



Terms of Reference:

Bundarra School of Arts Hall and Community Consultative
Committee 2022

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Related Legislation	<i>Local Government Act 1993 (NSW)</i> <i>Local Government (General) Regulation 2021 (NSW)</i>
Related Policies	Uralla Shire Council Code of Conduct Uralla Shire Council Code of Meeting Practice Uralla Shire Council Hire of Council Facilities, Plant, and Equipment Policy Uralla Shire Council Sponsorship Policy Uralla Shire Council Hire of Council Facilities, Plant, and Equipment Policy Procurement Policy 2020 Disposal of Assets Policy 2021 Enterprise Risk Management Framework Policy 2020 Workplace Health & Safety Policy 2019
Related Procedures/ Protocols, Statements, documents	Section 355 Committee Handbook 2022 Application for Venue Hire – Event on Public Land

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1. Establishment

- 1.1 The Bundarra School of Arts Hall & Community Consultative Committee (hereafter “the Committee”) is established under section 355(b) of the *Local Government Act 1993* (NSW) pursuant to Council resolution 10.11/16 made 22 November 2016.

2. Purpose

- 2.1 The Committee is established for the purpose of:
- 2.1.1 Managing the Bundarra School of Arts Hall; and
 - 2.1.2 Providing advice to and working with Council for the benefit of Bundarra and the surrounding community on various community issues and projects from time to time.

3. Term of Committee

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

4. Functions and Duties

- 4.1 The functions of the Committee are to:
- 4.1.1 Maintain the Bundarra School of Arts Hall in a clean and tidy condition,
 - 4.1.2 Manage the hire of the Bundarra School of Arts Hall,
 - 4.1.3 Provide advice to Council about matters of community interest or concern within Bundarra and the surrounding area and
 - 4.1.4 Work with Council as appropriate to apply for funding opportunities for Bundarra and the surrounding area, and funding for Council owned facilities.
- 4.2 It is the duty of the Committee to:
- 4.2.1 Notify Council of any major/external items of repair or maintenance required to the Bundarra School of Arts Hall; and
 - 4.2.2 Transfer hall hire proceeds to the Council as per the agreed procedure from time to time.

5. Membership

- 5.1 Membership of the Committee shall consist of a minimum of four (4) and a maximum of 15 members of the public.
- 5.2 Two (2) non-voting councillor representatives shall be appointed by Council to the Committee.
- 5.3 Council shall aim to appoint members to the Committee from diverse backgrounds and representatives from different facets of the community.

- 5.4 Council shall aim to have First Nations People and their views represented on the committee.
- 5.5 Committee membership is on a 4 yearly basis (for the term of the Council). Following a general election of councillors, the existing Committee membership continues until such time as the Council appoints new Committee members.
- 5.6 A person remains a Committee member for the duration of the Committee term until:
 - 5.6.1 Death; or
 - 5.6.2 That person ceasing to be a member upon:
 - 5.6.2.1 Delivering, either in writing (letter or email), a resignation to the Committee Secretary or a meeting of the Committee,
 - 5.6.2.2 Being absent from three (3) consecutive meetings of the Committee without leave of absence from the Committee, or
 - 5.6.2.3 Receiving written notification from Council that the person's membership with the Committee has been terminated.
- 5.7 A Committee member who is an Office Bearer to the Committee may resign from the position and remain a member of the Committee.
- 5.8 Casual vacancies shall be filled in accordance with clause 6.2.

6. Appointment of Members and Office Bearers

6.1 Appointment of Members

- 6.1.1 Committee members shall be approved by the Committee and appointed by Council.

6.2 Vacancies

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

6.3 Leave of Absence

- 6.3.1 Any member absent for 3 or more consecutive meetings without apology or leave of absence from the Committee shall have their position declared vacant and clause 6.2.1 shall be invoked.

6.4 Removing Members

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

6.5 Committee Chairperson

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

6.6 Committee Secretary

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

6.7 Treasurer

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

6.8 Bookings Officer

- 6.8.1 At the first meeting of the Committee's term the Committee shall elect one of its members as Bookings Officer. The method of election shall be decided by the Committee.

7. Roles and Responsibilities

7.1 The role of a Committee member is to:

- 7.1.1 Participate in the deliberations of the Committee, with regard to the policy and business which is before it,
- 7.1.2 Be mindful of the objectives and policies of the Council as they relate to the business of the Committee,
- 7.1.3 Be aware of the Council resources, budget and strategic plan, and the need for efficiency and effectiveness in the activities for which the Committee has been established,
- 7.1.4 Be informed on issues before the Committee, to prepare adequately for meetings and seek additional information if required,
- 7.1.5 Be mindful of the potential for a conflict of interest to occur through participation on the Committee and to declare such interests as and when they arise,
- 7.1.6 Observe confidentiality when it is required.

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

- 7.2.1 Presenting relevant minutes of the Council to the Committee,
- 7.2.2 Reporting on the Committee's activities to the Council from time to time and

- 7.2.3 Referring any matters requiring clarification by the Committee to the General Manager, Mayor or to the Council by way of a Councillor Delegates Report or Notice of Motion.
- 7.3 The Committee Treasurer is responsible for:
 - 7.3.1 Receiving monies on behalf of the Committee and maintaining accurate records of the receipt of such monies,
 - 7.3.2 Ensuring the proper keeping of the books and accounts of the Committee, which shall be kept as directed by the General Manager and made available to the Council when required for that purpose by the General Manager,
 - 7.3.3 Providing to Council copies of quotes for procurement as required by Council's Procurement Policy,
 - 7.3.4 Organising through Council the payment of accounts and other expenses approved by the Committee on behalf of the Committee,
 - 7.3.5 All monies received by the Committee are deposited, within seven (7) days of receipt (or as soon as practical) into the bank account specified by Uralla Shire Council.

8. Meetings

8.1 Meeting Frequency

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

8.2 Notice of meetings

- 8.2.1 Committee members will be provided notice of the meeting at least five (5) days before the date of the meeting and the business proposed to be considered at the meeting.
- 8.2.2 Invitations to be sent to Bundarra and surrounding area community groups (Attachment A) at least five (5) days before the date of the meeting and the business proposed to be considered at the meeting.
- 8.2.3 Notice of meetings shall be advertised on council website at least 5 days before the meeting

8.3 Minutes

- 8.3.1 Committee meeting minutes will be supplied to each Committee member and Council within fourteen (14) days after the Committee meeting.

8.4 Meeting Procedure

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

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

8.5 Presiding Member

- 8.5.1 The Chairperson shall preside at all Committee meetings at which they are present.
- 8.5.2 In the absence of the Chairperson at a meeting or in the event of a conflict of interest in which the Chairperson has excused themselves from the discussion, the Committee shall elect a temporary Chairperson.

8.6 Quorum

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

8.7 Voting

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

8.8 Public Access

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

9. Code of Conduct and Conflict of Interest

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

10. Reporting

- 10.1 The Committee shall report to Council through the provision of its Minutes.
- 10.2 The Committee shall submit an annual report to Council by 30 September each year on the Committee's activities with a record of all monies spent and received.

11. Delegated Authority

- 11.1 Council delegates to the Committee under section 377 of the *Local Government Act 1993* (NSW) the authority to:
 - 11.1.1 Elect committee member(s) to exercise the function of a booking officer for the use of the Bundarra School of Arts Hall in accordance with Council's Hire of Council Facilities, Plant, and Equipment Policy, Application for Venue Hire, and any other relevant procedures.
 - 11.1.2 To authorise expenditure of the Committee's funds within approved budget for the purposes of general maintenance of the Bundarra School of Arts Hall.
 - 11.1.3 To carry out routine inspections of the Bundarra School of Arts Hall.
- 11.2 The determination of fees and charges is subject to the approval of the Council in accordance with Section 377 of the *Local Government Act 1993* (NSW). Accordingly, the Committee is not authorised to change, waive or discount fees without the prior consent of Council.
- 11.3 No powers or functions may be delegated by the Committee to any other person or committee unless set out within these Terms of Reference.

12. Financial Management

- 12.1 The Committee is subject to the same standards of financial accountability as Council. All funds and assets held by the Committee belong to Council. The Committee is responsible for the care and control of these funds.
- 12.2 The Committee must not, at any time, incur any expenditure in excess of the amount held in the Committee's credit in the reserve held in the Committee's name at Council.
- 12.3 In any event, no expenses of any member of the Committee or the Committee shall be paid unless in accordance with a budget determined through resolution of the Committee.

13. Correspondence

- 13.1 The Committee is not permitted to issue official correspondence to government officials or government departments.
- 13.2 All official correspondence must be signed by the Mayor or General Manager.

14. Media Liaison

- 14.1 All media requests received must be referred to the Mayor or General Manager, who may delegate media liaison to the Committee Chair.
- 14.2 Committee members are not permitted to speak to the media on any Council matters in their capacity as a Committee member without prior approval from the General Manager.

15. Operational Support

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

15.1.1 A meeting place (the Bundarra School of Arts Hall) and

15.1.2 Insurance coverage for volunteers.

16. Alteration of Terms of Reference and Committee Dissolution

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

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

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

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

17. Interpretation

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

18. Dispute Resolution

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

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

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

Attachment A – Community Groups; Bundarra and surrounding area

Bundarra Campdraft and Rodeo
Bundarra Commons Trust
Bundarra Community Health Centre at Grace Munro
Bundarra CWA
Bundarra Jockey Club
Bundarra Kindergarten & Preschool
Bundarra Men's Shed
Bundarra Pony Club
Bundarra Residents Association
Bundarra RSL
Bundarra Rugby League Football Club
Bundarra Show Society
Bundarra Showground Land Manager
Bundarra Sport and Rec Fishing Club
Crown Land Manager; Court House & Bottle Museum
Grace Munro Auxiliary
Lions Club of Bundarra
Rural Fire Brigade
Saint Mary's Anglican Church
St Mary's Catholic Church

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