

# Terms of Reference

## Walkers Lake Advisory Group



<b>Responsible director:</b>	<b>Director Communities</b>
<b>Responsible officer:</b>	<b>Zander McDougall, Manager Active Communities</b>
<b>Functional area:</b>	<b>Active Communities</b>
<b>Adopted by Council:</b>	<b>6 August 2018</b>
<b>Review date:</b>	<b>3 May 2021</b>
<b>Expiry date:</b>	<b>3 July 2025</b>

### Objective

The Terms of Reference establish the agreed roles and functions for the Walkers Lake Advisory Group (the Advisory Group), both collectively and individually to ensure the Advisory Group is governed responsibly and there is a level of respect for each member's opinions and views.

The Advisory Group will provide recommendations to the Northern Grampians Shire Council based on the following key areas and in terms of the Walkers Lake Management Plan (the plan):

- Ongoing sustainability of Walkers Lake (the reserve) as a recreation lake and how it will continue to meet the needs of the community including accessibility
- Infrastructure – Needs and costs associated with relevant development if recommended and ongoing operational costs
- Limitations of the site in sustaining use associated with recreational activities
- Risks – Assessment, review and management strategies
- Water supply including costs of supply and management
- Consideration of ongoing management in consideration to land use, biodiversity and cultural heritage values.

### Background

Council brings the community and relevant stakeholders together in the form of the Advisory Group to provide input into discussion on and implementation of the plan.

Members are engaged to implement outcomes of the plan through direct involvement including volunteering activities and/or recommending Council to action specific activities. The Advisory Group can also recommend external organisations to undergo projects on behalf of council.

The Advisory Group is in the form of a working group with capacity to investigate and to co-opt expertise as needed and to make recommendations to Council.

The Advisory Group shall consist of representatives of the community and organisations with a recreational water focus, educational values and that have consideration of related biodiversity and cultural heritage values.

### **Purpose**

The purpose of the Advisory Group is to provide Council with advice and recommendations on the implementation of the plan and ongoing management of the reserve.

### **Membership**

The Advisory Group will comprise the following members:

- Up to two Councillors, one Councillor will chair meetings.
- Up to seven community members.
- One Council officer (who will be the minute taker)
- Invited government and non-government stakeholders which may include but not be limited to VR Fish, Dja Dja Wurrung, DELWP, Department of Education and Landcare. The determination of this membership will be decided by council in consultation with the Advisory Group.
- All other councillors are invited as a guest however none will have voting rights.

### **Terms of Appointment**

**Community members** will apply for selection and will be appointed to the Advisory Group for a term of up to four years. Council can advertise for the replacement of the expired position and can accept re-application from the expirer if that person so desires to re-apply.

**Invited government and non-government** stakeholders will be invited at the discretion of council and through consultation with the Advisory Group and invitee organisations.

Although members may be selected because of their role in key organisations, they serve on the Advisory Group in their individual capacity. If due to job changes or attrition, the Advisory Group loses links to an important network or constituency, the Advisory Group will prioritise filling this vacancy during the next round of recruitment.

### **Conditions and limitations**

Any conflicts of interest of any representative on the Advisory Group must be disclosed.

### **Council's relationship with the Advisory Group**

Council will value and respect the input and advice provided by the Advisory Group. Council will use it, together with information from other sources, to inform its practices, policies and procedures. Council will not necessarily be bound by decisions of the Advisory Group and retains the right to prioritise initiatives and recommendations.

### **Selection Criteria**

Council will seek to appoint people with experience, knowledge and understanding of local issues with the capacity to provide recommendations to council on the sustainability of Walkers Lake as a recreational lake. Accordingly, the following criteria will be used to evaluate appointments to the Advisory Group:

1. Possess sound knowledge of the local area and recent involvement in the local community.
2. An ability to represent issues impacting the local community concerning the management of a recreational lake.
3. Demonstrate relevant experience in the management of recreational lakes and understand biodiversity and cultural heritage values.
4. Previous experience in working with committees or groups will be well regarded but is not essential.

### **Selection Process**

The selection process will be as follows:

- Expressions of interest or applications will be sought widely in the community.
- Any advertising for nominations for appointment to the Advisory Group will encourage nominations to the committee by women, Aboriginal people, people with disabilities, young people and people from culturally diverse backgrounds.
- Applications will be assessed against the selection criteria.
- Should there be more applicants than required to fill vacancies; Council may seek further information from the applicants in determining their suitability for appointment to the Advisory Group.
- The final decision for selection will be determined by council at the earliest available council meeting.
- This selection process will also be followed for the replacement of existing group members that have resigned their position during their term.

### **Termination of members**

An individual's membership can be terminated, although this must be for a valid reason (such as misconduct, harassment or bullying) and must be approved by council at a council meeting. Under no circumstances do the Advisory Group members (independently or as a group) have the right to terminate any individual's membership. To terminate membership, the following procedure must be followed:

1. The Council may terminate the appointment of a member for misbehaviour or physical or mental incapacity; or
2. inefficiency or incompetence  
Any action by a member which demonstrates that he/she is either unwilling or unable to comply with his/her obligations and responsibilities as set out in the Terms of Reference may constitute misbehaviour and/or inefficiency and, as such, may be grounds for termination of appointment.
3. The member/s concerned must be notified in writing of the termination as well as the reasons at least seven days before the next scheduled meeting.

If any member feels that they have had their membership wrongfully terminated, they have the right to appeal to the council, which will arrive at the final resolution of the matter at their absolute discretion.

An individual member can decide to terminate their membership to the group on their own. This should be communicated in writing to the Manager Active Communities by email at [ngshire@ngshire.vic.gov.au](mailto:ngshire@ngshire.vic.gov.au) to ensure that this is recorded should any disputes arise.

### **Authority/roles and responsibilities**

Council will act as convenor for meetings and the Councillor will chair the meetings. The council officer will undertake secretariat duties including preparing agendas, taking minutes, arranging meetings and distribution of material to Advisory Group members.

The Advisory Group has no powers conferred to it by council and is to operate in line with the purpose and Terms of Reference.

### **Scope and deliverables**

Members are engaged to implement outcomes of the plan through direct involvement including volunteering activities and/or recommending council to action specific activities. The Advisory Group can also recommend external organisations to undergo projects on behalf of council.

### **Resources and constraints**

Council allocates an annual budget for the supply of water and other minor maintenance and/or responsibilities to manage the reserve.

### **Meetings**

- Meetings will be held at least six-monthly and during at least pre-summer and post-summer periods.
- Quorum: to allow for vacancies that occur during the term of the group, a quorum will be half of the operational membership plus 1 (6).
- Proxies
  - (1) An Advisory Group member may appoint another person as his or her proxy to vote and speak on his or her behalf at a general meeting.
  - (2) The appointment of a proxy must be in writing to the Manager Active Communities that includes, text, email or letter correspondence.
  - (3) The Advisory Group member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise, the proxy may vote on behalf of the member in any matter as he or she sees fit.
- If required, the Advisory Group can agree to meetings out of the schedule to respond to a particular issue or task.
- A Councillor will chair the Advisory Group to ensure that advice provided by the Advisory Group is presented directly to the level of authority in council where decisions are made.
- A Councillor will have voting rights.
- The council officer does not have voting rights.
- The council officer representative will be determined by the Chief Executive Officer.
- General community members (7) elected to the group will have voting rights.
- Invited government and non-government stakeholders will have voting rights.
- From time to time the Advisory Group may decide that it would be beneficial for council officers from other programs to also attend to address specific areas of interest. Council officers do not have voting rights.
- From time to time the Advisory Group or council may decide that it would be beneficial for other government and non-government stakeholders to also attend to address specific areas of interest. These invitees do not have voting rights.

### **Council support to the Advisory Group**

Council will provide assistance and support to the Advisory Group with the resources available to it to enable the Advisory Group to effectively undertake its role. To assist members of the Advisory Group, council undertakes to provide the following support:

- Secretariat services to the Advisory Group such as minute taking and agenda distribution.
- Meeting agenda and information papers for agenda items will be provided before the meeting.

### **Reporting responsibilities and communication**

No formal communication plan has been adopted for the Advisory Group.

### **Timeframes and review**

The term of the Advisory Group is ongoing and at the discretion of council.

The Terms of Reference of the Advisory Group will be reviewed every four years to ensure it remains current with the council's goals, processes, aims and requirements.

### **Council Plan objective/strategy**

The objectives of the Terms of Reference align with Council's Council Plan aims of Enhance Lifestyles and Community, Provide Sustainable Infrastructure and Boost Economic Growth.

### **Legislation and Standards**

*Local Government Act 2020*

### **Stakeholders**

Councillors, government and community.

### **Definitions**

**Terms of Reference** *describe the purpose and structure of a project, committee, sub-committee, group, meeting, negotiation, or any similar collection of people who have agreed to work together to accomplish a shared goal; and*

*they provide a documented basis for making future decisions and for developing a common understanding of the scope among stakeholders.*

*The terms of reference are often referred to as the **charter**, eg committee charter.*

### **Communication and implementation**

All media enquiries will be directed to Northern Grampians Shire Council Media & Communications Officer in the first instance.

### **Gender Equality Act 2020**

In setting the Terms of Reference for this Advisory Group, Council has considered gender equality principles, rights, opportunities, responsibilities and outcomes and the promotion of gender equality.

### **Review history**

<b>Date</b>	<b>Review Details</b>	<b>Action</b>
6 August 2018	Terms of Reference reviewed	TOR adopted by Council
26 March 2021	Terms of Reference reviewed	