

TERMS OF REFERENCE

Darebin Nature Trust



1. Application of these Terms of Reference	<p>These Model Terms of Reference apply to all Community Advisory Committees, Community Reference Groups and similar groups formally constituted by resolution of Darebin City Council.</p> <p>For the purpose of this Model Terms of Reference, all such groups and committees are referred to as “the Committee”.</p>
2. Purpose and Scope	<p>The <i>purpose</i> of this Committee is to provide advice and recommendations (were appropriate) to Council in relation to the matters specified in Appendix A.</p> <p>In conducting its activities associated with its purpose and scope the Committee will;</p> <ul style="list-style-type: none">• Conduct itself according to, and within, the Terms of Reference and any relevant Council resolution;• Inform itself of issues, opportunities, constraints and urgent actions relating to maintenance and promotion of the Committee;• Provide honest, considered, constructive and impartial advice to Council that will improve Council decision making;• Provide advice on strategic and other planning work to help set short and longer-term direction and action;• Foster a Committee culture that seeks to understand and explore diverse views of Committee members so that advice to Council reflects such diversity of views, and;• Report to Council periodically on its work, in order to ensure accountability for its conduct. <p>In providing advice, all members will be given every opportunity, encouragement and support to put their views before the Committee and that this will be considered in Darebin’s policy, program and project development.</p> <p>The <i>scope</i> of this Committee is to act in an advisory capacity to the Council only and has no delegated authority to make decisions.</p> <p>The Committee does not have an operational role and neither it, nor its members, may direct Council staff in the performance of their duties.</p> <p>The Committee shall have regard to and act in accordance with Council’s strategic objectives and priorities. Specifically, the Committee will have regard to the strategies, plans, frameworks, policies and plans referenced in Appendix A.</p>

<p>3. Committee Specific Protocols and Operating Practices</p>	<p>It is acknowledged that these model Terms of Reference may not in all instances provide the required or adequate clarity regarding a Committees functioning. To this extent, Committees may develop specific protocols and operating practices to supplement these ToR.</p> <p>These protocols and operating practices may deal with any matters that the Committee determines are relevant to the efficient and effective functioning of the Committee and may include matters such as consideration of the social and cultural diversity of the Darebin community, inclusiveness of multicultural, educational, religious, disability, youth, aged, sexual and gender communities, Aboriginal and Torres Strait Islander peoples, membership numbers, support for members to facilitate participation and consideration of sitting fees.</p> <p>Any such protocols and operating practices must not conflict with these ToR and must be endorsed by the Committee, the relevant General Manager and be attached to these ToR when formally adopted by Council. Should agreement not be reached by the Committee and the relevant General Manager, this will be escalated to the Chief Executive Officer.</p>
<p>4. Composition, Recruitment, Appointment and Tenure</p>	<p>This Committee comprises Councillor(s) appointed by Council annually and a Council Officer nominated by the Chief Executive Officer (both non-voting) and any other persons, and representatives of organisations as determined by resolution of Council and as specified in Appendix A.</p> <p>All Advisory Committees will sunset on 30 June following each General Council election, unless they have been re-established in the new Council term or the work of an Advisory Committee has been completed prior to this date.</p> <p>All appointments will be for an initial period of 2 years with the option for a further maximum period through to the 30 June in the year following each General Election upon. Current Committee members who wish to continue beyond their initial 2-year appointment must notify the Council Officer responsible for the administration of the committee in writing of their intention to do so.</p> <p>If the Council Officer (in consultation with existing Committee members) believes that staggered appointment terms are appropriate for the Committee, these may be instituted within the parameters of the 2 years period.</p> <p>All vacancies shall be publicly advertised by Council prior to appointment.</p> <p>Prospective candidates shall submit an Expression of Interest in a form and manner prescribed by Council to enable Council to consider their appointment to the Committee. The criteria for the appointment of members will be developed by the Council Officer based on the required skills and knowledge and the existing Council policy and practices that promote diversity and inclusion. The Council Officer will consult with the Committee regarding any skill or experience deficiency or gap in the existing Committee that may need to be specifically considered during a recruitment and appointment process.</p> <p>Where vacancies occur ‘mid-term’, replacement Committee members may be appointed by Council’s Chief Executive Officer, subject to an Expression of Interest process as above.</p> <p>Committee members appointed as a result of a ‘mid-term’ vacancy will serve the balance of the former Committee member’s term.</p>

	<p>A position becomes vacant if a Committee member fails to attend 3 consecutive meetings without reasonable grounds, on a case by case basis.</p> <p>A member may not complete more than 2 successive Council terms ie 8 years unless exceptional circumstances supporting the continuation of the members participation are demonstrated.</p> <p>Where a member is appointed to the Committee as a representative of a particular organisation a proxy may attend meeting on their behalf if the nominated person cannot attend.</p> <p>Council will appoint one proxy Councillor to each Committee annually. Councillors appointed as a proxy through the annual appointment process may attend Committee meetings.</p> <p>Notwithstanding any of the above, Council may at any time by resolution set a date or a milestone that when reached or completed causes the cessation of the Committee and the expiry of Committee members' terms.</p>
<p>5. Responsibilities, Duties and Conduct of Members</p>	<p>In performing the purpose of the Committee, members must act honestly, treat others with respect, exercise reasonable care and diligence, and not make improper use of their position or make improper use of information acquired because of their position.</p> <p>The expectation of members' behaviour is that they will behave with respect and openness by listening to one another and by allowing all members to have a voice. Respectful behaviour is inclusive of all Committee meetings, emails, correspondence, telephone calls and on-line meetings.</p> <p>Members must work co-operatively with other members, respect the authority of the Chair and meeting procedures and must not seek to dominate the meeting or insist or imply that their own views and ideas carry more weight than those of others.</p> <p>Members must respect the confidential and sensitivity of information as appropriate.</p> <p>Committee members will be required to participate in an induction workshop arranged by Council and may be required to participate in specified training relevant to the work of the Committee from time to time.</p> <p>Upon appointment, Chairs including Co-Chairs must undertake or demonstrate relevant recent training and proficiency in running effective meetings.</p> <p>Committee members must not speak for Council and are not authorised to speak to the media in respect of the Committee's activities and deliberations.</p> <p>Committee Members are required to abide by Council's Employee Code of Conduct to the extent applicable to volunteers and the Council's Volunteer Policy. Failure to abide by the conduct principles, (and relevant Council policies, including Council's Occupational Health and Safety Guidelines) will result in the member being deemed to be in breach of their obligations and may result in their removal from the Committee by a Council resolution, or in urgent circumstances by Council's Chief Executive Officer if the Chief Executive Officer considers that such action is necessary.</p>

6. Meetings

Attendance at Committee meetings is expected in normal circumstances and is critical to fulfilment of appointment as a member.

The Chairperson shall be appointed as specified in **Appendix A**.

Meetings will be held quarterly unless determined by the Committee Chair and Council Officer in order to allow for the timely consideration and provision of advice to Council on particular, time-sensitive matters from time to time. Committees may, with the approval of the relevant General Manager, meet more frequently on a limited and specific basis (if required).

Working Groups may be established as required for a specific purpose and on a limited timeframe to enable a focus on a specific task or project. These are subject to the approval by the relevant General Manager after consideration of their specific need, the availability of resources to support their operation and their agreed timeframes and tenure.

If the Chairperson is not present at a meeting, the Committee members will determine to appoint a Chairperson for the purposes of conducting the meeting.

The appointed Council officer will take responsibility for providing executive support to the Committee including provision of meeting agendas and minutes.

Committee agendas will be forward to Committee members by email no later than five working days before a scheduled meeting.

Minutes will be provided to Committee members and all Councillors no later than 10 working days of the meeting and will include a summary of discussions, details of any conflicts of interest disclosed and any decisions made. The Chair, including Co-Chairs, shall ratify the minutes of the meeting prior to their distribution. Formal endorsement of the minutes will occur at the subsequent Committee meeting.

Committee agenda items will be identified by Council Officers in consultation with the Chairperson. Members are able to request items to be listed subject to them being raised with the Council Officer and with the Chairpersons consent

Notice of any additional Committee meetings will be provided 2 weeks in advance.

Committee meetings may be held virtually

Committee meetings are closed to the public.

Special guests / subject matter experts may be invited to the meeting at the combined discretion of the Chair, including Co-Chairs and Council officer.

A quorum will be half of the voting Committee members plus one. In the absence of a quorum, a Chairperson may conduct the meeting for discussion purposes. Committees have no delegated authority to make decisions on behalf of Council, therefore any vote is on a position or recommendation to be made to Council if appropriate.

Whilst voting on matters is expected to be uncommon a member must be in attendance (either virtually or in person) to vote.

Any Conflicts of Interest must be declared and recorded at the commencement of the meeting. A member who has a conflict of interest must leave the meeting when the item is discussed.

<p>7. Transparency</p>	<p>In order to maintain transparency of Committee operations and in alignment with Council's Governance Rules the following information is to be published on Council's website in respect of each Committee:-</p> <ul style="list-style-type: none"> a) The Terms of Reference. b) The names of all members (where appropriate) c) Minutes of Advisory Committees meetings d) Reports of Committee activities (as reported biannually to Council) as prepared by Council Officers
<p>8. Opportunities for Cross Collaboration and Induction of Committee members</p>	<p>Council may, from time to time, facilitate meetings, forums, workshops and the like to enable the members of the various Committees to come together for knowledge sharing, professional development and the collaborative provision of advice as appropriate.</p> <p>Committees and new Committee members will be provided with an appropriate induction at the commencement of their term that includes an overview of the Council's structure and functions, the relationship of the Committee with Councillors and the community and any other matters to ensure they are well supported.</p>
<p>9. Reporting, Monitoring and Evaluation</p>	<p>The specific advice of a Committee in relation to a particular matter will be communicated to Council by the relevant Council officer in an appropriate format if and when required. The progress and activities of a Committee will be reported annually through a combined Council meeting report on the progress and activities of all Committees to be prepared by Council Officers. The operation of the Committee will be evaluated annually via a number of methods including self-evaluation of the Committee (arranged by the Council Officer) to ensure that the Committee is achieving its objectives. Results of the evaluation will be reported in the annual progress report.</p>

APPENDIX A

Name of Committee	Darebin Nature Trust
ToR Clause 2	<p>The <i>purpose</i> of this Committee is to provide a sounding board (where appropriate) to Council in relation to:</p> <ul style="list-style-type: none"> • Matters affecting biodiversity and the natural environment in Darebin’s open space; • Identifying opportunities to improve biodiversity, open space and urban liveability for Darebin; • increasing the profile of Darebin’s green spaces and local biodiversity to the broader community; • Raising awareness, educating and building community custodianship of our natural spaces so that Darebin’s biodiversity is valued; and • Advocacy and action to secure, protect and enhance green space for current and future generations. <p>The Committee shall have regard to and act in accordance with Council’s strategic objectives and priorities. Specifically, the Committee will have regard to the following strategies, plans, frameworks, policies and plans</p> <ul style="list-style-type: none"> • Community Vision • Council Plan • Towards Equality Framework • Statement of Commitment to Traditional Owners and Aboriginal and Torres Strait Islander People • Breathing Space: the Darebin Open Space Strategy
ToR Clause 3	<p>The Committee’s guiding practices are to:</p> <ul style="list-style-type: none"> • Protect and enhance local biodiversity to create viable long-term habitat for flora and fauna within Darebin in the face of climate change. • Have an open space network that is planned and managed in an integrated way to achieve landscape, liveability and biodiversity outcomes. • Advocate for the acquisition of new land by Council that will increase access to and extent of Darebin’s open space and further these objectives. • Increase community engagement to raise awareness and appreciation of nature and to foster long-term stewardship. • Actively support council’s work related to biodiversity and the natural environment.
ToR Clause 4	<p>The membership of the Trust will comprise up to nine community members and three Councillor representatives.</p> <p>Community member appointments will be appointed by Council based on the following criteria:</p> <ul style="list-style-type: none"> • Representation of Darebin’s culturally and linguistically diverse community; • A keen interest and passion for one or more of the following areas: biodiversity, ecology, open space management, urban design, community engagement and advocacy; • Complementary thinking that aligns with Darebin Council values; and • Capacity to provide advice to Council in a timely and appropriate manner.

ToR Clause 6	The Committee Chairperson shall be a) a Councillor b) a Councillor with a Community member as Co-Chair
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