

Upper Lachlan Shire Council

Section 355 Streetscape Committee Charter

A Purpose of the Section 355 Streetscape Committee

Legal Status

The Committee is constituted under Section 355 *Local Government Act 1993*.

Compliance

The Committee and members will be required to comply with applicable Council Policies and statutory requirements.

These may include but not limited to:

- *Anti-Discrimination Act 1977;*
- *Crimes Act 1900;*
- *Environmental Planning and Assessment Act 1979;*
- *Government Information (Public Access) Act 2009;*
- *Independent Commission against Corruption Act 1988;*
- *Local Government Amendment (Community Land Management) Act 1998;*
- *NSW Local Government (General) Regulation 2005;*
- *NSW Local Government Act 1993;*
- *NSW Ombudsman Act, 1974;*
- *NSW State Records Act 1998;*
- *Privacy and Personal Information Act 1998;*
- *Public Interest Disclosures Act 1994;*
- *Work Health and Safety Act 2011;*
- *Bribes, Gifts and Benefits Policy;*
- *Code of Business Practice;*
- *Code of Conduct;*
- *Code of Meeting Practice – Section 355 Committees;*
- *Complaints Management Policy;*
- *Disciplinary Policy;*
- *Fraud and Corruption Prevention Policy;*
- *Government Information (Public Access) Policy;*
- *Interaction between Councillors and Staff Policy;*
- *Payment of Expenses and Provision of Facilities Policy;*
- *Privacy Policy;*
- *Public Interest Disclosures Policy;*
- *Purchasing and Acquisition of Goods Policy and Procedures;*
- *Records Management Policy;*
- *Risk Management Policy;*
- *Section 355 Committee Policy;*
- *Service Delivery Policy;*
- *ICAC publication “No Excuse for Misuse, preventing the misuse of council resources”;*
- *NSW Ombudsman - Good Conduct and Administrative Practice (Guidelines for State and Local Government) June 2006; and*
- *Any other relevant legislation and guidelines as applicable.*

Resources

The Council will appoint a resource as Minute Secretary to the Committee.

The Committee is to be serviced by Council and will be provided with a reasonable amount of assistance.

B Section 355 Streetscape Committee

Roles and Responsibilities

The Committee will act as an advisory Committee to Council and has no executive powers, except those expressly provided by the Council. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the *Local Government Act 1993*, and associated Regulations.

It is intended that the Committee leverages the experiences, expertise, and insight of key individuals committed to building professionalism in project management. The Committee's role is to:

1. Consider and advise on options for the streetscape plans within the 12 villages and towns;
2. Consider and advise on options for the possible location of various streetscape facilities;
3. Consider traffic and parking option affecting streetscape and refer such issues to the Local Traffic Committee for technical review;
3. Consider and evaluate options and make recommendations to Council.

The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are to assist Council to discharge its responsibilities with due care and diligence.

Council will review the effectiveness and performance of the Committee on a regular basis.

Composition

The Committee shall be comprised of:

- Mayor of Upper Lachlan Shire Council or his/her delegate;
- General Manager of Upper Lachlan Shire Council or delegate;
- Three Councilor representatives from the Upper Lachlan Shire Council; and
- Three community representatives with demonstrated skills and experience relating to the terms of reference contained in this Streetscape Advisory Committee Charter
- Director of Infrastructure of Upper Lachlan Shire Council or his/her delegate (note: this is a non- voting position);
- Project Engineer or his/her delegate.

Any vacancies occurring on the Committee by way of resignation, removal or insufficient community expressions of interest may be filled by the Council in such a way as it determines for each vacancy.

The Mayor shall be ex-officio Chair of the Committee.

A quorum for the Committee requires a simple majority of the appointed members, including at least three Upper Lachlan Shire Council Representatives. Meetings can be held in person, be telephone or by video conference. If an

Upper Lachlan Shire Council Representative nominated to the Committee is unable to attend, they may choose an alternate Upper Lachlan Shire Council Representative to attend in their place.

This alternate of Council's Executive will attend all meetings of the Committee and other Council officers will attend at the discretion of the General Manager.

Note: All Committee members will be provided with agendas for all meetings a week in advance of the meeting. Any Councillor not a member of the Committee has the right to attend any Committee meeting, (as an observer).

Conflict of Interest

Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may arise. The final arbiter of such a decision is the Chairperson of the Committee.

Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

Review of the Charter

The Streetscape Committee will review this Charter on an as needs basis.

Appointments

Appointments to the Committee will be made by Council for a period of one year (commencing September each year) and Council will have the option to advertise for Community representatives or to reappoint existing members for a further term without advertising (up to a maximum of 4 years).

Removal of a Member

Council reserves the right to remove any Committee member at any time, with the disclosure of reason being given, and the Committee member has the right of appeal.

Meetings

The Streetscape Committee will meet every month or as required, to keep track of issues and the progress of the project's implementation and on-going support to its stakeholders.

The Council or Committee Chair will have the power to call extraordinary meeting at any time to discuss business of an urgent nature.

Reporting

The minutes of every meeting, including recommendations to the Council, will be completed in an approved format, distributed to members, and forwarded to the General Manager's Executive Assistant within three working days of the meeting being held.

Remuneration

No Sitting Fee will be paid to a member of this Committee.

Insurance

Members of the Committee are covered by Council's insurance policies.

Terms of Reference

- The Streetscape Committee has the primary responsibility for higher level guidance not operational matters in relation to the Streetscape Project, to provide advice to Council and to act as a conduit between the Community and Council's Project Control Group that is responsible for delivering the Streetscape Project;
- Advise on the identification of possible locations for a proposed infrastructure facilities within the main streets of each of the 12 towns and villages;
- Committee will have interaction with Council's appointed consultants or contractors only through the Council's Project Manager;
- All Committee recommendations are proposed to be by consensus and any dissenting views must be reported to Council along with the majority recommendation.
- Consider community conflicts and disputes, reconciling differences of opinion and approach to possible solution.
- Foster positive communication outside of the Streetscape Advisory 355 Committee regarding the Committee's progress and outcomes.
- Consider all ideas and issues raised by all stakeholders for both Council Community and Streetscape infrastructure (furniture).