



# CULTURAL HERITAGE COMMITTEE

## TERMS OF REFERENCE

### 1. ESTABLISHMENT

- 1.1 The Council has established the Cultural Heritage Committee (referred to in these Terms of Reference as "the Committee") pursuant to Section 41 of the *Local Government Act 1999* ("the Act").
- 1.2 The Committee will be known as the Cultural Heritage Committee.
- 1.3 The Committee may be wound up at any time by resolution of the Council.
- 1.4 These Terms of Reference was adopted by the Council on 7 December 2020.

### 2. OBJECTIVES

- 2.1 The Committee is established to fulfil the following functions:
  - 2.1.1 to act in an advisory role on the management and execution of the Council's Cultural Heritage Program; and
  - 2.1.2 to do anything necessary, expedient or incidental to performing or discharging the functions of the Committee as listed herein or to achieving its objectives.

### 3. MEMBERSHIP

- 3.1 The Committee will comprise six (6) Members.
- 3.2 Membership of the Committee will comprise:
  - Cr Carlo Dottore;
  - Cr Christel Mex;
  - Cr Evonne Moore;
  - Cr Kester Moorhouse;
  - Cr Scott Sims; and
  - Cr Sue Whittington.
- 3.3 Subject to clause 1.3 of these Terms of Reference, membership of the Committee is for a two (2) year period *unless* a member resigns or is otherwise incapable of continuing as a member or is removed from office by the Council.
- 3.4 The Committee must report to the Council where a member has failed (without the leave of the Committee) to attend three consecutive meetings of the Committee.

#### **4. PRESIDING MEMBER**

- 4.1 The Presiding Member of the Committee will be determined by the Committee at the first meeting of the Committee.
- 4.2 If the Presiding Member of the Committee is absent from a meeting then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member is present.
- 4.3 The role of the Presiding Member includes:
- 4.3.1 overseeing and facilitating the conduct of meetings in accordance with the Act and *the Local Government (Procedures at Meetings) Regulations 2013*;
  - 4.3.2 ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner; and
  - 4.3.3 where a matter has been debated significantly and no new information is being discussed to call the meeting to order and ask for the debate to be finalised and the motion to be put.

#### **5. DELEGATION**

- 5.1 Pursuant to Section 44 of the *Local Government Act 1999*, the Cultural Heritage Committee of the Council does not enjoy the delegation of any powers, functions and duties of the Council.
- 5.2 All decisions of the Committee will, therefore, constitute only recommendations to the Council.

#### **6. NOTICE OF MEETINGS**

- 6.1 Notice of the meetings of the Committee will be given in accordance with sections 87 and 88 of the Act. Accordingly, notice will be given:-
- 6.1.1 to members of the Committee by email or as otherwise agreed by Committee members at least three clear days before the date of the meeting; and
  - 6.1.2 to the public as soon as practicable after the time that notice of the meeting is given to members by causing a copy of the notice and agenda to be displayed at the Council's offices and on the Council's website.

#### **7. PUBLIC ACCESS TO MEETINGS**

- 7.1 The Committee shall meet at the St Peters Town Hall Complex located at 101 Payneham Road, St Peters.
- 7.2 Members of the public are able to attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 of the Act.

#### **8. MEETING PROCEDURES**

- 8.1 The Committee shall act at all times in strict accordance with the Act and Part 2 of the *Local Government (Procedures at Meetings) Regulations 2013*.
- 8.2 Insofar as the Act, the Regulations, or these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure.

- 8.3 The Committee shall meet on a quarterly basis and at such times as the Committee by resolution may determine.
- 8.4 All decisions of the Committee shall be made on the basis of a majority of the members present.
- 8.5 A quorum for a meeting of the Committee is four (4) members.
- 8.6 All members of the Committee must (subject to a provision of the Act or Regulations to the contrary) vote on any matter arising for decision at a meeting of the Committee.
- 8.7 Every member of the Committee has a deliberative vote only. In the event of a tied vote the person presiding at the meeting does not have a second or casting vote.
- 8.8 Any decision of the Committee which does not arise from a recommendation of a Council Officer must be supported in the minutes of the meeting by clear reasons for the decision.
- 8.9 The Council will provide a support officer for the purposes of co-ordination and preparation of agendas and reports for and minutes of Committee meetings and as a point of contact for all Committee members.

## **9. REPORTING**

- 9.1 Pursuant to Section 41(8) of the *Local Government Act 1999*, all decisions of the Cultural Heritage Committee will be referred to the Council as recommendations of the Committee. The reporting of the decisions of the Committee in this manner, in accordance with Clause 5.2 of these Terms of Reference, will satisfy the requirements of Section 41(8).
- 9.2 The Committee shall report on:
  - 9.2.1 all decisions made pursuant to clause 2.1; and
  - 9.2.2 the operation of the Committee in fulfilling its objectives.

## **10. WINDING UP OF COMMITTEE**

- 10.1 The Committee will be wound up without further action by the Council at the conclusion of the term of the Committee.
- 10.2 The term of the Committee expires on 31 October 2022.