

BALLARAT HERITAGE ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 Ballarat is recognised as being a highly significant and substantially intact historical city.
- 1.2 By this Terms of Reference Instrument, the Ballarat City Council (**Council**) establishes the Ballarat Heritage Advisory Committee (**Committee**). The Committee is established for the purpose of providing advice to Council on delivery of the heritage plan and other heritage matters in Ballarat.
- 1.3 Council will establish from time to time various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.4 The Committee has the functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.5 This Terms of Reference document is authorised by a resolution (R15/18) of Council passed on 31 January 2018.

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 Providing an advocacy platform for Ballarat's citizens, communities, groups, organisations and businesses relating to heritage matters.
- 2.2 To assist Council in the collection and dissemination of information with the aim of sustaining Ballarat's heritage and delivering the heritage plan.

3. OBJECTIVES

The objectives of the Committee are to:

- 3.1 Provide an advocacy role for heritage matters within the City of Ballarat.
- 3.2 Provide advice and recommendations to Council on policy matters relating to heritage including but not limited to, the Ballarat Planning Scheme.
- 3.3 Provide advice on recommendations for nominations of state, national or international significance.
- 3.4 Provide advice and recommendations on proposals related to heritage (including but not limited to places and collections) when referred or brought to the Committee.

- 3.5 Make recommendations to Council about further work required to document, protect and sustain Ballarat's Heritage.
- 3.6 Liaise with other interest groups and parties as required to fulfil the charter of the Committee.
- 3.7 Assist in the preparation of documents, events and other activities relating to heritage matters.
- 3.8 Assist Council in sourcing external funding opportunities to further heritage matters.
- 3.9 Consider applications for loans and grants under the Ballarat Heritage Restoration Loans Scheme and Council's heritage grants programs and to make recommendations on loans and grant applications to Council as applicable.

4. ROLES AND RESPONSIBILITY

- 4.1 The role of the Committee is to:
 - 4.1.1 *To have an active role in communicating community views to Council; and*
 - 4.1.2 *To participate in discussions at bi-monthly meetings.*
- 4.2 Exercise Council's powers and carry out Council's duties and functions, in accordance with these Terms of Reference.
- 4.3 Consider applications for loans and grants under the Ballarat Heritage Restoration Loans Scheme and Council's heritage grants programs and to make recommendations on loans and grant applications to Council as applicable.
- 4.4 Provide advice and recommendations on Ballarat's heritage when referred to the Committee by City of Ballarat Executives.
- 4.5 Make recommendations to Council about further work required to document, protect and sustain Ballarat's Heritage.
- 4.6 Assist Council in sourcing external funding opportunities to further heritage matters.
- 4.7 Liaise with other interest groups and parties as required to fulfil the charter of the committee.
- 4.8 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.

5. MEMBERSHIP

- 5.1 The Committee will consist of 18 members comprising:
 - 5.1.1 Two (2) Councillors of Council as invited or required from time to time;

- 5.1.2 Two (2) elected Committee member(s) from the Community. These members will provide advice in accordance with the Committee's Terms of Reference;
- 5.1.3 Two (2) elected Committee members (15-25 years of age) from the Community. These members will provide advice in accordance with the Committee's Terms of Reference;
- 5.1.4 Eleven (11) Committee members, one from each of the following member organisations:
- Ballarat Archives Centre (Public Record Office Victoria)
 - Ballarat Heritage Watch
 - Ballarat Mechanics Institute
 - Ballarat Regional Tourism
 - Central Highlands Historical Association
 - Commerce Ballarat
 - Federation University Australia
 - National Trust of Victoria, Ballarat Branch
 - Real Estate Institute of Victoria, Ballarat Division
 - Representative on behalf of the Wathaurung Aboriginal Corporation, trading as Wadawurrung (or other Registered Aboriginal Party)
 - The Sovereign Hill Museums Association

Each organisation will be invited to nominate its own representative; and

- 5.1.5 Other members invited or co-opted from time to time.
- 5.2 Subcommittees can include additional representation as required to provide specialist advice in accordance with the Committee's Terms of Reference.
- 5.3 The two (2) representative from the community shall be appointed by Council for a three (3) year term and selected via a public notification process. Should a vacancy occur within that timeframe Council may appoint a replacement for the balance of the term.
- 5.4 The two (2) representatives from the community (15-25 years of age) shall be appointed by Council for a three (3) year term and selected via a notification process to education organisations. Should a vacancy occur within that timeframe Council may appoint a replacement for the balance of the term.
- 5.5 Any member of the Committee who fails to attend three (3) consecutive meetings without prior notification shall be deemed to have resigned.
- 5.6 The Committee has the power to co-opt sub-committees as required and each sub-committee should be chaired by a member of the full Committee.

- 5.7 Council will provide appropriate officers to support both the Committee and any sub-committees.
- 5.8 Council Officers who do attend a meeting of the Committee are to provide advice and support to the Committee. They are not classed as Committee members.
- 5.9 All members, excluding Council Officers, shall have full voting rights.
- 5.10 Councillors who do attend a meeting should be classed as members of the Committee.
- 5.11 Council will revise the membership and voting rights of each Committee member as outlined in this Terms of Reference or as it sees fit.
- 5.12 If Council does not appoint a chairperson for the Committee before the Committee's first meeting, the Committee members must appoint a chairperson at the first meeting.
- 5.13 The Committee may appoint and reappoint the chairperson as it sees fit and where the chairperson is absent from a meeting.
- 5.14 Any Councillor can attend the meeting as an observer.

6. MEETINGS

- 6.1 Unless Council resolves otherwise Committee meetings must be conducted in accordance with:
 - 6.1.1 Council's Meeting Procedure Local Law;
 - 6.1.2 Part 4, Division 2 of the *Local Government Act 1989 (LGA)*;
 - 6.1.3 The Committee's discretion, as exercised from time to time.
 - 6.1.4 Council's Community Consultation and Participation Framework.
- 6.2 The Committee will meet at least every second month as agreed by the Committee from time to time.
- 6.3 The Chairperson will chair all Committee meetings.
- 6.4 The Chairperson is the authorised spokesperson for the Committee.
- 6.5 Council will appoint an Officer to provide support to, and liaise with, the Committee. The Council Officer's role will include:
 - 6.5.1 Maintaining a Register of Committee members, their date of appointment reappointment, and official positions held (if any) as a Committee member;
 - 6.5.2 Advising Committee members of term completion dates and their eligibility for reappointment as relevant;
 - 6.5.3 Acting as the contact point between Council and the Committee; and
 - 6.5.4 Assisting with meeting the Committee's reporting requirements.

- 6.6 A quorum of the Committee will be half of the members plus one.
- 6.7 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 6.8 Sub Committees may be appointed by the Committee and may meet between general meetings and as authorised by the Committee.

7. REPORTING


- 7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
 - 7.1.1 Council's Meeting Procedure Local Law;
 - 7.1.2 Part 4, Division 2 of the LGA; and
 - 7.1.3 The Committee's discretion, as exercised from time to time.
- 7.2 The Committee must prepare and present to Council a report of its activities upon being required to do so by Council and in any event at least once per year.
- 7.3 In accordance with section 80A of the LGA when a Councillor attends the Advisory Committee Meeting, this is deemed to be an *Assembly of Councillors*.
- 7.4 Consequently, an Assembly of Councillors Record must be completed as soon as possible by the Council Officer appointed under clause 5.7, or if the Council Officer is not present by the Committee Chairperson and forwarded to the Statutory Compliance Unit for inclusion in the report to Council.
(Note – this only applies when a Councillor is in attendance.)

8. CREATION AND DISSOLUTION

- 8.1 By these Terms of Reference the Committee:
 - 8.1.1 Is established (or continued); and
 - 8.1.2 Has the responsibilities as set out in the Terms of Reference.
- 8.2 These Terms of Reference:
 - 8.2.1 Come into force immediately the common seal of Council is affixed to it; and
 - 8.2.2 Remain in force until Council determines to vary or revoke it.
- 8.3 The Committee must be dissolved by a resolution of Council.

Dated: 31 January 2018

The Common Seal of Ballarat City Council)
 was affixed by authority of the Council in the)
 presence of:)





MAYOR/COUNCILLOR

COUNCILLOR

CHIEF EXECUTIVE OFFICER

0535

