



## **LOCAL PORT OF PORTLAND BAY ADVISORY COMMITTEE (aoC)**

### **TERMS OF REFERENCE**

#### **Legal Basis**

The committee shall be an advisory committee established by Council as described in Section 3 of the *Local Government Act 1989* (the Act).

Where indicated by the phrase '(aoC)' in the title, the advisory committee is also an assembly of Councillors.

Any advisory committee that is also an assembly of Councillors must comply with the provisions of section 80A of the Act.

The Glenelg Shire Council Local Port of Portland Bay Advisory Committee (the Advisory Committee) is a representative group established to assist in the efficient operation of the Portland Harbour.

The Advisory Committee members should have knowledge and experience of recreational/commercial boating in Portland Harbour in relation to the operations of Ports.

The function of the Advisory Committee is to provide information and advice to Council on:

1. Policy relating to legislation surrounding operation of the Harbour;
2. Issues identified by Port users; and
3. Operational issues that may affect the Port of Portland Pty Ltd and Local Port of Portland Bay

Council has the power to disband the Advisory Committee at any time.

#### **Committee's Authority**

The Committee is an advisory committee to Council.

The Committee does not have the power to direct any Council officer to undertake any work but may make recommendations to Council to assist in its decision-making process.

## **Term of Committee**

The term of the Advisory Committee will commence on the date of appointment by Council and will conclude at the end of the term of the current Council.

## **Membership**

Membership will include:

Four (4) members of the Glenelg Shire Council (Councillors), one of whom will act in the Chairperson role. Two who are proxies.

Two (2) Port of Portland representatives being the Operations Manager and the Harbour Master.

Three (3) Community representatives

Each term of office for the Advisory Committee will be for a period not exceeding a Council term.

Council staff members with specialist skills and knowledge will be invited to attend the Advisory Committee's meetings only to provide specific advice or information.

In the case of casual vacancies, Council will consider appointment of new members for any vacant positions. The term of office for any new members will expire at the original date set down for the retiring member.

Councillor representatives will be appointed or reappointed as soon as practicable after Council elections and be appointed for a period of no greater than the Council term.

Members may be granted leave of absence and replaced by secondment for the period of absence with the agreement of the chairperson.

A member shall cease to hold office if he/she is absent from four (4) consecutive meetings without a leave of absence with the agreement of the Chairperson.

## **Meetings**

### **First Meeting**

Date, time and place of the first meeting shall be determined by the Councillor appointed as the Chairperson of the Advisory Committee.

### **Quorum**

Quorum will be half of the Advisory Committee members plus one.

## Decision Making

Recommendations to Council should be formed by a consensus. If a consensus is not achieved, decisions will be made by a vote (show of hands) of members.

Each Councillor or member present at a meeting of the Committee who is entitled to vote is entitled to one vote.

If the number of votes in favour of the question is half the number of Councillors or members of the Committee present at the meeting at the time the vote is taken, the Chairperson has a second vote.

The outcome of the vote must be included in the meeting minutes.

## Frequency of Meetings

The Advisory Committee shall meet at a minimum frequency of quarterly each year.

## Meeting Costs

All Advisory Committee representatives and substitute representatives will be responsible for their own costs incurred in attending meetings of the Advisory Committee.

Councillors may claim for travelling expenses incurred to attend a Council appointed Committee, in accordance with the Mayor and Councillor Entitlements Policy.

## Meeting Facilities and Administrative Support

The CEO or relevant Group Manager will ensure that appropriate administrative support is provided to the Advisory Committee.

The CEO or relevant Group Manager or his/her delegate will ensure the preparation and receipt of agenda items, preparation and distribution of agendas, recording and distribution of minutes for each meeting of the Advisory Committee and the provision of venue meeting arrangements.

An agenda will be compiled and distributed at least seven days before the proposed meeting and agenda reports must be submitted to the CEO or relevant Group Manager or his/her delegate at least ten days before the proposed meeting date.

The Advisory Committee shall report to the next Council meeting following each of its meetings by submitting a record of the meeting and any recommendations for Council's consideration.

Meeting minutes for all Advisory Committee meetings will be taken as read and confirmed as an accurate record of that meeting by the Advisory Committee at its next meeting. Copies of the Advisory Committee meeting minutes will be distributed to all members as soon as practical after completion.

### Place of Meetings

Subject to venue availability, meetings will be held at one of the Glenelg Shire Council Offices.

### Media Comments

All media comments must be made in accordance with the Glenelg Shire Council Media Policy.

### Confidentiality

The Victorian *Local Government Act 1989* contains confidentiality provisions. Breaches of confidentiality are serious offences with significant penalties.

### Conflict of Interest

The *Local Government Act 1989* contains mandatory requirements for the declaration of direct and indirect conflict of interest. The objective of the provisions is to enhance good governance in Victorian local government and to improve public confidence in the probity of decision making in Victorian municipalities.

Advisory Committee members are responsible for ensuring that they comply with the relevant provisions of the *Local Government Act 1989*.

An online copy of the *Local Government Act 1989* and the Local Government Victoria publication 'Conflict of Interest in Local Government' is available at [www.localgovernment.vic.gov.au](http://www.localgovernment.vic.gov.au) select – legislation or conflict of interest.

Alternatively, a printed copy will be made available if requested.

### Agreement to abide by Council's policies

Members of the Advisory Committee must comply with the Glenelg Shire Council policies, in particular the Policy for Advisory Committees as updated from time to time.