

# Terms of Reference

**Committee:** Meelup Regional Park  
**Responsible Directorate:** Planning and Development Services **Version:** PROPOSED

## 1. INTRODUCTION

- 1.1. The Council of the City of Busselton has established the Meelup Regional Park Committee (Committee) pursuant to sections 5.8 and 5.9(2)(d) of the Local Government Act 1995.
- 1.2. The Committee shall act for and on behalf of Council in accordance with the provisions of the Local Government Act 1995, local laws and policies of the City of Busselton and this document.

## 2. OBJECTIVE

- 2.1. Pursuant to section 39 of the Act the functions of the Committee are:
  - a. to assist the Council in managing and promoting the Park; and
  - b. to ensure that the full range of issues relevant to the making of decisions about the management and promotion of the Park are considered, including environmental, amenity, recreational, community, social, economic and financial considerations.

## 3. MEMBERSHIP

- 3.1. Council shall appoint two elected members to the Committee.
- 3.2. Council shall appoint one elected member as a deputy member of the Committee.
- 3.3. Council shall appoint between six and eight community members, with up to three of these members to be representatives of the Friends of Meelup Regional Park Incorporated Association
- 3.4. Membership of the Committee shall, unless determined otherwise, cease on the day of the next ordinary Council election.
- 3.5. Council shall appoint new members to the Committee, in accordance with paragraphs 3.1 and 3.2, at the next ordinary Council meeting following the Council election.
- 3.6. If any member is absent from the Committee for three consecutive meetings without approved leave of absence from the Committee, the Chief Executive Officer shall present a report to the Council so that the Council may determine whether to continue that person's membership of the Committee.

## 4. PRESIDING MEMBER

- 4.1. The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business.

## 5. MEETINGS

- 5.1. The Committee shall meet at least two times a year.

- 5.2. The Committee shall report to Council in accordance with clause 2.10 of the *City of Busselton Standing Orders Local Law 2018*.
- 5.3. Notice of meetings shall be given to members at least seven days prior to each meeting.
- 5.4. Where a Committee member wishes the Committee to consider an alternative to the officer recommendation in relation to any particular item, they should, as far as practicable, indicate in writing (preferably email) to the Chief Executive Officer or Chief Executive Officer's nominee their intention to do so, setting out their proposed alternative and the reasons for that alternative, by 3pm on the day before the scheduled commencement of the meeting. The Chief Executive Officer or Chief Executive Officer's nominee will then provide officer comment on the proposed alternative in writing to Committee members prior to the scheduled commencement of the meeting.
- 5.5. Matters that would require a formal decision of the Committee are:
  - a. any matters that require a formal resolution of the Council (such as any change to the membership or terms of reference of the Committee, or any matter that requires, from a legal/statutory perspective, a formal decision of the Council), other than the adoption or amendment of the Council Budget, as it relates to Meelup Regional Park (the Park);
  - b. matters on which a decision is required and which are considered to be of high strategic importance and/or broad public interest (such as proposals for significant infrastructure or significant changes to the management of the Park, but not usually individual works projects or events, or the noting of plans, studies or similar, which are primarily or wholly being presented to the Committee for information purposes);
  - c. matters that require a formal decision of the Council because consensus has not been achieved through discussions with the Meelup Regional Park Working Group; and
  - d. any other matter that the Presiding Member of the Committee, having received and considered the advice of City officers, considers requires formal consideration by the Council.
- 5.6. The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the Part 14 of the *City of Busselton Standing Orders Local Law 2018*.
- 5.7. All members of the Committee shall have one vote. If the vote of the members present is equally divided, the Presiding Member shall cast a second vote.
- 5.8. Where the Committee makes a recommendation to the Council, the Chief Executive Officer shall ensure that the recommendation is on the agenda of the next practicable ordinary Council meeting.

## **6. QUORUM**

- 6.1. The quorum for a meeting shall be at least 50% of the number of offices of membership, whether vacant or not.

## **7. DELEGATED POWERS**

- 7.1. Pursuant to section 5.17 of the Act, the Committee is delegated the powers to:
  - a. schedule and endorse the dates, times and locations of the meetings held by the Committee; and
  - b. note an item that does not require a recommendation to Council or further action of Council.
- 7.2. Committee recommendations, other than those made in accordance with the delegated powers in paragraph 7.1, are not binding on Council and must be endorsed by Council to take effect.

## **8. EVALUATION OF COMMITTEE'S EFFECTIVENESS**

- 8.1. At the meeting of the Committee prior to the ordinary Council elections, the Committee shall undertake review to evaluate its effectiveness, and as a guide the following should be determined:
  - a. are the Committee's purpose and objectives being met?

- b. should the purpose and objectives be amended?
- c. is the Committee functioning effectively and as per the requirements of the Act?
- d. are the Committee members regularly attending meetings?
- e. review the Terms of Reference, including membership.

**9. TERMINATION OF COMMITTEE**

9.1. Termination of the Committee shall be by an absolute majority decision of Council.

**10. APPROVAL**

<b>Council Adoption</b>	<b>DATE</b>		<b>Resolution #</b>	
<b>Previous Adoption</b>	<b>DATE</b>	27 August 2019	<b>Resolution #</b>	C1908/172