

# Saleyard Committee

## Terms of Reference

**ToR No: SVC-TofR-04-2**

**1. NAME**

The name of the Committee is the Saleyard Committee.

**2. STATUS**

The Saleyard Committee is an advisory committee to Snowy Valleys Council. Being an advisory committee, the Saleyard Committee does not have executive power or authority to direct staff.

**3. DELEGATION / AUTHORITY**

All decisions of the Committee will, therefore, constitute recommendations to Council and other major stakeholders where relevant.

**4. PURPOSE**

The purpose of the committee is to:

- Provide appropriate advice and recommendations on matters relevant to the Tumut Saleyards;
- Provide a forum for discussion of Saleyard related issues;

**5. OBJECTIVES OF THE COMMITTEE**

The Saleyard Committee is a committee of Council responsive to community needs. The effectiveness of the committee depends on community support.

The Committees objectives are to recommend to Council a Capital Improvement Program as well as management issues.

**6. DECISION MAKING**

It is intended that the Committee will make decisions based on consensus. If it is not possible to arrive at a consensus on a particular item the recommendation to Council should note the dissenting views.

**7. MANAGEMENT AND OPERATION OF THE COMMITTEE**

**a) STRUCTURE / MEMBERSHIP**

The Committee shall be comprised of five (5) citizen/community representatives, the General Manager or nominated delegate and one (1) Councillor. It is desirable that there is a representation from the entire Shire, a reasonable gender balance and age distribution on the Committee.

The Committee shall comprise:

- One (1) Councillor representative
- One (1) TSC staff representative appointed by the General Manager
- One(1) representatives from local Stock and Station Agents
- Two (2) livestock producer representatives

- One (1) member of the public representative
- One (1) other

**b) APPOINTMENT AND SELECTION OF MEMBERS**

The Snowy Valleys Council will call for applications from community members within the Council area for all community member positions.

The applications will be assessed on their merit and suitable persons will be appointed to the Saleyard Committee by Snowy Valleys Council. Persons can be self-nominated, or can represent a group or organisation.

**c) TERM**

The term should initially be for four years in line with the term of Council. Any vacancies which occur will be advertised and appointed from nominations received or in the case of an organisation that group can nominate a replacement representative.

Members of the Saleyard Committee may cease to hold office:

- By death, mental incapacitation or by serving of a criminal sentence;
- If the member provides a written resignation;
- If a member is absent from three consecutive meetings (with or without apology), without having obtained a formal leave of absence.

**d) CHAIRPERSON**

The Chairperson shall be elected by the committee by a simple majority vote taken from members present at the first meeting of each calendar year and shall serve a term of one year.

In the absence of the Chairperson, the Committee shall elect a Deputy Chairperson for that meeting.

**e) SECRETARIAT**

A staff member from Snowy Valleys Council shall perform the Secretariat duties for the Committee.

**f) COUNCIL STAFF MEMBERS ON COMMITTEES**

Snowy Valleys Council staff members who attend Committee meetings shall:

- Not be considered as part of the quorum;
- Have no voting rights;
- Not be able to enact the role of Chairperson or Vice Chairperson at any meeting;
- Be considered as an ex-officio member of the committee at all times.

**g) PECUNIARY INTERESTS AND CONFLICTS OF INTEREST**

Members of the Committee must, having reviewed the agenda for a meeting, or when becoming aware of a potential conflict of interest or pecuniary interest in any matters being discussed by the Committee, immediately advise the Chairperson.

The Committee member must refrain from participating in the discussion and if deemed appropriate by the voting members present, leave the meeting whilst the

matter is discussed and not participate in any decision making related to the issue. The interest will be recorded in the minutes.

#### **h) QUORUM**

A quorum of the Committee will be half of the appointed voting members present plus one (a simple majority).

If a quorum is not reached within 10 minutes of the appointed starting time, the meeting shall:

- a) be adjourned to a time determined by the Chairperson in consultation with the staff member performing Secretariat duties to ensure that the adjourned time does not clash with other scheduled meetings or;
- b) continue as an Inquorate discussion (refer 6i).

#### **i) INQUORATE MEETINGS**

In the event that a meeting does not have the required quorum, those members present can determine whether they would like to continue with the meeting as an Inquorate Discussion.

In this case, recommendations for decisions cannot be made, but can be carried forward to subsequent meetings where a quorum is present.

Minutes of an inquorate discussion must take the form of Inquorate Discussion Notes.

The members present at an inquorate discussion cannot put or carry any motion or resolution.

#### **j) DECISIONS AND VOTING**

The Committee's business is conducted on a simple majority vote by those appointed members present. Each appointed member of the Committee present at any meeting shall have one vote on any matter.

Major decisions and recommendations will be referred to Council for adoption prior to implementation by the Committee.

The Committee shall make recommendations to Council on matters that relate to the objectives of the Saleyard Committee for the Snowy Valleys Shire.

Only the Councillor appointed to the Saleyard Committee have voting rights.

#### **k) ATTENDANCE OF NON MEMBERS**

The Committee may, at its discretion, allow non-members, observers and advisers to attend meetings of the committee to facilitate exchange of information and to provide specialist advice and counsel to the Committee with prior notification.

#### **l) WORKING GROUPS**

The Committee is able to form a Working Group as required to address specific issues or undertake specific activities. The Working Group must report to each Committee meeting.

Non-members may be co-opted to a working group. A member of the Committee shall act in the capacity of Chairperson of the working group.

The Committee shall determine a statement of the purpose/objectives, responsibilities and tasks to be achieved by the Working Group at the time that it is formed.

## **8. COMMITTEE OPERATION AND MEETINGS**

### **a) MEETINGS**

Meetings will be held three (3) times per annum at 5.30pm at the Riverina Highlands Building.

### **b) SPECIAL MEETINGS**

Special meetings may be called by the Chairperson, or at least two voting members of the Committee in consultation with the Secretariat to avoid potential clashes.

### **c) NOTICE OF MEETINGS**

The Notice of Meeting will be provided to each Committee member in writing, setting out the date, time and place of the meeting; and be accompanied by a business paper which includes an agenda for the meeting, minutes of the previous meeting and any reports to the Committee.

The agenda for ordinary meetings of the committee will be provided to members of the Committee at least three working days prior to the meetings.

A minimum of twenty four hours' notice shall be given for any Special meetings of the Committee.

A copy of the notice of meeting, agenda and accompanying reports shall be placed on public exhibition at the Council office, Council website and libraries.

### **d) MINUTES**

Minutes shall be kept of all meetings of the Committee and any working group. Each Committee members will receive copies of the minutes with the notice of meeting for the next meeting.

Other arrangements to receive minutes from the meetings can be made by resolution of the voting members of the Committee.

The minutes shall be confirmed at the next committee meeting with or without amendments.

A copy of the minutes will be supplied to Council before its next meeting following that of the Committee if recommendations are included.

### **e) MEETING PROCEDURES AND PROTOCOL**

The procedures and protocols to be observed at the Committee meetings are those of the Code of Meeting Practice was established in accordance with the provisions of Section 360(2) Local Government Act of 1993.

## **9. SUPPORT AND RESOURCING THE COMMITTEE**

Council will provide administrative services and other resources, including a venue, preparation and distribution of agendas/minutes to support the function of the Committee and any working groups.

## **10. MEDIA COMMENT AND CONFIDENTIALITY**

The Committee has no delegated authority to make comments to the media on behalf of the Committee without the express permission of the General Manager.

The Committee does not have the authority to make comments on behalf of Snowy Valleys Council.

Members of the Committee should appreciate that the Committee may, from time to time, deal with sensitive matters of a confidential nature. The confidentiality of such information should be respected by all members.

## **11. FINANCE**

For Committees who hold funds with Council:

A record of the financial transactions of the Committee will be maintained by Council's finance team and reported to the committee at each meeting.

Receipting, purchasing and tendering of goods and services shall be conducted in accordance with Council's internal financial control procedures.

## **12. DOCUMENTATION / COUNCIL AND EXTERNAL REFERENCES**

Snowy Valleys Council Code of Meeting Practice was established in accordance with the provisions of Section 360(2) Local Government Act of 1993. The objective of the Code is to provide procedures and standards for the proper, conduct of Council business and decision making.

Snowy Valleys Council Code of Conduct sets the minimum requirements of conduct for council officials in carrying out their functions. The Model Code is prescribed by regulation and was developed to assist council officials understand the standards of conduct that are expected of them.

## **13. AMENDING THE TERMS OF REFERENCE**

Recommendations for amendments to the Terms of Reference can be made at any time provided that suggested changes are noted on the Agenda, a quorum is present at the Meeting and the majority of voting members present support the recommendation.

Amendments to the Terms of Reference must be approved by Snowy Valleys Council.

## **14. DISSOLUTION**

Council may at any time dissolve the Committee.

## **15. LIABILITY OF MEMBERS**

In accordance with Division 2 Section 731 of the Local Government Act 1993, A matter or thing done by the Minister, the Director-General, a council, a councillor, a member of a committee of the council or an employee of the council or any person acting under the direction of the Minister, the Director-General, the council or a committee of the council does not, if the matter or thing was done in good faith for the purpose of executing this or any other Act, and for and on behalf of the Minister, the Director-General, the council or a committee of the council, subject a councillor, a

member, an employee or a person so acting personally to any action, liability, claim or demand.

**16. SUPERSEDING POLICY NO AND TITLE**

Saleyard Committee Terms of Reference No. 14, Version 1.5  
Saleyard Committee Terms of Reference No. 14, Version 1.6  
Saleyard Committee Terms of Reference - SVC-TofR-004-01

**17. TERMS OF REFERENCE PREPARED AND AMENDED BY:**

DAI/Open Space & Facilities Officer

**18. HISTORY TABLE**

| <b>Version No</b> | <b>Approval Date</b> | <b>Resolution Number</b> | <b>Date to be Reviewed</b> |
|-------------------|----------------------|--------------------------|----------------------------|
| 1.0               | 22 September 2016    | M114/16                  | 01/07/2020                 |
| 2.0               | 24 May 2018          | M143/18                  | 01/07/2020                 |