

HERITAGE ADVISORY COMMITTEE

TERMS OF REFERENCE

BACKGROUND

The Heritage Advisory Committee is constituted under Section 5.8 of the *Local Government Act 1995*, which empowers the Council to appoint committees.

PURPOSE

The Heritage Advisory Committee will provide leadership and direction on the functions and responsibilities listed below.

FUNCTIONS

The main functions of the Committee are to:

- provide input to Council on policy aimed at the conservation of heritage places and areas.
- promote a wider appreciation of the region's heritage (indigenous and post settlement) and its value in cultural, spiritual, educational and economic terms.
- provide policy input to Council on development issues involving heritage sites or areas.
- provide input to Council on the maintenance, restoration and promotion of heritage sites under the control of the Council.
- identify places that the community recognises as being of cultural significance within the Shire of York and to encourage their conservation for current and future generations.
- provide input to Council and the community on matters relevant to heritage preservation, restoration, education and promotion.
- liaise with other groups and organisations who share similar values/interests/concerns including community groups.
- identify issues within the Shire of York requiring further research and action.
- liaise and seek input, when necessary, from the community, and other groups and organisations including community groups who share similar values/interests/concerns.
- investigate sources of funding for specific heritage projects.
- provide advice on events, community and school education materials, specialist trade courses, etc to further cultural heritage and conservation awareness within the Shire.
- provide advice on marketing, branding and promotion of heritage and heritage related tourism within the Municipality.
- Council will host an annual or biennial Cultural Heritage Awards Program or Festival in partnership with the Heritage Advisory Committee.

POWERS OF THE COMMITTEE

The committee is a formally appointed committee and is responsible to that body. The committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The committee does not have any management functions and cannot involve itself in management processes or procedures.

The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

TENURE OF COMMITTEE AND MEMBERSHIP

The Heritage Advisory Committee is established for the term of the current Council, unless disbanded earlier by Council resolution.

MEMBERSHIP

- (a) The Heritage Advisory Committee will consist of fourteen Members, which will include a minimum of two Councillors, one of whom shall be designated as the Chairperson by the Council. Membership will consist of the following:
 - Two (2) Councillors
 - Residency Museum Curator
 - Council's Heritage Advisor
 - One representative from the York Society
 - One representative from the indigenous community
 - Three representatives from the broader community
 - Where a Councillor cannot attend a meeting of the Committee, another person delegated by the Councillor may act as a Member of the Committee for that meeting.
 - Appointment will generally be made, on a biennial basis, after nominations have been invited in a newspaper generally circulating in the area seeking expressions of interest from residents.
- (b) All Members of the Advisory Committee may vote on business before the Committee, except where the Member has a conflict of interest.
- (c) If any Member of the Committee is absent from three (3) consecutive meetings without having obtained leave of absence from the Committee, the Member's continued membership of that Committee will be referred to the Chief Executive Officer for determination.
- (d) The Manager of Planning Services, or nominee, shall provide appropriate advice and support to assist the Committee to meet its obligations.
- (e) The Group shall be provided with a Support Officer from the Shire of York
- (f) The staff will not be Members of the Advisory Committee or have voting entitlements.

CHAIRPERSON

Council shall appoint the Heritage Advisory Committee chairperson.

ACTING CHAIRPERSON

However, if the Chairperson is absent or unavailable to preside, a Member of the Advisory Committee chosen by the Members present at the Committee meeting will preside.

QUORUM

The Quorum of any Advisory Committee meeting will be a minimum of 51% of the membership.

TIMES AND PLACES FOR MEETINGS

The Advisory Committee may determine the dates, times and places for its meetings. Council will generally be responsible for providing a suitable venue.

MEETING PROCEDURES

Unless otherwise provided in these Terms of Reference, the Advisory Committee will generally adopt informal meeting procedures. Where more formal procedures are required, the procedures described in Council's Standing Orders shall apply.

VOTING

- (a) Each Member of the Advisory Committee has a vote on each question to be decided.
- (b) Voting at a meeting must be open and questions decided by a majority of the votes of the Members present. However, if the votes are equal, the Member presiding has a casting vote.

CONFLICT OF INTEREST

- (a) Where Committee Members have a conflict of interest, or could reasonably be taken to have a conflict of interest, in an issue being considered or to be considered at the meeting, the Member must declare the conflict of interest to the meeting and must not be present while the matter, or a related matter, is being considered by the Committee or otherwise take part in any decision of the Committee in relation to the matter or a related resolution.
- (b) For the purposes of this clause, a Member has a conflict of interest in an issue if there is a conflict between the Member's private interest and the public interest.

OPEN TO THE PUBLIC

- (a) Meetings are to be open to the public, except where confidential matters are discussed.
- (b) When the Committee proposes to close a meeting to the public, the Chair will direct all persons, other than Members of the Committee, to leave the meeting and every person will immediately comply with the direction.
- (c) Non-members may, with the permission of the Chairperson, address the Advisory Committee on any item of business listed on the agenda however, a non-member will not vote on any matter at an Advisory Committee meeting.

CONFIDENTIAL MATTERS

Should matters of a confidential nature be discussed at a meeting, the meeting may be closed to the public in accordance with the *Local Government Act 1995*.

A person who is or has been a Member of an Advisory Committee must not make improper use of information acquired as a Member to -

- (a) gain, directly or indirectly, a financial advantage for the person or someone else;
- (b) harm the local government; or
- (c) release information that the person knows, or should reasonably know, is information that is confidential.

REPORTING

An Advisory Committee must submit a report of each of its meetings to the Chief Executive Officer, who will list any recommendation for Council's consideration on an agenda of a meeting of a Council Committee.

SUB-COMMITTEES

Sub-Committees may be appointed by the Council to assist the Advisory Committee.

REMUNERATION

The Council will not generally authorise payment or provide remuneration to Members of Advisory Committees however, where special circumstances exist, Council may resolve to pay remuneration, reimburse expenses and/or provide facilities to Members of Advisory Committees, pursuant to the *Local Government Act 1995*.

INSURANCE

The Council will ensure that all Members of Advisory Committees are covered by appropriate insurances (e.g. voluntary workers, public indemnity).

MEDIA CONTACT

Media statements will be made by the Chairperson.