



Batemans Bay Mackay Park Precinct Sunset Committee

Terms of Reference

12 December 2017

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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 2018.

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.