

WATSONIA TOWN SQUARE COMMUNITY REFERENCE GROUP

TERMS OF REFERENCE June 2021 Update

Name: Watsonia Town Square Community Reference Group (WTSCRG)

1. Introduction:

After successful negotiations with the Victorian Government, Council has secured \$5.5 million in funding as part of the North East Link Project. The funding will be utilised to enhance Watsonia through two specific grants:

1. Watsonia Development Grant: \$500,000 for the preparation and delivery of scoping and design development work for urban design improvements in Watsonia Town Square.
2. Watsonia Works Grant: \$5m for construction works of the Watsonia Town Square and alterations to the local road network and associated civil infrastructure. This work will deliver the agreed outcome from the Watsonia Development Grant.

The above-mentioned grants will also inform the integrated design of an additional shared path within the precinct. An additional grant for detailed design and construction works for the shared paths will be allocated in 2023.

The engagement that is carried out as part of the Watsonia Town Square project will build on the extensive community engagement that was carried out to create the Picture Watsonia vision. This vision described the community's aspirations for the centre over the next 35 years and detailed several opportunities including the creation of an active and vibrant town square.

2. Aim:

The aim of WTSCRG is to provide Council with ideas and feedback to shape the development of a Town Square and associated improvements for Watsonia Shopping Centre.

a. Key Objective

Generation of concept and detailed designs that enhance the public realm, provide for positive community outcomes and respond to opportunities associated with the North East Link Project.

3. Membership:

The WTSCRG membership will consist of up to 15 members and will include representation from:

- o Watsonia Traders Association (2)
- o Watsonia Business Person (2)
- o Watsonia RSL (1)
- o Yarra Plenty Regional Library Service (1)
- o Watsonia Neighbourhood House (1)
- o Local Church (1)
- o Local Interest Group (1)
- o Local Property Owner (1)
- o Local Resident (3)
- o Young Person (1 - 2)

The following representatives are also to be included, additional to the community members:

- o One Councillor
- o Up to four Council officers
- o The Local State Member of Parliament or relevant representative

All WTSCRG positions are voluntary positions.

All Councillors will be invited to attend meetings as observers.

4. Recruitment:

a. Selection Criteria

Applications from interested community members will be assessed based on the following criteria:

- Understanding of and Connection to the Watsonia area.
- Willingness to commit to a twelve-month term.
- Ability to represent a diversity of views and interests of the community.

- Qualifications, skills and experience the person can bring to the Reference Group, relevant to the design of the town square.

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

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

b. Selection Process

An Expression of Interest that invites applications will be advertised through Council publications, local media and circulated through networks, and will be advertised for a minimum of 14 days. Key organisations may be recruited directly by Council officers.

The selection committee for the reference group will include the WTS project control group comprised of the Director, City Development; Manager, Environment and Place; Manager, Transport; Manager, Parks and Open Space and the Senior Project Manager. The committee will assess the candidates against the selection criteria and advise Council of the appointments via a briefing note. Where required, the selection committee may also conduct interviews with candidates.

5. Terms of Appointment:

- Appointments will be for a twelve-month term.
- The ward Councillor will Chair the reference group meetings. Another Councillor can be appointed as a sub chair, to fulfil this role in the regular Chairs absence.
- 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 WTSCRG at any time by notifying the Senior Project Officer. 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.

a. Meeting Frequency and Duration

- The WTSCRG will meet approximately four to six 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 WTSCRG will consist of a minimum of one Councillor and five other members of the Reference Group.

6. Roles and Responsibility

a. Role of Councillors

- To act as Chairperson of the WTSCRG. 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.
- To be the link between Council and the WTSCRG.
- To table issues and concerns to Council on behalf of the WTSCRG.
- To nominate another Councillor to attend meetings in his/her absence.
- To give a week's notice to the Senior Project Officer if they are unable to attend and nominate another Councillor to attend meetings in their absence.

b. 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 Reference Group.
- Keep the Reference Group informed of current and emerging developments, and issues and activities relevant to the 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.

c. Role of Council Staff:

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

d. 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.

7. Extent of Authority:

- WTSCRG members have an active role to provide feedback and advice to Council to inform the development of the Watsonia Town Square.
- WTSCRG members participate in discussions at four to six meetings.
- WTSCRG 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.

8. Monitoring and reporting:

- The minutes of WTSCRG 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 reference group meetings may be presented to Council for noting and where appropriate action.

9. Induction and Orientation:

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

- Briefing members on the expectations and requirements of membership of the Reference Group.
- Providing members with an overview of the reference group structure and decision-making processes of Council.
- Introduction to the Banyule’s Council Plan and other relevant Council policies, strategies and plans.
- Overview of key issues relating to the precinct including an update on the North East Link Project.

a. 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
- Child Care reimbursement

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

10. Reference group member regulatory obligations

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

- act with **integrity**
- **impartially** exercise his or her responsibilities in the interests of the local community; and
- **not improperly** seek to confer an advantage or disadvantage
- **avoid conflicts** between his or her Reference Group duties and his or her 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 leave during discussion.

Refer to Appendix A for further detail

11. Record of Meetings to be tabled at Council Meetings

This 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.

12. Changes to the Terms of Reference

The WTS 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 can be made at any stage by mutual agreement of all Project Control Group members.

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

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	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 style="text-align: center;">Please Note</p> <p><i>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.</i></p>	