



CUMBERLAND HERITAGE COMMITTEE TERMS OF REFERENCE (TOR) ADOPTED 18 OCTOBER 2017 Updated November 2019

1. Background

The Cumberland Heritage Committee is a Committee of Cumberland Council and is constituted under the *Local Government Act 1993*. The Committee is purely advisory and may not commit Council resources.

2. Tenure of Committee

The Cumberland Heritage Committee is established for the term of 2 years from the appointment of members unless disbanded earlier by Council resolution.

3. Purpose

The Cumberland Heritage Committee is formed to advise Council on matters related to the conservation, management and promotion of heritage within the Cumberland Local Government Area (LGA). These may be individual heritage items, conservation areas, archaeological sites or Aboriginal objects and Aboriginal places of heritage significance.

4. Objective

To facilitate the conservation, management, promotion and appreciation of the heritage of the Cumberland LGA.

5. Role

The role of the Cumberland Heritage Committee is to:

- i) Assist in the development of educational and promotional strategies and programs for heritage in the Cumberland Local Government Area (eg exhibitions, events, walks, brochures, plaques).
- ii) Encourage restoration and maintenance of heritage properties and acknowledge effort made by owners and community organisations in this regard (for example, judging nominations and entries received for the Cumberland Local Heritage Awards);
- iii) Consider applications for the allocation of funding under the Local Heritage Rebate Program and make recommendations to Council in this regard.

CUMBERLAND HERITAGE COMMITTEE TERMS OF REFERENCE

- iv) Assist in identifying environmental heritage for nomination to or deletion from the Environmental Heritage Schedule within *Auburn Local Environmental Plan (LEP) 2010, Holroyd LEP 2013, Parramatta LEP 2011, or the future Cumberland LEP*.
- v) Make recommendations on the collection and recording of local heritage material or artefacts.
- vi) Research heritage values of listed or potential sites.
- vii) Identify challenges to heritage conservation and management, and recommend strategies for overcoming these.
- viii) The Committee will offer advice as required upon Development Applications received by Council, where it is considered that the DA has a significant impact upon a heritage item.

6. Membership

Membership of the Cumberland Heritage Committee will consist of:

- i) **Two** Councillors or their delegate.
Councillor members are to be elected by Council (Ordinary Meeting of Council).
- ii) Between six (6) and nine (9) community representatives. These representatives may be individuals or members of heritage organisations in the LGA. Ideally, the community members will be representative from across the geographical area of Council.
- iii) An Indigenous community representative is to occupy one of the community representative positions.

To be eligible as a community representative, a Committee Member must:

- i) Have an appreciation and understanding of heritage in Cumberland LGA.
- ii) Have background, experience or demonstrated interest in heritage protection, management, policy or promotion.
- iii) Be a local resident of Cumberland LGA or have a connection (for example a business) with the Cumberland area.
- iv) Commitment to EEO, WH&S, risk management, cultural diversity, environmental protection and ethical principles.

Nominations for membership of the Cumberland Heritage Committee will be sought through an open advertisement in local newspapers and on Council's website. All nominations for appointment to the Committee are to be formally submitted to Council using the nomination form. Council will consider all applications and select suitable candidates to be invited as members of the Cumberland Heritage Committee.

All Heritage Committee Members are expected to attend all Committee meetings where possible. A member who fails to attend 2 consecutive meetings without submitting a satisfactory explanation will forfeit his/her place on the Committee.

CUMBERLAND HERITAGE COMMITTEE TERMS OF REFERENCE

Where a Councillor cannot attend a meeting of the Committee, another Councillor delegated by the Councillor may act as a Member of the Committee for that meeting. The delegate will have the full rights of a member for that meeting.

Councillor appointments to the Committee will be made annually at the end of each calendar year or as required. This will include a Chairperson, and other delegates. All other Councillors are able to attend Committee meetings.

7. Notification of vacancies

The Heritage Committee is to notify the Council promptly of any vacancy occurring in its membership that affects the capacity of the Heritage Committee to function. The Heritage Committee is to submit to Council, within 28 days, the name of a person considered by the Heritage Committee to be suitable for appointment. The Council will decide whether to accept that appointment, or to call for public Expressions of Interest.

8. Chairperson

The Mayor or their nominee will chair the Heritage Committee. In his/her absence, the Committee may elect another Councillor as the Chairperson.

9. Quorum

The quorum for a meeting of the Heritage Committee will be a majority of the members. If a quorum is not present within fifteen minutes after the appointed starting time, the meeting will be adjourned to a time fixed by the Chairperson.

Where there is no quorum, the members present can hold an informal meeting to discuss matters. However, any recommendations made by the Committee are not recognised until a meeting, where a quorum is present, has ratified them.

10. Times and Places for Meetings

The Heritage Committee will meet quarterly at dates and times as determined by the Committee (with the exception of the first meeting of a new Committee term). An extraordinary meeting may be called where circumstances warrant.

Meetings will normally be held at either the Auburn Service Centre at 1 Susan Street Auburn, or the Merrylands Service Centre at 16 Memorial Avenue, Merrylands. The venue of the next quarterly meeting is to be agreed by the Committee during the (prior) meeting.

CUMBERLAND HERITAGE COMMITTEE TERMS OF REFERENCE

11. Meeting Procedures

Committee Members are expected to attend all Heritage Committee meetings where possible. If a member is unable to attend, an apology is to be provided to the meeting convener prior to the meeting.

The Heritage Committee is not required to strictly follow Council's adopted Code of Meeting Practice. However the Committee should ensure that any proposed actions or resolutions are clear.

Persons other than Committee Members, or the delegates of Councillors, will be permitted to attend meetings subject to:

- i) Prior agreement at the previous meeting, if the invitee is known, or
- ii) Agreement by the Chairperson.

12. Decision making

Wherever possible, the Heritage Committee should seek to achieve a consensus on decisions or actions.

Where a matter is voted on, each member of the Heritage Committee is entitled to one vote. The Chairperson will generally abstain from voting. Where a vote is tied the Chairperson may exercise a casting vote.

Voting can be conducted in two ways, either verbally or by show of hands (or in special circumstances in another appropriate way as agreed by the committee members). For a vote to be carried a majority of participants must vote for that matter. Members who are not present may not vote by proxy or any other means.

13. Conflict of Interest

Heritage Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. This includes potential conflicts or a perception of conflict. Details of any conflicts of interest are to be appropriately minuted.

Where members or invitees at Heritage Committee meetings are deemed to have a real or perceived conflict of interest, the member is precluded from Committee deliberations on the issue.



CUMBERLAND HERITAGE COMMITTEE TERMS OF REFERENCE

14. Administration of the Committee

The Committee will be convened by the **Director Environment & Planning / Executive Manager City Strategy** (the Convener). A heritage advisor to Council will also attend meetings and provide expert advice to the Committee.

Council staff will provide the following administrative support to the Heritage Committee, as required:

- Notification of times of meetings and the meeting agenda, and provide confirmation of meeting venue.
- Preparation and distribution of minutes.
- Background reports and other information as required.
- Reports to Council.
- Any other correspondence to Committee members
- Catering for meetings.

Council staff and the Council heritage advisor will not be Members of the Committee and as such will not have voting entitlements.

15. Minutes

Minutes of the Heritage Committee meeting are to be endorsed by the convener prior to being submitted to the next available Ordinary Meeting of the Council as appropriate.

The minutes will contain:

- i) Description of the meeting, date, time and venue at which the meeting was held.
- ii) A list of persons present and any apologies.
- iii) Notation of adoption of minutes from previous meeting.
- iv) Whether there was business arising from the minutes.
- v) Notation of reports, correspondence and recommendations.
- vi) Items of general business.
- vii) Time meeting closed, date and venue of next meeting.

Minutes of each Committee Meeting will be reported to Council and the report is to highlight any recommendation arising from the Meeting that the Committee considers to be of sufficient importance to bring to the attention of Council. The minutes of all Committee meetings become public documents on reporting to Council.

16. Reports

It may be appropriate for Committee member/s to follow up on matters arising from the quarterly meetings. Where this takes place, such member/s will be required to take appropriate notes and report back to the Committee on the matter.

CUMBERLAND HERITAGE COMMITTEE TERMS OF REFERENCE

A Council officer will prepare reports, as requested by the Heritage Committee or as otherwise considered appropriate, for the consideration of the Committee.

17. Agenda and Meeting Notification

Agenda items are to be submitted to the Convener of the Committee at least 21 days prior to the next scheduled meeting date.

Members should describe nominated agenda items in sufficient detail to help members to understand the issues before them.

Urgent / late items not on the agenda are to be dealt with and determined in the appropriate manner in accordance with Council's adopted Code of Meeting Practice or equivalent document.

Notification of meetings will be given to Committee Members by the Convener at least one week in advance, specifying the time and venue, together with a copy of the agenda and any reports.

18. Expenses of Committee Members

Council will not generally authorise payment or provide remuneration to Heritage Committee members. However, where special circumstances exist, Council may pay remuneration, reimburse expenses and/or provide facilities to Committee members.

19. Insurance

Members of the Heritage Committee are covered by Council's public liability and professional indemnity insurance.

20. Media Contact

Members of the Committee may not speak to the media on behalf of the Committee or Council without prior approval from the General Manager and liaison with Council's Public Relations Officer.

21. Changing the Terms of Reference

The following procedure will apply where a Heritage Committee member seeks to amend these Terms of Reference:

- i) The Heritage Committee must consider and vote on any proposed changes to the Terms of Reference
- ii) Any proposed change is to be approved by Council.
- iii) Any changes will be advised to Heritage Committee members.

CUMBERLAND HERITAGE COMMITTEE TERMS OF REFERENCE

Any requests from Council management to amend the Terms of Reference are to be made through the General Manager for submission to Council.

21. Standard Operating Procedures

All other procedures are to be in accordance with Council's Manual for Standard Operating Procedures and Code of Meeting Practice.

