



# HERITAGE ADVISORY COMMITTEE CHARTER

Adopted: 30 August 2017

TRIM: 242312.2017-001



## HERITAGE ADVISORY COMMITTEE CHARTER

### 1. NAME

Heritage Advisory Committee Charter

### 2. INTERPRETATION

2.1 For the purpose of this charter:

“Council” means the Liverpool City Council and  
“Member” means a member of the Committee

### 3. PURPOSE

3.1 The Heritage Advisory Committee has been established primarily to support the conservation and promotion of heritage within the Liverpool Local Government Area by providing relevant community based advice and assistance.

### 4. FUNCTIONS

4.1 The Heritage Advisory Committee shall:

- a) Provide Council with advice on the management of heritage within the Liverpool area. This includes reviewing and commenting on Council and State Government policies and strategies that affect heritage within the LGA and making recommendations on conservation objectives, policies and overall direction where appropriate.
- b) Advise and make recommendations to Council in relation to the nomination and deletion of Heritage Listed items from the Local Environmental Plan (LEP) and State Heritage Register. This includes the undertaking of historical research and provision of evidence in support of recommendations.
- c) Advise Council and work with the community to increase awareness of heritage matters through education and promotion, such as “Heritage Week” events, publications, seminars, public displays and workshops.
- d) Act as a conduit between Council and the community in relation to heritage matters.
- e) Act as a reference and peer review body as required for heritage surveys, conservation reports, planning studies and other heritage related bodies of work.

## HERITAGE ADVISORY COMMITTEE CHARTER

- f) Advise and make recommendations in relation to the management of the heritage collection at the Liverpool Regional Museum and Casula Powerhouse Arts Centre; and
- g) Advise and assist Council in the seeking of external funding through third party grants, such as grants through the Heritage Council of NSW or other available sources.

### 5. OUTCOMES

5.1 The outcomes of the Committee are to:

- a) Provide a forum for input from the community and the professional heritage sector on matters of heritage significance to the Liverpool Local Government Area;
- b) Promote the natural and cultural heritage of the Liverpool Local Government Area by increasing community awareness and understanding of heritage conservation;
- c) Advocate for the conservation of local heritage as a contributor to a sense of place and local identity;
- d) Support Council in advancing the aims of the Heritage Strategy;
- e) Support Council in the development and implementation of strategies, policies and programs related to heritage conservation;
- f) Provide input to Council on heritage programming, exhibitions, education and events; and
- g) Support Council in the conservation and promotion of Liverpool City Council's movable heritage collection.

### 6. COMMITTEE DELEGATIONS

6.1 The Committee shall not have the power to incur expenditure.

6.2 The Committee does not have the power to bind the Council.

6.3 Recommendations made by the Committee which are determined by the CEO to be substantially operational in nature will be dealt with by the relevant Director, and any action or decision not to act will be reported to the Committee on a regular basis.

6.4 Employees of the Council are not bound to the direction of the advisory Committee or any of its members.

## HERITAGE ADVISORY COMMITTEE CHARTER

### 7. MEMBERSHIP

Note: the Committee does not have the authority to co-opt anyone to its membership.

The Committee shall comprise 8 members, consisting of:

#### 7.1 COUNCILLOR REPRESENTATION

Two (2) Councillors approved by Council, one to act as Chairperson.

#### 7.2 COMMUNITY MEMBERSHIP

The Committee shall include six (6) persons from the Liverpool Local Government area and this representation, where possible, should reflect the demographic makeup of the Liverpool Local Government Area and should include an Indigenous person. Applications for membership as community members will take place through a publicly advertised expression of interest process, after which a recommendation will be submitted to the elected Council for appointment of community members to the Committee.

#### 7.3 NOMINATION AND SELECTION

Expressions of interest to participate in the Committee will be called for through the Council notices posted in the local media and Council's website.

The membership criteria for the Committee include the following:

- a) Demonstrated interest in and knowledge of the heritage and history of Liverpool;
- b) Demonstrated interest in and knowledge of the challenges and opportunities affecting local heritage management;
- c) A willingness to commit time to be actively involved in the Heritage Advisory Committee and to perform tasks related to Committee business;
- d) Resident; ratepayer; or a strong association with the Liverpool Local Government Area;
- e) Demonstrated practical experience in the advocacy, promotion and protection of heritage within the Liverpool Local Government Area; and
- f) The ability to effectively listen, cooperate and constructively participate as a member of the Liverpool Heritage Advisory Committee.

## HERITAGE ADVISORY COMMITTEE CHARTER

### 7.4 COUNCIL SUPPORT

- a) Councillors, other than those appointed to the Committee, may attend and observe. Only the appointed Councillors may take part in the discussion and participate in voting.
- b) Council's Heritage Officer will attend Committee meetings as an ex-officio member and will provide professional advice to the Committee;
- c) A Council staff member will attend meetings to provide administrative and other support to the Committee. Administrative support is provided for the preparation of the agenda, recording of the minutes and distribution of the agenda and business paper.
- d) Other Council staff may attend Committee meetings to observe or to address the Committee where a matter has been included in the agenda.
- e) The Chairperson can invite Council staff, present in the meeting, to participate in the discussion if their input is deemed to be necessary.
- f) Council staff do not have any voting rights on the Committee.

### 7.5 CHAIRPERSON AND DEPUTY CHAIRPERSON

- a) The nominated Councillor will act as the Chairperson, with the second Councillor to act as Deputy Chairperson.
- b) The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee. In the absence of the Chairperson, the Deputy Chairperson shall preside at the meeting.
- c) The Deputy Chairperson, assumes all the rights and obligations of the Chairperson for that meeting.
- d) The Chairperson has the ability to invite external subject matter experts to participate in meetings from time to time as on-voting members.

## HERITAGE ADVISORY COMMITTEE CHARTER

### 8 QUORUM AND DECISION MAKING

- 8.1 The quorum to enable business to be transacted at meetings shall be half the membership plus one, including at least one Councillor to act as Chairperson.
- 8.2 Observers or visitors at the meeting do not form part of the quorum.
- 8.3 In the absence of a quorum 15 minutes after the scheduled start of the meeting, the Committee members present may discuss the agenda items although any recommendations made will not become formalised until they have been ratified at the next Committee meeting with a quorum present.
- 8.4 The Committee is to conduct business in accordance with Council's resolution of 24 March 2015 as follows:
- a) Record all motions formally moved;
  - b) Record the identity of the mover and seconder of each such motion together with the voting outcome, and such other information as may be referred to under the *Local Government (General) Regulation 2005*;
  - c) No longer record 'action items' (where it is not possible to identify the promoters (and dissenters) with respect to such items);
  - d) Record that declarations of conflicts of interest were called for at the commencement of each Committee meeting and the result of such call (even where no conflicts of interest were disclosed); and
  - e) Ensure the minutes of all Committee meetings are consistent with the format of Council meetings.
- 8.5 Committee recommendations are not binding on Council. To obtain Council endorsement, a Committee recommendation must be reported to the Council for their decision.

### 9 TERM OF OFFICE

A person appointed to the Committee will continue as a member for two years.

#### 9.1 Casual Vacancy

Should a vacancy occur during the term of appointment it will be filled by following the normal process for appointments (refer Section 7 Membership).

## HERITAGE ADVISORY COMMITTEE CHARTER

### 9.2 Non-Attendance at Meetings

Ongoing membership of the Committee is subject to regular attendance and reasonable apologies. A Committee member should notify the Committee Chairperson of their planned absence from a meeting.

Any Committee member knowing that they will be absent for three or more consecutive meetings should notify the Committee Chairperson in writing of the planned absence.

In the event of a member being absent for three or more consecutive meetings without apology and without the approval of the Committee, the Committee can vote on whether to declare the member's position vacant, inform the member of the outcome and fill the position as a casual vacancy.

### 9.3 Resignation from Committee

Any Committee member wishing to resign from the Committee shall do so in writing to the Committee Chairperson.

## 10 GENERAL PUBLIC

10.1 The Committee meetings will be open to members of the general public who may participate in discussion with the permission of the Chairperson. Voting rights are maintained by only those appointed to the Committee.

10.2 Representatives of organisations or the general community may be invited to address the Committee on matters on the agenda.

## 11 TIMETABLE FOR MEETINGS

11.1 Meetings will be held quarterly, subject to confirmation two weeks prior to each meeting of agenda items requiring Committee discussion.

11.2 A meeting will be limited to a maximum of one and a half hours duration unless the Committee resolves to extend the length of the meeting to a particular time or the completion of business.

11.3 Extra-ordinary meetings may be called by the Chairperson of the Committee in consultation with the CEO (or his/her delegate).

11.4 A schedule for Committee meetings confirming the location, date and starting time for meetings will be distributed to Committee members.

## HERITAGE ADVISORY COMMITTEE CHARTER

- 11.5 Changes to scheduled Committee meetings can only be made if five ordinary days' notice has been given to all members.

### **12. MEETING PRACTICE AND PROCEDURES**

- 12.1 Committee meetings must be conducted in accordance with Council's Code of Meeting Practice.
- 12.2 The Committee must observe the provisions of any other relevant Council policies and procedures.
- 12.3 Minutes of meetings must be kept in accordance with the procedures set out in Council's Code of Meeting Practice.
- 12.4 The minutes of each Committee meeting will be submitted to the next available meeting of Council.

### **13 INSURANCE COVER**

- 13.1 Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee.

### **14 OBSERVING THE CODE OF CONDUCT AND RELEVANT COUNCIL POLICIES**

- 14.1 All members of the Committee are required to observe the provisions of Council's Code of Conduct and any other relevant Council policy applicable to the proper functioning of the Committee.
- 14.2 Should a member of the Committee breach Council's Code of Conduct or any other relevant Council policy, the matter will be referred to the CEO to be dealt with in accordance with Council's Code of Conduct Procedures.
- 14.3 A breach of the Code of Conduct may result in the particular Committee member concerned being excluded from membership of the Committee.
- 14.4 If a Committee member has a pecuniary interest in any matter with which the Committee is concerned, and is present at a meeting of the Committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to

## HERITAGE ADVISORY COMMITTEE CHARTER

- remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion.
- 14.5 A member of the Committee who has a non-pecuniary conflict of interest in any matter with which the Committee is concerned and is present at a meeting of the Committee at which the matter is being considered must disclose the interest to the meeting as soon as practicable. If a member of the Committee has declared a non-pecuniary conflict of interest, there exists a range of options for managing the conflict of interest. The option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with.
- 14.6 A Committee member will deal with a non-pecuniary conflict of interest in at least one of these ways:
- a) Where the potential for conflict is deemed minimal, take no action. However, the Councillor or Committee member should consider providing an explanation as to why it is considered that only a minimal or non-existent conflict exists;
  - b) Where the potential for conflict is more significant, take no part in the matter by leaving the room in which the meeting is taking place and take no part in any debate or vote on the issue, as if the provisions in section 451(2) of the Act applied.
- 14.7 Committee members declaring a conflict of interest, whether pecuniary or non-pecuniary, should complete a Declaration of Interest Form which is to be signed by the CEO and retained by Council in accordance with Council's Code of Conduct and its Ethical Governance: Conflicts of Interest Policy.

## 15 CONFIDENTIALITY AND MANAGING PRIVACY

- 15.1 Committee members, through their involvement on the Committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain confidentiality and security in relation to any such information and not access, use or remove that information, unless authorised to do so.
- 15.2 The *Privacy and Personal Information Protection Act* 1998 and Council's Privacy Management Plan deal with the collection, holding, use, correction, disclosure and transfer of personal information.
- 15.3 Should a Committee member become aware of any breach of security, or misuse of Council's confidential or personal information, they should inform the CEO immediately.

## HERITAGE ADVISORY COMMITTEE CHARTER

### **16 MEDIA PROTOCOL**

- 16.1 The Mayor is the only person permitted to speak to the media on behalf of the Committee.
- 16.2 No other member of the Committee is permitted to speak to the media in their capacity as a Committee member.

### **17 REVIEW OF THE COMMITTEE AND THIS CHARTER**

- 17.1 Council will review the work of the Committee and this charter every two years.

## HERITAGE ADVISORY COMMITTEE CHARTER

### **AUTHORISED BY**

Council Resolution

### **EFFECTIVE FROM**

30 August 2017

### **DIRECTORATE RESPONSIBLE**

City Economy & Growth

### **REVIEW DATE**

30 August 2019

### **VERSION**

<b>Version</b>	<b>Amended by</b>	<b>Changes Made</b>	<b>Date</b>	<b>TRIM Number</b>
1	Council Resolution	Minor changes	26 August 2015	207351.2015
2	Council Resolution	Minor changes	16 December 2015	339482.2015
3	Council Resolution	Amendment to Functions, Membership, Quorum and Decision Making and General Public,	30 August 2017	242312.2017

### **REFERENCES**

Liverpool City Council: Code of Conduct

Liverpool City Council: Code of Conduct Procedures

Liverpool City Council: Code of Meeting Practice

Liverpool City Council: Ethical Governance: Conflicts of Interest Policy

Liverpool City Council: Privacy Management Plan