



# Boating and Marine Facilities Advisory Group Terms of Reference

## 1. ESTABLISHMENT

- 1.1 The **Boating and Marine Facilities Advisory Group** (the Advisory Group) is established as an Advisory Group of the City of Victor Harbor (Council).

## 2. PURPOSE

- 2.1 The purpose of the Advisory Group is to provide advice to the Council on boating and marine facilities for the City of Victor Harbor in line with the role and function set out in Clause 3.

## 3. ROLE AND FUNCTION

- 3.1 The Advisory Group:
- 3.1.1 provides advice to Council on specific matters relevant to boating and marine facilities within the City of Victor Harbor;
  - 3.1.2 provides advice to Council on the City of Victor Harbor Boating Strategy;
  - 3.1.3 provides advice to Council on the delivery of the City of Victor Harbor's Economic Development Strategy and Investment Attraction Strategy as it relates to boating and marine facilities;
  - 3.1.4 is expected to stay within the Terms of Reference adopted by Council;
  - 3.1.5 will not commission work on their own initiative or have any decision-making powers delegated by Council, other than to provide advice to the Council.

## **4 MEMBERSHIP**

- 4.1 The membership of the Advisory Group shall consist of:
  - 4.1.1 three (3) community representatives;
  - 4.1.2 one (1) Victor Harbor Sea Rescue representative;
  - 4.1.3 one (1) Victor Harbor Yacht Club representative;
  - 4.1.4 two (2) Council Members of the City of Victor Harbor.
- 4.2 Community representatives shall have skills, expertise or an interest in boating and marine matters.
- 4.3 The Advisory Group can co-opt up to two (2) additional members, if it is considered that additional skills and experience would benefit a specific project or add value to the general performance of the group.

## **5 TERM OF MEMBERSHIP**

- 5.1 The term of membership of:
  - 5.1.1 Community members shall be for two years or as resolved by Council.
  - 5.1.2 Council Members shall be for the term of the Council or as resolved by Council.

## **6 ATTENDANCE**

- 6.1 Any Council Member may attend the meetings of the Advisory Group.
- 6.2 Advisory Group members are expected to attend all meetings where possible. Apologies for non-attendance must be submitted to the Advisory Group Facilitator prior to the meeting.
- 6.3 Where a member fails to attend three successive meetings without submitting a satisfactory explanation, the Chairperson will make a determination on their membership.
- 6.4 Members may participate in a meeting of the Advisory Group by electronic means which includes by telephone, computer or other electronic device used for communication.
- 6.5 A member participating in the Advisory Group meeting by electronic means is taken to be present at the meeting provided that the member:

- 6.5.1 Can hear all other members present at the meeting;
- 6.5.2 Can be heard by all other members present at the meeting; and
- 6.5.3 Can be heard by the person recording the meeting notes of the meeting.

## **7 ADVISORY GROUP FACILITATOR**

7.1 An Advisory Group Facilitator:

- 7.1.1 shall be appointed by the Chief Executive Officer and/or their delegate.
- 7.1.2 shall be a staff member of Council and is responsible for co-ordinating the preparation of agendas, invitations and meeting notes of the Advisory Group, in consultation with the Chairperson.
- 7.1.3 shall be responsible for co-ordinating any presentations from guest speakers to the Advisory Group, and for considering requests from members of the public to address the Advisory Group in consultation with the Chairperson.
- 7.1.4 has the right to refuse a request from a member of the public to address the Advisory Group if the presentation falls outside of the scope of the Advisory Group.

## **8 CHAIRPERSON**

- 8.1 The Chairperson of the Advisory Group will be a Council Member.
- 8.2 In the absence of the Chairperson, another Council Member appointed to the Advisory Group or the Advisory Group Facilitator or delegate shall chair the meeting.

## **9 DECISION MAKING**

- 9.1 The Group has an advisory role; its recommendations are made by consensus and no recommendation is deemed to be a decision of the Group. If consensus is not achieved the matter may be referred to Council for determination, if required.
- 9.2 The Chief Executive Officer and/or their delegate will determine which items are required to be referred to the Council and action accordingly.

## **10 QUORUM**

- 10.1 The Advisory Group requires a quorum to hold a meeting. The quorum is at least fifty percent of the membership.

- 10.2 The Chairperson shall use their discretion to determine if any item on the agenda should be deferred to a future meeting if it is considered there are insufficient members at the meeting.

## **11 MEETING**

- 11.1 The Advisory Group shall meet on an as-need basis.
- 11.2 The Advisory Group Facilitator, in consultation with the Advisory Group Chairperson, will determine the time and date of each meeting.
- 11.3 Advisory Group meetings will be held at the Civic Centre, 1 Bay Road, Victor Harbor or another venue agreed to by the Advisory Group Members.
- 11.4 Advisory Group meetings may be closed to the public, as declared by the Chief Executive Officer in accordance with Section 90(3) of the *Local Government Act 1999*.
- 11.5 The Advisory Group must provide one (1) presentation to the Council annually at a venue that is open to the public, outlining the work that has been occurring within the Advisory Group meetings.

## **12 AGENDA**

- 12.1 The Agenda shall be determined by the Chief Executive Officer and/or their delegate in consultation with the Chairperson and include enough detail to enable matters to be considered at the meeting.
- 12.2 The agenda shall be distributed by email at least three (3) days prior to the next meeting date.

## **13 MEETING NOTES AND REPORTING**

- 13.1 The Advisory Group is not a formal meeting of Council, the meeting notes will record at a minimum the following:
- 13.1.1 the place, date and time at which the Advisory Group meeting was held;
  - 13.1.2 the meeting attendees and apologies;
  - 13.1.3 the topics discussed; and
  - 13.1.4 any recommendations arising from the discussion and advice, noting that the Chief Executive Officer and/or delegate shall determine if any individual recommendations/actions are required to be reported to the Council for determination.

## **14 CONDUCT OF ADVISORY GROUP MEMBERS**

14.1 Community Members of the Advisory Group will be expected to:

14.1.1 comply with Council's policies including the Volunteer Code of Conduct;

14.1.2 be honest and fair when dealing with all persons present at the meetings;

14.1.3 deal with information received in their capacity as a member in a responsible manner;

14.1.4 be aware of any conflict between their role as a Member of the Advisory Group and their private interests and disclose these conflicts either prior to the relevant matter being discussed or as soon as the conflict becomes apparent;

14.1.5 endeavor to provide accurate information to the group;

14.1.6 endeavor to establish and maintain respectful relationships with all Advisory Group Members, Council Members and Council employees, regardless of difference of views and opinions.

14.2 Members of the Advisory Group are not permitted to speak to the media as representatives of the Group.

14.3 Confidential matters presented to the Advisory Group shall be dealt with and remain in confidence until such time as confidentiality is withdrawn as advised by the Chief Executive Officer.

## **15 REMOVAL**

15.1 A member of the Advisory Group may be removed from the group on the grounds that:

15.1.1 he or she was absent, without leave from the Advisory Group, from three or more consecutive meetings; or

15.1.2 he or she has made public statements that may be detrimental to the effective functioning of the Advisory Group; or

15.1.3 He or she, is behaving in a way which is detrimental to the smooth, efficient and effective workings of the Advisory Group.

15.2 The determination as to whether a Member's conduct constitutes grounds for removal from office will be made by a reference panel comprising the Mayor, Chief Executive Officer (or delegate) and the Advisory Group Facilitator.

15.3 The reference panel will observe the principles of natural justice in making any decision to remove a member from office. That is, the member will be given an opportunity to comment in relation to any adverse allegations against him or her in relation to any proposal that he or she be removed from office. Any comments made by the member will be taken into account by the Reference Panel before a decision is made.

## 16 VACANCIES

16.1 All members' positions of the Advisory Group are declared vacant after every local government election.

16.2 The filling of any vacancy occurring by resignation or removal of a member shall be at the discretion of Council through a Council resolution.

## 17 DISSOLUTION

17.1 Council may at any time abolish the Advisory Group and such action by the Council may include but is not limited to the Advisory Group:

17.1.1 has fully achieved its purpose for establishment;

17.1.2 has become unproductive;

17.1.3 can no longer attract membership;

17.1.4 no longer serves the service priorities and/or core business of Council.

## 18 AMENDMENTS TO TERMS OF REFERENCE

18.1 Council may amend the Terms of Reference by Council resolution.

## 19 DOCUMENT HISTORY

Version	Issue Date	Resolution No.	Description
1.0	24 June 2019	OC4612019	Endorsed Terms of Reference
2.0	23 Sept 2019	OC6832019	Working Group Membership appointment
3.0	26 Oct 2020	OC5622020	Council Member appointment
4.0	23 Aug 2021	OC3702021	Membership Term extended
5.0	22 Aug 2022	OC3542022	Terms of Reference updated to reflect the Group reports directly to Council via the responsible officer
6.0	12 Dec 2022	OC4992022 & OC5002022	Endorsed Terms of Reference and updated Council Members appointments
7.0	11 December 2023 and 25 March 2024	OC4502023 and OC902024	Membership appointments Renamed "Boating Facilities Working Group" to "Boating and Marine Facilities Advisory Group" and endorsed Terms of Reference

## SCHEDULE 1

### BOATING AND MARINE FACILITIES ADVISORY GROUP

#### Group Membership

Member	Representative	Appointed	Expires
Community Representative	Brian Hockney	11 Dec 2023	June 2024
Community Representative	Michael Veenstra	11 Dec 2023	June 2024
Community Representative	Rodney Ness	11 Dec 2023	June 2024
Victor Harbor Sea Rescue	Graeme Bedggood	11 Dec 2023	June 2024
Victor Harbor Yacht Club	Tim Telfer	11 Dec 2023	June 2024
City of Victor Harbor	Cr Stewart Burns	11 Dec 2023	Nov 2026
City of Victor Harbor	Cr Carlos Quaremba	11 Dec 2023	Nov 2026

#### Advisory Group Facilitator

Manager Engineering and Infrastructure	TBC
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#### Office Bearers

Chairperson	Cr Stewart Burns
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