



# HERITAGE ADVISORY COMMITTEE – TERMS OF REFERENCE

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## **PART 1 - INTRODUCTION**

### **1. BACKGROUND**

- 1.1 The Camden Community Strategic Plan identifies caring for the natural environment inclusive of heritage sites as a key objective for Council. The Community Strategic Plan also values Strong Local Leadership as a key direction for Council, with a key objective under this direction being the maintenance of strong partnerships and shared responsibilities with key stakeholders.
- 1.2 The establishment of a Heritage Advisory Committee will help inform strategic heritage directions and community education around the importance of Camden's heritage to our unique identity.

### **2. PURPOSE OF THE COMMITTEE**

- 2.1 To support Council by providing informed recommendations on heritage matters;
- 2.2 To promote heritage and community education by:
  - a) Generating a wider appreciation of heritage through public displays, seminars, participation in the annual National Trust Heritage festival & history week;
  - b) Promoting and coordination of heritage open days;
  - c) Generating a greater understanding and appreciation of Aboriginal heritage in Camden Local Government Area;
  - d) Actively encouraging conservation and maintenance of heritage items and heritage conservation areas to owners and the general public;
  - e) Investigating grant opportunities;
  - f) Investigating opportunities for Council run awards/recognition in response to good heritage work;
  - g) Developing a register of local heritage professionals and tradespeople; and
  - h) Assisting in developing education packages for information, school education, and best heritage practices.
- 2.3 To provide general advice and assistance by sourcing heritage information and historic photos to aid in replacing materials and carrying out work.
- 2.4 To provide policy input by:

- a) Contributing to the review of heritage listings, and reviewing potential new heritage items; and
- b) Providing feedback to Council staff on key local and state strategic planning policies with heritage implications.

### 3. SCOPE

- 3.1 These terms of reference apply to all activities of the heritage advisory Committee.

### 4. DEFINITIONS

- 4.1 **Council** means Camden Council.
- 4.2 **Committee** means Council's Heritage Advisory Committee.
- 4.3 **Chairperson** means the person appointed under section 9.1 or, in the absence of that person, the other Councillor member or, in the absence of the other Councillor member, the alternate Councillor member.

## PART 1 – TERMS OF REFERENCE

### 5. TITLE AND DELEGATIONS

- 5.1 The Committee shall be referred to as the 'Camden Council Heritage Advisory Committee'.
- 5.2 The Committee functions as an advisory committee without delegations.

### 6. MEMBERSHIP

- 6.1 Only members have voting rights.
- 6.2 The Committee shall consist of the following members:
  - a) Two Councillors (and one alternate Councillor);
  - b) One representative of the Camden Historical Society;
  - c) Up to two community representatives from Camden's Aboriginal and Torres Strait Islander community;
  - d) Three community representatives, one resident in each of the North, Central and South wards of the Camden Local Government Area;
- 6.3 Council staff, as determined by the General Manager, will attend meetings to act as the secretary and to provide technical advice and support and respond to enquiries. Council staff are not members and hold no formal voting rights.
- 6.4 Councillors appointed to the Committee hold office until the next ordinary Council election provided that they remain Councillors under the provisions of the *Local Government Act 1993*.
- 6.5 Community representatives appointed to the Committee hold office until the next ordinary Council election.
- 6.6 Members may re-nominate for further terms.

- 6.7 Membership of the Committee for those appointed is voluntary and no payment of expenses applies in relation to attending activities or meetings of the Committee.

## **7. APPOINTMENT OF MEMBERS**

- 7.1 Council appoints the Councillor members.
- 7.2 The Camden Historical Society may nominate one of its members as its representative member from time to time. The appointment of the nominee is subject to Council's approval.
- 7.3 Organisations representing Camden's local Aboriginal and Torres Strait Islander community, such as the Tharawal Local Aboriginal Land Council and the Cubbitch Barta Native Title Claimants Aboriginal Corporation, will be consulted and may nominate Aboriginal and Torres Strait Islander community members from time to time. The appointment of the nominees is subject to Council's approval.
- 7.4 For other community representative members, written nominations will be invited by advertisement in local media and Council's website. Initial assessments are undertaken by appropriate Council staff.
- 7.5 A report to Council will be prepared recommending suitable community nominees for appointment. Council then appoints members accordingly.
- 7.6 Nominations will be assessed according to the following criteria:
- a) Ability and commitment to meet the purpose of the Committee and these terms of reference;
  - b) For representatives of the Camden Historical Society – written nomination by the Society;
  - c) For Aboriginal and Torres Strait Islander community representatives – written nomination by an organisation representing Camden's Aboriginal and Torres Strait Islander community;
  - d) For other community representatives – residence in the Camden Local Government Area with only one from each ward;

## **8. MEMBER VACANCY**

- 8.1 A member's position becomes vacant:
- a) If the member dies;
  - b) If the member resigns membership by notice in writing to the Committee or Council;
  - c) If the member is absent for more than three consecutive meetings without the leave of the chairperson and Council resolves to remove the member;
  - d) If the member misuses information or breaches confidentiality and Council resolves to remove the member;
  - e) If they were nominated by the Camden Historical Society or an organisation representing Camden's Aboriginal and Torres Strait Islander community and the nomination is revoked by written notice to Council;
  - f) If they are another community representative and no longer reside in the Ward for which they were appointed;

- g) If Council otherwise resolves to remove the member.
- 8.2 If a vacancy occurs within the term of the member caused by the resignation, removal or death of the member, or the revocation of the member's nomination, the position may be filled through the following process:
- a) When a vacancy occurs, the chairperson will report it to the Committee at its next meeting;
  - b) If the member was nominated by the Camden Historical Society or an organisation representing Camden's Aboriginal and Torres Strait Islander community, Council staff will request the relevant body to nominate a replacement;
  - c) Council staff will prepare a report to the next available Council meeting on the following matters:
    - o If the member was nominated by the Camden Historical Society or an organisation representing Camden's Aboriginal and Torres Strait Islander community, the replacement nominee;
    - o If the member was nominated as another community representative, Council officers will review the original expressions of interest received and will confirm if any of those persons are suitable and available to be considered as a member of the Committee;
    - o Where, due to no other previous nominations, or nominations not being suitable, an expression of interest will be called for in replacing member/s appointed by Council.
  - d) Where a vacancy occurs within eight months of the end of the term of the members, the vacancy will not be filled;
  - e) Once appointed by Council, the new member will be a member of the Committee for the remainder of the original member's term;
  - f) If Council does not endorse the recommendation, an expression of interest will be called for further nominations.

## **9. CHAIRPERSON AND SECRETARY**

- 9.1 Council appoints the chairperson from the Councillor members, and may resolve to remove or replace the chairperson.
- 9.2 The chairperson presides over all meetings of the Committee.
- 9.3 If there is a tied vote, the chairperson shall have a casting vote.
- 9.4 The General Manager will determine a staff member to perform the role of secretary.

## **10. ADVISORY ROLE**

- 10.1 The Committee provides advice to Council and makes recommendations only.
- 10.2 The Committee's views can be made available through the minutes, a regular Councillor update or in writing from the Chairperson to the General Manager.
- 10.3 The Committee may make decisions about its internal process provided that there is no conflict with these terms of reference.
- 10.4 The Committee does not have a decision-making role concerning development applications or planning proposals. However, Council or Council officers may notify development applications to the Committee in their discretion for comment.

## **11. RESPONSIBILITY OF MEMBERS**

- 11.1 Members are responsible to:
  - a) Respond to matters referred to the Committee by Council;
  - b) Give advice to the best of their knowledge and ability that will help achieve the purpose of the Committee;
  - c) Facilitate tasks allocated to them;
  - d) Behave in a manner that respects the interests and viewpoints of other members;
  - e) Declare any potential or actual conflicts of interests on matters that are brought before the Committee before consideration of those matters;
  - f) Abide by Council's Code of Conduct and these terms of reference.

## **12. HERITAGE EXPERTS**

### **Committee may seek heritage expertise**

- 12.1 The Committee may, in its discretion and from time to time, recommend to the General Manager or their delegate that heritage expertise is desirable for the proper consideration of a particular matter before the Committee or otherwise to assist in the proper discharge of the Committee's functions.
- 12.2 Before the proposed recommendation is put to the Committee for decision, the chairperson must identify the required expertise and be satisfied that the expertise is not reasonably available from Council officers.
- 12.3 The Committee's recommendation must identify the required expertise and may include a request that an expert be engaged for a particular matter, for a particular meeting or series of meetings, or for a period.
- 12.4 The Committee may consider proposed recommendations under this section without prior notice.

## **Engagement of heritage experts**

- 12.5 If the General Manager or their delegate accepts the Committee's recommendations, heritage experts will be engaged by Council, and the engagements will be managed by Council officers in compliance with Council's purchasing and procurement policy and procedures.
- 12.6 Heritage experts will be paid by Council on an hourly or daily basis as determined, and on such terms as agreed, by the General Manager or their delegate.
- 12.7 The General Manager or their delegate may review the engagement of heritage experts, or may terminate or not proceed with the engagement of any heritage expert, at any time by written notice to the chairperson and the expert, or impose conditions on the engagement of particular heritage experts or heritage experts generally.

## **Responsibility of heritage experts**

- 12.8 Heritage experts are responsible for providing independent advice to the Committee on matters referred to them by the Committee and may be required to do one or more of the following:
  - a) Attend Committee meetings;
  - b) Attend site meetings or briefings;
  - c) Advise the Committee;
  - d) Prepare reports or presentations to the Committee;
  - e) Prepare reports, presentations or submissions on behalf of the Committee;
  - f) Perform other related tasks.
- 12.9 Heritage experts are subject to Council's Code of Conduct.
- 12.10 Heritage experts must, as soon as practicable after they become aware, advise the chairperson in writing of any actual or potential pecuniary or non-pecuniary conflict of interests or actual or potential breaches of the Code of Conduct.

## **13. RESPONSIBILITIES OF COUNCIL**

- 13.1 Council will:
  - a) Provide meeting facilities for the Committee and ensure that support is available for minute taking and professional officer advice as appropriate;
  - b) Consider whether to notify the Committee about various issues for comment and duly consider the Committee's views;
  - c) Review the Committee's role and may re-organise or disband the Committee.

#### **14. FREQUENCY OF MEETINGS**

- 14.1 The Committee shall meet at least once each quarter or more frequently if considered necessary by the chairperson.
- 14.2 The chairperson, or the secretary with the consent of the chairperson, is responsible for calling meetings and may call special meetings for urgent matters in their discretion.

#### **15. QUORUM**

- 15.1 The quorum for a meeting of the Committee is a majority of the members but this number must include at least one Councillor member.
- 15.2 If there is no quorum within 15 minutes of the scheduled start of the meeting or at any time during the meeting, the meeting must be adjourned by the chairperson or, in their absence, by the majority of members present. If neither the chairperson nor the majority adjourns the meeting, the meeting will be deemed to have been adjourned to the next meeting called by the chairperson or the secretary.

#### **16. MEETING PROCEDURES**

- 16.1 Notice of the time, place and agenda of all meetings is to be given by the secretary to each member of the Committee not less than seven days prior to the meeting, except where the chairperson, or the secretary with the consent of the chairperson, calls a special meeting for an urgent matter, in which case notice will be given as soon as practicable.
- 16.2 Members of the Committee are required to advise the chairperson or the secretary prior to the meeting if they are unable to attend any meeting.
- 16.3 Minutes of all meetings shall be made accessible to the public (except to the extent that Council considers that the information should be considered in closed Council or as a confidential attachment to a report).
- 16.4 Minutes of all meetings shall be kept electronically and forwarded to Council for noting if Council so requests.
- 16.5 Minutes of all meetings shall record the meeting attendees, including any invitees, and the names of the members who voted for and against each decision of the Committee.
- 16.6 Meetings are not open to the public but persons may be invited to attend the meetings at the request of the chairperson on behalf of the Committee. Invitees cannot vote and may be requested to leave the meeting at any time by the Chairperson.
- 16.7 At all meetings of the Committee, each voting member present (including the chairperson) shall have one vote.



- 16.8 Pursuant to Section 10(2) of the *Local Government Act 1993*, Council authorises the chairperson to expel persons from a meeting for misconduct or if neither a member nor an invitee.
- 16.9 Recordings of meetings are not permitted except with the authority of Council, other than recordings made by the secretary only for verifying the accuracy of minutes, and recordings are not made available or disclosed to any person, except as required by law.
- 16.10 Pursuant to Section 10(2) of the *Local Government Act 1993*, Council authorises the chairperson to expel persons from a meeting for using or having used a recorder in contravention of this clause.
- 16.11 In this clause 15, 'recorder' includes a video camera, still camera and any electronic device capable of recording speech, moving images or still images. In this clause, 'recording' means making a temporary or permanent record in any medium, or engaging in or facilitating internet or local streaming of, or otherwise capturing, speech or images.

**RELEVANT LEGISLATIVE INSTRUMENTS:**

*Local Government Act 1993  
Local Government (General) Regulation 2005*

**RELATED POLICIES, PLANS AND PROCEDURES:**

Code of Conduct

**RESPONSIBLE DIRECTOR:**

Planning and Environment

**APPROVAL:**

Council

**HISTORY:**

<b>Version</b>	<b>Approved by</b>	<b>Changes made</b>	<b>Date</b>	<b>EDMS Number</b>
<i>1</i>	<i>Approved by Council</i>	<i>New</i>	<i>10/10/2017</i>	<i>17/321997</i>
<i>2</i>	<i>Approved by Council</i>	<i>New</i>	<i>12/6/2018</i>	<i>18/181181</i>