any other relevant stakeholders as determine by the Chair.

Review of Audit Committee Charter

At least once every two years the Committee will review this Audit, Risk and Improvement Committee Charter. Only the Council can approve any changes to this Charter.

Chair

The Chair will be chosen by majority of the Audit, Risk and Improvement Committee members and must be one of the independent members.

esc.nsw.gov.au/inside-council/council/council-policies/policies/Code-of-Meeting-Practice-policy.pdf

Coastal and Environment Management Advisory Committee

Terms of Reference

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TERMS OF REFERENCE

Purpose of the Coastal and Environment Management Advisory Committee

The Coastal and Environment Management Advisory Committee will assist Council to manage coastal assets of environmental, cultural and economic value. The Committee will provide a link to the local community that will seek to identify the environmental values held by the community and assist Council to balance these values with sustaining development that will accommodate growth of the local economy.

Current projections for climate change indicate the impacts from natural hazards such as coastal erosion, flooding and bushfires will exacerbate and the over the next century. Biodiversity and other aspects of the natural environment will need to adapt to different conditions under climate change. The Coastal and Environmental Management Advisory Committee will inform Eurobodalla Shire Council in the development of planning strategies that will progress climate change adaptation for the coast, floodplains, biodiversity and natural landscapes of the local area.

Title and Delegations

The Committee shall be referred to as the Coastal and Environmental Management Advisory Committee of Eurobodalla Shire Council.

The Committee will function as a non-delegated advisory and working group.

Objectives

Provide advice relating to the management of the coast, floodplains, biodiversity and natural landscapes of the Eurobodalla Shire.

Terms of Reference

The terms of reference for the Coastal and Environmental Management Advisory Committee are:

- Advise on integrated planning and management of the coast, floodplains, biodiversity and natural landscapes
- Provide advice in accordance to the principals of Ecologically Sustainable Development and relevant Federal, State and Local Government Policy and Legislation
- Inform the development and adoption of Coastal Zone Management and Floodplain Management Plans for the Eurobodalla Shire;
- Inform the development and review of natural resource management plans
- Incorporate the latest knowledge of climate change into coastal, floodplain and natural landscape planning to assist Council with the integration of adaptation strategies into planning policies and instruments

- Provide and review scientific advice and integrate this knowledge into the preparation and review of natural resource management plans
- Facilitate broader community participation in coastal, floodplain and natural resource management through informing and liaising with member community groups
- Foster opportunities for joint projects, information sharing and grant funding to facilitate comprehensive and cost effective coastal, floodplain and natural resource management
- Monitor State and Federal Government natural resource management direction and advise Council on appropriate response
- Make recommendations for Council consideration.

Tenure of Committee

In the case of a Councillor, as determined by Council each year in accordance with the provisions of the Local Government Act.

In the case of community representatives, the tenure of membership will be three years. Members may renominate for further terms.

A member absent from three consecutive meetings without acceptable apology will be replaced.

Composition

The Committee shall consist of the following voting community representatives

- **Two Councillors** (chosen by Council)
- **Ten (10) community members** who have been nominated by a community or business group preferably with wide membership (Appendix 1)
- **One (1)** representative forwarded by the **Aboriginal Advisory Committee**
- **Two (2) Science professionals** preferably with a speciality in coastal geomorphology, flooding and climate change.

Council:

Staff from Council, State Government Agencies and Bega Valley Shire Council will attend to provide technical advice and guidance. Council and Agency Staff will not have voting rights on the committee.

Selection Criteria

Expressions of Interest to participate on the Coastal and Environmental Management Advisory Committee will be called for through the Council notices posted in the local media and Council's web site.

Nominations must be received in writing before the due date nominated within the Expression of Interest.

Nominations for membership of the Coastal and Environmental Management Advisory Committee will be assessed against the following selection criteria:

- Community delegates must be nominated by a community group, consortium of community groups or a peak body preferably with wide membership or representation
- Commercial delegates must be nominated by a peak body or a consortium of organisations preferably with a wide membership or representation
- Community and commercial delegates must reside in the Eurobodalla
- Key operation and membership of community and commercial groups must be within the Eurobodalla Shire
- Scientific representatives must have a speciality in disciplines related to the coast, floodplains, biodiversity, natural resource management or climate change
- Nominees must be willing to abide by the terms of reference for the committee.

Final determination for appointment to the Committee shall be made by Council.

Committee Code of Conduct

- Give advice to the best of their knowledge and ability that will help achieve the objectives of the committee.
- Facilitate in a timely way any tasks allocated to and accepted by them.
- Behave in a manner that respects the interests and viewpoints of other members.
- Declare any potential or actual conflicts of interests on matters that are brought before the Committee.
- All members will abide by Council's Code of Conduct and Council's Code of Conduct - Conduct Committee Guidelines and Council's Code of Meeting Practice.
- A copy of the current Codes will be made available to each committee member following any updates or amendments made by the Council.

Responsibilities of Council

- Council will provide secretarial support, including minute taking and professional officer support as appropriate.
- Pertinent matters will be referred to the Committee for its consideration and information will be provided on actions arising from adopted Committee recommendations.
- The committee's ongoing role will be reviewed annually.
- Council has the discretion to review the role, re-organise or disband the Committee.

General Meetings

The Chairperson will be a Councillor elected by Council. An attending Councillor or a community representative nominated by the Committee at the meeting will Chair in the event of the Chairperson being absent.

The Committee will aim to meet four (4) times per year or on an as needs basis.

The Chairpersons of the Committee will be able to call special meetings of the Committee as necessary for the effective conduct of the Committee and establish limited working parties as required.

A quorum of the Committee shall be half plus one of the members with voting rights.

Replacement of members through resignation, expulsion or failure to attend meetings will be determined by the process outlined in the selection criteria.

If a member is no longer associated with their representative group they must resign from the Committee and be replaced by the process outlined in the selection criteria.

In the event of death, illness or unavoidable circumstances visited upon a member, the community group elected by Council to be represented on the Committee may forward another representative.

Each member is entitled to appoint another member of their group as proxy by notice given to the Chair no later than 24 hours before the time of the meeting to which the proxy is to be appointed.

Other interested individuals are welcome to attend meetings as observers but are recognised with the consent of the Chairperson and must not be in attendance for meetings considering confidential matters.

Pursuant to Section 10(2) of the Local Government Act 1993, the Chairperson of the Committee can exercise the power of expulsion of persons not recognised as being entitled to be present at a meeting of the Committee.

Meeting rules and practice

Refer to the Code of Meeting Practice .

Variation to the Terms of Reference

These 'Terms of Reference' may be added to, repealed or amended by resolution of the Council in consultation with the Committee.

Contact Officer

The contact officer for the Committee is the Coastal and Flood Management Planner.

Council minute to establish the Coast and Environment Management Advisory Committee

To be completed following consideration by Council.

Distribution of information

Media releases are prepared by Strategic Services staff and approved by the relevant Director before being issued. All media releases are forwarded through Council's Media Officer. Individual Committee members may not issue a media release on behalf of the Committee without prior approval of the Committee and the General Manager.

Composition of Eurobodalla Coastal and Environmental Management Committee

Voting Committee Members

Councillors: 2

Other: 13

- Aboriginal Heritage Advisory Committee: 1
- Natural Resource Management: 1
- Primary Industry: 1
- Recreation: 1
- Business: 1
- Tourism: 1
- North (North of Clyde River): 1
- Batemans Bay (CBD to Malua Bay): 1
- North Central (Rosedale to Moruya River): 1
- South Central (South Head to Potato Point): 1
- South (Dalmeny to Akolele): 1
- Science: 2

Non-Voting Members

Council staff: 3

- Strategic Planning
- Environmental Services
- Minute secretary
- Others as required

Agency representatives (as required): 11

- Environment Planning - Environment and Heritage
- Environment and Planning - Planning NSW
- Environment and Planning - National Parks and Wildlife
- Department of Primary Industries - Fisheries
- Department of Primary Industries - Marine Estate Management Authority
- Department of Primary Industries - Crown Lands Division
- Forestry Corporation of NSW
- Roads and Maritime Services
- South East Local Land Services
- Bega Valley Shire Council
- Shoalhaven City Council

Total: 29

Disability Inclusion Advisory Committee

Terms of Reference

September 2018

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Introduction and Background

The Community Strategic Plan 'One Community' identifies the long term priorities that we are healthy and active and our community is a great place to live.

The Delivery Program identifies the need to provide programs, support and advocacy for older people, people with a disability and their carers.

The Operational Plan further identifies that our Community Care service works in partnership with State and Federal Governments, service providers and the community to deliver specialist services, including care services and community transport. Programs and activities are flexible and client centred, enabling older people, people with a disability and their carers to remain independent, live in their own home and access their community.

TERMS OF REFERENCE

Purpose of the Disability Inclusion Advisory Committee

Seek opportunities to improve access to Council facilities and services and, with Council's support, to raise awareness of issues facing people with disability and to advocate for people with disability living in and visiting Eurobodalla.

Title and Delegations

- The committee shall be referred to as the Disability Inclusion Advisory Committee.
- The committee shall function as a non-delegated advisory committee of Council.

Objectives

- To provide input to the Disability Inclusion Action Plan prior to its final consideration by Council.
- To assist Council with the implementation of the Disability Inclusion Action Plan.
- To assist Council in the review and identification of Council's current and future disability access and equity issues, including the provision of information and resources to the public.

Membership of the Committee

A quorum of the committee shall be 5 and members will have voting rights. The Chairperson has voting rights. Eurobodalla Shire Council staff do not have voting rights.

Tenure to the Committee

- Representatives to participate on the Disability Inclusion Advisory Committee will be given formal notification by Council in writing.
- Community representatives will be selected by Council, the tenure of membership will be four years in line with Council elections.
- A member absent from three consecutive meetings without acceptable apology will be replaced.
- Representatives must be willing to abide by the terms of reference for the committee.

Composition

- Up to eight (8) community representatives who have a disability or have specialist knowledge or interest in disability issues (selected by Council from nominations). Up to three (3) of the community positions may be filled by individuals who work in a disability related area.
- One Councillor, plus one designated alternate (selected by Council).
- Two Council staff (selected by Director Community, Arts and Recreation Services) – non-voting.

Recruitment process

Council will advertise positions on the committee through media and corporate communication channels.

Delegations of Committee

To advise Council.

Reporting Hierarchy

Minutes of each meeting will be distributed to Councillors through the councillor newsletter. Recommendations and Council response will be communicated through the General Manager.

Contact Officer

Contact officer for the committee is Director – Community, Arts and Recreation Services.

Responsibilities of Committee Members

- To advise and make recommendations to Council on matters relating to disability access.
- To give advice to the best of their knowledge and ability that will help achieve the objectives of the committee.
- Facilitate in a timely way any tasks allocated to and accepted by them.
- Behave in a manner that respects the interests and viewpoints of other members.
- To declare any potential or actual conflicts of interest on matters that are brought before the committee.
- All committee members will abide by the Council's Policy for Code of Meeting Practice and the Division of Local Government Model Code of Conduct for Local Councils in NSW.

Responsibilities of the Chairperson

- To chair the meeting and exercise functions, as determined by the committee.
- To be the spokesperson for the committee, as directed by the committee.
- To advocate for the committee and represent its decisions.
- Extraordinary meetings may be called by the Chairperson.

Responsibilities of Council

Council will provide secretarial support, including minute taking, and professional officer support, as appropriate.

Matters concerning Council activities that may affect people with a disability will be referred to the committee for its consideration.

The ongoing role of the committee will be reviewed every two years. Relevant matters will be referred to the committee for consideration. Committee recommendations will be referred to Council for action.

Council, at its discretion, may review the role or structure and/or re-organise or disband the committee.

General meetings

- The Chairperson will be a Councillor elected by Council. The alternate Councillor or a staff representative, nominated by the committee at the meeting, will Chair in the event of the Chairperson being absent.
- The committee is to meet a minimum 4 times per annum.
- Replacement of members between terms will be via the recruitment process outlined on page 2 of this document.
- Other interested individuals may be invited to attend meetings as irregular observers, or be invited to present to the meeting, however they will only be recognised by consent of the Chairperson.
- The Chairperson of the committee will be able to call Extraordinary meetings of the committee, as necessary, for the effective conduct of the committee and establish limited working parties as required.
- A quorum of the committee shall be a total of five members (committee members or councillors) with voting rights.
- Pursuant to Section 10(2) of the Local Government Act 1993, the Chairperson of the committee can exercise the power of expulsion of persons not recognised as being entitled to be present at a meeting of the Committee.

Distribution of Information

Recommendations of the committee are to be reported to Council and minutes distributed to Councillors through the Councillor newsletter.

Media releases are approved by the Chairperson of the committee and distributed by Council according to Council's Media Policy.

The Chairperson is the spokesperson for the committee.

Individual committee members may not issue a media release on behalf of the committee.

Variation to the Terms of Reference

The *Terms of Reference* may be added to, repealed or amended by resolution of the Council, in consultation with or upon the recommendation of the committee.

APPENDIX 1 - WEBSITES

Eurobodalla Shire Council

<http://www.esc.nsw.gov.au/>

Eurobodalla Shire Council's Code of Meeting Practice

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Division of Local Government Model Code of Conduct for Local Councils in NSW

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Strategies

<http://www.esc.nsw.gov.au/inside-council/community-and-future-planning/strategies>

Heritage Advisory Committee

Terms of Reference

September 2018

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Introduction and Background

The Community Strategic Plan 'One Community' identifies 'sustainable communities' as a key objective with the aim that our community and environment are in harmony and we use and manage our resources wisely.

The Delivery Program further identifies the need to plan for and support the sustainable growth and development of our community.

The Operational Plan further identifies the need to provide policy and planning to achieve quality land use outcomes which meet quadruple bottom line objectives, relevant legislation, and State Government planning requirements.

Values and Vision

Refer to Council's heritage strategy - <http://www.esc.nsw.gov.au/inside-council/community-and-future-planning/strategies/eurobodalla-heritage-strategy>.

TERMS OF REFERENCE

Purpose of the Heritage Advisory Committee

The key terms of reference for the Eurobodalla Heritage Advisory Committee are:

- Assist Council in the development of policies and strategies in response to Council's adopted Heritage Strategy and the management of natural and cultural heritage generally in the Eurobodalla local government area.
- Advise Council staff, the Heritage Adviser and the Council on matters relating to the ongoing implementation of the Heritage Strategy.
- Assist Council to procure and allocate funding assistance and to recommend projects for which funding should be sought in line with the Heritage Strategy.
- Provide access to the general community to distribute information and for public input into heritage management, eg, to nominate additional properties for assessment of heritage significance.
- Advise Council on a range of heritage-related matters which are of interest to the community, in particular, by providing expertise, local knowledge and guidance on heritage matters and in relation to heritage assessments.

Title and Delegations

The committee shall be referred to as the Eurobodalla Heritage Advisory Committee (HAC).

The committee shall function as a non-delegated advisory committee.

Objectives

- To support Council in advancing the aims of the heritage strategy and in the development and implementation of strategies, policies and programs related to heritage conservation
- Promote the natural, cultural and historic heritage of the Eurobodalla and to ensure it continues to develop a strong sense of place and identity.

Membership

The committee shall consist of the following voting representatives:

- Two councillors
- Three delegates representing each of the three district historical societies
- The chairperson of the Eurobodalla Aboriginal Advisory Committee(EAAC) or a delegate elected by the EAAC
- Three community representatives

Council staff and Council's Heritage Advisor will attend to provide technical advice and guidance but will not have voting rights on the committee.

Tenure to the Committee

In the case of a Councillor, as determined by Council in accordance with the provisions of the *Local Government Act 1993*;

In the case of community representatives, the tenure of membership will be three years. Members may renominate for further terms;

A member absent from three consecutive meetings without acceptable apology will be replaced.

Recruitment process

Expressions of Interest to participate on the Heritage Advisory Committee will be called for through the Council notices posted in the local media and Council's web site.

Nominations must be received in writing before the due date nominated within the Expression of Interest.

Nominations for membership of the Heritage Advisory Committee will be assessed according to their ability to meet the objectives and Terms of Reference of the HAC as adopted by Council and against the following selection criteria:

- Historical society representatives must be nominated by the relevant society;
- members must reside full-time in the Eurobodalla Shire;
- residence within the Eurobodalla Shire is also preferred for members of working groups; and
- nominees must be willing to abide by the terms of reference of the committee.

Final determination for appointment to the committee shall be made by Council.

Contact Officer

The contact officer for the Heritage Advisory Committee is Council's Strategy and Heritage Planner.

Reporting Hierarchy

Recommendations of the Heritage Advisory Committee shall be conveyed to Council in a report prepared by the Strategy and Heritage Planner.

Responsibility of Committee Members

- Give advice to the best of their knowledge and ability that will help achieve the objectives of the committee;

- Facilitate in a timely way any tasks allocated to and accepted by them;
- Behave in a manner that respects the interests and viewpoints of other members;
- Declare any potential or actual conflicts of interests on matters that are brought before the committee;
- All committee members will abide by Council's Policy for Code of Meeting Practice (available on Council's web site at <http://www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Code-of-Meeting-Practice.pdf>).

Responsibilities of the Chairperson

- To chair the meeting and exercise functions, as determined by the committee
- To be the spokesperson for the committee

Responsibilities of Council

- Council will provide secretarial support, including minute taking and professional officer support as appropriate;
- Pertinent matters will be referred to the committee for its consideration and information will be provided on actions arising from adopted committee recommendations;
- The committee's ongoing role will be reviewed annually in June;
- Council has the discretion to review the role, re-organise or disband the committee.

General meetings

- A councillor is elected chairperson by Council. A deputy chairperson is elected from the committee.
- The committee will meet a minimum of three (3) times per year;
- Council's Strategy and Heritage Planner will be able to call special meetings of the committee as necessary for the effective conduct of the committee and establish limited working parties as required;
- A quorum of the committee shall be half plus one of the members with voting rights;
- Replacement of members may be required due to resignation, expulsion or failure to attend meetings;
- If a historical society representative is no longer associated with their representative society they must resign from the committee and be replaced by the process outlined in this document;
- In the event of death, illness or unavoidable circumstances visited upon a member, the historical society may forward another representative;
- Each member is entitled to appoint another member of their society as proxy by notice given to the Chair no later than 24 hours before the time of the meeting to which the proxy is to be appointed;
- Pursuant to Section 10(2) of the *Local Government Act 1993*, the chairperson of the committee can exercise the power of expulsion of persons not recognised as being entitled to be present at a meeting of the committee.

Variation to the Terms of Reference

The 'Key Terms of Reference' may be added to, repealed or amended by resolution of the Council in consultation with the committee.

Media

Media releases are prepared by the Strategy and Heritage Planner with Council's Media and Communications Officer and approved by the Director - Planning and Sustainability Services before being issued.

Individual committee members may not issue a media release on behalf of the committee without prior approval of the committee and the Director.

The following protocol details how members of the Heritage Advisory Committee deal with the media in other circumstances:

1. If the media approaches a member of the committee for comment, the member should refer them to Council's Media and Communications Officer.
2. If a member wants to express an opinion publicly, the member should *not* identify themselves as a member of the committee;
3. Whenever a member expresses a view, it must be made clear that they are not expressing a view of Eurobodalla Shire Council.

APPENDIX 1 - WEBSITES

Eurobodalla Shire Council

<http://www.esc.nsw.gov.au/>

Eurobodalla Shire Council's Code of Meeting Practice

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Division of Local Government Model Code of Conduct for Local Councils in NSW

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Strategies

<http://www.esc.nsw.gov.au/inside-council/community-and-future-planning/strategies>

Public Art Advisory Committee

Terms of Reference

September 2018

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Introduction and Background

The Community Strategic Plan 'One Community' identifies the long term priorities that we are healthy and active and our community is a great place to live.

The Delivery Program identifies the need to support the development of recreation and cultural opportunities, experiences, programs and events.

The Operational Plan further identifies the need to enhance a sense of place and identity for our community by ensuring a broad range of recreation and cultural services, events and programs are available through direct provision, support, partnerships and advocacy.

TERMS OF REFERENCE

Purpose of the Public Arts Advisory Committee

To provide expert cultural and artistic advice and guidance to Council and staff on planning public art and related matters.

Title and Delegations

- The committee shall be referred to as the Public Art Advisory Committee.
- The committee shall function as a non-delegated advisory committee of Council.

Objectives

To support the growth of a diverse and vibrant community life.

Membership of the Committee

A quorum of the committee shall be 3 and members will have voting rights. The Chairperson has voting rights. Eurobodalla Shire Council staff do not have voting rights.

Tenure to the Committee

- Representatives to participate on the Public Art Advisory Committee will be given formal notification by Council in writing.
- Community representatives, will be selected on a skills basis by Council - the tenure of the membership will be four years in line the Council elections.
- A member absent from three consecutive meetings without acceptable apology will be replaced.
- Representatives must be willing to abide by the terms of reference for the committee.

Composition

- Up to four (4) community representatives.
Community representatives are to be qualified and/or experienced in some area of the arts relevant to public art, and are to have their principal residence in the Eurobodalla Shire (selected by Council from nominations).
- One Councillor, plus one designated alternate (selected by Council).
- Director, Community, Arts and Recreation Services or nominee (non-voting).
- Director, Infrastructure Services or nominee (non-voting).
- Director, Planning and Sustainability Services or nominee (non-voting).

Recruitment process

Council will advertise positions on the committee through media and corporate communication channels.

Delegations of Committee

To advise Council.

Reporting Hierarchy

Minutes of each meeting will be distributed to Councillors through the Councillor newsletter.

Recommendations and Council response will be communicated through the General Manager.

Contact Officer

Contact officer for the committee is Coordinator, Creative Arts Development.

Responsibilities of Committee Members

- To advise and make recommendations to Council on matters relating to public art.
- To give advice to the best of their knowledge and ability that will help achieve the objectives of the committee.
- Facilitate in a timely way any tasks allocated to and accepted by them.
- Behave in a manner that respects the interests and viewpoints of other members.
- To declare any potential or actual conflicts of interest on matters that are brought before the committee.
- All committee members will abide by the Council's Policy for Code of Meeting Practice and the Division of Local Government Model Code of Conduct for Local Councils in NSW.

Responsibilities of the Chairperson

- To chair the meeting and exercise functions, as determined by the committee.
- To be the spokesperson for the committee, as directed by the committee.
- To advocate for the committee and represent its decisions.
- Extraordinary meetings may be called by the Chairperson.

Responsibilities of Council

Council will provide secretarial support, including minute taking, and professional officer support, as appropriate.

Matters concerning Council activities that may be considered public art will be referred to the committee for its consideration.

The ongoing role of the committee will be reviewed annually. Relevant matters will be referred to the committee for consideration. Committee recommendations will be referred to Council for action.

Council at its discretion may review the role or structure of the committee.

General meetings

- The Chairperson will be a Councillor elected by Council. The alternate Councillor or a staff representative, nominated by the committee at the meeting, will Chair in the event of the Chairperson being absent.
- The committee is to meet a minimum 4 times per annum.
- Replacement of members between terms will be via the recruitment process outlined on page 2 of this document.
- Other interested individuals may be invited to attend meetings as observers, or be invited to present to the meeting, however they will only be recognised by consent of the Chairperson.
- The Chairperson of the committee will be able to call Extraordinary meetings of the committee as necessary for the effective conduct of the committee and establish limited working parties as required.
- A quorum of the committee shall be a total of three members (committee members or councillors) with voting rights.
- Pursuant to Section 10(2) of the Local Government Act 1993, the Chairperson of the committee can exercise the power of expulsion of persons not recognised as being entitled to be present at a meeting of the Committee.

Distribution of Information

Recommendations of the committee are to be reported to Council and minutes distributed to Councillors through the Councillor newsletter.

Media releases are approved by the Chairperson of the committee and distributed by Council according to Council's Media Policy.

The Chairperson is the spokesperson for the committee.

Individual committee members may not issue a media release on behalf of the committee.

Variation to the Terms of Reference

The *Terms of Reference* may be added to, repealed or amended by resolution of the Council, in consultation with or upon the recommendation of the committee.

APPENDIX 1 - WEBSITES

Eurobodalla Shire Council

<http://www.esc.nsw.gov.au/>

Eurobodalla Shire Council's Code of Meeting Practice

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Division of Local Government Model Code of Conduct for Local Councils in NSW

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Strategies

<http://www.esc.nsw.gov.au/inside-council/community-and-future-planning/strategies>

Eurobodalla

Rural Producers Advisory Committee

Terms of Reference

April 2016

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1. Introduction and Background

The Rural Lands Strategy was adopted by Council on 23 February 2016. At the Ordinary Meeting of Council held on 8 March 2016, Council resolved to *establish a Rural Producers' Advisory Committee and develop a Terms of Reference to assist Council in implementing recommendations of the Rural Lands Strategy related to the growth, promotion and support of agriculture and rural tourism in the Eurobodalla.*

2. Role of the Rural Producers' Advisory Committee

To assist Eurobodalla Shire Council with implementing the recommendations of the Rural Lands Strategy related to the growth, promotion and support of agriculture and rural tourism in the Eurobodalla by:

- Providing advice to Council on the most effective methods of implementing relevant recommendations of the Rural Lands Strategy.
- Monitoring implementation of the relevant recommendations of the Rural Lands Strategy.
- Evaluating impacts of the implemented recommendations of the Rural Lands Strategy and providing feedback to Council.
- Providing advice on any other rural land use and economic issues referred to the Committee by Council.
- Raise issues of relevance to rural producers for consideration by the Advisory Committee and Council that are related to the Advisory Committee's role.

3. Membership of the Committee

The Committee will be coordinated by the Eurobodalla Shire Council and will include the following representatives:

1. Chairperson (Mayor or their nominee);
2. Six community representatives appointed via an Expression of Interest;
3. One representative of the NSW Department of Primary Industries; and
4. Three representatives of Council, being the Mayor, General Manager and Director, Planning and Sustainability Services (or their nominees).
5. Any other Councillors appointed by Council.

Criteria for selection of community representatives are:

1. involvement in primary production, rural industry or rural tourism and demonstration that this involvement is commercially active.

Community members are to demonstrate how they are commercially active.

Council will endeavour to select community representatives from across the Shire.

4. Tenure of the Committee

The tenure of the Advisory Committee will be until 31 December 2017 in the first instance, with a further review at that stage. It is noted that to effectively evaluate impacts of the implemented recommendations of the Rural Lands Strategy a time period beyond 31 December 2017 will most likely be required.

5. Responsibilities of Committee Members

- Give advice to the best of their knowledge and ability that will help achieve the objectives of the Committee in accordance with their role.
- Complete in a timely way, any tasks referred to the Committee by the Council.
- Behave in a manner that respects the interests and viewpoints of other members, community and Council officers.
- Declare any potential or actual conflicts of interests on matters that are brought before the Advisory Committee.

All members will abide by [Council's Code of Conduct](#) and [Council's Code of Conduct - Conduct Committee Guidelines](#) and [Council's Code of Meeting Practice](#).

6. Responsibilities of Council

- Council will provide administrative support, including minute taking, distribution of related correspondence and professional officer support.
- Council will be responsible for providing suitable venues and related support to Advisory Committee members.
- Matters will be referred to the Committee for its consideration and information will be provided on actions arising from adopted Committee recommendations.
- Council has the discretion to review the role, re-organise or disband the Committee.
- Council will facilitate liaison with Councillors, Executive Leadership Team and Government.
- Council will manage external consultant(s).
- Only the Chair or the Mayor (or the Mayor's nominee) can speak on behalf of the Committee with the media.

7. Voting Rights and Rules

Voting members of the Advisory Committee will include all committee members with the exception of Council and Agency staff.

The Committee will operate by consensus as much as is possible. In the event that consensus cannot be reached, the advice back to Council will include the majority view along with any alternative view expressed. Where a vote is required, it will be undertaken in accordance with [Council's Code of Meeting Practice Policy](#), as follows:

- (i) Each Voting Committee Member has one vote on each matter being dealt with at a meeting, unless excluded.
- (ii) The Chairperson of the meeting has a second vote, or casting vote on any matter being dealt with, only if the vote is tied.

- (iii) If the Chairperson elects not to use the casting vote in the case of a tied vote, the motion is deemed as being lost.
- (iv) Voting Committee Members must be in the meeting room to vote. Voting Committee Members who have left the meeting room prior to the vote and are absent during the vote are not counted as voting. There are no proxy votes.
- (v) A Voting Committee Member who does not vote, or abstains from the vote, is considered to have voted against the motion.
- (vi) Council minutes will not record those voting against any matter, unless the Committee Member(s) request so at the time of the declaration of the motion.

8. Meetings

It is anticipated that Committee meetings will be held quarterly.

Eurobodalla Bushfire Management Committee

Terms of Reference

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Introduction and Background

Bush Fire Management Committees are established under the Rural Fires Actg 1997 – Division 3 Section 50.

Bush Fire Management Committees

- (1) The Bush Fire Co-ordinating Committee must constitute a Bush Fire Management Committee for the whole of the area of any local authority for which a rural fire district is constituted.
- (1A) The Bush Fire Co-ordinating Committee must constitute a Bush Fire Management Committee for the area of a local authority for which a fire district is constituted if there is a reasonable risk of bush fires in that area.
- (2) The Bush Fire Co-ordinating Committee may constitute a Bush Fire Management Committee for a part of the State other than a rural fire district or a fire district.
- (3) Committees may be constituted for separate rural fire districts or groups of rural fire districts and for separate fire districts or groups of fire districts.
- (4) A Bush Fire Management Committee is to be constituted in accordance with the regulations.

Purpose of the Bush Fire Management Committee

Rural Fires Act 1997 No 65

51 Functions of Bush Fire Management Committees

- (1) A Bush Fire Management Committee has such functions as are conferred or imposed on it by or under this or any other Act.
- (1A) A Bush Fire Management Committee must, within 2 months after the end of each financial year, report to the Bush Fire Co-ordinating Committee on implementation of each bush fire risk management plan in force for the rural fire district or other part of the State for which the Bush Fire Management Committee is constituted.
- (2) A Bush Fire Management Committee is to have regard to the principles of ecologically sustainable development described in section 6 (2) of the [*Protection of the Environment Administration Act 1991*](#) in carrying out any function that affects the environment.

Title and Delegations

- The committee shall be referred to as the Eurobodalla Bushfire Management Committee.
- The committee has such functions as are conferred or imposed on it by or under the Rural Fires Act 1997 or any other Act.

Quorum and Voting Rights

A quorum of the committee shall be half the members. All members have voting rights.

Tenure of the Committee

As set out in the Rural Fires Act 1997.

Composition

The Committee is coordinated by the NSW Rural Fire Services and includes one councillor, with one alternate in the event the delegate is unable to attend.

The Committee comprises of representatives from major land management agencies: Eurobodalla Shire Council, Forestry Corporation of NSW, National Parks and Wildlife Service, Crown Lands, volunteer brigade members, fire fighting authorities and community representatives.

Chairperson

Reporting Hierarchy

Reports to the Bush Fire Coordinating Committee, who report to the State Government through the Commissioner of the NSW Rural Fire Service.

Contact Officer

Contact officer is the Eurobodalla Rural Fire Service District Administration Officer.

General Meetings

Meetings are held quarterly.

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Eurobodalla Local Traffic Committee – external committee

Terms of Reference

September 2016

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Introduction and Background

In March 2009, the Roads and Traffic Authority (now the RMS) issued a report *A Guide to the Delegation to Councils for the Regulation of Traffic: (including the operation of Traffic Committees)* (the GDCRT). This broadly summarises the purpose of the Local Traffic Committee, including the below points.

The Local Traffic Committee is primarily a technical review Committee. It advises Council on traffic control matters that relate to prescribed traffic control devices or traffic control facilities for which Council has delegated authority. The Committee considers the technical merits of proposals and ensures that they meet current technical guidelines. See *General Meetings* for details.

According to the GDCRT, the Council's representative may be any Councillor or Council officer, and the Council representative may be a sub-delegate if Council has formally approved this. Note that for Eurobodalla Council, in the current Terms of Reference of the Local Traffic Committee (2014), the representative of Council is to be a Councillor unless the nominated Councillor or Mayor is unable to attend. In this case, the Chair will be the General Manager or appropriate delegated officer for that meeting.

In the GDCRT, it is stated that there is no need for a specific quorum to allow a Local Traffic Committee meeting to proceed, however it must be remembered that any advice can only be returned to the elected Council by the Committee if the views of the RMS and the NSW Police have been obtained. However, in the 2014 Terms of Reference of the Eurobodalla LTC, a quorum of three voting members has been adopted.

The minutes of the Eurobodalla Local Traffic Committee meetings are reported to Council for review, with recommendations where relevant. Copies of the LTC minutes are forwarded to all LTC members for their concurrence prior to the recommendations being presented to the elected Council.

Purpose

To provide technical advice on traffic and road safety issues for those matters covered under the delegations for the regulation of traffic to the Local Traffic Committee (LTC).

Title and Delegations

- The committee shall be referred to as the Eurobodalla Local Traffic Committee.
- External Committee with powers as outlined under *Guide to the Delegation to Councils for the Regulation of Traffic*.
- The RMS remain responsible for all review and decisions on speed zoning on both local and State roads, and all road safety matters on the State highways. These matters are outside of the Terms of Reference of the LTC.

Objectives

Meet the regulatory requirements for Council to provide the technical advisory function of the Local Traffic Committee.

Quorum and Voting Rights

The *Guide to the Delegation to Councils for the Regulation of Traffic*, states that there is no need for a specific quorum to allow an LTC meeting to proceed, however it must be remembered that any advice can only be returned to the elected Council by the LTC if the views of the RMS and the NSW Police have been obtained. In the 2014 Terms of Reference of the Eurobodalla LTC (2014), a quorum of 3 voting members was adopted.

Tenure of the Committee

- The tenure of the Eurobodalla Local Traffic Committee is two years.
- Representatives must be willing to abide by the terms of reference for the committee.

Composition

The Committee is made up of four voting members as follows:

1. one representative of Council (Chairperson)
2. one representative of the NSW Police
3. one representative of the RMS
4. the local State Member of Parliament (MP) or their nominee.

Any of the above organisations may choose to send more than one representative to meetings, however each organisation is limited to one voting delegate only.

Council's voting representative is nominated by the Council.

Chairperson

The Councillor representative is the Chairperson.

If the Chairperson is unavailable for a meeting, the Council Mayor shall be invited to chair. If they are also unavailable, the delegated officer of Council shall chair the meeting

Delegations of Committee

Roads and Maritime Services (RMS) is legislated as the organisation responsible for the control of traffic on all roads in NSW (as a Roads Authority). The RMS has delegated certain functions relating to traffic management on local roads for which Council as a road authority.

The delegations to Councils are fully outlined in the RTA document, *Delegation to Councils - Regulation of Traffic*. This includes such items as installation of regulatory signage and line

marking, special event approvals, public transport matters, road infrastructure installation, and other road safety matters.

The Delegation requires Council to seek the advice of the NSW Police and the RMS prior to exercising their delegated functions. This is usually done via the Local Traffic Committee.

All matters that are addressed by the Local Traffic Committee are considered under delegation where appropriate. Some items are only received and noted, however most are considered under a report format with subsequent recommendations made by the LTC. Recommendations for Roads and Traffic matters that require the permanent installation of regulatory signs and associated linemarking are presented to the next available Ordinary Meeting of Council for review and resolution.

Reporting Hierarchy

The minutes of the Local Traffic Committee are reported to an Ordinary Council Meeting for review and resolution where applicable.

Contact Officer

Director of Infrastructure Services.

- The delegated officer, as delegated by the General Manager, and other clerical support staff, support the Committee.

General Meetings

- The format for Eurobodalla LTC meetings is monthly face-to-face meeting held in the offices of the Council, or as scheduled.
- A minimum of nine meetings should be held in any financial year.
- The meeting is to be convened by Council's Traffic Officer, or if unavailable an officer with the appropriate delegation from the General Manager.
- Clerical support shall be provided by Council and include a minute taker.
- Other Council staff may attend the meetings at the discretion of the Chairperson. The Road Safety Officer normally attends the meeting.
- Replacement of members between terms will be nominated by the representing organisation/group.
- Other interested individuals may be invited to attend meetings as observers, or be invited to present to the meeting, however they will only be recognised by consent of the Chairperson.
- The LTC may have additional informal (non-voting) advisors to the LTC who can provide input into the process, by consent of the Chairperson.
- If the Chairperson is unavailable for a meeting, the Council Mayor shall be invited to chair. If they are also unavailable, the delegated officer of Council shall chair the meeting.

Voting at General Meetings

Items for consideration and subsequent recommendation are put to the committee by the Chairperson with a verbal for or against vote

Council's Action on the LTC Recommendations

- a) If Council is in agreement with the LTC unanimous support then the proposal may be approved. In these cases there is no conflict between Council and the advice of the LTC, consequently there is no need for Council to inform the RMS or the NSW Police representatives of the decision.
- b) If Council is in agreement with the LTC unanimous support, but no longer wants to proceed, the proposal may still be rejected.
- c) If Council is in agreement with the LTC unanimous decline then the proposal may be rejected. Again there is no conflict between Council and the advice of the LTC. Consequently there is no need for Council to inform the RMS or the NSW Police representatives of the decision.
- d) If Council decides to proceed with a proposal where the advice of the LTC is not unanimous support, then the Council must first advise the RMS and the NSW Police representatives in writing of their intention to approve the proposal. The RMS or the NSW Police may then lodge an appeal to the Regional Traffic Committee (RTC). Refer to appeals process in the GDCRT.
- e) If Council decides to proceed with a proposal where the advice of the LTC is a unanimous decline, then the Council must first advise the RMS and NSW Police representatives in writing of their intention to approve the proposal. The RMS or the NSW Police may then lodge an appeal to the Regional Traffic Committee. Refer to appeals process in the GDCRT.

For matters within Council's delegation relating to the regulation of traffic on local roads, Council must refer such matters to the LTC. Council may make decisions contrary to the advice of the LTC but the NSW Police and the RMS have a right of appeal to the RTC.

Responsibilities of Council

Council is responsible for providing administrative support and resources for the Eurobodalla Local Traffic Committee.

Distribution of Information

- Minutes and recommendations of the committee are to be reported to the next available Ordinary Meeting of Council for review and resolution and subsequently distributed to the committee members via email.
- An agenda and report for the monthly meetings are to be prepared and distributed to the committee members via email. These documents should be sent no later than five working days before the meeting.

- Minutes of the LTC meeting are prepared and distributed to the committee via email for their information. The committee members are asked to provide any feedback by no less than 5 working days from the date of distribution. The minutes will then be input into the electronic InfoCouncil system for eventual signing off by Council's General Manager and minutes will then be available to the general public at least 5 working days before consideration by Council at an Ordinary meeting.
- Media releases are approved by the Chairperson of the committee and distributed by Council according to Council's Media Policy.
- The Chairperson is the spokesperson for the committee.
- Individual committee members may not issue a media release on behalf of the committee.

Variation to the Terms of Reference

The *Terms of Reference* may be added to, repealed or amended by resolution of the Council, in consultation with or upon the recommendation of the committee, provided that the Terms of Reference remain in accord with the guidelines issued by Roads and Maritime Services.

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Eurobodalla Shire Council

<http://www.esc.nsw.gov.au/>

RMS Delegation to Councils – Regulation of Traffic

<http://www.rms.nsw.gov.au/trafficinformation/downloads/trafficdelegation2011.pdf>

RMS LTC Guide

http://www.rms.nsw.gov.au/business-industry/partners-suppliers/documents/technical-manuals/lcguidev13_i.pdf

RMS Traffic and Transport for Special Events

http://www.rms.nsw.gov.au/trafficinformation/downloads/special_events_guide_part1.pdf

Floodplain Management Australia - External Committee

Terms of Reference

September 2016

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Introduction and Background

Floodplain Management Australia (FMA) is a national association of over 120 local government councils, floodplain management authorities, businesses and professionals involved in all aspects of urban and rural floodplain risk management.

Purpose

FMA aims to reduce private and public flood losses by promoting wise land use planning to guide appropriate floodplain development, as well as supporting programs that manage flood risk and the impacts of flooding.

FMA represents members' interests at State and Commonwealth government levels, promotes public awareness of flood issues, supports flood education programs and improves the knowledge and skills of floodplain management practitioners.

Title and Delegations

- The committee shall be referred to as the Floodplain Management Australia.
- The committee is an external committee.

Objectives

Promote appropriate development within floodplain areas and help reduce the risks of flooding to life and property.

Voting Rights

All members have voting rights. Eurobodalla Shire Council is represented at quarterly meetings by one Councillor.

Tenure of the Committee

On going.

Composition

Floodplain Management Australia (FMA) is a national association of over 120 local government councils, floodplain management authorities, businesses and professionals involved in all aspects of urban and rural floodplain risk management.

Membership is subject to payment of an annual subscription.

Chairperson

President and Executive members are elected at annual conferences.

Contact Officer

Contact officer is Council's Coastal and Flood Management Officer.

Responsibilities of Committee Members

1. Represent the views of Eurobodalla Shire Council at quarterly meetings and annual conference.
2. Report to Council on issues raised at quarterly meetings and annual conference.

APPENDIX 1 - WEBSITES

Floodplain Management Australia
www.floods.org.au

South East Arts - External Committee

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September 2016

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Introduction and Background

South East Arts (SE Arts) is the regional development organisation for arts and culture in the Bega Valley, Eurobodalla and Snowy Monaro.

Purpose

SE Arts actively assists the ongoing development of, and participation in, arts and culture throughout the South East region of New South Wales.

Title and Delegations

- The committee shall be referred to as South East Arts.
- The committee is an external committee.

Objectives

SE Arts' focus is on:

- Performing Arts
- Visual Arts
- Local Aboriginal Arts and Cultural Expression
- Creative Industries and Audience Development

It engages with:

- Grass roots and community-focused projects
- Professional and aspiring-professional projects
- Projects of National significance.

South East Arts provides:

- Regional projects strategically positioned to advance the cultural development of the region
- Professional development to support individual artists and organisations
- Regional touring as presenter and supporter of performances and exhibitions
- Promotion of events within and beyond the region
- Information and Research on events, artists, audiences, venues and organisations involved in arts and cultural development within the region and beyond
- Resources and advice on funding and sponsorship, how to apply, how to implement and how to acquit
- Cultural planning working with the member Councils to develop sustainable cultural plans.

Voting Rights

All members have voting rights at board meetings.

Tenure of the Committee

Ongoing.

Composition

South East Arts is supported financially by Arts NSW and the councils of Bega Valley, Eurobodalla and Snowy Monaro.

Each Council has one delegate on the Board.

Chairperson

Chairperson and executive elected at annual general meeting.

Contact Officer

The Executive Director of South East Arts.

Responsibilities of Committee Member

1. Represent the views of Eurobodalla Shire Council at board meetings.
2. Report to Council on issues raised at meetings.

APPENDIX 1 - WEBSITES

South East Arts

<https://southeastarts.org.au>

South East Australian Transport Strategy Inc (SEATS) - External Committee

Terms of Reference

September 2016

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Introduction and Background

The South East Australian Transport Strategy Inc. (SEATS) provides coordinated and influential advocacy for the development of transport infrastructure in the South East Australian region that supports sustainable economic development and the prosperity of its constituents.

The South East Australian Transport Strategy Inc. (SEATS) aims to stimulate and facilitate investment in transport and infrastructure in South Eastern New South Wales (NSW), Eastern Victoria (VIC), and the Australian Capital Territory (ACT) region.

Members of SEATS include local government, regional development organisations, government agencies, regional industry and academics.

Purpose

SEATS aims are:

- To stimulate and facilitate investment in transport infrastructure in south eastern New South Wales (NSW), eastern Victoria (Victoria) and the Australian Capital Territory (ACT) region.
- To provide a highly coordinated and influential advocacy for the development of transport infrastructure in the South East Australian region that supports sustainable economic development and the prosperity of its constituents.

Title and Delegations

- The committee shall be referred to as the South East Australian Transport Strategy Inc (SEATS).
- The committee is an external committee.

Objectives

The operations of SEATS are guided by a [Business and Marketing Plan](#) to generate broad awareness of the issues relating to the development of transport infrastructure, to promote the benefits of such development and communicate the work of SEATS and its members.

The plan also aims to support the specific projects of SEATS members by improving access to decision makers and by providing information.

Voting Rights

All members have voting rights. Eurobodalla Shire Council is represented by one Councillor and the Director of Infrastructure Services.

Tenure of the Committee

Ongoing.

Composition

SEATS membership is open to all local councils, industry and organisations interested in improving transport infrastructure in south eastern Australia.

Current membership details are available at: www.seats.org.au/about-seats/constituent-members/

Membership is subject to payment of an annual subscription.

Chairperson

The Chair and Executive members are elected at the annual general meeting.

Delegations of Committee

Nil.

Contact Officer

Contact officer for the committee is the Director Infrastructure Services.

Responsibilities of Committee Members

1. Represent the views of Eurobodalla Shire Council at quarterly meetings and annual general meetings.
 2. Report to Council on issues raised at quarterly meetings and annual general meetings.
-
1. Only the Chair can speak on behalf of the committee with the media unless otherwise approved.

APPENDIX 1 - WEBSITES

SEATS

www.seats.org.au/