

EAST IVANHOE STREETScape UPGRADE – TERMS OF REFERENCE

Our newly adopted Banyule 2041 Community Vision acknowledges that you, our community, want to be involved in decisions that affect you. We also know that you want a *'well planned, sustainable and liveable place'* and one where *'our local character and environment is protected and enhanced'*.

With our community engaged, we want to create public spaces that are welcoming and accessible, build community connections that look great and encourage the community to shop local and support local businesses.

1. Terms of Appointment

Appointments will be for a twelve-month term.

Manager, City Futures will Chair the project reference group meetings.

If the term exceeds twelve months, members will be provided with the opportunity to extend their term for a further twelve months.

A member who is absent from two consecutive meetings, without forwarding an apology, will be assumed to have resigned.

Members are free to resign from the Reference Group at any time by notifying the Project Manager. Previous nominations may be considered to fill the vacancy. An Expression of Interest (EOI) process will be undertaken if there are no previous nominations that meet the criteria. By agreement of the majority of existing members the group may choose not to fulfil the vacancy.

2. Meeting Frequency and Duration

The PRG will meet approximately two to four times over the next 12 months, for duration of up to 2 hours.

It is expected that each member attends a minimum of 60% of all meetings.

If members are an apology, they should provide a weeks' notice of their absence where possible.

A quorum for the PRG will consist of a minimum of one Councillor and five other members of the Project Reference Group.

3. Roles and Responsibility

Role of Chairperson

- To act as Chairperson of the PRG. This includes guiding the meeting according to the agenda and available time and facilitating relevant discussion in accordance with the intended purpose of the meeting.

Role of Councillors

- To be the link between Council and the PRG.
- To table issues and concerns to Council on behalf of the PRG.
- To nominate another Councillor to attend meetings in their absence.
- To give a week's notice to the Project Manager if they are unable to attend and nominate another Councillor to attend meetings in their absence.

Role of Reference Group members

- Commit to serving for 12 months.
- Prepare for, attend and actively participate in meetings.
- Take an active role in communicating the views of the broader community to Council.
- Provide feedback to Council via the Council Officer assigned to convene the Project Reference Group.
- Keep the Project Reference Group informed of current and emerging developments, and issues and activities relevant to the Project Reference Group.
- Respond to requests for input into and/or feedback on Council activities, policies and reports, at time in between meetings.
- Share information and promote consultation opportunities with your networks as requested.

Role of Council Staff:

- The Project Manager will provide support to the Project Reference Group including developing agendas and keep minutes of the meetings, follow up on actions identified in meetings, be a point of contact for project reference group members and communicate with members between meetings.

Shared Roles and Responsibilities

All people present at meetings are expected to follow a Code of Conduct:

- Act honestly and treat others with respect.
- Not make improper use of their position or make improper use of information acquired because of their position.

- All members will be able to raise issues or problems and have them dealt with in an honest and respectful manner.
- All members will be given equal opportunity to participate in the reference group discussions.

4. Extent of Authority

- PRG members have an active role to provide feedback and advice to Council to inform the development of the Strategy.
- PRG members participate in discussions at two to four meetings.
- PRG members have an advisory role and do not hold any authority to make decisions or commitments on behalf of Council.

Furthermore, Committee members do not have the authority to:

- Expend money on behalf of Council.
- Speak on behalf of Council.
- Speak on behalf of the Committee.
- Commit Council to any arrangement.
- Consider any matters outside of its area of reference.
- Direct Council officers in the performance of their duties.

5. Monitoring and Reporting

The minutes of PRG meetings will be circulated to members via email for confirmation in 5 – 10 business days. The outcomes of meetings may then be summarised and placed on the designated Shaping Banyule page for community viewing.

Recommendations from project reference group meetings may be presented to Council for noting and where appropriate action.

6. Induction and Orientation

An induction and orientation process will occur for all members at the beginning of the term of the Project Reference Group. This process will include:

- Briefing members on the expectations and requirements of membership of the Project Reference Group.
- Providing members with an overview of the project reference group structure and decision-making processes of Council.
- Introduction to Banyule's Council Plan and other relevant Council policies, strategies and plans.

Support to Participate in Meetings:

To allow for diverse participation, Council may support participation of members through provision of assistance including:

- Hearing Loops
- Translators
- Transport Vouchers

Requests for support assistance will be directed to the Project Manager prior to the meeting and Council will assess their capacity to support each request on a case by case basis.

7. Project Reference Group Members

In performing the role of project reference group member, a person must:

- act with integrity
- impartially exercise their responsibilities in the interests of the local business community
- not improperly seek to confer an advantage or disadvantage
- avoid conflicts between their Project Reference Group duties and their personal interests and obligations
- commit to regular attendance at meetings.

These obligations relate to requirements within the Local Government Act:

- misuse of position as a member of the Reference Group (Section 123)
- confidential information (Section 125) and
- conflict of interest (Sections 126 to 131).

Where a member has a conflict of interest, they must advise the Chair in advance of the meeting and no later than the beginning of the meeting. The member must leave the meeting during discussion.

Refer to Appendix A for further detail

8. Record of Meetings to be tabled at Council Meetings

This project reference group is considered an informal meeting involving Councillors and in accordance with the Banyule Governance Rules the details of the meetings including topics discussed, attendees and any conflicts of interest declared will be recorded and tabled at the next convenient Council meeting; and recorded in the minutes of that Council meeting.

9. Change to the Terms of Reference

The Project Control Group are responsible for ensuring that the Terms of Reference are current and responsive to the project requirements. Changes to the Terms of Reference may be amended at any stage at a committee meeting by majority vote.

When the Terms of Reference are amended, the updated version must be circulated to all project reference group members to advise them of the changes. The updated terms of reference will be provided to all Councillors.

10. Nomination Criteria

Applicants will be assessed based on the following:

- An understanding of the key issues facing East Ivanhoe Village
- Ability to commit to a twelve-month term
- Ability to represent a diversity of views and interests of the community and / or the group you represent
- The ability to work collaboratively with other key stakeholders including other reference group members and Council representatives

Permanent or temporary staff members of Banyule are not eligible to apply for membership.

Council will aim to ensure that members of the Project Reference Group reflect the diversity of the community.

All nominations will be assessed by the Project Control Group comprised of the Director, City Development; Manager, Environment and Place, Project Manager and a member from the project team. The committee will assess the candidates against the nomination criteria and advise Council of the appointments via a briefing note. Where required, the selection committee may also conduct interviews with candidates.

Appendix A

Reference Group Member Regulatory Obligations

Guidance to Members

LGA Section	LGA Requirement
Misuse of Position	
123(1)	<p>A Reference Group member must not intentionally misuse their position to:</p> <ul style="list-style-type: none"> a) Gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or b) Cause, or attempt to cause, detriment to the Council or another person
123(3)	<p>Circumstances involving misuse of a position by a member of the Reference Group include:</p> <ul style="list-style-type: none"> a) Making improper use of information acquired as a result of being a member of the Reference Group; or b) Disclosing information that is confidential information; or c) Directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or d) Exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or e) Using public funds or resources in a manner that is improper or unauthorised; or f) Participating in a decision on a matter in which the member has a conflict of interest.
Confidential Information	
125	<p>A member of the Reference Group must not intentionally or recklessly disclose information that the member knows, or should reasonably know, is confidential information. There are some exemptions to this requirement, the key one being that if the information disclosed by the member has been determined by Council to be publicly available.</p>

Conflicts of Interest

126	<p>A member of the Reference Group has a conflict of interest if the member has:</p> <ul style="list-style-type: none"> a) A general conflict of interest as described in Section 127; or b) A material conflict of interest as described in Section 128.
127	<p>A member of the Reference Group has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the members private interests could result in that member acting in a manner that is contrary to their public duty as a member of the Reference Group.</p>
128	<p>A member of the Reference Group has a material conflict of interest in a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.</p>

Please Note

The above guidance is not verbatim from the Act and does not include all details as explained in Part 6, Division 1 of the Act. For a full understanding of the requirements of the Act in relation to the matters summarised above, members are expected to make themselves fully aware of the requirements of the Act.